

City Council Meeting
10 N. Public Square
December 15, 2022
7:00 P.M. – Council Meeting

WORK SESSION

Due to the limited number of items on the agenda, no work session was held.

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; Freddy Morgan, Assistant City Manager; Julia Drake, City Clerk; and David Archer, City Attorney.

Absent: Kari Hodge, Council Member Ward One; Jayce Stepp, Council Member Ward Two

REGULAR AGENDA

COUNCIL MEETING MINUTES

1. December 1, 2022 Council Meeting Minutes

Council Member Wren made a motion to approve the December 1, 2022, Meeting Minutes. Council Member Roth seconded the motion. The motion carried unanimously. Vote: 4-0

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

SECOND READING OF ORDINANCES

2. T22-05 - Applicant: City of Cartersville

Randy Mannino, Planning and Development Director stated this is a text amendment to Chapter 9.25, Historic Preservation, Article II, Historic Preservation Commission, Sec. 9.25-32 (c), to amend ordinance to comply with the state Historic Preservation Act regarding member qualifications. A discrepancy was identified during the Certified Local Government audit which is performed every 4 years.

Council Member Fox made a motion to approve T22-05. Council Member Cooley seconded the motion. The motion carried unanimously. Vote: 4-0

Ordinance No. 31-22

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 9.25 - HISTORIC PRESERVATION. ARTICLE II. - HISTORIC PRESERVATION COMMISSION. SEC. 9.25-32. – HISTORIC PRESERVATION COMMISSION is hereby amended by deleting Paragraph (c) and replacing it as follows:

1.

Sec. 9.25-32. Historic Preservation Commission.

(c) *Historic preservation commission members: Number, appointment, terms, and compensation.* The commission shall consist of seven (7) members appointed by the City Council of the City of Cartersville. A majority of the members of any such commission shall have demonstrated special interest, experience, or education in history or architecture; all the members shall reside within the historic preservation jurisdiction of the city.

Members shall serve three-year terms. In order to achieve staggered terms, initial appointments shall be: two (2) members for two (2) years; and three (3) members for three (3) years. Members shall not receive a salary, although they may be reimbursed for expenses by the city council. The city council will have the authority to remove any member of the historic preservation commission appointed by it for cause, on written charges, after a public hearing.

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 to accomplish such intention and any ordinance or part thereof not amended shall remain in effect and be unchanged.

BE IT AND IT IS HEREBY ORDAINED.

FIRST READING: December 1, 2022
SECOND READING: December 15, 2022

ATTEST: 
JULIA DRAKE, CITY CLERK


MATTHEW J. SANTINI, MAYOR



APPOINTMENTS

3. Joint Cartersville/Bartow County Regional Industrial Development Authority

Freddy Morgan, Assistant City Manager, stated the terms for the terms for Sonny Miller, Tommy Strickland and James Jarrett will expire on December 31, 2022. They are willing to continue serving on the Joint Cartersville/Bartow County Regional Industrial Development Authority if reappointed. Their new terms will expire on December 31, 2026.

Council Member Fox made a motion to approve Joint Cartersville/Bartow County Regional Industrial Development Authority reappointment. Council Member Cooley seconded the motion. The motion carried unanimously. Vote: 4-0

4. Bartow-Cartersville Joint Development Authority

Mr. Morgan stated Beth Tilley, LaDonna Jordan and James Jarrett's term will expire on December 31, 2022. They are willing to continue serving on the Bartow-Cartersville Joint Development Authority if reappointed. Their new terms will expire on December 31, 2026.

Council Member Fox made a motion to approve Bartow-Cartersville Joint Development Authority reappointment. Council Member Cooley seconded the motion. The motion carried unanimously. Vote: 4-0

BID AWARD/PURCHASES

5. GMA Membership Dues

Mr. Morgan stated these are the 2023 dues for membership in the Georgia Municipal Association (GMA). The total is \$8,659.71 for the year and is based on the City's population.

Council Member Fox made a motion to approve GMA Membership Dues. Council Member Roth seconded the motion. The motion carried unanimously. Vote: 4-0

6. Travelers Insurance Deductible Invoice

Mr. Morgan stated Travelers Insurance has settled an insurance claim from an incident that occurred in October 2020 and the city is responsible for the deductible payment. Approval was recommended to pay Travelers Insurance for our \$25,000 insurance deductible for the settlement of this claim.

Council Member Fox made a motion to approve Travelers Insurance Deductible Invoice. Council Member Roth seconded the motion. The motion carried unanimously. Vote: 4-0

7. Replacement Roll-Up Door at City Garage Facility

Mr. Morgan stated the vehicle roll-up door at the City Garage facility needs replacement. We received (2) two quotes for the replacement vehicle roll-up door. Overhead Door Company of Atlanta bid a series 610 rolling steel door in the amount of \$21,793.00. Metro Garage Door, Incorporated bid a rolling steel door in the amount of \$19,338.67. We are asking for approval to award the bid to Metro Garage Door, Incorporated. This is a non-budgeted item but will be paid through other departmental resources. It was recommended to award this bid to Metro Garage Door, Incorporated in the amount up to \$19,338.67.

Council Member Fox made a motion to approve the Replacement Roll-Up Door at City Garage Facility. Council Member Roth seconded the motion. The motion carried unanimously. Vote: 4-0

8. Third Quarter 2022 Motorola Radio Invoice

Mr. Morgan stated Bartow County has submitted the third quarter 2022 invoice for the Motorola radio system that is used by our Police, Fire, FiberCom, Gas, Electric, Public Works and Recreation Departments. This is a budgeted item and I recommend approval to pay this invoice in the amount of \$37,784.10.

Council Member Roth made a motion to approve the Third Quarter 2022 Motorola Radio Invoice. Council Member Fox seconded the motion. The motion carried unanimously. Vote: 4-0

9. Gas Meter Purchase

Michael Dickson, Gas Department Director, stated the Gas System is requesting the purchase of 288 Sonix IQ 250 Meters, 75 Sonix IQ 425 Meters, 50 Sonix 600 Meters and the associated electronics and brackets. Our sole source provider, Equipment Controls Company provided a quote of \$158,731.00. These are to replenish our current stock and to mitigate future downtime due to the current supply chain issues. These are budgeted items and Council's approval is recommended.

Council Member Cooley made a motion to approve the Gas Meter Purchase. Council Member Wren seconded the motion. The motion carried unanimously. Vote: 4-0

ADDED ITEMS

10. Repair of Warning Siren

Hagen Champion, Deputy Fire Chief, stated approval was requested to make repairs to one of the warning sirens. The warning siren is located on Church St. adjacent to the Main St. intersection. The siren was severely damaged in a motor vehicle crash during the early morning hours of 12/12/2022. The repairs will be paid for through the reimbursement of insurance claims with the at-fault driver. There will be no cost to our general budget. Approval was recommended for Mobile Communications America from Anniston, Alabama to complete the work by February 1, 2023 for the amount of \$16,891.00.

Council Member Cooley made a motion to approve the Repair of Warning Siren. Council Member Wren seconded the motion. The motion carried unanimously. Vote: 4-0

11. Emergency Moratorium

Mr. Morgan requested consideration from the Mayor and City Council to impose an Emergency Moratorium Ordinance to address concerns about low pressure in the Carter Grove neighborhood. From a recent water flow test, it was determined that the water flow in this area was 525 GPM, well below the City's standard of 1,000 GPM for residential areas as required by the City of Cartersville Code of Ordinances Sec. 7.5-123(b), and for this reason, it was recommended for approval of the passage of this Emergency Ordinance.

Mr. Mannino added that this would affect the issuance of new home construction permits.

Public hearing was opened and with no one to come forward to speak for or against the ordinance, the public hearing was closed.

Council Member Fox made a motion to approve the Emergency Moratorium Ordinance. Council Member Wren seconded the motion. The motion carried unanimously. Vote: 4-0

**CITY OF CARTERSVILLE EMERGENCY MORATORIUM
ORDINANCE NO. 32-22**

AN ORDINANCE OF THE CITY OF CARTERSVILLE ADOPTING AND DECLARING A MORATORIUM UPON THE ISSUANCE OF BUILDING PERMITS FOR CONSTRUCTION OF BUILDING PROJECTS DUE TO LOW RESIDUAL FLOWS AT FIRE HYDRANTS ON THE BARTOW COUNTY WATER SYSTEM, IN THE EFFECTED AREA; PROVIDING AN EFFECTIVE DATE, PROVIDING FOR SEVERABILITY; AND DECLARING THE SUBORDINANCE OF ALL ORDINANCES, RESOLUTIONS, AND ORDERS IN CONFLICT HEREIN.

WHEREAS, the City of Cartersville is tasked with providing for the general welfare of the citizens of the City of Cartersville; and

WHEREAS, one of the primary and essential services provided by the City of Cartersville is to provide fire protection through the City of Cartersville's Fire Department; and

WHEREAS, a critical and necessary component to provide said services is the need to create and maintain adequate water pressure and flow for fire hydrants, and a system that can handle the number of users; and

WHEREAS, too many users and hookups onto the system can cause a dangerous reduction in water pressure that adversely impacts the City's ability to provide adequate fire protection; and

WHEREAS, Bartow County has conducted a fire flow test for the hydrants servicing the area referred to as the Carter Grove Subdivision as indicated on the map attached hereto as Exhibit "A;" and

WHEREAS, the result of the water flow in said area was 525 GPM, well below the City's standard of 1,000 GPM for residential areas as required by the City of Cartersville Code of Ordinances Sec. 7.5-123(b); and

WHEREAS, the City Fire Department has studied the fire hydrant system in said area and determined that the system does not meet the code requirements, and as such, the decreased water pressure adversely and dangerously impacts the ability to provide emergency fire suppression services; and

WHEREAS, the inadequacy of the hydrants to have sufficient water pressure constitutes an imminent peril to the public health, safety, or welfare of the citizens of the City of Cartersville; and

WHEREAS, the City Charter at Section 2.10, authorizes the City of Cartersville to adopt emergency ordinances if the Mayor and City Council finds that there is an imminent peril to the public health, safety and welfare; and

WHEREAS, the Mayor and City Council may upon such finding proceed to adopt a moratorium responding thereto; and

WHEREAS, the adoption of a moratorium may be accomplished upon abbreviated notice of hearings as the Mayor and City Council deems practical; and

WHEREAS, Bartow County is aware of the situation and is currently installing a new water infrastructure to resolve said issues, the project is currently slated to be completed and operational by no later than July 2023; and


WHEREAS, upon conducting said hearing, the Mayor and City Council have determined a moratorium is necessary.


NOW, IT AND IT IS HEREBY ORDAINED, by the Mayor and City Council of the City of Cartersville, Georgia, as follows:


1. Based on the above recitals and the facts and circumstances set forth therein, the Mayor and City Council find that there is an imminent peril to the public health, safety and welfare of the citizens of the City of Cartersville.
2. The foregoing recitals, being a true and accurate description of the imminent peril to the public health, safety, and welfare of the citizens of the City of Cartersville, a moratorium is hereby imposed upon the receipt, processing, and approval of applications for building permits on the Carter Grove area as depicted on Exhibit "A" attached hereto and incorporated herein which addresses the low water flow. This moratorium shall be in place for a period of two hundred and twenty-eight (228) days following adoption of this moratorium.
3. This moratorium shall not apply to any permit that has already been issued, nor shall it apply to any permit for which related application has already been requested from, filed with, or issued by the City. This limitation shall not prohibit the Mayor and City Council from exercising the control it is otherwise authorized to exercise over any such permit or construction project.
4. During the moratorium the City shall monitor the construction and completion of the current Bartow County Water Project. If the project is completed earlier, then the Fire Department may recommend the cessation of the moratorium, conversely, if it takes longer, they may recommend it be extended.
5. This moratorium shall be in full force and effect immediately upon the date of its passage.
6. This moratorium is hereby declared to be severable. If a portion hereof is declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and this ordinance shall be read to carry out the purpose of this moratorium before the declaration of partial invalidity.
7. If a conflict exists between this moratorium and any other ordinance, resolution, or order of the City of Cartersville, this moratorium shall control until its expiration or termination by the Mayor and City Council.

8. This ordinance is deemed an emergency ordinance only requiring one reading due to the fire hydrant water flow in the Carter Grove area depicted on Exhibit "A" being well below that required of the City ordinances, and the imminent peril to the public health, safety, or welfare of the citizens of the City of Cartersville.

SO ORDAINED, this 15th day of December, 2022.

ATTEST:

JULIA DRAKE, CITY CLERK


MATTHEW J. SANTINI, MAYOR



MONTHLY FINANCIAL STATEMENT

12. October 2022 Financial Report

Tom Rhinehart, Finance Department Director, reviewed the October 2022 Financial Report and compared the numbers to October 2021.

ADJOURNMENT

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

Meeting Adjourned at 7:19 P.M.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:
/s/ _____
City Clerk