

City Council Meeting  
10 N. Public Square  
September 15, 2022  
6:00 P.M. – Work Session  
7:00 P.M. – Council Meeting

## **WORK SESSION**

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

Frank McCann, Police Chief, announced that Major Terry Ellis has been promoted to Deputy Chief.

Council Member Hodge made a motion to enter into an Executive Session for the purposes of personnel. Council Member Roth seconded the motion. Motion carried unanimously.  
Vote: 4-0.

Mayor Santini closed Work Session at 6:45 P.M.

## **OPENING MEETING**

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

Invocation by Council Member Roth.

Pledge of Allegiance led by Council Member Hodge.

The City Council met in Regular Session with Matthew Santini, Mayor presiding, and the following present: Kari Hodge, Council Member Ward One; 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; Samantha Fincher, Deputy City Clerk; and David Archer, City Attorney.

Absent: Jayce Stepp, Council Member Ward Two

## **REGULAR AGENDA**

### **COUNCIL MEETING MINUTES**

#### **1. September 1, 2022 Council Meeting Minutes**

Council Member Fox made a motion to approve the September 1, 2022 Meeting Minutes. Council Member Roth seconded the motion. Motion carried unanimously.  
Vote: 5-0.

### **PUBLIC HEARING – 2<sup>nd</sup> Reading of Zoning/Annexation Request**

#### **2. Z22-02 Rezone 1.145 acres from R-15 to M-U Applicant: Jenny Smith**

Randy Mannino, Planning and Development Director, stated the applicant is looking to Rezone 1.145 acres from R-15 to M-U to allow an existing structure to be used as an office rental space. Planning Commission recommended approval with conditions of the application, 6-0. The number of conditions has reduced from three to two since the first reading.

The conditions are:

- Land uses are limited to single-family residential, office, or retail.
- Future redevelopment of the site is limited to a single structure not to exceed the approximate area and height of the existing structure.

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

Council Member Hodge made a motion to approve the Z22-02. Council Member Fox seconded the motion. Motion carried unanimously.

Vote: 5-0.

 Bartow County, GA



|                              |               |                     |             |                               |                      |
|------------------------------|---------------|---------------------|-------------|-------------------------------|----------------------|
| <b>Parcel ID</b>             | C029-0011-002 | <b>Alternate ID</b> | 35588       | <b>Owner Address</b>          | SMITH WEBB ALEXANDER |
| <b>Sec/Twp/Rng</b>           | n/a           | <b>Class</b>        | Residential | <b>6 SMITH RD</b>             |                      |
| <b>Property Address</b>      | 6 SMITH RD    | <b>Acres</b>        | 5.47        | <b>CARTERSVILLE, GA 30120</b> |                      |
| <b>District</b>              | Cartersville  |                     |             |                               |                      |
| <b>Brief Tax Description</b> | LL194.239 LD4 |                     |             |                               |                      |

(Note: Not to be used on legal documents)

**Ordinance**  
**of the**  
**City of Cartersville, Georgia**

**Ordinance No. 23-22**

**Petition No. Z22-02**

**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 Webb Alexander Smith. Property is located at 7 Smith Rd (insert parcel number). Said property contains 1.145 acres located in the 4<sup>th</sup> District, 3<sup>rd</sup> Section, Land Lot 194 as shown on the attached plat Exhibit "A". Property is hereby rezoned from R-15 (Single Family Residential) to M-U (Multiple Use) with the following conditions.

- Land uses are limited to single family residential, office or retail.
- Future redevelopment of the site is limited to a single structure not to exceed the approximate area and height of the existing structure.

Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.

**BE IT AND IT IS HEREBY ORDAINED.**

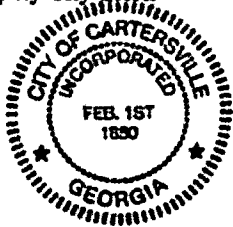
First Reading this 1<sup>st</sup> day of September, 2022.

ADOPTED this the 15<sup>th</sup> day of September, 2022. Second Reading.

  
Matthew J. Sanfina  
Mayor

ATTEST:

  
Samantha Fincher  
Deputy City Clerk



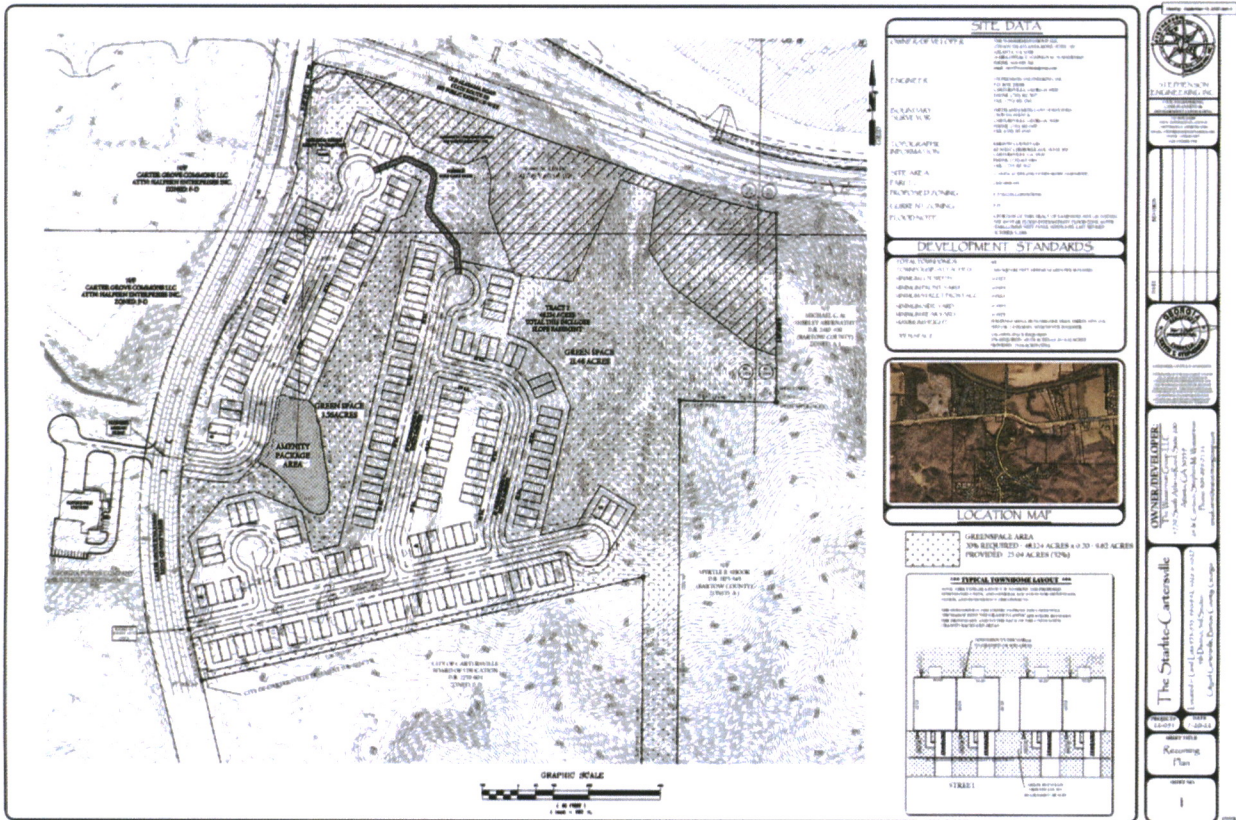
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**PUBLIC HEARING – 2<sup>nd</sup> Reading of Zoning/Annexation Request**

**3. Z22-03: Carter Grove Blvd. Applicant: The Wasserman Group**

Mr. Mannino stated this is an application to rezone, 48.124 +/- acres from Carter Grove P-D (Planned Development) with conditions to P-D (Planned-Development) with new conditions.

This item has been moved at the request of the applicant. The first reading will be on October 6, 2022, and the second reading will be on October 20, 2022.



**4. Z22-04: Bates Rd. Applicant: Highlands Park of GA, LLC.**

Mr. Mannino stated this zoning application is to rezone (4) properties, totaling 46.12 +/- acres, from Carter Grove P-D (Planned Development) to R-20 (Single Family Residential). The rezoning removes the Carter Grove P-D zoning conditions and insures limited access to Bates Rd. The proposed development following a zoning approval will include the subdivision of 33.71 +/- ac into nine (9) lots.

City staff supports the zoning application. Planning Commission recommends approval 6-0.

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

This was the first reading and will be voted on at the October 6, 2022, City Council Meeting.

**LOTS TO BE REZONED**



**FIRST READING OF ORDINANCES**

**5. T22-02: Mt. Zion Mission Baptist Church Sign Amendment**

Mr. Mannino stated this Text Amendment to Chapter 20, Signs and Outdoor Advertising, Article II, Section 20-25 (2)(b) is to allow electronic signs on Jones St. within 320ft. of Aubrey St. Planning Commission recommended approval with a vote of 6-0.

This was the first reading and will be voted on at the October 6, 2022, City Council Meeting.

**6. T22-03: Tilley Holdings LLC Electronic Billboard Amendment**

Mr. Mannino stated this text amendment to Chapter 20, Signs and Outdoor Advertising, Article II, Section 20-29 (B)(2)(a) is to allow electronic billboards on Old Mill Rd. (beginning at the centerline of the Old Mill Rd right-of-way intersection with the Erwin St. center line and continuing west a distance of 1000 ft.). Applicable to existing billboard signs as of July 26, 2022. Planning Commission recommends approval 5-0-1.

Robert Walker, 15 S. Public Square, came forward to represent the applicant.

This was the first reading and will be voted on at the October 6, 2022, City Council Meeting.

**CONTRACTS/AGREEMENTS**

**7. Transfer of Land for Station 5**

Scott Carter, Fire Chief, stated approval was recommended for the City of Cartersville to accept the transfer of approximately 8.5 acres of land that is located on Carter Grove Blvd. from Carter Grove (ATLANTA) and Avanti Properties Group. Transfer of ownership will be used for the construction of Cartersville Fire Department Station #5.

This station will provide fire protection for Cartersville Primary School, Carter Grove Subdivision, and River Shoals subdivision and beyond.

Council Member Cooley made a motion to approve the transfer of land for Station 5. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 5-0.

**RESOLUTIONS**

**8. Actual Cost Utility Agreement with GDOT**

Michael Dickson, Gas Department Director, stated portions of a road construction project will require the Gas System to relocate existing natural gas facilities within a prescribed easement in conflict with road construction. The Gas System recommended Council approval for the City to enter an Actual Cost Utility Agreement with the Georgia Department of Transportation in the reimbursable amount of 9.82% of the total construction cost associated with the relocation of these existing natural gas facilities estimated to be approximately \$28,614.99.

Council Member Fox made a motion to approve the Actual Cost Utility Agreement with GDOT. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0.

STANDARD UTILITY AGREEMENT  
ACTUAL COST UTILITY AGREEMENT – NATURAL GAS FACILITIES

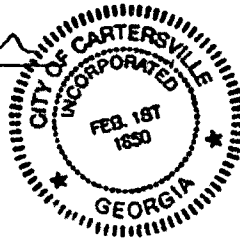
**RESOLUTION NO. 26-22**

STATE OF GEORGIA  
CITY OF CARTERSVILLE

BE IT RESOLVED by the MAYOR of the CITY OF CARTERSVILLE, and it is hereby resolved, that the foregoing attached Agreement, relative to project N/A, FLOYD COUNTY, P.I. No. 0015544, to replace the bridge on State Route 293 over Dykes Creek in Floyd County and that the Honorable Matt Santini as Mayor of the City of Cartersville and Samantha Fincher, as Deputy City Clerk, be and they are, thereby authorized and directed to execute the same for and in behalf of said by the MAYOR of THE CITY OF CARTERSVILLE.

Passed and adopted, this the 15<sup>th</sup> day of September, 2022.

ATTEST:   
DEPUTY CITY CLERK

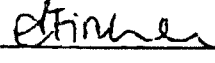


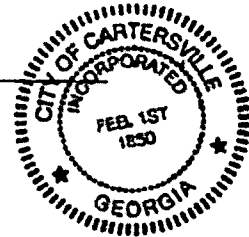
BY:   
MAYOR

STATE OF GEORGIA,  
CITY OF CARTERSVILLE GAS SYSTEM

I, Samantha Fincher, as Deputy City Clerk, do hereby certify that I am custodian of the books and records of the same, and that the above and foregoing copy of the original is now on file in my office, and was passed by the Mayor of the CITY OF CARTERSVILLE GAS.

WITNESS my hand and official signature, this the 15<sup>th</sup> day of September, 2022.

BY:   
DEPUTY CITY CLERK



**BID AWARD/PURCHASES**

**9. Mimecast Renewal**

Steven Grier, Fibercom Department Director, stated this item is a budgeted annual support renewal for our Mimecast email security solution. This service provides cloud-based email threat protection for the City of Cartersville. The total amount is \$24,001.26 from CDWG.

Council Member Hodge made a motion to approve the Mimecast Renewal. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0.

#### **10. 45' Bucket Truck Replacement**

Mr. Grier stated The FiberCom Department is requesting authorization to purchase a 45' Service Bucket truck on a Dodge chassis from Terex purchase cost of \$153,821. This purchase is to replace Truck #195, which is a 40' 21-year-old Service Bucket Truck. This purchase will be budgeted in FY23-24.

Council Member Fox made a motion to approve the 45' Bucket Truck Replacement. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0.

#### **11. Oak Street Sewer Additional Work**

Sidney Forsyth, Water Department Director, stated on March 17, 2022 Council approved the replacement of 364 feet of sanitary sewer line on Oak Street. The line replacement has been completed. During the course of work, three (3) abandoned concrete storm drain lines encased in a substantial amount of concrete were encountered which had to be removed to complete the project. Approval was recommended for payment of the additional \$8,000.00 to Lanning Contracting, LLC for this work. This is a budgeted maintenance item to be paid from account #505.3320.52.2341.

Council Member Fox made a motion to approve the Oak Street Sewer Additional Work. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0.

#### **12. Oak Street Repaving**

Mr. Forsyth stated due to the open-cut replacement of the City sewer main down the entire length of Oak Street (~360 linear feet), it is necessary to replace the pavement overlay on this street.

The Water Department received three quotes from paving contractors for this work. It is recommended to award this project to the low bidder, Bartow Paving Company, Inc. for \$16,233.75. This is a budgeted expense to be paid from account #505.3320.52.2341.

Council Member Cooley made a motion to approve the Oak Street Repaving. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0.

Council Member Fox made a motion to add an item to the Agenda. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0.

#### **13. Fifth Payment**



Frank McCann, Police Chief, stated on August 8, 2018, the Police Department purchased 50 Tasers, model #X26P (electronic control weapons). This purchase was for the replacement of our current Tasers at the time which were not supported by Tasers any longer.

Taser is the sole source item and the price is as follows:

50 Tasers, holsters, cartridges, and down load kit - \$70,800.00

Taser has a payment plan for five years and it is as follows:

|                    |             |
|--------------------|-------------|
| Year 1 (2018/2019) | \$14,800.00 |
| Year 2 (2019/2020) | \$14,000.00 |
| Year 3 (2020/2021) | \$14,000.00 |
| Year 4 (2021/2022) | \$14,000.00 |
| Year 5 (2022/2023) | \$14,000.00 |
| Total              | \$70,800.00 |

The Police Department is using a payment plan and approval was requested to pay Taser (Axon) \$14,000.00 this fiscal year. This will be paid by federal asset forfeiture funds. The E-Verify and E-Save documents are on file with the Police Department.

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

#### **14. Utility Associates Inc. Replacement Camera System**

Mr. McCann stated all patrol vehicles have an in-car and body video/audio recording system and are currently operating on two different systems (Watch Guard and Digital Ally). The older system, Digital Ally, needs to be replaced because many of the systems are failing and we do not need to have two different systems. Watch Guard was recently acquired by Motorola and their customer service and support have become nonexistent. Fibercom and the Police Department have looked at other systems and decided that Utility Associate Inc. is the best system available for the Police Department's needs. The total cost to replace in-car body-worn cameras is \$698,935.00.

The following is the payment plan for the next five years:

|        |              |
|--------|--------------|
| Year 1 | \$317,675.00 |
| Year 2 | \$95,315.00  |
| Year 3 | \$95,315.00  |
| Year 4 | \$95,315.00  |
| Year 5 | \$95,315.00  |

This purchase will be made using S.P.L.O.S.T funds and the E-Verify and E-save documents are on file.

Council Member Wren made a motion to approve the Utility Associates Inc. Replacement Camera System. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0.

#### **15. Purchase of Replacement Vehicles**

Chief McCann stated he is requesting approval to purchase five patrol vehicles, and one administrative vehicle. He recommended approval of the best bid, based on the delivery time of the vehicles, from Brannen Motor Company in the amount of \$219,800. The purchase of the vehicles and the equipment (Lights, siren, cage, computer, in-car camera, etc.) will not exceed \$320,000.00. The vehicles are budgeted items and will be paid for out of federal asset forfeiture funds.

Council Member Fox made a motion to approve the best bid from Brannen Motor Company. Purchase amount not to exceed 320,000.00. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 5-0.

#### **16. Programming & Concept Design (Electric Department)**

Freddy Morgan, Assistant City Manager, stated Croft & Associates has provided a cost proposal for design services to develop a program of space needs and a conceptual floor plan for the Electric department building. The building was constructed in 1983 and needs significant updates. This is a budgeted item and is recommended for approval to pay the invoice in the amount of up to \$22,500.

Council Member Cooley made a motion to approve the Programming & Concept Design (Electric Department). Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0.

### **MONTHLY FINANCIAL STATEMENT**

#### **17. July 2022 Financial Report**


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

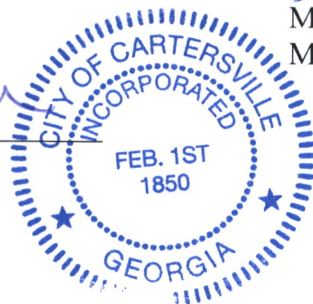
### **ADJOURNMENT**

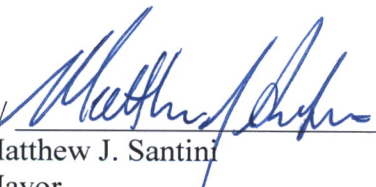
In closing, Mayor Santini announced that the Kiddie Day Parade, Sip and Stroll, and the Roselawn Art Festival will be held on Saturday, and the International Culture Festival will be held on Sunday.

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

Meeting Adjourned at 7:40 P.M.

ATTEST:  
/s/   
Samantha Fincher  
Deputy City Clerk



/s/   
Matthew J. Santini  
Mayor