

City Council Meeting
10 N. Public Square
August 5, 2021
6:00 P.M. – Work Session
7:00 P.M. – Council Meeting

WORK SESSION

Mayor Matthew Santini opened Work Session at 6:05 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Council Member Stepp made a motion to enter into Executive Session for the purpose of Personnel. Council Member Fox seconded the motion. Motion carried unanimously.

Vote: 5-0

Mayor Santini closed Work Session at 7:09 P.M.

OPENING MEETING

Mayor Santini called the Council Meeting to order at 7:13 PM.

Invocation by Council Member Roth.

Pledge of Allegiance led by Council Member Cooley.

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 David Archer, City Attorney.

Absent: Taff Wren, Council Member Ward Six

REGULAR AGENDA

COUNCIL MEETING MINUTES

- 1. August 5, 2021 - Amended**
- 2. August 12, 2021 – Special Called**
- 3. August 19, 2021 – Special Called**

A motion was made by Council Member Roth to approve the August 5, 2021 Council Minutes as amended, August 12, 2021 Special Called, and August 19, 2021 Special Called Council Meeting Minutes. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

PUBLIC HEARING

4. City M&O Millage Rate – 3rd Public Hearing

Tom Rhinehart, Finance Director, came forward to give an overview of the item stating the property taxes received from the Cartersville M&O property tax collections are used for the general city government operations, which include police, fire, recreation, public works, etc. The proposed 2021 millage rate is set at 2.910 mills and is not the rollback rate (rollback rate was 2.785 mills). As a result, the rate of 2.91 mills is considered to be a property tax increase of 4.49% over the rollback rate. The tax increase on a house that has a fair market value of \$125,000 would be approximately \$6.25.

The city is required to hold three public hearings for the citizens to voice their opinions regarding the proposed property tax increase. The first public hearing was held on August 12, 2021 at 5 PM. The second public hearing was held on August 19, 2021 at 8 AM, and this is the 3rd public hearing.

Mayor Santini opened the public hearing and with no one to come forward, the public hearing was closed.

PUBLIC HEARING - 1st READING ZONING/ANNEXATION REQUESTS

5. AZ21-06: 1405 and 1413 Hwy 113 – De-annexation

Randy Mannino, Planning and Development Director, stated this was a joint application for two properties located at 1405 and 1413 Hwy 113. The applicants are requesting that their properties be de-annexed into Bartow County. The properties are 1.89 and 1.71 acres, respectively. Planning Commission approved 4-0.

Public hearing opened. With no one to come forward to speak for or against the de-annexation, the public hearing was closed.

Mayor Santini stated that this item would be up for consideration at the next scheduled City Council Meeting on September 2, 2021 at 7:00 P.M.



6. SU 21-05: 323 N. Tennessee St.

Mr. Mannino stated the applicant wishes to expand the title pawn office to a full-service pawn shop. A Special Use permit for a title pawn only office was approved by Council on Oct. 3, 2019. Case No. SU19-06. Planning Commission approved 4-0 with conditions of no outside storage and no vehicle storage.

Public hearing opened.

Leslie Simmons, 33 Olive Vine Church Rd., came forward to answer any questions that the Council members may have.

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

Mayor Santini stated that this item would be up for consideration at the next scheduled City Council Meeting on September 2, 2021 at 7:00 P.M.



FIRST READING OF ORDINANCES

7. Wholesale Distilled Spirits: Ordinance Amendment

Mr. Mannino stated the ordinance amendment to Section 4-33 adds paragraph 7, which outlines the license fee for wholesale distilled spirits. Alcohol Control Board approved 5-0

This was a first reading. No vote was required.

BID AWARD/PURCHASES

8. WPCP Pre-Mixer Replacement

Sidney Forsyth, Water Department Director, stated one (of six) submersible Flygt mixers in the pre-mix tank at the Water Pollution Control Plant is inoperable. It is an over-sized unit for its current application.

The Water Department requested quotes from the manufacturer for both repair of this mixer and replacement. The repair quote is \$18,216.76, and the cost to replace it with a correct sized unit is \$20,840.16.

Approval was recommended to replace the mixer with an appropriately sized unit from Xylem Water Solutions USA, Inc., at a cost of \$20,840.16. This is a budgeted item and will be paid from account 505-3330-52-2361.

Council Member Fox made a motion to approve WPCP Pre-Mixer Replacement. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

9. Vehicle Bids

Freddy Morgan, Assistant City Manager, stated bids were received for vehicles needed by several City departments. It is recommended that the City award all the bids to Prater Ford.

All of the vehicles listed are budgeted. The Water and Gas Department vehicles will be purchased with operating revenue. The Parks & Recreation, Fire Department, and Planning & Zoning vehicles will be purchased through the Lease pool program.

Council Member Fox made a motion to approve the Vehicle Bids, four (4) for purchase and three (3) from the lease pool. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

CONTRACTS/AGREEMENTS

10. 324 and 326 W. Cherokee Ave. Lease Agreement

Mr. Morgan stated the lease agreement for 324 and 326 W. Cherokee Avenue has been updated. If Council approves, the lease will go into effect September 1, 2021 and end on December 31, 2026.

The lease will automatically renew for up to five (5) 1-year terms unless the Mayor and City Council act in December or January of the renewable year to terminate or not renew and the Tenant provides a notice of intent to renew by December 1st of each year.

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

OTHER

11. State Highway System Revision

Tommy Sanders, Public Works Director, stated approval was recommended for the Mayor to sign the State Highway System Revision Order from GDOT. This revision is necessary due to the State Route addition of Old Alabama Road into SR 113 and resulting re-designations and removal of State Routes in Common. These changes do not affect City mileage or responsibilities. The primary impact in the city will be re-designation of Main Street (I-75 to US 41/SR 3) from designated as SR 113 to designated as SR 61 Connector.

Council Member Hodge made a motion to approve the State Highway System Revision. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

12. East End Productions Special Event Application

Dan Porta, City Manager, stated East End Productions had submitted a Special Event Application for a free concert to be hosted on Sunday, October 3, 2021. In order to provide adequate space for food trucks and attendees, David Holt is requesting the closure of E.

Cherokee Ave. between Tennessee St. and Stonewall St. from 8:00AM – 10:00PM on October 3, 2021.

In addition to the application approval, the City has been asked to pay for two of our off-duty Fire Department EMT's to be onsite for eight hours each, for a total of \$780.00. In case of an emergency, they would coordinate with an EMS service.

It has also been requested that the City provide security for the concert and pay for 7 – 10 of our off-duty Police Officers, plus a Supervisor to be onsite for 8 hours. The total cost for the Supervisor and Officers would be \$4,040.00.

If the application is approved, a traffic plan will be designed by the Cartersville Police Department. East End Productions is responsible for locating approved parking areas.

Brennan Swing, 55 Bucky St, Kingston, came forward to represent the applicant, David Holt, and to answer any questions that Council Members may have. Mr. Swing stated that clear cups with the event logo would be provided, along with crowd managers to control the entrances and crowd, and laminated maps for crowd managers and emergency personnel. These maps would show designated parking areas.

Discussions commenced.

Mayor Santini stated that the decibels of the music cannot and should not exceed the limit noted in our ordinances. Mr. Swing stated he understood and would ensure that this requirement was met.

David Archer, City Attorney, stated that the approvals must come from the property owners, and not just the tenants.

Council Member Hodge needed clarification on who was responsible for the traffic plan to which Mr. Swing stated that the Cartersville Police Department would be responsible. Chief of Police, Frank McCann, stated this would not be a problem and CPD can certainly accommodate the request.

Mayor Santini asked if 5'-6' fencing could be provided around perimeter, to which Mr. Swing stated 'yes, it could.'

Mayor Santini stated that it is Council's responsibility to treat everyone equally and fairly and ensure that all safety measures are met to create a fun, yet safe, environment for the community.

Council Member Hodge made a motion to approve the East End Productions Special Event Application pending resubmittal of the application with property owner approval letters and new boundaries of the festival zone, the cost of using off-duty city personnel must be met by the applicant, traffic plan must be coordinated with police and fire, remove 5 Tennessee St from proposed festival zone, provide fencing around the parameter of the festival zone, and coordinate with Fire Chief, Scott Carter, regarding the required training. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 5-0

13. City of Cartersville M&O Millage set at 2.910 Mills for 2021

Tom Rhinehart, Finance Director, came forward to give an overview of the item stating the property taxes received from the Cartersville M&O property tax collections are used for the general city government operations, which include police, fire, recreation, public works, etc. The proposed 2021 millage rate is set at 2.910 mills and is not the rollback rate (rollback rate was 2.785 mills). As a result, the rate of 2.91 mills is considered to be a property tax increase of 4.49% over the rollback rate. The tax increase on a house that has a fair market value of \$125,000 would be approximately \$6.25.

The city was required to hold three public hearings for the citizens to voice their opinions regarding the proposed property tax increase. The first public hearing was held on August 12, 2021 at 5 PM. The second public hearing was held on August 19, 2021 at 8 AM, and the third public hearing was held on August 19, 2021 at 7 PM.

Council Member Fox made a motion to approve the City of Cartersville M&O Millage set at 2.910 Mills for 2021. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 5-0

14. GO Parks & Recreation Property Tax Millage Rate Set at 0.713 Mills for 2021

Mr. Rhinehart stated the citizens of Cartersville approved a referendum in November 2014 authorizing the city to issue bonds used to pay for renovations and improvements to the parks and recreation buildings and properties. The bonds were issued with a ten-year payback period. In order to make the scheduled bond payments, the city is assessing a property tax millage of 0.713 mills (below the rollback rate of .737 mills) for 2021, also approved by the citizens. The millage rate for this will fluctuate over the ten years and will need to be set with a millage large enough to cover the semi-annual bond payments.

Council Member Roth made a motion to approve the GO Parks & Recreation Property Tax Millage Rate. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

15. Cartersville Business Improvement District Millage Rate Set at 1.233 Mills for 2021

Mr. Rhinehart stated the Cartersville Business Improvement District (BID) is made up of the Downtown Cartersville Business District. These business owners have been self-assessing a property tax for many years to raise funds for use in the downtown area. The Downtown Development Authority (DDA) works with the local businesses to use the funds to improve the downtown area. The DDA Board requests the City Council approval of their recommended BID's property tax millage of 1.233 mills for 2020. This is the rollback rate. I recommend approval of the Cartersville Business Improvement District property tax millage of 1.233 mills for 2021.

Council Member Cooley made a motion to approve Cartersville Business Improvement District Millage Rate. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

16. Cartersville School System Millage Rate Set at 13.906 Mills for 2021

Mr. Rhinehart stated the Cartersville City School System has recommended to their Board to adopt the 2021 rollback rate of 13.906 mill. The City Council approves the School Board’s recommended tax millage rate for city residents where the Cartersville City School System uses the property taxes collected.

Council Member Hodge made a motion to approve the Cartersville School System Millage Rate. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

ADDED ITEM

Council Member Stepp made a motion to add an item to the agenda. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

17. Opioid Distribution Settlement Participation Agreement

Mr. Archer stated that his firm had received notification from Brinson, Askew, Berry regarding the Subdivision Settlement with regards to the Opioid Litigation. The request is to allow Mayor Santini to sign the Subdivision Settlement Participation Form.

Council Member Fox made a motion to approve the execution of the Subdivision Settlement Participation Form. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 5-0

MONTHLY FINANCIAL REPORT

18. June 2021 Financial Report

Mr. Rhinehart went over the Financial Report for June 2021 comparing the numbers to June 2020.

Council Member Stepp made a motion to adjourn.

Meeting Adjourned at 8:23 P.M.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:
/s/ _____
Julia Drake
City Clerk