

City Council Meeting
10 N. Public Square
August 4, 2022
6:00 P.M. – Work Session
7:00 P.M. – Council Meeting

WORK SESSION

Mayor Matthew Santini opened Work Session at 6:06 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Council Member Stepp made a motion to enter into a Closed Session for the purposes of Property, Potential Litigation, and Attorney/Client privilege. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Santini voting

Mayor Santini closed Work Session at 6:57 P.M.

OPENING MEETING

Mayor Santini called the Council Meeting to order at 7:01 P.M.

Invocation by Council Member Cooley.

Pledge of Allegiance led by Council Member Roth.

The City Council met in Regular Session with Matthew Santini, Mayor presiding, and the following present: Jayce Stepp, Council Member Ward Two; Cary Roth, Council Member Ward Three; Calvin Cooley, Council Member Ward Four; Taff Wren, Council Member Ward Six; Dan Porta, City Manager; Julia Drake, City Clerk; and Keith Lovell, Assistant City Attorney.

Absent: Kari Hodge, Council Member Ward One; Gary Fox, Council Member Ward Five

REGULAR AGENDA

COUNCIL MEETING MINUTES

1. July 21, 2022

Council Member Wren made a motion to approve the July 21, 2022 Council Minutes. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

PUBLIC HEARING – 2ND READING OF ZONING/ANNEXATION REQUESTS

2. SU 22-02 40 Curtis Ct.

Applicant: Andrew Schultz

Randy Mannino, Planning and Development Director, stated the applicant requests a Special Use Permit to allow Cheerleading/gymnastics facilities and indoor athletic training facilities in the H-I (Heavy Industrial) zoning district.

Planning Commission Meeting: 7-12-22. Planning Commission recommends approval (6-0).

Public hearing opened.

Vickie Mouser, 52 Hamilton Blvd., came forward to represent the application and to answer questions from the Mayor and Council Members.

With no one to come forward to speak for or against the application, the public hearing was closed.

Council Member Stepp made a motion to approve the SU22-02: 40 Curtis Ct. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 4-0



SECOND READING OF ORDINANCES

3. Southern Cove: Jayson Frederick

Mr. Mannino stated that the owners of Southern Cove, Jayson and Ellis (Buddy) Frederick, are proposing a change to the Specialty Shop Code of Ordinances to allow distilled spirits to be sold. Currently, the code only allows craft beer and wine sales. In addition, they are requesting that the percentage of sales to be changed from 35% to 49% and to change the craft beer requirement to allow any beer, including domestic beer.

Jayson Frederick, 63 River Walk Pkwy, and Buddy Frederick, 388 Oliver Dr., Dallas, came to the podium to represent their proposal and stated that they are currently selling wine based spirits and alcohol sales in their establishment is currently only 11%, with the remaining 89% being from retail sales.

Council Member Wren made a motion to approve the request for specialty shops to serve non-craft beers only. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 4-0

Ordinance no.17-22

WHEREAS, Southern Cove requested several changes to Sec. 4-59(a)(7) of the City of Cartersville Code of Ordinances.

Now be it and it is hereby ordained by the Mayor and City Council of the City of Cartersville, that the CITY OF CARTERSVILLE CODE OF ORDINANCES. CHAPTER 4 – ALCOHOLIC BEVERAGES. ARTICLE II. – LICENSING REQUIREMENTS. DIVISION 2. – APPLICATION AND ISSUANCE. SECTION 4-59. – POURING LICENSES LIMITED TO CERTAIN ESTABLISHMENTS. paragraph (a)(7) is to remain as is.

1.

All other existing provisions of Sec. 4-59 not changed herein, shall remain as is.

2.

It is the intention of the city council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Cartersville, Georgia, and the sections of this Ordinance may be renumbered and/or alphabetized accordingly to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: July 21, 2022
SECOND READING: August 4, 2022


MATTHEW J. SANTINI, MAYOR

ATTEST: 
JULIA DRAKE, CITY CLERK



4. Downtown Business Improvement District Ordinance

Lillie Read, Downtown Development Authority Director, stated the necessary 51% of signatures from property owners were obtained and the Public Hearing was held at the July 7, 2022 City Council meeting without any comments. The DDA is seeking Council’s approval to adopt the Downtown Business Improvement District ordinance and Intergovernmental Agreement.

DDA staff and board, as well as city staff, have reviewed the BID information and approval was recommended.

Mayor Santini stated that one resident had requested for residential property be exempt from the Business Improvement District.

Ms. Read stated that there are many benefits to not only businesses but also residences to being in the Business Improvement District such as improvement grants. In closing, Ms. Read stated that this particular resident had taken advantage of the grants available for not only their personal residence located in the BID District, but also for their two businesses.

Council Member Stepp made a motion to approve the Downtown Business Improvement District Ordinance with the original map to include the residential properties. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

ORDINANCE 18-22

ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE APPROVING AND AUTHORIZING THE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT FOR TAX YEAR 2022 AND THEREAFTER

Now be it and it is hereby ordained by the Mayor and City Council of the City of Cartersville, that the following ordinance be adopted.

WHEREAS, the Downtown Development Authority of Cartersville has presented a petition pursuant to O.C.G.A. § 36-43-1, *et. seq.*, to the impacted individuals relating to the adoption of a Business Improvement District to commence and enter for tax year 2022, a copy of which is attached hereto as Exhibit "A;" and

WHEREAS, pursuant to O.C.G.A. § 36-43-1, *et. seq.*, the Downtown Development Authority of Cartersville has provided said petition and related documents to the Mayor and City Council of the City of Cartersville; and

WHEREAS, pursuant to O.C.G.A. § 36-43-1, *et. seq.*, the Mayor and City Council has referred the attached petition and related documents to each City Department for their submission of a report to the Mayor and City Council by July 1, 2022, in which they shall provide their recommendation to approve of, disapprove of, or give qualified approval with the modifications to the district plan, with reasons therefore; and

WHEREAS, the City of Cartersville published a notice of the public hearing on July 7, 2026 and consideration of adoption on July 21, 2022 in the Daily Tribune News on June 23, 2022, a copy of the Affidavit of Publication is attached as Exhibit "B;" and

WHEREAS, all department of the City have reviewed and indicated that said petition is in order for consideration by the Mayor and City Council of the City of Cartersville; and

WHEREAS, the Mayor and City Council did hold a public hearing at its regularly scheduled City Council Meeting regarding said plan on July 7, 2022 at which no objections were made, and shall now consider the adoption or denial of said request at its regularly scheduled City Council Meeting on July 21, 2022.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, IN THE STATE OF GEORGIA, AS FOLLOWS:

The Mayor and City Council hereby approve and authorize the Mayor and City Clerk to execute the Intergovernmental Agreement attached as Exhibit "C" hereto with the Downtown Development Authority of Cartersville to administer the Cartersville Business Improvement District.

Additionally, that the Mayor and City Council of the City of Cartersville, pursuant to O.C.G.A. § 36-43-1, *et. seq.*, hereby approve the Business Improvement District Plan attached hereto as Exhibit "A" levying an initial mileage of \$0.00127 per dollar of assessed value and authorize the Mayor and City Clerk to sign this Ordinance approving the same.

2.

It is the intention of the city council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Cartersville, Georgia, and the sections of this Ordinance may be renumbered and/or alphabetized accordingly to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: July 21, 2022
SECOND READING: August 4, 2022


MATTHEW J. SANTINI, MAYOR

ATTEST: 
JULIA DRAKE, CITY CLERK



CONTRACTS /AGREEMENTS

5. Electric System Trimming Contract

Derek Hampton, Electric Department Director, stated Council's approval was requested on a contract with Trees Unlimited. This item is budgeted not to exceed \$156,000.

Council Member Cooley made a motion to approve the Electric System Trimming Contract. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

RESOLUTIONS

6. Project J Tender Resolution

Mr. Hampton stated the two nuclear power plants that are under construction at Plant Vogtle (Plants 3 and 4) and have experienced significant cost overruns. Per our discussions, and the future needs of electric generation, it was recommended to not support or deny the tender option for each resolution, which means Cartersville continues to own our full share of each proposed project, but also, continues to share in the full cost overruns. For Project J, Cartersville has sold the first 20 years "ownership" or "allotment" of 15.566 megawatts of power to Jacksonville Electric Authority (JEA). This means for the first 20 years of operations of when Plants 3 and 4 come online, Cartersville will not receive 15.566 megawatts as JEA will receive them but also pay for these costs. After 20 years, sometime around 2044, Cartersville will then receive in full the 15.566 megawatts from Project J and begin to pay for the power costs.

The Electric Department recommends voting in opposition of the tender option by SPV J.

Council Member Roth made a motion to not support exercising the tender option by SPV J. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 4-0

RESOLUTION 18-22

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE – MEAG POWER AND EITHER APPROVING OR NOT APPROVING OF TENDER OPTION FOR PLANT VOGTLE, PHASE SPV J

WHEREAS, the City of Cartersville is a participant of MEAG Power’s Plant Vogtle 3 and 4 Project (“Project”); and

WHEREAS, the City of Cartersville as a participant in the Project is required to make a determination whether or not to exercise a tender option related to said Project as Georgia Power has reached certain project costs; and

WHEREAS, MEAG Power and Georgia Power are in litigation to determine the actual project costs which triggers the tender option; and

WHEREAS, the City of Cartersville, is a participant in all three phases of the Project, being SPV M, SPV J, and SPV P; and

WHEREAS, with respect to each phase of the Project, the City of Cartersville must determine to either exercise or not exercise the tender option to cap its cost at the current level (to be determined as a result of litigation between MEAG Power and Georgia Power) in exchange for a reduction of its percentage of power generation allocation for each phase or to continue paying the current costs, plus the future costs to finish the project.

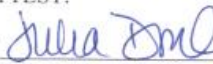
NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and City Council of the City of Cartersville regarding the tender option for Phase SPV J of the Project, that the Mayor and City Council of the City of Cartersville votes as follows:


Based upon the information provided by the MEAG Power staff concerning the tender option decision pertaining to the Vogtle Units 3 and 4 of the Project, and after consultation with our internal staff concerning the potential benefits and costs associated with the tender option for SPV J, I hereby move that the Mayor and City Council for the City of Cartersville notify MEAG Power that it:

Does support exercising the tender option by SPV J
 DOES NOT support exercising the tender option by SPV J

BE IT AND IT IS HEREBY RESOLVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, this 4th day of August, 2022.

ATTEST:

/s/ 
Julia Drake, City Clerk
City of Cartersville, Georgia

/s/ 
Matthew J. Sanfani, Mayor
City of Cartersville, Georgia



7. Project M Tender Resolution

Mr. Hampton stated for Project M, Cartersville has purchased 15.0 megawatts of power and will receive 7.5 megawatts when Plant 3 comes online which is expected to be the first quarter of 2023. When Plant 4 comes online, which is projected to be the first quarter of 2024, Cartersville will receive another 7.5 megawatts. As some of the existing coal powered plants begin to shut down, our need for this new source of power generation is even more important,

and due to this, I recommend denial or not supporting the tender option, so Cartersville can receive our current projected 15 megawatts of power from Project M.

The Electric Department recommends voting in opposition of the tender option by SPV M.

Council Member Roth made a motion to not support exercising the tender option by SPV M. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 4-0

RESOLUTION 19-22

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE – MEAG POWER AND EITHER APPROVING OR NOT APPROVING OF TENDER OPTION FOR PLANT VOGTLE, PHASE SPV M

WHEREAS, the City of Cartersville is a participant of MEAG Power’s Plant Vogtle 3 and 4 Project (“Project”); and

WHEREAS, the City of Cartersville as a participant in the Project is required to make a determination whether or not to exercise a tender option related to said Project as Georgia Power has reached certain project costs; and

WHEREAS, MEAG Power and Georgia Power are in litigation to determine the actual project costs which triggers the tender option; and

WHEREAS, the City of Cartersville, is a participant in all three phases of the Project, being SPV M, SPV J, and SPV P; and

WHEREAS, with respect to each phase of the Project, the City of Cartersville must determine to either exercise or not exercise the tender option to cap its cost at the current level (to be determined as a result of litigation between MEAG Power and Georgia Power) in exchange for a reduction of its percentage of power generation allocation for each phase or to continue paying the current costs, plus the future costs to finish the project.


NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and City Council of the City of Cartersville regarding the tender option for Phase SPV M of the Project, that the Mayor and City Council of the City of Cartersville votes as follows:

Based upon the information provided by the MEAG Power staff concerning the tender option decision pertaining to the Vogtle Units 3 and 4 of the Project, and after consultation with our internal staff concerning the potential benefits and costs associated with the tender option for SPV M, I hereby move that the Mayor and City Council for the City of Cartersville notify MEAG Power that it:


Does support exercising the tender option by SPV M
 DOES NOT support exercising the tender option by SPV M

BE IT AND IT IS HEREBY RESOLVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, this 4th day of August, 2022.

ATTEST:

/s/ 
Julia Drake, City Clerk
City of Cartersville, Georgia



/s/ 
Matthew J. Sanfina, Mayor
City of Cartersville, Georgia

8. Project P Tender Resolution

Mr. Hampton stated for Project P, Cartersville has sold the first 20 years “ownership” or “allotment” of 9.434 megawatts of power to Power South Energy Cooperative (PSEC). This means for the first 20 years of operation when Plants 3 and 4 come online, Cartersville will not receive 9.434 megawatts as PSEC will receive them but also pay for these costs. After 20 years,

sometime around 2044, Cartersville will then receive the 9.434 megawatts from Project P and begin to pay for the power costs. I recommend that we not support or deny the tender option.

The Electric Department recommends voting in opposition of the tender option by SPV P.

Council Member Roth made a motion to not support exercising the tender option by SPV P. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 4-0

RESOLUTION 20-22

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE – MEAG POWER AND EITHER APPROVING OR NOT APPROVING OF TENDER OPTION FOR PLANT VOGTLE, PHASE SPV P

WHEREAS, the City of Cartersville is a participant of MEAG Power’s Plant Vogtle 3 and 4 Project (“Project”); and

WHEREAS, the City of Cartersville as a participant in the Project is required to make a determination whether or not to exercise a tender option related to said Project as Georgia Power has reached certain project costs; and

WHEREAS, MEAG Power and Georgia Power are in litigation to determine the actual project costs which triggers the tender option; and

WHEREAS, the City of Cartersville, is a participant in all three phases of the Project, being SPV M, SPV J, and SPV P; and

WHEREAS, with respect to each phase of the Project, the City of Cartersville must determine to either exercise or not exercise the tender option to cap its cost at the current level (to be determined as a result of litigation between MEAG Power and Georgia Power) in exchange for a reduction of its percentage of power generation allocation for each phase or to continue paying the current costs, plus the future costs to finish the project.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and City Council of the City of Cartersville regarding the tender option for Phase SPV P of the Project, that the Mayor and City Council of the City of Cartersville votes as follows:

Based upon the information provided by the MEAG Power staff concerning the tender option decision pertaining to the Vogtle Units 3 and 4 of the Project, and after consultation with our internal staff concerning the potential benefits and costs associated with the tender option for SPV P, I hereby move that the Mayor and City Council for the City of Cartersville notify MEAG Power that it:


- Does support exercising the tender option by SPV P
- DOES NOT support exercising the tender option by SPV P

BE IT AND IT IS HEREBY RESOLVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, this 4th day of August, 2022.

ATTEST:

/s/ 
Julia Drake, City Clerk
City of Cartersville, Georgia



/s/ 
Matthew J. Sanjmi, Mayor
City of Cartersville, Georgia

GRANT APPLICATION/ACCEPTANCE

9. FY 2023 LMIG

Tommy Sanders, Public Works Director, stated Public Works is seeking permission for the Mayor to sign the GDOT FY2023 Local Maintenance Improvement Grant Cover (LMIG) Letter and any grant application related documents. We are proposing to resurface approximately 2.7

miles of city streets that includes Justice Robert Benham Drive, Old Mill Road (east section), Bowens Court, Aiken Street, Freeman Street, Victoria Village, Courtyard Lane, Greenway Lane, Calloway Lane and Victoria Village alleys.

The grant amount this year is \$283,448.41 and the estimated cost of the project is \$600,000. The balance will come from 2020 SPLOST Road, Streets, Sidewalks, Bridges and Stormwater Improvements Category.

This grant requires a 30% local match, and this is a budgeted item.

Council Member Stepp made a motion to approve the FY 2023 LMIG. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

Council Member Roth made a motion to add two items to the agenda. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 4-0

BID AWARD/PURCHASES

10. MSA 6000 TIC Purchase

Scott Carter, Fire Chief, stated the Fire Department Respectfully request permission to purchase a Thermal Imaging Camera, also known as a TIC. This equipment is used by firefighters to allow them to identify temperature changes in an environment that has zero visibility. This allows for quicker fire attacks and rescues, which leads to greater property conservation and rescue potential. This device in accordance to NFPA 1801 and matches the other cameras in our fleet. This new camera will be placed on our new tower truck, going into service soon. Quotes were sought with two vendors responding. We request to purchase our MSA 6000 TIC from our low bidder, Fireline of Winder GA.

The total cost for this equipment package is \$8,680.00. This is a budgeted item and will be purchased utilizing 2020 SPLOST funds.

Council Member Roth made a motion to approve the MSA 6000 TIC Purchase. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 4-0

11. WTP Sludge Lagoon Dredging

Sidney Forsyth, Water Department Director, stated the sludge lagoon at the Water Treatment Plant, 237 Allatoona Dam Road, contains all of the settled solids removed from treated drinking water since the plant was constructed in 1970. The usable lagoon space includes approximately eighty (80) acres at a depth of about twenty-four (24) feet. The use of this lagoon for solids storage has saved the City millions of dollars compared to conventional solids disposal methods over its lifetime.

As the lagoon has reached its maximum storage capacity, it is now necessary to remove some of the stored solids to a final disposal site.

Bids were solicited and opened on July 7, 2022 for the work of removing and disposing of 15,000 wet tons of settled solids from the lagoon, with the low bid being from Denali Water Solutions, LLC for the amount of \$2,699,300.00.

This project will remove enough solids for between 5-10 years of operational storage capacity, and will include the construction of a pad and utilities for all future solids removal operations.

It was recommended to award the contract to Denali Water Solutions, LLC for \$2,699,300.00 for this project. This is a budgeted, bond funded project to be paid from account 505.3310.54.1321.

Council Member Stepp made a motion to approve the WTP Sludge Lagoon Dredging. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

ADDED ITEMS

12. FY2023 Law Enforcement Training Program Funding

Jason DiPrima, Deputy Chief of Police, stated this was a request to apply for grant funding which would allow for the purchase of law enforcement equipment and provide training to support mental health and school safety.

Council Member Wren made a motion to approve the FY2023 Law Enforcement Training Program Grant Funding. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

13. Oak Hill Cemetery Plots

Keith Lovell, Assistant City Attorney, stated Robetta McKenzie and Janice McKenzie-Crayton and the City of Cartersville had mutually agreed to have the City of Cartersville to relocate two cemetery lots and Mr. McKenzie’s monument and recommended Mayor and Council to approve the agreement.

Council Member Wren made a motion to approve the Mutual Release. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 4-0

FINAL COMMENTS

Council Member Roth stated that City of Cartersville schools return to session on August 10th and wish all of the students a wonderful and prosperous school year.

ADJOURNMENT

With no other business to discuss, Council Member Stepp made a motion to adjourn.

Meeting Adjourned at 7:32 P.M.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:
/s/ _____
Julia Drake
City Clerk