

City Council Meeting
10 N. Public Square
March 19, 2020
6:30 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 Hodge.

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 5, 2020

A motion to approve the March 5, 2020 City Council Meeting Minutes as presented was made by Council Member Stepp and seconded by Council Member Wren. Motion carried unanimously. Vote: 6-0.

B. First Reading of Ordinances

1. Alcohol Text Amendment

Keith Lovell, Assistant City Attorney 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.

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 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. Easements

1. Right of Way Deed of Dedication for Wingfoot Park

Mr. Lovell stated the Right of Way Deed of Dedication dedicates the roads, utility easements, water easements, gas easements, stormwater easements and related infrastructure as listed on the plats for these two phases to the City of Cartersville. This is the final dedication for this subdivision – all other phases have been previously dedicated to the City. It is recommended by Staff and Legal, that the City Council approve this dedication, and that the Mayor and City Clerk sign the Right of Way Deed of Dedication.

Motion to approve the Right of Way Deed of Dedication for Wingfoot Park was made by Council Member Fox and seconded by Council Member Hodge. Motion carried unanimously. Vote: 6-0.

D. Bid Award /Purchases

1. Multi-factor Identification License

Tamara Brock, City Manager stated a couple of years ago, the City implemented a two-factor identification system for access into our computer systems to help prevent unauthorized access into city PCs and servers. Additional research has shown that our current two-factor identification system has some vulnerabilities and staff recommends the purchase of Cisco Duo Security Standard Multi-Factor Authentication System from CDW-G for \$10,488.

A motion to approve Multi-factor Identification License was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 6-0.

2. Ranger Waterproofing

Mrs. Brock stated the basement of the City Manager's building has experienced some flooding during the excessive amount of rain the city has experienced during the month of February, which has affected the workspace of two fiber employees. In order to protect the city's building and reduce future flooding, staff recommends installing a barrier on the inside wall and water guard interior drain which will cost \$6,596.80. This is an unbudgeted project, but is recommended due to the protection of the city's building and workspace for city employees.

A motion to approve Ranger Waterproofing was made by Council Member Roth and seconded by Council Member Fox. Motion carried unanimously. Vote: 6-0.

3. WPCP – Emergency Roof Repair

Mrs. Brock stated Bartow County needed to relocate our existing gas line as part of the Cass-White Road Project. As our line was in a purchased easement owed by the City, and the County wanted to put it in a right-of-way, we wanted an agreement that if it needed to be relocated, it would be at the expense of the County. Staff recommends this item.

A motion to approve WPCP – Emergency Roof Repair was made by Council Member Cooley and seconded by Council Member Fox. Motion carried unanimously. Vote: 6-0.

Motion to add two items to the agenda was made by Council Member Hodge and seconded by Council Member Fox. Motion carried unanimously. Vote: 6-0.

Added Items:

1. Emergency Sick-Vacation Time Relief Ordinance

Mrs. Brock stated the City would be allocating 40 hours extra of vacation-sick leave relief for employees during the Corona Virus crisis.

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

ORDINANCE NO. _____

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 vacation hours 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.

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
MEREDITH ULMER, CITY CLERK

2. Declaration of Local Emergency Ordinance

Mr. Lovell stated this is an emergency ordinance to give emergency powers to Mayor and City Manager. They can waive fees and codes during this time.

Motion to approve the emergency ordinance: Declaration of Local Emergency Ordinance

was made by Council Member Fox and seconded by Council Member Hodge. Motion carried unanimously. Vote: 6-0.

ORDINANCE NO. _____

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 City of Cartersville, Georgia has experienced an event of critical significance as a result of COVID-19 pandemic; and

WHEREAS, in the judgment of the Mayor of the City of Cartersville, there exists emergency circumstances located in the City of Cartersville requiring extraordinary and immediate corrective actions for the protection of the health, safety and welfare of the citizens of the City of Cartersville, including individuals with household pets and service animals; and

WHEREAS, to prevent or minimized injury to people and damage to property resulting from this event;

NOW, THEREFORE, pursuant to the authority vested in the Mayor and City Council by local and state law;

IT IS HEREBY DECLARED that local state of emergency exists and shall continue until the conditions requiring this declaration are abated.

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

WHEREFORE, IT IS ORDERED:

(1)

That the applicable local emergency operations plan is hereby activated.

(2)

That the following sections of the City of Cartersville Code be implemented:

a) City of Cartersville Code Section 8.5-5, Overcharging; and

b) City of Cartersville Code Section 8.5-6, Closed or Restricted Areas and Curfews, as determined by the Mayor based on recommendations from the City Manager, Police Chief, and Fire Chief.

(3)

That the following measures also be implemented:

a) Those allowed by City of Cartersville Code subsection 8.5-2 (a)(4)b, c, and d.

b) The Mayor and City Council authorizes the City Manager to implement temporary fee waivers, temporary utility fee waivers and cut-offs, waivers of convenience, credit, debit, paypal, and other transaction fees, waivers of all other fees assessed and waivers of the City of Cartersville Code of Ordinances and procedures as necessary to respond to and protect the public's health, safety and welfare, in regards to COVID-19. A list of all waivers shall be provided to the City Clerk and be kept on file.

(4)

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.

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
MEREDITH ULMER, CITY CLERK

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