

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

WORK SESSION

Mayor Matthew Santini opened Work Session at 6:01 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Mayor Santini closed Work Session at 6:25 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 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; Dan Porta, City Manager; Julia Drake, City Clerk; and Keith Lovell, Assistant City Attorney.

Absent: Taff Wren, Council Member Ward Six

REGULAR AGENDA

COUNCIL MEETING MINUTES

1. June 16, 2022

Council Member Cooley made a motion to approve the June 16, 2022 Council Minutes. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

SECOND READING OF ORDINANCES

2. Model Home Permit Ordinance Amendment

Randy Mannino, Planning and Development Director, stated this ordinance is needed to eliminate the final sentence that required final plat approval before utilities could be hooked up.

Council Member Hodge made a motion to approve the Model Home Permit Ordinance Amendment. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

Ordinance no. 15-22

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 7.5 – DEVELOPMENT REGULATIONS, ARTICLE II – PLAN REVIEW AND GENERAL REQUIREMENTS, SECTION 7.5-40 – MODEL HOME PERMITS is hereby amended by deleting the final sentence and it will read as follows:

1.

Sec. 7.5-40. Model home permits.

The city at its discretion may approve up to two (2) model home permits per residential subdivision development with the following stipulations:

- (1) The streets of the development should be sufficiently complete having graded aggregate base (GAB) in place to avoid the tracking of mud onto adjacent streets;
- (2) A working fire hydrant must be within two hundred fifty (250) linear feet of the model home site.

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.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: June 16, 2022

SECOND READING: July 7, 2022


MATTHEW J. SANTINI, MAYOR

ATTEST: 
JULIA DRAKE, CITY CLERK



FIRST READING OF ORDINANCES

Mayor Santini recused himself and left the Council Chambers. Mayor Pro-Tem, Calvin Cooley, called the next item.

3. Two-Hour Parking Ordinance Amendment

Dan Porta, City Manager, stated the city received a request from a local business for four spaces dedicated to two-hour parking along Church Street. After reviewing current ordinances and looking at other areas within or near downtown Cartersville, the request for four two-hour parking spaces makes sense, especially when Cartersville High School is in session; approval was recommended of the change to the ordinance upon the second reading.

Keith Lovell, Assistant City Attorney, stated that he would make an amendment to the ordinance to specify work hours only.

This is a first reading and will be voted on at the July 21, 2022 City Council Meeting.

Mayor Santini returned to the Council Chambers

RESOLUTIONS

4. Z22-01 Resolution Request by Applicant

Mr. Mannino stated zoning case number Z22-01, for a proposed townhome development on Center Road, was denied earlier this year. Our ordinance does not allow resubmittal for the same request until 12 months have passed from the date of the final decision, unless the Mayor and Council waive or reduce the 12-month time interval by “Resolution”, to a minimum of 6 months (State law does allow resubmittal after 6 months). The applicant’s general counsel has requested in writing that the interval be reduced to 6 months. Staff has no recommendation on this request.

Rob McPherson, 862 Evenwood Trl., Marietta, came forward to represent the property owner and to speak for the request.

David Hulsey, 226 S Bartow St., came forward to speak for the request.

Council Member Stepp made a motion to approve the Z22-01 Resolution Request by Applicant. Council Member Hodge seconded the motion. Vote: 4-1 Council Member Roth opposed.

RESOLUTION 12-22

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE AUTHORIZING THE SUBMISSION TO THE MAYOR AND CITY COUNCIL OF THE REQUEST FOR REDUCTION OF RESUBMITTAL TIME FROM TWELVE MONTHS TO SIX MONTHS ON THE DENIAL OF ZONING APPLICATION Z22-01

WHEREAS, on June 23, 2022, Hugh O. Nowell sent a letter to the Planning and Development Department requesting that, in regards to the denial of Application Z22-01, being the rezoning for WHM Chattahoochee Hills Investments, LLC, that a request be made to the appropriate party for their resubmittal time to be reduced from twelve (12) months to six (6) months, a copy of which is attached as Exhibit "A;" and

WHEREAS, Sec. 22.1.3 of the City of Cartersville Zoning Ordinance allows the Mayor and City Council to either waive or reduce the twelve (12) month time interval by resolution, to a minimum of six (6) months; and

WHEREAS, pursuant to said Sec. 22.1.3, the Zoning Administrator is forwarding said request to the Mayor and City Council for their consideration.

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

That after consideration of the request of Hugh O. Nowell, on behalf of WHM Chattahoochee Hills Investment, LLC, to reduce the twelve (12) month resubmission period to six (6) months for the denial of Application Z22-01, the same is hereby approved and the time period for resubmission shall be 6 months from the denial.

BE IT AND IT IS HEREBY RESOLVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, this 7th day of July, 2022.

ATTEST:

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

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



BID AWARD/PURCHASES

5. City View Annual Software Maintenance

Mr. Mannino stated this is the annual City View maintenance invoice for 8/1/22 through 7/31/2023 in the amount of \$20,869.16. This is a budgeted item and was recommended for approval.

Council Member Roth made a motion to approve the City View Annual Software Maintenance. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

RESOLUTIONS

6. Money Purchase Plan with ICMA-RC

Mr. Porta stated the city has been a member of ICMA-RC for many years allowing employees to contribute funds to deferred compensation plans and with some recent changes in Federal legislation, the city needs to agree to some changes to continue meeting IRS regulations. After reviewing the proposed changes, approval was recommended of the Resolution and supporting documentation to allow the city and our employees to continue participating in the ICMA-RC deferred compensation program.

Council Member Fox made a motion to approve the Money Purchase Plan with ICMA-RC. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

RESOLUTION NO. 13-22

Resolution of the Mayor and City Council of the City of Cartersville, relating to its money purchase plan

Plan number 10 6843

WHEREAS, the City of Cartersville, a municipal corporation of the State of Georgia (hereinafter referred to as "Employer") has employees rendering valuable services; and

WHEREAS, the establishment of a money purchase retirement plan benefits employees by providing funds for retirement and funds for their beneficiaries in the event of death; and

WHEREAS, the Employer desires that its money purchase retirement plan be administered by ICMA-RC and that the funds held in such plan be invested in Vantage Trust, a trust established by public employers for the collective investment of funds held under their retirement and deferred compensation plans:

NOW THEREFORE BE IT RESOLVED that the Employer hereby establishes or has established a money purchase retirement plan (the "Plan") in the form of: (Select one)

- The ICMA Retirement Corporation Governmental Money Purchase Plan & Trust, pursuant to the specific provisions of the Adoption Agreement (executed copy attached hereto).
- The Plan and Trust provided by the Employer (executed copy attached hereto).

The Plan shall be maintained for the exclusive benefit of eligible employees and their beneficiaries; and

BE IT FURTHER RESOLVED that the Employer hereby adopts the Declaration of Trust of VantageTrust, intending this adoption to be operative with respect to any retirement or deferred compensation plan subsequently established by the Employer, if the assets of the plan are to be invested in VantageTrust.

BE IT FURTHER RESOLVED that the Employer hereby agrees to serve as trustee under the Plan and to invest funds held under the Plan in VantageTrust; and

BE IT FURTHER RESOLVED that the City Manager use title of official, not name) shall be the coordinator for the Plan; shall receive reports, notices, etc., from ICMA Retirement Corporation or VantageTrust; shall cast, on behalf of the Employer, any required votes under Vantage Trust; may delegate any administrative duties relating to the Plan to appropriate departments; and

BE IT FURTHER RESOLVED that the Employer hereby authorizes City manager (use title not name) to execute all necessary agreements with ICMA Retirement Corporation incidental to the administration of the Plan.

BE IT AND IT IS HEREBY RESOLVED, this 7 day of July, 2022.



ATTEST:

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

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

I, Julia Drake, Clerk of the City of Cartersville, do hereby certify that the foregoing Resolution proposed by the City Council of the City of Cartersville was duly passed and adopted by the Mayor and City Council at a regular meeting therefore assembled this 7 day of July, 2022, by the following vote:

AYES: 5
NAYS: 0

**AFFIRMATIVE STATEMENT FOR ADOPTING A SECTION 401 MONEY PURCHASE PLAN
PURSUANT TO RESOLUTION NO. 13-22 BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
CARTERSVILLE, STATE OF GEORGIA**

Plan Number: 10 6843

WHEREAS, the City of Cartersville, a municipal corporation of the State of Georgia (hereinafter referred to as "Employer") has employees rendering valuable services; and

WHEREAS, the establishment of a profit-sharing retirement plan serves the interest of the Employer by enabling it to provide reasonable retirement security for its employees, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the Employer hereby adopts or has previously adopted the Declaration of Trust of Vantage Trust, intending this execution to be operative with respect to any retirement or deferred compensation plan subsequently established, if the assets of the plan are to be invested in the Vantage Trust;

NOW THEREFORE, as a duly authorized agent of the Employer, I hereby:

ESTABLISH the Employer's 401(a) money purchase plan (the "Plan") in the form of:

The ICMA Retirement Corporation 401 Governmental Money Purchase Plan and Trust; or
The plan provided by the Employer (executed copy attached hereto).

SPECIFY that the assets of the Plan shall be held in trust, with the Employer serving as trustee ("Trustee"), for the exclusive benefit of the Plan participants and their beneficiaries. The assets shall be invested in the Vantage Trust, and shall not be diverted to any other purpose. The Employer's beneficial ownership of Plan assets held in the Vantage Trust shall be held for the further exclusive benefit of the Plan participants and their beneficiaries;

SPECIFY that the City Manager (title) shall be the coordinator for the Plan; shall receive reports, notices, etc., from the ICMA Retirement Corporation or the Vantage Trust; shall cast, on behalf of the Employer, any required votes under the Vantage Trust; may delegate any administrative duties relating to the Plan to appropriate departments; and is authorized to execute all necessary agreements with the ICMA Retirement Corporation incidental to the administration of the Plan; and

AFFIRM that the Employer hereby agrees to serve as Trustee under the Plan.

Date: July 7, 2022

City Manager
(Title of Designation Agent)

Dan Porta
(Signature)

Trust Agreement

The City of Cartersville, a municipal corporation of the State of Georgia (hereinafter referred to as "Employer") hereby adopts and designates this Trust ("the Trust") to receive and hold the assets of the MissionSquare Retirement Governmental Money Purchase Plan ("the Plan"). The Trust is adopted and designated in accordance with Section 2.22 of the Plan. The Trust shall hold all of the assets of the Plan derived from Employer and Employee contributions under the Plan, plus any income and gains thereon, less any losses, expenses and distributions to Participants and Beneficiaries. All capitalized terms in this instrument shall be interpreted consistent with Article II of the Plan.

- I. **Trust.** A trust is hereby created to hold all of the assets of the Plan for the exclusive benefit of Participants and Beneficiaries, except that taxes and expenses may be paid from the Trust as provided in Section III below. The trustee shall be the Employer or such other person which agrees to act in that capacity hereunder.

- II. **Investment Powers.** The trustee or the Plan Administrator, acting as agent for the trustee, shall have the powers listed in this Section II with respect to investment of the Trust assets, except to the extent that the investment of the Trust assets is controlled by Participants, pursuant to Sections 6.01 and 13.03 of the Plan.
 - (a) To invest and reinvest the Trust without distinction between principal and income in common or preferred stocks, shares of regulated investment companies and other mutual funds, bonds, notes, debentures, mortgages, certificates of deposit, contracts with insurance companies including but not limited to insurance, individual or group annuity, deposit administration, guaranteed interest contracts, and deposits at reasonable rates of interest at banking institutions including but not limited to savings accounts and certificates of deposit. Assets of the Trust may be invested in securities that involve a higher degree of risk than investments that have demonstrated their investment performance over an extended period of time.

 - (b) To invest and reinvest all or any part of the assets of the Trust in any common, collective or commingled trust fund that is maintained by a bank or other institution and that is available to employee plans qualified under section 401 of the Code, or any successor provisions thereto, and during the period of time that an investment through any such medium shall exist, to the extent of participation of the Plan, the declaration of trust of such common, collective, or commingled trust fund shall constitute a part of the Plan.

 - (c) To invest and reinvest all or any part of the assets of the Trust in any group annuity, deposit administration or guaranteed interest contract issued by an insurance company or other financial institution on a commingled or collective basis with the assets of any other plan or trust qualified under section 401(a) of the Code or any other plan described in section 401(a)(24) of the Code, and such contract may be held or issued in the name of the Plan Administrator, or such custodian as the Plan Administrator may appoint, as agent and nominee for the Employer. During the period that an investment through any such contract shall exist, to the extent of participation of the Plan, the terms and conditions of such contract shall constitute a part of the Plan.

 - (d) To hold cash awaiting investment and to keep such portion of the Trust in cash or cash balances, without liability for interest, in such amounts as may from time to time be deemed to be reasonable and necessary to meet obligations under the Plan or otherwise to be in the best interests of the Plan.

- (e) To hold, to authorize the holding of, and to register any investment to the Trust in the name of the Plan, the Employer, or any nominee or agent of any of the foregoing, including the Plan Administrator, or in bearer form, to deposit or arrange for the deposit of securities in a qualified central depository even though, when so deposited, such securities may be merged and held in bulk in the name of the nominee of such depository with other securities deposited therein by any other person, and to organize corporations or trusts under the laws of any jurisdiction for the purpose of acquiring or holding title to any property for the Trust, all with or without the addition of words or other action to indicate that property is held in a fiduciary or representative capacity but the books and records of the Plan shall at all times show that all such investments are part of the Trust.
- (f) Upon such terms as may be deemed advisable by the Employer or the Plan Administrator, as the case may be, for the protection of the interests of the Plan or for the preservation of the value of an investment, to exercise and enforce by suit for legal or equitable remedies or by other action, or to waive any right or claim on behalf of the Plan or any default in any obligation owing to the Plan, to renew, extend the time for payment of, agree to a reduction in the rate of interest on, or agree to any other modification or change in the terms of any obligation owing to the Plan, to settle, compromise, adjust, or submit to arbitration any claim or right in favor of or against the Plan, to exercise and enforce any and all rights of foreclosure, bid for property in foreclosure, and take a deed in lieu of foreclosure with or without paying consideration therefor, to commence or defend suits or other legal proceedings whenever any interest of the Plan requires it, and to represent the Plan in all suits or legal proceedings in any court of law or equity or before any body or tribunal.
- (g) To employ suitable consultants, depositories, agents, and legal counsel on behalf of the Plan.
- (h) To open and maintain any bank account or accounts in the name of the Plan, the Employer, or any nominee or agent of the foregoing, including the Plan Administrator, in any bank or banks.
- (i) To do any and all other acts that may be deemed necessary to carry out any of the powers set forth herein.

III. Taxes and Expenses. All taxes of any and all kinds whatsoever that may be levied or assessed under existing or future laws upon, or in respect to the Trust, or the income thereof, and all commissions or acquisitions or dispositions of securities and similar expenses of investment and reinvestment of the Trust, shall be paid from the Trust. Such reasonable compensation of the Plan Administrator, as may be agreed upon from time to time by the Employer and the Plan Administrator, and reimbursement for reasonable expenses incurred by the Plan Administrator in performance of its duties hereunder (including but not limited to fees for legal, accounting, investment and custodial services) shall also be paid from the Trust. However, no person who is a fiduciary within the meaning of section 3(21)(A) of ERISA and regulations promulgated thereunder, and who receives full-time pay from the Employer may receive compensation from the Trust, except for expenses properly and actually incurred.

- IV. **Payment of Benefits.** The payment of benefits from the Trust in accordance with the terms of the Plan may be made by the Plan Administrator, or by any custodian or other person so authorized by the Employer to make such disbursement. Benefits under the Plan shall be paid only if the Plan Administrator, custodian or other person, or the Employer if directing such person, decides in his/her discretion that the applicant is entitled to them. The Plan Administrator, custodian or other person shall not be liable with respect to any distribution of Trust assets made at the direction of the Employer.

- V. **Valuation of Accounts.** As of each Accounting Date, the Plan assets held in each investment fund offered shall be valued at fair market value and the investment income and gains or losses for each fund shall be determined. Such investment income and gains or losses shall be allocated proportionately among all Account balances on a fund-by-fund basis. The allocation shall be in the proportion that each such Account balance as of the immediately preceding Accounting Date bears to the total of all such Account balances, as of that Accounting Date. For purposes of this Trust, all Account balances include the Account balances of all Participants and Beneficiaries.

- VI. **Participant Loan Accounts.** Participant Loan Accounts shall be invested in accordance with Section 13.03 of the Plan. Such Accounts shall not share in any investment income and gains or losses of the investment funds described in Section 6.01.

SIGNATURE & DATE

Date: July 7, 2022

EMPLOYER:

CITY OF CARTERSVILLE, GEORGIA

By: Matthew Santini (SEAL)
Matthew Santini, Mayor

Attest: Julia Drake (SEAL)
Julia Drake, City Clerk



Date: July 7, 2022

TRUSTEE:

CITY OF CARTERSVILLE, GEORGIA

By: Dan Porta (SEAL)
Signature

Print Name: Dan Porta

Title: City Manager

Attest: Julia Drake (SEAL)
Julia Drake, City Clerk



BID AWARD/PURCHASES

7. Property and Casualty Insurance Coverage

Mr. Porta stated Travelers Insurance has provided the city a competitive quote for cyber insurance coverage at \$13,401 and approval was recommended for this coverage. This is a budgeted purchase.

Council Member Hodge made a motion to approve the Property and Casualty Insurance Coverage. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

8. USIS Contract for Workers Compensation Claims Administration

Mr. Porta stated USIS is the third-party insurance claim processing company that handles all of our workers compensation claims at annual cost of \$10,147.50. This company has been our claims administration company since 2007 when we went self-insured. This is a budgeted purchase.

Council Member Roth made a motion to approve the USIS Contract for Workers Compensation Claims Administration. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

9. 48' Bucket Truck Replacement

Derek Hampton, Electric Department Director, stated the Electric Department is requesting authorization to purchase a replacement for Truck #522, which is a 41' Service Bucket Truck that has been problematic. We recommend approval to purchase the 48' Service Bucket truck on a Freightliner chassis from Altec for a cost not to exceed \$265,000. We plan to retain approximately 1/3 of the truck cost in reserves, then process the remaining amount on the delivery date in 2025. A portion of this purchase is budgeted in FY22-23 with the remainder in the FY23-24 budget.

Council Member Stepp made a motion to approve the 48' Bucket Truck Replacement. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

10. Yanmar ViO-55 Mini Excavator

Mr. Hampton stated the Electric Department is requesting authorization to purchase a Yanmar ViO-55 mini-excavator to replace a circa 2008 ViO-55. This is a sole-sourced item from Vermeer Southeast, and the cost is \$74,000.00. This is a budgeted expense.

Council Member Fox made a motion to approve the Yanmar ViO-55 Mini Excavator. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

11. Plotter for GIS

Steven Grier, FiberCom Director, stated the FiberCom Department requests the purchase of a new plotter for GIS. This plotter will be replacing the existing plotter used by GIS which was purchased in March 2014. We recommend the purchase of the plotter from Repro Products for

\$9,375.00. The price includes delivery, set-up, training, and a three-year warranty. Approval was recommended for this item, and it is to be paid from the 2020 SPLOST.

Council Member Roth made a motion to approve the Plotter for GIS. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

12. Office 365

Mr. Grier stated the FiberCom Department requests the purchase of Microsoft Office 365 for all city end users. This will streamline our supported versions of Microsoft Office as well as move our email into the cloud. The total amount is \$62,145.90 from CDWG and is an annual fee. This is a budgeted item, and approval for this purchase was recommended.

Council Member Cooley made a motion to approve the Office 365 Purchase. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

13. Fiber Pathway Installation

Mr. Grier stated this item is for the construction and installation of a fiber pathway in 5 different locations south of the water treatment plant on Hwy 41. These 5 locations are needed to build fiber to the City of Emerson. The total amount is \$36,910.00 from NCI. This is a budgeted item, and approval was recommended.

Council Member Roth made a motion to approve the Fiber Pathway Installation. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

Council Member Hodge made a motion to add four (4) items to the agenda. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

14. WTP Process Air Compressor

Sidney Forsyth, Water Department Director, stated the water treatment plant sludge collection and management process uses continuously pressurized air headers and valves. The current air compressor installed for this purpose is inoperable and in need of replacement. We are currently using smaller, temporary compressors for this work.

Approval was recommended to purchase this compressor from Ingersoll Rand for \$9,640.00. This is a budgeted expense to be paid from account 505.3310.52.2361.

Council Member Fox made a motion to approve the WTP Process Air Compressor. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

15. Digester Gear Box

Mr. Forsyth stated two of the eleven 150 HP aeration basin gearboxes removed from service during the recent plant upgrade were kept as spares for the digesters, which still have eight of the same gearboxes in service.

This spare gearbox needs seals and bearings replaced, and shafts and gears refurbished in order to be a ready replacement on a digester.

Quotes were solicited for this work, with one quote received from Cole Technology for \$54,778.04, with a 24-week lead time. For comparison, a new replacement gearbox would cost \$145,000.00 and take 46 weeks to deliver.

It was recommended to award Cole Technology this work for \$54,778.04. This is a budgeted item to be paid from account 505.3330.52.2361.

Council Member Roth made a motion to approve the Digester Gear Box. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

CONTRACTS/AGREEMENTS

16. WPCP Instrument Service

Mr. Forsyth stated the recent upgrades at the water pollution control plant include a significant increase in the number and sophistication of installed analytical and control instrumentation. These instruments are necessary for the increased level of process monitoring and quality control mandated by our discharge permit.

In order to maintain these instruments, we've asked the equipment manufacturer, Hach, for an annual calibration and service quote. The quote includes calibration, any necessary repairs, and preventative maintenance for both in-line and bench-top instrumentation. Approval was recommended of Hach's service quote of \$15,663.45. They are a sole source provider for this equipment. This is a budgeted expense to be paid from 505.3330.52.2361

Council Member Cooley made a motion to approve the purchase of WPCP Instrument Service. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

17. Construction Manager at Risk (CMAR) for the Water Department Administrative Complex

Freddy Morgan, Assistant City Manager, stated this this is the professional services agreement between the City and Reeves Young to perform CMAR services needed for the Water Department Administrative Complex.

Council Member Hodge made a motion to approve the Construction Manager at Risk (CMAR) for the Water Department Administrative Complex. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

18. Encroachment Agreement

Mr. Lovell stated this agreement will allow the owners of Jackson Farm to irrigate the islands in the right of way.

Council Member Fox made a motion to approve the Encroachment Agreement. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

PUBLIC HEARING

19. Renewal of Downtown Business Improvement District

Mr. Lovell stated having obtained the necessary 51% of signatures from property owners, the DDA is seeking approval from Council to renew the Downtown Business Improvement District.

Public hearing opened.

Lillie Read, Downtown Development Authority Director, came forward to speak for this item on behalf of the 51% of business owners in favor of this item.

With no one else to come forward, the public hearing was closed.

ADDED ITEMS

20. Festival Zone – Intercultural Festival

Ms. Read stated that the Intercultural Festival is to be held on Sunday, July 17th, 2022 from 1:00PM – 7:00PM and recommended approval.

Costanza Sweeney, event coordinator, came forward to express what this festival means to her.

Mayor Santini and Council Members voiced the importance of the boundaries required to allow alcohol in the downtown area on Sunday to which Ms. Sweeney stated she understood.

Council Member Fox made a motion to approve the Intercultural Festival. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 5-0

**Resolution No. 14-22
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:

07/17 Intercultural Festival (1pm-7pm)

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 7th day of July 2022.

/s/ Matt Santini
Matt Santini
Mayor

ATTEST:
/s/ Julia Drake
Julia Drake
City Clerk



21. BLESS Coalition Boil N’ Jam

Ms. Read stated approval was recommended for the Bless Coalition Boil N’ Jam on Friday, July 22, 2022 from 3:00PM – 10:00PM.

Council Member Fox made a motion to approve the BLESS Coalition Boil N’ Jam. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

**Resolution No. 15-22
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:

07/22 BLESS Coalition Boil N’ Jam (3pm-10pm)

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 7th day of July 2022.


/s/ Matt Santini
Mayor

ATTEST:
/s/ 
Julia Drake
City Clerk



Mayor Santini recused himself and left the Council Chambers. Mayor Pro-Tem Cooley called the next item.

22. Employee Lunch Boxes

Mr. Porta stated our City employees are hard workers and the reason why Cartersville operates as well as it does. Everyone deserves something, aside from their work shirts, that allows them to show off their pride for the City. The lunchbox/coolers would be very handy, as many bring their lunch to work. Stitched on the front of each lunchbox, was a stamped leather patch embossed with the City seal. This is not a budgeted item but funds were available for this purchase.

In addition, feedback has been wonderful, being told it was a complete morale booster. This item is just a small way of saying ‘thank you’ and showing appreciation for their dedication.

Council Member Fox made a motion to approve the Employee Lunchbox Purchase. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

Mayor Santini returned to the Council Chambers.

23. AT&T Easement

Mr. Lovell stated that AT&T has located a small wireless facility located at a point easterly right of way of Lee St from which the southerly right of way of Cherokee Avenue. An easement is needed to access this location.

Council Member Stepp made a motion to approve the AT&T Easement. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

OTHER

Mayor Santini asked if there was any other business that needed to be brought forward to Mayor and Council.

Dan Williams, Bartow County, came forward to bring awareness of stalking and harassment through the use of artificial telepathy or Voice to Skull (V2K) Technology. Continuing, he stated that he had been tortured and harassed for the past 3 years through V2K and has been unsuccessful in getting law enforcement to help aid in the help to stop this madness. When this began, he was living within the City of Cartersville, but has since moved into Bartow County jurisdiction.

Mr. Lovell stated that although we sympathize with this suffering, Mr. Williams would benefit from contacting one or more of the following: Bartow County, State Representative, Federal Representative, GBI or FBI.

FINAL COMMENTS

Council Member Stepp stated Little League All-Stars begins in a week and congratulated the teams that would be participating.

Mayor Santini thanked Public Safety for their dedication and commitment to keeping everyone safe on the Independence Day. In closing, he stated on Saturday, Unity in the Community would be held from 10:00AM – 1:00PM and invited everyone to join.

ADJOURNMENT

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

Meeting Adjourned at 7:50 P.M.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:
/s/ _____
Julia Drake
City Clerk