

City Council Meeting  
City Hall – Council Chambers  
March 21, 2024  
6:00 P.M. – Work Session / 7:00 P.M. – Council Meeting

## **WORK SESSION**

Mayor Matthew Santini opened Work Session at 6:00 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Mayor Santini closed Work Session at 6:36 P.M.

## **OPENING MEETING**

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

Invocation by Council Member Cooley.

Pledge of Allegiance led by Cordell.

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.

## **REGULAR AGENDA**

### **COUNCIL MEETING MINUTES**

#### **1. March 7, 2024, Council Meeting Minutes**

Council Member Roth made a motion to approve the March 7, 2024, Council Meeting Minutes. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 6-0

### **APPOINTMENTS**

#### **2. Etowah Area Housing Authority**

Dan Porta, City Manager, stated Lehmann Smith is willing to continue to serve as a member of the Etowah Area Housing Authority with a new term expiring on April 1, 2029, if reappointed.

Council Member Cooley made a motion to approve the Etowah Area Housing Authority Appointment. Council Member Hodge seconded the motion. Vote: 6-0

#### **3. Planning Commission**

Randy Mannino, Planning and Development Director, stated if approved, Matthew Womack will serve as the Ward 2 Appointee of the Planning Commission Board. As of February 8, 2024, this role is vacant. Mr. Womack's term will expire on January 31, 2028.

Council Member Roth made a motion to approve the Planning Commission Appointment. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 6-0

Mayor Santini stated that Z24-02 application had been withdrawn.

## **PUBLIC HEARING- 1<sup>ST</sup> READING OF ZONING/ANNEXATION REQUESTS**

### **4. T24-02: Text Amendment to Billboard Ordinance- Sec 20.29**

Mr. Mannino stated that the Text Amendment to Chapter 20, Signs and Outdoor advertising, Article II, Sign Ordinance, Sec. 20-29 (a), Billboards, to add:

*“(6). S. Tennessee Street (State Route 293) (beginning at the centerline of Justice Robert Benham Drive intersection with S. Tennessee Street centerline) and continuing south a distance of 1,000 feet.”*

Staff members are not opposed to the amendment. Planning Commission recommended approval.

Mayor Santini opened the public hearing.

Bobby Walker, 15 S. Public Square, came forward to represent the applicant and gave an overview of the application.

With no one else to come forward to speak for or against the text amendment, the public hearing was closed.

This was a first reading and would be voted on at the April 4, 2024, City Council meeting.

## **PUBLIC HEARING**

### **5. SU24-02 123 Leake Street**

**Applicant: Josh McWhorter**

Mr. Mannino stated that the applicant requests a Special Use permit to allow an apartment behind commercial and office uses in the same building, at property identified as 123 Leake St, in Land Lot 483 of the 4th District, 3rd Section. Tax ID No. C002-0002-061. The approximate land area is 0.31 acres.

Staff members are not opposed to the request with the following condition:

1) The Special Use is nullified if the building use changes, and the apartment is removed.

Planning Commission recommended approval.

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

This was a first reading and would be voted on at the April 4, 2024, City Council meeting.

## **TEXT AMENDMENT**

### **6. ZMA24-01 ANNUAL ZONING MAP AMENDMENT**

Mr. Mannino stated that this is the annual adoption of the official zoning map of the City of Cartersville. It includes the annexation and zoning actions approved by City Council in the last 12 months. The last zoning map adoption was July 6, 2023. See memo for list of amendments. Planning Commission and Staff recommends approval.

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

This was a first reading and would be voted on at the April 4, 2024, City Council meeting.

## **SECOND READING OF ORDINANCES**

### **7. Sec 2-1 Corporate Seal**

Logan Bagley, Public Relations & Communications Manager, stated this Ordinance Revision modifies the language describing the appearance of the city's corporate seal to match the design of the seal in our new city branding system.

Council Member Hodge made a motion to approve the Corporate Seal. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 6-0

Reference Ordinance # 05-24

### **8. Speeding Violations**

Keith Lovell, City Attorney, stated this Ordinance Revision imposes an additional fine to individuals exceeding the speed limit by twenty miles or greater per hour, by the Court for multiple violations within a five-year period.

Council Member Roth made a motion to approve the Speeding Violation Ordinance. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 6-0

Reference Ordinance # 06-24

Mayor Santini stated that all items pertaining to the Gas Rate Ordinance would be heard at one time and one motion would be made to approve or deny all.

### **9. Gas Rate Ordinance Amendment – Sec. 24-231**

Michael Dickson, Gas Department Director, stated in reviewing the interruptible gas rates, they noticed that the PGC III rate rider adjustment of 4% was not consistent with the PGC I and PGC II rate rider adjustments of 7%. Therefore, it is recommended to adjust the PGC III (Purchased Gas Cost III) rate rider to 7% to be consistent with the other PGCs, to increase capital improvement charges which helps to fund the cities gas infrastructure from \$0.228 to \$0.26/decatherm, and to update some definitions and miscellaneous service charges in these ordinances.

## **10. Gas Rate Ordinance Amendment – Sec. 24-233**

Mr. Dickson stated for interruptible gas customers, it was recommended to adjust the PGC III (Purchased Gas Cost III) rate rider to 7% to be consistent with the other PGC rate riders, to increase capital improvement charges which helps to fund the cities gas infrastructure to \$0.26/decatherm, and to update some definitions and miscellaneous service charges in this ordinance amendment.

## **11. Gas Rate Ordinance Amendment – Sec. 24-224**

Mr. Dickson stated for interruptible gas customers, it was recommended to adjust the PGC III (Purchased Gas Cost III) rate rider to 7% to be consistent with the other PGC rate riders, to increase capital improvement charges which helps to fund the cities gas infrastructure to \$0.26/decatherm, and to update some definitions and miscellaneous service charges in this ordinance amendment.

## **12. Gas Rate Ordinance Amendment – Sec. 24-225**

Mr. Dickson stated for interruptible gas customers, it was recommended to adjust the PGC III (Purchased Gas Cost III) rate rider to 7% to be consistent with the other PGC rate riders, to increase capital improvement charges which helps to fund the cities gas infrastructure to \$0.26/decatherm, and to update some definitions and miscellaneous service charges in this ordinance amendment.

## **13. Gas Rate Ordinance Amendment – Sec. 24-226**

Mr. Dickson stated for interruptible gas customers, it was recommended to adjust the PGC III (Purchased Gas Cost III) rate rider to 7% to be consistent with the other PGC rate riders, to increase capital improvement charges which helps to fund the cities gas infrastructure to \$0.26/decatherm, and to update some definitions and miscellaneous service charges in this ordinance amendment.

Council Member Fox made a motion to approve the Gas Rate Ordinance Amendment- Sec. 24-231, Sec. 24-233, Sec.24-224, Sec. 24-225, and Sec.24-266. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 6-0

Reference Ordinances # 07-24, 08-24, 09-24, 10-24, and 11-24

## **BID AWARD/PURCHASES**

### **14. Gas Meter Purchase**

Mr. Dickson stated the Gas System is requesting purchase of four hundred thirty-two (432) Sonix IQ 425 Meters. Our sole source provider, Equipment Controls Company provided a quote of \$215,084.16. This is a budgeted item and Council's approval is recommended.

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

### **15. Steel Pipe Purchase**

Mr. Dickson stated the Gas System is requesting to purchase of 3,511 feet of 6-inch steel pipe and 1,400 feet of 8-inch steel pipe for the SK America and Highland 75 Projects. Three bids were

requested but only two complete bids were submitted. Irby Utilities of Kennesaw, GA submitted the low bid of \$91,748.01. This is a budgeted item and Council's approval to accept this bid is recommended.

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

## **16. Compact Excavator Purchase**

Mr. Dickson stated the Gas System is requesting the purchase of an additional compact excavator to support a newly approved fourth construction crew. Rhinehart Equipment Company of Rome, Georgia submitted a quote using Sourcewell Pricing in the amount of \$90,520.32. Sealed bids were opened for an identical compact excavator on December 12, 2023, and Rhinehart Equipment Company submitted the low bid at the same price and Council approved that purchase on January 4, 2024. It was not believed that there would be a significant price difference if bids were requested again, therefore, it was recommended that the Council accepts this quote. This is not a budgeted item, but it will be paid for using Gas System revenues.

Council Member Hodge made a motion to approve the Compact Excavator Purchase. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 6-0

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

## **17. Fortinet EDR Software**

Steven Grier, Fibercom Director, stated this item is a budgeted annual renewal for our Fortinet EDR security software. This is a cloud delivered software platform that protects our computers and servers from viruses and malicious actors. The total amount is \$36,490.00 from Blue Ally and it was recommended for approval.

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

## **18. Paratech Heavy Rescue Stabilization Kit Purchase Change**

Hagen Champion, Assistant Fire Chief, respectfully requested council to rescind the March 7<sup>th</sup> approval of the purchase of a Paratech Heavy Rescue Stabilization Kit from Georgia Fire and Rescue at the cost of \$42,697.79. This is due to unforeseen business changes and circumstances with the vendor. We would like to request approval of the purchase of this kit through Team Equipment Inc, the Master Distributor for Paratech products, for \$42,619.13. This stabilization kit allows firefighters to stabilize vehicles, machinery and even buildings so the rescue of occupants can be performed safely. This is within the budgeted amount, as a capital expense for FY 23/24 and will be paid for through the general fund and reimbursed through the 2020 SPLOST as funds become available.

Council Member Roth made a motion to rescind the Georgia Fire and Rescue approval and approve the Paratech Heavy Rescue Stabilization Kit Purchase Change from Team Equipment Inc. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 6-0

## **19. Cartersville's 175<sup>th</sup> Anniversary Commemorative Booklet**

Mr. Bagley stated this request is to partner with Lara J Designs to create a print piece for the City of Cartersville's 175<sup>th</sup> Anniversary. Lara J and her team will not only create the design of the piece itself, but also work with us as a consultant, meeting with myself and project partners to gather and layout the content we wish to include. The cost for the design and consulting is \$9,980.00. This request is not budgeted.

Council Member Roth made a motion to approve the 175<sup>th</sup> Anniversary Commemorative Booklet. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 6-0

## **GRANT APPLICATION/ACCEPTANCE**

### **20. 2024 LMIG Paving Contract**

Wade Wilson, Public Works Director, stated that in 2023, Public Works was awarded an annual resurfacing contract for FY-24 to the lowest bidder, Bartow Paving, Cartersville, GA for \$1,260,375.92. Bartow Paving began working on the current resurfacing contract last week. The proposed project consists of resurfacing 5.72 miles of city streets which is enough mileage to keep the paving program on a 25-year cycle to pave all roads in the city.

Late last week the Georgia Department of Transportation officially notified the City of Cartersville that we are eligible for \$385,998.00 in supplemental LMIG grant money with no local matching funds required. Public Works is requesting the mayor's signature on the grant application and associated documents. In addition, they recommend approval of budgeting an additional \$100,000.00 beyond the total grant amount to take advantage of the relatively low unit prices currently contracted with Bartow Paving.

The list of streets to resurface on this contract are Summit Street, Thornwood Drive, Southview Drive, Jones Street, Ruby Street and Mayflower Circle. The total mileage of the supplemental roads is 1.77 miles bringing the total mileage for our annual resurfacing contract 7.49 miles. Based on the quantities utilized they will make minimum adjustments, as needed, to stay below an amount not to exceed the cost of \$485,998.00.

Mayor Santini stated that there is a scoring system to determine which roads are in the most need of repair.

Council Member Fox made a motion to approve the 2024 LMIG Paving Contract. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 6-0

### **21. EEE LMIG Funding for Roundabout at Collins Dr and SR 61**

Mr. Wilson stated that in 2022, the Cartersville-Bartow MPO engaged Stantec to do a Tennessee Street Corridor Study. Out of the extensive study came a recommendation to improve traffic speeds and safety as well as multi-modal opportunities by construction of a roundabout at the intersection of Tennessee Street (SR 61) and Collins Drive.

In following up on the recommendation, a safety study was conducted at this intersection and at Gentilly Boulevard by the Safety Committee of the Georgia Department of Transportation. It concluded that, of the two intersections, the better cost/benefit ratio attaches to the Collins Drive location. The implementation of the roundabout will greatly improve left turn movements at this

busy intersection and serve to help moderate the speed of the traffic traversing this section of Tennessee Street. The project is listed as CR-432 in the recently adopted CBMPO Transportation Improvement Program. The cost estimate provided by GDOT for the favored intersection approach of a single-lane roundabout is \$2,500,000.00 which includes preliminary engineering, utility relocations, right-of-way acquisition, and construction.

Public Works was seeking permission for the mayor to sign all related EEE LMIG Grant application documents necessary to request funding for the project.

Council Member Stepp made a motion to approve the mayor to sign all EEE LMIG Grant Application documents. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 6-0

## **ADDED ITEM**

### **22. Roof Replacements**

Mr. Wilson stated Public Works advertised a bid through our webpage and the Georgia Procurement Registry for the replacement of various buildings at the Public Works facility at 330 S. Erwin Street. Ten (10) bids were received ranging from \$181,975.20 to \$472,757.18. The low bidder was Caliber Construction. Public Works recommended accepting Caliber Construction's bid by the mayor's signature to the contract agreement that has been previously signed by the bidder. (Please note that we have required a performance and payment bond that will increase this bid by \$11,000). This will result in a total cost of \$192,975.20.

This is a non-budgeted item that will be paid out of the General Fund.

Council Member Fox made a motion to approve the Roof Replacements. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 6-0

## **FIRST READING OF ORDINANCES**

### **23. Amendment to Solid Waste Rates**

Mr. Wilson stated that there would need to be an Amendment to the Solid Waste Rates - Bartow County Solid Waste recently notified Public Works that the tipping fees at the Bartow County Landfill will increase to cover future expansions, inflation, labor, and ever-changing regulations. This increase to the city will result in an increase in tipping fees of almost 59% from January of 2023 through September of 2028.

Public Works recommended adopting the new Solid Waste Rates through an ordinance amendment to address the increase.

This amendment will decrease the base rate for residential solid waste rates and reflect an added fee based on estimated tipping fees at the Bartow County Landfill, which is currently estimated to be \$3.00 per average garbage cart/per month. All residential and commercial services with curbsies will have an additional landfill fee provided on their monthly bill.

In addition, they also recommended increasing most commercial solid waste rates, ranging from 2.5% to 15%, depending on the container size and dump frequency. These proposed fees have been adjusted to better align with other commercial rates.

If approved, May utility bills will reflect this increase.

This was a first reading and would be voted on at the April 4, 2024, City Council meeting.

#### **24. AMI Meters Opt-Out Program**

Freddy Morgan, Assistant City Attorney, stated that the City of Cartersville understands that some residential customers do not desire to have AMI smart meters installed at their residences and is providing an opt-out option for those residential customers based on the listed conditions.

This was a first reading and would be voted on at the April 4, 2024, City Council meeting.

### **BID AWARD/PURCHASES**

#### **25. New World Annual Software Maintenance**

Mr. Morgan stated that Bartow County has submitted the calendar year 2024 software maintenance cost invoice for the New World (Tyler Technologies) system that is used by our Fire and Police Departments. This is a budgeted item and approval was recommended to pay this invoice in the amount of \$43,734.43.

Council Member Fox made a motion to approve the New World Annual Software Maintenance. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 6-0

### **CONTRACTS/AGREEMENTS**

#### **26. SpryPoint Customer Portal**

Mr. Morgan stated that SpryPoint has provided a no cost change order that addresses pulling and displaying PDF bill statements for the Customer Portal. The no cost change order needs Council approval and an authorized signature from the mayor.

Council Member Hodge made a motion to approve the SpryPoint Customer Portal change order. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 6-0

#### **27. Sweitzer Engineering Services Agreement and Task Orders**

Sidney Forsyth, Water Department Director, stated the Engineering Services Agreement between the City and Sweitzer Engineering, Inc. has expired and needs to be renewed to continue hiring this firm for engineering services. This is a standard form of agreement used between the City and other engineering firms.

Task Order 2B is for construction management services during the Grassdale Road Water Main Relocation project. The proposed cost for these services is \$168,000.00.

Task Order 5A is for construction management services for the Altitude and Check Valve Replacement project. The proposed cost for these services is \$70,000.00.

Approval was recommended of the Agreement and both Task Orders. These are budgeted expenses.



Council Member Fox made a motion to approve the Switzer Engineering Services Agreement and Task Orders. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 6-0

## **28. Matthew Hill Project**

Steven Roberts, Parks and Recreation Director, stated that Parks and Recreation is seeking approval to add pavilion construction documents as a change order to the Matthew Hill Stadium Steps Project. The proposed pavilion will cover two basketball courts, which is currently a tennis court. The pavilion will allow year-round use and serve as an event space for the community.

The change order documents will have a scope of work that consists of a Schematic Design of \$6,380.00, Construction Documents of \$23,430.00, Construction Administration of \$14,850.00, and a 3D Rendering which is optional for \$7150.00. The total cost of the change order will be \$51,810.00. An estimated cost for the addition of the pavilion is \$800,000.00. This request is not budgeted. Staff recommended approval.

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

## **29. Concession Contract**

Mr. Roberts stated this item includes the contracts for Top Shelf to continue to provide our concessions for the Parks and Recreation Department. This contract will run through December 31, 2024. Top Shelf Concessions aligns with our programs and gives the city 15% of their gross monthly revenue.

Council Member Fox made a motion to approve the Concession Contract. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 6-0

## **MONTHLY FINANCIAL STATEMENT**

### **30. January 2024 Financial Report**

Tom Rhinehart, Finance Department Director, reviewed the financial report from January 2024 and compared the numbers to January 2023.

## **OTHER**

Jason Traynor, 18 Burnt Hickory Connector, came forward to speak about Tennessee House Bill 1894 and asked what was being done to prevent vaccines being put into our lettuce. Continuing, he expressed his concern with police brutality and inquired what Mayor and Council proposed to do about this situation. Additionally, he stated his concern with the local level of homelessness and urged the Mayor and Council to do something to help the growing homeless community.

## **EXECUTIVE SESSION**

Council Member Hodge made a motion to enter Closed Session for the purpose of Personnel. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 6-0

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

**ADDED ITEM**

**31. Electric Department Superintendent**

Mr. Porta stated that after serious consideration, it was recommended to terminate Derek Hampton as the Electric Department Superintendent and name Freddy Morgan, Assistant City Manager, as the Interim Electric Superintendent until such time as appropriate replacement is found and appointed.

Council Member Fox made a motion to approve the termination of the Electric Department Superintendent and name Freddy Morgan as the Interim Electric Department Superintendent. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 6-0

Reference Resolution #12-24

**ADJOURNMENT**

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

Meeting Adjourned at 8:51 P.M.

/s/ \_\_\_\_\_  
Matthew J. Santini  
Mayor

ATTEST:  
/s/ \_\_\_\_\_  
Julia Drake  
City Clerk