

City Council Meeting
10 N. Public Square
August 15, 2019
8:00 A.M. – Work Session
9:00 A.M. – Council Meeting

I. Opening Meeting

Invocation by Council Member Cooley.

Pledge of Allegiance led by Council Member Roth.

The City Council met in Regular Session with Matt 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; Tamara Brock, City Manager; Meredith Ulmer, City Clerk and Keith Lovell, City Attorney

II. Regular Agenda

A. Council Meeting Minutes

1. August 1, 2019

A motion to approve the August 1, 2019 City Council Meeting Minutes as presented was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote: 6-0.

B. Resolutions

1. 2019 CDBG Compliance

Tamara Brock, City Manager stated this resolution is to acknowledge efforts of the Cartersville City Council's ongoing compliance efforts with the Georgia Department of Community Affairs/Community Development Block Grant Program (DCA/CDBG) initiatives.

Motion to approve was made by Council Member Hodge and seconded by Council Member Wren. Motion carried unanimously. Vote: 6-0.

C. Second Reading of Ordinances

1. Brunch Bill – Sunday Sales

Ms. Brock stated this is to amend the Code of Ordinances for the City of Cartersville, to allow for Sunday sales of malt beverages, wine and distilled spirits for consumption on the

SECTION ONE

That **CHAPTER 4 - ALCOHOLIC BEVERAGES, ARTICLE II. - LICENSING REQUIREMENTS, DIVISION 1. - GENERALLY, Sec. 4-35. - Sunday license, Paragraph (2) and DIVISION 5. - HOURS OF OPERATION, Sec. 4-120. - Pouring outlets, Paragraphs (3) and (4),** are hereby amended to read as follows:

A.

Sec. 4-35. - Sunday license.

(2) Alcoholic beverages may be sold and served for consumption on the premises on Sundays from 11:00 a.m. until 12:00 midnight in any licensed establishment which derives at least fifty (50) percent of its total annual gross food and beverage sales from the sale of prepared meals or food, and in any licensed establishment which derives at least fifty (50) percent of its total annual gross revenues from the rental of rooms for overnight lodging; and must qualify as a restaurant or hotel with valid unlimited health permit.

B.

Sec. 4-120. - Pouring outlets.

(3) No pouring shall be permitted between the hours of 1:30 a.m. Sunday and 11:00 a.m. Sunday, or between the hours of 12:30 a.m. and 10:00 a.m. Monday through Thursday and/or between the hours of 1:30 a.m. and 10:00 a.m. Friday and Saturday except as provided in subsection (9) herein.

(4) No wine or malt beverages or distilled spirits may be consumed on the premises of the pouring outlet between the hours of 2:00 a.m. Sunday and 11:00 a.m. Sunday, or between the hours of 12:30 a.m. and 10:00 a.m. Monday through Thursday and/or between the hours of 2:00 a.m. and 10:00 a.m. Friday and Saturday except as provided in subsection (9) herein.

SECTION TWO

Upon adoption of this Ordinance, the same shall be forwarded to the City's Election Superintendent for inclusion on the November 5, 2019 election ballot as a question as follows:

Shall the governing authority of the City of Cartersville be authorized to permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink from 11:00 A.M. to 12:30 P.M.?"

() YES () NO

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 23 – SUBDIVISIONS. ARTICLE II. – REQUIRED IMPROVEMENTS. SECTION 23-19. – SANITARY SEWERS is hereby amended by deleting paragraph (b)(2) in its entirety and replacing it as follows:

1.

Sec. 23-19. - Sanitary sewers.

(b) Wherever a public sanitary sewer is not available within a reasonable distance from the subdivision,

(2) *Septic tanks.* A septic tank on each lot, provided the minimum lot size shall be fifteen thousand (15,000) square feet which shall comply with the City of Cartersville requirements for frontage. This minimum lot area may be increased by the health department if necessary. The following information shall be submitted to the health department for consideration of septic tank approval.

- a. Topographic information for each parcel of land on which a septic tank is to be installed. Contour intervals shall not exceed five (5) feet.
- b. Location of all drainage facilities, either natural or proposed.
- c. Percolation data indicated on a plat as specified by the health department.
- d. Proposed number of sanitary fixtures per dwelling unit.

2.

All other remaining provisions of Section 23-19. are to remain as is and the replacement paragraph herein is to be made part of Section 23-19.

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: _____
SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
MEREDITH ULMER, CITY CLERK

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
MEREDITH ULMER, CITY CLERK

E. Contracts/Agreements

1. Athletic Fields Inc.

Tom Gilliam, Parks and Recreation Department Head stated the Parks & Rec Department is requesting approval for Athletic Fields Inc. to renovate George Johnson & Bill Bruce Fields at Hicks Park. Rudy York & Joe Frank Harris Fields were previously renovated by this company. The total cost for the field renovations is \$33,884.00 which will be split with our baseball provider, Cartersville Little League. The Little League will pay \$16,000.00 and the City will pay the remaining \$17,884.00.

Mr. Gilliam recommended this contract with Athletic Fields Inc. to Mayor & Council for approval in the amount of \$17,884.00.

Motion to approve the Athletic Fields Inc Contract was made by Council Member Roth and seconded by Council Member Cooley. Motion carried unanimously. Vote: 6-0.

F. Other

1. Facility Rental Fees Update – Removed from the agenda

G. Bid Award/Purchases

1. Garbage Truck

Tommy Sanders, Public Works Department Head stated Solid Waste opened bids on July 30th for a budgeted 20 yd Rear Loader Garbage Truck. We received bids from 6 companies and recommend the low bidder, Carolina Environmental Systems. They submitted a bid of \$145,582.00 for a Kenworth T370 with a Heil PT-1000 body.

We recommend approval of the low bid on this item. This is a GMA leasepool purchase.

A motion to approve the purchase of the garbage truck through GMA Leasepool was made by Council Member Fox and seconded by Council Member Stepp. Motion carried unanimously. Vote: 6-0.

2. Claw Truck Repair

Mr. Sanders stated Solid Waste needs to repair some major components on our Claw

The Mayor opened the floor for a public hearing to anyone wishing to speak for or against the City of Cartersville M & O Millage Rate set at 3.259 Mills for 2019:

Margaret Angelo of Cartersville, GA came forward to speak against.

With no one else coming forward the public hearing was closed.

A motion to approve City of Cartersville M & O Millage Rate set at 3.259 Mills for 2019 was made by Council Member Stepp and seconded by Council Member Fox. Motion carried unanimously. Vote: 6-0.

I. Other

1. Cartersville School System 2019 Millage rate Set at 14.576 Mills

Mr. Rhinehart stated the Cartersville City School System has recommended to their Board to lower the school system's 2019 millage rate to 14.576 mills. This is the rollback rate for 2019. The City Council approves the School Board's recommended tax millage rate for city residents where all the property taxes collected are used by the Cartersville City School System. I recommend approval of the Cartersville City School System property tax millage rate of 14.576 mills for 2019.

The Mayor opened the floor for a public hearing to anyone wishing to come forward to speak for or against Cartersville School System 2019 Millage rate Set at 14.576 Mills. No one came forward and the public hearing was closed.

Motion to approve Cartersville School System, 2019 Millage rate Set at 14.576 Mills was made by Council Member Stepp and seconded by Stepp and seconded by Council Member Wren. Motion carried unanimously. Vote: 6-0.

2. Cartersville Business Improvement District Millage Rate Set at 1.789 Mills for 2019

Mr. Rhinehart stated the Cartersville Business Improvement District (BID) is made up of the Downtown Cartersville Business District. These business owners have been self-assessing a property tax for many years to raise funds for use in the downtown area. The Downtown Development Authority (DDA) works with the local businesses to use the funds to improve the downtown area. The DDA Board requests the City Council approval of their recommended BID's property tax millage of 1.789 mills for 2019. This is the rollback rate. Mr. Rhinehart recommended approval of the Cartersville Business Improvement District property tax millage of 1.789 mills for 2019.

The Mayor opened the floor for a public hearing to anyone wishing to come forward and speak for or against Cartersville Business Improvement District Millage Rate Set at 1.789 Mills for 2019. No one came forward, and the public hearing was closed.

Council Member Roth. Motion carried unanimously. Vote: 6-0.

2. Medical Insurance Brokerage Firm

Mr. Porta came forward and stated he recommended approval of One Digital to be the City's Medical Insurance Brokerage firm. Four firms were interviewed. Council approval is recommended.

Motion to approve One Digital to be the City's Medical Brokerage Firm was made by Council Member Stepp and seconded by Council Member Fox. Motion carried unanimously. Vote: 6-0.

3. Resolution

Keith Lovell, City Attorney stated this resolution institutes a moratorium beginning August 15, 2019 on all new applications for renovations or improvements of any properties within the Cherokee-Cassville Historic District and the West End Historic District.

The Mayor opened the floor for a public hearing to anyone wishing to come forward and speak for or against the resolution. With no one coming forward the public hearing was closed.

RESOLUTION NO: _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, IN THE STATE OF GEORGIA, AUTHORIZING A TEMPORARY MORATORIUM AS OF AUGUST 15, 2019 ON ALL NEW APPLICATIONS FOR RENOVATIONS OR IMPROVEMENTS OF ANY PROPERTIES WITHIN THE CHEROKEE-CASSVILLE HISTORIC DISTRICT AND THE WEST END HISTORIC DISTRICT

WHEREAS, the City of Cartersville has created several historic districts within the City of Cartersville; and

WHEREAS, the City of Cartersville, Georgia desires to consider if zoning ordinances and development regulations need to be revised to protect the historic integrity of the historic districts and the contributing properties as defined by City Code Section 9.25-31(a)(3)(a) therein; and

WHEREAS, the Mayor and City Council of the City of Cartersville desire to receive input from its planning professionals and the City of Cartersville Historic Preservation Commission in regard to proposed revisions and issues of concern; and

WHEREAS, the Mayor and City Council are concerned with the recent issues relating to painting over existing non painted bricks, issuance of demolition permits, sidewalks, drive cuts, setbacks, fire safety regulations, subdivision of contributing properties, parking on said properties, fencing and screening, signage, compatibility of new architecture with the contributing properties in said district, frontage requirements, lot

- iv) projects for which building permits have been issued prior to the date of the adoption of this moratorium;
- v) demolition permits for buildings declared to be unfit for human habitation by order of the City of Cartersville Municipal Court Judge; and
- vi) properties that have been issued a preliminary plat prior to the date of adoption of this temporary moratorium.

This moratorium is in effect from the date and time of adoption on August 15, 2019. It is anticipated that this moratorium shall last until December 13, 2019 but is subject to change by the Mayor and City Council. During the time this moratorium is in place, the City Staff and Historic Preservation Commission are hereby directed to review the City's development regulations, landscape ordinance, zoning ordinance, building codes, and Historic Preservation Ordinance and prepare appropriate revisions thereto and to submit their recommendations and proposals by September 30, 2019.

BE IT AND IT IS HEREBY RESOLVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, this 15th day of August, 2019.

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

ATTEST:

/s/ _____
Meredith Ulmer, City Clerk
City of Cartersville, Georgia

After announcements a motion to adjourn the meeting was made by Council Member Stepp and needing no second. Motion carried unanimously. Vote 6-0.

Meeting Adjourned

/s/ 
Matthew J. Santini, Mayor

ATTEST:

/s/ 
Meredith Ulmer, City Clerk

