

City Council Meeting  
10 N. Public Square  
January 19, 2023  
6:00 P.M. – Work Session  
7:00 P.M. – Council Meeting

## **WORK SESSION**

Mayor Matthew Santini opened 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 6:35 P.M.

## **OPENING MEETING**

Mayor Santini called the Council Meeting to order at 7:00 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; Jayce Stepp, Council Member Ward Two; Cary Roth, Council Member Ward Three; Calvin Cooley, Council Member Ward Four; Gary Fox, Council Member Ward Five; Freddy Morgan, Assistant City Manager; Julia Drake, City Clerk; and Keith Lovell, Assistant City Attorney.

Absent: Taff Wren, Council Member Ward Six

## **REGULAR AGENDA**

### **COUNCIL MEETING MINUTES**

#### **1. January 5, 2023, Council Meeting Minutes**

Council Member Stepp made a motion to approve the January 5, 2023, Meeting Minutes. Council Member Cooley seconded the motion. The motion carried unanimously. Vote: 5-0

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

#### **2. T23-01. City of Cartersville**

Randy Mannino, Planning and Development Director, stated this is a text amendment to Chapter 26, Zoning, Article XIV, Business Park Overlay District, to increase the height of allowed buildings from 50ft to 75ft. and to correct a conflict in the language for required parking lot landscape islands. Planning Commission recommended approval 5-0.

Public hearing opened and with no one to come forward to speak for or against the request, the public hearing was closed.

This is a first reading and will be voted on at the February 2, 2023 City Council Meeting.

## RESOLUTIONS

### 3. Annual Update of CIE and CWP

Mr. Mannino stated Cartersville adopted Impact Fees in the last quarter of 2006. Said fees became effective starting in January 2007. In accordance with the Development Impact Fee Regulations as outlined by the State, we are required to file an annual update to the Capital Improvements Element (CIE) of the Comprehensive Plan because we collect said impact fees and/or have an adopted impact fee ordinance.

As you are aware, we held the required public hearing for the updated information on December 1, 2022, and Council also approved a resolution allowing this item to be transmitted to the Northwest Georgia Regional Commission (NWGRC) and the Department of Community Affairs (DCA) for their review and approval. They have approved the document, and we are required to formally adopt it.

Council Member Fox made a motion to approve the Annual Update of CIE and CWP. Council Member Roth seconded the motion. The motion carried unanimously. Vote: 5-0

Resolution No. 01-23

ADOPTION RESOLUTION

Capital Improvements Element

WHEREAS, The City of Cartersville adopted a Capital Improvements Element as an amendment to the *Cartersville Comprehensive Plan*; and

WHEREAS, The City of Cartersville has prepared an Annual Update to the adopted Capital Improvements Element and Community Work Program; and

WHEREAS, the Capital Improvements Element Annual Update was prepared, submitted, and reviewed in accordance with the "Development Impact Fee Compliance Requirements" and the "Minimum Planning Standards and Procedures for Local Comprehensive Planning" adopted by the Board of Community Affairs pursuant to the Georgia Planning Act of 1989, and an advertised Public Hearing was held on December 1st, 2022 at 9:00 A.M. in the City Council meeting room at Cartersville City Hall; and

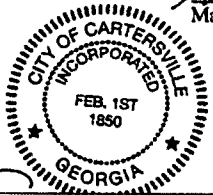
BE IT THEREFORE RESOLVED, that the City Council of the City of Cartersville does hereby approve and adopt the Capital Improvements Element Annual Update attached hereto and incorporated herein as Exhibit "A" as per the requirements of the Development Impact Fee Compliance Requirements.

ADOPTED THIS DAY, the 19<sup>th</sup> of January, 2023.

  
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Mayor, City of Cartersville, Georgia

ATTEST:

  
\_\_\_\_\_  
City Clerk, Julia Drake



## **FIRST READING OF ORDINANCES**

### **4. Downtown Entertainment Zone Ordinance – Pub Crawl Cups**

Lillie Read, Downtown Development Authority Executive Director, stated the DDA is requesting a change to the DEZ Ordinance to include the use of authorized Pub Crawl cups within the district during the events dates only.

Alcohol Control Board approved the use of authorized Pub Crawl cups within the district during the events dates only. Vote 4-0.

DDA Board and staff recommend approval.

This is a first reading and will be voted on at the February 2, 2023, City Council Meeting.

### **5. Downtown Entertainment Zone – Service Times**

Ms. Read stated the DDA is requesting a change to the DEZ Ordinance to expand the service times of the DEZ to Monday-Saturday during 11:00 am – 10:00pm, excluding Sunday.

Alcohol Control Board denied the expansion of the service times of the DEZ to Monday - Saturday during regular service hours, excluding Sunday. Vote 4-0.

This is a first reading and will be voted on at the February 2, 2023, City Council Meeting.

### **6. Downtown Entertainment Zone Ordinance – Map Expansion**

Ms. Read stated The DDA is requesting a change to the DEZ Ordinance to expand the map west on Main Street to Noble Street and to expand the map east on Cherokee Avenue to Stonewall Street.

Alcohol Control Board denied the request to expand the map west on Main Street to Noble Street and to expand the map east on Cherokee Avenue to Stonewall Street. Vote 2-2.

This is a first reading and will be voted on at the February 2, 2023, City Council Meeting.

Council Member Fox asked to hear from the business owners that were in attendance their input on the proposals.

Jayson and Buddy Frederick, 39 S Public Sq., owners of Southern Cove, stated that they are in favor of the extended hours.

Nick Philliber, owner of Mule House Pizza, stated he is favor of the expansion of the map as it would include his new business.

## **CONTRACTS/AGREEMENTS**

### **7. Amendment to the Solar Power Purchase Contract**

Derek Hampton, Electric Department Director, stated the most significant of the changes would be an increase in power cost of 12%, and a reduction in the term from 20 to 15 years.

Also added is an option for MEAG to purchase the solar facility at the end of the 15-year term. Approval was recommended to amend the contract.

Council Member Hodge made a motion to approve the Amendment to the Solar Power Purchase Contract. Council Member Fox seconded the motion. The motion carried unanimously. Vote: 5-0

#### **8. Amendment to Tennessee Street Lease**

Dan Porta, City Manager, stated the current agreement with the tenant located at 640 N. Tennessee Street property expires at the end of January. It was recommended to amend the lease agreement to extend the term until July 31, 2023, with a monthly rent of \$900.

Council Member Roth made a motion to approve the Amendment to Tennessee Street Lease. Council Member Fox seconded the motion. The motion carried unanimously. Vote: 5-0

### **BID AWARD/PURCHASES**

#### **9. Matthews Garage Repair Invoice**

Mr. Porta stated in late September, a city Electric Department vehicle was involved in an accident and the repair costs totaled \$8,236.82 from Matthews Garage. The city's insurance company, Travelers, has reimbursed the city for the damages less \$1,000 deductible. This is a budgeted expense. Approval was recommended to pay Matthews Garage for the repair of this vehicle.

Council Member Fox made a motion to approve the Matthews Garage Repair Invoice. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

#### **10. Municode/Civic Plus Annual Costs**

Logan Bagley, Public Relations and Communications Manager, stated the Municode/Civic Plus invoice for the second installment cost of the city's website and the annual hosting cost totals \$8,700.00. This budgeted purchase is recommended to Council for payment.

Council Member Roth made a motion to approve the Municode/Civic Plus annual Costs. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

#### **11. Lenco Bearcat**

Frank McCann, Police Chief, stated in February 2022, he applied for a Homeland Security grant to purchase a Lenco BearCat armored vehicle and in November 2022 the grant was denied. This item was budgeted for that vehicle in this fiscal year to be paid for by the grant or the general fund. Since the grant was denied, the request being brought to Mayor and Council is to purchase the vehicle through the general fund. The cost of the vehicle is \$294,159.00 and request an amount of, not to exceed, \$320,000.00 for the other equipment needed.

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

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

## **12. PSHQ HVAC Repair**

Scott Carter, Fire Chief, stated During the extreme cold weather in late December, a portion of the Heating and Air system at Public Safety Headquarters was damaged when the hot and cold-water coils that feed the system froze. We have created a temporary work around to keep the system running, but the damaged coils must be replaced. The required parts have been located and the total cost of this repair will be \$34,879.00. Authorization was requested to make these repairs with Maxair Mechanical.

This is not a budgeted repair. This will be paid for from insurance reimbursement or general HVAC repair funds that will be split between FD and PD accounts.

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

## **13. New Fire Truck Purchase**

Mr. Carter stated current build time for fire trucks is 35–37 months with another price increase on February 1, 2023. In April 2022, we ordered replacement trucks for Station 4 and build time was 24 months. In addition, our manufacturer had several price increases. These price increases are due to multiple supply chain issues. The planned replacement date for Engines 1 and 3 is 2025. If we order in 2023, these trucks would be delivered in 2026. In addition, we must consider the Station 5 fire truck placement. A proposal is attached that covers both issues.

After multi-vehicle discounts and discounts received from our purchasing consortium, the cost of these trucks will be \$775,244 each or a total of \$1,550,488. This is a \$111,932 or 16% increase per truck since April 2022. With the next increase in February, this would add just over \$31,000 or 2% to the order.

If Mayor and Council will consider ordering three trucks to include the Apparatus for Station 5, the cost per truck will be \$3,000 lower due to an extra quantity order and will avoid this price increase plus others. The total cost for all three will be \$2,316,732. After February 1, the cost will be \$2,363,247, which is an increase of \$46,515.

Pierce is a single source due to maintaining integrity of our fleet for uniform operation and maintenance. All competitive bid processes are conducted through our NPPGov consortium. Funding will occur through future lease pool options.

Option A: Order two trucks at a total cost of \$1,550,488.

Option B: Order three trucks at a total of \$2,316,732.

Council Member Fox made a motion to approve the New Fire Truck Purchase with the decision to purchase three (3) trucks – Option B. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0

ADDED ITEM

## **14. Ante Litem Notice**

Keith Lovell, Assistant City Attorney, stated the city had received an ante item notice for an accident that involved a County vehicle and County employee, to which does not involve the City of Cartersville. The recommendation was to deny the ante litem notice.

Council Member Fox made a motion to deny the ante litem notice. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0

**RESOLUTION NO. 02-23**

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

**WHEREAS**, on or about January 18, 2023, the City of Cartersville received an ante-litem notice dated January 17, 2023, from Payne & Du Toit, concerning Stephen Kesner, Jr.'s alleged claims against the City relating to an incident which occurred on or about July 20, 2022.

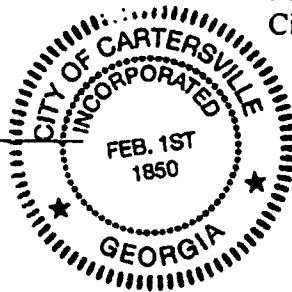
**NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED** by the Mayor and City Council that the City of Cartersville denies the Ante Litem Notice claim submitted as referenced above, based on the information currently available to it, and directs the City Attorney's Office to inform Payne & Du Toit of said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

**BE IT AND IT IS HEREBY RESOLVED** this 19<sup>th</sup> day of January, 2023.

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

ATTEST:

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



**MONTHLY FINANCIAL STATEMENT**

**15. November 2022 Financial Report**

Tom Rhinehart, Finance Director, went over the financial report for November 2022 and compared the numbers to November 2021.

Dan Porta stated that there is one more item to add. Council Member Hodge made a motion to add one more item to the agenda. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

**ADDED ITEM**

**16. Qualified Staffing Agency**

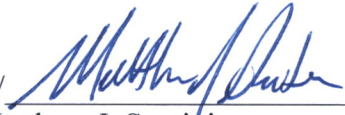
Mr. Porta stated that approval was recommended to use Qualified Staffing Agency to hire some part time help.


Council Member Fox made a motion to approve the use of Qualified Staffing Agency. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

**ADJOURNMENT**

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

Meeting Adjourned at 7:30 P.M.

/s/   
Matthew J. Santini  
Mayor

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

