

City Council Meeting
10 N. Public Square
December 17, 2020
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 Member.

A motion was made to enter Closed Session regarding Personnel and Litigation by Council Member Stepp and seconded by Council Member Fox. Motion carried unanimously. Vote 6-0

Mayor Santini closed Work Session at 7:01 P.M.

OPENING MEETING

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; Jayce Stepp, Council Member Ward Two; 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; Julia Drake, City Clerk and Keith Lovell, Assistant City Attorney.

REGULAR AGENDA

COUNCIL MEETING MINUTES

1. December 3, 2020 Meeting and December 15, 2020 Special Called Meeting Minutes

A motion to approve the December 3, 2020 Council Meeting Minutes and December 15, 2020 Special Called Council Meeting Minutes as presented was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote: 6-0

PUBLIC HEARING – 1st READING OF ZONING/ANNEXATION

2. T20-03: 55 Zena Drive

Randy Mannino, Planning and Development Department Head, stated the text amendment to allow “cheerleading/gymnastics and indoor athletic training facilities”, as well as “indoor recreation facilities” as allowed uses in the H-I district with a Special Use permit. Application was approved by Planning Commission on December 8, 2020.

Mayor Matthew Santini opened the Public Hearing for anyone who wished to come forward to speak for or against the item.

Scott Arnold, 310 Clubhouse Ct., Kennesaw, came forward to speak for the item.

With no one else to come forward, the Public Hearing was closed.

This is a first reading. No vote is required.

Ordinance No. 05-21

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville that City of Cartersville Code of Ordinances, Chapter 26. Zoning, Article X-INDUSTRIAL DISTRICT REGULATIONS, ~~is revised~~ as follows:

1.

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia that the City of Cartersville Code of Ordinances, CHAPTER 26 ZONING, ARTICLE X-INDUSTRIAL DISTRICT REGULATIONS, SECTION 10.2 H-I Heavy Industrial District, subsection 10.2.2 Use Regulations is hereby amended by adding the following uses:

- Cheerleading/gymnastics facilities and indoor athletic training facilities (SU) *
- Indoor recreation facilities (SU) *

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.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: December 17, 2020
SECOND READING: January 7, 2020

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
JULIA DRAKE, CITY CLERK

3. SU20-03: 55 Zena Drive

Mr. Mannino stated the Special Use request for Georgia Pole Vault is to allow an indoor athletic training facility. Planning Commission did recommend this for approval on December 8, 2020.

Mayor Santini opened the Public Hearing for anyone who wished to come forward to speak for or against the item.

Kurt Hess, 55 Zena Dr., owner of Georgia Pole Vault, came forward to speak for the item.

Brad Walker, 55 Zena Dr., trainer at Georgia Pole Vault, came forward to speak for the item.

With no one else to come forward, the Public Hearing was closed.

This is a first reading. No vote is required.



4. SU20-04: 55 Zena Drive

Mr. Mannino stated the Special Use request for DC Academy is to allow an indoor athletic training facility. Planning Commission did recommend this for approval on December 8, 2020.

Mayor Santini opened the Public Hearing for anyone who wished to come forward to speak for or against the item. With no one wishing to come forward, the Public Hearing was closed.

This is a first reading. No vote is required.



FIRST READING OF ORDINANCES

5. Sec 4-1: Definition of Downtown Entertainment Zone

Mr. Mannino gave an overview of Ordinance explaining that this proposed ordinance is set to define the definition of the Downtown Entertainment Zone. Alcohol Control Board approved 12/9/2020.

Council Member Fox made a request to make minor changes to the map. Keith Lovell, Assistant City Attorney, stated that the changes would be made and would be available for review at the January 7, 2021 City Council Meeting.

This is a first reading. No vote is required.

Mayor Santini stated this item will be heard and voted on at the next City Council Meeting on January 7, 2021.

Ordinance No. 01-21

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 4 – ALCOHOL BEVERAGES. ARTICLE II. - LICENSING REQUIREMENTS. DIVISION 4. PREMISES RESTRICTIONS. SECTION 4-1. definitions are amended by adding the definition of Downtown Entertainment Zone as listed below:

1.

Sec. 4-1. – Definitions

Downtown Entertainment Zone means and includes the following area as delineated on the map entitled “Downtown Entertainment Zone” incorporated herein below:

[INSERT MAP]

2.

The additional definition added to Section 4-1 is to be made a part of the permitted uses and alphabetized accordingly to be made a part of the permitted uses and included accordingly.

3.

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.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: December 17, 2020

SECOND READING: January 7, 2021

MATTHEW J. SANTINI, MAYOR

ATTEST. _____
JULIA DRAKE, CITY CLERK

Downtown Entertainment Zone



6. Sec. 4-105 and 4-106 (f): Rules and Regulations for Downtown Entertainment Zone

Mr. Lovell gave an overview of Ordinance explaining that this proposed ordinance is to define the rules and regulations for the Downtown Entertainment Zone. He also explained the modifications that the Alcohol Control Board made to the proposed ordinance. ACB approved 12/9/2020.

Discussion commenced regarding the changes proposed by the Alcohol Control Board. Mr. Lovell stated he would revise with proposed changes and it would be ready for review at the January 7, 2021 Council Meeting.

This is a first reading. No vote is required.

Mayor Santini stated this item will be heard and voted on at the next City Council Meeting on January 7, 2021.

Ordinance no. 02-21

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 4 – ALCOHOL BEVERAGES. ARTICLE II. - LICENSING REQUIREMENTS. DIVISION 4. PREMISES RESTRICTIONS. SECTION 4-105. – CONSUMPTION ON-PREMISES is amended by deleting and replacing the same; SECTION 4-106 CONSUMPTION ON OTHER PUBLIC PLACES is amended by deleting and replacing subsections (a) and (c) and adding a new subsection (f) and (g) is added as listed below

1.

Sec. 4-105 – Consumption on-premises.

It shall be unlawful for anyone to open, drink, or otherwise consume any wine or malt beverage or distilled spirits upon any premises, other than a pouring outlet or package wine outlet, wherein such beverages are sold under a license issued by the city, except as allowed for Brewer's pursuant to O.C.G.A. § 3-5-24.1 and Distiller's as allowed pursuant to O.C.G.A. § 3-4-24.2, or in the area of the Downtown Entertainment Zone as allowed in Section 4-106.

2.

Sec. 4-106. - Consumption in other public places.

- (a) Nothing in this article shall be construed to permit consumption of any intoxicating beverages in any public place in the city other than within the definite, closed-in or partitioned location, whether room or building, wherein pouring takes place, except for permitted caterers, sidewalk cafes, or right-of-way cafes, city-sanctioned event, or Downtown Entertainment Zone.
- (b) An establishment licensed under this chapter to sell alcoholic beverages shall not allow any person to leave such licensed premises with any alcoholic beverage in an open cup, bottle, can or other open container, except as provided for in the Downtown Entertainment Zone.
- (g) This section shall not apply in the following instances:
 - (1) For events that are sponsored or organized by the City of Cartersville where the alcohol is obtained from a participating business within any city sanctioned event, and is contained in and consumed from an approved, disposable plastic container.
 - (2) Where the city council through a resolution has permitted otherwise.
 - (3) For restaurants that have a valid sidewalk cafe permit provided that all outdoor activities are contained within the permitted sidewalk cafe.
 - (4) As permitted in the Downtown Entertainment Zone.
 - (5) Beverages for consumption at a publicly owned or privately-owned golf course, licensed to sell alcoholic beverages.
 - (6) For the carrying out of a partially consumed bottle of wine as defined in Section 4-14.

(7) When a temporary limited license has been issued, provided that the person consuming or possessing an alcoholic beverage remains on the public sidewalk directly in front of the premises licensed to sell alcoholic beverages or within the open areas, sidewalks, decks, or similar unenclosed spaces on or about the premises licensed to sell alcoholic beverages.

(f) Downtown Entertainment Zone:

- (1) The purpose of this section is intended to set forth certain exceptions and provisions applicable only to licensees whose establishments:
 - a) Are located within the Downtown Entertainment Zone.
 - b) Possess a license to sell alcoholic beverages for consumption on the premises.
 - c) Except as specifically set forth in this section, all such licensees will remain subject to all other provisions of the city's alcoholic beverages ordinance.
- (2) Outdoor consumption of alcoholic beverages permitted in the Downtown Entertainment Zone.
- (3) No containers in which an alcoholic beverage is dispensed and removed from the licensed premises shall exceed 12 fluid ounces in size. No person shall hold in their possession on the public streets and sidewalks, plazas, in parks and/or any other public place within the Downtown Entertainment Zone any open alcoholic beverage container, which exceeds 12 fluid ounces in size. Any establishment licensed to sell alcoholic beverages by the drink for consumption on the premises which is located within an approved Downtown Entertainment Zone is authorized to dispense alcoholic beverages in a disposable plastic cup for removal from the premises, said cups may be purchased from the Cartersville Downtown Development Authority. Said cups are to be sold at cost by the Downtown Development Authority and shall include the rules as approved by the Planning and Development Director. No alcohol is allowed off premises unless in the approved cup.
- (4) Drinking from can, bottle, or glass prohibited except as specifically set forth in sections 4-106 (f) herein with respect to a disposable plastic cup, it shall be unlawful for any person to drink or attempt to drink any alcoholic beverage from a can, bottle, glass, cup, or container, on the public streets, sidewalks, plazas, rights-of-way, and public or private parking lots within the city.
- (5) Purchases from licensed premises within the approved Downtown Entertainment Zone are allowed off premises. Alcoholic beverages purchased in accordance with this chapter may be consumed in the approved Downtown Entertainment Zone except as prohibited in this section. Alcoholic beverages consumed pursuant to this provision must be purchased from a licensed establishment authorized to sell alcoholic beverages for consumption on the premises within the Downtown Entertainment Zone. Licensed establishments shall only be permitted to serve from their approved premises as approved on their alcohol license and shall not serve from temporary locations upon the premises unless specifically allowed as part of an approved festival in accordance with Section 15-50 through 15-59. (6) Consumption is limited to certain areas in the Downtown Entertainment Zone and more specifically, no alcoholic beverage purchased pursuant to this provision may be consumed outside the boundary of the approved Downtown Entertainment Zone or within the approved Downtown Entertainment Zone on any parcel

used as a public park, church, day care center or school unless specifically allowed by issuance of a special event permit in accordance with Section 15-50 allowed as a part of an approved festival.

- (6) Hours of Consumption. Between the hours of 5:00 p.m. and 10:00 p.m., on Thursday and Friday, and between the hours of 11:00 a.m. and 10:00 p.m., on Saturday, consumption on premises licensees may authorize the sale of alcoholic beverages within the designated cups for off premises consumption and shall not allow alcoholic beverages to be removed from their licensed premises.

The following dates/events are excluded and no off premises consumption shall be allowed:

1. First Thursday in December for the Christmas Parade;
 2. Cartersville High School Homecoming Parade;
 3. July 4th Parade if it falls on a Thursday, Friday or Saturday; and
 4. Any other date as determined by Council by Resolution.
- (7) Any licensed establishment that allows patrons to leave an establishment with an alcoholic beverage as regulated herein shall have an 11-inch by eight and one-half inch sign posted at the door for public view where a patron entering and exiting the establishment can read the following:

"All patrons leaving this establishment with an alcoholic beverage do hereby take full responsibility to only consume an alcoholic beverage served in the designated cups for off premises consumption not to exceed 12 ounces in size and obtained by an establishment licensed to sell alcoholic beverages in the Downtown Entertainment Zone outlined on the map below. Any individual that leaves the permitted area with an alcoholic beverage in an open container is in violation of city code and may be subject to a citation and/or fine."

The map as referenced in Section 4-1 shall be made a part of the notice.

- (8) The provisions of this section shall not be deemed to abrogate or otherwise impact any state law or local ordinance pertaining to public drunkenness, disorderly conduct, driving with an open container or under the influence of alcohol, or similar laws.
- (9) No alleys are to be included within the Downtown Entertainment Zone.
- (10) Drinking from a can, bottle, or any other container except the designated cups for off premises consumption is prohibited and is subject to a fine of at least a \$100.00.
- (11) Littering within the Downtown Entertainment Zone is subject to a fine of at least a \$100.00
- (12) The City shall provide additional outdoor garbage cans within the Downtown Entertainment Zone.
- (13) The City shall also place appropriate signage of the area of the Downtown

Entertainment Zone.

(14) No designated cups are allowed to be in motor vehicles. A fine of at least a \$100.00 for each cup in said vehicle shall be levied.

(15) Consumption limited to certain areas in the Downtown Entertainment Zone. No alcoholic beverage purchased pursuant to this provision may be consumed:

a1. Outside the boundary of the approved Downtown Entertainment Zone or within the approved Downtown Entertainment Zone on any parcel used as a trail, church, day care center or school or the adjoining sidewalk.

b. in an alley; or

c. in any public or private parking lot.

16. This ordinance shall remain in effect from the date approved by council for a period not to exceed one year from that date.

3.

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 17, 2020

SECOND READING: January 7, 2021

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
JULIA DRAKE, CITY CLERK

7. Sec 4-121: Package Outlets

Mr. Lovell gave an overview of Ordinance explaining that this proposed ordinance is to change the time that package outlets can sell alcohol. Alcohol Control Board approved 12/9/2020.

This is a first reading. No vote is required.

Mayor Santini stated this item will be heard and voted on at the next City Council Meeting on January 7, 2021.

Ordinance no. 03-21

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 4 – ALCOHOL BEVERAGES. ARTICLE II. - LICENSING REQUIREMENTS. DIVISION 5. HOURS OF OPERATION. SECTION 4-121 is amended by deleting and replacing the same as listed below.

1.

Sec. 4-121. - Package outlets.

- (a) *Distilled spirits.* No retailer shall be in his place of business, or open his place of business, or furnish, sell or offer for sale any distilled spirits at any of the following times:
 - (1) At any time on Thanksgiving or Christmas Day; or
 - (2) At any time in violation of an ordinance or regulation or of a special order of the mayor and city council; or
 - (3) On Monday through Saturday before 8:00 a.m. or after 11:45 p.m.; or
 - (4) On Sunday before 11:00 a.m. or after 11:45 p.m.
- (b) *Malt beverage and wine.* It shall be unlawful for any person to sell or serve any malt beverage and wine at any of the following times:
 - (1) At any time on Christmas Day; or
 - (2) On Monday through Saturday prior to 8:00 a.m. or after 12:00 p.m.; or
 - (3) On Sunday before 11:00 a.m. or after 11:45 p.m.;
 - (4) Additionally, package wine outlets may not serve after 11:45 p.m. on any day.

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 and/or alphabetized accordingly to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: December 17, 2020
SECOND READING: January 7, 2021

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
JULIA DRAKE, CITY CLERK

8. Sec. 4-414: Home Delivery of Alcohol

Mr. Lovell gave an overview of Ordinance explaining that this proposed ordinance is to allow home delivery of alcohol in its original, unopened package by a certified employee. Alcohol Control Board approved 12/9/2020.

This is a first reading. No vote is required.

Mayor Santini stated this item will be heard and voted on at the next City Council Meeting on January 7, 2021.

Ordinance No. 04-21

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 4 - ALCOHOL BEVERAGES, ARTICLE II. - LICENSING REQUIREMENTS, DIVISION 4. PREMISES RESTRICTIONS, SECTIONS 4-114 - 4-119, RESERVED is amended by deleting and replacing the same as listed below.

1.

Sec. 4-414. Home Delivery of Alcohol.

- (a) For all purposes of this section, a "package," "package outlet," or "package licensed outlet," as defined by City of Cartersville Code of Ordinance Sec. 4-1 and shall have the same meaning as "packaged goods retailer" as provided for in O.C.G.A. §3-3-10. In addition to any authorizations provided by state law, on-premise permit holders (pouring outlets as defined by City of Cartersville Code of Ordinance Sec. 4-1) can provide for the home delivery of beer and wine under an existing on-premise pour license with a letter of intent to provide the service to the City of Cartersville.
- (b) No packaged goods retailer shall be permitted to engage in delivery operations without a letter of intent to provide the service in the municipality.
- (c) Any establishment, including home delivery within the City limits, must file their employee's state issued certificate to deliver with the City of Cartersville Planning and Development Department.
- (d) Any violation of this section is subject to a fine of \$500.00.

2.

Sec. 4-415 - 419. Reserved.

3.

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 and/or alphabetized accordingly to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____
SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
JULIA DRAKE, CITY CLERK

BID AWARD/PURCHASES

9. HVAC Unit for Aubrey Street Gym

Tom Gilliam, Parks and Recreation Department Head, stated that based upon the projects previously approved by Council with the remaining GO Bond money, this is the Bid Award for the Aubrey Street Gym for an HVAC Unit. After receiving several quotes, Pendley Heating & Air Conditioning was selected with the low bid. It includes a 5-year warranty for the Compressor, with 1-year for Parts & Labor. These are budgeted expenses to be paid with GO Parks & Recreation Bond proceeds. The total amount of this bid is \$45,232.89.

Council Member Hodge stepped out of the Council Chambers and did not cast a vote on this item.

A motion to approve the HVAC Unit for Aubrey Street Gym was made by Council Member Cooley and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0

Council Member Hodge returned to Council Chambers following voting.

10. Electrical for HVAC Unit for Aubrey Street Gym

Mr. Gilliam stated that based on the projects previously approved by Council with the remaining GO Bond money, this is the Bid Award for the Electrical work to be completed coinciding with the HVAC Unit Installation at the Aubrey Street Gym. After receiving several quotes, JDH Electric, LLC was selected with the low bid. These are budgeted expenses to be paid with GO Parks & Recreation Bond proceeds. The total amount of this bid is \$8,750.00.

A motion to approve the Electrical for HVAC Unit for Aubrey Street Gym was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote: 6-0

11. Travelers Insurance Deductible

Dan Porta, City Manager, stated the City was involved in a lawsuit that has been settled by our insurance company, Travelers Insurance, and the City is responsible for the \$25,000 insurance deductible. This deductible is funded through the Property & Casualty Insurance Fund.

A motion to approve the Travelers Insurance Deductible was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 6-0

12. 4160V 2500kVA Transformer Purchase

Derek Hampton, Electric Department Head, stated that the spare transformer will be used for the customer's expansion. Therefore, another one will be needed for stock. This was a budgeted purchase.

A motion to approve the 4160V 2500kVA Transformer Purchase was made by Council Member Cooley and seconded by Council Member Roth. Motion carried unanimously. Vote: 6-0

13. HVAC Repair Public Safety Building

Scott Carter, Fire Department Chief, stated that the Fire, Police, and Fiber Department are respectfully requesting permission to repair and add to the HVAC system for the server room at the Public Safety Headquarters. The current split system has failed. This in turn has caused excessive heat in the room, which will lead to a failure of all servers and computer equipment within the room. This project will replace the unit that is bad, add an additional unit for additional cooling power, and back up. Three bids were requested with two returned. The bids returned were Pendley Heating and Cooling for a price of \$15,882.03 and Caverly Heating and Air with a price of \$8,800.00. We are recommending the low bid of \$8,800.00. This contractor has performed work for the City and all products come with a strong warranty. There will be additional electrical work that will be done on this project. We do not anticipate the electrical work to exceed \$10,000.00. We respectfully request approval of this project with an up to, but not to exceed, \$10,000.00, to include electrical work and quote of Caverly Heating and Air. This will be split between the Fire Department, Police Department and Fiber Department and be paid for with budgeted maintenance funds.

A motion to approve the HVAC Repair Public Safety Building was made by Council Member Stepp and seconded by Council Member Fox. Motion carried unanimously. Vote: 6-0

CONTRACTS/AGREEMENTS

14. Advanced Metering Infrastructure Purchase

Mr. Porta stated that over the past two years, City staff have been working with our consultant, UMS, on a new metering system that will work for each city utility and this metering data would be collected and imported into our utility billing system. UMS has worked with our AMI Team on evaluating each department's needs and goals for a new metering system that will last for many years. After gathering all departments' needs, including Finance, Customer Service, Electric, Gas, Water and Sewer and FiberCom, the AMI Team has chosen the Sensus brand meter to install for our electric, gas and water utilities. The vendor who will supply the meters and related equipment is Equipment Controls Company. The total projected cost for all of the meters, meter installation, AMI collectors, software and UMS Consulting fees is \$13,033,158 and is broken out as

follows:

Water & Sewer	\$4,675,438.34	
Electric	1,657,997.54	
Gas	4,780,438.00	
Shared Services	1,382,284.00	– includes UMS Consulting, AMI
Collectors, Etc.		
Work Order Mgmt Software	537,000.00	
Total Projected Cost	\$13,033,157.88	

Financing for this project could be from a new bond issue or a combination of a new bond issue and use of some of the utility reserve funds. If this contract is approved, a majority of the financing would not be needed until delivery of the new meters, which would not occur until late Spring or early Summer 2021 with the first semi-annual payment due in the city's fiscal year 2021-22 budget. At today's market rate, a new \$13 million dollar bond issue with a 15- year payback would have an annual debt payment of \$986,000 which would be split mostly between the Electric, Gas and Water & Sewer Funds. Each of these departments currently budget approximately \$200,000 annually for new meters. If this contract is approved, the gas and water meters have at least a 15-year warranty on the meters, so they could use their funds that are normally budgeted for new meters to help make the annual debt payment. In reviewing the debt costs with Tom R., Bob, Derek and Michael, we agree that this project can be funded annually with some debt financing.

In summary, the AMI Committee has evaluated several companies and is recommending approval of the Advanced Metering Infrastructure Agreement with Equipment Controls Company.

A motion to approve the Advanced Metering Infrastructure Purchase was made by Council Member Stepp and seconded by Council Member Cooley. Motion carried unanimously. Vote: 6-0

TABLED ITEMS

- 1. AZ20-04 175 E. Main Street**
- 2. Z20-03 175 E. Main Street**

A motion was made to remove AZ20-04 and AZ20-03 from the table for discussion by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote: 6-0

15. AZ20-04 175 E. Main Street

Mr. Mannino stated that the applicant has requested to table item AZ20-04 until the March 4, 2021 City Council Meeting.

A motion was made to table AZ20-04 175 E. Main Street until the March 4, 2021 City Council Meeting by Council Member Stepp and seconded by Council Member Wren. Motion carried unanimously. Vote: 6-0

16. Z20-03 175 E. Main Street

Mr. Mannino stated that the applicant has requested to table item Z20-03 until the March 4, 2021 City Council Meeting.

A motion was made to table Z20-03 175 E. Main Street until the March 4, 2021 City Council Meeting by Council Member Stepp and seconded by Council Member Wren. Motion carried unanimously. Vote: 6-0

MONTHLY FINANCIAL STATEMENT

17. October 2020 Financial Report

Tom Rhinehart, Finance Director, gave an overview of the October 2020 Financial Report and compared finances from October 2019.

DISCUSSION

18. Use of Tourism Product Development Funds

Mr. Gilliam stated as part of the city's Hotel/Motel Tax, there are Tourism Product Development (TPD) Funds collected which have been used by the Convention and Visitors Bureau (CVB) for projects like the new outdoor pavilion adjacent to the Clarence Brown Conference Center. For the CVB's fiscal year 2020 budget, they currently have a balance through November of \$68,883.68 and should collect approximately \$5,000 for December. In reviewing the guidelines for TPD eligible expenses, we are allowed to expend the funds on eligible Parks and Recreation projects. Based on these guidelines, it is recommended that the FY 2020 TPD funds be used on the following projects:

1. Goodyear Clubhouse
2. Recreation Maintenance Building
3. Fit Court and Related Equipment

It was suggested to add City of Cartersville Little League to the list of recipients for TPD Funds.

A motion to approve the Use of Tourism Product Development Funds to include the City of Cartersville Little League was made by Council Member Fox and seconded by Council Member Hodge. Motion carried unanimously. Vote: 6-0

A motion was made to add two items to the agenda was made by Board Member Hodge and seconded by Board Member Cooley. Motion carried unanimously. Vote: 6-0

ADDED ITEMS

19. Ante Litem Notice

Mr. Lovell explained that the City of Cartersville received an Ante Litem Notice from Tovar-Hastings Law, concerning Maria Rodriguez Cortez' alleged claims against the City relating to an incident which occurred on or about September 6, 2020. It was requested that Council deny the Ante Litem Notice.

A motion was made to approve the denial of the Ante Litem Notice pertaining to Maria Rodriguez Cortez by Council Member Wren and seconded by Council Member Hodge. Motion carried unanimously. Vote: 6-0

RESOLUTION NO. 21-20

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, GEORGIA

WHEREAS, on or about December 8, 2020, the City of Cartersville received an Ante Litem Notice dated December 3, 2020, from Tovar-Hastings Law, concerning Maria Rodriguez Cortez' alleged claims against the City relating to an incident which occurred on or about September 6, 2020.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and City Council that the City of Cartersville denies the Ante Litem Notice claim submitted as referenced above, based on the information currently available to it, and directs the City Attorney's Office to inform the Tovar-Hastings Law of said denial.

BE IT AND IT IS HEREBY RESOLVED this 17 day of December, 2020.

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

ATTEST:

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



20. One-Time Bonus

Mr. Porta stated that the City of Cartersville was wanting to grant their full-time employees of a one-time \$600.00 bonus. This bonus is to simply thank the staff for their hard work and efforts through the pandemic.

Mayor Santini followed up with stating that staff was unable to receive the annual pay increase and the City Manager's office would like to thank their employees for their dedication to the City during these unprecedented times.

A motion was made to approve the One-Time Employee Bonus by Council Member Hodge and seconded by Council Member Roth. Motion carried unanimously. Vote: 6-0

A motion to adjourn the meeting was made by Council Member Wren and needing no second. Motion carried unanimously. Vote: 6-0

Meeting Adjourned

ATTEST:

/s/

Julia Drake
City Clerk



/s/

Matthew J. Santini

Mayor

