

City Council Meeting
10 N. Public Square
June 2, 2022
6:00 P.M. – Work Session
7:00 P.M. – Council Meeting

WORK SESSION

Mayor Matthew Santini opened Work Session at 6:04 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Mayor Santini closed Work Session at 6:30 P.M.

OPENING MEETING

Mayor Santini called the Council Meeting to order at 7:00 P.M.

Invocation by Council Member Roth.

Pledge of Allegiance led by Council Member Wren.

The City Council met in Regular Session with Matthew Santini, Mayor presiding, and the following present: Cary Roth, Council Member Ward Three; Calvin Cooley, Council Member Ward Four; Gary Fox, Council Member Ward Five; 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; Jayce Stepp, Council Member Ward Two

REGULAR AGENDA

COUNCIL MEETING MINUTES

1. May 19, 2022

Council Member Wren made a motion to approve the May 19, 2022 Council Minutes. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0

Appointments

2. Cartersville Building Authority

Dan Porta, City Manager, stated the current terms for Jerry Milam and Fritz Dent on the Cartersville Building Authority have expired. They would like to continue serving and if reappointed, their new terms would expire on May 15, 2026.

Council Member Cooley made a motion to approve the reappointment for the Cartersville Building Authority. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0

3. Alcohol Control Board

Randy Mannino, Planning and Development Director, stated the current terms for Christine Brown (Ward 4) and Rick Kollhoff (Ward 6) on the Alcohol Control Board have expired. They would like to continue serving and if reappointed, their new terms would expire on June 3, 2026.

Cortney Hultman has resigned and Matt Terry would like to serve on the Alcohol Control Board for Ward 5. If he is appointed, his term will expire on September 5, 2023.

Council Member Wren made a motion to approve the Alcohol Control Board appointments. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0

4. Board of Zoning Appeals

Mr. Mannino stated the current term for Lamar Pendley on the Board of Zoning Appeals has expired. He would like to continue serving as the Mayor's appointee and if reappointed, his new term would expire on June 1, 2024.

Council Member Wren made a motion to approve the Board of Zoning Appeals appointment. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 4-0

PUBLIC HEARING – 2nd READING OF ZONING/ANNEXATION REQUESTS

5. AZ22-02: De-Annex a 3.23 acre tract

Applicant: CAE

Mr. Mannino stated this request is to de-annex 3.23 acres from City, zoned R-20 with conditions, to County for the construction of a mixed-housing development in Unincorporated Bartow County. The project site is located behind the Holiday Inn Express and Suites adjacent to I-75 and south of SR20.

Planning Commission recommends approval with the following conditions:

- 1) Allow a utility easement for a natural gas main extension per a developer approved location; and,
- 2) The easement shall not exceed 20ft in width.

Public hearing was opened.

With no questions or comments from Council or the public, the public hearing closed.

Council Member Wren made a motion to approve AZ22-02 – De-annexation. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0



Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 09-22

Petition No. AZ22-02

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that all that certain tract of land owned by CAE, LLC. Property is located at Hwy 20 @ I-75 (C108-0002-014). Said property contains 3.23 acres located in the 4th District, 3rd Section, Land Lot 102 as shown on the attached plat Exhibit "A". De-annexation will be duly noted on the official zoning map of the City of Cartersville, Georgia.

The de-annexation was approved with the following conditions:

- 1) Allow a utility easement for a natural gas main extension per a developer approved location; and,
- 2) The easement shall not exceed 20ft in width.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the day of May 19, 2022

ADOPTED this the 2nd day of June, 2022 Second Reading.

/s/ 
Matthew J. Santini
Mayor

ATTEST:

/s/ 
Julia Drake
City Clerk



6. Z22-01: Rezone 103.85 acres from R-20 to RA-12 Applicant: Prime Engineering, Inc.

Mr. Mannino stated this application is requesting to rezone 103.85 acres from R-20 to RA-12 for the construction of 199 townhomes adjacent to I-75 and north of Center Rd. Project site is known as Etowah Preserve Phase 2. Furthermore, he stated if approved, the following zoning conditions should be adopted:

1. No more than 199 lots/units shall be built in Etowah Preserve Phase 2 as presented in this application and on the concept plan.
2. No development or Finished Floor Elevation (FFE) is to occur above the 1100 ft. elevation without the review and approval of the Water Department.
3. A 50ft. buffer must be provided between the development and the Proposed Center Road Re-alignment.
4. A 50ft. buffer must be provided between the development and the Right-of Way for Interstate 75.
5. Developer to provide necessary easements for a natural gas line extension on the property.
6. As referenced in the letter from Commissioner Steve Taylor, the owner/developer is required to leave in place the unnamed county service road on property identified as Tax Parcel C108-0001-001 and access to Center Road from adjoining properties, identified as Tax Parcel ID Nos. 0078-0172-001 and 0078-0101-001, or to provide an alternative solution for access to Center Road for said adjoining properties.

Planning Commission recommends denial of the application, 4-1.

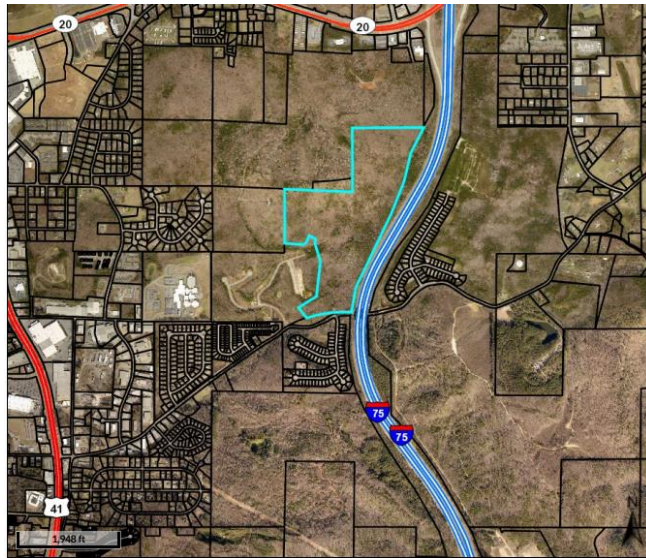
Public hearing opened.

Rob MacPherson, 862 Devonwood Trail, Marietta, came forward to represent the applicant, Prime Engineering and stated he had no issues with the conditions. Furthermore, he stated decisions were made to produce 60% two-bedroom units and 40% three-bedroom units and that the site plan had been revised to include an access road for emergency vehicles.

Robert Walker, 15 S. Public Sq., came forward to represent the Tilley Property and stated his client has no opposition in the rezoning but ask Council to please consider carrying the conditions over.

With no other comments, the public hearing closed.

Council Member Wren made a motion to deny Z2-01 – rezoning 103.85 acres from R-20 to RA-12. Council Member Fox seconded the motion. Motion failed unanimously. Vote: 4-0



FIRST READING OF ORDINANCES

7. Budget Ordinance for the Fiscal Year 2022-2023

Tom Rhinehart stated the proposed 2022-2023 budget is a balanced budget and increased \$22,021,065. The increase equates to a 13.98% increase. The proposed budget includes salary adjustments, a slight increase in the city's property tax millage rate, an increase in health insurance premiums for both the city and the employees, and increases in the water and sewer rates, electric, and solid waste rates.

Budget comparison by type for the FY 2023 proposed budget compared to the FY 2022 budget include: personnel expenses increase by \$2,406,735; operating expenses increased \$3,008,690; purchase of commodities increased by \$4,245,255; debt service expenses increased \$1,884,470; decrease in business improvement district \$24,535; capital expenses increased \$9,435,570, and increases to the transfers to the general fund \$1,064,880. Approval was recommended.

This was a first reading and will be voted on at the June 16, 2022 meeting.

8. Amendment to Utilities Ordinance Regarding Solid Waste Rates

Mr. Rhinehart stated the proposed fiscal year 2022-23 budget includes an increase in the Solid Waste Fund to help address the maintenance and capital needs of the Solid Waste Fund. The increase is as follows: a \$2.50 increase per month in the residential solid waste customers and a 10% increase per month in the commercial solid waste customers. Also, residential customers will no longer be required to purchase their solid waste carts as the city will provide one to them. Approval was recommended.

This was a first reading and will be voted on at the June 16, 2022 meeting.

9. Amendment to Utilities Ordinance Regarding Water and Sewer Rates

Mr. Rhinehart stated the proposed fiscal year 2022-23 budget includes an increase in the Water and Sewer Fund to help address the maintenance and capital needs of the water fund. The increase is as follows: a 2.5% increase in the residential, commercial, and industrial water and sewer rates for both inside and outside the city limits customers.

The 2.5% increase will allow the water department to continue the maintenance of the existing water and sewer system as well as update/expand the system to fulfill the needs of existing customers. The total estimated increase for a residential water and sewer customer is \$1.10 per month on 7000 gallons consumed.

The amended ordinance also adds a new “Wholesale” rate class for water customers, which currently only includes the Bartow County Water System as a customer. The wholesale and industrial classes are currently set at the same rate.

With the proposed increase in the water and sewer rates, the City of Cartersville residents will remain one of the lowest in the surrounding municipalities. The increase is needed to maintain the existing system and plan for any necessary future expansions. Approval was recommended.

This was a first reading and will be voted on at the June 16, 2022 meeting.

10. Amendment to Utilities Ordinance Regarding Electric Rates

Mr. Rhinehart stated the proposed budget includes increases to electric rates. The Electric Department is proposing a rate increase based on the rate study provided by Electric Cities of Georgia (ECG), due to general operations of the electric department increasing, and the increased cost of Plant Vogtle Units 3 and 4 going on-line, the proposed increases are necessary to sustain the electric department’s expenditures. Along with the increases mentioned above, the cost of the electric department’s cost of electricity generation (coal and natural gas) have also increased. The proposed changes include an increase in the base rate of all rate classes. Also, changes will occur in the actual rates of each rate class.

With the proposed changes to the electric rates, the estimated increase to a residential user will be about \$8.00 per month for each 1,000 kWh used. The average Cartersville resident uses 1,013 kWh per month.

This was a first reading and will be voted on at the June 16, 2022 meeting.

RESOLUTIONS

11. Request for Festival Zone

Freddy Morgan, Assistant City Manager stated the Downtown Development Authority was requesting the creation of festival zones for Chamber BBQ, to be held in Friendship Plaza on June 23, 2022 with a rain date of Thursday, June 30, 2022.

Council Member Fox made a motion to approve the Request for Festival Zone. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 4-0

Resolution No. 09-22

of the

City of Cartersville, Georgia

WHEREAS, the Cartersville City Council approved a Festival Ordinance in 2014; and

WHEREAS, the Downtown Development Authority (DDA) wishes to establish a Festival Zone for the following events to be held downtown:

Thursday, June 23 for the Chamber of Commerce Annual BBQ

WHEREAS, the DDA Board recommends that these events be designated a controlled Festival Zone; and

WHEREAS said Festival Zone will allow those of 21 years and older, who show proof of identification and receive a wristband or other means of identification, be allowed to consume purchased alcoholic beverages within the Festival Zone; and

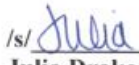
WHEREAS, the Director of Planning and Development will receive all necessary proposals and applications prior to each event with the understanding that alcoholic beverages will only be sold by an approved alcohol-license holding businesses or caterer.

NOW, THEREFORE BE IT RESOLVED by the City of Cartersville that the above listed events be designated a Community Festival Zone.

ADOPTED this the 2nd day of June 2022.


Matt Santini
Mayor

ATTEST:


Julia Drake
City Clerk



CONTRACTS/AGREEMENTS

12. Updated Architectural and Engineering Contract for the Water Dept. Admin Complex

Mr. Morgan stated the updated professional services agreement between the City and CPL are based on the anticipated construction cost of the Water department administrative complex. These fee percentages were in the original agreement approved at the February 17, 2022 Council meeting.

Council Member Fox made a motion to approve the Updated Architectural and Engineering Contract for the Water Department Administration Complex. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

13. Proposal for City Hall Drive Through

Mr. Morgan stated the monitoring system in the customer service drive through is outdated and in need of repair or replacement of the audio/video components and pneumatic system.

We have received quotes from ACG, a sole source provider, for various stages of repair and a quote for replacement. We have chosen option 1, the Two-Way audio video system which includes the new equipment, installation and removal of the existing system and staff training in the amount of \$30,123. According to the vendor, it may take 5-6 months to receive the equipment. Approval of this equipment replacement and installation agreement is recommended. Approval was recommended.

Council Member Cooley made a motion to approve the Proposal for City Hall Drive Through. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0

14. Rotary Club of Etowah for July 4, 2022 Celebration

Mr. Porta stated this contract is between the City of Cartersville and the Rotary Club of Etowah for the July 4th celebration at Dellinger Park. Additionally, JRM Management Services, Inc. has contracted with the Rotary Club of Etowah to coordinate this event and the contract is attached.

In closing, Mr. Porta stated that the contract requests twelve (12) officers and the City is proposing amending the number of officers provided from twelve (12) to six (6). Approval was recommended with the amendment proposed.

Council Member Fox made a motion to approve the Rotary Club of Etowah – July 4, 2022 Celebration with the amendment of number of officers provided. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 4-0

15. Stormwater Acquisition/Relocation Services Contract

Tommy Sanders, Public Works Director, stated as our civil consultants move forward with the stormwater design improvements for one of our stormwater projects, property acquisition and relocation services will be needed to complete the design.

THC has provided Public Works with a proposal to perform the needed services for acquisition of property and relocation services for one of these projects. THC proposes to provide their services for \$23,600.

These fees would utilize America Rescue Plan Act (ARPA) Funds for these services. Public Works recommends approval of this agreement.

Council Member Fox made a motion to approve the Stormwater Acquisition/Relocation Services Contract. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 4-0

16. Extension Agreement Great Valley Commerce Center

Michael Dickson, Gas Department Director, stated this Agreement is necessary for the Developer to reimburse the City the costs associated with the extension of natural gas main facilities to serve the proposed site. This agreement between the Owner/Developer, Great Valley Commerce Center, LLC and the City is in the estimated amount of \$181,900.00. The City Attorney's office has reviewed and approved this agreement and Council approval is recommended.

Council Member Roth made a motion to approve the Extension Agreement Great Valley Commerce Center. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 4-0

BID AWARD PURCHASE

17. Horizontal Directional Drilling Machine and Vacuum Excavating System

Mr. Dickson stated sealed bid proposals were opened to provide a directional drilling machine and vacuum excavation system on May 25, 2022. Two bid proposals were received with the low bid submitted by Ditch Witch Worx of Forest Park, Georgia in the amount of \$499,995.00 for a Ditch Witch JT24 and supporting equipment. The second low bid was received by Vermeer Southeast of Marietta, Georgia in the amount of \$515,000.00 for a Vermeer D23x30 S3 Navigator and supporting equipment. The bid proposals are included in this packet.

It was recommended that the City award this bid proposal to the second low bidder, Vermeer Southeast of Marietta, Georgia, in the amount of \$515,000.00 for the purchase of a Vermeer D23x30 S3 Navigator and supporting equipment.

Council Member Cooley made a motion to approve the purchase of Horizontal Directional Drilling Machine and Vacuum Excavating System. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 4-0

18. 3000kVA Transformer Purchase

Derek Hampton, Electric Department Director, The Electric Department is requesting authorization to purchase a 3000kVA, 480V/3-phase, pad-mounted transformer. This transformer purchase is to satisfy one of our top-three, large industrial customers with a very high load factor (the transformer sees significant load 24/7 with no cool down period). The agreement with the customer is to use a larger transformer to replace certain, heavier loaded ones when there is a failure. With their plant running non-stop all day, the transformers build up heat and fail unexpectedly. The goal is to purchase a transformer that costs a little more and lasts, to keep from having to replace them as often.

We requested bids and received four (4) prices. We are requesting to purchase the UTB model. It was only \$23 more than the lowest purchase price, but we can receive it 30 weeks sooner. Thus, we are requesting to purchase the UTB brand transformer for \$81,755.00. This transformer purchase is budgeted in our FY22-23 capital budget

Council Member Fox made a motion to approve the 3000kVA Transformer Purchase. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 4-0

Council Member Roth made a motion to add two (2) items to the agenda. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0

19. Flooring for FiberCom Office

Steven Grier, FiberCom Director, stated this item is for replacing the carpet at the new FiberCom offices located at 500 S. Tennessee St. The total cost for this replacement is \$22,512.44 from Cartersville Flooring Center. This is not a budgeted item, but the funds are available in the FY2021-22 budget. Approval was recommended.

Council Member Roth made a motion to approve the Flooring for FiberCom Office. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0

20. CrowdStrike Renewal

Mr. Grier stated this item is a budgeted annual support renewal for CrowdStrike Falcon Complete, which is a cloud delivered software that protects our computers from viruses and malicious actors. The total amount is \$64,053.50 from CDWG.

Council Member Roth made a motion to approve the CrowdStrike Renewal. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 4-0

21. Rollnrack Hose Management System

Scott Carter, Fire Chief, stated they respectfully request permission to purchase a system for draining, rolling and reloading a large diameter fire hose. A 5-inch LDH will hold 1 gallon of water per foot of hose. On average, an empty 100-foot section of 5-inch hose weighs 110 pounds. With water weighing 8.33 pounds per gallon, a 100-foot section of LDH filled with water weighs approximately 944 pounds.

This equipment meets NFPA Standard 1962 for cleaning and drying a fire hose along with NFPA 1500 for Firefighter Safety. This will allow two firefighters to load a truck that normally takes four plus firefighters. We will also reduce our potential for back and leg injuries while working with such heavy objects. We request approval to purchase the Rollnrack hose management system for the quoted price of \$9,340.00, including shipping. This is a budgeted purchase and a sole source item.

Council Member Roth made a motion to approve the Rollnrack Hose Management System. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0

OTHER

22. Local Emergency Operations Plan (LEOP) – Bartow County

Mr. Carter stated this is the countywide plan for activation of EMA and GEMA resources as needed in a disaster. It provides the powers for activation of disaster declaration and lays out the

chain of who is responsible within Bartow EMA. This does not have any effect on the city's authority to operate (we have our own emergency management ordinance which works in conjunction with this one) and it is recommended for approval for the Mayor to sign the ordinance. Note that the request of the Mayor's Signature is not to endorse the document, but only to acknowledge the document.

Council Member Fox made a motion to allow the Mayor to sign and acknowledge the Local Emergency Operations Plan. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

23. CVS Sewer Refund

Sidney Forsyth, Water Department Director, stated The CVS Pharmacy on West Avenue has been billed for water and sewer service since December 2009. At that time, their one-inch (1") monthly minimum sewer rate was incorrectly entered as a ten-inch (10") service, which continued until March 2022; at which time the rate was corrected to be billed at the one-inch rate.

The total overage paid by CVS for this time is \$41,258.61. We have contacted the proper authority at CVS Health and have determined they would prefer a refund check rather than an account credit.

This would be paid from the sewer service revenue account 505.3300.71.4571.

Council Member Roth made a motion to approve the CVS Sewer Refund. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0

CHANGE ORDER

24. Fairview Tank Project Final Change Order

Mr. Forsyth stated the 5-million-gallon steel, water storage tank on Fairview Street has been re-coated in accordance with contract documents, as approved on May 20, 2021. This contract with Utility Service Company, Inc. was approved for \$546,200.00.

After all material quantities and work have been reconciled, the final project cost is \$511,200.00. This represents a \$35,000.00 credit to the City from project contingencies which went unused.

Council Member Roth made a motion to approve the Fairview Tank Project Final Change Order. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 4-0

ADDED ITEMS

25. Contract for Performing Services

Mr. Porta stated this contract is with the Rotary Club of Etowah to provide a Fourth of July fireworks spectacular at Dellinger Park.

Council Member Fox made a motion to approve the Contract for Performing Services. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0

26. City Hall Elevator Renovation

Mr. Porta stated the elevator in City Hall is in need of renovations. TKE, formerly known as Thyssen-Krupp, has provided an estimate of \$94,946 if paid in full, in advance. The estimated lead time would be 12-14 weeks.

Council Member Fox made a motion to approve the City Hall Elevator Renovation. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 4-0

OTHER BUSINESS

Eric Solgard, 32 Lakewood Ct., came forward to address the Mayor and Council regarding dedicated courts for PickleBall.

Mayor Santini stated dedicated courts were provided near Atco and said courts have not been utilized to which Mr. Solgard stated they are looking for something closer to the restaurants and shops in Cartersville.

Mr. Porta stated funding is provided in the next year's budget to provide these courts.

FINAL COMMENTS

Council Member Roth spoke regarding the Douthit Ferry Project and stated that all comments from the residents are valued and as a Council Member, the comments do not fall on deaf ears.

ADJOURNMENT

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

Meeting Adjourned at 8:00 P.M.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:
/s/ _____
Julia Drake
City Clerk