

City Council Meeting
10 N. Public Square
October 1, 2020
6:00 P.M. – Work Session
7:00 P.M. – Council Meeting

I. WORK SESSION

Mayor Matthew Santini opened Work Session at 6:03 P.M. Council Members discuss each item from the agenda with corresponding Staff Members. Mayor Santini closed Work Session at 6:32 P.M.

II. OPENING MEETING

Invocation by Council Member Cooley.
Pledge of Allegiance led by Council Member Stepp.

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; Dan Porta, City Manager; Julia Drake, City Clerk and Keith Lovell, Assistant City Attorney.

Via Phone: Kari Hodge, Council Member Ward One
Absent:

III. REGULAR AGENDA

A. COUNCIL MEETING MINUTES

1. September 17, 2020 Meeting Minutes

A motion to approve the September 17, 2020 Meeting Minutes as presented was made by Council Member Roth and seconded by Council Member Cooley. Motion carried unanimously. Vote: 6-0

B. PUBLIC HEARING – 2nd READING OF ZONING/ANNEXATION REQUESTS

1. SU 20-02

David Hardegree, City Planner, stated that the property had been properly posted and advertised. The applicant wishes to operate a Title Pawn Shop at 410 S Tennessee Street. Zoning ordinances allows Title Pawn Shops in Multiple Use Districts with a

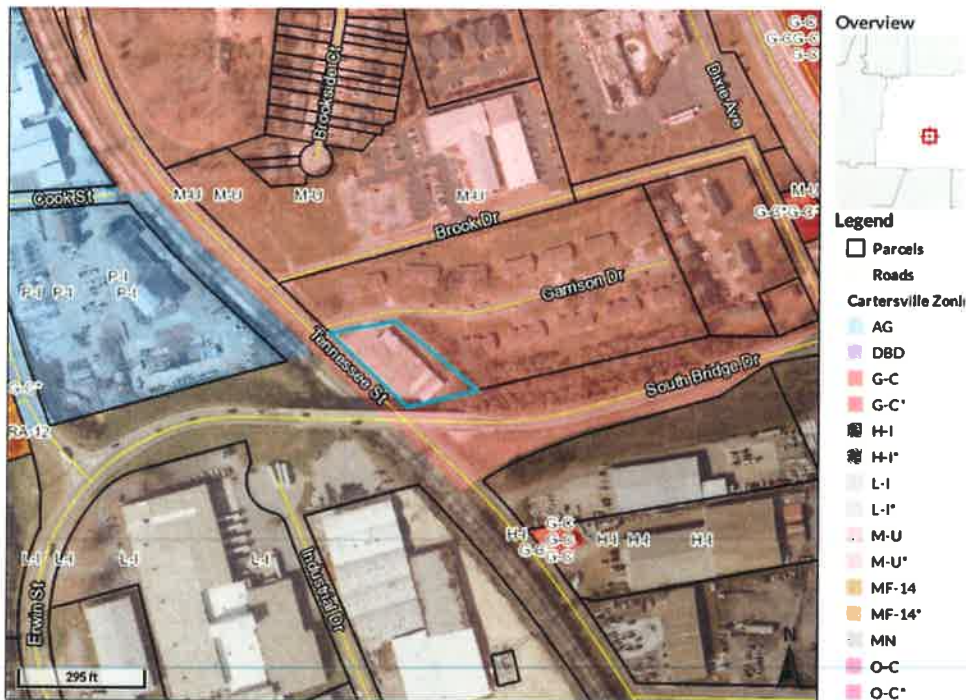
Special Use Permit. A business license was inadvertently issued for the location and inspections performed. No fire or building deficiencies were identified during the inspections. The business license was approved before the location was identified as requiring a Special Use Permit. The applicant was present to answer any questions.

Planning Commission recommended approval, 4-1.

Mayor Matthew Santini opened the Public Hearing for anyone who wished to come forward to speak for or against the item.

With no one present wishing to come forward to speak for or against the item, the Public Hearing was closed.

A motion to approve the SU20-02 as presented was made by Council Member Roth and seconded by Council Member Cooley. Motion carried unanimously. Vote: 6-0



District: Cartersville
 Brief Tax Description: LL 553D 4
 (Note: Not to be used on legal documents)

Date created: 9/1/2020
 Last Data Upload: 8/31/2020 9:56:02 PM

Developed by Schneider Geospatial

- Overview
- Legend
- Parcels
 - Roads
 - Cartersville Zoni
 - AG
 - DBD
 - G-C
 - G-C*
 - H-I
 - H-I*
 - L-I
 - L-I*
 - M-U
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 - MF-14
 - MF-14*
 - MN
 - O-C
 - O-C*
 - P-D
 - P-D*
 - P-I
 - P-S
 - P-S*
 - R-10
 - R-10*
 - R-15
 - R-15*

C. SECOND READING OF ORDINANCES

1. Pub-Crawl Ordinance

Mayor Matthew Santini proposed to amend the current proposed Ordinance to reflect the same verbiage as the Ordinance approved in March 2020 which would allow a one-time open container Pub-Crawl for the October 30-31, 2020 Pub-Crawl. Mayor Santini also stated that an item for Discussion would need to be added to the next two Council Meeting dating October 15, 2020 and November 5, 2020 to further discuss the Entertainment Zone.

Mayor Santini opens the Public Hearing for the Pub-Crawl Ordinance for anyone who wishes to come forward and speak for or against this item.

Brain Water, 21 Woodforest Dr., came forward to speak against the Pub-Crawl Ordinance.

Sam Franklin, 14 Riverside Ct., came forward to speak against the Pub-Crawl Ordinance.

Allan Sanders, 41 Whistlestop Dr., Board Member for the Downtown Development Authority, came forward to speak for the Pub-Crawl Ordinance.

With no one else choosing to come forward, Mayor Santini closed the Public Hearing.

A motion to approve the Pub-Crawl Ordinance as amended was made Council Member Stepp and seconded by Council Member Fox. Vote: 4-2. Council Member Roth and Council Member Cooley opposed.

Ordinance no. 24-20

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 4 – ALCOHOLIC BEVERAGES is hereby amended by creating a new Article VI. PUB CRAWLS.

ARTICLE VI. PUB CRAWLS

Sec. 4-220. - Purpose.

1. Unregulated pub crawl events pose a risk to public health and safety and increase the likelihood of underage drinking and drunk and disorderly conduct.

2. Rules and regulations mitigate these risks and provide a safe environment and maintain the public safety.

3. The City of Cartersville, by regulating pub crawl events, maintains a legitimate and compelling state interest to ensure public safety and welfare of persons who participate in pub crawl events as well as the general public.

Sec. 4-221. - Definition. The following words and phrases, when used in this section, shall have the following message:

“Establishment.” An establishment in the City of Cartersville having a pouring license or being a licensed microbrewer to serve alcoholic beverages.

“Pub Crawl Event.” Is a one-time event scheduled for October 30-31, 2020. A group of establishments participating in the promotion of an event featuring the sale or service of alcoholic beverages at more than one licensed establishment during a specified time period, said participants are allowed to have open containers during the hours of the Pub Crawl as defined in the approval application pursuant to the requirements herein.

“Organizer.” The Downtown Development Authority or anyone who contracts or is designated by one or more alcohol establishments for the purpose of organizing, controlling, and advertising increasing notoriety and popularity of a Pub Crawl Event.

“Coordinator.” A person over the age of 21 stationed at a particular licensed establishment participating in a Pub Crawl Event.

Sec. 4-222. - Pub Crawl License.

1. In order to hold a Pub Crawl Event, all participating establishments must hire or designate one person to serve as Organizer of the event and each establishment must designate one or more coordinators to be present on their premises for the entire duration of the event.

2. Prior to holding the Pub Crawl Event, an Organizer must obtain a Pub Crawl License from the Planning and Development Department Director or his/her designee. The Organizer must provide to the Planning and Development Director or his/her designee the following:

- a. The names and addresses of all licensed establishments expected to participate;
- b. The location (s) and or geographic area(s) where the event will take place;
- c. The actual hours of the event;
- d. The operational plan and security plan, which shall include:
 - i. the name and number of security personnel contracted for the event;
 - ii. a plan for controlling underage drinking; and
 - iii. the method to be used for checking participant's identification.
- e. The location of the designated registration area(s);
- f. The number of tickets they intend to sell or anticipated number of participants;
- g. A silicone container clearly labeled and within the labeling indicating that it is for the Pub Crawl Only, as approved by the Planning and Development Director and
- h. Include a map to be provided to each participant; and
- i. To require the Organizer to have two (2) off-duty police officers for a four (4) hour minimum, to monitor the event.

3. No establishment whose license has been suspended for one day or more for a violation of City of Cartersville Code of Ordinance Section 4-13 and Section 4-21 within the previous year may participate in a Pub Crawl Event.

4. Establishments that serve food are required to have food available either for purchase or as a part of the event during the hours of the Pub Crawl Event.

5. All advertising and promotional materials for Pub Crawl Events shall include the statement "You must be twenty-one (21) or older to participate in this event."

6. The issuance of a Pub Crawl License shall be solely at the discretion of the Planning and Development Director. The Planning and Development Director may place restrictions upon the hours, participating licensed establishments, and the nature and size of the Pub Crawl Events held under the license in order to protect the public safety.

7. The City of Cartersville may fine, suspend, or revoke the Pub Crawl License and/or any participating licensed establishments if the Organizer and/or licensed establishments:

- a. Fails to control the area;
- b. Has sustained community complaints or police action.
- c. Fails to comply with the terms of its Pub Crawl License; or
- d. Otherwise violates the City of Cartersville Code of Ordinances relating to alcohol sales.

e. Hearings shall be before the Alcohol Control Board pursuant to their requirements in Article V of this Chapter.

8. A licensed establishment shall not be permitted to participate in more than one Pub Crawl Event at any one time.

9. The Pub Crawl Event shall be permitted as recommended by the Cartersville Downtown Development Authority and shall be limited to the boundaries of the Downtown Business District, and microbreweries, adjacent to said district.

Sec. 4-223. - Penalties.

1. Violations of this section shall be punishable by a fine of \$1,000.00 for each offense.

2. Any violation of this section shall be adjudicated and disposed of by the Municipal Court of the City of Cartersville, pursuant to state law.

3. Nothing in this section shall preclude the imposition of other civil and/or criminal penalties for other violations as permitted under state and/or local law, including the suspension and/or revocation of a license after a hearing by the Alcohol Control Board.

Sec. 4-224. - Severability. If any section or application of this section shall be adjudged by any court of competent jurisdiction to be unconstitutional, the validity, legality and enforceability of the remaining sections or applications shall not in any way be affected or impaired thereby.

2.

CHAPTER 4. ALCOHOL BEVERAGES ARTICLE V. ALCOHOL CONTROL BOARD. is hereby amended by adding the following:

Sec. 4-210 - 4-219. Reserved.

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: September 17, 2020

SECOND READING: October 1, 2020

ATTEST:


JULIA DRAKE, CITY CLERK


MATTHEW J. SANTINI, MAYOR



D. RESOLUTIONS

1. Resolution for Festival Zone

Lillie Read, Downtown Development Authority Director, stated rescheduling the previously approved Festival Zone date for Backpack Buddies 5K from August to October 31. The DDA Board approves the request for a date change of the Festival Zone.

A motion to approve rescheduling for the Festival Zone was made by Council Member Stepp and seconded by Council Member Wren. Motion carried unanimously. Vote: 6-0

Resolution No. 16-20

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 2020:

October 31 - Saturday - Backpack Buddies 5K (Friendship Plaza, 8am-12pm)

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 Downtown Cartersville 2020 Events Calendar, 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 1st day of October 2020.


Matt Santini
Mayor

ATTEST:


/s/ Julia Drake
Julia Drake
City Clerk



2. Time Change for the December 3, 2020 Council Meeting

Dan Porta, City Manager, stated the first Council Meeting in December conflicts with the annual Christmas Parade. The Council has traditionally opted to change the evening meeting to a morning meeting.

A motion to approve the time change for the December 3, 2020 Council Meeting was made by Council Member Cooley and seconded by Council Member Fox. Motion carried unanimously. Vote: 6-0

Resolution No. 17-20

WHEREAS, The Mayor and City Council have determined that it is in the best interest of the City of Cartersville and it's inhabitants and their general health, safety and welfare to reschedule the below referenced meetings of the Mayor and City Council pursuant to the authority provided by the CODE OF ORDINANCES, CITY OF CARTERSVILLE, GEORGIA; and


THEREFORE, NOW BE IT RESOLVED, by the Mayor and City Council of the City of Cartersville that the meeting of the Mayor and City Council scheduled on the 3rd day of December, 2020 at 7 PM in pursuant to Section 2-17 of the City of Cartersville Code of Ordinances is hereby rescheduled to the 3rd day of December, 2020 at 9 AM.

NOW BE IT AND IT IS HEREBY RESOLVED.

ADOPTED this 1st day of October, 2020.

/s/ 
Matthew J. Santini
Mayor

ATTEST:

/s/ 
Julia Drake
City Clerk



E. FIRST READING OF ORDINANCES

1. FiberCom Department

Dan Porta, City Manager, stated this ordinance would officially create the FiberCom Department.

This was a first reading. No vote was taken.

ORDINANCE NO. 22-20

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 24. UTILITIES. is hereby amended by creating a new article as follows:

I.

CHAPTER 24. UTILITIES. ARTICLE XIV. FIBER COM DEPARTMENT. is hereby created as follows:

Sec. 24-300. – FiberCom Department.

There is to ~~be created~~ a FiberCom Department for the City of Cartersville to be managed by the FiberCom Director. ~~The Department shall be responsible for the operation, maintenance, and construction of all current or necessary service lines or extensions, the restoration or establishment of residential, governmental, and commercial internet, data, and fiber services, the bidding for commercial service when applicable, the information technology needs of the City, the supervision and maintenance of the City's geographic information system, and all software used by the City, and all other responsibilities for tasks and employees assigned to this department as approved by the City Manager.~~

II.

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 and/or alphabetized accordingly to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: October 1, 2020
SECOND READING: October 15, 2020

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
JULIA DRAKE, CITY CLERK

2. FiberCom Director

Mr. Porta stated with the establishment of the FiberCom Department, a director position to oversee the department needs to be created.

This was a first reading. No vote was taken.

Ordinance no. 23-20

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 2 - ADMINISTRATION. ARTICLE IV. - DEPARTMENTS Sec. 2-101. - Department heads. paragraph (a) is hereby amended by adding a new subparagraph (a)(11) and paragraph (b) is hereby amended by adding a new subparagraph (b)(11) as follows:

1.

Sec. 2-101. - Department heads.

(a) The following positions in the city government shall be the department head positions:

(11) FiberCom Director.

2.

(b) The department head positions of the city shall have the following job description, function and duties:

(11) FiberCom Director. The FiberCom Director shall be responsible for the operation, maintenance, and construction of all current or necessary service lines or extensions, the restoration or establishment of residential, governmental, and commercial internet, data, and fiber services, the bidding for commercial service when applicable, the information technology needs of the City, the supervision and maintenance of the City's geographic information system, and all software used by the City, and all other responsibility for tasks and employees assigned to this department as approved by the City Manager. Additionally, the FiberCom Director shall be responsible for the supervision of all employees working for this division and the day to day administration of the same.

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 and/or alphabetized accordingly to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: October 1, 2020

SECOND READING: October 15, 2020

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
JULIA DRAKE, CITY CLERK

F. BID AWARD/PURCHASES

1. Resurfacing Project Bid Award

Tommy Sanders, Public Works Department Head, stated Public Works recently opened four bids for our annual resurfacing contract. The low bidder was Blount Construction Company, Marietta, GA for \$637,589.30. We recommend award of the

contract to the low bidder and are seeking permission for the Mayor to sign the contract and any associated documents. The proposed project consist of resurfacing 4.23 miles of city streets that includes Center Road, Martin Luther King Jr Drive, Anderson Street, Pittman Street, Ford Street and Walnut Grove Road.

The Local Improvement Maintenance Grant amount this year is \$252,241.77 and the budgeted amount of the project was \$740,000. We recommend approval to spend up to the budgeted amount to cover any changes or possibly to add additional streets. The balance will come from 2020 SPLOST Road, Streets, Sidewalks, Bridges and Stormwater Improvements Category.

A motion was made to approve the Resurfacing Project Bid Award by Council Member Stepp and was seconded by Council Member Wren. Motion carried unanimously. Vote: 6-0

2. Itron MV-90 Renewal

Derek Hampton, Electric Department Head, stated we must use Itron's MV-90 software to program our larger customers' meters and to download the interval data necessary to prepare the monthly billing. This software analyzes the customers' demands, their consumption and provides the totalization necessary for customers with multiple meters to be treated like a single meter.

This is a sole-sourced item and is a budgeted expense. The Electric Department is requesting your approval to renew the annual MV-90 maintenance agreement with Itron for \$12,274.14.

A motion was made to approve the annual maintenance agreement with Itron by Council Member Cooley and was seconded by Council Member Roth. Motion carried unanimously. Vote: 6-0

3. Vehicle Purchases

Tom Rhinehart, Finance Department Head, stated several departments need replacement vehicles. The garage posted bids on the city's website and the state procurement website. Bids were received for five (5) vehicles on 9-3-20. The low bid for the financing of a ½ ton 2wd truck was Alan Vigil Ford at \$21,398; the best bid for the Stormwater ½ ton extended cab 4wd truck was Prater Ford at \$29,041.92 as Beck Auto Sales is located in Florida and garage deemed Prater Ford to be a better suit logistically; the low bid for the Stormwater 1 ton dump truck was Wade Ford at \$42,275.00; the low bid on the public works 1 ton landscape truck was Prater Ford at \$39,746.50, and the low bid on the water ½ ton 4wd crew cab truck was Prater Ford at \$34,193.92. The total for all these purchases is \$166,685.34. The financing for both Stormwater and public works vehicles will be purchased using the GMA lease pool. The water vehicle will be purchase using operating revenues.

A motion was made to approve the Vehicle Purchases by Council Member Fox and was seconded by Council Member Cooley. Motion carried unanimously. Vote: 6-0

G. OTHER

1. Floyd County 2020 Property Taxes

Michael Hill, Gas Department Head, stated the bill in the amount of \$5,838.21 is for our facilities in Floyd County.

A motion to approve the Floyd County 2020 Property Taxes was made by Council Member Fox and seconded by Council Member Wren. Motion carried unanimously. Vote: 6-0

2. Mutual Aid Commendation

Mr. Hampton came forward to share that the City of Cartersville received the American Public Power Association Mutual Aid Commendation for their efforts in assisting Welsh Utility Department during the storms in Louisiana.





Powering Strong Communities

2451 Crystal Drive
Suite 1000
Arlington, VA 22202-4804
202-467-2000
www.PublicPower.org

September 30, 2020

Derek Hampton
Director, Electric System
City of Cartersville
320 S. Erwin Street, PO Box 1390
Cartersville, GA 30120

Dear Derek:

I am pleased to present an American Public Power Association Mutual Aid Commendation to the City of Cartersville. The Mutual Aid Commendation was established in 2018 to recognize public power utilities that have answered the call for assistance and aided another community in restoring power to its customers.

Mutual aid is at the heart of what public power does, and the public power community thanks you for stepping up to help a neighbor in need—whether they are next door or thousands of miles away.

Enclosed is a sample news release that you may wish to use in publicizing your commendation. If you have questions or would like assistance, please contact us at MutualAid@PublicPower.org.


On behalf of the more than 2,000 public power utilities we represent, please accept my thanks.


Sincerely,

Joy Ditto
President & CEO

A motion to adjourn the meeting was made by Council Member Wren and needing no second. Motion carried unanimously. Vote: 6-0

Meeting Adjourned

ATTEST:
/s/ 
Julia Drake
City Clerk

/s/ 
Matthew J. Santini
Mayor

