

City Council Meeting held via Zoom  
Zoom Meeting ID: 696 025 627  
10 N. Public Square  
April 2, 2020  
6:15 P.M. – Work Session  
7:00 P.M. – Council Meeting

**This meeting was conducted via ZOOM.**

## **I. Opening Meeting**

Invocation by Mayor Santini.

Pledge of Allegiance led by Council Member Stepp.

The City Council met in Regular Session with Matt Santini, Mayor presiding and the following present: Kari Hodge, Council Member Ward One; Jayce Stepp, Council Member Ward Two Cary Roth, Council Member Ward Three; Calvin Cooley Council Member Ward Four; Gary Fox, Council Member Ward Five; Taff Wren, Council Member Ward Six; Tamara Brock, City Manager; Meredith Ulmer, City Clerk and Keith Lovell, Assistant City Attorney.

## **II. Regular Agenda**

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

#### **1. March 19, 2020 City Council Minutes**

A motion to approve the March 19, 2020 City Council Meeting Minutes as presented was made by Council Member Stepp and seconded by Council Member Cooley. Motion carried unanimously. Vote: 6-0.

### **B. Alcohol Text Amendment**

#### **1. Alcohol Text Amendment**

Randy Mannino stated this ordinance provides a regular seating capacity for at least forty (40) persons; provided, that consistent with the definition of lounge, in no event shall the seating capacity of the lounge exceed that of its connected restaurant.

Motion to approve the Alcohol Text Amendment as presented was made by Council Member Fox and seconded by Council Member Wren. Motion carried unanimously. Vote: 6-0.

**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 4 – ALCOHOLIC BEVERAGES. ARTICLE II. – LICENSING REQUIREMENTS. DIVISION 2. – APPLICATION AND ISSUANCE. SECTION 4-59. – POURING LICENSES LIMITED TO CERTAIN ESTABLISHMENTS, paragraph (a)(2)b. is hereby amended by deleting said paragraph in its entirety and replacing it as follows:

1.

**Sec. 4-59. - Pouring licenses limited to certain establishments.**

**b. Which provides a regular seating capacity for at least forty (40) persons; provided, that consistent with the definition of lounge, in no event shall the seating capacity of the lounge exceed that of its connected restaurant;**

2.

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:** \_\_\_\_\_  
**SECOND READING:** \_\_\_\_\_

\_\_\_\_\_  
**MATTHEW J. SANTINI, MAYOR**

**ATTEST:** \_\_\_\_\_  
**MEREDITH ULMER, CITY CLERK**

**C. Bid Award/Purchases**

**1. Fiber Splicer Kit**

Dan Porta, Assistant City Manager stated the Fiber Department requests approval to purchase a Sumitomo Quantum Mass Fusion Splicer. This fiber splicer will allow us to splice 12 fibers at once (versus one at a time). It will allow us to splice fiber more efficiently and will save us hours each time it is used. This purchase in the amount of \$15,235.72 is recommended for your approval.

Motion to approve the Fiber Splicer Kit was made by Council Member Cooley and

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

## **2. Fiduciary Insurance Coverage Renewal**

Mr. Porta stated the city has received an insurance renewal policy with Philadelphia Insurance Companies for fiduciary insurance coverage in the amount of \$10,476.00. This policy was originally requested from the city's Pension Board. The policy has been in place for several years and covers all city boards. Funding for the insurance policy is paid from pension funds and is recommended for your approval.

Motion to approve the Fiduciary Insurance Coverage Renewal was made by Council Member Hodge and seconded by Council Member Fox. Motion carried unanimously. Vote: 6-0.

## **3. Property Insurance Settlement**

Mr. Porta stated Travelers Insurance has reached an agreement with Mr. Larry Martin regarding an accident that occurred on July 30, 2018, which involved a city employee on Old Mill Road. The approved settlement amount is \$70,000, which the city is liable for our \$25,000 deductible amount. I recommend approval of the settlement agreement and the payment of the city's \$25,000 deductible.

A motion to approve the Property Insurance Settlement was made by Council Member Wren and seconded by Council Member Stepp. Motion carried unanimously. Vote: 6-0.

## **4. Purchase of Five Patrol Cars**

Tamara Brock, City Manager stated the P.D. purchased five new patrol vehicles from Brannen Motor Company last week. These vehicles are replacement vehicles for our fleet and the older vehicles will be declared surplus. The vehicles are budgeted items and will be paid for out of federal asset forfeiture funds.

It should be noted that in August 2019, I requested to purchase five new patrol vehicles (2020 Dodge Chargers) and it was subsequently approved by the City Council. I was notified in December 2019 that Dodge would not be building the Dodge Charger police package in 2020. In December 2019, the police department opted to request bids for the Ford Explorer police package. In March 2020, the Ford Motor Company shut down the plants making the Ford Explorer police package because of COVID-19. On March 19, 2020, the P.D. found five 2020 Ford Explorers police package vehicles on the lot at Brannen Motor Company in Unadilla, Georgia and the City Manager approved the purchase on March 19, 2020. On March 23-25, 2020, Brannen Motor Company shipped the Ford Explorers to the Cartersville Police Department.

The cost of the vehicles was \$33,450.00 per vehicle for a total of \$167,250.00. The purchase of the vehicles and the equipment (Lights, siren, cage, computer, in-car camera, etc.)

will not exceed \$280,000.00. This is a budgeted item (federal asset forfeiture money) and the E-Verify and E-Save documents have been submitted to the police department and are on file.

A motion to approve the purchase of five new patrol cars was made by Council Member Cooley and seconded by Council Member Stepp. Motion carried unanimously. Vote: 6-0.

#### **D. Change Order**

##### **1. Fire Station #3 Change Order**

Mr. Porta stated during the construction of Fire Station #3, the city's Construction Manager At Risk, Abuck, Inc., had to make some changes to allow the construction to continue. Abuck discussed these changes with Chief Carter and myself before the work was done. Due to these changes, the overall project costs exceeded the Construction Manager's Guaranteed Maximum Price by \$23,879. Note that \$7,645 of this additional cost was due to the fence additions from the adjacent property development which the city was compensated for. I recommend approval of the \$23,879 change order for Abuck, Inc. for Fire Station #3.

A motion to approve the Fire Station #3 Change Order was made by Council Member Roth and seconded by Council Member Wren. Motion carried unanimously. Vote: 6-0.

#### **E. Other**

##### **1. Letter to GDOT – Re: Old Alabama Road**

Mr. Porta stated with the pending RFP on the Old Alabama Road widening project, the Airport Authority sees that any excess dirt from the road project can benefit the airport. This letter to GDOT shows that Bartow County and the City of Cartersville are in agreement with the Old Alabama Road coordination and benefit that any excess dirt from this project will save tax dollars at the Cartersville-Bartow County Airport. I recommend approval for the Mayor to sign the attached letter.

Motion to approve the Letter to GDOT – Re: Old Alabama Road was made by Council Member Roth and seconded by Council Member Stepp. Motion carried unanimously. Vote: 6-0.

Motion to add an item the agenda was made by Council Member Wren and seconded by Council Member Hodge. Motion carried unanimously. Vote: 6-0.

#### **Added Item: Emergency Ordinance**

Mrs. Brock presented an emergency ordinance in regards to the vacation sick leave ordinance that was pasted at the last meeting. This is an updated version with a change of wording.

Motion to approve the emergency ordinance was made by Council Member Hodge and seconded by Council Member Roth. Motion carried unanimously. Vote: 6-0.

**ORDINANCE NO. 10-20**

**WHEREAS, this ordinance is amending a typographical error in paragraph 1(b) below in Ordinance No. 08-20, which is corrected below and the remaining provisions shall remain in effect as originally drafted; and.**

**WHEREAS, the United States is currently suffering from a pandemic of COVID 19 due to the Corona virus, and Governor Kemp has declared a public health emergency in Georgia; and**

**WHEREAS, Corona virus is highly contagious and health authorities have advised social distancing and similar measures to avoid passing the infection to others; and**

**WHEREAS, the Mayor and Council desire to implement measures above and beyond their current policy of vacation leave to compensate City employees who must be out of work due to this illness ,threat of it, or to provide care for school aged children in the home, and to empower the City Manager to take appropriate measures to respond quickly to this growing health threat without further authorization, during the period of State emergency.**

**NOW, IT AND IT IS HEREBY ORDAINED, by the Mayor and City Council of the City of Cartersville, Georgia, that the following Ordinance be adopted by the City of Cartersville, and said Ordinance is not to be made a part of the Code of Ordinances for the City of Cartersville.**

**1.**

**Sec. 16-8. - Vacation/Sick Time Relief.**

- 1. All fulltime employees of the City of Cartersville are hereby granted Vacation Leave from employment in an amount of hours equal 40 hours.
  - a. All fulltime employees who are over the maximum carry-over of 200 hours at the end of the calendar year (as required by Personnel Ordinance 16-30) shall be paid out a maximum of 40 hours vacation leave due to this public health emergency at a date determined by the City Manager.**
  - b. Emergency Service Personnel in the Police and Fire Departments will be paid their 40 hours a week equivalent pay at a date determined by the City Manager.****
- 2. No doctor's excuse shall be required for use of vacation or sick (such as that required by Personnel Ordinance section 16-29 and 16-30 for certain use of**

sick and vacation leave) but any employee who takes vacation leave due to actual illness shall comply with the requirements for the Family and Medical Leave Act excluding the time in service requirement and will be eligible for donated sick leave if necessary.

3. While taking vacation leave during this state of emergency, the employee shall self-quarantine to the extent reasonable, and shall not leave home during normal working hours except for doctor visits, pharmacy visits, shopping for necessities, caring for family and other urgent matters.
4. During any emergency declared by the Governor, the City Manager shall be empowered to require any employee to depart from City premises and use vacation, sick, or donated sick leave for up to two weeks, with or without the consent of the employee, even when the employee is asymptomatic of illness, for the purpose of promoting public health. Under such circumstances, the City Manager shall be further empowered to permit or require selected employees to work from home instead of at City facilities, without using leave.
5. During any emergency declared by the Governor, the City Manager shall have the authority to suspend public access to any City facilities normally open to the public, and to suspend the work activity of selected City employees and City departments, in whole or in part, on a temporary basis.
6. This ordinance shall become effective on the date after its enactment and shall stand repealed on January 1, 2021.
7. This ordinance may be superseded in whole or part depending upon future actions by the State of Georgia or Federal government, upon the recommendation of the City Manager and approval by the Mayor and City Council.
8. The provisions of this ordinance shall supersede the provisions of any conflicting ordinance.

2.

The above ordinance is deemed an emergency ordinance only requiring one reading due to the National and State Emergencies declared for COVID-19.

SO ORDAINED, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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MATTHEW J. SANTINI, MAYOR

ATTEST: \_\_\_\_\_  
MEREDITH ULMER, CITY CLERK

**F. Financial Statement**

**1. January 2020 Financial Report**

Mrs. Brock went over highlights from the January 2019 and 2020 financial report.

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

**Meeting Adjourned**

/s/ \_\_\_\_\_

Matthew J. Santini

Mayor

ATTEST:

/s/ \_\_\_\_\_

Meredith Ulmer

City Clerk