

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

I. Opening Meeting

Invocation by Council Member Roth.

Pledge of Allegiance led by Council Member Fox.

The City Council met in Regular Session with Matt Santini, Mayor presiding and the following present: Kari Hodge, Council Member Ward One; 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.

Absent: Jayce Stepp, Council Member Ward Two

II. Regular Agenda

A. Council Meeting Minutes

1. January 17, 2019 City Council Minutes

A motion to approve the January 17, 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.

Council Member Hodge made a motion to move the Village Hill Drive Renaming item up on the agenda. The motion was seconded by Council Member Wren. Motion carried unanimously. Vote: 5-0.

B. Other

1. Renaming of Village Hill Drive

Mayor Santini honored the late Charley Harper with a resolution. Tamara Brock, City Manager stated the City would like to rename Village Hill Drive to Charley Harper Drive in memory of the late Charley Harper, Jr. Mayor Santini recognized the Harper family who was present at the meeting and Charley Harper's service to the community.

Motion to approve the resolution for the road name change from Village Hill Drive to Charley Harper Drive was made by Council Member Fox and seconded by Council Roth. Motion carried unanimously. Vote: 5-0.

RESOLUTION NO. _____

WHEREAS, Mark Harris has made a request to rename Village Hill Drive to Charley Harper Drive; and

WHEREAS, no current addresses will be affected by said renaming; and

WHEREAS, in honor of Charley Harper Jr.'s contributions to the community, the Mayor and City Council have determined that said request is appropriate and should be approved; and

WHEREAS, the Mayor and City Council has determined that it is in the best interest of the citizens of the City of Cartersville and promotes the public's general health, safety and welfare to rename Village Hill Drive to Charley Harper Drive.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED, by the Mayor of Cartersville that Village Hill Drive be renamed from Village Hill Drive to Charley Harper Drive. The City shall update its records accordingly and notify the United States Postal Service and Bartow County of the change and update its maps accordingly.

BE IT AND IT IS HEREBY RESOLVED, this _____ of _____, 2019.

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

ATTEST:

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

2. Election Qualifying Fees 2019

Meredith Ulmer, City Clerk stated there is an election this year on November 5, 2019. City Council must approve the qualifying fees for candidates to run for office. These fees have not changed since the last election. The qualifying fees are as follows: Mayor - \$216; City Council - \$144; School Board - \$35. If approved, these qualifying fees will be advertised in the newspaper.

Motion to approve the Election Qualifying Fees was made by Council Member Hodge and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

C. Commendation/Recognition

Chief McCann of the Police Department stated the Police Department partnered with the Cartersville High School graphic arts teacher, Valerie Veiga, and the students in the graphic arts department to come up with a new design for our new patrol vehicles. Chief McCann publicly recognize Mrs. Veiga and the students of the graphic arts department for their work on this project.

Mayor Santini recused himself from the following item and Mayor Pro Tem Cooley presided over the meeting.

D. Appointments

1. Board Appointments for Downtown Development Authority

Lillie Read, Downtown Development Manager stated the Downtown Development Authority (DDA) has three board positions open and, after reviewing applications, the board would like to recommend Alan Sanders (WBHF), Jennifer Smith (Olive Tree and Vine/Southern Mugs) and Barry Henderson (JB Henderson Properties) to those positions.

A motion to approve the proposed board members was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

E. First Reading of Ordinances

1. Animal Ordinance

Keith Lovell, City Attorney, stated this is the first reading of the ordinance. Amendments were made to the Dog Classification and Repealer sections. Council approval of the ordinance amendments is recommended.

This is a first reading and does not require a vote.

Ordinance 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 5 - ANIMALS, ARTICLE VI. - IMPOUNDMENTS, HEARINGS, APPEALS, SEC. 5-22. – DOG CLASSIFICATION, is hereby amended by deleting the same and replacing it in its entirety and ARTICLE VIII. – LEGAL PROVISIONS, SEC. 5-56. – REPEALER is hereby amended by deleting the same and replacing it in its entirety as follows:

1.

Sec. 5-22. - Dog classification.

(a) **Classification levels.** "Classified dog" means any dog that has been classified as either a dangerous or vicious dog pursuant to this article. Classifications are as follows:

(1) **Dangerous dog.** Any dog that:

- a. Causes a substantial puncture of a person's skin by teeth without causing serious injury (see section 5-3); provided, however, that a nip, scratch or abrasion shall not be sufficient to classify a dog as dangerous under this subsection;
- b. Aggressively attacks in a manner that causes a person to reasonably believe that the dog posed an imminent threat of serious injury (see section 5-3) to such a person or another person although no such injury occurs; provided, however, that the acts of barking, growling, or showing of teeth by a dog shall not be sufficient to classify a dog as dangerous under this subsection; or
- c. While off the owner's property, kills a pet animal; provided, however, that this subsection shall not apply where the death of such pet animal is caused by a dog that is working or training as a hunting dog, herding dog, or predator control dog.

(2) **Vicious dog.** Any dog that inflicts a severe injury on a person or causes serious injury (see section 5-3) to a person resulting from reasonable attempts to escape the dog's attack.

(3) **Euthanasia for causing serious injury on more than one (1) occasion.** Pursuant to O.C.G.A. § 4-8-26, a dog that is found, after notice and opportunity for hearing as provided, however, that no injury occurring before November 1, 2012, shall count for purposes of this subsection.

(4) **Judge authorized to order euthanasia.** Pursuant O.C.G.A. § 4-8-25, the judge of any superior court of competent jurisdiction within this state may order the euthanasia of a dog if the court finds, after notice and opportunity for hearing as provided by this section, that the dog has seriously injured a human or presents a danger to humans not suitable for control under this article and:

- a. The owner or custodian of the dog has been convicted of a violation of any state criminal law and the crime was related to such dog; or
- b. Any local governmental authority has filed with the court a civil action requesting the euthanasia of the dog.

(5) **Previously classified animals.** Any dog classified prior to November 1, 2012, as a potentially dangerous dog in this state shall on and after that date be classified as a dangerous dog. Any dog classified prior to November 1, 2012 as a dangerous dog or vicious dog in this state shall on and after that date be classified as a vicious dog under this chapter. The owner of any dog classified prior to November 1, 2012 shall come into compliance with all current provisions of this chapter by November 1, 2012.

(b) **Confiscation.** If an animal control officer has reason to believe that a dog has acted in a manner that justifies a classification as a dangerous dog or a vicious dog, the dog may be confiscated, impounded, classified, and notice provided as set forth below. A law

enforcement officer or animal control officer shall immediately impound a dog if the officer believes the dog poses a threat to the public safety.

- (c) *Exceptions.* An animal shall not be classified within the meaning of this section if it inflicts injury upon a person when the animal is being used by a law enforcement officer or military officer to carry out the law enforcement or military officer's official duties. No dog shall be classified as a dangerous or vicious dog if the person injured by such dog was a person who, at the time was: (1) committing a trespass; (2) was abusing the dog; or (3) was committing or attempting to commit an offense under O.C.G.A. tit. 16, ch. 5.
- (d) *Classification by animal control.* The animal control officer shall make a determination whether the dog shall be classified a dangerous dog or vicious dog. The owner shall be given notice of the classification pursuant to subsection (e) below. If an owner is unknown or cannot be found, notice shall be made by posting the notice in a conspicuous place at the location where the animal was confiscated.
- (e) *Notice of determination.* The notice to the owner shall meet the following requirements:
 - (1) The notice shall be in writing and mailed by certified mail or statutory overnight delivery to the owner's last known address and notice shall be complete upon mailing;
 - (2) The notice shall include a summary of the animal control officer's findings that formed the basis for the dog's classification as a dangerous dog or vicious dog;
 - (3) The notice shall be dated and shall state that the owner, within fifteen (15) days after the date shown on the notice, has a right to request an appeal hearing on the animal control officer's classification of the dog;
 - (4) The notice shall state that the hearing, if requested, shall be before the City of Cartersville Animal Control Board;
 - (5) The notice shall state that if a hearing is not requested, the classification of the dog as a dangerous dog or vicious dog will become effective for all purposes under this chapter on a date specified in the notice, which shall be after the last day on which the owner has a right to request a hearing; and
 - (6) The notice shall include a form to request a hearing and shall provide specific instructions on mailing or delivering such request to animal control.
- (f) *Response to notice.* If no owner comes forward in response to the notice provided in subsection (e), the animal shall be kept for five (5) days, and then may be disposed of by animal control, including by humane destruction in accordance with O.C.G.A. § 4-11-5.1. If the owner comes forward and no appeal hearing is requested, the animal may be returned to the owner provided the owner complies with the requirements of this chapter, including payment of fees set forth in subsection (j) and the requirements of section 5-3. If a hearing is requested, the provisions of subsection (g) shall apply.
- (g) *Appeal hearing.* When the animal control board receives a proper and timely request for an appeal hearing of a classification, it shall schedule such hearing within thirty (30) days after receiving the request; however, such hearing may be continued by the authority for good cause shown. The board shall notify the dog owner in writing by

certified mail or statutory overnight delivery of the date, time, and place of the hearing, and such notice shall be mailed to the dog owner at least ten (10) days prior to the date of the hearing; and such notice shall be mailed to the dog owner at least ten (10) days prior to the date of the hearing. At the hearing, the owner of the dog shall be given the opportunity to testify and present evidence and in addition, thereto the governing authority or board shall receive such other evidence and hear such other testimony as the governing authority or board may find reasonably necessary to make a determination either to sustain, modify, or overrule the animal control officer's classification of the dog, including the power to impose conditions on continued possession of the dog.

- (h) *Decision.* After hearing the evidence, the animal control board shall be empowered to take the following actions:
 - (1) Sustain the animal control officer's classification;
 - (2) Modify the animal control officer's classification;
 - (3) Overrule the animal control officer's classification;
 - (4) Impose conditions or restrictions in addition to the required conditions set forth in this chapter for keeping a classified dog; or
 - (5) Order that the dog be euthanized pursuant to subsection 5-22(a)(3) if the requirements are met.
- (i) *Notice of decision.* The decision shall be made at the hearing, and within ten (10) days after the date of the hearing, the animal control board shall notify the dog owner in writing by certified mail or statutory overnight delivery of its determination on the matter. If such determination is that the dog is a dangerous dog or vicious dog, the notice shall specify the date upon which that determination is effective. Any specific additional conditions or restrictions shall be set forth in the notice. If the determination is that the dog is to be euthanized pursuant to subsection 5-22(a)(3), the notice shall specify the date by which the euthanasia shall occur.
- (j) *Return to owner.* In the event the dog is classified as dangerous or vicious dog, (and the dog is not euthanized), the animal shall not be returned to the owner until payment of reasonable confiscation costs, including an impoundment fee of one hundred dollars (\$100.00), boarding costs of fifteen dollars (\$15.00) per day, and all actual veterinary care costs. In the event the owner has not complied with the provisions of this subsection and also satisfied the requirements set forth in section 5-23 within ten (10) days of the date the dog was classified, said dog shall be destroyed in an expeditious and humane manner in accordance with O.C.G.A. § 4-11-5.1; provided however, upon a showing for good cause, the animal control officer may extend said time up to an additional fifteen (15) days, upon the payment by the owner of the per diem boarding costs for said dog. In the event the dog is ordered euthanized, the animal shall be humanely destroyed any time after five (5) business days after the date of the decision of the animal control board in accordance with O.C.G.A. § 4-11-5.1.
- (k) *Judicial review.* Judicial review of the animal control officer's final decision may be had in accordance with O.C.G.A. § 50-13-19, except that venue shall be limited to the Bartow County Superior Court. The filing of the petition for judicial review in

superior court does not itself stay enforcement of the board's decision. Except as otherwise provided in this subsection, the animal control director may grant, or the reviewing court may order, a stay upon appropriate terms for good cause shown.

2.

Sec. 5-56. - Repealer.

Upon its effective date, the ordinance from which this chapter derives replaces the prior animal control ordinance, adopted June 15, 2000. In the event this entire chapter is struck down as void, unconstitutional or invalid, including therefore this provision, that prior ordinance shall be considered to not have been repealed and shall therefore still be in effect.

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

F. Resolutions

1. Service Delivery Strategy

Mr. Lovell stated in order for the City to be eligible for a Community Development Block Grant (CDBG), the provided service must be in the County's Service Delivery Strategy (SDS). Copies of the SDS Forms are attached and this resolution will authorize the Mayor to sign Form 4 approving the addition of the services to the SDS amendment.

A motion to approve Service Delivery Strategy was made by Council Member Roth and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

G. Bid Award/Purchases

1. Bid 18-011 Compact Excavator Correction

Mrs. Brock stated a document, Bid Tally - 18-011 Compact Excavator, was submitted on January 17th with incorrect figures. This mistake was discovered during the Purchase Order process by Parks and Recreation staff. Mrs. Brock went over two options for Council to consider.

A motion to approve Bid 18-011 Compact Excavator Correction Option 2 was made by Council Member Roth and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

2. Roll Out Carts Purchase

Tommy Sanders, Public Works Department Head stated Solid Waste recently opened bids for roll-out carts and bid requests were properly advertised. We recommend the following best bids: 400 Otto Recycling Carts for \$14,300.00, and 600 Toter Residential Garbage Carts for \$28,374.00.

A motion to approve the Roll Out Carts Purchase was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 5-0.

3. Cook Street Infrastructure Improvements Project

Bob Jones, Water Department Head stated sealed bids were received at 10:00am on January 18, 2019 in the Cartersville City Council Chambers for the Cook Street Infrastructure Improvements Project. This is a joint project between Public Works and the Water Department to replace failing sewer and drainage infrastructure. Additionally, FiberCom will install conduits in the steel carrier casing for the sewer which will allow the elimination of an aerial fiber crossing of the railroad tracks.

The following bids were received: 1. C&L Contractors \$987,000.00 2. J.G. Leone Enterprises, Inc. \$1,588,430.00 3. Site Engineering, Inc. \$1,812,182.50.

Bid details are available in the attached certified bid tabulation provided by Rindt-McDuff and Associates (RMA) who are the design engineers. Costs will be split between Public Works and Water per the attached Department Split Detail: Contractor Pay Application.

Water Funding: The estimated cost allocation to the Water Department is \$510,809.45. The Water Department portion will be funded with \$350,000 from the 2014 SPLOST, \$122,000 from the 2018 Water Department Bond issue and the balance of \$38,809.45 paid from operating revenue. An amount of \$500,000 was allocated to the project in the FY18-19 budget.

Public Works Funding: The estimated cost allocation to Public Works is \$476,190.55.

Funding Option A:

Public Works is requesting that \$80,000 be transferred from 506-4320-54-1300 (Budgeted Capital Outlay for a new shed) to our Storm Sewers Capital Outlay account 506-4320-54-1410. These funds will be added to the remaining 2014 SPLOST allocation for this project of \$190,921.00. This combination of funds would total \$304,876.00. Public Works is requesting that \$200,000 from the 2014 SPLOST that was allotted to the Mission Road Bridge over Nancy Creek Project be applied to this project. Under Funding Option A, the storm sewers account would retain \$28,685.45 in available budget funds after the \$200,000 reallocation.

Funding Option B:

This option would involve the same budgetary transfers as Option A with a transfer of \$171,314.55 from Stormwater Reserves in lieu of the reallocation of SPLOST funds to make up the shortfall.

Public Works prefers Option A. This is a budgeted project for both Water and Public Works and is recommended for approval.

A motion to approve Option A was made by Council Member Roth and seconded by Council Member Wren. Motion carried unanimously. Vote: 5-0.

4. Purchase of Extrication Equipment

Chief Carter, Fire Department respectfully requested approval to proceed with the first of a multi-year replacement program for our department's extrication equipment also known as Jaws of Life. These tools will replace extrication equipment that was placed on the line in 1986. Municipal Emergency Service (MES) is a sole source provider for Georgia and the total cost of this extrication package will be \$32,472.92. This is \$2,527.08 below our budgeted amount. Your positive consideration is greatly appreciated.

A motion to approve Purchase of Extrication Equipment was made by Council Member Roth and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

5. APGA Annual Membership Dues

Michael Dickson, Gas Department requested approval to pay the annual membership dues for the American Public Gas Association. Mr. Dickson recommended Council approval of the invoice in the amount of \$8,476.41.

A motion to approve APGA Annual Membership Dues was made by Council Member Cooley and seconded by Council Member Wren. Motion carried unanimously. Vote: 5-0.

Council Member Cooley made a motion to add four items to the agenda. Motion was seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

Added Items:

1. Special Election

Mr. Lovell stated that due to Mr. Floyd Braid's resignation from the School Board there is a need for a Special Election, because the seat currently held by Tim Chason is an appointed position. When there are two vacancies of nonelected members it calls for an election. The Special Election will be held March 19, 2019. Qualifying for this election will be from February 11th through February 13th 2019 from 8:30am to 4:30pm in the City Clerk's Office.

Motion to approve the special election was made by Council Member Wren and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

RESOLUTION NO: _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, CITY OF CARTERSVILLE, GEORGIA, AUTHORIZING A SPECIAL ELECTION FOR SCHOOL BOARD MEMBERS

WHEREAS, in the General Election conducted on November 7, 2017, Floyd Braid was elected to serve as the Ward 2, City of Cartersville School Board Member, for the term of four (4) years commencing January 1, 2018 and ending December 31, 2021; and

WHEREAS, in the General Election conducted on November 3, 2015, Linda Benton was elected to serve as the At Large City of Cartersville School Board Member, for the term of four (4) years commencing January 1, 2016 and ending December 31, 2019; and

WHEREAS, on July 11, 2017, Linda Benton resigned her seat, and Tim Chason, pursuant to City of Cartersville Charter Section 5.05 was appointed by the Cartersville School Board to fulfill her unexpired term; and

WHEREAS, on February 4, 2019, Floyd Braid resigned from the City of Cartersville School Board; and

WHEREAS, pursuant to the City of Cartersville Charter Section 5.05, upon their being one (1) appointed member and one (1) vacant seat, a Special Election shall be called to fill the unexpired terms of both seats.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, IN THE STATE OF GEORGIA, AS FOLLOWS:

Section 1. A Special Election, pursuant to the procedures of O.C.G.A. § 21-2-540 and the City of Cartersville Charter Section 5.05, shall be held in the City of Cartersville, to be conducted by the Bartow County Board of Elections, on Tuesday, March 19, 2019, for the purpose of electing School Board Members for the Ward 2, and the At Large Post, to fill the vacancies now created by the resignation of Floyd Braid, Ward 2 Member, for the remainder of his unexpired term which expires on December 31, 2021, and for the vacancy which results from the resignation by Floyd Braid in regards to the At Large Post of Linda Benton,

currently filled by Tim Chason, by appointment, for her unexpired term which expires on December 31, 2019.

Section 2. The qualifying fee for the Office of School Board Member for the City of Cartersville in said Special Election shall be Thirty-Five and No/100 (\$35.00) Dollars.

Section 3. The period in which candidates must qualify for the vacated Ward 2 and the At Large Posts for the City of Cartersville School Board in said Special Election shall be Monday, February 11, 2019, and ending on Wednesday, February 13, 2019. Hours to qualify for said offices shall be from 8:30 a.m. until 4:30 p.m., Monday, February 11, 2019, Tuesday, February 12, 2019, and Wednesday, February 13, 2019 at the Office of the City Clerk, City of Cartersville, 2nd Floor City Hall, 10 North Public Square, Cartersville, GA 30120. The deadline for qualifying to vote in the Special Election shall be February 19, 2019.

Section 4. Pursuant to O.C.G.A. § 21-2-45, the Bartow County Board of Elections, is authorized to conduct said Special Election and runoff, if any, and in conjunction therewith, shall perform all duties of the Municipal Election Superintendent with the exception of qualifications of candidates, and as may be otherwise specified in the agreements between the City of Cartersville and Bartow County Board of Elections.

Section 5. The City Clerk of the City of Cartersville shall perform the duties of Election Superintendent for this Special Election, except as to matters which the Bartow County Board of Elections has been authorized to perform.

BE IT AND IT IS HEREBY RESOLVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, this 7th day of February, 2019.

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

ATTEST:

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

2. Hold Harmless Agreement

Mr. Lovell stated there is a gas easement that needs to be relocated on the Aubrey property. Bartow County will need to be in compliance with Aubrey conditions.

HOLD HARMLESS AGREEMENT

This Agreement is made and entered into as of the ____ day of January, 2019, by and between BARTOW COUNTY, GEORGIA (“County”) and CITY OF CARTERSVILLE, a municipal corporation of the State of Georgia (“City”).

WHEREAS, City was granted an Easement by Aubrey Corporation (“Aubrey”) in that certain Easement Agreement dated _____ (the “Agreement”) wherein the City agreed to certain conditions regarding the relocation of said easement in the event of its unreasonable interference with any future roadway constructed by Aubrey as aligned with Cass White Road across U.S. Highway 411 (the “Obligations”), a copy of said Agreement being attached hereto as Exhibit “A”; and

WHEREAS, County has agreed to comply with said Obligations on behalf of the City and shall hold City harmless regarding same.

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS (\$10.00), mutual representations, warranties, covenants and agreements contained herein and for other good and valuable consideration the receipt of sufficiency of which are hereby acknowledged, City and County hereby agree as follows:

- 1. County hereby covenants and agrees to hold City harmless at all times before and after the date of this Agreement against and in respect to:**
 - (a) Those certain Obligations of the City in favor of Aubrey as described herein;**
 - (b) Any and all actions, suits, proceedings, demands, assessments, judgments, costs, expenses and legal fees incident to said Obligations; and**
 - (c) Any and all claims (including third party claims) made against City on account of said Obligations.**

SIGNATURE CONTINUED ON THE FOLLOWING PAGE

IN WITNESS WHEREOF, County and City have caused this instrument to be executed under seal as of the day and year first above written.

Accepted by City this ____ day of January, 2019.

**Signed, sealed and delivered in
the presence of:**

CITY OF CARTERSVILLE, GEORGIA

Witness

By: Matthew J. Santini, Mayor

(SEAL)

Notary Public(SEAL)

Attest: Meredith Ulmer, City Clerk

Accepted by County this _____ day of January, 2019.

Signed, sealed and delivered in
the presence of:

BARTOW COUNTY, GEORGIA

Witness

By: Steve Taylor, County Commissioner

(SEAL)

Notary Public(SEAL)

Attest: Kathy Gill, County Clerk

3. Ante Litem – Arlene Amos

Mr. Lovell stated Ms. Arlene Amos was involved in a wreck with City Police. This situation is being handled by insurance. Mr. Lovell recommended approval of the ante litem denying the claim.

Council Member Fox made a motion to approve the ante litem denying the claim and the motion was seconded by Council Member Wren. The motion carried unanimously. Vote: 5-0.

RESOLUTION NO. _____

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

WHEREAS, on or about January 28, 2019, the City of Cartersville received an Ante Litem Notice from Monge & Associates concerning Arlene Amos' alleged claims against the City relating to injuries resulting from an automobile incident which occurred on or about December 3, 2018.

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 Monge & Associates of said denial.

BE IT AND IT IS HEREBY RESOLVED this ____ day of _____, 2019.

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

ATTEST:

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

4. Ante Litem – Don Gatewood

Mr. Lovell stated the City received another ante litem from Dawn Gatewood-Komp and Hannah Komp in regards to a wreck with a City School Bus. Mr. Lovell recommended Council approve the denial of this claim, because this situation will be handled by insurance.

Council Member Fox made a motion to approve the denial of the claim. The motion was seconded by Council Member Roth and the motion carried unanimously. Vote: 5-0.

RESOLUTION NO. _____

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

WHEREAS, on or about February 6, 2019, the City of Cartersville received an Ante Litem Notice from Glenda Mitchell Law Firm concerning Dawn Gatewood-Komp's and Hannah Komp's alleged claims against the City relating to injuries resulting from an incident involving Dawn Gatewood-Komp and Hannah Komp and a City of Cartersville School Bus which occurred on or about October 17, 2018.

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 Glenda Mitchell Law Firm of said denial.

BE IT AND IT IS HEREBY RESOLVED this ____ day of _____, 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 Wren and needing no second the motion carried unanimously. Vote: 5-0.

Meeting Adjourned



/s/ Matthew J. Santini
Mayor

/s/ Meredith Ulmer
City Clerk