

City Council Meeting
City Hall – Council Chambers
July 18, 2024
6:00 P.M. – Work Session / 7:00 P.M. – Council Meeting

WORK SESSION

Mayor Matthew Santini opened the Work Session at 6:04 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Mayor Santini closed Work Session at 6:46 P.M.

OPENING MEETING

Mayor Santini called the Council Meeting to order at 6:59 P.M.

Invocation by Council Member Roth.

Pledge of Allegiance led by Council Member Cordell.

The City Council met in Regular Session with Matthew Santini, Mayor, presiding, and the following present: Jayce Stepp, Council Member Ward Two; Cary Roth, Council Member Ward Three; Alyssa Cordell, Council Member Ward Six; Dan Porta, City Manager; Julia Drake, City Clerk; and Keith Lovell, City Attorney.

Absent: Kari Hodge, Council Member Ward One; Calvin Cooley, Council Member Ward Four; Gary Fox, Council Member Ward Five

REGULAR AGENDA

COUNCIL MEETING MINUTES

1. July 2, 2024, Council Meeting Minutes

Council Member Roth made a motion to approve the minutes from the July 2, 2024, Council Meeting. Council Member Cordell seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Santini voting.

PUBLIC HEARING – 1st Reading of Zoning/Annexation Requests

2. Z24-05: 681/683 Henderson Dr.

Applicant: Lehmann Smith

Randy Mannino, Planning and Development Director, stated Continuing, he gave an overview of the application stating the applicant is proposing the rezoning of the 1.286-acre property located at 681 Henderson Drive. The original structure was constructed c. 1996 and was designed for office/warehouse use.

The property was home to a construction company for many years. In recent years, the building has been divided to support additional occupations. Based on historic imagery, the rear of the lot has been used as a storage lot for building material. This has likely occurred for the life of the structure (c. 1996). Planning and Development was not aware of complaints from any of the neighbors regarding the business activity being conducted on the site.

The applicant proposes to rezone the property to allow outdoor storage on the lot. Currently, there are two (2) storage containers on the lot, as well as various other materials. Code Enforcement notified the property owner that storage containers, as well as outdoor storage is not allowed in the O-C (Office Commercial) zoning district, thus leading to this request. This request is the first step in resolution of the storage container/outdoor storage issue on the property. The applicant is also applying for a text amendment that would allow use of storage containers on lots that allow outdoor storage, provided they are screened from all rights-of way and a special use permit is approved. The text amendment and the applicants special use permit request will be before the Planning Commission on August 6th, 2024.

Staff does not oppose the rezoning if the following condition is included with an approval:

- All G-C uses except “Construction Contractors” and “Offices, General” are prohibited.

Planning Commission recommended approval.

Mayor Santini opened the public hearing.

Mark Harris, 700 Douthit Ferry Rd. Suite 770, came forward to represent the application and to answer questions from the Mayor and Council.

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

This was a first reading and would be voted on at the August 1, 2024, City Council Meeting.

3. Z24-06: 165 Cassville Road

Applicant: Muhammed Chishti

Mr. Mannino stated the applicant requests to rezone .92 acres (+/-) located at 165 Cassville Road (Tax ID C013-0001-003). The property is owned by Muhammad Chishti and the property is currently used as a gas station and convenience store. The existing building also has two (2) vacant suites. The owner wishes to have more available uses for the vacant suites than the O-C zoning ordinance allows, particularly the retail package store (liquor) use.

G-C, General Commercial, zoning is requested for the parcel. The existing zoning is O-C.

The property is within the FEMA floodplain. The current and proposed use are not expected to affect the floodplain unless expansion of the building footprint occurs.

Mayor Santini opened the public hearing for the zoning portion of the application.

Ali Kashan, 16 Sugar Mill Dr., came forward to represent the application and to answer any questions from the Mayor and Council.

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

This was a first reading and would be voted on at the August 1, 2024, City Council Meeting.

FIRST READING OF ORDINANCES

4. T24-03: Billboard Setback from I-75

Applicant: Flournoy Holdings, LLC

Mr. Mannino stated this was an applicant driven text amendment request to Chapter 20, Signs and Outdoor advertising, Article II, Sign Ordinance, Sec. 20-29 (b) (1)(f), Billboards, to amend the text from:

(f): Shall not be visible from or located along Interstate Highway 75

To: (f) Shall be setback at least six hundred sixty-one (661) feet from the right-of-way of Interstate 75.

Staff is not opposed to the amendment, and Planning Commission vote was 2-1-1. Motion failed due to a lack of votes.

Keith Lovell, City Attorney, stated for the record that this was an applicant driven request.

Mayor Santini opened the public hearing.

Jack Howard, 118 5th St North, Columbus MS., came forward to represent Flournoy Holdings, LLC and presented a slide show that explained viewing distance and visibility of proposed billboard sign from Hwy 411. Continuing, he stated his proposed target was not I-75, but in fact, Hwy 411. In closing, he reviewed the proposed changes to the current sign ordinance.

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 August 1, 2024, City Council Meeting.

CONTRACTS/AGREEMENTS

5. Peregrin Data Integration

Frank McCann, Police Chief, stated approval was requested to enter into a contractual agreement with Peregrin Advanced Public Safety Technologies, a data integration company specializing in public safety. Peregrin will integrate data from various sources currently used by the Cartersville Police Department. This data integration will include Tyler Technologies CAD (Dispatch and response data), Tyler Technologies Records Management Systems (RMS), Utility/Polaris Evidence (body/car cameras, digital evidence storage) ArcGIS Layers (Mapping), Flock License Plate Readers (LPR), E-Cite Citations, Palatine Warrants, City Utility data via CSV files, Court Justice System data via CSV files, and Leads Online (pawn shop database). By integrating the data from all these systems, unlimited users (police employees) will have access to records across all these systems, which are currently

unconnected. This data integration will make us more effective and unify our information so that it is readily available with a single search.

Peregrine will provide an introductory training session that provides an overview of the Service, background on accessible data sources, and an introduction to the analytic capabilities of the service. Peregrine will provide additional training, including refresher sessions and advanced training modules, from time to time upon mutual agreement of the parties. The length of the initial contract will be for three years.

Total cost of the contract will be \$247,500.00, payable as follows:
\$82,500 for budget year 2024 (due within 30 days of signed contract).
\$82,500 for budget year 2025 (due within 30 days of August 1, 2025).
\$82,500 for budget year 2026 (due within 30 days of August 1, 2026).

This is a budgeted item and will be purchased using the General Fund. E-Verify and E-save documents have been submitted to the police department and are on file.

Council Member Roth made a motion to approve the Peregrin Data Integration. Council Member Cordell seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Santini voting.

6. Hamilton Place Development Agreement

Michael Dickson, Gas Department Director, stated this agreement between the City and Pulte Home Company, LLC states that the installation of the natural gas main infrastructure will be completed at no cost to the developer. In exchange, the developer has agreed to install natural gas to each home, 86 in total. The developer has also agreed to participate in our Gas Advantage program by installing a minimum of one gas furnace on the main level, one gas water heater, and one other gas appliance or gas stub for one other gas appliance. A significant amount of gas infrastructure will be required to serve this subdivision at an estimated material cost of approximately \$26,000.00, however, the City will receive a return on investment (ROI) of less than twelve (12) months following the completion of all the homes.

Council Member Roth stated that he appreciated the work that the Gas Department does to search for customers to help the community.

Council Member Roth made a motion to approve the Hamilton Place Development Agreement. Council Member Cordell seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Santini voting.

7. EAP Plan for First Responders

Dan Porta, City Manager, stated this EAP will provide first responder-centric counseling and training to our firefighters, officers, and their families. The counseling will include six sessions per employee or family member to address traumatic on-the-job experiences and mandated counseling, when necessary. The EAP will also provide services to supervisors whereby they can call to get guidance on specific matters, as well as supervisor and peer-to-peer training. The annual cost for the EAP services is \$5,832.00.

Council Member Stepp made a motion to approve the EAP Plan for First Responders. Council

Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Santini voting.

8. Grassdale Rd Improvement Projects (GDOT PI No. 0016628) – Project Framework Agreement with GDOT for Construction

Steven Foy, Public Works City Engineer, stated the Project Framework Agreement (PFA) for the Grassdale Road Improvement Project had been sent to the City of Cartersville from the Georgia Department of Transportation (GDOT) for Cartersville to approve. It is noted in the agreement that there has been 80% of \$3,506,749.00 or \$2,805,399.20 approved for the construction and associated utility work through the Transportation Alternatives Program (TAP) grant. This grant is an 80/20 grant meaning the grant covers 80% of the total cost with there being a 20% local match between the City of Cartersville and Bartow County with each contributing \$350,674.90 or 10% of the overall construction costs which includes costs such as construction engineering, inspections, and project oversight by GDOT.

The cost of the various project construction line items are non-budgeted costs that will be paid for by SPLOST and split evenly between Bartow County and the City of Cartersville. As previously mentioned, project oversight cost is included as part of the overall construction cost per the PFA. In the PFA it is noted that the estimated amount for the GDOT Construction Oversight of this project is \$10,000.00. According to the construction PFA for this project, the local contribution for GDOT Construction Oversight is \$2,000.00. This cost is a non-budgeted item that will be paid for by SPLOST and split evenly between Bartow County and the City of Cartersville. Public Works recommended approval of the PFA with the Georgia Department of Transportation to keep this project moving forward through construction. Once the PFA is fully executed, the project will be awarded, and a preconstruction meeting will be coordinated.

Council Member Cordell made a motion to approve the Grassdale Rd Improvement Project (GDOT PI No. 0016628) - Project Framework Agreement with GDOT for Construction. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Santini voting.

9. Quiet Zone Maintenance Agreement with CSX Transportation

Mr. Foy stated the City of Cartersville has maintenance agreements from CSX Transportation, Inc. to provide labor, materials, and expertise necessary from CSX Transportation, Inc. to maintain a quiet zone at Carter St., Cherokee Ave., Main St., Leake St., and West Ave. crossings. The total of the agreement from CSX Transportation in the future will vary from year to year and by crossing. This will be a budgeted item paid for by an annual line item for maintenance of the Quiet Zone. No amount is required until the quiet zone is established for one year at which the first maintenance payment of \$26,768.00 will be required to be paid in arrears. Maintenance costs will be charged by CSX Transportation annually and increased year to year according to the consumer price index as well as periodic adjustments by CSX according to their review. CSX Transportation states in the agreement that they will provide notice of any increases because of such review and adjustment in advance of the due date. Public Works recommended approval of this agreement for the maintenance of the proposed Quiet Zone.

Council Member Cordell made a motion to approve the Quiet Zone Maintenance Agreement with CSX Transportation. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Santini voting.

ENGINEERING SERVICES

10. Architectural and Engineering Services for Public Works Remodel

Mr. Foy stated the Public Works Office Building, located at 330 S. Erwin Street, needs a remodel to update its appearance from its original construction in 1983 to a more modern look. Public Works aims for a minor redesign and would like to continue operations in the building during the renovation, focusing on cosmetic improvements and better use of the existing office space. Therefore, we expect minimal structural changes and more emphasis on interior work and finishes.

Seven Hills Architecture and Consulting provided a proposal to perform services in the schematic design phase and construction documents that we can utilize for the remodel.

Continuing, Mr. Wilson stated the department is enthusiastic about moving forward with this design and recommended approving the agreement with Seven Hills for a fee of \$18,500.00, which is within the budget.

Council Member Roth made a motion to approve the Architectural and Engineering Services for Public Works Remodel. Council Member Cordell seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Santini voting.

11. High-Pressure System Construction Management Services

Sidney Forsyth, Water Department Director, stated Prime Engineering had completed the design and permitting services for the modifications to the high-pressure zone of the water system. Prime has submitted a proposal for Construction Management services for the project in the amount of \$123,906.18. This is a budgeted expense and was recommended for approval.

Council Member Stepp made a motion to approve the High-Pressure System Construction Management Services. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Santini voting.

12. Sewer System Upgrade Engineering

Mr. Forsyth stated that based on sanitary sewer system inflow and infiltration studies, two areas of the sewer system had been identified as major contributors to the I&I problems within the system, identified as the Plymouth Drive and Dellinger area sewers. These two areas include approximately 20,000 linear feet of pipe of various sizes, materials, and ages.

The Water Department received proposals from three engineering firms for find-and-fix project to address the I&I problem within these systems. Prime Engineering submitted the best proposal to investigate the system, design the fixes, and administer the construction projects to eliminate the issues in these areas of the system. Approval was recommended of Prime Engineering's proposal for the cost of \$431,107.70 to perform these services. This is a budgeted item.

Council Member Stepp made a motion to approve the Sewer System Upgrade Engineering. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Santini voting.

CONTRACTS/AGREEMENTS

13. WPCP Construction Manager at Risk (CMAR)

Mr. Forsyth stated the Water Department has determined the best delivery method for the 10 MGD expansion of the Water Pollution Control Plant is the Construction Manager at Risk, due to its ability to deliver early work packages and early order of long-lead items, which serve to expedite construction. Qualifying firms were evaluated and interviewed for this project in response to the City's RFP. Archer Western Construction was selected as the firm most capable of delivering the project to completion as designed and desired.

The proposed costs for CMAR services are \$1,585,000.00 for Phase I, Pre-Construction Services, and the CMAR Fee for Phase II Construction Services is 8.00% of final construction costs. Approval was recommended of the contract with Archer Western Construction as Construction Manager at Risk for this project.

Council Member Cordell made a motion to approve the WPCP Construction Manager at Risk (CMAR) Agreement. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Santini voting.

Council Member Roth made a motion to add two (2) items to the agenda. Council Member Cordell seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Santini voting.

RESOLUTIONS

14. MEAG Power Election Committee Delegates

Tom McKee, Electric Department Director, stated Municipal Electric Authority of Georgia (MEAG Power) is requesting that the City name their selections for the 2024 MEAG Power Membership Election Committee by Resolution. It was our recommendation that we name Matthew J. Santini as our Voting Delegate and Tom McKee as our Alternate Voting Delegate.

Council Member Cordell made a motion to approve the MEAG Power Election Committee Delegates. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Santini voting.

ADDED ITEM

15. Revised Section 24-261 Distributed Generation Rider

Mr. McKee stated at the July 2nd meeting when Electric Rates were amended, Code Section 24-261 was inadvertently deleted. This code section refers to customer owned solar power and charges associated with it. This is the first reading of this ordinance and will be voted on the August 1st meeting.

BID AWARD/PURCHASES

16. Office 365 Renewal #1

Steven Grier, FiberCom Director, stated the FiberCom Department requests the purchase of Microsoft Office 365 renewal. This is the system used for office productivity applications as well as email communications. The total amount is \$14,064.00 from Converge Technology Solutions. This is a budgeted item, and approval was recommended.

17. Office 365 Renewal #2

Mr. Grier stated the FiberCom Department requests the purchase of a Microsoft Office 365 yearly renewal. This is the system used for office productivity applications as well as email communications and system security. The total amount is \$88,037.95 from CDWG. This is a budgeted item, and approval was recommended.

18. Laserfiche Renewal

Mr. Grier stated this item is a budgeted annual renewal for our Laserfiche document imaging system. This is a cloud-based system that we use for document retention. The total amount is \$9,886.00 from MCCi and approval was recommended.

19. Mimecast Renewal

Mr. Grier stated this item was 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 \$38,878.04 from SHI and approval was recommended.

Council Member Stepp made a motion to approve the Office 365 #1 Renewal, Office 365 #2 Renewal, Laserfiche Renewal, and the Mimecast Renewal. Council Member Cordell seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Santini voting.

20. Painting and Drywall Repair

Mr. Porta stated this item is for repainting and drywall repair in the City Manager's Office Basement. The quote for this repair is \$10,800.00 from Scott Edwards Painting LLC. This item is not budgeted; however, funds are available, and approval was recommended.

Council Member Cordell made a motion to approve Painting and Drywall Repair. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Santini voting.

21. Annual Membership in the Northwest GA Regional Commission

Mr. Porta stated the annual membership for the Northwest Georgia Regional Commission is due for renewal. It is a budgeted expense of \$24,937.00 for the fiscal year July 1, 2024, through June 30, 2025.

Council Member Cordell made a motion to approve Annual Membership in the Northwest GA Regional Commission. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Santini voting.

ADDED ITEM

22. Asbestos Abatement and Demolition Work by A&M Contracting

Mr. Porta stated the old Water Administration Building has some asbestos that needs to be removed before the building, slab and driveway are removed. Total cost for this property is \$58,900 and will be paid from Water & Sewer Department funds. Next to the Maurice Heard Gym (25 Aubrey Street), we have an old tank and cooling tower that served our natural gas system several decades ago that has asbestos and some liquid in the tank that needs to be properly disposed of. The total cost for this work is \$18,000 and will be paid by the Gas Department. I recommend approval for both projects.

Council Member Cordell made a motion to approve the Asbestos Abatement and Demolition Work by A & M Contracting. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 4-0 with Mayor Santini voting.

MONTHLY FINANCIAL STATEMENT

23. May 2024 Financial Report

Tom Rhinehart, Finance Director, came forward to review the number of the May 2024 Financial Report. Additionally, he compared the numbers to May 2023.

OTHER

Jason Traynor, 18 Burnt Hickory Connector, came forward to speak regarding License Plate Readers and how he felt it was an invasion of privacy.

In closing remarks, Mayor Santini stated that today was former Council Member Tonsmiere's birthday. Additionally, Mayor Santini wanted to thank Tom McKee and his crews for resolving the power outages so quickly during the recent storms.


ADJOURNMENT

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

Meeting Adjourned at 7:47 P.M.

/s/ 
Matthew J. Santini
Mayor

ATTEST:

/s/ 
Julia Drake
City Clerk

