

City Council Meeting  
10 N. Public Square  
May 16, 2019  
6:00 P.M. – Work Session  
7:00 P.M. – Council Meeting

## **I. Opening Meeting**

Invocation by Council Member Fox.

Pledge of Allegiance led by Council Member Cooley.

The City Council met in Regular Session with Matt Santini, Mayor presiding and the following present: 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; Samantha Fincher, Deputy City Clerk and David Archer, City Attorney.

Absent: Kari Hodge, Council Member Ward One

## **II. Regular Agenda**

### **A. Council Meeting Minutes**

#### **1. May 2, 2019**

A motion to approve the May 2, 2019 City Council Meeting Minutes as presented was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote 5-0.

### **B. Proclamations**

#### **1. Church of the Ascension - 175 Years**

Mayor Santini presented a proclamation to The Church of the Ascension in celebration of their 175th Anniversary. Kyle Harshey came forward and accepted the proclamation.

#### **2. National Historic Preservation Month**

Mayor Santini stated that May is National Historic Preservation month. Mr. Santini presented a proclamation to Greg Frisbee, Historic Preservation Chairman. Mr. Frisbee thanked the Mayor and Council for their support.

### **C. Second Reading of Ordinances**

#### **1. Solid Waste Ordinance Revision**

Tommy Sanders, Public Works Department Head stated that this revision cleans up the ordinance as well as increases garbage collection base rate fees by \$1.50. This is the second reading of the ordinance. Mr. Sanders recommended approval of the solid waste ordinance revision.

A motion to approve the solid waste ordinance revision was made by Council Member Fox and seconded by Council Member Cooley. Motion carried unanimously. Vote 5-0.

**Ordinance**  
**of the**  
**City of Cartersville, Georgia**  
**Ordinance No. \_\_\_\_\_**

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that the Code of Ordinances City of Cartersville, Georgia CHAPTER 21. SOLID WASTE, Sec. 21-34. Billing and Sec. 21-35 Commercial and multi-dwelling units (having more than six units) collection charges are hereby amended by deleting said sections in their entirety and replacing them as follows:

Sec. 21-34 - Billing

- (a) Each residential household will be billed a monthly charge of twenty dollars and fifty cents **(\$20.50)** minimum for garbage collection; said fee includes the cost of collection, curbside recycling, recycling yard waste, and disposal. The monthly fee shall be eighteen dollars and fifty cents **(\$18.50)** for a residential household with a homestead exemption for elderly, if the proper form has been filed. Furthermore, there shall be an additional fee of eleven dollars and fifty cents (\$11.50) per month per additional cart per residence.
- (b) Said fee may be adjusted automatically by the department to cover the increase in landfill disposal costs.
- (c) All bills for garbage service shall be sent to customers on the billing date for utilities. These bills are due and payable at the city clerk's office on the specified date on the bills. After that date, service may be ceased until all amounts due are paid.
- (d) A penalty of ten (10) percent shall be added to all bills for garbage service where bills are not paid on the due date as specified on the bill. If a customer is in arrears for a previous month or months, payment shall first be applied to previous bills.
- (e) A fee of ten dollars (\$10.00) per sticker shall be charged to the customers and stickers may only be purchased in person at city hall or by mail order from the city clerk's office for the collection of the waste material referred to in section 21-33(f) of this chapter. Two stickers (\$20.00) are required for all appliances with refrigerant.

(f) Fees for bulk tree limbs and branch collections are described as follows and must be paid for by the customer prior to service being delivered:

(1) Zero (0) to five (5) cubic yards per week is free pickup.

Sec. 21-35 - Commercial and multi-dwelling units (having more than six units) collection charges

(a) Multi-dwelling units having more than six (6) units will be required to have a container and will be charged the following rates:

| Container Size | Dumps Per Week | Monthly Rate |
|----------------|----------------|--------------|
| 2 Yard         | 1              | \$85.00      |
|                | 2              | \$120.00     |
|                | 3              | \$148.00     |
| 4 Yard         | 1              | \$110.00     |
|                | 2              | \$166.00     |
|                | 3              | \$209.00     |
|                | 4              | \$265.00     |
|                | 5              | \$321.00     |
|                | 6              | \$420.00     |
| 6 Yard         | 1              | \$138.00     |
|                | 2              | \$194.00     |
|                | 3              | \$250.00     |
|                | 4              | \$306.00     |
|                | 5              | \$363.00     |
|                | 6              | \$504.00     |
| 8 Yard         | 1              | \$164.00     |
|                | 2              | \$234.00     |
|                | 3              | \$305.00     |
|                | 4              | \$375.00     |
|                | 5              | \$446.00     |
|                | 6              | \$588.00     |

Extra dumps for dumpsters/containers \$75.00

All small downtown containers \$29.50

(b) The collection charges for commercial curbies is as follows:

| Commercial Curbies | Once Per Week Pickup | Twice Per Week Pickup |
|--------------------|----------------------|-----------------------|
| 1 Curbie           | \$31.50              | \$43.50               |
| 2 Curbies          | \$36.50              | \$53.50               |
| 3 Curbies          | \$43.50              | \$63.50               |
| 4 Curbies          | \$50.50              | \$73.50               |
| 5 Curbies          | \$57.50              | \$83.50               |

- (c) Said fee may be adjusted automatically by the department to cover the increase in landfill disposal costs.
- (d) All bills for garbage service shall be sent to customers on the billing date for utilities. These bills are due and payable at the city clerk's office on the specified date on the bills. After that date, service may be ceased until all amounts due are paid.
- (e) A penalty of ten (10) percent shall be added to all bills for garbage service where bills are not paid on the due date as specified on the bill. If a customer is in arrears for a previous month or months, payment shall first be applied to previous bills.

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.

**This Ordinance shall become effective on July 1, 2019.**

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

First Reading this the 2nd day of May 2019.

**ADOPTED this the 16th day of May 2019. Second Reading.**

/s/ \_\_\_\_\_  
**Matthew J. Santini**  
**Mayor**

**ATTEST:**

/s/ \_\_\_\_\_  
**Meredith Ulmer**  
**City Clerk**

**D. Public Hearing – 1st Reading of Zoning/Annexation Requests**

**1. File AZ19-02**

Randy Mannino, Planning and Development Department Head stated that Steeden Preferred Properties, LLC has submitted an application for the Annexation and Zoning of a property located at 232 Euharlee Road. The property is proposed to be rezoned from Unincorporated A-1 (Agriculture) to R-20 (Single Family Residential). The property contains approximately 9.7 acres. Planning Commission approved the rezoning request with the condition to limit future lots in subdivision to three lots for the 9.7 acres.

Mayor Santini opened the floor for a public hearing to anyone wishing to come forward to speak for or against the annexation and zoning request. No one came forward and the hearing

was closed.

**E. First Reading of Ordinances**

**1. Alcohol Ordinance Amendments**

Mr. Mannino stated the proposed alcohol ordinance amendment will change the definition of the "Wine Specialty Shop" and replaces it with "Wine and Craft Beer Specialty Shop". It will also allow for the on-site consumption and packaged sales of malt beverages and wine without meeting the food sales requirement. Said amendments will only pertain to the Downtown Business District, and restricts the total wine and malt beverage sales to no more than 35% of the establishments' annual gross revenues.

The Alcohol Control Board heard a similar version of said amendments at their March 13, 2019 board meeting in conjunction with proposed amendments affecting Cigar Bar guidelines. The ACB moved forward with the Cigar Bar amendments, but noted they were not ready to proceed with the other changes. This is the first reading of the ordinance.

**F. Bid Award/Purchases**

**1. CNP Technologies Firewall Software**

Dan Porta, Assistant City Manager stated the purchase from CNP Technologies is for the yearly support for our two main firewalls, our internal firewall and our appliance that holds the firewall log data. The purchase price of this Fortinet software from CNP Technologies is in the amount of \$15,960. Mr. Porta recommended approval of the purchase from CNP Technologies.

A motion to approve the purchase from CNP Technologies was made by Council Member Stepp and seconded by Council Member Roth. Motion carried unanimously. Vote 5-0.

**G. Contracts/Agreements**

**1. GDOT Grant Supplemental Agreement for Airport**

Mr. Porta stated that in April 2018, City Council approved the initial GDOT grant to construct the storm drainage system and land acquisition/condemnation costs in the amount of \$1,013,043. As of last month when access to the property was approved to install the storm drainage system, bids were received from contractors for this work. Due to the additional costs to clear and grub the site along with the storm drainage installation costs, GDOT has issued a supplemental agreement in the amount of \$134,470.60 for these additional costs, which requires a local match of 5% or \$6,723.53 for these additional funds. Mr. Porta recommended approval of the supplemental agreement.

A motion to approve the GDOT Grant Supplemental Agreement for Airport was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously.

Vote 5-0.

**2. GDOT Grant Funding Assistance for Airport**

Mr. Porta stated that GDOT has announced a tentative allocation of federal funding assistance for the following two Cartersville-Bartow Airport projects:

1. Avigation Easement Acquisition for Obstruction Removal for Runway 1 - total estimated grant is \$2,050,000 with a 5% local match of \$102,500.
2. Rehabilitate Runway 1/19 Phase 1 - total estimated grant is \$2,378,757 with a 5% local match of \$594,689.

The rehabilitation project is estimated to be completed in the next 12 to 18 months. If approved, the local match which has been split between Bartow County and the City will need to be funded in order to complete this project. Mr. Porta recommended approval.

A motion to approve the GDOT Grant Funding Assistance for Airport was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote 5-0.

**1. Brentwood Senior Project**

David Archer, City Attorney stated that Water and Sewer Maintenance Bond Agreement is between the City and Brentwood Senior facility on Douthit Ferry Road. Brentwood shall procure a maintenance bond in the amount of 43,000. At the end of the twelve-month period, the City shall conduct an inspection of the development. Brentwood agrees to hold the City harmless for a period of eighteen months of all the easements installed in accordance with the construction plans as approved.

A motion to approve Brentwood Senior Project Maintenance Agreement was made by Council Member Fox and seconded by Council Member Roth. Motion carried unanimously. Vote 5-0.

**H. Resolutions**

**1. Creation of Festival Zone**

Lillie Read, Downtown Development Manager stated that the DDA has added a special feature concert for June 8 spotlighting a local Cartersville jazz band called The 4 Korner. The DDA would like to create a festival zone for this event. Mrs. Read stated that DDA staff and board recommended approval of this festival zone.

A motion to approve the Creation of Festival Zone was made by Council Member Stepp and seconded by Council Member Fox. Motion carried unanimously. Vote 5-0.

**Resolution No. - \_\_\_\_\_**

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

**WHEREAS, the Cartersville City Council approved a Festival Ordinance in 2014; and**

**WHEREAS, the Downtown Development Authority (DDA) wishes to establish a Festival Zone for the following events to be held downtown in 2019:**

**June 8 – Saturday – 4 Korner's Special Feature Concert**

**WHEREAS, the DDA Board recommends that these events be designated a controlled Festival Zone; and**

**WHEREAS said Festival Zone will allow those of 21 years and older, who show proof of identification and receive a wristband or other means of identification, be allowed to consume purchased alcoholic beverages within the Festival Zone; and**

**WHEREAS, DDA board, staff, or an approved festival manager will, in conjunction with event staff and volunteers, place signage around each event to identify the boundaries of the allotted Festival Zone; and**

**WHEREAS, the Director of Planning and Development will receive all necessary proposals and applications prior to each event with the understanding that alcoholic beverages will only be sold by an approved alcohol-license holding businesses.**

**NOW, THEREFORE BE IT RESOLVED by the City of Cartersville that the 4 Korner's Special Feature Concert, as planned and implemented by the DDA, and approved by the Director of Planning and Development, be designated a Community Festival Zone.**

**ADOPTED this the 16th day of May, 2019.**

/s/ \_\_\_\_\_  
Matt Santini  
Mayor

**ATTEST:**

/s/ \_\_\_\_\_  
Meredith Ulmer  
City Clerk

**2. Creation of Festival Zone – Rotary Club**

Mrs. Read stated the Bartow Rotary Club would like to host a private meeting downtown for Rotarians, sponsors, and volunteers who participated with the Taste of Cartersville event. This would be a private event on May 31st, not open or advertised to the public. Mrs. Read recommended approval of this festival zone request.

A motion to approve the Creation of Festival Zone – Rotary Club was made by Council Member Cooley and seconded by Council Member Wren. Motion carried unanimously. Vote 5-0.

**Resolution No. - \_\_\_\_\_**

**of the**

**City of Cartersville, Georgia**

**WHEREAS, the Cartersville City Council approved a Festival Ordinance in 2014; and**

**WHEREAS, the Downtown Development Authority (DDA) wishes to establish a Festival Zone for the following events to be held downtown in 2019:**

**Friday, May 31 – Private Rotary Club “thank you” meeting**

**WHEREAS, the DDA Board recommends that these events be designated a controlled Festival Zone; and**

**WHEREAS said Festival Zone will allow those of 21 years and older, who show proof of identification and receive a wristband or other means of identification, be allowed to consume purchased alcoholic beverages within the Festival Zone; and**

**WHEREAS, DDA board, staff, or an approved festival manager will, in conjunction with event staff and volunteers, place signage around each event to identify the boundaries of the allotted Festival Zone; and**

**WHEREAS, the Director of Planning and Development will receive all necessary proposals and applications prior to each event with the understanding that alcoholic beverages will only be sold by an approved alcohol-license holding businesses.**

**NOW, THEREFORE BE IT RESOLVED by the City of Cartersville that the Rotary “Thank you” event, as planned and implemented by the Bartow Rotary Club, and approved by the Director of Planning and Development, be designated a Community Festival Zone.**

**ADOPTED this the 16th day of May, 2019.**

/s/ \_\_\_\_\_  
**Matt Santini**  
**Mayor**

**ATTEST:**

/s/ \_\_\_\_\_  
**Meredith Ulmer**  
**City Clerk**

After announcements a motion to adjourn the meeting was made by Council Member Stepp and seconded by Council Member Cooley. Motion carried unanimously. Vote 5-0.

**Meeting Adjourned**

/s/ \_\_\_\_\_  
**Matthew J. Santini**  
**Mayor**

**ATTEST:**

/s/ \_\_\_\_\_  
**Meredith Ulmer**  
**City Clerk**