

City Council Meeting
City Hall – Council Chambers
May 2, 2024
6:00 P.M. – Work Session / 7:00 P.M. – Council Meeting

WORK SESSION

Mayor Matthew Santini opened the Work Session at 6:02 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Council Member Fox made a motion to enter Closed Session for the purposes of Potential Litigation and Property Acquisition. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 6-0

Mayor Santini closed Work Session at 7:00 P.M.

OPENING MEETING

Mayor Santini called the Council Meeting to order at 7:02 P.M.

Invocation by Council Member Roth.

Pledge of Allegiance led by Council Member Stepp.

The City Council met in Regular Session with Matthew Santini, Mayor, presiding, and the following present: Kari Hodge, Council Member Ward One; Jayce Stepp, Council Member Ward Two; Cary Roth, Council Member Ward Three; Calvin Cooley, Council Member Ward Four; Gary Fox, Council Member Ward Five; Alyssa Cordell, Council Member Ward Six; Dan Porta, City Manager; Julia Drake, City Clerk; and Keith Lovell, City Attorney.

Absent:

REGULAR AGENDA

COUNCIL MEETING MINUTES

1. April 18, 2024, Council Meeting Minutes

Council Member Hodge made a motion to approve the April 18, 2024, Council Meeting Minutes. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 6-0

APPOINTMENTS

2. Cartersville Building Authority

Dan Porta stated that there are three (3) members of the Cartersville Building Authority that are willing to continue to serve. Those members are Dan Porta, Mike Fields, and Ralph Miller. If re-appointed, their new terms would expire May 15, 2028.

Council Member Roth made a motion to approve the Cartersville Building Authority Appointments. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 6-0

PUBLIC HEARING- 2nd READING OF ZONING/ANNEXATION REQUESTS

3. AZ24-01: 144 Cassville Rd

Applicant: Old Castle APG South, Inc.

Randy Mannino, Planning and Development Director, stated AZ24-01 and Z24-04 are directly related and will be presented together. Continuing, he stated the applicant requests annexation into the city. The proposed zoning is H-I (Heavy Industrial). If approved, staff recommends the following zoning conditions:

- A. Stormwater runoff and stormwater quality solutions are required for the site as outlined in City of Cartersville's Code of Ordinances, CHAPTER 7.5, DEVELOPMENT REGULATIONS, ARTICLE IX, POST-CONSTRUCTION STORMWATER MANAGEMENT FOR NEW DEVELOPMENT AND REDEVELOPMENT.
- B. If the applicant desires to dispose of inert waste onsite then an inert landfill must be designed, reviewed, and permitted through the GA EPD.

The Planning Commission recommended approval 6-0.

Mayor Santini opened the public hearing for the zoning portion of the application.

Keith Lovell, City Attorney, stated that all comments made for the zoning portion of the case would be referenced in the annexation portion, as well.

Brandon Bowen, 15 S. Public Square, came forward to represent the application. Continuing, he stated that he and the neighbors of 144 Cassville Rd. came together to discuss the concerns and came up with some agreeable conditions. See Exhibit A.

Guy Parmenter, 114 Cassville Rd., came forward and stated that he was extremely pleased with the outcome of working with Old Castle APG South, Inc. and their willingness to come to an agreeable solution.

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

Mayor Santini opened the public hearing for the annexation portion of the application and with no other comments, the public hearing was closed.

Council Member Hodge made a motion to approve the annexation portion of AZ24-01. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 6-0

Council Member Hodge made a motion to approve the zoning portion of AZ24-01 with conditions agreed upon between Guy Parmenter and Old Castle APG South, Inc. Additionally, a copy of the agreement must be submitted to the City prior to the Certificate of Occupancy. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 6-0

Reference Ordinance #: 22-24 and 23-24

4. Z24-04: 144 Cassville Rd.

Applicant: Old Castle APG South, Inc.

Mr. Mannino stated the applicant requests a change in zoning from R-10 with conditions to H-I (Heavy Industrial) for the 4.2-acre tract. Staff does not oppose the Heavy Industrial (H-I)

zoning if the following conditions are applied to zoning:

- A. Concrete waste on Parcel C025-0006-092 needs to be removed from the floodplain and disposed of properly in an inert landfill as a condition of zoning approval per our local floodplain management standard as outlined in Article VI of our local development regulations.
- B. Stormwater runoff and stormwater quality solutions are required for the site as outlined in City of Cartersville's Code of Ordinances, CHAPTER 7.5, DEVELOPMENT REGULATIONS, ARTICLE IX, POST-CONSTRUCTION STORMWATER MANAGEMENT FOR NEW DEVELOPMENT AND REDEVELOPMENT.
- C. If the applicant desires to dispose of inert waste onsite then an inert landfill must be designed, reviewed, and permitted through the GA EPD.

The Planning Commission recommended approval 6-0.

Mayor Santini opened the public hearing and stated all previous comments were to follow this case, as well.

With no one else to come forward to speak for or against Z24-04, the public hearing was closed.

Council Member Hodge made a motion to approve the zoning portion of Z24-04 with conditions agreed upon between Guy Parmenter and Old Castle APG South, Inc. Additionally, a copy of the agreement must be submitted to the City prior to the Certificate of Occupancy. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 6-0

Reference Ordinance #: 21-24

5. Z24-03: 0 Thornwood Dr.

Applicant: WJDS, Inc.

Mr. Mannino stated the applicant requests a change in zoning from G-C to RA-12 (Residential Attached) to construct approximately 96 for-rent townhomes on the 9.5-acre tract. Staff does not oppose the rezoning with the following conditions for utilities:

- A. The Developer to provide a City of Cartersville utility easement with a width suitable to locate all proposed and future utilities with adequate separation. A utility easement along Thornwood Drive is required to extend 30 feet from the centerline of Thornwood Drive.
- B. Developer to extend the existing water line on Thornwood Drive and loop the proposed water line inside the development.

The Planning Commission recommended denial 6-0.

Mayor Santini opened the public hearing for the application and with no one to come forward to speak for or against the application, the public hearing was closed.

Council Member Fox made a motion to deny Z24-03. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 6-0

EMERGENCY ORDINANCE

6. Correction to Ordinance No. 03-21 Section 4-121

Keith Lovell, City Attorney, stated this emergency ordinance corrects a typographical error in the hours for service alcohol sales and is to become effective upon adoption on one reading.

Council Member Cooley made a motion to approve the Correction to Ordinance 03-21 Section 4-121. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 6-0

Reference Ordinance #: 20-24

Council Member Hodge made a motion to add one (1) item to the agenda. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 6-0

ADDED ITEM

7. Ante-Litem Ruth Kyle

Mr. Lovell stated his office received an ante-litem notice from Ruth Kyle. It was recommended to deny the ante litem notice.

Council Member Roth made a motion to deny the ante litem notice for Ruth Kyle. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 6-0

Reference Resolution #: 18-24

CONTRACTS/AGREEMENTS

8. Civil Engineering and Construction Documents for Dellinger Park Softball Fields

Steve Roberts, Parks and Recreation Director, stated CPL Architecture, Engineering, and Planning provided a proposal for Professional Consulting and Design Services to the City of Cartersville for the Dellinger Park Softball Fields. This proposal includes the documents needed for the sitework and installation of the turf fields. It will also include building documents for the high school's field house. The cost for CPL's services is \$89,500 for the fields and \$113,000.00 for the field house. The school system will pay the cost of the field house documents. This is not a budgeted request, but funds are available.

Council Member Roth made a motion to approve the Civil Engineering and Construction Documents for Dellinger Park Softball Fields. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 6-0

9. Futura NDA

Freddy Morgan, Assistant City Manager, stated Council approval was requested and an authorized signature from the Mayor for the Futura NDA. We are working with Futura to provide the software to migrate/transfer and store our Electric CAD data into an ESRI GIS environment.

Council Member Roth made a motion to approve the Futura NDA. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 6-0

BID AWARD/PURCHASES

10. Transformer Purchases

Mr. Morgan stated the Electric Department is requesting authorization to purchase (1) 1500 kVA transformer, (1) 1000 kVA, and (1) 300 kVA transformer to replace the emergency backup units that are now in use. Gresco provided a quote of \$147,220.00 and has all three units available for immediate delivery. This is a budgeted expense.

Council Member Cordell made a motion to approve the Transformer Purchases. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 6-0

11. CGS Waterproofing of 1 N. Erwin St. Building

Mr. Porta stated the City Manager's building has had an issue with water getting into the basement for decades and as we plan to make improvements to this building, it was recommended to hire CGS Waterproofing to install a French drain, sump pump, and waterproofing system to address the moisture issue. This is not a budgeted request, but funds are available.

Council Member Cordell made a motion to approve the CSG Waterproofing of 1 N. Erwin St. Building. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 6-0

ADJOURNMENT

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

Meeting Adjourned at 7:24 P.M.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:
/s/ _____
Julia Drake
City Clerk