

City Council Meeting
10 N. Public Square
September 17, 2020
6:00 P.M. – Work Session
7:00 P.M. – Council Meeting

I. WORK SESSION

Mayor Matthew Santini open Work Session at 6:04 P.M. Board Members discuss each item from the agenda with corresponding Staff Member. Mayor Santini closes Work Session at 6:47 P.M.

II. 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; Cary Roth, Council Member Ward Three; Calvin Cooley, Council Member Ward Four; Taff Wren, Council Member Ward Six; Dan Porta, City Manager; Julia Drake, City Clerk and Keith Lovell, Assistant City Attorney.

Absent: Jayce Stepp, Council Member Ward Two; Gary Fox, Council Member Ward Five

III. REGULAR AGENDA

A. COUNCIL MEETING MINUTES

1. September 3, 2020 Meeting Minutes

A motion to approve the September 3, 2020 Meeting Minutes as presented was made by Council Member Roth and seconded by Council Member Cooley. Motion carried unanimously. Vote: 4-0

B. PUBLIC HEARING - 1ST READING OF ZONING/ANNEXATION REQUESTS

1. SU 20-02

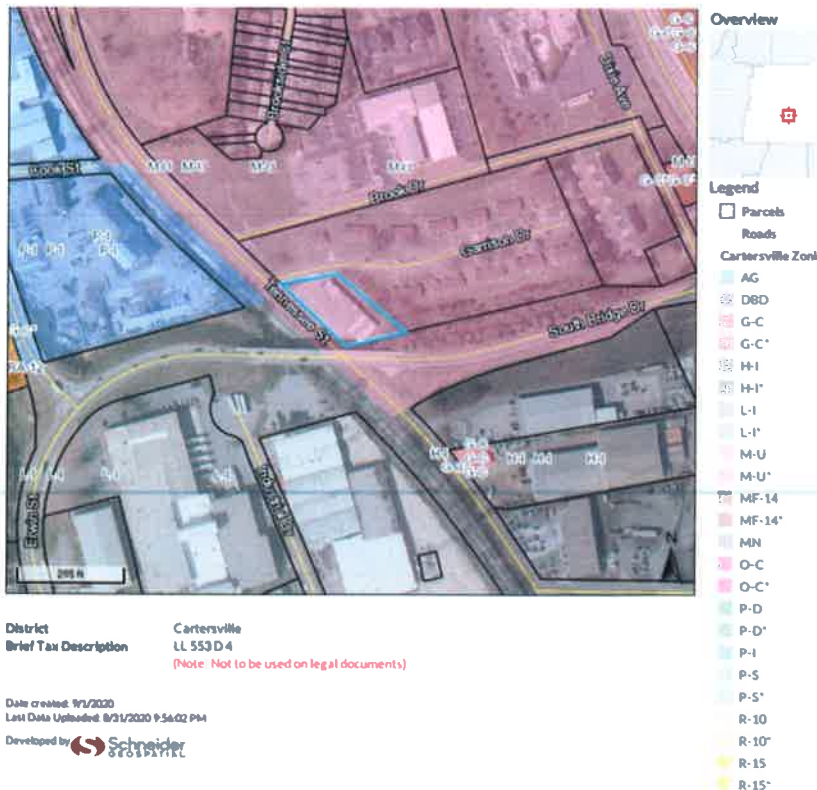
Randy Mannino, Planning and Development Department Head, states that the property has been properly posted and advertised and the applicant wishes to operate a Title Pawn Shop at 410 S Tennessee Street. Zoning ordinances allows Title Pawn Shops in Multiple Use Districts with a Special Use Permit. A business 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 is present to answer any questions.

Planning Commission recommends approval, 4-1.

Mayor Matthew Santini opens the Public Hearing for anyone who wishes 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 is closed.

This is a first reading. No vote is required.



C. FIRST READING OF ORDINANCES

1. Pub Crawl Ordinance

Lillie Reed, Downtown Development Authority Director, states this ordinance is to formalize the permit process for hosting pub crawls in the downtown district and to allow for the creation of temporary open container exemptions exclusively for pub crawl participants. DDA board and staff recommend approval of the ordinance.

Alcohol Control Board recommends approval 4-0.

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.

Council Member Roth states that he is in opposition of this Ordinance the way it is written expressing his opinion that the proposed Ordinance is too unrestrictive. He proceeds with reading an excerpt of statistics for excessive alcohol use. (See Exhibit A)

Council Member Roth makes a motion to remand this ordinance to the Alcohol Control Board for further consideration. Motion is seconded by Board Member Cooley. Vote 2-2. Board Member Wren and Board Member Hodge oppose. Motion fails.

Mayor Santini states this item needs further discussion and further explains this ordinance only pertains to the open container aspect of the pub crawl. The DDA has already been approved for pub crawls. Board Member Roth states open container is not necessary to have a successful pub crawl as proven in the past.

Council Member Hodge suggests the proposed Ordinance needs to specify max participants and outline the max number of days allowed for future pub crawls. Board Member Wren makes a suggestion that the ordinance also needs to outline that the DDA is the main 'gatekeeper' for all future pub crawl ordinances within the City to eliminate outside vendors from hosting pub crawls.

Mayor Santini wraps up discussion stating that Board Members will provide parameters for proposed Ordinance to Assistant City Attorney, Keith Lovell, in an attempt to amend the ordinance.

Mayor Santini closes the Public Hearing.

Exhibit A

Prepared comments on the proposed Pub Crawl Ordinance
September 17, 2020
Cary Roth, Councilman Ward 3

In light of September being National Recovery Month and that alcohol contributes to poisonings and overdoses from opioids and other substances, I am compelled to give a warning.

The proposed Pub Crawl ordinance has no limits on how many establishments can participate, how many tickets can be sold or how many drinks can be consumed. The ordinance is unlimited. This ordinance would also allow for open containers and public consumption of alcohol in the Downtown Business District and beyond.

Listen to these striking statistics from the Centers for Disease Control and Prevention (CDC). These can be found at cdc.gov.

In the United States, a standard drink contains 0.6 ounces (1.7 tbsps.) of pure alcohol. Generally, this amount of pure alcohol is found in:

- 12 ounces of beer (5% alcohol content)
- 8-ounces of malt liquor (7% alcohol content)
- 5-ounces of wine (12% alcohol content)
- 1.5-ounces of 80-proof (40% alcohol content) distilled spirits or liquor

Excessive alcohol use includes binge drinking, heavy drinking, and any alcohol use by pregnant women or anyone younger than 21. **Binge drinking** is defined as consuming 4 or more drinks on an occasion for a woman or 5 or more drinks on an occasion for a man. (*Heavy drinking is defined as consuming 8 or more drinks per week for a woman or 15 or more drinks per week for a man.*)

Excessive alcohol use is responsible for about 93,000 deaths a year in the United States. Deaths due to excessive drinking account for 1 in 10 total deaths among working-age adults aged 20 to 64 years. In 2010, excessive alcohol use cost the US economy \$249 billion, or \$2.05 a drink. Specifically, in Georgia, the total cost in 2010, was \$6.9 billion, or \$2.12 a drink. About 40% of these costs were paid by federal, state, and local governments. Binge drinking was responsible for 77% of these costs, or \$191 billion.

Binge drinking is the most common, costly, and deadly pattern of excessive alcohol use in the United States. It is a serious but preventable public health problem. **Binge drinking** is responsible for almost half the deaths (46,500) and three-quarters of the costs due to excessive alcohol use. CDC estimates that 37 million US adults—or 1 in 6—binge drink about once a week, consuming an average of 7 drinks per binge. As a result, US adults consume about 17 billion binge drinks annually, or about 470 binge drinks per binge drinker.

Who binge drinks?

- Binge drinking is most common among younger adults aged 18–34 years, but more than half of the total binge drinks are consumed by those aged 35 and older.
- Binge drinking is twice as common among men than among women. Four in five total binge drinks are consumed by men.

- Binge drinking is more common among people with household incomes of \$75,000 or more and higher educational levels. Binge drinkers with lower incomes and educational levels, however, consume more binge drinks per year.
- Over 90% of U.S. adults who drink excessively report having done binge drinking in a reported 30 day period.
- Most people younger than age 21 who drink alcohol report binge drinking, often consuming large amounts.

Binge drinking has serious risks and is associated with many health problems including the following:

- Unintentional injuries such as car crashes, falls, drownings, burns, and alcohol poisoning.
- Violence including homicide, suicide, intimate partner violence, and sexual assault.
- Sexually transmitted diseases.
- Unintended pregnancy and poor pregnancy outcomes, including miscarriage and stillbirth.
- Fetal alcohol spectrum disorders.
- Sudden infant death syndrome.
- Chronic diseases such as high blood pressure, stroke, heart disease, and liver disease.
- Cancer of the breast, mouth, throat, esophagus, liver, and colon.
- Memory and learning problems.
- Alcohol use disorders.
- Poisonings and overdoses from opioids and other drugs.

What message are we sending our youth when we promote and endorse this type of binge drinking behavior through a pub crawl. Alcohol is the most commonly used and abused drug among youth in the United States according to the Surgeon General. Here is what we are up against with our youth as reported by the CDC.

Excessive drinking is responsible for more than 3,500 deaths among underage youth each year and cost the U.S. \$24 billion in economic costs in 2010.

Although the purchase of alcohol by persons under the age of 21 is illegal, people aged 12 to 20 years drink 11% of all alcohol consumed in the United States.

On average, underage drinkers consume more drinks per drinking occasion than adult drinkers.

In 2013, there were approximately 119,000 emergency rooms visits by persons aged 12 to 21 for injuries and other conditions linked to alcohol.

The 2017 Youth Risk Behavior Survey found that among high school students, during the reported 30 day window:

- 30% drank some amount of alcohol.
- 14% binge drank.
- 6% drove after drinking alcohol.
- 17% rode with a driver who had been drinking alcohol.

In 2018, the National Survey on Drug Use and Health reported that 19% of youth aged 12 to 20 years drink alcohol and 12% reported binge drinking in the reported 30 day window.

In 2019, the Monitoring the Future Survey reported that 8% of 8th graders and 30% of 12th graders drank during the reported 30 day window, and 4% of 8th graders and 14% of 12th graders binge drank during the last two weeks of those 30 days.

Youth who drink alcohol are more likely to experience the following consequences:

- School problems, such as higher absence and poor or failing grades.
- Social problems, such as fighting and lack of participation in youth activities.
- Legal problems, such as arrest for driving or physically hurting someone while drunk.
- Physical problems, such as hangovers or illnesses.
- Unwanted, unplanned, and unprotected sexual activity.
- Disruption of normal growth and sexual development.
- Physical and sexual assault.
- Higher risk for suicide and homicide.
- Alcohol-related car crashes and other unintentional injuries, such as burns, falls, and drowning.
- Memory problems.
- Misuse of other drugs.
- Changes in brain development that may have life-long effects.
- Death from alcohol poisoning.

In general, the risk of youth experiencing these problems is greater for those who binge drink than for those who do not binge drink.

Early initiation of drinking is associated with development of an alcohol use disorder later in life.

So, I ask, how are we leading our community? I call on us to give serious thought to these statistics and facts from the CDC. I am challenged by the corporate powers that are vested in us as a City Council. Sec. 1.03 (k) of the city charter says that we are "[t]o define, regulate and prohibit any act, practice, conduct or use of property which is detrimental or likely to be detrimental to the health, morals, safety, security, peace, convenience, or general welfare of inhabitants of the city." I firmly believe that considering these facts from the CDC, pub crawls would be detrimental or likely to be detrimental to the citizens of our city. Join me in promoting good health, strong morals, sure safety, sound security, calming peace, ready convenience and quality welfare in our city.

With respect, thank you.

Cary Roth
Cartersville City Councilman
Ward 3

<https://www.cdc.gov/alcohol/index.htm>

<https://www.cdc.gov/chronicdisease/resources/publications/factsheets/alcohol.htm>

<https://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm>

<https://www.cdc.gov/alcohol/fact-sheets/binge-drinking.htm>

<https://www.cdc.gov/alcohol/data-stats.htm>

https://www.cdc.gov/alcohol/pdfs/excessive_alcohol_use.pdf

D. CONTRACTS/AGREEMENTS

1. Electrical Interconnection and Power Exchange Agreement

Derek Hampton, Electric Department Head, stated whenever someone attaches a power generation source to our distribution system, such as a solar power system, they are required to meet certain guidelines to prevent negative impact to our system. We also must visually inspect and field test that the system operates in accordance with our guidelines.

We have completed the field test portion of the requirements. The terms for operating the solar generation system are outlined in the provided standard agreement and have been signed by the owner. I'm requesting your authorization to allow the Mayor and City Clerk to sign and execute the agreement on the City's behalf.

A motion to approve Electrical Interconnection and Power Exchange Agreement was made by Council Member Hodge and seconded by Council Member Roth. Motion carried unanimously. Vote: 4-0

E. BID AWARD/PURCHASES

1. Primary Metering Equipment

Mr. Hampton stated one of our largest customers is preparing for another plant expansion. They currently have some equipment that runs at medium voltage instead of low voltage and are planning to add more. For these type installations, we have to meter their usage on the primary, or higher voltage side of the transformer.

They want to do the expansion this fall, so the equipment delivery time is very important. We reached out to our vendors for pricing and one vendor was higher at \$8,324.68, but could have the materials delivered in two weeks. The second vendor came in a little less at \$7,804.00 with a 14-week delivery time.

The electric department is asking for authorization to purchase the more expensive package from Anixter for \$8,324.68 to meet the customer's schedule, then also purchase the less expensive alternate for \$7,804.00 from Irby, so we have another package ready to go if we have a failure at any one of our primary metered installations. Our standard policy is to have an emergency replacement for everything on our system and we do not currently have one.

The total requested expenditure is \$16,128.68.

A motion to approve the Primary Metering Equipment was made by Council Member Wren and seconded by Council Member Cooley. Motion carried unanimously. Vote: 4-0

2. Conduit Installation – Charlie Harper Drive

Mr. Hampton stated we have had some street lights out on Charlie Harper Drive for a while. While investigating the problem, we discovered that the street light wire has a fault under the driveway to the new fire station. Since we didn't want to cut and patch a trench across the brand new concrete, we chose to have one of our boring contractors, SEAGAS, bore under the driveway. This provided two benefits: 1) a way to restore the operation of the street lights and 2) the opportunity to get some additional conduit under the driveway, in case we have any future issues with the existing primary or secondary cable at that crossing.

All of the lighting on Charlie Harper Drive is now operational. The length of the bore may seem long because we extended the length to get closer to the transformer and to minimize destroying the new landscaping at the fire department.

We are requesting your authorization to pay the invoice to Southeastern Natural Gas Services of Rome, Inc. for the amount of \$7,830.00.

A motion to approve the Conduit Installation on Charlie Harper Drive was made by Council Member Cooley and seconded by Council Member Wren. Motion carried unanimously. Vote: 4-0

F. ADDED AGENDA ITEM

Board Member Wren makes a motion to add Resolution No. 14-20 Ante Litem Notice to the agenda. Board Member Hodge seconded the motion. Motion carried unanimously. Vote: 4-0

G. CONTRACTS/AGREEMENTS

1. 2021 Long Term Sewer Flow Monitoring

Bob Jones, Water Department Head, stated during heavy rain events, flows at the Water Pollution Control Plant (WPCP) spike to over 30 million gallons per day (MGD) from their average of 8 MGD. The increase is a result of inflow and infiltration (I&I). Inflow is the intentional direction of rainwater to the sanitary sewer from gutters, sump pumps, drains, etc. Infiltration is rainwater or ground water which leaks into sewers from leaking manholes, cracked pipe and leaking joints. Regardless of the source, the result is non-revenue producing use of capacity in the sewer system and permit violations at the WPCP.

A 90-day study was conducted by ADS Environmental Services (ADS) on the three main sewer transmission mains earlier this year. The study revealed that each line has significant I&I issues but the 48-inch main is the most severe.

This study will concentrate on the 48-inch main from the WPCP to I-75 at the Anheuser Busch Plant. It consists of nine (9) total monitors and a rain gauge strategically placed to segment the main into smaller pieces. The flow in each segment can then be evaluated to narrow down the area(s) with the greatest contribution of I&I during storm events.

ADS has prepared the attached Long-Term Monitoring Cost Proposal for the 48-inch line. Their scope of work includes the installation, maintenance, data logging and data analysis of all points for 365 days. They have submitted a proposal in the amount of \$98,684.00. I recommend approval of their proposal.

This is a budgeted item.

A motion to approve the 2021 Long Term Sewer Flow Monitoring was made by Council Member Hodge and seconded by Council Member Roth. Motion carried unanimously. Vote: 4-0

H. BID AWARD/PURCHASES

1. D & C Material Restock

Mr. Jones stated The Distribution and Collection Division (D&C) solicited quotes for the restock of brass meter setting and plastic sewer couplings. The following bids were received:

· Fortiline Waterworks	\$6,749.00
· Core & Main	\$6,861.25
· Ferguson Waterworks	\$7,671.75

I recommend approval of the Fortiline Waterworks bid for \$6,749.00. This is a budgeted item.

Motion to approve the D & C Material Restock was made by Council Member Cooley and seconded by Council Member Roth. Motion carried unanimously. Vote: 4-0

2. Collins Drive Valve Repair

Mr. Jones stated the Water Department was notified by Public Works on Thursday, September 3, 2020 that a valve was leaking at the intersection of Collins Drive and N. Tennessee Street. Upon investigation, we found an 8-inch valve leaking around the valve box. Surrounding valves were operated to isolate the leak. During operation of a 12-inch valve on Collins Drive, it also developed a leak. With the 12-inch valve inoperable, the isolation area grows considerably. In order to isolate the leak with existing valves, water would have

to be shut off along the full length of Collins Drive and to several side streets that feed into Collins Drive.

To avoid disruption to residences and businesses in the area, we would like to install a 12-inch TEAM insertion valve into the 12-inch main on Collins Drive. Additionally, we will install an 8-inch gate valve in the main along Tennessee Street. This will reduce the outage area to the intersection of Collins and Tennessee Street and have no customers out of water. There will be a brief outage for eight customers while the 8-inch valve is installed.

Excavation quotes were solicited from Kirkpatrick and Sons and C&L Contracting for excavation of the valves. A contractor is needed due to the depth of the valves. Both contractors provided the attached hourly rates for a single crew with equipment. Because of the complexity of the repair and still unknown cause of the leak, I am asking for approval of an amount not to exceed \$45,000. This amount will allow us some flexibility if the repair takes longer or is more involved than we expect.

The job cost will roughly be allocated as such:

· 12-inch valve insertion	\$16,000.00
· Excavation and repair of existing valves	\$13,000.00
· Repair material	\$5,000.00
· Site restoration	\$5,000.00
· Allowance for additional time	\$6,000.00

This is a budgeted expense.

Motion to approve the Collins Drive Valve Repair not to exceed \$45,000 was made by Council Member Hodge and seconded by Council Member Wren. Motion carried unanimously. Vote: 4-0

3. Fire Department Vehicle Purchases

Scott Carter, Fire Chief, stated they request approval to purchase two vehicles that are budgeted items in the FY 20/21 budget. Vehicle #1 is an addition to the fleet. This is a 10-passenger van that will be used to transport to places such as the training academy, rescue deployments and for our honor guard. Vehicle #2 is a mid- size SUV that will be used by the training division and will replace a 2008 model.

Bid packages were hand delivered to all local vendors and placed on the City website with all proper documentations and declarations. A total of three vehicle vendors returned bids for the SUV and two returned bids for the van. Bids and documents were reviewed. Prater Ford was the low bid on the van that met all critical specifications. Prater Ford was the near low bid on the SUV with a difference of \$21.96 over Wade Ford. We recommend the low and best bid of Prater Ford for \$73,549.88 for the two budgeted vehicles. In addition we will seek \$3,840.00 for graphics and emergency lighting. This bring our total request for this vehicle purchase package to \$77,389.88 and is \$17,610.12 below budget. This is a lease pool purchase. We thank you in advance for any positive consideration that may be given.

Motion to approve the Fire Department Vehicle Purchases was made by Council Member Wren and seconded by Council Member Cooley. Motion carried unanimously. Vote: 4-0

4. Fire Suppression System

Steven Grier, Systems Administrator, stated the Fiber Department requests the purchase and installation of fire suppression systems for our Southeast Node and North Node. This is needed and will significantly improve the fire protection of all equipment and data in the buildings. We researched different technologies and chose to go with an inert gas system. The Fike Pro-Inert2 system is designed to extinguish a fire without damaging computer equipment.

We contacted different vendors, including a local business, and received quotes. After comparing and reviewing the quotes, we recommend the approval of combined quotes from ASA Fire Protection (a local company) for \$34,950 for the purchase and installation of Fike Pro-Inert2 fire suppression systems. This is a budgeted purchase.

Motion to approve Fire Suppression System was made by Council Member Cooley and seconded by Council Member Roth. Motion carried unanimously. Vote: 4-0

5. Resolution for Ante Litem Notice

Mr. Lovell gives overview of Resolution No. 14-20 and explains receipt of the Ante Litem Notice for The Merchant Law Firm concerning Laura Michelle McDonald is to be denied.

Council Member Wren makes a motion to approve Resolution No. 14-20. Council Member Roth seconded the motion. Motion carries unanimously. Vote: 4-0


RESOLUTION NO. 14-20

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

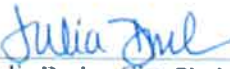
WHEREAS, on or about September 2, 2020, the City of Cartersville received an Ante Litem Notice from The Merchant Law Firm concerning Laura Michelle McDonald's alleged claim against the City relating to an incident which occurred on or about March 7, 2020.

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 Merchant Law Firm of said denial.

BE IT AND IT IS HEREBY RESOLVED this ____ day of September, 2020.


Matthew J. Santini, Mayor
City of Cartersville, Georgia

ATTEST:

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



I. MONTHLY FINANCIAL STATEMENT

1. July 2020 Financial Report

Tom Rhinehart, Finance Director, came forward to go over the financial funds comparing July 2019 to July 2020.

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

1. Z20-03/AZ20-04 - 175 E Main St.

Mr. Mannino stated the applicant requests these two items remained tabled.

Board Member Wren made a motion to keep Z20-03/AZ20-04 – 175 E Main St. tabled until the November 5, 2020 Council Meeting. Board Member Hodge seconded the motion. Motion carried unanimously. Vote: 4-0

K. DISCUSSION

1. GO Fund Bond Allocations

Tom Gilliam, Parks and Recreation Department Head, states the GO Bond for Park Projects has around \$190,000 left that we need to spend by the end of this Fiscal Year. I have attached the original Project Spreadsheet that was last updated on April 17, 2018. Also, attached is the Projects that were either not completed or new ones that we have targeted for completion. The Parks and Recreation Dept. is seeking approval to allocate these funds to the following projects: 1) Goodyear Clubhouse Renovation and 2) HVAC Unit for Aubrey Street Gym. The other remaining projects would be completed in order based upon the amount of money left over following the completion of the first two projects.

Dan Porta, City Manager, suggests the option of reallocating some of the funds for the Goodyear Clubhouse Renovation by doing some of the work 'in-house'.

Mr. Lovell announces the new Ethics Committee will hold its first meeting on Friday, September 18, 2020 at 1:00 P.M. in the Council Chambers and requests Council Members to send him candidates for the third appointed Committee Member.

Mayor Santini states that the Governor of Georgia, Brian Kemp, has extended his Executive Order regarding the Coronavirus Protection. Mayor makes a plea for businesses to follow the mandated regulations put in place by the Governor.

A motion to adjourn the meeting was made by Council Member Cooley and needing no second. Motion carried unanimously. Vote 4-0

Meeting Adjourned


/s/ Matthew J. Santini
Matthew J. Santini

ATTEST:

/s/

Julia Drake

City Clerk



Mayor

