



City of Cartersville

P.O Box 1390 – 10 Public Square – Cartersville, Georgia 30120
Telephone: 770-387-5616 – Fax 770-386-5841 – www.cityofcartersville.org

COUNCILPERSONS:

Matt Santini – Mayor
Calvin Cooley – Mayor Pro Tem
Gary Fox
Kari Hodge
Cary Roth
Jayce Stepp
Taff Wren

AGENDA

Council Chamber, Third Floor of City Hall– 7:00
PM – 8/1/2019
Work Session – 6:00PM

CITY MANAGER:

Tamara Brock

CITY ATTORNEY:

David Archer

CITY CLERK:

Meredith Ulmer

I. Opening of Meeting

- Invocation
- Pledge of Allegiance
- Roll Call

II. Regular Agenda**A. Council Meeting Minutes**

1. July 18, 2019 (Pages 1 - 12)

[Attachments](#)

B. Public Hearing - 2nd Reading of Zoning/Annexation Requests

1. T19-02: Text Amendment to allow homeless shelters in the M-U zoning district with a special use permit Applicant: Homeless Shelter Action Committee Inc. (Pages 13 - 22)

[Attachments](#)

2. SU19-05: Special use permit to allow a homeless shelter in the M-U zoning district Applicant: Homeless Shelter Action Committee Inc. (Pages 23 - 40)

[Attachments](#)

C. First Reading of Ordinances

1. Ordinance Amendment to Correct Frontage Requirements (Pages 41 - 42)

[Attachments](#)

2. Brunch Bill - Sunday Sales (Pages 43 - 46)

[Attachments](#)

D. Second Reading of Ordinances

1. DGR-1 Rider Revision - Ordinance Sec. 24-261 (Pages 47 - 50)

[Attachments](#)

E. Bid Award/Purchases

1. 150kVA Transformer (Pages 51 - 52)

[Attachments](#)

2. Walk Behind Mower (Pages 53 - 56)

[Attachments](#)

3. D&C Restock #4 (Pages 57 - 60)

[Attachments](#)

4. EPD Drinking Water Laboratory Testing (Pages 61 - 63)

[Attachments](#)

F. Easements

1. Non-Exclusive Easement (Toyo) & Quit Claim Deed (Toyo) (Pages 64 - 77)

[Attachments](#)

2. Gilreath Road/Peoples Valley Road HP Loop Easement (Pages 78 - 90)

[Attachments](#)

G. Contracts/Agreements

1. Village Hill Eckstein, LLC and City of Cartersville (Pages 91 - 99)

[Attachments](#)

2. Dempsey Auction Company - Old Fire Station #3 and Adjoining Woff Tract (Pages 100 - 105)

[Attachments](#)

H. Other

1. Annual Assessment for Membership in the Northwest Georgia Regional Commission (Pages 106 - 108)

[Attachments](#)

I. Public Hearing

1. City of Cartersville M&O Millage Rate set at 3.259 Mills for 2019 (Pages 109 - 112)

[Attachments](#)

J. Other

1. Cartersville School System 2019 Millage rate Set at 14.576 Mills (Pages 113 - 116)

[Attachments](#)

2. Cartersville Business Improvement District Millage Rate Set at 1.789 Mills for 2019 (Pages 117 - 119)

[Attachments](#)

3. GO Parks & Recreation Bond Property Tax Millage Rate set at 0.861 Mills for 2019 (Pages 120 - 122)

[Attachments](#)

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES OFFICE, ADA COORDINATOR, 48 HOURS IN ADVANCE OF THE MEETING AT 770-387-5616.



City of Cartersville

City Council Meeting
8/1/2019 7:00:00 PM
July 18, 2019

SubCategory:	Council Meeting Minutes
Department Name:	Clerk
Department Summary Recommendation:	The minutes have been attached for your review.
City Manager's Remarks:	The minutes are recommended for Council approval.
Financial/Budget Certification:	
Legal:	
Associated Information:	

City Council Meeting
 10 N. Public Square
 July 18, 2019
 8:00 A.M. – Work Session
 9:00 A.M. – Council Meeting

I. 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: 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; Tamara Brock, City Manager; Meredith Ulmer, City Clerk and Keith Lovell, City Attorney.

Attended by telephone call: Gary Fox Ward Five

Absent: Taff Wren, Ward Six

II. Regular Agenda

A. Council Meeting Minutes

1. July 2, 2019

A motion to approve the July 2, 2019 City Council Meeting Minutes as presented was made by Council Member Hodge and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

B. Proclamations

1. Modena M. Hoge – 100th Birthday

This proclamation was presented to Ms. Modena M. Hoge in celebration of her 100th birthday.

C. Second Reading of Ordinances

1. Chapter 5. Article III. Section 5-7. Maximum Number of Dogs and Cats

Tamara Brock, City Manager stated the current ordinance is being amended by deleting subparagraph (a) in its entirety and replacing it.

A motion to approve the Chapter 5. Article III. Section 5-7. Maximum Number of Dogs and Cats with the proposed change of 4 dogs maximum was made by Council Member Roth and seconded by Council Member Step. Motion carried unanimously. Vote: 5-0.

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 5 – ANIMALS. ARTICLE III. – GENERAL PROVISIONS. SECTION 5-7. – MAXIMUM NUMBER OF DOGS AND CATS** is hereby amended by deleting subparagraph (a) in its entirety and replacing it as follows:

1.

Sec. 5-7. - Maximum number of dogs and cats.

(a) *Dogs.* The following restrictions apply to the maximum number of dogs that may be possessed or kept on any residential property, based on the area of the lot. Other applicable regulations, including the city zoning ordinance, shall still apply and should be consulted for restrictions on location of shelters and enclosures and other restrictions. "Kennels," as defined therein, are regulated under the zoning ordinance and section 5-9, herein.

- (1) *Larger than two (2) acres.* On any residential property that is larger than two (2) acres, there shall be no restriction on the number of dogs allowed to be possessed or kept, provided all other applicable provisions of this chapter are obeyed. However, any such property that contains more than six (6) dogs shall be required to maintain those animals in an enclosure at least one hundred (100) feet from the nearest property line.
- (2) *Equal to or less than two (2) acres.* On any residential property that is equal to or less than two (2) acres, it shall be unlawful to possess or keep more than four (4) dogs.
- (3) *Multifamily units.* For any dwelling unit in a multifamily development (e.g., apartment, condominium, townhome, mobile home parks, duplex, triplex, quadruplex or similar) it shall be unlawful to possess or keep more than three (3) dogs. The overall acreage of the development or property shall not control.

2.

All other remaining provisions of Section 5-7. are to remain as is and the replacement subparagraph herein is to be made part of Section 5-7.

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

D. Public Hearing – 1st Reading of Zoning/Annexation Requests

1. T19-02: Text Amendment to allow homeless shelters in the M-U zoning district with a special use permit Applicant: Homeless Shelter Action Committee Inc.

Randy Mannino, Planning and Development Department Head stated Homeless Shelter Action Committee, Inc., (HSAC) proposes a revision to the Zoning Ordinance, Section 9.2 Multiple Use (M-U) district, to allow homeless shelters as an allowed use in the M-U district with a special use permit. HSAC provides services that are in demand and has an immediate need to expand. A site has been identified in the M-U district. Homeless shelters are currently allowed in the G-C and O-C districts with a special use permit. Planning Commission recommends approval (4-0).

Public Hearing: No one came forward and the public hearing was closed.

This is a first reading, therefore 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 City of Cartersville Code of Ordinances, Chapter 26. Zoning, Article IX- COMMERCIAL DISTRICT REGULATIONS and Article XVI- SPECIAL USES, are revised as

follows:

1.

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia that the City of Cartersville Code of Ordinances, CHAPTER 26 ZONING, ARTICLE IX-COMMERCIAL DISTRICT REGULATIONS, SECTION 9.2 M-U Multiple Use District, subsection 9.2.2 Use Regulations is hereby amended by adding the

following use:

Homeless shelters (SU).*

2.

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia that the City of Cartersville Code of Ordinances, CHAPTER 26 ZONING, ARTICLE XVI- SPECIAL USES, Section 16.4 Minimum Special Use Standards, subsection 16.4.8 Homeless Shelters, is hereby amended per the following:

A. Allowable districts: M-U, O-C and G-C.

3.

The remaining provisions of Sec. 9.2.2 and Sec. 16.4.8 shall remain as is and are not modified by this proposed ordinance.

4.

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

Council Member Stepp recused himself from the following item.

2. SU19-05: Special use permit to allow a homeless shelter in the M-U zoning district Applicant: Homeless Shelter Action Committee Inc.

Mr. Mannino stated the property has been properly posted and advertised with no known conflicts of interest. Mr. Mannino stated the Homeless Shelter Action Committee, Inc., (HSAC) is seeking to expand with the purchase of properties at 1 and 3 Townsley Drive. Both properties were developed in 2003 with similar two story buildings, parking, and a shared driveway for commercial or office uses. 1 Townsley Drive is currently home to several professional offices. No change to this use is immediately planned. The building at 3 Townsley Drive would be converted to a homeless shelter with approval of the Special Use permit. Fourteen (14) beds are proposed initially with the intent to expand to twenty (20) beds. Planning Commission recommends approval (4-0).

Public Hearing: No one came forward and the public hearing was closed.

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

E. First Reading of Ordinances

1. DGR – 1 Rider Revision – Ordinance Sec. 24-261

Derek Hampton, Electric Department stated the Electric Department is requesting Council's approval of a revision to Section 24-261, which is our DGR-1 rate rider. The DGR-1 rider is applicable to customers that have solar or other power generation sources connected to the City's electrical distribution system.

In response to recent complaints from a new customer, we did a comprehensive study of the financial impact that our existing DGR-1 rider would have on their monthly bills. We discovered that our capacity fees were very punitive, and not in line with the way we intend to do business with our customers.

Thus, we have revised DGR-1 to eliminate the punitive capacity fees, and replace them with a flat administrative charge based on the standard electrical billing rate that is applicable to the customer.

The City thinks this revised DGR-1 rider is a fairer option for our solar customers without any negative consequence to the City, and we recommend your approval of the revised ordinance.

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

Council Member Stepp made a motion to add an item to the agenda and the motion was seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

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 24. UTILITIES. ARTICLE X. ELECTRIC SYSTEM. DIVISION 2. DISTRIBUTED GENERATION RIDER, SECTION 24-261 – DISTRIBUTED GENERATION RIDER, DGR-1** is hereby amended by deleting said Division in its entirety and replacing it with the following:

Sec. 24-261. Distributed Generation Rider, DGR-1.

1.

(a) *Effective Date:* Bills rendered on or after July 18, 2019.

(b) *Availability:* Applicable to Customers in all areas served by the Cartersville Electric System (the Utility) and subject to its service rules, regulations, terms, policies and procedures, as amended from time to time, which are incorporated

herein by this reference, and desiring to install a distributed generation facility. Customer account(s) must be in good standing.

(1) A distributed generation facility must:

- (i) Be owned (or leased) and operated by an existing Customer for production of electric energy, and**
- (ii) Be connected to and/or operate in parallel with the Utility's distribution facilities, and**
- (iii) Be intended primarily to offset part or all of the Customer's generator's requirement for electricity, and**
- (iv) Have peak generating capacity of not more than 10 kW for residential applications and not more than 125% of actual or expected maximum annual peak demand of the premise for commercial applications.**
- (v) Be installed on the customer side of the meter.**

(c) *Monthly Metering Charge:*

- (1) Bi-Directional Metering Charge \$2.50 per month
OR**

- (2) Single Directional**

- (i) Single-Phase \$4.50 per month**
- (ii) Poly-phase \$11.00 per month**

- (3) The City of Cartersville Electric System will install single directional metering or bi-directional metering depending on the Customer's method of installation. All installed costs for metering and associated equipment will be paid by the Customer at the time service is initiated under this policy.**

- (4) Bi-directional metering is defined as measuring the amount of electricity supplied by the Utility and the amount fed back to the Utility by the Customer's distributed generation facility during the billing period using the same meter. Bi-directional metering shall be used where distributed generation facilities are connected to the Utility on the Customer's side of the Customer's meter.**

- (5) Single directional metering shall be defined as measuring electricity produced or consumed during the billing period, in accordance with normal metering practices. Single directional metering shall be used where distributed generation facilities are connected to the Utility's distribution system on the Utility's side of the Customer's meter.**

(d) *Administrative Charges:* The Utility requires each Customer with a distributed generation facility to pay the monthly administrative charges based on the electric rate.

- (1) Residential \$10.00 per month**
- (2) Commercial Non-Demand \$12.00 per month**
- (3) Small Power \$14.00 per month**
- (4) Medium Power \$16.00 per month**

- (5) Large Power \$18.00 per month
 (6) Extra Large Power \$20.00 per month

(e) *Payment for Energy:*

(1) Bi-directional metering

- (i) When electricity supplied by the Utility exceeds electricity generated by the Customer's distributed generation, the electricity shall be billed by the Utility in accordance with the applicable tariff(s).
- (ii) When electricity generated by the Customer's distributed generation system exceeds electricity supplied by the Utility, the Customer shall be billed for the customer charges as described in the standard rate for that billing period and credited for excess kWh generated during the billing period at the Utility's avoided energy cost.

(2) Single directional metering

- (i) For kWh's generated by Customer's distributed generation facility, Customer shall be compensated at the Utility's avoided cost of energy (kWh) as determined by the Utility. The Utility will only compensate Customer for avoided energy kWh's as determined by metered energy delivered to the Utility's distribution system.
- (ii) The Customer's net bill will be calculated using the Utility calculation for avoided energy cost (as described below) credited to the Customer, netted against the billing period charges for the Customer's regular service (according to the applicable tariff) based on actual metered energy.

(3) Avoided Energy Cost

Payments by the Utility to the Customer for the billing period metered avoided energy kWh's will be computed by the Utility in its sole discretion based on the average monthly wholesale market price as determined by the Municipal Electric Authority of Georgia (MEAG Power), the Utility's Wholesale Energy provider.

(f) *Safety, Power Quality, and Interconnection Requirements:*

- (1) The Customer shall be responsible for ensuring a safe and reliable interconnection with the Utility and all costs incurred therein. The Utility has available, upon request, the following documents that must be completed and approved in their entirety prior to interconnection by the Customer to the Utility's distribution system:
 - (i) Application for Interconnection of Distributed Generation Facility
 - (ii) Interconnection Agreement
 - (iii) Electrical Power Exchange Agreement
- (2) The provisions in all documents outlined above are incorporated into this Tariff in their entirety. For the avoidance of doubt, Customer shall be deemed to have agreed to such provisions by applying for service under this Tariff.

- (3) The Utility will only be required to purchase energy from eligible distributed generation facilities on a first-come, first-served basis until the cumulative generating capacity of all renewable energy sources from all Customers equals the percentage of the Utility's annual peak demand in the previous year as set forth in O.C.G.A. § 46-3-56(a). Additional energy may be purchased by the Utility at its sole discretion at a cost agreed to by it and the Customer provider. The Utility shall at no time be required to purchase energy from Customers in excess of amounts required by the DG Act.
- (4) The Utility reserves the right to separate the Customer generator's equipment from City lines and facilities when, in the Utility's judgment, the continued parallel operation is unsafe or may cause damage to persons or property. Upon such separation, the Utility shall promptly notify the Customer generator so that any unsafe condition can be corrected.

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 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. Grant Application/Acceptance

1. LMIG FY 2020 Application

Tommy Sanders, Public Works Department Head stated Public Works is seeking permission for the Mayor to sign the Local Maintenance & Improvement Grant (LMIG) application, cover letter and any associated documents for FY 2020. The grant is for \$283,829.87 (last year was \$258,179.24) and requires a 30% match which is budgeted. The proposed projects include resurfacing of 11 city streets:

Henderson Drive, Oakdale Drive, Parr Wade Road, Mission Hills Drive, Wood Forest

Drive, Crescent Drive, Highpoint Drive, Willow Trace, Heartwood Drive, Split Oak Drive, Waterstone Court. Council approval of this item is recommended.

A motion to approve LMIG FY 2020 Application was made by Council Member Stepp and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

G. Bid Award/Purchases

1. Garbage Truck Repair

Mr. Sanders stated this invoice is for the repair of Solid Waste truck #6239, a 2015 Isuzu Garbage Truck. The total for this repair is \$9,801.20 and it is recommended for your approval. This is a budgeted item.

A motion to approve Garbage Truck Repair was made by Council Member Cooley and seconded by Council Member Stepp. Motion carried unanimously. Vote: 5-0.

Added Item: Structural Analysis by Alpha Omega Engineering

Mr. Sanders stated he recommended approval for the structural analysis by Alpha Omega Engineering for the building at the corner of Erwin and Church Street. This analysis would include a report to show the state of the structure. The cost is approximately \$14,000.

Motion to approve the structural analysis with the removal on exhibit 1 under indemnification and notifying the company that they will be subject to the open records act was made by Council Member Stepp. This motion was seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

2. Desert Aire Dehumidifier Unit for Senior Aquatic Center

Tom Gilliam, Parks and Recreation Department Head stated the City is requesting Council approval for the purchase of a dehumidifier unit including a pool boiler, 2 pumps and a plate heat exchanger for the Senior Aquatic Center. The existing unit is around 13 years old and in desperate need of being replaced.

There are only 3 companies that make these units and only 2 responded with quotes, Desert Aire and Pool Pak. We gave the companies a deadline of July 9, 2019 at 12 noon to get the quotes to us.

Mr. Gilliam recommended the purchase of this dehumidifier unit along with the pool boiler, 2 pumps and a plate heat exchanger from Desert Aire (Arrow Mechanical Inc) in the amount of \$254,165.00. This is a budgeted item.

A motion to approve Desert Aire Dehumidifier Unit for Senior Aquatic Center was made by Council Member Stepp and seconded by Council Member Roth. Motion

carried unanimously. Vote: 5-0.

3. Toro Reelmaster 3100-D

Mr. Gilliam stated the Parks & Recreation Dept received 3 quotes for a Toro Reelmaster 3100-D, Fixed 72" mower. The low quote which met all the specifications was submitted by Jerry Pate Turf & Irrigation in the amount of \$31,512.79. This is a budget item that we are recommending to Mayor & Council for approval and is \$20,487.21 under the budgeted amount for this purchase.

A motion to approve Toro Reelmaster 3100-D was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0.

4. Montessori Building Window Replacement

Dan Porta, Assistant City Manager stated the windows are in need of replacement in the city owned building at 324 W. Cherokee Avenue, currently rented and used as a Montessori School. There are 25 windows that need to be replaced, some are in worse shape than others. The Historic Preservation Commission has approved the replacement of all windows. Bids were taken from several companies and the lowest and best bid was received from Exterior Solutions in Kingston. Due to the fact that this was not a budgeted item, I recommend replacing 12 of the 25 windows at this time, at a cost of \$5,000.

A motion to approve Montessori Building Window Replacement was made by Council Member Roth and seconded by Council Member Hodge. Motion carried unanimously. Vote: 5-0.

5. Bartow County Grant Writing Services

Mr. Porta stated the City has received an invoice for six months of salary costs for shared services with Bartow County for Grant writing. The amount due at this time is \$41,109.30 and is recommended for your approval.

A motion to approve Bartow County Grant Writing Services was made by Council Member Roth and seconded by Council Member Hodge. Motion carried unanimously. Vote: 5-0.

6. Fire Station #3 – Communications Installation

Mr. Porta stated City staff have received proposals to install cabling, data racks, access control, cameras and other needed communication devices for new Fire Station #3 being constructed at 15 Charley Harper Drive. The cost of the communication equipment being purchased by the city is \$11,000. The installation will be done by Telenet Systems of Cartersville at a total cost of \$54,356.92. These items are budgeted from 2014 SPLOST and are recommended for your approval.

Communications Installation by Telenet Systems

Data Rack & Pathways	\$9,958.49
Data Infrastructure	\$9,885.16
Access Control	\$9,988.77
Access Control Gate	\$1,225.46
Paging	\$7,009.57
TV / Mounts	\$9,729.37
Cameras	\$6,560.10
Telenet Total Cost:	\$54,356.92

Fibercom Equipment	
Switches/Network Equipment	\$7,000.00
Fiber Optic Cable	\$2,500.00
Misc. (Power Strips, HDMI, Jumpers)	\$1,500.00
Fibercom Total Cost:	\$11,000.00

A motion to approve Fire Station #3 – Communications Installation was made by Council Member Stepp and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

H. Monthly Financial Statement

Tom Rhinehart, Finance Department Head came forward and compared monthly budgets from May 2019 to May 2018.

After announcements a motion to adjourn the meeting was made by Council Member Roth and needing no second. Motion carried unanimously. Vote: 5-0.

Meeting Adjourned

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Meredith Ulmer
City Clerk



City of Cartersville

City Council Meeting

8/1/2019 7:00:00 PM

T19-02: Text Amendment to allow homeless shelters in the M-U zoning district with a special use permit
Applicant: Homeless Shelter Action Committee Inc.

SubCategory:	Public Hearing - 2nd Reading of Zoning/Annexation Requests
Department Name:	Planning and Development
Department Summary Recommendation:	Homeless Shelter Action Committee, Inc., (HSAC) proposes a revision to the Zoning Ordinance, Section 9.2 Multiple Use (M-U) district, to allow homeless shelters as an allowed use in the M-U district with a special use permit. HSAC provides services that are in demand and has an immediate need to expand. A site has been identified in the M-U district. Homeless shelters are currently allowed in the G-C and O-C districts with a special use permit. Planning Commission recommends approval (4-0).
City Manager's Remarks:	This is the second reading. Planning Commission did recommend approval of the text amendment.
Financial/Budget Certification:	
Legal:	
Associated Information:	

MEMO

To: Planning Commission, Mayor Santini & City Council
From: Randy Mannino and David Hardegree
Date: July 1st, 2019
Re: *Text Amendment T19-02. Adding Homeless Shelters as an allowed use in the M-U District with a special use permit*

Homeless Shelter Action Committee, Inc., (HSAC) Cartersville, proposes a revision to the Zoning Ordinance, *Section 9.2 Multiple Use (M-U) district*, to allow homeless shelters as an allowed use in the M-U district with a special use permit. HSAC provides services that are in demand and has an immediate need to expand. They have identified a location at 3 Townsley Dr. that would serve their needs. This location is in the M-U district.

HSAC is pursuing a Special Use permit, SU19-05, in conjunction with this text amendment.

The proposed ordinance amendments are attached.

Planning Commission recommends approval (4-0)

PROPOSED ORDINANCE AMENDMENTS

Ordinance No. _____

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville that City of Cartersville Code of Ordinances, Chapter 26. Zoning, Article IX- COMMERCIAL DISTRICT REGULATIONS and Article XVI- SPECIAL USES, are revised as follows:

1.

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia that the **City of Cartersville Code of Ordinances, CHAPTER 26 ZONING, ARTICLE IX-COMMERCIAL DISTRICT REGULATIONS, SECTION 9.2 M-U Multiple Use District, subsection 9.2.2 Use Regulations** is hereby amended by adding the following use:

Homeless shelters (SU).*

2.

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia that the **City of Cartersville Code of Ordinances, CHAPTER 26 ZONING, ARTICLE XVI- SPECIAL USES, Section 16.4 Minimum Special Use Standards, subsection 16.4.8 Homeless Shelters,** is hereby amended per the following:

A. *Allowable districts:* M-U, O-C and G-C.

3.

The remaining provisions of Sec. 9.2.2 and Sec. 16.4.8 shall remain as is and are not modified by this proposed ordinance.

4.

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

Article IX---- Current Ordinance Text

Sec. 9.2. - M-U Multiple use district.

9.2.1. *M-U district scope and intent.* Regulations in this section are the M-U district regulations. The M-U district is intended to provide land areas for medium to high density residential land uses and commercial uses complimentary to office and institutional uses as further described in section 3.1.15 of this chapter and where existing and projected traffic patterns encourage such development. The M-U district is intended to:

- A. Encourage the development of tracts of land in the community;
- B. Encourage flexible, innovative, and creative concepts in site planning;
- C. Encourage efficient use of land;
- D. Provide a stable multiple use environment compatible with surrounding uses; and
- E. Protect neighboring residential properties by locating less intense uses adjacent to residential developments or by locating buffers between nonresidential and residential uses.

9.2.2. *Use regulations.* Within the M-U district, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section shall be prohibited.

A. *Permitted uses.* Structures and land may be used for only the following purposes:

- Accessory apartments (SU).*
- Amateur radio transmitter.
- Amenities (as defined by this chapter).
- Amusement, indoor.
- Apartments and condominiums, above, below, or behind commercial uses in the same building (SU).*
- Art galleries.
- Assembly halls.
- Automotive and light truck rental facility (allowed on properties fronting an arterial or major collector street only).
- Automotive specialty shops (allowed on properties fronting an arterial or major collector street only and shall be limited to four (4) bays).
- Barber shops.
- Beauty salons.
- Bed and breakfast inn (SU).*
- Brewpub.
- Catering, carry out, delivery.
- Clinics (excludes veterinary).
- Clubs or lodges (noncommercial) (SU).*
- Colleges and universities.
- Community center buildings.
- Condominiums.
- Construction contractors:

Article IX---- Current Ordinance Text

- ▲ General building contractors (provided there is no exterior storage of equipment, materials, and construction vehicles).
 - ▲ Heavy equipment contractors (provided there is no exterior storage of equipment, materials, and construction vehicles).
 - ▲ Special trade contractors; including but not limited to, construction subcontractors, engineers, architects, and land surveyors (provided there is no exterior storage of equipment, materials, or construction vehicles).
- Convenience stores.
 - Dancing schools.
 - Day care facilities.
 - Delicatessens.
 - Distillery (SU).*
 - Dry cleaners.
 - Duplex dwellings.
 - Family day care.
 - Financial establishments.
 - Funeral homes (allowed on properties fronting an arterial or major collector street only) (crematories may be allowed in conjunction with a funeral home with approval of a special use).*
 - Group homes (SU).*
 - Guest house.
 - Gymnasiums/health clubs.
 - Home occupations.
 - Hospices (SU).*
 - Hotels (allowed on properties fronting an arterial or major collector street only).
 - Institutions of higher learning including business colleges, music conservatories, and similar institutions.
 - Laboratories (medical and dental).
 - Laundromats.
 - Libraries.
 - Medical offices (excludes veterinary).
 - Microbreweries (SU).*
 - Multifamily dwellings.
 - Museums.
 - Nursing home facilities.
 - Offices, general.
 - Parking lots.
 - Parks, private.
 - Patio homes.

Article IX---- Current Ordinance Text

- Pawn shops and/or title pawn (SU).*
- Pet grooming.
- Personal care homes (SU).*
- Places of assembly (SU).*
- Printing establishments.
- Pubs and taverns.
- Public utility facilities.
- Radio and television broadcast stations.
- Radio, television, or other communication towers.
- Religious institutions (SU).*
- Repair services, light (shoes, small appliances or similar).
- Restaurants (drive-thru restaurants as SU).*
- Retail, general.
- Retail package stores (including liquor and malt beverages and/or wine sales only in a multi-tenant shopping center development consisting of a minimum of seven (7) business suites and additionally, that detached, stand alone, retail package stores shall not be permitted).
- Retirement centers (SU).*
- Reupholstery shops.
- Schools, private (SU).*
- Service stations (allowed on properties fronting an arterial or major collector street only).
- Single-family attached dwellings.
- Single-family detached dwellings.
- Stadiums (allowed on properties fronting an arterial or major collector street only).
- Storage, warehouse (allowed on properties fronting an arterial or major collector street only).
- Theaters.
- Townhouses.
- Wholesale sales office.

* Special use approval required.

- B. *Accessory uses.* Structures and land may be used for uses customarily incidental to any permitted use and a dwelling may be used for a home occupation.

9.2.3- .4 (Not shown)

Article XVI---- Current Ordinance Text

Sec. 16.4. - Minimum special use standards.

16.4.1-7 (*Not shown*)

16.4.8. *Homeless shelter.*

A. *Allowable districts:* O-C and G-C.

B. *Standards:*

1. In addition to required setbacks, a minimum twenty-five-foot wide buffer shall be required along all property lines which abut a residential district or use to provide a visual screen in accordance with section 4.17 of this chapter.
2. Such use shall be a minimum of one thousand (1,000) feet from any other shelter for the homeless. (Required minimum distances shall be measured from property lines.)
3. There shall be no use on the property other than the shelter for the homeless.
4. Adequate shower and restroom facilities must be provided at the location to meet the needs of the overnight guests.
5. Beds must be provided for all overnight guests excluding staff and volunteer workers.
6. Such shelters shall comply with all applicable city building, housing, and fire codes and shall fully comply with O.C.G.A. § 30-3-1 et seq., before a certificate of occupancy can be issued.

**Application for Text Amendment(s)
To Zoning Ordinance
City of Cartersville**

Case Number: T19-02
Date Received: 5-31-19

Public Hearing Dates:

Planning Commission 7/9/19 5:30pm 1st City Council 7/18/19 7:00pm 2nd City Council 8/1/19 7:00pm

APPLICANT INFORMATION

Applicant <u>Homeless Shelter Action</u> (printed name) <u>Committee Inc</u>	Office Phone <u>770 607 0610</u>
Address <u>P.O. Box 664</u>	Mobile/ Other Phone <u>770 846 3934</u>
City <u>Cartersville</u> State <u>GA</u> Zip <u>30120</u>	Email <u>director@goodneighborshelter.org</u>
<u>Jessica Mitcham</u> Representative's printed name (if other than applicant)	Phone (Rep) <u>above</u>
<u>Jessica Mitcham</u> Representative Signature	Email (Rep) <u>above</u>
Signed, sealed, and delivered in presence of: <u>[Signature]</u> Notary Public	Applicant Signature <u>J</u> My commission expires: <u>1-9-23</u>

Item # 2

1. Existing Text to be Amended:

Article _____, Section 9.2. M-U, Subsection 9.2.2. Use Regulations

Existing Text Reads as Follows: Homeless Shelter is not currently included as a permitted use.

2. Proposed Text:

Proposed Text Reads as Follows: Request to add Homeless Shelter to list of permitted uses.

(Continue on additional sheets as needed)

**Application for Text Amendment(s)
To Zoning Ordinance
City of Cartersville**

3. Reason(s) for the Amendment Request: Our organization has placed 1 & 3 Townsley Drive (as a single parcel) under contract with the intent to use 3 as a Shelter facility. This site is Zoned M-U. In order to operate a facility as a Homeless Shelter in M-U, we need this added to the list of Eligible Uses.

(Continue on additional sheets as needed)

**REQUIREMENTS FOR FILING
AN APPLICATION FOR TEXT AMENDMENT(S)
CITY OF CARTERSVILLE, GA**

Item # 2

Completed applications must be submitted to the City of Cartersville Planning & Development Department, located at 10 N. Public Square, 2nd Floor. Cartersville, GA 30120.

Requirements

- 1. Completed Application:** Include all signatures. Complete items 1, 2 and 3.
- 2. Filing Fee:** A non-refundable filing fee of **\$400.00** must accompany the completed application.
- 3. Public Notice Fee (Optional):** The applicant may choose to have city staff prepare and manage the public notification process outlined in **Requirement 4** below. If this option is requested, there is an additional, non-refundable fee of **\$30.00** which covers the cost of the newspaper ad.
- 4. Public Notification:** The applicant is responsible for the following **public notification** process unless the applicant has requested that staff manage this process as outlined in **item 4** above:
 - a. Not less than fifteen (15) days and not more than forty-five (45) days prior to the scheduled date of the public hearing being the final action by the City Council and not less than ten (10) days prior to the Planning Commission meeting, a **notice of public hearing** shall be published in the legal notice section of the Daily Tribune newspaper within the City of Cartersville. Such notice shall state the application file number, and shall contain the location of the property, its area, owner, current zoning classification, and the proposed zoning classification. Such notice shall include both the Planning Commission and the City Council meeting dates. (See attached Notice of Public Hearing).

NOTICE OF PUBLIC HEARING

The City of Cartersville Planning Commission will hold a public meeting on 7/9/19 at 5:30 p.m. in the City Hall Council Chambers, 3rd Floor, City Hall at 10 North Public Square, Cartersville, Georgia, 30120.

The Planning Commission will review an application by Homeless Shelter Action Committee Inc for a text amendment to the zoning ordinance. The applicant requests a text amendment to the list of eligible uses in M-U (Multi-Use) to include Homeless Shelter.

Item # 2

The Cartersville City Council will hold the first reading on 7/18/19 at 7:00 p.m. in the City Hall Council Chambers to consider the recommendation of the Planning Commission on the above mentioned application. The Cartersville City Council will have a second reading and final action on said application on 8/1/19 at 7:00 p.m. in the City Hall Council Chambers.

Please contact the City of Cartersville Planning & Development Department, City Hall, 2nd Floor, 10 North Public Square, Cartersville, Georgia 30120 or (770) 387-5600 to receive information on the filing.

If you have interest in the proposed amendments as stated above, you are encouraged to attend the meetings as stated herein.

CITY OF CARTERSVILLE

Case # _____



City of Cartersville

City Council Meeting

8/1/2019 7:00:00 PM

SU19-05: Special use permit to allow a homeless shelter in the M-U zoning district Applicant: Homeless Shelter Action Committee Inc.

SubCategory:	Public Hearing - 2nd Reading of Zoning/Annexation Requests
Department Name:	Planning and Development
Department Summary Recommendation:	Homeless Shelter Action Committee, Inc., (HSAC) is seeking to expand with the purchase of properties at 1 and 3 Townsley Drive. Both properties were developed in 2003 with similar two story buildings, parking, and a shared driveway for commercial or office uses. 1 Townsley Drive is currently home to several professional offices. No change to this use is immediately planned. The building at 3 Townsley Drive would be converted to a homeless shelter with approval of the Special Use permit. Fourteen (14) beds are proposed initially with the intent to expand to twenty (20) beds. Planning Commission recommends approval (4-0).
City Manager's Remarks:	This is the second reading. Planning Commission did recommend approval of the special use permit.
Financial/Budget Certification:	
Legal:	
Associated Information:	

SPECIAL USE APPLICATION SYNOPSIS

Petition Number(s): **SU19-05**

Request: **To allow a 14 to 20 bed homeless shelter.**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **Homeless Shelter Action Committee Inc.**

Representative: **Jessica Mitcham**

Property Owner: **Midas Omega LLLP**

Property Location: **3 Townsley Dr. (Corner of Tenn. St. & Townsley Dr.)**

Access to the Property: **Townsley Drive**

Site Characteristics:

Tract Size: Acres: **0.4 +/- acres** District: **4th** Section: **3rd** LL(S): **311 & 312**

Ward: **1** Council Member: **Kari Hodge**

LAND USE INFORMATION

Current Zoning: **M-U**

Proposed Zoning: **M-U**

Proposed Use: **Homeless Shelter**

Current Zoning of Adjacent Property:

North: **M-U (Multiple Use), Office Commercial**

South: **M-U (Multiple Use), Residential**

East: **M-U (Multiple Use), Residential**

West: **M-U (Multiple Use), Commercial**

The Future Development Map designates the subject property as: **Tennessee Street Corridor**

The Future Land Use Map designates the subject property as: **Commercial- Mixed Use.**

SU19-05

2. City Department Comments:**Electric:** No comments received**Fibercom:** Takes no exception**Fire:** Takes no exception**Gas:** Takes no exception**Public Works:** No comments received**Water and Sewer:** No comments received**3. Public Comments:** None received as of 7-2-19.**4. Special Use Review**

Homeless Shelter Action Committee, Inc., (HSAC) Cartersville, GA, (Applicant) is seeking to expand their operations with the purchase of properties at 1 and 3 Townsley Drive. The 2005 boundary survey shows the properties as two independent properties; however, the tax assessor records list the properties under (1) property ID number, C009-0003-001. Both properties were developed in 2003 with similar two story buildings, parking, and a shared driveway for commercial or office uses. 1 Townsley Drive is currently home to several professional offices. No change to this use is immediately planned.

HSAC is planning to convert 3 Townsley Drive to a homeless shelter as an expansion of their current services with approval of the Special Use permit. Fourteen beds (14) are proposed initially with the intent to expand to twenty (20) beds. Per the applicant, local fire codes will allow (14) beds, but the state fire marshal will have to approve more than (14).

HSAC currently has offices and provides housing at 110 E. Porter St and on Johnson Cove. No known homeless shelters exist within 1,000 ft. of 3 Townsley Dr.

HSAC is pursuing a Text Amendment, T19-02, to allow homeless shelters in the M-U district in conjunction with this special use permit application. Also, See Section 7 of this analysis to see how the homeless shelter special use requirements would be met.

SU19-05

5. Zoning Ordinance Findings

Please review the following findings, as stated in the Zoning Ordinance, which are to be utilized in determining justification for approval or denial of special use request(s).

B) Article XVI. Special Uses

Sec. 16.1. Scope and intent.

- A. This article specifies uses which are not classified as permitted uses as a matter of right in zoning districts, and are therefore only allowed through the approval of a Special use. The standards which apply to each use are enumerated and must be met in order for an application to be granted.
- B. In granting a Special use, conditions may be attached as are deemed necessary in the particular case for the protection or benefit of neighbors in order to assimilate the proposed development or use into the neighborhood with minimal impact.

Sec. 16.2. Application of regulations and approval.

Uses allowable with a Special use and the minimum standards for such uses are listed in section 16.4 of this article.

Uses in the districts enumerated herein may be authorized by Special use only. The regulations contained in this article shall not apply to any permitted use as a matter of right in any zoning district.

Any use which may be authorized by Special use shall be approved by the Mayor and Council in accordance with section 16.1, scope and intent, provided:

- A. The standards for the Special use as specified herein can be met;
- B. Recommendations have been received from the planning and development staff and other appropriate City departments.
- C. A public hearing has been held in relation to the Special use before the Planning Commission in conformance with the advertising standards outlined in article XXIV of this chapter. The Planning Commission shall make recommendations to the Mayor and Council regarding the application for a Special use; and
- D. A public hearing has been held in relation to the Special use before the Mayor and Council in conformance with the advertising standards outlined in article XXIV of this chapter.

Sec. 16.3. Additional restrictions.

- A. In the interest of the public health, safety and welfare, the Mayor and Council may exercise limited discretion in evaluating the site proposed for a use which requires a Special use. In exercising such discretion pertaining to the subject use, the Mayor and Council may consider the following, which shall be stated in writing by the applicant and submitted to the department of planning and development to initiate an application for a Special Use permit:

SU19-05

1. The effect of the proposed activity on traffic flow along adjoining streets;
 2. The availability, number and location of off-street parking;
 3. Protective screening;
 4. Hours and manner of operation of the proposed use;
 5. Outdoor lighting;
 6. Ingress and egress to the property; and
 7. Compatibility with surrounding land use.
- B. Any use which may be authorized by special use shall comply with all other City regulations, zoning district regulations and other regulations contained herein, and conditions of zoning approval if applicable. Whenever a standard contained in this section is in conflict with another provision of this chapter, the more restrictive provision shall prevail.

6. How General Standards Are Met:

Standard #1: *The effect of the proposed activity on traffic flow along adjoining streets.*

How Standard #1 has / will be met: No negative effect to traffic along adjoining streets. Few participants will have a car.

Standard #2: *The availability, location, and number of off-street parking.*

How Standard #2 has / will be met: Parking will remain the same as current configuration on the lot

Standard #3: *Protective screening.*

How Standard #3 has / will be met: Privacy fences exist along the east and south sides of the property.

Standard #4: *Hours and manner of operation:*

How Standard #4 has / will be met: This will be a 24-hour shelter. Staff is always present. Strict curfew is enforced and loitering is NOT permitted outside the shelter.

Standard #5: *Outdoor lighting*

How Standard #5 has / will be met: Outdoor lighting will remain the same as the current configuration on the lot

Standard #6: *Ingress and egress to the property.*

How Standard #6 has / will be met: Via Townsley Drive

SU19-05

Standard #7: Compatibility with surrounding land use.

How Standard #7 has / will be met: The proposed use is expected to be compatible with adjacent land uses as long as all rules are adhered to by residents and monitored by staff.

7. Additional standards from Zoning Ordinance section 16.4 for use applied for and how they are met:

Sec. 16.4. 8- If Text Amendment, T19-02, is approved, the homeless shelter would have to meet the requirements of this section. Since the shelter would be located within an existing structure, and surrounded by lots that are developed, some the Standards may not be applicable.

16.4.8. *Homeless shelter.*

A. *Allowable districts:* O-C and G-C.

B. *Standards:*

1. In addition to required setbacks, a minimum twenty-five-foot wide buffer shall be required along all property lines which abut a residential district or use to provide a visual screen in accordance with section 4.17 of this chapter.

Structure appears to have been built in compliance to commercial building setbacks and buffers in 2003. Approximately a minimum 30ft. separates the structure from the east side property line shared with 5 Townsley Dr. and approx. 20ft separates the structure from the south side property line shared with 709 N. Tennessee St. A variance for this standard may be needed.

Current setback requirements in the M-U district:
9.2.3 (B-D). Front and side- 10ft. Rear- 20ft.

Current buffer standard in the M-U district:

9.2.3 (N) Minimum buffer requirements. In addition to required setbacks, all nonresidential and/or multifamily property uses within the M-U district which abut a single-family residential district or use shall provide a minimum fifteen-foot wide buffer, five (5) feet of which can be within required setback, to provide a visual screen in accordance with section 4.17 of this chapter.

2. Such use shall be a minimum of one thousand (1,000) feet from any other shelter for the homeless. (Required minimum distances shall be measured from property lines.) (Met)
3. There shall be no use on the property other than the shelter for the homeless. (Met)
4. Adequate shower and restroom facilities must be provided at the location to meet the needs of the overnight guests. (Must meet building and fire code regulations).
5. Beds must be provided for all overnight guests excluding staff and volunteer workers.
(Will be met).
6. Such shelters shall comply with all applicable city building, housing, and fire codes and shall fully comply with O.C.G.A. § 30-3-1 et seq., before a certificate of occupancy can be issued.

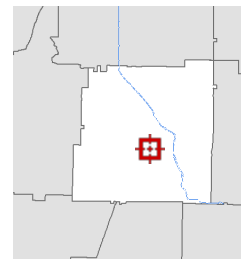
(All plans to be reviewed and approved by the building official and fire marshal)

SU19-05

8. Staff Recommendation: Staff recommends approval

9. Planning Commission Recommendation:

Recommends Approval (4-0)

**Overview****Legend**

-  Parcels
-  Roads
- City Labels

Parcel ID	C009-0003-001	Alternate ID	33063	Owner Address	MIDAS OMEGA LLLP
Sec/Twp/Rng	n/a	Class	Commercial		162 W MAIN ST STE 303
Property Address	3 TOWNSLEY DR	Acreage	0.4		CARTERSVILLE GA 30120
	Cartersville				
District	Cartersville				
Brief Tax Description	TOWNSLEY S/D				
	(Note: Not to be used on legal documents)				

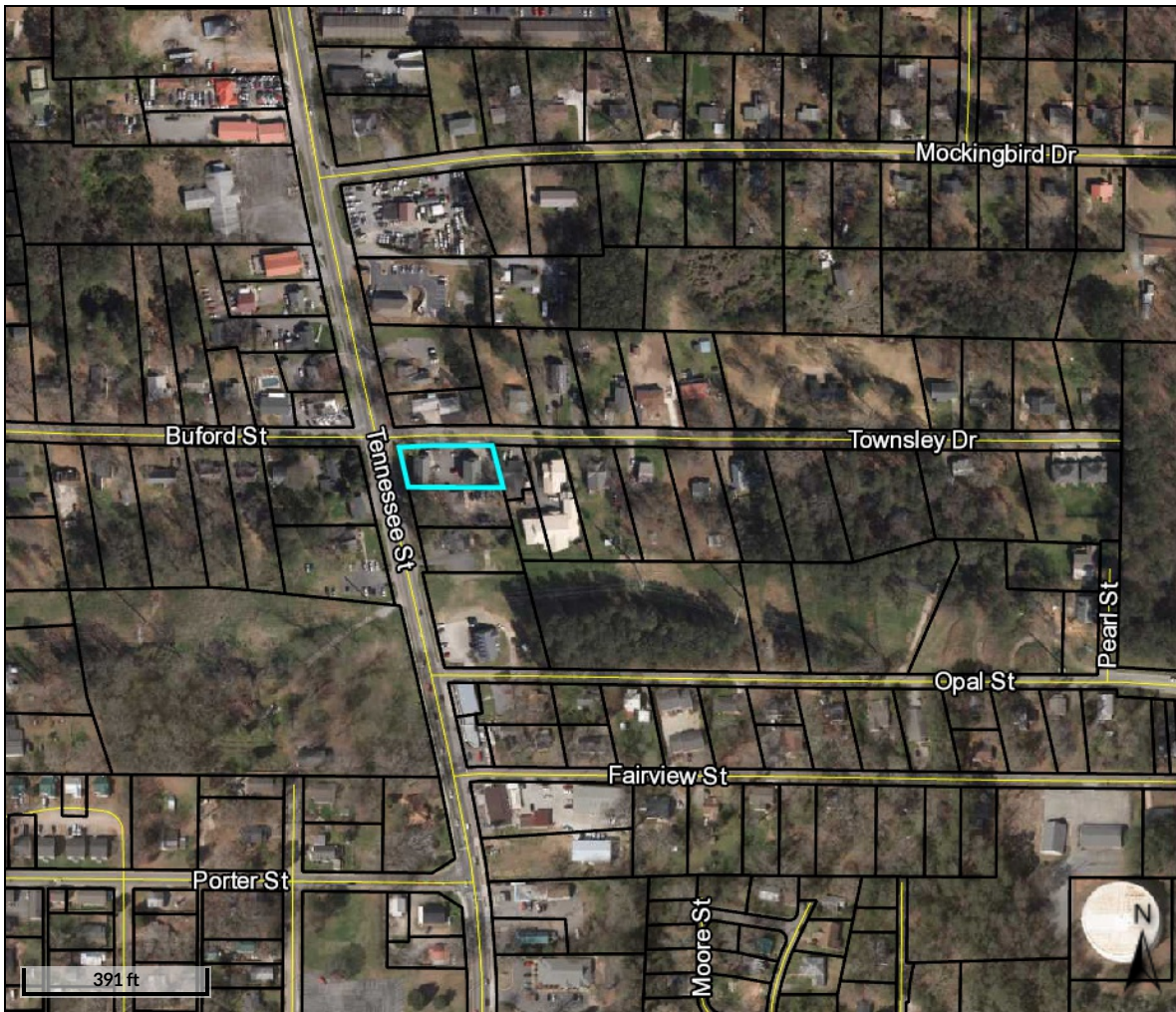
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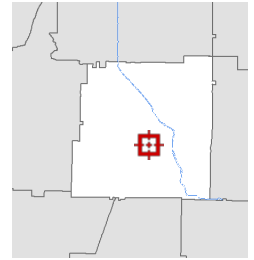
 Developed by  **Schneider**
GEOSPATIAL



Bartow County, GA



Overview



Legend

- Parcels
- Roads
- City Labels

Parcel ID	C009-0003-001	Alternate ID	33063	Owner Address	MIDAS OMEGALLP
Sec/Twp/Rng	n/a	Class	Commercial		162 W MAIN ST STE 303
Property Address	3 TOWNSLEY DR	Acreage	0.4		CARTERSVILLE GA 30120
	Cartersville				

District Cartersville
Brief Tax Description TOWNSLEY S/D

(Note: Not to be used on legal documents)

Date created: 6/5/2019

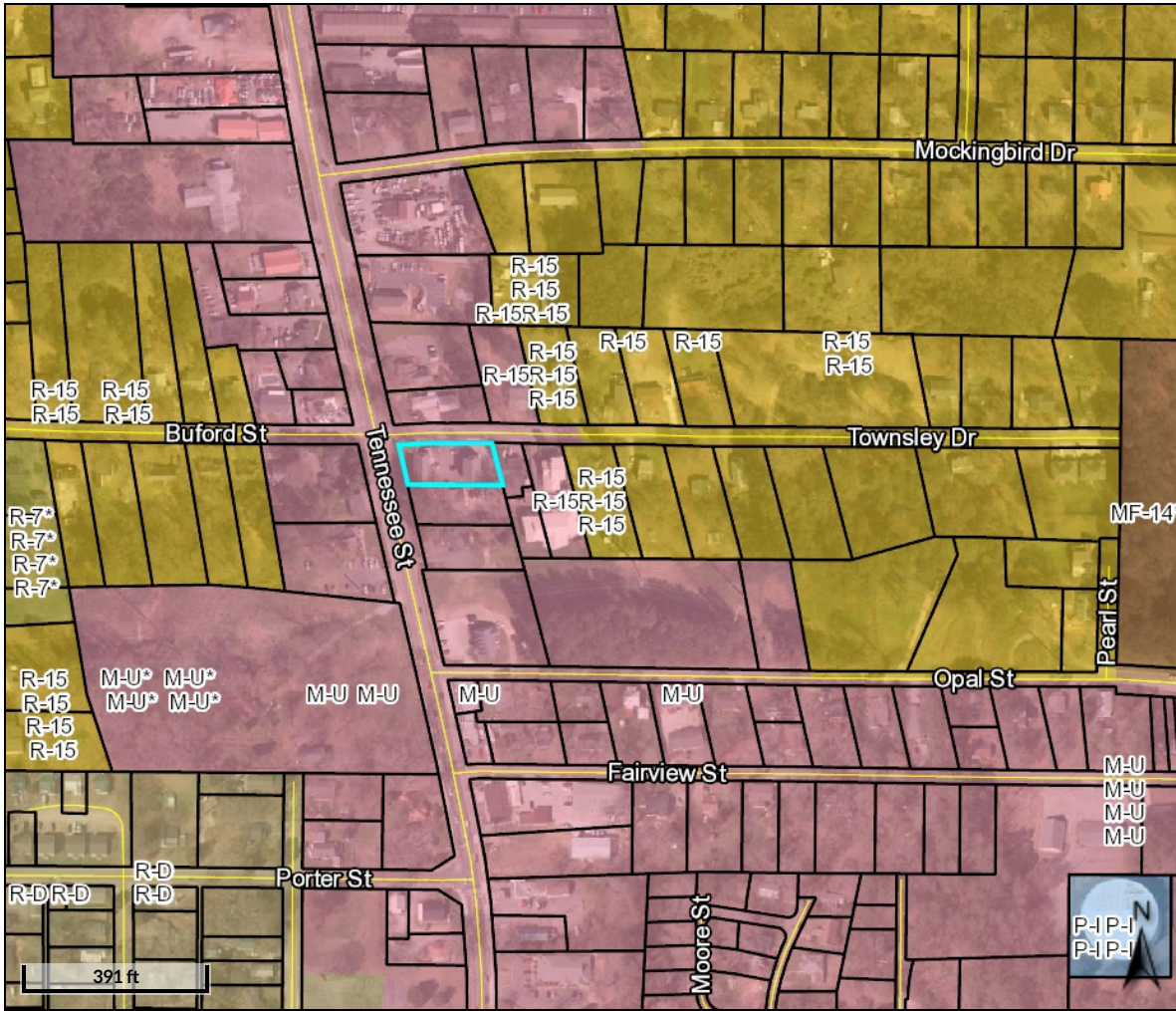
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Developed by Schneider
 GEOSPATIAL

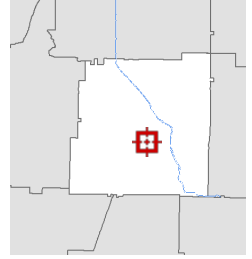


qPublic.net™

Bartow County, GA



Overview



Legend

Parcels

Roads

City Labels

Cartersville Zoning

- AG
- DBD
- G-C
- G-C*
- H-I
- H-I*
- L-I
- L-I*
- M-U
- M-U*
- 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*
- R-20
- R-20*
- R-7
- R-7*
- R-D
- RA-12
- RA-12*

Parcel ID C009-0003-001
Sec/Twp/Rng n/a

Alternate ID 33063
Class Commercial

Owner Address MIDAS OMEGA LLLP
162 W MAIN ST STE 305

Item # 3

Application for Special Use
City of Cartersville

Case Number: SU19-05
Date Received: 5/31/19

Public Hearing Dates:

Planning Commission 7/9/19 5:30pm 1st City Council 7/18/19 7:00pm 2nd City Council 8/1/19 7:00pm

Applicant <u>Homeless Shelter Action</u> (printed name) <u>Committee Inc</u>		Office Phone <u>770 6070610</u>	
Address <u>PO Box 664</u>		Mobile/ Other Phone <u>770 8463934</u>	
City <u>Cartersville</u>	State <u>GA</u>	Zip <u>30120</u>	Email <u>director@goodneighborshelter.org</u>
Representative's printed name (if other than applicant) <u>Jessica Mitcham</u>		Phone (Rep) <u>above</u>	
		Email (Rep) <u>above</u>	
Representative Signature <u>Jessica Mitcham</u>		Applicant Signature _____	
Signed, sealed and delivered in presence of _____		My commission expires: <u>1-9-23</u>	
Notary Public <u>Melanie Miles</u>			

Item # 3

* Titleholder _____ (titleholder's printed name)	Phone _____
Address _____	Email _____
Signature _____	
Signed, sealed, delivered in presence of: _____	My commission expires: _____
Notary Public _____	

Present Zoning District <u>M-U</u>
Acreage <u>.4</u> Land Lot(s) <u>311 & 312</u> District(s) <u>4</u> Section(s) <u>3</u>
Location of Property: <u>corner of Tennessee St and Townsley Dr</u> (street address, nearest intersections, etc.)
Reason for Special Use Request: <u>use of 3 Townsley as Homeless Shelter</u>
(attach additional statement as necessary)

* Attach additional notarized signatures as needed on separate application pages.

SPECIAL USE JUSTIFICATION

The Mayor and City Council, upon review, may authorize a Special Use which is not classified as a permitted use by right in a zoning district.

Zoning Ordinance section 16.3.A

In the interest of the public health, safety and welfare, the Mayor and Council may exercise limited discretion in evaluating the site which requires a Special use. In exercising such discretion pertaining to the subject use, the Mayor and Council may consider the following, which shall be stated in writing by the applicant and submitted to the department of planning and development to initiate an application for a Special use:

1. The effect of the proposed activity on traffic flow along adjoining streets;
2. The availability, number and location of off-street parking;
3. Protective screening;
4. Hours and manner of operation of the proposed use;
5. Outdoor lighting;
6. Ingress and egress to the property; and
7. Compatibility with surrounding land use.

Zoning Ordinance section 16.4 states standards for specific uses – if the use you are applying for has additional standards, these must also be addressed below.

Use applied for:

Standard #1: The effect of the proposed activity on traffic flow along adjoining streets.

How Standard #1 has / will be met:

Little to no anticipated impact on traffic;
extremely few participants have vehicles.

Standard #2: The availability, number, and location of off-street parking.

How Standard #2 has / will be met:

Parking lot available; again (as stated above),
few vehicles expected

Standard #3: Protective screening.

How Standard #3 has / will be met:

Privacy fence on sides of property not having
street frontage

Item # 3

Standard #4: Hours and manner of operation of the proposed use.

How Standard #4 has / will be met:

Will be 24 hours; staff always present;
loitering outside not permitted; curfew enforced

Standard #5: Outdoor lighting.

How Standard #5 has / will be met:

Current outdoor lighting on building; streetlights

Standard #6: Ingress and egress to the property.

How Standard #6 has / will be met:

Given few vehicles involved, no new impact
beyond current tenants in #1

Standard #7: Compatibility with surrounding land use.

How Standard #7 has / will be met:

We feel use as Homeless Shelter is appropriate
in this area due to convenience of jobs and services.

Additional standards from Zoning Ordinance section 16.4 for use applied for and how they are met:

Signed,

Jessie N. Mutcham

Applicant or Representative

5/30/19

Date

CARTERSVILLE NEWSPAPERS

• The Daily Tribune • The Herald-Tribune • The North Bartow News

CAMPAIGN DISCLOSURE REPORT
FOR REZONING ACTIONS

Pursuant to O.C.G.A. 36-67A-3 any and all applicants to a rezoning action must make the following disclosures:

Date of Application: 5/30/19

Date Two Years Prior to Application: 5/30/17

Date Five Years Prior to Application: 5/30/14

1. Has the applicant within the five (5) years preceding the filing of the rezoning action made campaign contributions aggregating \$250.00 or more to any of the following:

	YES	NO
Mayor: Matt Santini	<u> </u>	<u>X</u>
Council Member:		
Ward 1- Kari Hodge	<u> </u>	<u>X</u>
Ward 2- Jayce Stepp	<u> </u>	<u>X</u>
Ward 3- Cary Roth	<u> </u>	<u>X</u>
Ward 4- Calvin Cooley	<u> </u>	<u>X</u>
Ward 5- Gary Fox	<u> </u>	<u>X</u>
Ward 6- Taff Wren	<u> </u>	<u>X</u>
Planning Commission		
Greg Culverhouse	<u> </u>	<u>X</u>
Harrison Dean	<u> </u>	<u>X</u>
Lamar Pendley	<u> </u>	<u>X</u>
Lamar Pinson	<u> </u>	<u>X</u>
Travis Popham	<u> </u>	<u>X</u>
Jeffery Ross	<u> </u>	<u>X</u>
Stephen Smith	<u> </u>	<u>X</u>

2. If the answer to any of the above is **Yes**, please indicate below to whom, the dollar amount, date, and description of each campaign contribution, during the past five (5) years.

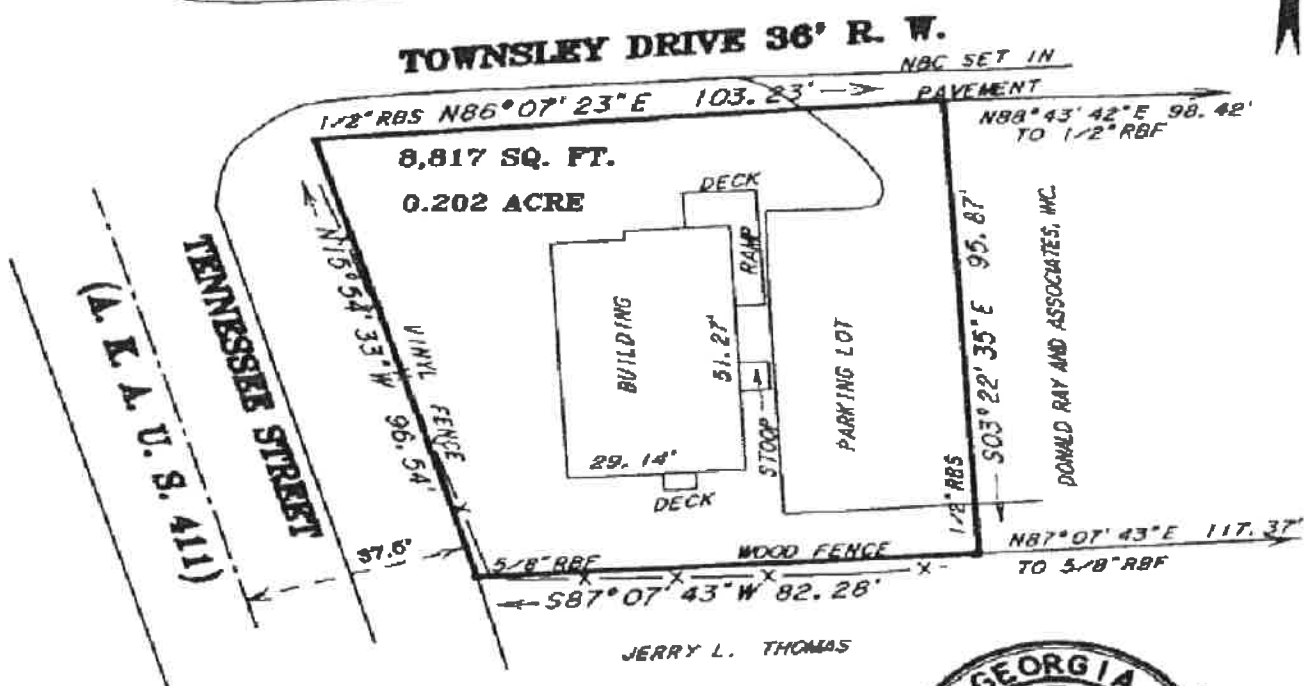
Jessie Mitcham 5/30/19
Signature Date

Jessica Mitcham
Print Name

SURVEYED FOR
KIM WILSON
DBA REGAL MORTGAGE

IN LAND LOT 311, 4TH. DISTRICT, 3RD. SECTION,
CITY OF CARTERSVILLE, BARTOW COUNTY, GEORGIA
DATE OF PLAT 3-21-2005 SCALE 1" = 30'
DATE OF FIELD WORK 3-10-2005, 3-15-2005, 3-18-2005

GEORGIA, BARTOW COUNTY
CLERKS OFFICE SUPERIOR COURT
Filed for record this 11 day of May 20 2005 at 2:42 o'clock P.M.
Recorded in Plat record No. 60
Page 111 this 11 day of May 20 05
GARY BELL, Clerk



FIELD DATA:
CLOSURE: 1" IN 25,000'
EQUIPMENT: TOPCON GTS-303
ANGULAR ERROR 08" PER ANGLE POINT
BEARINGS ARE MAG. CAL. FROM ANGLES
TURNED.
ADJUSTED USING LEAST SQUARES
PLAT CLOSURE 1" IN 100,000'

"FEMA FLOOD HAZARD MAP" 13015C0087 F
DATED SEPTEMBER 29, 1989, SHOWS THIS
PROPERTY OUT OF FLOOD ZONE.

**NOTE: THIS PLAT IS MADE FOR THE SOLE USE AND
BENEFIT OF THE PERSON OR PERSONS NAMED HEREON.
THIS FIRM ASSUMES NO LIABILITY TO PERSONS NOT
NAMED HEREON AND ANY USE BY UNNAMED PARTIES
WILL BE DONE AT THEIR OWN RISK.**



JOHNNY R. KNIGHT

JOHNNY R. KNIGHT

GEORGIA
REGISTERED
NO. 1912
LAND SURVEYOR

KNIGHT & KNIGHT LAND SURVEYORS, LLC
116 CENTER ROAD
CARTERSVILLE, GEORGIA 30121
TELEPHONE (770) 382-7975
or (770) 382-6626

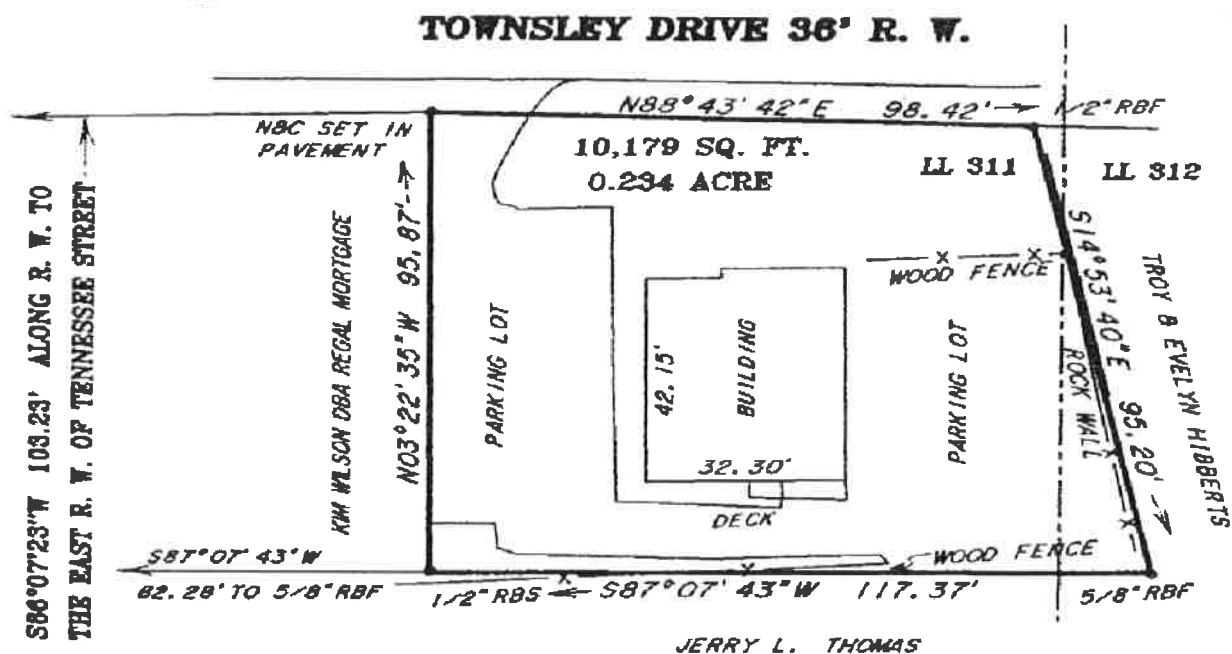
SURVEYED FOR
DONALD RAY & ASSOCIATES, INC.

IN LAND LOTS 311 & 312, 4TH. DISTRICT, 3RD. SECTION,
CITY OF CARTERSVILLE, BARTOW COUNTY, GEORGIA
DATE OF PLAT 3-21-2005 SCALE 1" = 30'
DATE OF FIELD WORK 3-10-2005, 3-15-2005, 3-18-2005

GEORGIA, BARTOW COUNTY
CLERK'S OFFICE SUPERIOR COURT
FILED FOR RECORD THIS 11 day of
May 2005 at 2:42 o'clock P. M.
Set record No. 615
Page 138
GARY BELL, Clerk



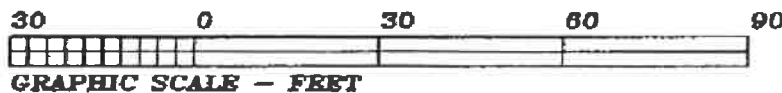
Item # 3



FIELD DATA:
CLOSURE: 1" IN 23,200'
EQUIPMENT: TOPCON GTS-303
ANGULAR ERROR 02" PER ANGLE POINT
BEARINGS ARE MAG. CAL. FROM ANGLES
TURNED.
ADJUSTED USING LEAST SQUARES
PLAT CLOSURE 1" IN 100,000'

"FEMA FLOOD HAZARD MAP" 13015C0087 F
DATED SEPTEMBER 29, 1989, SHOWS THIS
PROPERTY OUT OF FLOOD ZONE.

**NOTE: THIS PLAT IS MADE FOR THE SOLE USE AND
BENEFIT OF THE PERSON OR PERSONS NAMED HEREON.
THIS FIRM ASSUMES NO LIABILITY TO PERSONS NOT
NAMED HEREON AND ANY USE BY UNNAMED PARTIES
WILL BE DONE AT THEIR OWN RISK.**



Johnny R. Knight
Johnny R. Knight

KNIGHT & KNIGHT LAND SURVEYORS, LLC
116 CENTER ROAD
CARTERSVILLE, GEORGIA 30121
TELEPHONE (770) 382-7076
or (770) 382-5525

SU19-05



Item # 3

SU19-05



Item # 3



City of Cartersville

City Council Meeting

8/1/2019 7:00:00 PM

Ordinance Amendment to Correct Frontage Requirements

SubCategory:	First Reading of Ordinances
Department Name:	Administration
Department Summary Recommendation:	This is a general housekeeping clean-up in a section of the ordinance which deals with septic tank lots. This corrects an arbitrary number used for street frontage, and refers it back to our adopted frontage requirements. Your approval of this amendment to the ordinance is recommended.
City Manager's Remarks:	This is the first reading. Your approval of this amendment is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

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 23 – SUBDIVISIONS. ARTICLE II. – REQUIRED IMPROVEMENTS. SECTION 23-19. – SANITARY SEWERS** is hereby amended by deleting paragraph (b)(2) in its entirety and replacing it as follows:

1.

Sec. 23-19. - Sanitary sewers.

(b) Wherever a public sanitary sewer is not available within a reasonable distance from the subdivision,

(2) *Septic tanks.* A septic tank on each lot, provided the minimum lot size shall be fifteen thousand (15,000) square feet which shall comply with the City of Cartersville requirements for frontage. This minimum lot area may be increased by the health department if necessary. The following information shall be submitted to the health department for consideration of septic tank approval.

- a. Topographic information for each parcel of land on which a septic tank is to be installed. Contour intervals shall not exceed five (5) feet.
- b. Location of all drainage facilities, either natural or proposed.
- c. Percolation data indicated on a plat as specified by the health department.
- d. Proposed number of sanitary fixtures per dwelling unit.

2.

All other remaining provisions of Section 23-19. are to remain as is and the replacement paragraph herein is to be made part of Section 23-19.

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



City of Cartersville

City Council Meeting
8/1/2019 7:00:00 PM
Brunch Bill - Sunday Sales

SubCategory:	First Reading of Ordinances
Department Name:	Administration
Department Summary Recommendation:	This is to amend the Code of Ordinances for the City of Cartersville, to allow for Sunday sales of malt beverages, wine and distilled spirits for consumption on the premises; to authorize a referendum in the general election; to provide for an adoption and effective date; and to provide for other lawful purposes.
City Manager's Remarks:	This is the first reading. Your approval is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF CARTERSVILLE, GEORGIA TO ALLOW FOR SUNDAY SALES OF MALT BEVERAGES, WINE AND DISTILLED SPIRITS FOR CONSUMPTION ON THE PREMISES; TO AUTHORIZE A REFERENDUM; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the City of Cartersville, Georgia is charged with providing for the health, safety and welfare of the citizens of the City; and

WHEREAS, the City is authorized to regulate sales of alcoholic beverages in the City for consumption on the premises of licensed establishments; and

WHEREAS, SB 17, approved by the 2018 Legislative Session was signed by the Governor and became effective on May 8, 2018, authorizes sales of malt beverages, wine and distilled spirits to be sold on Sundays for consumption on the premises of licensed establishments in any local government jurisdiction that desires to place same on a referendum for a vote on a general election ballot and the referendum receives a majority approval; and

WHEREAS, the City of Cartersville has previously approved Sunday Sales for malt beverages, wine, and distilled spirits; and

WHEREAS, that in order to place the question on a referendum, a local governing authority must pass Resolution or Ordinance permitting sales of alcohol on Sundays between the hours of 11:00 a.m. and 12:00 a.m. (midnight), and forward a certified copy of same to the Elections Superintendent for placing on the ballot; and

WHEREAS, the City Council desires to amend City Code to provide for earlier Sunday sales of malt beverages, wine and distilled spirits and desires to place the question for a referendum on the November 5, 2019 election ballot.

THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF CARTERSVILLE, GEORGIA, HEREBY ORDAIN as follows:

SECTION ONE

That **CHAPTER 4 - ALCOHOLIC BEVERAGES, ARTICLE II. - LICENSING REQUIREMENTS, DIVISION 1. - GENERALLY, Sec. 4-35. - Sunday license, Paragraph (2) and DIVISION 5. - HOURS OF OPERATION, Sec. 4-120. - Pouring outlets, Paragraphs (3) and (4),** are hereby amended to read as follows:

A.

Sec. 4-35. - Sunday license.

(2) Alcoholic beverages may be sold and served for consumption on the premises on Sundays from 11:00 a.m. until 12:00 midnight in any licensed establishment which derives at least fifty (50) percent of its total annual gross food and beverage sales from the sale of prepared meals or food, and in any licensed establishment which derives at least fifty (50) percent of its total annual gross revenues from the rental of rooms for overnight lodging; and must qualify as a restaurant or hotel with valid unlimited health permit.

B.

Sec. 4-120. - Pouring outlets.

(3) No pouring shall be permitted between the hours of 1:30 a.m. Sunday and 11:00 a.m. Sunday, or between the hours of 12:30 a.m. and 10:00 a.m. Monday through Thursday and/or between the hours of 1:30 a.m. and 10:00 a.m. Friday and Saturday except as provided in subsection (9) herein.

(4) No wine or malt beverages or distilled spirits may be consumed on the premises of the pouring outlet between the hours of 2:00 a.m. Sunday and 11:00 a.m. Sunday, or between the hours of 12:30 a.m. and 10:00 a.m. Monday through Thursday and/or between the hours of 2:00 a.m. and 10:00 a.m. Friday and Saturday except as provided in subsection (9) herein.

SECTION TWO

Upon adoption of this Ordinance, the same shall be forwarded to the City's Election Superintendent for inclusion on the November 5, 2019 election ballot as a question as follows:

Shall the governing authority of the City of Cartersville be authorized to permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink from 11:00 A.M. to 12:30 P.M.?"

() YES

() NO

SECTION THREE

That the Election Superintendent is further authorized and directed to place an advertisement in The Daily Tribune Newspaper once a week for two weeks prior to the date of the November 5, 2019, Election where the above question shall be placed on the ballot, stating the date and purpose of this Referendum to be placed on the ballot in the advertisement.

SECTION FOUR

All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION FIVE

This Ordinance shall become effective on December 1, 2019, so long as the Referendum authorized by this Ordinance is approved by the majority of the voters on the November 5, 2019 Election Ballot. If the Referendum is not approved by a majority of the voters, this Ordinance shall be null and void.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____
SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
MEREDITH ULMER, CITY CLERK



City of Cartersville

City Council Meeting

8/1/2019 7:00:00 PM

DGR-1 Rider Revision - Ordinance Sec.24-261

SubCategory:	Second Reading of Ordinances
Department Name:	Electric
Department Summary Recommendation:	The Electric Department is requesting Council's approval of a revision to Section 24-261, which is our DGR-1 rate rider. The DGR-1 rider is applicable to customers that have solar or other power generation sources connected to the City's electrical distribution system. In response to recent complaints from a new customer, we did a comprehensive study of the financial impact that our existing DGR-1 rider would have on their monthly bills. We discovered that our capacity fees were very punitive, and not in line with the way we intend to do business with our customers. Thus, we have revised DGR-1 to eliminate the punitive capacity fees, and replace them with a flat administrative charge based on the standard electrical billing rate that is applicable to the customer. We think this revised DGR-1 rider is a fairer option for our solar customers without any negative consequence to the City, and we recommend your approval of the revised ordinance.
City Manager's Remarks:	This is the second reading. The revision will remove the capacity fee and be a better benefit to customers who are wishing to go on the distributed generation rate. Your approval is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

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 24. UTILITIES. ARTICLE X. ELECTRIC SYSTEM. DIVISION 2. DISTRIBUTED GENERATION RIDER, SECTION 24-261 – DISTRIBUTED GENERATION RIDER, DGR-1 is hereby amended by deleting said Division in its entirety and replacing it with the following:

Sec. 24-261. Distributed Generation Rider, DGR-1.

1.

- (a) *Effective Date:* Bills rendered on or after August 1, 2019.
- (b) *Availability:* Applicable to Customers in all areas served by the Cartersville Electric System (the Utility) and subject to its service rules, regulations, terms, policies and procedures, as amended from time to time, which are incorporated herein by this reference, and desiring to install a distributed generation facility. Customer account(s) must be in good standing.
 - (1) A distributed generation facility must:
 - (i) Be owned (or leased) and operated by an existing Customer for production of electric energy, and
 - (ii) Be connected to and/or operate in parallel with the Utility's distribution facilities, and
 - (iii) Be intended primarily to offset part or all of the Customer's generator's requirement for electricity, and
 - (iv) Have peak generating capacity of not more than 10 kW for residential applications and not more than 125% of actual or expected maximum annual peak demand of the premise for commercial applications.
 - (v) Be installed on the customer side of the meter.
- (c) *Monthly Metering Charge:*
 - (1) Bi-Directional Metering Charge \$2.50 per month
OR
 - (2) Single Directional
 - (i) Single-Phase \$4.50 per month
 - (ii) Poly-phase \$11.00 per month
 - (3) The City of Cartersville Electric System will install single directional metering or bi-directional metering depending on the Customer's method of installation. All installed costs for metering and associated equipment will be paid by the Customer at the time service is initiated under this policy.
 - (4) Bi-directional metering is defined as measuring the amount of electricity supplied by the Utility and the amount fed back to the Utility by the Customer's distributed generation facility during the billing period using the same meter. Bi-directional metering shall be used where distributed generation facilities are connected to the Utility on the Customer's side of the Customer's meter.

- (5) Single directional metering shall be defined as measuring electricity produced or consumed during the billing period, in accordance with normal metering practices. Single directional metering shall be used where distributed generation facilities are connected to the Utility's distribution system on the Utility's side of the Customer's meter.

(d) *Administrative Charges:* The Utility requires each Customer with a distributed generation facility to pay the monthly administrative charges based on the electric rate.

- | | |
|--------------------------------|-------------------|
| (1) Residential | \$10.00 per month |
| (2) Commercial Non-Demand..... | \$12.00 per month |
| (3) Small Power | \$14.00 per month |
| (4) Medium Power | \$16.00 per month |
| (5) Large Power | \$18.00 per month |
| (6) Extra Large Power | \$20.00 per month |

(e) *Payment for Energy:*

(1) Bi-directional metering

- (i) When electricity supplied by the Utility exceeds electricity generated by the Customer's distributed generation, the electricity shall be billed by the Utility in accordance with the applicable tariff(s).
- (ii) When electricity generated by the Customer's distributed generation system exceeds electricity supplied by the Utility, the Customer shall be billed for the customer charges as described in the standard rate for that billing period and credited for excess kWh generated during the billing period at the Utility's avoided energy cost.

(2) Single directional metering

- (i) For kWh's generated by Customer's distributed generation facility, Customer shall be compensated at the Utility's avoided cost of energy (kWh) as determined by the Utility. The Utility will only compensate Customer for avoided energy kWh's as determined by metered energy delivered to the Utility's distribution system.
- (ii) The Customer's net bill will be calculated using the Utility calculation for avoided energy cost (as described below) credited to the Customer, netted against the billing period charges for the Customer's regular service (according to the applicable tariff) based on actual metered energy.

(3) Avoided Energy Cost

Payments by the Utility to the Customer for the billing period metered avoided energy kWh's will be computed by the Utility in its sole discretion based on the average monthly wholesale market price as determined by the Municipal Electric Authority of Georgia (MEAG Power), the Utility's Wholesale Energy provider.

(f) *Safety, Power Quality, and Interconnection Requirements:*

- (1) The Customer shall be responsible for ensuring a safe and reliable interconnection with the Utility and all costs incurred therein. The Utility has available, upon request, the following documents that must be completed and approved in their entirety prior to interconnection by the Customer to the Utility's distribution system:
 - (i) Application for Interconnection of Distributed Generation Facility
 - (ii) Interconnection Agreement
 - (iii) Electrical Power Exchange Agreement
- (2) The provisions in all documents outlined above are incorporated into this Tariff in their entirety. For the avoidance of doubt, Customer shall be deemed to have agreed to such provisions by applying for service under this Tariff.
- (3) The Utility will only be required to purchase energy from eligible distributed generation facilities on a first-come, first-served basis until the cumulative generating capacity of all renewable energy sources from all Customers equals the percentage of the Utility's annual peak demand in the previous year as set forth in O.C.G.A. § 46-3-56(a). Additional energy may be purchased by the Utility at its sole discretion at a cost agreed to by it and the Customer provider. The Utility shall at no time be required to purchase energy from Customers in excess of amounts required by the DG Act.
- (4) The Utility reserves the right to separate the Customer generator's equipment from City lines and facilities when, in the Utility's judgment, the continued parallel operation is unsafe or may cause damage to persons or property. Upon such separation, the Utility shall promptly notify the Customer generator so that any unsafe condition can be corrected.

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 to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____
 SECOND READING: _____

 MATTHEW J. SANTINI, MAYOR

ATTEST: _____
 MERIDITH ULMER, CITY CLERK



City of Cartersville

City Council Meeting
8/1/2019 7:00:00 PM
150kVA Transformer

SubCategory:	Bid Award/Purchases
Department Name:	Electric
Department Summary Recommendation:	The Electric Department is requesting authorization to purchase a 150kVA pad-mounted transformer. Our last equivalent transformer was used for the new Fire Station #3. Three quotes were obtained, but the lowest bid has a 20-week delivery time and the unit from Gresco is available for immediate delivery. The total ownership cost for the Gresco unit is \$713 higher, but it is worth the higher cost since we do not have a spare unit in stock. This unit is also dual-voltage which means it could be used anywhere on our system. We recommend purchasing the Gresco transformer to avoid a 20-week delay.
City Manager's Remarks:	Your approval of this transformer purchase is recommended.
Financial/Budget Certification:	This is a budgeted item.
Legal:	
Associated Information:	

150kVA Transformer Purchase Request

Transformer Total Ownership Cost Evaluation

150 kVA 120/208 3-phase Padmount Transformer

<u>VENDOR</u>	<u>BRAND</u>	<u>LEAD TIME</u>	<u>UNIT PRICE</u>	<u>NL</u>	<u>LL</u>	<u>TOTAL</u> <u>OWNERSHIP COST</u>	
Gresco	Ermco	stock	\$ 7,865.00	268	1588	\$10,659.00	Dual Voltage
Wesco	WEG	20 weeks	\$ 7,196.00	276	1508	\$9,946.00	
Irby	GE	8-9 weeks	\$ 8,227.00	115	1952	\$10,696.50	

The Electric Department is requesting authorization to purchase a 150kVA pad-mounted transformer. We used our last equivalent transformer for the new Fire Station #3, and need a replacement for our stock. We obtained three quotes, and are requesting to purchase the unit from Gresco. As you probably noticed, this is not the cheapest of the three quotes -- the total ownership cost is \$713 higher -- but the lowest bid will take 20 weeks to deliver, and the unit from Gresco is available for immediate delivery. Being that we currently do not have a spare unit in stock, the immediate availability is worth the upcharge. Additionally, this unit is dual-voltage, meaning we could use it anywhere on our system. The other unit can only be used at 12kV, so we couldn't use it where we have 25kV distribution.

We recommend your approval to purchase the 150kVA transformer from Gresco for \$7,865.00.



City of Cartersville

City Council Meeting
8/1/2019 7:00:00 PM
Walk Behind Mower

SubCategory:	Bid Award/Purchases
Department Name:	Public Works
Department Summary Recommendation:	Public Works requested quotes for a 36" floating deck walk behind mower and a 48" floating deck walk behind mower. The low bidder was Taylor Outdoor Power Equipment at \$11,007.62. This is a budgeted item and we recommend the low bidder.
City Manager's Remarks:	This is a budgeted purchase. Your approval of the purchase is recommended.
Financial/Budget Certification:	These are budgeted items.
Legal:	
Associated Information:	

Bill To				Ship To		
CARTERSVILLE, CITY OF P O Box 1390 Cartersville, GA 30120						
Customer	Contact	Customer Tax Number	Phone	Cell Phone	PO Number	
1086	KEITH PRUITT - PUBLIC		(0) -			
Counter Person	Sales Person	Date Printed	Reference	Transaction	Department	
Ty Whaley	Ty Whaley	07/18/19	350269	Estimate	COUNTER SALES	

Part Number	Line	Description	Ordered	B/O'd	Shipped	Net Each	Amount	
PS1RN-R	MSC	SELBRO, PRO SULKY ONE RUNNER FLAT FREE	2		2	\$251.10	\$502.20	
Model	Line	Description	Ordered	B/O'd	Shipped	List	Net	Amount
TTS481GKA48300	EME	TURF TRACER S KWFS481 48"ULTRA	1		1	\$5,450.21		\$5,450.21
	SN	404630112						
TTS481CKA36300	EME	TURF TRACER 36"	1		1	\$5,055.21		\$5,055.21
	SN	404437103						

Note

Equipment Eligible for a 21% off Government Bid Assist
MSRP on Turf Tracer 36" is \$6,399
MSRP on Turf Tracer 48" is \$ 6,899

Sub Total	\$11,007.62
Miscellaneous	\$0.00
Labor	\$0.00
Sales Tax	\$0.00
Grand Total	\$11,007.62

NO RETURNS OR SERVICE WARRANTIES WITHOUT A RECIEPT. SERVICE WARRANTY BEGINS AFTER CUSTOMER IS FIRST NOTIFIED OF COMPLETION AND IS VALID FOR THIRTY (30) DAYS. THERE ARE NO RETURNS ON SPECIAL ORDERS OR ELECTRICAL PARTS.

Notes:



Customer acknowledges receipt thereof:



Quote Summary

Prepared For:

City Of Cartersville
319 N Erwin St
Cartersville, GA 30120
Business: 770-387-5678
KPRUITT@CITYOFCARTERSVILLE.ORG

Prepared By:

Clinton Boquet
Ag-Pro
1534 Highway 411 North
Cartersville, GA 30121
Phone: 770-387-0340
jboquet@agproco.com

All Used Equipment is Sold As Is, No Warranty.

Quote Id: 20072002
Created On: 18 July 2019
Last Modified On: 18 July 2019
Expiration Date: 31 July 2019

Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE W48R Commercial Walk Behind Mower with Pump/ Motor Hydraulic Drive - 1TCW48RAPKT010067	\$ 7,913.41	\$ 6,611.66 X	1 =	\$ 6,611.66
JOHN DEERE W36R Commercial Walk Behind Mower with Pump/ Motor Hydraulic Drive - 1TCW36RGCKT010067	\$ 7,110.41	\$ 6,111.66 X	1 =	\$ 6,111.66
Equipment Total				\$ 12,723.32

Quote Summary

Equipment Total	\$ 12,723.32
Dealer services	\$ 0.00
SubTotal	\$ 12,723.32
Est. Service Agreement Tax	\$ 0.00
Total	\$ 12,723.32
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 12,723.32

Salesperson : X _____

Accepted By : X _____

Item # 8



FRANKLIN TRACTOR

2221 Highway 411 NE
Cartersville, Georgia 30121
(770) 382-6855

1. Toro 48" walk behind with hydro drive and floating deck
2. Toro 36" walk behind with hydro drive and floating deck

NO BID DUE TO PRODUCT AVAILABILITY OF 36" WALK BEHIND

 7-22-19
Franklin Tractor



City of Cartersville

City Council Meeting
8/1/2019 7:00:00 PM
D&C Restock #4

SubCategory:	Bid Award/Purchases
Department Name:	Water Department
Department Summary Recommendation:	The Distribution and Collection Division requested bids on various $\frac{3}{4}$ inch and 2 inch ball valves. Bids were submitted by the following: Hayes Pipe Supply \$5,702.26 Ferguson Waterworks \$5,808.60 Fortiline Waterworks \$6,276.68 I recommend approval of the Hayes Pipe bid in the amount of \$5,702.26. This is a budgeted item. This purchase will run through account 505.3320.52.2390 – Maintenance to Meters and Settings.
City Manager's Remarks:	This is a budgeted item. Your approval of the purchase from Hayes Pipe for the ball valves is recommended.
Financial/Budget Certification:	This is a budgeted item.
Legal:	
Associated Information:	



HAYES PIPE SUPPLY, INC.

3450 Novis Pointe Northwest • Acworth, GA 30101
(770) 529-8883 • Fax (770) 529-8923
www.hayespipe.com

QUO # - 22349

PAGE - 1

TO: CARTERSVILLE WATER DEPARTMENT

STOREROOM

ATTN. ELISA SMALLEY

P.O. BOX 1390

CARTERSVILLE GA 30120

Plan Date 6/07/2019
Last Revision .

BID DATE
6/07/2019

BID TIME
:00

QUANTITY DESCRIPTION

UNIT

PRICE

EXTENSION

Item # 9

50 3/4" FORD B91-223WR-NL BALL VA
24 3/4" FORD B11-344WR-NL BALL VA

EA
EA

34.19
55.83

1,709.50
1,339.92

30 FORD U48-43-65-NL BRANCH PC
CTS PJ/MIP 6.5 SPACING

EA

38.01

1,140.30

ALTERNATE: 30- U48-43-NL BRANCH PC. CTS PJ/MIP
7.5" STANDARD SPACING

6 2" FORD B41-777WR-NL CTS PJ/FIP

EA

252.09

1,512.54

Total For Quoted Items

5,702.26

HAYES PIPE SUPPLY, INC.

BY.

These prices are good for order placement through - 7/07/2019 Release of shipment must be made within - 30days from date of order. We are unable to guarantee our take off for quantities or accuracy. The prices listed on our written quotations are quoted as "EACH" or "PER FOOT" basis, Regardless of total prices shown.

Main - Main Line Accessories - Service Materials - Casing Pipe

□ Nashville, TN (615) 255-4040
□ Knoxville, TN (865) 525-1717
□ Lexington, KY (859) 231-8323
□ Tampa, FL (813) 241-4040
□ Longview, TX (903) 753-5533

Murfreesboro, TN (615) 217-3040 □
Acworth, GA (770) 529-8883 □
Louisville, KY (502) 454-8500 □
Lake Helen, FL (386) 228-9619 □
Columbia, SC (803) 695-4040 □



FEL-MARIETTA WATERWORKS #407
910-A COBB PARKWAY NE
MARIETTA, GA 30062-2410

Phone: 770-499-2030
Fax: 770-499-2093

Deliver To:

From: Kenneth Beckom

Comments:

07:05:19 JUN 06 2019

Page 1 of 1

FEL-GEORGIA WATERWORKS #554

Price Quotation
Phone: 770-499-2030
Fax: 770-499-2093

Bid No: B457777
Bid Date: 06/05/19
Quoted By: KWB

Cust Phone: 770-387-5657
Terms: NET 10TH PROX

Customer: CITY OF CARTERSVILLE
ATTN ACCOUNTS PAYABLE
P O BOX 1390
CARTERSVILLE, GA 30120

Ship To: CITY OF CARTERSVILLE
ATTN ACCOUNTS PAYABLE
P O BOX 1390
CARTERSVILLE, GA 30120

Cust PO#:

Job Name: STOCK

Item # 9

Item	Description	Quantity	Net Price	UM	Total
FB91223WRNL	LF 5/8X3/4 B91-223WR-NL BV	50	36.430	EA	1821.50
FB11344WRNL	LF 1 FIP X FIP BALL CURB W/360	24	59.500	EA	1428.00
FU484365NL	LF 1 CTS COMP X 3/4 MIP U BRCH	30	40.500	EA	1215.00
FB41777WRNL	LF 2 B41-777WR-NL BV	5	268.820	EA	1344.10
	SUBTOTAL				5808.60
Net Total:					\$5808.60
Tax:					\$0.00
Freight:					\$0.00
Total:					\$5808.60

Quoted prices are based upon receipt of the total quantity for immediate shipment (48 hours). SHIPMENTS BEYOND 48 HOURS SHALL BE AT THE PRICE IN EFFECT AT TIME OF SHIPMENT UNLESS NOTED OTHERWISE. QUOTES FOR PRODUCTS SHIPPED FOR RESALE ARE NOT FIRM UNLESS NOTED OTHERWISE.

CONTACT YOUR SALES REPRESENTATIVE IMMEDIATELY FOR ASSISTANCE WITH DBE/MBE/WBE/SMALL BUSINESS REQUIREMENTS.

Seller not responsible for delays, lack of product or increase of pricing due to causes beyond our control, and/or based upon Local, State and Federal laws governing type of products that can be sold or put into commerce. This Quote is offered contingent upon the Buyer's acceptance of Seller's terms and conditions, which are incorporated by reference and found either following this document, or on the web at <https://www.ferguson.com/content/website-info/terms-of-sale>
Govt Buyers: All items are open market unless noted otherwise.

LEAD LAW WARNING: It is illegal to install products that are not "lead free" in accordance with US Federal or other applicable law in potable water systems anticipated for human consumption. Products with "NP" in the description are NOT lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.



HOW ARE WE DOING? WE WANT YOUR FEEDBACK!

Scan the QR code or use the link below to
complete a survey about your bids:
<https://survey.medallia.com/?bidsorder&fc=407&on=26356>



Date: 06/07/19

Job Name	
Sales Rep.	Lee Sanders
FOB	
Delivery	
Expires	

SubTotal PG.1	\$ 6,276.68
----------------------	--------------------

Kendall Municipal Supply
Lee Sanders - Branch Manager - Kennesaw
Email. leesanders@kendallsupply.com
Your #1 Municipal Water and Sewer Needs Provider

A division of Kendall Supply, Inc.



City of Cartersville

City Council Meeting
8/1/2019 7:00:00 PM
EPD Drinking Water Laboratory Testing

SubCategory:	Bid Award/Purchases
Department Name:	Water Department
Department Summary Recommendation:	The attached invoice is for water quality testing performed by the Department of Natural Resources Environmental Protection Division (EPD) Drinking Water Program. The EPD laboratory has performed this annual testing for the City for years. The fee is based on the population served by a water system and has been \$9,200 for six years. Using the EPD laboratory has the benefit of streamlined reporting and being 100 % method compliant. I recommend payment of the attached invoice and authorization to contract with EPD for drinking water analysis for the period 7/1/2019 to 6/30/2020. This is a budgeted item and will be paid through account 505.3310.52.1600 – Other Services and Fees.
City Manager's Remarks:	Your approval is recommended.
Financial/Budget Certification:	This is a budgeted item.
Legal:	
Associated Information:	



ENVIRONMENTAL PROTECTION DIVISION
DRINKING WATER INVOICE

FIMS Account ID:
Customer Name:
Water System ID:
Invoice Number:

45
CARTERSVILLE
GA0150002
DW-2019-007389

Total Due : **\$ 9,200.00**

Bill To:

CARTERSVILLE
JONES, BOB
POB 1390
CARTERSVILLE, GA 30120

Notification:

Check Water System Information
gadinkingwater.net

Account Information:
TOTAL AMOUNT DUE ON 08/21/2019

BILLING SUMMARY

Invoice Period	Invoice Date	Current Invoice Amount	Previous Balance	Adjustment	Amount Paid	Total Due
07/01/2019 - 06/30/2020	7/10/2019	\$ 9,200.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 9,200.00

EXPLANATION OF CHARGES

Population	TCR	Entry Point	Water System Type	Source Type	Analysis Type	Fee
24,830	300	1	C	SW	Chemical	\$ 9,200.00
Total :						\$ 9,200.00

PAST DUE SUMMARY

# of Days Past Due	Due	≤ 30	> 30 and ≤ 60	> 60 and ≤ 90	> 90 and ≤ 120	> 120
Past Due Amount	\$ 9,200.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Late Fee	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

PLEASE RETURN THIS PORTION OF YOUR INVOICE WITH YOUR PAYMENT.

MAKE CHECK(S) PAYABLE TO : EPD - Drinking Water Fees

FIMS ACCOUNT ID	TOTAL DUE	INVOICE #
45	\$ 9,200.00	DW-2019-007389

DUE DATE:	08/21/2019
TOTAL AMOUNT DUE:	\$ 9,200.00
TOTAL AMOUNT PAID:	

CARTERSVILLE
JONES, BOB
POB 1390
CARTERSVILLE, GA 30120

MAIL PAYMENT TO:
DRINKING WATER FEES
P.O. BOX 101788
ATLANTA, GA 30392

Item # 10





ENVIRONMENTAL PROTECTION DIVISION

DRINKING WATER INVOICE

FIMS Account ID:

45

Customer Name:

CARTERSVILLE

Water System ID:

GA0150002

Invoice Number:

DW-2019-007389

Total Due : \$ 9,200.00
BILLING DETAIL

Transaction Date	Transaction Type Description	Transaction Amount
7/9/2019	Past Due Balance	\$ 0.00
7/10/2019	Current Charges	\$ 9,200.00
Total:		\$ 9,200.00

If you have questions regarding your invoice, please contact the Branch most closely related to your fees at one of the numbers below:

Air Protection Branch: (404) 363-7000

Land Protection Branch: (404) 362-2537 or (404) 656-7802

Watershed Protection Branch: (404) 463-1511

You may also visit <http://epd.georgia.gov/geos/contact-us> for email contacts.

Item# 10



City of Cartersville

City Council Meeting

8/1/2019 7:00:00 PM

Non-Exclusive Easement (Toyo) & Quit Claim Deed (Toyo)

SubCategory:	Easements
Department Name:	Gas Department
Department Summary Recommendation:	This is the Non-Exclusive Easement between the State of Georgia and the City of Cartersville for the purpose of construction and operation of the underground natural gas line over State owned property in the custody of the Department of Economic Development (Toyo Tire NA). This easement is required as a result of the recently relocated natural gas main associated with the recent construction improvements at the Toyo Tire Facility.
City Manager's Remarks:	Your approval of the easement and quit claim deed is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	



STATE PROPERTIES COMMISSION

270 Washington Street, Suite 2-129, SW, Atlanta, Georgia 30334

Chairman
Brian P. Kemp
Governor

Executive Director / State Property Officer
Marty W. Smith

July 19, 2019

City of Cartersville, Georgia
One North Erwin Street
Cartersville, Georgia 30120

RE: SPC File # 605.324 Non-Exclusive Easement (Toyo Tire Facility)

Dear City of Cartersville:

Enclosed is the Non-Exclusive Easement between the State of Georgia and the City of Cartersville for the purpose of construction and operation of underground natural gas line over State owned property in the custody of the Department of Economic Development (Toyo Tire Facility).

Please have the document signed and return the original to our office for execution by the Governor and recordation in the State's inventory.

Once the document has been fully executed, an original will be forwarded to your attention. Should you have any questions, please contact my office at (404) 656-5602.

Sincerely,

J. Frank Smith
Deputy Executive Director

Enclosure (1)

After Recording Return to:

STATE OF GEORGIA,
COUNTY OF FULTON:

AG 3800-ME-02RCA- EAS. 0.037 Acres City of
Cartersville for Toyo Tire [Bartow Co.]; Matter No.:
1178697; SPC: 605.324

NON-EXCLUSIVE EASEMENT

THIS NON-EXCLUSIVE EASEMENT, (hereinafter referred to as "Easement,") is made and entered into this _____ day of _____, 20____, (hereinafter referred to as "the date hereof,") with said date being inserted herein by Grantor at the time of its execution, by and between the **STATE OF GEORGIA**, acting by and through the State Properties Commission, whose address is 270 Washington Street, Suite 2-129, Atlanta, Georgia 30334, Party of the First Part, (hereinafter referred to as "Grantor,") and **CITY OF CARTERSVILLE, GEORGIA**, whose address for purposes of this Easement is One North Erwin Street, Cartersville, Georgia 30120, Party of the Second Part, (hereinafter referred to as "Grantee") (the words "Grantor" and "Grantee" to include their successors and assigns where the context requires or permits).

WITNESSETH THAT:

WHEREAS, Grantor is the sole and exclusive owner in fee simple of that certain real property having approximately 0.037 of an acre, more or less, and lying and being in Land Lot 216, 22nd Land District, 2nd Section, Bartow County, Georgia, (hereinafter referred to as the "Property"); and

WHEREAS, Grantee has requested a non-exclusive easement along with the right of ingress and egress, for the construction, operation, and maintenance of an underground natural gas line and associated equipment for the use and benefit of Toyo Tire North America. Said easement area is located in Bartow County, Georgia and is more particularly described on Exhibit "A," attached hereto and incorporated by this reference (hereinafter referred to as the "Easement Area"); and

WHEREAS, the Property is under the custody and control of the Georgia Department of Economic Development; and

WHEREAS, by that certain resolution or other official action dated May 29, 2019, the Georgia Department of Economic Development approved and recommended to the State Properties Commission, the granting of this Easement; and

WHEREAS, by that certain resolution or other official action dated April 8, 2019, the City of Cartersville Grantee approved the acquisition of the Property; and

WHEREAS, pursuant to O.C.G.A. § 50-16-34(5), the State Properties Commission is authorized to convey the Property through the expedited disposition process as the value of the property is less than \$500,000; and

WHEREAS, the State Properties Commission, at its duly called meeting on June 12, 2019, approved conveying the Property as authorized by O.C.G.A. § 50-16-34(5) for a consideration of TEN DOLLARS AND 00/100 (\$10.00); and

NOW, THEREFORE, Grantor, for and in consideration of TEN DOLLARS and 00/100 (\$10.00), in hand paid by Grantee to Grantor at and before the sealing and delivery of these presents, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has bargained, sold, granted and conveyed and by these presents does hereby bargain, sell, grant and convey unto Grantee, to the extent of Grantor's right, title and interest in and to the Easement Area and upon the terms and conditions hereinafter set forth, a non-exclusive easement for the purpose of installation, operation, and maintenance of an underground gas line and associated equipment together with the right of ingress and egress through the Easement Area.

1.

The Easement Area shall be used solely for the purpose of constructing, operating, and maintaining underground gas line and associated equipment with the right of ingress and egress. This Easement shall be perpetual and be for the benefit of and run with the Property.

2.

Grantee shall have the right to remove or cause to be removed from the Easement Area only such trees, bushes and other natural growth as may be reasonably necessary for the proper construction, operation, and maintenance of said underground gas line and associated equipment.

3.

That after the Grantee has put into use the underground and overhead power lines and associated equipment this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, the City of Cartersville, or his successors and assigns, shall have the option of removing his facilities from the easement area or leaving the same in place, in which event the underground gas line and associated equipment shall become the property of the State of Georgia, or its successors and assigns.

4.

Except as herein specifically granted to Grantee, no title is conveyed to Grantee by Grantor and therefore, no joint or other ownership is created between Grantor and Grantee. All rights and interest in and to the Easement Area are reserved in Grantor, who may make any use of the Easement Area not inconsistent with or detrimental to the rights and interest herein granted and conveyed to Grantee.

5.

The Easement Area is being conveyed AS IS, WHERE IS, WITH ALL FAULTS. Grantor makes no representations or warranties of any type, kind, or nature whatsoever including, but not limited to, warranties as to the title, sufficiency of the legal description, suitability to use, or condition of the Easement Area.

6.

Grantee shall obtain any and all required permits from the appropriate governmental agencies as are necessary for its lawful use of the Easement Area and comply with all applicable local, state and federal statutes in its use of the Easement Area.

7.

Upon the approval of the State Properties Commission, Grantee may make improvements to or maintain the Easement Area. Grantee shall be solely responsible for the maintenance of any and all improvements that it makes to the Easement Area. Grantee acknowledges that neither the State of Georgia nor any of its agencies shall be held liable for Grantee's failure to maintain the Easement Area or the improvements made thereon by Grantee.

8.

Grantee shall record this conveyance instrument in the Superior Court of the county or counties in which the Easement Area lies and shall forward a recorded copy of each recorded instrument to the State Properties Commission. The failure of Grantee to provide Grantor with a recorded copy of this conveyance instrument on or before the one hundred and eightieth (180th) day after its execution by the State of Georgia may, at the option of Grantor, result in Grantor's termination of all rights granted to Grantee hereunder. Should Grantor, in its sole discretion, terminate this Easement pursuant to this Paragraph 8, on the sixtieth (60th) day after receipt of notice sent by Grantor to Grantee of the termination, all rights granted to Grantee hereunder will revert to Grantor without the need for any further action by Grantor or Grantee.

9.

9.1 Should Grantor determine that the Easement Area should be relocated to an alternate site on the Property, Grantor may terminate all of the rights in the Easement Area and grant to Grantee, a new nonexclusive easement within the boundaries of the Property, that is substantially equivalent in purpose and function (hereinafter referred to as "Replacement Easement Area"). Expenses incurred by Grantee in the removal and relocation of the improvements from the Easement Area to the Replacement Easement Area may be reimbursed by Grantor if: i) Grantee provides, and Grantor receives in advance of any construction being commenced, a written estimate for the cost of such removal and relocation; and ii)

Grantor determines, in Grantor's sole discretion, that the removal and relocation is for the sole benefit of Grantor.

9.2 Should Grantee or any third party desire to relocate the Easement Area, upon written request by Grantee or the third party, Grantor, in its sole discretion, may grant Grantee a Replacement Easement Area at an alternate site on the Property. Relocation initiated by any party other than Grantor shall be without cost, expense or reimbursement of the Grantor.

10.

10.1 Grantee has the right to terminate this Easement at any time and for any reason by providing Grantor with a quitclaim deed ("Quitclaim Deed") which shall be delivered to Grantor no later than sixty (60) days prior to the intended day of termination. The Quitclaim Deed shall be prepared by Grantor or in a form acceptable to Grantor and shall convey to Grantor all of Grantee's rights and interests in and to the Easement Area. Upon the termination of this Easement, Grantor may, at the option of Grantor, notify Grantee that any or all improvements, temporary and permanent, placed upon the Property by Grantee shall be removed in which event Grantee shall remove such improvements on or before the one hundred and twentieth (120th) calendar day after the date of termination.

10.2 In the event of relocation of Grantee's rights to the Easement Area, Grantee shall execute and deliver to Grantor, no later than one hundred and twenty (120) days after the first day of the discontinued use, a Quitclaim Deed, prepared by or acceptable to Grantor, conveying to Grantor all of Grantee's rights and interest in and to the Easement Area. Grantee's failure to execute and deliver a Quitclaim Deed within the prescribed time to the Grantor, shall not prevent the automatic termination and reversion to Grantor of the Easement rights granted herein.

11.

11.1 If, after Grantee has been authorized to use the Easement Area and to make improvements to the Easement Area either through a license agreement or an instrument of conveyance, Grantee fails to commence construction on the Easement Area or fails to use the Easement Area within a reasonable time thereafter, Grantor, at its discretion, may notify Grantee in writing that Grantee has sixty (60) days from the date of the notification letter ("Notification Date") to respond to the Grantor's determination of non-use. If Grantee fails to provide a satisfactory explanation, as determined in the sole discretion of Grantor, on or before the sixtieth (60th) day after the Notification Date, all the rights and interests granted and conveyed herein to Grantee shall automatically revert to Grantor. On or before the one hundred and twentieth (120th) day after the Notification Date, Grantee shall have the right to remove any and all of Grantee's improvements from the Easement Area. Thereafter, any and all improvements in the Easement Area shall become the absolute and sole property of Grantor without any liability of Grantor to make or pay any compensation therefore to Grantee or to any other person whomsoever, and the Easement Area shall be free and discharged from all and every lien, encumbrance, claim and charge of any character created, or attempted to be created, at any time, by Grantee.

11.2 After Grantee has commenced use of the Easement Area, a subsequent nonuse of the Easement Area for a period of three hundred sixty-five (365) consecutive calendar days shall be deemed abandonment, (hereinafter referred to as "Abandonment"). Grantor, at its discretion, may notify Grantee in writing that Grantee has sixty (60) days from the date of the notification letter ("Notification Date") to respond to the Grantor's determination of non-use. If Grantee fails to provide a satisfactory explanation,

as determined in the sole discretion of Grantor, on or before the sixtieth (60th) day after the Notification Date, all the rights and interest granted and conveyed herein to Grantee shall automatically revert to Grantor. On or before the one hundred and twentieth (120th) day after the Notification Date, Grantee shall have the right to remove any and all of Grantee's improvements from the Easement Area. Thereafter, any and all improvements in the Easement Area shall become the absolute and sole property of Grantor without any liability of Grantor to make or pay any compensation therefore to Grantee or to any other person whomsoever, and the Easement Area shall be free and discharged from all and every lien, encumbrance, claim and charge of any character created, or attempted to be created, at any time, by Grantee.

12.

12.1 The rights and interest herein granted and conveyed to Grantee are to be used and enjoyed at the sole risk of Grantee, and in consideration of the benefits to be derived here from, Grantee hereby releases, relinquishes and discharges and agrees to indemnify, protect, save, and hold harmless Grantor and Grantor's officers, members, employees, agents, and representatives (including the State Tort Claims Trust Fund, the State Broad Form Employee Liability Fund and the State Authority Operational Liability Trust Fund) from and against all liabilities, damages, costs and expenses (including all attorney's fees and expenses incurred by Grantor or any of Grantor's officers, members, employees, agents, and representatives), causes of action, suits, demands, judgments, and claims of any nature whatsoever (excluding those based upon the sole negligence of Grantor concerning any activities within the scope of O.C.G.A. § 13-8-2(b) relative to the construction, alteration, repair, or maintenance of a building structure, appurtenances, and appliances, including moving, demolition, and excavating connected therewith), arising from, by reason of, or in connection with the construction, use, operation, maintenance and repair of the facilities located in, upon and near the Easement Area. This indemnity extends to the successors and assigns of Grantee and survives the termination of this Easement. If and to the extent such damage or loss (including costs and expenses) as covered by this indemnification is paid by the above-referenced or other State self-insurance funds (collectively referred to as the Funds) established and maintained by the State of Georgia Department of Administrative Services Risk Management Division, Grantee agrees to reimburse the Funds for such monies paid out by the Funds.

12.2 Grantee shall procure insurance or by self-insurance maintain the coverages specified below, at Grantee's own expense, and shall furnish Grantor an insurance certificate listing Grantor as the certificate holder, issued by a company acceptable to Grantor. The policy shall not be canceled, changed, allowed to lapse, or allowed to expire until such time as other insurance coverage providing protection equal to protection called for in this paragraph shall have been received, accepted, and acknowledged by Grantor. The policy shall not be subject to invalidation as to any insured by reason of any act or omission of another insured or any of its officers, employees, agents or other representatives (Separation of Insureds). Grantee shall notify the Insurer that the statutory requirement that the Attorney General of Georgia must represent and defend the Indemnitees shall remain in full force and effect and is not waived by any policy of insurance. In the event of litigation, any settlement on behalf of the Indemnitees must be expressly approved by the Attorney General. The Grantee and its insurance carrier may retain, but are not obligated to retain, counsel to assist with the defense of the Indemnitees, in which case there will be mutual cooperation between the Attorney General and such counsel. The minimum required coverages and liability limits are as follows:

(a) Commercial General Liability (CGL) Insurance (1993 ISO Occurrence Form or equivalent):
Premises and Operations \$1,000,000 per Occurrence; Products and Completed Operations
\$1,000,000 per Occurrence; Personal Injury \$1,000,000 per Occurrence; Contractual \$1,000,000
per Occurrence; General Aggregate \$1,000,000 per Project.

(b) Commercial Umbrella Liability Insurance (excess coverage above CGL): \$2,000,000 per
Occurrence; \$2,000,000 per Aggregate.

(c) Additional requirements for all policies:

(i) All policies shall name as additional insureds the officers, members and employees of
the the State Properties Commission and those of the agency, department or entity in
whose custody the Property is maintained, and the State of Georgia;

(ii) The coverage extended to the additional insureds for any claims not covered by the
Georgia Tort Claims Act shall be no broader than the coverage extended to the Grantee
and is not expanded to cover claims and losses that are not insurable under the Grantee's
policy.

13.

Grantee shall not assign or convey this Easement or any right or interest herein, without the prior
written consent of Grantor. Consent to one assignment shall not invalidate this provision, and all later
assignments shall likewise be made only on the prior written consent of Grantor.

14.

This Easement embodies the entire understanding of the parties and there are no further or other
agreements or understandings, written or oral, in effect between the parties, related to the subject matter
hereof. This Easement may be amended or modified only by an instrument of equal formality signed by
the respective parties.

TO HAVE AND TO HOLD THE EASEMENT AREA unto Grantee so long as the Easement
Area is used for the purpose and in accordance with the terms and conditions herein set forth.

IN WITNESS WHEREOF, Grantor, acting pursuant to authority under law and by and through
its duly authorized officers, has caused this Easement to be signed in its name with its official seal affixed
hereto, and Grantee has caused this Easement to be signed in its name and delivered to Grantor, all as of
the date hereof.

(Signatures commence on next page and remainder of page is intentionally blank)

GRANTOR

STATE OF GEORGIA

Acting by and through the
State Properties Commission

By: _____ (Seal)
GOVERNOR BRIAN P. KEMP
as Chairman of the
State Properties Commission

Attest: _____ (Seal)
NAME:
Title:
State Properties Commission

Signed, sealed and delivered
as to the State Properties Commission
in the presence of:

(Great Seal of
the State of Georgia
Affixed Here)

Unofficial Witness

(Commission Seal
Affixed Here)

Official Witness, Notary Public
My Commission expires:

(Notary public seal
affixed here)

(signatures continue on the next page)

GRANTEE

CITY OF CARTERSVILLE, GEORGIA

By: _____ (Seal)
NAME:
Title:

Attest: _____ (Seal)
NAME:
Title:

Signed, sealed and delivered
as to the City of Cartersville,
Georgia in the presence of:

Unofficial Witness

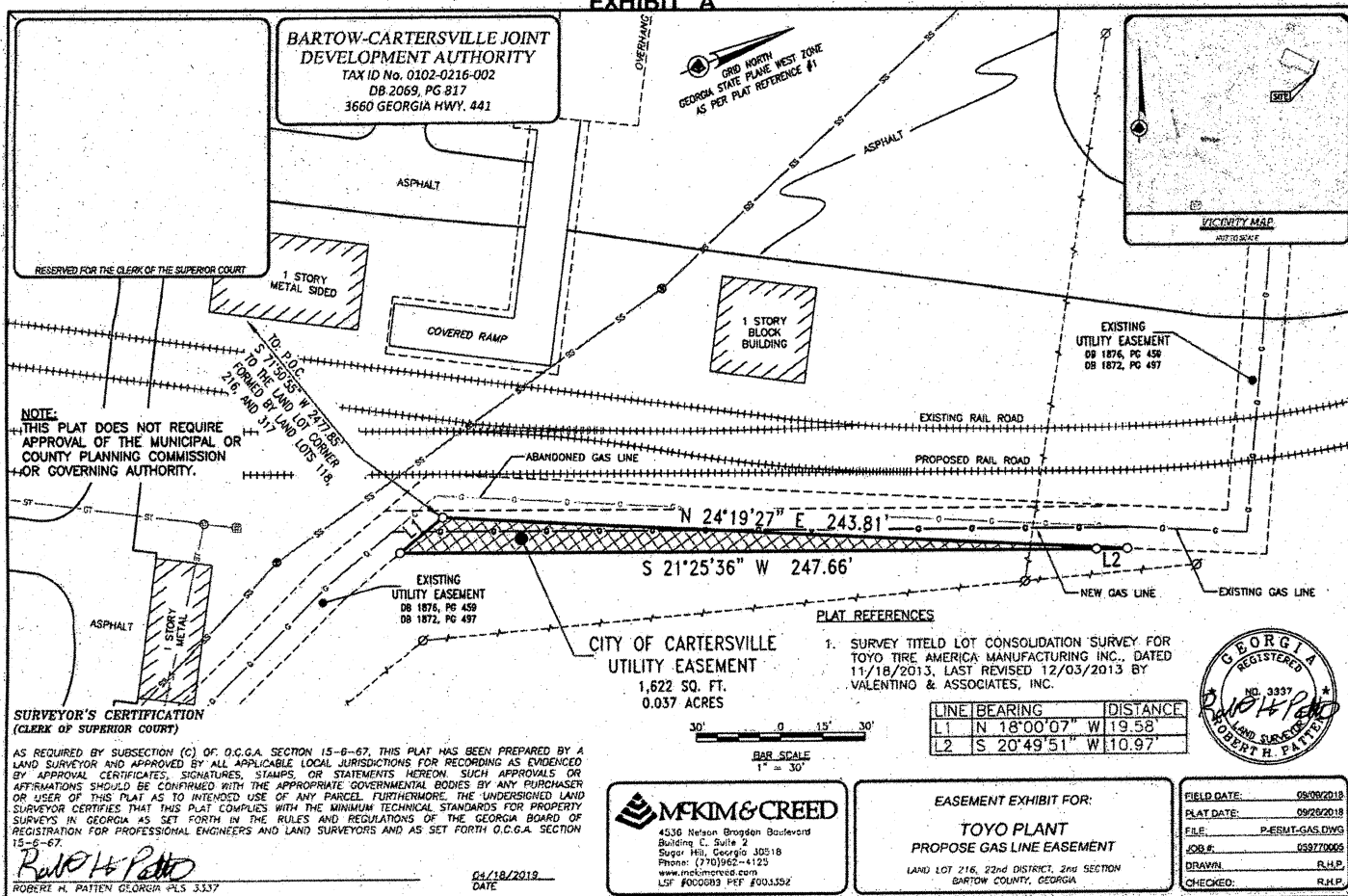
Official Witness, Notary Public
My Commission expires:

(Notary public seal
affixed here)

EXHIBIT "A"

The Easement Area traverses all that tract of land containing approximately 0.037 of an acre as shown on a plat entitled, "Toyo Plant Propose Gas Line Easement," dated September 26, 2018, prepared by Robert H. Patten, Georgia Registered Land Surveyor No. 3337 and recorded in Plat Book _____, Page _____ in the office of the Clerk of the Superior Court of Barrow County, Georgia. Said plat being incorporated herein and by this reference made a part herein as attached:

EXHIBIT "A"



AFTER RECORDING RETURN TO:

Archer & Lovell, PC

PO Box 1024

Cartersville, GA 30120

Title Examination Not Performed

STATE OF GEORGIA
COUNTY OF BARTOW

QUITCLAIM DEED

THIS INDENTURE, made this _____ day of _____, 2019, between **CITY OF CARTERSVILLE**, a municipal corporation of the State of Georgia, (hereinafter referred to as "Grantor") and the **STATE OF GEORGIA** (hereinafter called "Grantee"). (The words "Grantor" and "Grantee" shall include their respective heirs, successors and assigns, where the context requires or permits, and shall include the singular and plural, and the masculine, feminine, and neuter, as the context requires.)

WITNESSETH that Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the Grantee, and their successors and assigns, the following described property, to wit:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 216, 22ND DISTRICT, 2ND SECTION, BARTOW COUNTY, GEORGIA, BEING LISTED AS AN ABANDON UTILITY EASEMENT CONTAINING 1,649 SQUARE FEET/0.038 ACRES BEING MORE PARTICULARLY DESCRIBED ON A SURVEY FOR THE TOYO PLANT PROPOSED GAS LINE EASEMENT BY ROBERT H. PATTERSON, G. R. L. S. NO. 3337, DATED 06/08/2019 AND RECORDED IN PLAT BOOK 2019, PAGE _____ THE OFFICE OF THE CLERK OF SUPERIOR COURT, BARTOW COUNTY, GEORGIA

THIS QUITCLAIM DEED IS GIVEN FOR THE SOLE AND EXPRESS PURPOSE OF RELEASING THE CITY'S INTEREST IN AND TO THE UTILITY EASEMENT LISTED AS "ABANDON UTILITY EASEMENT" CONTAINING 1,649 SQUARE FEET/0.038 ACRES, AS DESCRIBED IN THE ABOVE-REFERENCED PLAT.

This quitclaim is given subject to any restrictions and easements of record, if any.

TOGETHER WITH all the rights, members, and appurtenances to the said described Property in anywise appertaining or belonging.

TO HAVE AND TO HOLD said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of the Grantee, its successors and assigns forever in fee simple.

AND THE SAID Grantor, for its successors and assigns, will warrant and forever defend the right and title to the above described property unto the Grantee, its successors and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF the said Grantor has signed and sealed this Deed the day and year above written.

Signed, sealed and delivered
in the presence of:

CITY OF CARTERSVILLE,
a Municipal Corporation of the State of Georgia

Witness

By: _____
Matthew J. Santini, Mayor

Notary Public

Attest: _____
Meredith Ulmer, City Clerk

My Commission Expires:

[AFFIX SEAL]



City of Cartersville

City Council Meeting
8/1/2019 7:00:00 PM
Gilreath Road/Peeples Valley Road HP Loop Easement

SubCategory:	Easements
Department Name:	Gas System
Department Summary Recommendation:	This easement agreement will allow us to provide natural gas to many residents along Peeples Valley Road and Gilreath Road as well as add a second distribution feed into Four Seasons, a 300+ residential subdivision, currently served by a single feed of natural gas. I recommend Council approval of the easements.
City Manager's Remarks:	Your approval of the easement is recommended.
Financial/Budget Certification:	N/A
Legal:	This has been approved by the city attorney.
Associated Information:	

Memorandum

To: Michael Hill, Director

cc: Michael Dickson, Assistant Director *via email*

From: Brian Friery, Gas System Engineer

Date: July 16, 2019

RE: Natural Gas System Improvement
Gilreath Road/Peeples Valley Road HP Loop
Cartersville Project No. CP-18-002

As you know, the future construction of the above referenced project will be advantageous to the deliverability of the City's high-pressure distribution system by connecting the 6" HP steel natural gas main existing at Industrial Park Drive to the end of the 6" HP steel natural gas main existing at Gilreath Road by looping two high pressure systems. As you further know, the safety and financial benefits of constructing such an extension outside of public right-of-way on an easement is favorable to the City and this Department. To be constructed shortly, a portion of this extension will make it possible to provide a much needed second distribution feed into Four Seasons, a 300+ lot residential subdivision currently served by a single feed of natural gas. This extension will also provide natural gas service along Peeples Valley Road and Gilreath Road where currently natural gas service does not exist.

After careful negotiations with the property owners, all parties are in agreement with the attached easement documents. I, therefore, recommend Council approval for the City to acquire these easements with the called for stipulations for the future construction of this project.

ARCHER & LOVELL, PC
P. O. Box 1024
Cartersville, GA 30120
TITLE EXAM NOT PERFORMED

EASEMENT

GEORGIA, BARTOW COUNTY

For and in consideration of the sum of TEN DOLLARS AND 00/100 (\$10.00), and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, the undersigned **TERRY HOWREN BUILDER, INC., MICHAEL R. HOWREN AND KATHY S. HOWREN** as Grantor does hereby grant and convey unto the City of Cartersville, a municipal corporation of the State of Georgia, as Grantee, (hereinafter referred to as “City”), its successors and assigns, a permanent utility easement for the construction, and operation, maintenance and use of utilities on the following described property for use for utility infrastructure, related appurtenances and as a permanent utility easement to be constructed for, and installed over, above, across and upon the land owned by the undersigned which is described as follows:

All that tract or parcel of land lying and being Land Lot 197 of the 5th District, 3rd Section of Bartow County, Georgia being a 30 foot temporary construction easement containing 0.4611 acres/20,067 sq. ft. and a 20 foot gas easement containing 0.224 acres/9,769 sq. ft. and a 25 foot temporary construction easement containing 0.304 acres/13,225 sq. feet and a 15 foot gas easement containing 0.182 acres/7,930 sq. ft., being more particularly described on a survey for the City of Cartersville Gas System by Lewis R. Shelton, G. R. L. S. No. 2971, on October 24, 2018, revised February 1, 2019 and June 25, 2019, and recorded in Plat Book _____, Page _____ and Plat Book _____, Page _____ in the office of the Clerk of Superior Court, Bartow County, Georgia.

This Easement shall include the right of ingress and egress, at all times, for the purpose of installation, inspection, operation, repairs, renewal, maintenance, alteration, extension, removal

and replacement of said easements and infrastructure therefore, together with the right to use and operate the same continuously and in perpetuity.

Grantor reserves the right to use the easement for purposes that will not interfere with Grantee's full enjoyment of the rights granted by this instrument. Grantor, however, must not erect or construct any building or other structure, or drill or operate any well, located any other utility infrastructure therein, construct any reservoir or other obstruction of the easement or diminish or substantially add to the ground cover in the easement, however, additional ground cover not to exceed 4' will be acceptable to Grantee.

Grantor shall not construct a drive or road over the easement area except crossings coordinated with Grantee. It is expressly understood by Grantor that such crossings approved by Grantee will be coordinated with Grantee to allow Grantee to install a natural gas crossing stub prior to the construction of any proposed drive or road over the easement area.

The City shall pay all damages to fences, and crops which may be suffered by reason of installation, maintenance, or alteration of said public right of way and appurtenances thereto.

The granting of this easement shall not operate to vest in grantor(s) any title or interest in the equipment or installation made by the City and any property installed by the City shall remain the sole property of the City.

SPECIAL STIPULATIONS:

1. If the utility facility requires relocation due to development conflicts, the Grantee agrees to relocate the utility facility at no cost to Grantor provided the Grantor furnishes a replacement easement suitable to both the Grantee and Grantor.
2. Grantee agrees to install utility facility adjacent to Peebles Valley Road at a minimum depth of cover of 4' as measured from the EOP of Peebles Valley Road.
3. Grantee agrees to provide four (4) natural gas service taps to the parcel at no cost to Grantor.

TO HAVE AND TO HOLD all and singular the aforesaid rights, privileges, and easements hereinabove set out to the proper use and enjoyment by the City, its successors and assigns.

The said City shall not be liable for any statements, agreement, or understanding not herein expressed.

IN WITNESS WHEREOF, the said undersigned have hereunto set their hands and seals
this _____ day of _____, 2019.

Signed, sealed and delivered
in the presence of:

TERRY HOWREN BUILDER, INC.

By:_____

Witness

Print Name:_____

Notary Public

Its:_____

My Commission Expires:_____

Attest:_____

[SEAL]

Secretary

Signed, sealed and delivered
in the presence of:

Michael R. Howren

Witness

Notary Public

My Commission Expires:_____

[SEAL]

Signed, sealed and delivered
in the presence of:

Kathy S. Howren

Witness

Notary Public

My Commission Expires:_____

[SEAL]

**ACCEPTED THIS ____ DAY OF _____, 20____, BY THE CITY OF
CARTERSVILLE, GEORGIA.**

Attested to by:

MATTHEW J. SANTINI, MAYOR

MEREDITH ULMER, CITY CLERK

RESERVED FOR THE CLERK OF THE SUPERIOR COURTS

NOTES

1. THE UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM ABOVE GROUND, VISIBLE EVIDENCE. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
2. THIS PROPERTIES MAY BE SUBJECT TO EASEMENTS, RESERVATIONS, RIGHTS OF WAY OR RESTRICTIONS WHICH ARE NOT RECORDED OR WOULD BE DISCLOSED BY AN ACCURATE AND CURRENT TITLE SEARCH, OR OTHERWISE KNOWN TO THE SURVEYOR; THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS.
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4. BASED ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AVAILABLE ONLINE AT WWW.MSC.FEMA.GOV, AND BY GRAPHIC PLOTTING ONLY, PORTIONS OF THIS SITE ARE LOCATED WITHIN FLOOD HAZARD AREA (ZONE AE) AS PER FEMA FLOOD INSURANCE RATE MAP OF BARTOW COUNTY, GEORGIA AS SHOWN ON COMMUNITY PANEL NO. 13015C0256G DATED 09/28/2007.
5. THE FIELD DATA, UPON WHICH THIS PLAT IS BASED WAS COLLECTED 7/31/18 TO 08/03/18 USING HEMISPHERE S320 DUAL FREQUENCY GPS RECEIVERS AND CARLSON CR5 TOTAL STATION. THE POSITION UNCERTAINTY IS UNDER 0.07'. DATUM FROM WHICH THIS SURVEY WAS PREPARED WAS ESTABLISHED BY GPS OBSERVATION USING A HEMISPHERE S320 DUAL FREQUENCY RECEIVERS AND REFERENCED TO THE NATIONAL GEODETIC SURVEY ONLINE POSITIONING USER SERVICE (OPUS) AND IS BASED ON THE NORTH AMERICAN DATUM 1983 (NAD 83) AND NORTH AMERICAN VERTICAL DATUM 1988 (NAVD 88) GEORGIA WEST ZONE.

SYMBOLS

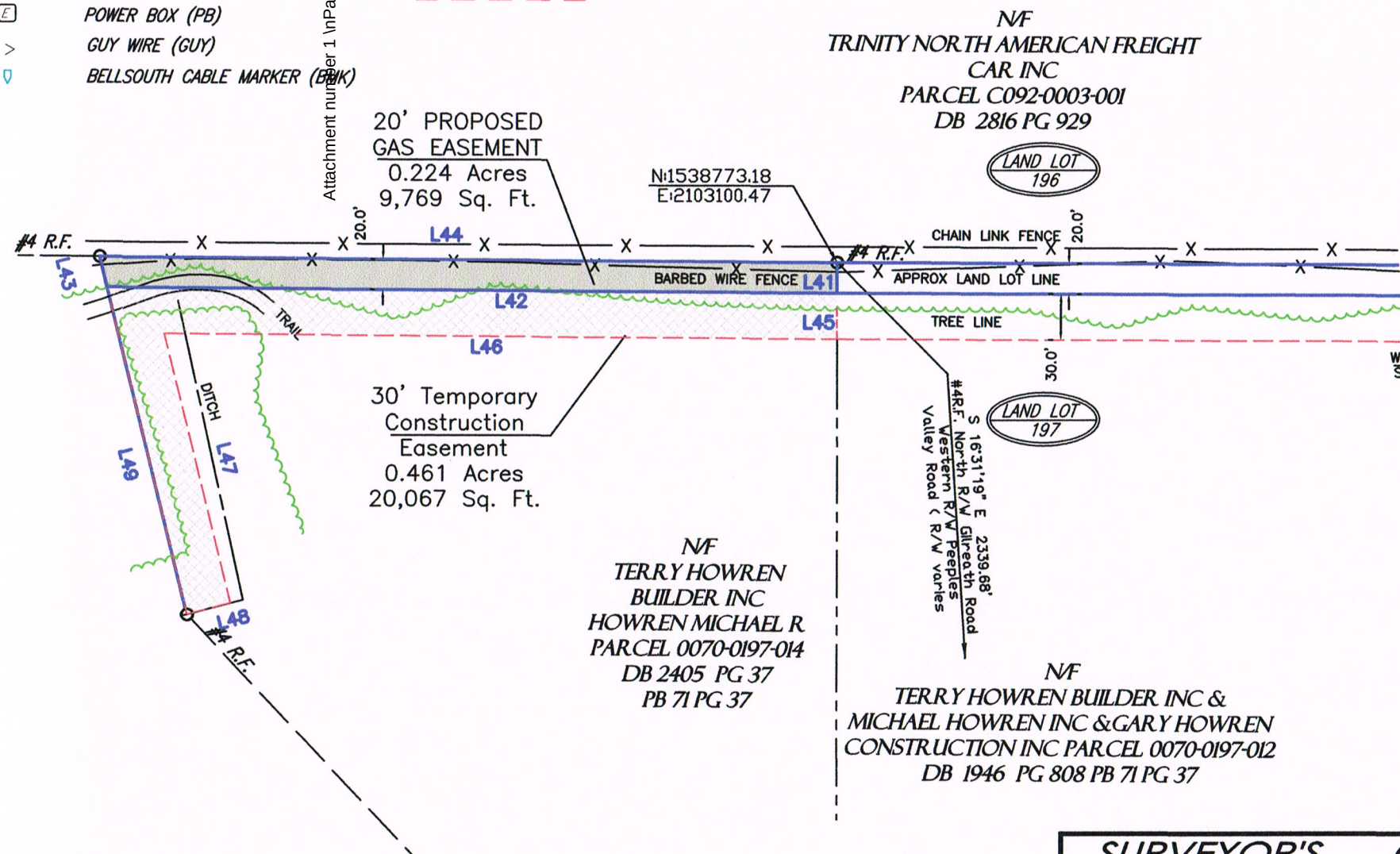
- SAN. SEWER MANHOLE (SSMH)
- CLEANOUT (CO)
- FIRE HYDRANT (FH)
- WATER VALVE (WV)
- WATER METER (WM)
- GAS METER (GM)
- TELEPHONE BOX (TELB)
- POWER POLE (PP)
- LIGHT POLE (LP)
- POWER BOX (PB)
- GUY WIRE (GUY)
- BELLSOUTH CABLE MARKER (BCK)

PROPERTY CORNERS

- #4 R.F.
- P.T.
- C.M.F.
- #4 REBAR FOUND
- POINT
- CONC. MONUMENT FOUND

LINE TYPES

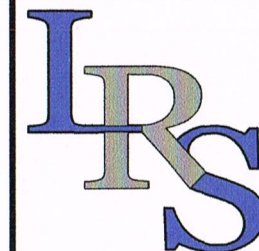
- PROPOSED GAS EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT



GRAPHIC SCALE
1"=100'



LINE	BEARING	DISTANCE
L41	S 00°03'17" E	20.00'
L42	N 89°38'21" W	486.04'
L43	N 14°17'08" W	20.66'
L44	S 89°38'24" E	491.12'
L45	S 00°03'17" E	30.00'
L46	N 89°38'24" W	447.46'
L47	S 14°17'08" E	182.22'
L48	S 75°33'50" W	30.00'
L49	N 14°17'08" W	210.86'



LRS Surveying, LLC

29 MAPLE RIDGE DR., STE 104
CARTERSVILLE, GA. 30121
Tel: (770) 235-3610
email: L.Shelton@LRSsurveying.com
LSF001008

Client

CITY OF
CARTERSVILLE
GAS SYSTEM

Item # 12

REVISIONS

No	Revision	Date
1	CLIENT COMMENTS	2/1/19
2	CLIENT COMMENTS	6/25/19

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This drawing is the property of LRS Surveying and is
intended only for the client named above.

Easement Exhibit 2

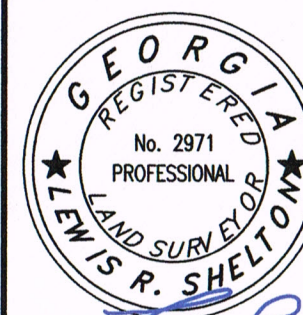
TERRY HOWREN
BUILDER INC
PEEPLER VALLEY RD

Tax Parcel
0070-0197-014

Land Lot 197
5th District, 3rd Section
Bartow County, Georgia

Date:	10/24/18
Scale:	1" = 100'
Surveyed By:	L.S./A.S./R.B.
Drawn By:	L.R.S.
Checked By:	L.R.S.
Project No.	18-071
DWG. No.	18-071
FBK. No.	na

SURVEYOR'S CERTIFICATE



The property hereon lies completely within a jurisdiction which does not review or approve this type of plat prior to recording. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

LEWIS R. SHELTON GEORGIA REGISTERED LAND SURVEYOR NO. 2971

Sheet Number 2 OF 2

NF
TERRY HOWREN BUILDER INC &
MICHAEL HOWREN INC & GARY HOWREN
CONSTRUCTION INC PARCEL 0070-0197-012
DB 1946 PG 808 PB 71 PG 37

NF
TERRY HOWREN BUILDER INC
HOWREN MICHAEL R
PARCEL 0070-0197-014
DB 2405 PG 37
PB 71 PG 37
25' Temporary
Construction
Easement
0.304 Acres
13,225 Sq. Ft.

NF
TERRY HOWREN BUILDER INC
HOWREN MICHAEL R
PARCEL 0070-0197-014
DB 2405 PG 37
PB 71 PG 37
15' PROPOSED
GAS EASEMENT
0.182 Acres
7,930 Sq. Ft.

NF
BISHOP PAUL ALLEN
PARCEL 0070-0197-002
DB 360 PG 49

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C19	74.58'	1821.37'	2°20'45"	N 06°09'23" W	74.57'
C20	72.57'	1850.01'	2°14'51"	S 06°11'18" E	72.57'
C21	77.92'	1817.50'	2°27'23"	N 06°06'21" W	77.91'

LINE	BEARING	DISTANCE
L34	S 89°20'02" W	15.10'
L35	N 07°18'28" W	454.23'
L36	S 89°39'52" E	15.05'
L37	S 07°18'28" E	455.98'
L38	S 89°20'02" W	25.17'
L39	N 07°18'28" W	451.31'
L40	S 89°39'52" E	25.09'

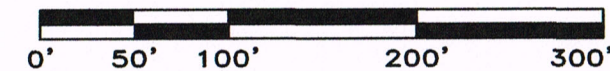
SYMBOLS

○	SAN. SEWER MANHOLE (SSMH)
○	CLEANOUT (CO)
⊗	FIRE HYDRANT (FH)
⊗	WATER VALVE (WV)
□	WATER METER (WM)
◇	GAS METER (GM)
□	TELEPHONE BOX (TELB)
⊗	POWER POLE (PP)
⊗	LIGHT POLE (LP)
□	POWER BOX (PB)
>	GUY WIRE (GUY)
▽	BELLSOUTH CABLE MARKER (BMK)

LINE TYPES

	PROPOSED GAS EASEMENT
	TEMPORARY CONSTRUCTION EASEMENT

GRAPHIC SCALE
1" = 100'

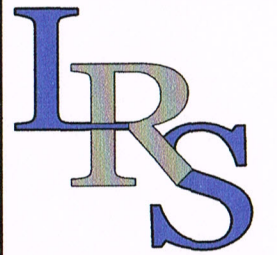


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LEWIS R. SHELTON GEORGIA REGISTERED LAND SURVEYOR NO. 2971



LRS Surveying, LLC

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CARTERSVILLE, GA. 30121
Tel: (770) 235-3610
email: L.Shelton@LRSsurveying.com
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Client

CITY OF
CARTERSVILLE
GAS SYSTEM

Item # 12

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Easement Exhibit

TERRY HOWREN
BUILDER INC
PEEPLES VALLEY RD

Tax Parcel
0070-0197-014

Land Lot 197
5th District, 3rd Section
Bartow County, Georgia

Date:	10/24/18
Scale:	1" = 100'
Surveyed By:	L.S./A.S./R.B.
Drawn By:	L.R.S.
Checked By:	L.R.S.
Project No.	18-071
DWG. No.	18-071
FBK. No.	na

Sheet Number 1 OF 2

RESERVED FOR THE CLERK OF THE SUPERIOR COURTS

NOTES

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PROPERTY CORNERS

#4 R.F.	○	#4 REBAR FOUND
P.T.	⊙	POINT
C.M.F.	⊠	CONC. MONUMENT FOUND

ARCHER & LOVELL, PC
P. O. Box 1024
Cartersville, GA 30120
TITLE EXAM NOT PERFORMED

EASEMENT

GEORGIA, BARTOW COUNTY

For and in consideration of the sum of TEN DOLLARS AND 00/100 (\$10.00), and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, the undersigned **GARY HOWREN CONSTRUCTION, INC., TERRY HOWREN BUILDER, INC. AND MICHAEL R. HOWREN** as Grantor does hereby grant and convey unto the City of Cartersville, a municipal corporation of the State of Georgia, as Grantee, (hereinafter referred to as "City"), its successors and assigns, a permanent utility easement for the construction, and operation, maintenance and use of utilities on the following described property for use for utility infrastructure, related appurtenances and as a permanent utility easement to be constructed for, and installed over, above, across and upon the land owned by the undersigned which is described as follows:

All that tract or parcel of land lying and being Land Lot 197 of the 5th District, 3rd Section of Bartow County, Georgia being a 30 foot temporary construction easement containing 0.543 acres/23,921 sq. ft. and being a 20 foot gas easement containing 0.467 acres/15,980 sq. ft. being more particularly described on a survey for the City of Cartersville Gas System by Lewis R. Shelton, G. R. L. S. No. 2971, on October 24, 2018, revised February 1, 2019 and June 25, 2019, and recorded in Plat Book _____, Page _____ in the office of the Clerk of Superior Court, Bartow County, Georgia.

This Easement shall include the right of ingress and egress, at all times, for the purpose of installation, inspection, operation, repairs, renewal, maintenance, alteration, extension, removal and replacement of said easements and infrastructure therefore, together with the right to use and operate the same continuously and in perpetuity.

Grantor reserves the right to use the easement for purposes that will not interfere with Grantee's full enjoyment of the rights granted by this instrument. Grantor, however, must not erect or construct any building or other structure, or drill or operate any well, located any other utility infrastructure therein, construct any reservoir or other obstruction of the easement or diminish or substantially add to the ground cover in the easement, however, additional ground cover not to exceed 4' will be acceptable to Grantee.

Grantor shall not construct a drive or road over the easement area except crossings coordinated with Grantee. It is expressly understood by Grantor that such crossings approved by Grantee will be coordinated with Grantee to allow Grantee to install a natural gas crossing stub prior to the construction of any proposed drive or road over the easement area.

The City shall pay all damages to fences, and crops which may be suffered by reason of installation, maintenance, or alteration of said public right of way and appurtenances thereto.

The granting of this easement shall not operate to vest in grantor(s) any title or interest in the equipment or installation made by the City and any property installed by the City shall remain the sole property of the City.

SPECIAL STIPULATIONS:

1. If the utility facility requires relocation due to development conflicts, the Grantee agrees to relocate the utility facility at no cost to Grantor provided the Grantor furnishes a replacement easement suitable to both the Grantee and Grantor.
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TO HAVE AND TO HOLD all and singular the aforesaid rights, privileges, and easements hereinabove set out to the proper use and enjoyment by the City, its successors and assigns.

The said City shall not be liable for any statements, agreement, or understanding not herein expressed.

IN WITNESS WHEREOF, the said undersigned has hereunto set Its hand and seal this _____ day of _____, 2019.

Signed, sealed and delivered
in the presence of:

GARY HOWREN CONSTRUCTION, INC.

By: _____

Witness

Print Name: _____

Its: _____

Notary Public

Attest:

My Commission Expires: _____

Secretary

[SEAL]

Signed, sealed and delivered
in the presence of:

TERRY HOWREN BUILDER, INC.

By: _____

Witness

Print Name: _____

Its: _____

Notary Public

Attest:

My Commission Expires: _____

Secretary

[SEAL]

Signed, sealed and delivered
in the presence of:

Michael R. Howren

Witness

Notary Public

My Commission Expires: _____

[SEAL]

**ACCEPTED THIS ____ DAY OF _____, 20____, BY THE CITY OF
CARTERSVILLE, GEORGIA.**

Attested to by:

MATTHEW J. SANTINI, MAYOR

MEREDITH ULMER, CITY CLERK

RESERVED FOR THE CLERK OF THE SUPERIOR COURTS

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SYMBOLS

- SAN. SEWER MANHOLE (SSMH)
- CLEANOUT (CO)
- ⊗ FIRE HYDRANT (FH)
- ⊗ WATER VALVE (WV)
- WATER METER (WM)
- ⊗ GAS METER (GM)
- ☐ TELEPHONE BOX (TELB)
- ⊗ POWER POLE (PP)
- ⊗ LIGHT POLE (LP)
- ☐ POWER BOX (PB)
- > GUY WIRE (GUY)
- ▽ BELLSOUTH CABLE MARKER (BMK)

NF
TRINITY NORTH AMERICAN FREIGHT
CAR INC
PARCEL C092-0003-001
DB 2816 PG 929

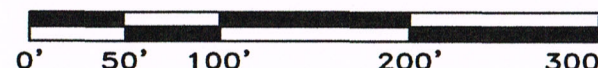
20' PROPOSED
GAS EASEMENT
0.467 Acres
15,980 Sq. Ft.

NF
TERRY HOWREN
BUILDER INC
HOWREN MICHAEL R
PARCEL 0070-0197-014
DB 2405 PG 37
PB 71 PG 37

NF
TERRY HOWREN BUILDER INC &
MICHAEL HOWREN INC & GARY HOWREN
CONSTRUCTION INC PARCEL 0070-0197-012
DB 1946 PG 808 PB 71 PG 37

NF
TERRY HOWREN BUILDER INC
HOWREN MICHAEL R
PARCEL 0070-0197-014
DB 2405 PG 37
PB 71 PG 37

GRAPHIC SCALE
1" = 100'



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C22	247.41'	2500.76'	5°40'07"	N 01°37'36" W	247.31'
C23	247.31'	2485.76'	5°42'01"	S 01°38'23" E	247.21'
C24	247.59'	2525.76'	5°36'59"	N 01°36'19" W	247.49'

LINE	BEARING	DISTANCE
L50	N 89°39'52" W	15.05'
L51	N 00°16'56" E	215.12'
L52	N 89°45'43" W	437.04'
L53	N 00°03'17" W	20.00'
L54	S 89°45'44" E	452.16'
L55	S 00°16'56" W	235.26'
L56	N 89°39'52" W	25.09'
L57	N 00°16'56" E	184.90'
L58	N 89°45'44" W	411.81'
L59	N 00°03'17" W	30.00'

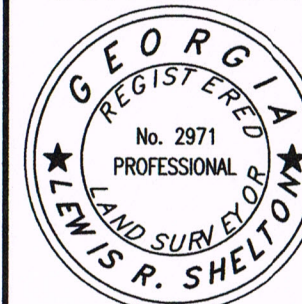
PROPERTY CORNERS

- #4 R.F. ——— ○ ——— #4 REBAR FOUND
- P.T. ——— ⊙ ——— POINT
- C.M.F. ——— ⊠ ——— CONC. MONUMENT FOUND

LINE TYPES

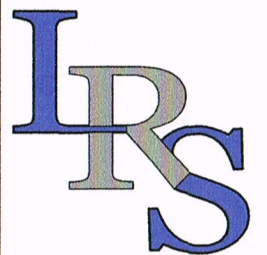
- PROPOSED GAS EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT

SURVEYOR'S CERTIFICATE



Lewis R. Shelton 6/25/19
LEWIS R. SHELTON GEORGIA REGISTERED LAND SURVEYOR NO. 2971

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CARTERSVILLE, GA. 30121
Tel: (770) 235-3610
email: LShelton@LRSurveying.com
LSF001008

Client

CITY OF
CARTERSVILLE
GAS SYSTEM

Item # 12

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No	Revision	Date
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PEEPLER VALLEY RD

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Project No.	18-071
DWG. No.	18-071
FBK. No.	na

Sheet Number 1 OF 1



City of Cartersville

City Council Meeting
8/1/2019 7:00:00 PM
Village Hill Eckstein, LLC and City of Cartersville

SubCategory:	Contracts/Agreements
Department Name:	Administration
Department Summary Recommendation:	This agreement is regarding the contiguous parcels owned by Village Hill Eckstein, LLC and the City of Cartersville and the drainage/access easements, retaining wall and/or sidewalk on the City of Cartersville property.
City Manager's Remarks:	Your approval of the agreement is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

AGREEMENT

This Agreement dated this ____ day of _____, 2019 by and between Village Hill Eckstein, LLC (hereinafter referred to as “Company”) and the City of Cartersville, a Municipal Corporation of the State of Georgia, (hereinafter referred to as “Cartersville”).

1.

Company is the owner of a certain parcel of land lying and being in the County of Bartow, State of Georgia, and being more particularly described as follows:

All that tract or parcel lying and being in Land Lot 593, 4th District, 3rd Section, City of Cartersville, Bartow County, Georgia being more particularly described as 1.737 acres referred to as Lease Area 6 on the survey entitled Lease Area for Village Hill Eckstein, LLC, dated July 14, 2019, prepared by Kevin N. Cooney, G.R.L.S 2980, and incorporated herein by reference as Exhibit “B”

Said parcel also known as 11 Charley Harper Drive, Cartersville, Georgia according to the present system of numbering in Bartow County, Georgia.

2.

Cartersville Is the owner of a certain parcel of land lying and being in the County of Bartow, State of Georgia, and more particularly described as follows:

All that tract or parcel of land lying and being in Land Lot 593, 4th District, 3rd Section, Bartow County, Georgia and being more particularly described as Lot 3 consisting of 1.890 acres of land as indicated on a survey prepared by Kevin N. Cooney G.R.L.S. No. 2980, titled Final Plat Utility Easements, Village Hill Eckstein, LLC recorded in Plat Book 2018, Page 81, Bartow County Georgia Superior Court Real Estate Records (the “Plat”).

3.

Cartersville is the owner of two 20’ drainage/access easements and drainage easements more particularly described as follows: 20’ drainage/access easement (H) and 20’ drainage easement (I) as indicated on the Plat.

4.

The respective properties of the parties are shown on the attached survey, marked as Exhibit "A," attached hereto and incorporated herein by reference.

5.

Company is desirous of erecting a building on its property which shall require a retaining wall and sidewalk to be built as indicated on the Plat within Cartersville's drainage and access easement (H).

6.

Cartersville has agreed that Company may install, lay, and maintain the necessary retaining wall and/or sidewalk for, on, and under the real estate of Cartersville as shown on Exhibit "A."

7.

In consideration of this Agreement and other good and valuable consideration, Cartersville, its heirs, executors, administrators, successors, and assigns, covenants and agrees that Company, its heirs, executors, administrators, successors, and assigns, shall have the right to enter upon the 20' drainage/access easement (H) as indicated on the Plat to construct the retaining wall and sidewalk pursuant to the plans attached hereto and incorporated herein as Exhibit "A" and shall have the right to maintain, repair, and replace, the retaining wall and sidewalk after construction.

8.

In consideration of this Agreement and other good and valuable consideration, Company, its heirs, executors, administrators, successors, and assigns, covenants and agrees to the following:

a) Company, its heirs, executors, administrators, successors, and assigns hereby agree to indemnify and hold harmless Cartersville for any and all damages and injuries which result from the construction, failure, maintenance, repair, existence, and/or replacement of the retaining wall

and/or sidewalk, and for all damages or injuries caused, including any and damages to utility infrastructure, on the Cartersville property referenced in paragraph 2 and 3 of herein.

b) Furthermore, in exchange for and in consideration of allowing the retaining wall and sidewalk to be placed in the drainage and access easement as indicated herein, Company shall be responsible for all maintenance, repair, and replacement of the stormwater drainage easements and all facilities located therein, including but not limited to the existing storm pipe, to the requirements of the City of Cartersville and State of Georgia applicable regulations, codes, ordinances, and statutes. Additionally, if Company installs additional storm water facilities in said drainage and access easement, it shall be Company's responsibility to maintain, repair, and replace said facilities to the requirements of the City of Cartersville and State of Georgia applicable regulations, codes, ordinances, and statutes.

c) Company further covenants and agrees that it shall restore the easement and any City infrastructure, as nearly as may be to its prior condition to any work and damage caused or resulting from the existence of, construction, repair, existence, and/or maintenance of the retaining wall.

9.

The covenants and agreements contained in this Agreement, made by either party to the other for use of such retaining wall and/or sidewalk or any extension of it as above provided shall run with the land, and the liability to perform and the right to enforce performance of the same shall pass to the heirs and assigns of the respective parties; provided, however, that no person shall be personally liable for the breach of any covenants and agreements contained in this Agreement unless such breach was committed during his or her ownership of the land.

10.

This Agreement shall be governed by and construed in accordance with the laws of the State of Georgia. Any action or suit related to this Agreement shall be brought in the Superior Court of Bartow County, Georgia.

11.

This Agreement may be executed in multiple counterparts, and each counterpart shall be considered an original.

IN WITNESS WHEREOF the parties have signed and sealed this Agreement the day and year above written.

CARTERSVILLE:

Signed, sealed and delivered
in the presence of:

Witness

Notary Public

My Commission Expires:

[AFFIX SEAL]

**CITY OF CARTERSVILLE,
a Municipal Corporation of the State of
Georgia**

By: _____
Matthew J. Santini, Mayor

Attest: _____
Meredith Ulmer, City Clerk

COMPANY:

Signed, sealed and delivered
in the presence of:

Witness

Notary Public

My Commission Expires: July 20, 2023
[AFFIX SEAL]

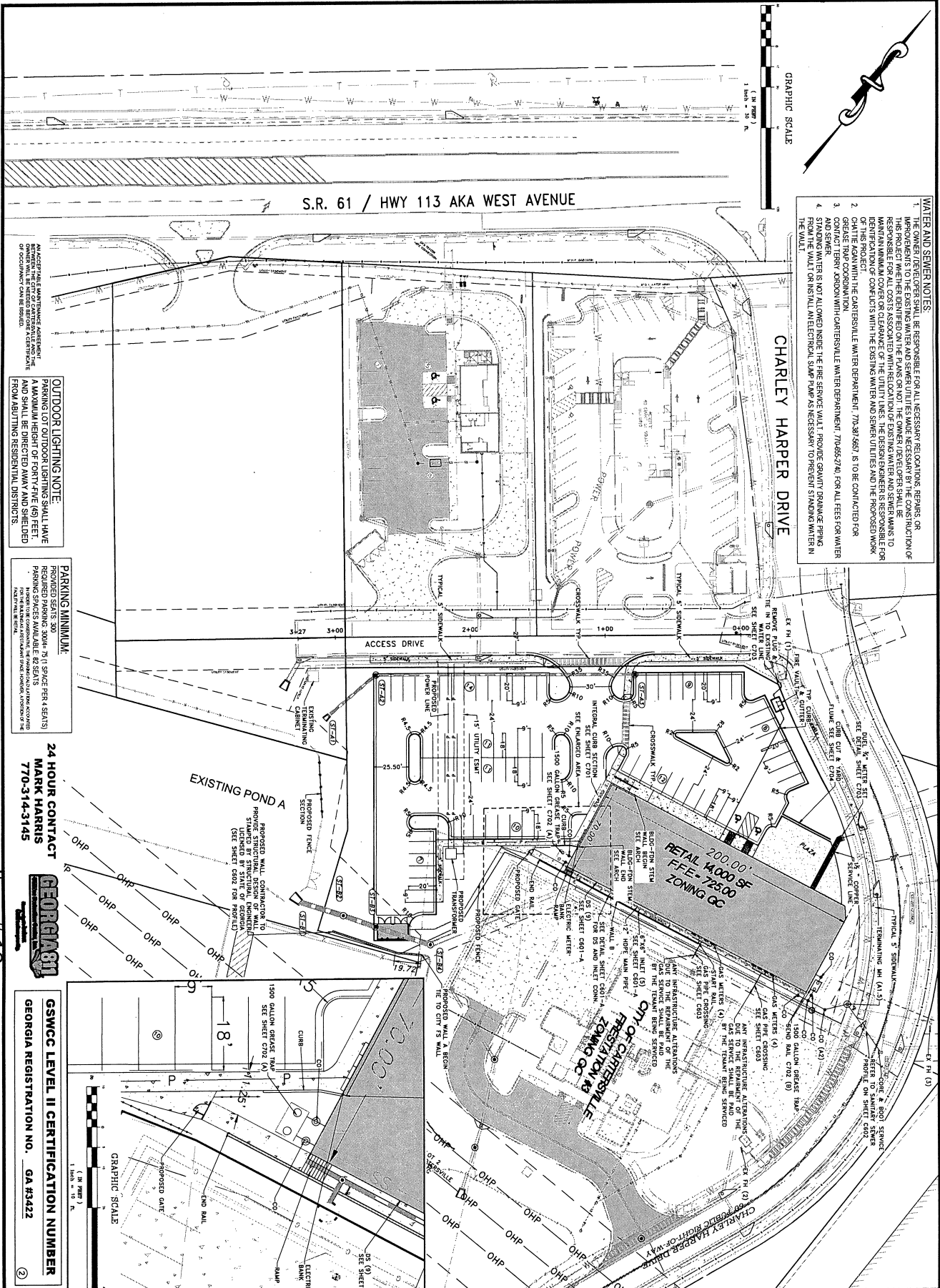
Village Hill Eckstein LLC
By: _____

Its: Managing member

LEAH DEUTSCH
NOTARY PUBLIC, State of New York 4
No. 01DE6328042
Qualified in Kings County
Commission Expires July 20, 2019
2023

Item # 13

Exhibit "A"



- WATER AND SEWER NOTES:**
1. THE OWNER/DEVELOPER SHALL BE RESPONSIBLE FOR ALL NECESSARY RELOCATIONS, REPAIRS OR REPLACEMENTS OF EXISTING WATER AND SEWER LINES AND STRUCTURES IN CONNECTION WITH THIS PROJECT. THE ENGINEER SHALL BE RESPONSIBLE FOR THE DESIGN OF THE WATER AND SEWER SYSTEMS AND FOR THE MAINTENANCE OF THE UTILITY LINES. THE DESIGN ENGINEER IS RESPONSIBLE FOR THE DESIGN OF THE UTILITY LINES AND FOR THE MAINTENANCE OF THE UTILITY LINES. THE DESIGN ENGINEER SHALL BE RESPONSIBLE FOR THE DESIGN OF THE UTILITY LINES AND FOR THE MAINTENANCE OF THE UTILITY LINES.
 2. THE OWNER/DEVELOPER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE UTILITY LINES AND FOR THE MAINTENANCE OF THE UTILITY LINES.
 3. THE OWNER/DEVELOPER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE UTILITY LINES AND FOR THE MAINTENANCE OF THE UTILITY LINES.
 4. THE OWNER/DEVELOPER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE UTILITY LINES AND FOR THE MAINTENANCE OF THE UTILITY LINES.

OUTDOOR LIGHTING NOTE:
PARKING LOT OUTDOOR LIGHTING SHALL HAVE A MAXIMUM HEIGHT OF FORTY-FIVE (45) FEET, AND SHALL BE DIRECTED AWAY AND SHIELDED FROM ADJACENT RESIDENTIAL DISTRICTS.

PARKING MINIMUM:
REQUIRED SPACES: 300
REQUIRED PARKING: 300+75 (1 SPACE PER 4 SEATS)
PARKING SPACES AVAILABLE: 82 SPACES
TOTAL PARKING SPACES: 382 SPACES

24 HOUR CONTACT
MARK HARRIS
770-314-3145



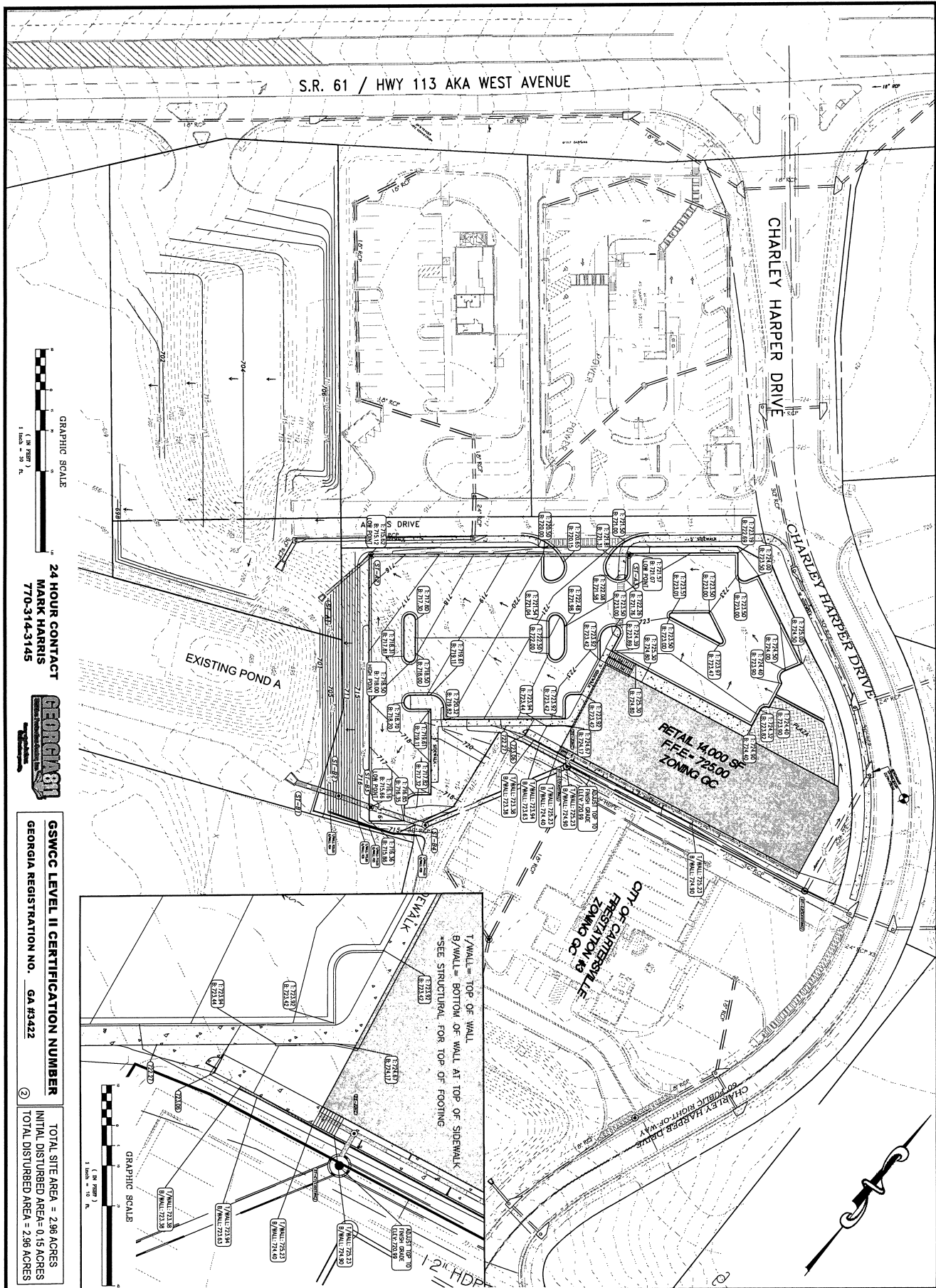
GSWCC LEVEL II CERTIFICATION NUMBER
GEORGIA REGISTRATION NO. GA 83422

LOT 6 RETAIL
11 CHARLEY HARPER DR
LOCATED IN LAND LOT 593
4TH DISTRICT, 3RD SECTION
CARTERSVILLE, GEORGIA

SOUTH LAND ENGINEERING
CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS
114 OLD MILL ROAD, CARTERSVILLE, GA 30120 PH: 770.387.0440 FAX: 770.607.5151

REVISIONS:	DATE	DESCRIPTION
1	11/26/18	CITY COMMENTS
2	01/16/19	CITY COMMENTS
3	01/16/19	CITY COMMENTS
4	01/16/19	CITY COMMENTS
5	01/17/19	CITY COMMENTS
6	01/29/19	CITY COMMENTS

PROJECT NO.:	18163
DATE:	11/26/18
SHEET NO.:	C201



SHEET NO.
C401

GRADING PLAN

SHEET TITLE

DATE
7/9/19

LOT 6 RETAIL
11 CHARLEY HARPER DR
LOCATED IN LAND LOT 593
4TH DISTRICT, 3RD SECTION
CARTERSVILLE, GEORGIA

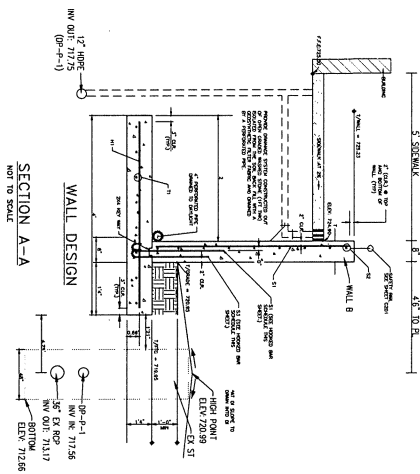
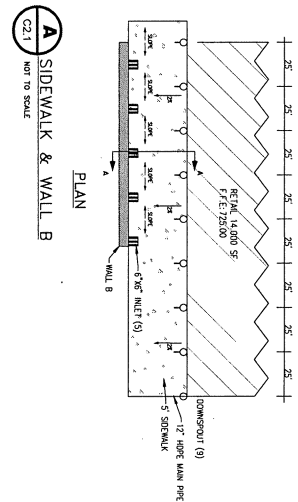
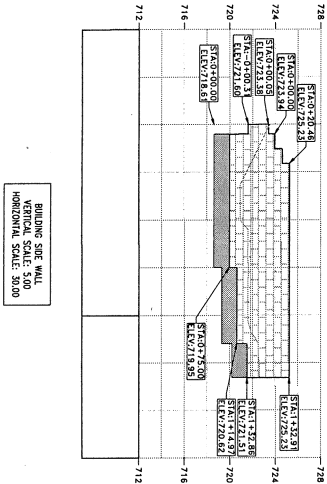
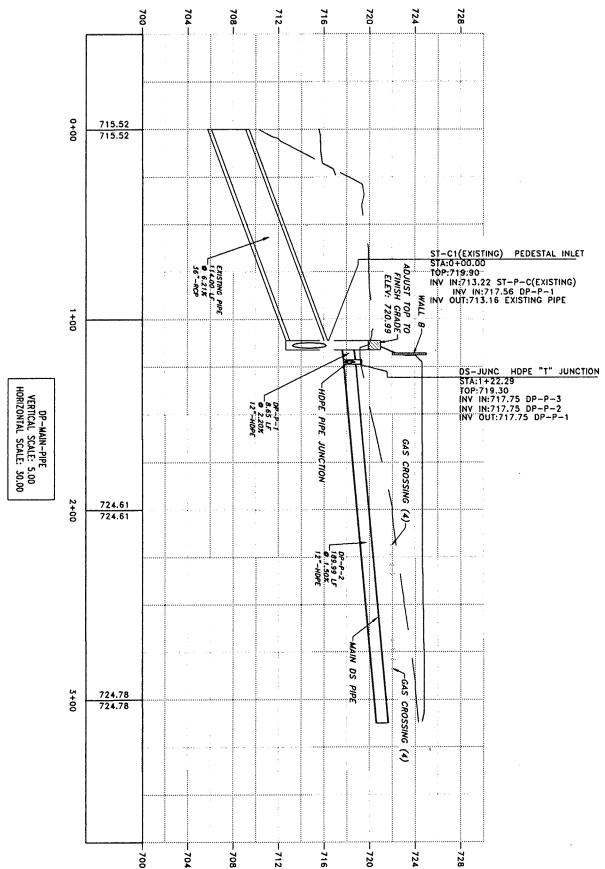
SOUTHLAND ENGINEERING
CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS
114 OLD MILL ROAD, CARTERSVILLE, GA 30120 PH: 770.387.0440 FAX: 770.607.5151

REV.	DATE	DESCRIPTION
1	07/19/19	ISSUED FOR PERMIT
2	07/19/19	REVISION
3	07/19/19	REVISION
4	07/19/19	CITY COMMENTS
5	07/19/19	CITY COMMENTS
6	07/19/19	CITY COMMENTS

DATE
7/9/19

1
1.63

AN ACCEPTABLE MAINTENANCE AGREEMENT BETWEEN THE CITY OF CARTERSVILLE AND THE OWNER WILL BE NEEDED BEFORE A CERTIFICATE OF OCCUPANCY CAN BE ISSUED.



MIN DESIGN PRESSURE = 3000 PSF (ASSUMED)												
RETAINING WALL SCHEDULE												
DIMENSIONS												
REBAR SIZE & SPACING												
H ₁ GRADE	T	F	B	D	K	L	S1	S2	S3	H1	T1	R1
6 FT	0'-8"	1'-2"	2'-2"	4'-0"	1'-4"		#50.2	#40.2	#40.8	#40.8	#50.4	
4 FT	0'-8"	1'-0"	1'-10"	3'-6"	1'-4"		#40.2	#40.2	#40.8	#40.8	#50.4	

1
C701 DETENTION WALL ELEVATION

LAP SPLICE SCHEDULE	
BAR SIZE	LAP SPLICE DIMENSION (IN)
#3	1'-4"
#4	1'-5"
#5	1'-10"
#6	2'-2"
#7	3'-2"
#8	3'-7"

2 TYPICAL BAR DIMENSION SCHEDULE

HOOKED BAR SCHEDULE			
BAR SIZE	X	Min	Y
#3	0'-0"	0'-0 3/4"	1'-0"
#4	0'-0"	0'-0"	1'-5"
#5	0'-10"	0'-10"	1'-10"
#6	1'-0"	0'-11 1/2"	2'-2"
#7	1'-0"	1'-1 1/2"	3'-0"
#8	1'-0"	1'-3 1/2"	3'-7"

Conformity Statement

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

KEVIN COOPER - GA PLS 2980

7/24/19

SOUTHLAND ENGINEERING
CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS
114 OLD MILL ROAD, CARTERSVILLE, GA 30120 PH: 770.387.0440 FAX: 770.607.5151

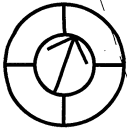
LEASE AREA EXHIBIT FOR:
VILLAGE HILL ECKSTEIN, LLC
LOCATED IN LAND LOT 593
4th DISTRICT, 3rd SECTION
CITY OF CARTERSVILLE, BARTOW COUNTY, GEORGIA

DATE: JULY 24, 2019 REV: JOB NO: 18163

DATE OF FIELDWORK: DECEMBER 13, 2017

DRAWN BY: KNC CHECKED BY: KNC APPROVED BY: KNC

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.



NORTH
GRID NORTH
GA WEST ZONE

N/F
VILLAGE HILL ECKSTEIN, LLC
DB:2968; PG:943

TAX PARCEL:
CO22-0004-003



LINE TABLE		
LINE	BEARING	LENGTH
L1	S70°26'44"W	77.00
L2	S09°47'47"E	97.65
L3	S66°31'17"W	17.85
L4	S67°56'36"W	77.86
L5	N21°30'44"W	80.70
L6	S32°38'22"E	100.06
L7	S64°14'54"E	49.14
L8	N22°09'54"E	120.57

CURVE TABLE				
CURVE	LENGTH	RADIUS	DIRECTION	CHORD
C1	76.77	342.00	S57°49'03"E	76.61
C2	177.80	220.00	S41°05'45"E	173.00
C3	154.01	220.00	N02°06'39"E	150.88
C4	117.26	230.00	N07°33'33"E	116.00
C5	19.28	28.69	N12°12'08"E	18.92

Recording Statement

THIS PLAT MEETS THE REQUIREMENTS OF THE CARTERSVILLE ZONING ORDINANCE AND DEVELOPMENT REGULATIONS AND IS AUTHORIZED TO BE RECORDED.

SIGNATURE DATE

General Notes

- ALL PROPERTY CORNERS ARE 1/2" REBAR, EXCEPT AS SHOWN.
- THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF 1" IN 36,006 FEET, AND AN ANGULAR ERROR OF 02" PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE.
- THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1" IN 73,667 FEET.
- EQUIPMENT USED: TOPCON 3005W, TOTAL STATION, WITH DATA COLLECTOR.
- RIGHTS OF WAY ARE BASED UPON PINS FOUND AND/OR CENTERLINES OF PATHS OF TRAVEL.

○ = IRON PIN FOUND	○ = DOUBLE WING CATCH BASIN	○ = GAS VALVE	○ = SEWER MANHOLE	○ = POWER POLE
□ = CONCRETE MONUMENT FOUND	○ = SINGLE WING CATCH BASIN	○ = GAS METER	○ = CLEAN OUT	○ = GUY WIRE
● = IRON PIN PLACED	○ = JUNCTION BOX	○ = TELEPHONE MANHOLE	○ = WATER VALVE	○ = ELECTRIC METER
⊕ = BENCHMARK	○ = CURB INLET	○ = ELECTRIC MANHOLE	○ = WATER METER	○ = TRANSFORMER
⊙ = PHOTO REFERENCE	○ = YARD INLET	○ = TELEPHONE PEDESTAL	○ = FIRE HYDRANT	○ = LIGHT POLE
⊗ = EXCEPTIONS	○ = DROP INLET	○ = SIGN	○ = IRRIGATION CONTROL VALVE	○ = FLOW ARROW
⊘ = PARKING BOLLARD	○ = HEADWALL		○ = WELL	○ = MAILBOX
— = STORM PIPE	— = OVERHEAD POWER	— = WATER LINE	— = COMMUNICATION LINE	
— = SEWER PIPE	— = FENCE LINE	— = GAS LINE	— = UNDERGROUND POWER	

N/F
VILLAGE HILL ECKSTEIN, LLC
DB:2866; PG:791

TAX PARCEL:
CO22-0004-012

N/F
VILLAGE HILL ECKSTEIN, LLC
DB:2867; PG:57

TAX PARCEL:
CO22-0004-024

LEASE AREA 6
1.737 ACRES

N/F
VILLAGE HILL ECKSTEIN, LLC
DB:2968; PG:943

PART OF TAX PARCEL:
CO22-0004-003

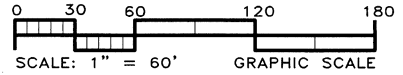
LEASE AREA 6A
0.0832 ACRES

N/F
CITY OF CARTERSVILLE
DB:2239; PG:965

PART OF TAX PARCEL:
CO22-0004-029

N/F
CITY OF CARTERSVILLE
DB:2239; PG:965

TAX PARCEL:
CO22-0004-029



CHARLIE HARPER DRIVE
VARIABLE PUBLIC RIGHT-OF-WAY

OLD MILL ROAD
80' PUBLIC RIGHT-OF-WAY

L.L. 594

tem # 3



City of Cartersville

City Council Meeting

8/1/2019 7:00:00 PM

Dempsey Auction Company - Old Fire Station #3 and Adjoining Woff Tract

SubCategory:	Contracts/Agreements
Department Name:	Administration
Department Summary Recommendation:	Dempsey Auction Company will be handling the auction of the Old Fire Station #3 property at 1220 Highway 113 and the adjoining Woff, LLC tract at 1240 West Avenue.
City Manager's Remarks:	This has been reviewed by myself and Keith. Your approval of the contract with Dempsey Auction Company is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

DEMPSEY AUCTION CO.
P.O. BOX 1341
310 NORTH 4TH AVE,
ROME, GA. 30162-1341
706-291-0746- FAX 706-291-2984
AGENCY CONTRACT
WWW.DEMPSEYAUCTION.COM
GAREL#H-4921 GAL #113

JULY 23, 2019

STATE OF GEORGIA

BARTOW COUNTY

The City of Cartersville (the "First Party"), and Dempsey Auction Company, through their agent, Lou Dempsey (the "Second Party"), whereby first party in consideration of the sum of one dollar and other valuable considerations paid by second party, receipt being acknowledged, does hereby grant to second party the Exclusive Right to Sell the property, as hereinafter described, at an **AUCTION** (the "Auction") on or before October 31, 2019 (or such later date as the First Party and Second Party may agree due to adverse weather conditions on the date of the Auction) and further agrees to execute a statutory warranty deed to any purchaser to whom Second Party may sell the Property at the Auction. The term of this Agreement shall commence on the date of the full execution of this Agreement and shall expire upon the last closing of the Property that is sold at the Auction (the "Term").

First party authorizes Second Party to charge a ten percent (10%) Buyer's Premium, to the purchaser, as commission, on the highest bid obtained at the Auction. Said Buyer's Premium is due at closing.

It is understood and agreed by the First Party that this agreement is an Exclusive Right to Sell, and even if the First Party during the Term sells the Property, other than to the highest bidder at the auction, Second Party shall be entitled to a ten percent (10%) commission based on the sales price. Said commission shall be deducted from the sales proceeds and due at closing of said sale by Seller if the same is not from a sale at the Auction.

First Party and Second Party agree that the below mentioned property sells **SUBJECT TO OWNER CONFIRMATION.**

Second party agrees to advertise the Property in its usual way of marketing, advertising and promotion in accordance to the Dempsey Model. **First Party to pay Second Party their share of the marketing expenses of \$6,136.00 at closing. Second Party agrees to spend \$9,771.00, as shown as Exhibit "A", in marketing and sales expense for said auction.**

Dempsey Auction Company will be offering the City's property and the Woff Property in individual tracts, a combination of tracts and then together as a whole. Sales Expenses will be split 50/50 between the City of Cartersville and Woff, LLC.

DEMPSEY AUCTION CO. is ACTING AS LISTING and SELLING AGENT for the SELLER in this TRANSACTION in ACCORDANCE and COMPLIANCE with the BROKERAGE RELATIONSHIPS in REAL ESTATE TRANSACTIONS ACT (BRRETA) of The STATE of GEORGIA

DESCRIPTION OF PROPERTY

STATE of GEORGIA

COUNTY of BARTOW

****Property located at 1220 Hwy 113, Cartersville, GA being identified by Bartow County Tax Records as Parcel #C036-0002-003.**

Said property is described by deed recorded in the Office of Clerk of Superior Court, Bartow County, GA in Deed Book 880, Page 137. Legal Description as shown as Exhibit "B" attached and made a part here of by reference.

Are there any Leases, Timber, Tenant, Crop or Other Contracts outstanding?

Are there any Exceptions, Reservations (including Mineral Rights), or Restrictions on Land, Buildings or Personal Property?

Are there and encumbrances or monies owed?

Selling subject to all planning and zoning regulations of Cartersville, Bartow County, GA.

I/WE STATE THAT NO REPRESENTATION AS TO GUARANTEE OF APPRAISED VALUE OR PRICE TO BE OBTAINED HAS BEEN MADE TO ME/US BY DEMPSEY AUCTION CO. OR THEIR AGENT, AND I/WE ACKNOWLEDGE RECIEPT OF A COPY OF THIS AGREEMENT.

The City of Cartersville

The City of Cartersville

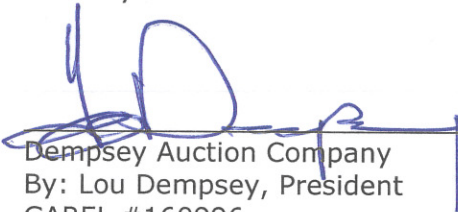

Dempsey Auction Company
By: Lou Dempsey, President
GAREL #160996

Exhibit "A"

Marketing and Sales Expense

City of Cartersville & WOFF, LLC

Auction Signs (1 – 8' X 8' / 2 – 4' X 4')	\$ 600.00
Auction Brochure & Newspaper Display Ad Copy	\$2,500.00
Mailing Brochures – Postage	\$1,250.00
E-mail to REALTORS (3,460)	\$ 160.00
Internet & Social Media Platforms	\$ 900.00
Local & Regional Newspaper website (4 weeks)	
Cartersville, Rome, Marietta, Calhoun, Cedartown, Rockmart	\$1,090.00
Georgia Trend Online Magazine	\$ 750.00
Local Radio	\$ 250.00

Display Newspaper Advertisements

Cartersville Daily Tribune	\$ 385.00
Marietta Daily Tribune	\$ 520.00
Cherokee Tribune-Ledger	\$ 578.00
Calhoun Times	\$ 328.00
Dallas New Era	\$ 135.00
Lands of America	\$ 325.00

Total Marketing and Sales Expense-----\$9,771.00

00880
0137**Exhibit B**

DAVID G. ARCHER, P.C.
P. O. Box 1026
106 N. Erwin Street
Cartersville, GA 30120

GEORGIA, BARTOW COUNTY

FOR AND IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, the undersigned, J. GORDON DAVIS, does hereby grant, bargain, sell and convey unto THE CITY OF CARTERSVILLE, GEORGIA, A MUNICIPAL CORPORATION OF THE STATE OF GEORGIA, its heirs and assigns, the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lot No. 633 of the 4th District of the 3rd Section of the City of Cartersville, Bartow County, Georgia, and being more particularly described as follows:

BEGINNING at the intersection of the western right of way of Old Mill Road and the southern right of way of West Avenue; thence south 53 degrees 4 minutes 0 seconds west a distance and along the southern right of way of West Avenue a distance of 150 feet to an iron pin; thence south 53 degrees 23 minutes 25 seconds west and continuing along said southern right of way of West Avenue, a distance of 106.50 feet; said iron pin being the true point of beginning; thence south 24 degrees 42 minutes 57 seconds east a distance of 149.55 feet to an iron pin; thence north 53 degrees 28 minutes 0 seconds east, a distance of 79.82 feet to a painted mark on the concrete; thence south 27 degrees 47 minutes 29 seconds east a distance of 111.23 feet to an iron pin situated on the northern right of way of the Old Cartersville-Dallas Road; thence south 76 degrees 43 minutes 0 seconds west and along the northern right of way of the Old Cartersville-Dallas Road, a distance of 317.46 feet to an iron pin; thence north 14 degrees 5 minutes 0 seconds west, a distance of 141.45 feet to an iron pin situated on the southern right of way of West Avenue; thence north 53 degrees 23 minutes 25 seconds east and continuing along said southern right of way, a distance of 205.37 feet to an iron pin and the true point of beginning.

Bartow County, Georgia
Real Estate Transfer Tax

MAY - 3 1995

PAID \$
TISH JOHNSON, CSC

00088020137

95 MAY - 2 PM 4:06

FILED FOR RECORD

62-155-017855

00880
0138

Also conveyed is all the right, title and interest of the Grantor in that certain easement for parking recorded at Deed Book 669, Page 383 of the Deed Records of Bartow County, Georgia, and as shown on the plat.

The subject property is subject to a sign easement recorded at Deed Book 668, Page 425 and at Deed Book 669, Page 384 of the Deed Records of Bartow County, Georgia, and as also shown on the plat and an easement to Bell South Telecommunications recorded at Deed Book 821, Page 405 of the Deed Records of Bartow County, Georgia.

The above-referenced property containing 1.076 acres being more particularly shown on a survey for J. Gordon Davis by A. Lee Smith, Georgia Registered Land Surveyor dated November 30, 1992, and recorded at Plat Book 35, Page 227 of the Deed Records of Bartow County, Georgia, to which plat specific reference is hereby made for a definite and complete description of the subject property.

TO HAVE AND TO HOLD said property unto the said THE CITY OF CARTERSVILLE, GEORGIA, A MUNICIPAL CORPORATION OF THE STATE OF GEORGIA, its heirs and assigns, forever in fee simple with full warranty of title and said undersigned will forever defend the title to said property against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the undersigned have hereunto caused this instrument to be executed this 9th day of May, 1995.

BY: J. Gordon Davis (SEAL)
J. GORDON DAVIS

Sworn to and subscribed before me
this 2nd day of May,
1995.

[Signature]
WITNESS

[Signature]
NOTARY PUBLIC
My Commission Expires: 3-31-96

BK00088020138



City of Cartersville

City Council Meeting

8/1/2019 7:00:00 PM

Annual Assessment for Membership in the Northwest Georgia Regional Commission

SubCategory:	Other
Department Name:	City Manager
Department Summary Recommendation:	This is the annual dues request for membership and participation in the Northwest Georgia Regional Commission. The total is \$21,141 for fiscal year July 1, 2019 through June 30, 2020.
City Manager's Remarks:	This is our share of payment toward the Northwest Georgia Regional Commission. This invoice is above \$5,000 and therefore requires Council authorization. Your approval is recommended.
Financial/Budget Certification:	This is a budgeted item.
Legal:	
Associated Information:	

Description			Amount
Annual assessment for the Fiscal Year July 1, 2019 through June 30, 2020			21,141.00
Population	x	Dues Rate	
1	x	21,141.00	
Source: U.S. Census Bureau, Population Division Population Estimates as of July 1, 2018 Please make payment to: Northwest Georgia Regional Commisison P.O. Box 1798 Rome, GA 30162-1798			
Invoice Total 21,141.00 Amount Paid 0.00 Balance Due 21,141.00			21,141.00
DUE UPON RECEIPT			Item # 15

NWGRC

NORTHWEST GEORGIA REGIONAL COMMISSION
A Region With A Bright Future

Rome Office: P.O. Box 1798, Rome, Georgia 30162-1798 Phone (706) 295-6485 www.nwgrc.org
RC Fax (706) 295-6665 AAA Fax (706) 802-5508 WIA Fax (706) 802-5567

Dalton Office: 503 West Waugh Street, Dalton, Georgia 30720 Phone (706) 272-2300 Fax (706) 272-2253

July 1, 2019

Honorable Matt Santini
Mayor of Cartersville
P. O. Box 1390
Cartersville, GA 30120-1390

Dear Matt:

As we traditionally close out one year on June 30th and usher in a new year on July 1st, we look back on what was and look ahead to what will be. We are proud of the past, with its progress and strong local government leadership and support. We are optimistic for the future, with its changes and opportunities, challenges and uncertainties.

This is your RC—we have been and will continue to be. We remain committed to being accessible and responsive to all local governments and people of the region and providing effective, high quality, and efficient services to you. “Working together” does work, and in coming together and pooling our resources, we unite to address the needs and issues of our region.

Just as the work of the NWGRC is ongoing, so are our financial needs, which means that it is again time to send out statements for annual dues. **THANK YOU!** for your continued faithful support. Please call upon us whenever we can be of any assistance.

Sincerely,



Ted M. Rumley, Chairperson



Lloyd Frasier, Executive Director

TMR:LF:bs

Enclosure

cc: Mr. Thomas C. Rhinehart, City Finance Officer

Item # 15



City of Cartersville

City Council Meeting

8/1/2019 7:00:00 PM

City of Cartersville M&O Millage Rate set at 3.259 Mills for 2019

SubCategory:	Public Hearing
Department Name:	Finance
Department Summary Recommendation:	The property taxes received from the Cartersville M&O property tax collections are used for the general city government operations, which include police, fire, recreation, public works, etc. The proposed 2019 millage rate of 3.259 mills is considered to be above the 2019 rollback rate of 2.106 mills. As a result, the city is required to hold three public hearings for the public to voice their opinions about the proposed tax increase. This is the second of the three required meetings. I recommend approval of the Cartersville M&O property tax millage rate of 3.259 mills for 2019.
City Manager's Remarks:	This is the second of the three required meetings/hearings. Your approval of the tax millage rate at 3.259 mills is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

**CITY OF CARTERSVILLE M & O
NOTICE OF PUBLIC HEARING**

Tax Digest and M&O and Capital Levy History for Current and Past Five Years

The City of Cartersville City Council hereby announces that the M&O and Capital millage rate for the City of Cartersville for fiscal year 2020 will be established at the Council meeting on August 15, 2019 at 7:00 p.m. in the City Council Chambers located on the Third Floor, City Hall, 10 North Public Square. The 2019 tax digest figures are preliminary at the present time. Pursuant to the requirements of O.C.G.A. 48-5-32, the city hereby publishes the following schedule of the current year's tax digest and levy, in addition to the past five years' tax digest and levy. This information only applies to the operations of the city government.

Current 2019 Tax Digest and 5-Year History of Levy

City Digest and Levy	2014	2015	2016	2017	2018	Preliminary 2019
Real & Personal	\$860,199,975	\$943,938,105	\$944,870,489	\$999,637,827	\$1,036,738,140	\$1,172,863,513
Motor Vehicle	\$39,332,530	\$28,221,434	\$21,531,900	\$16,342,900	\$12,846,280	\$10,547,170
Mobile Homes	\$43,178	\$42,312	\$16,580	\$16,348	\$26,462	\$38,702
Timber - 100%	\$5,176	\$0	\$22,403	\$0	\$0	\$0
Heavy Duty Equipment	\$79,200	\$41,200	\$3,292	\$66,798	\$45,847	\$163,113
Public Utilities	\$10,833,821	\$9,837,474	\$11,762,499	\$9,920,811	\$10,549,734	\$10,975,639
Gross Digest	\$910,493,880	\$982,080,525	\$978,207,163	\$1,025,984,684	\$1,060,206,463	\$1,194,588,137
Less: M&O Exemptions	\$40,184,393	\$64,497,507	\$67,593,828	\$77,428,558	\$92,394,009	\$99,596,209
Net M&O Digest	\$870,309,487	\$917,583,018	\$910,613,335	\$948,556,126	\$967,812,454	\$1,094,991,928
M&O Millage	1.38	1.38	2.38	2.3310	2.2590	3.2590
Dollars Generated	\$1,201,027	\$1,266,265	\$2,167,260	\$2,211,084	\$2,186,288	\$3,568,579
Total \$ Increase/(Decrease)	\$70,113	\$65,237	\$900,995	\$43,825	(\$24,796)	\$1,382,290
% Increase/Decrease(-)	6.20%	5.43%	71.15%	2.02%	-1.12%	63.23%
Total Millage Rate	1.38	1.38	2.38	2.3310	2.2590	3.2590

PT-32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2019

COUNTY: BARTOW	TAXING JURISDICTION: CARTERSVILLE M&O - PRELIMINARY
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ENTER VALUES AND MILLAGE RATES FOR THE APPLICABLE TAX YEARS IN YELLOW HIGHLIGHTED BOXES BELOW

DESCRIPTION	2018 DIGEST	REASSESSMENT OF EXISTING REAL PROP	OTHER CHANGES TO TAXABLE DIGEST	2019 DIGEST
REAL	731,932,747	74,103,192	40,793,670	846,829,609
PERSONAL	315,355,127		21,654,416	337,009,543
MOTOR VEHICLES	12,846,280		(2,299,110)	10,547,170
MOBILE HOMES	26,462		12,240	38,702
TIMBER -100%	0		0	0
HEAVY DUTY EQUIP	45,847		117,266	163,113
GROSS DIGEST	1,060,206,463	74,103,192	60,278,482	1,194,588,137
EXEMPTIONS	92,394,009		7,202,200	99,596,209
NET DIGEST	967,812,454	74,103,192	53,076,282	1,094,991,928
	(PYD)	(RVA)	(NAG)	(CYD)
2018 MILLAGE RATE:	2.259		2019 MILLAGE RATE:	3.259

CALCULATION OF ROLLBACK RATE

DESCRIPTION	ABBREVIATION	AMOUNT	FORMULA
2018 Net Digest	PYD	967,812,454	
Net Value Added-Reassessment of Existing Real Property	RVA	74,103,192	
Other Net Changes to Taxable Digest	NAG	53,076,282	
2019 Net Digest	CYD	1,094,991,928	(PYD+RVA+NAG)
2018 Millage Rate	PYM	2.259	PYM
Millage Equivalent of Reassessed Value Added	ME	0.153	(RVA/CYD) * PYM
Rollback Millage Rate for 2019	RR - ROLLBACK RATE	2.106	PYM - ME

CALCULATION OF PERCENTAGE INCREASE IN PROPERTY TAXES

If the 2019 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. § 48-5-32.1(c) (2)

Rollback Millage Rate	2.106
2019 Millage Rate	3.259
Percentage Tax Increase	54.75%

CERTIFICATIONS

I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.

Chairman, Board of Tax Assessors

Date

I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years.

Tax Collector or Tax Commissioner

Date

I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. § 48-5-32.1 for the taxing jurisdiction for tax year 2019 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2019 is _____

CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION

☐ If the final millage rate set by the authority of the taxing jurisdiction for tax year 2019 exceeds the rollback rate, I certify that the required advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. §§ 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published "five year history and current digest" advertisement and the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.

☐ If the final millage rate set by the authority of the taxing jurisdiction for tax year 2019 does not exceed the rollback rate, I certify that the required "five year history and current digest" advertisement has been published in accordance with O.C.G.A. § 48-5-32 as evidenced by the attached copy of such advertised report.

Responsible Party

Title

Date

Item # 16

NOTICE OF PROPERTY TAX INCREASE

The City of Cartersville M&O has tentatively adopted a millage rate which will require an increase in property taxes by 54.75 percent.

All concerned citizens are invited to the public hearing on this tax increase to be held at City Council Chambers located on the Third Floor, City Hall, 10 North Public Square on Thursday, August 1, 2019 at 9:00 AM.

Times and places of additional public hearings on this tax increase are at City Council Chambers located on the Third Floor, City Hall, 10 North Public Square on Thursday, August 1, 2019 at 7:00 PM and Thursday, August 15, 2019 at 7:00 PM.

This tentative increase will result in a millage rate of 3.259 mills, an increase of 1.153 mills over the rollback rate. Without this tentative tax increase, the millage rate will be no more than 2.106 mills. The proposed tax increase for a home with a fair market value of \$125,000 is approximately \$57.65 and the proposed tax increase for nonhomestead property with a fair market value of \$275,000 is approximately \$126.83.



City of Cartersville

City Council Meeting

8/1/2019 7:00:00 PM

Cartersville School System 2019 Millage rate Set at 14.576 Mills

SubCategory:	Other
Department Name:	Finance
Department Summary Recommendation:	The Cartersville City School System has recommended to their Board to lower the school system's 2019 millage rate to 14.576 mills. This is the rollback rate for 2019. The City Council approves the School Board's recommended tax millage rate for city residents where all the property taxes collected are used by the Cartersville City School System. I recommend approval of the Cartersville City School System property tax millage rate of 14.576 mills for 2019.
City Manager's Remarks:	Your approval of the Cartersville City School System property tax millage rate at 14.576 mills for 2019 is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

**CITY OF CARTERSVILLE SCHOOL SYSTEM
NOTICE OF PUBLIC HEARING**

Tax Digest and M&O and Capital Levy History for Current and Past Five Years

The City of Cartersville City Council hereby announces that the M&O and Capital millage rate for the City of Cartersville School System for fiscal year 2020 will be established at the Council meeting on August 15, 2019 at 7:00 P.M. in the City Council Chambers located on the Third Floor, City Hall, 10 North Public Square. The 2019 tax digest figures are preliminary at the present time. Pursuant to the requirements of O.C.G.A. 48-5-32, the city hereby publishes the following schedule of the current year's tax digest and levy, in addition to the past five years' tax digest and levy. This information only applies to the operations of the city school system.

Current 2019 Tax Digest and 5-Year History of Levy

City School System Digest and Levy	2014	2015	2016	2017	2018	Preliminary 2019
Real & Personal	\$849,366,154	\$934,100,631	\$944,873,489	\$999,637,827	\$1,057,720,590	\$1,172,863,513
Motor Vehicle	\$39,332,530	\$28,221,434	\$21,531,900	\$16,342,900	\$12,846,280	\$10,547,170
Mobile Homes	\$43,178	\$42,312	\$16,580	\$16,348	\$26,462	\$38,702
Timber - 100%	\$5,176	\$0	\$22,403	\$0	\$0	\$0
Heavy Duty Equipment	\$79,200	\$41,200	\$3,292	\$66,798	\$45,847	\$163,113
Public Utilities	\$10,833,821	\$9,837,474	\$11,762,499	\$9,920,811	\$10,549,734	\$10,975,639
Gross Digest	\$899,660,059	\$972,243,051	\$978,210,163	\$1,025,984,684	\$1,081,188,913	\$1,194,588,137
Less: M&O Exemptions	\$73,132,273	\$97,699,387	\$102,620,668	\$113,094,648	\$128,817,379	\$136,513,004
Net M&O Digest	\$826,527,786	\$874,543,664	\$875,589,495	\$912,890,036	\$952,371,534	\$1,058,075,133
M&O Millage	17.93	16.82	16.546	16.192	15.674	14.576
Dollars Generated	\$14,819,643	\$14,709,824	\$14,487,504	\$14,781,515	\$14,927,471	\$15,422,503
Total \$ Increase/(Decrease)	(\$119,895)	(\$109,819)	(\$222,321)	\$294,012	\$145,956	\$495,032
% Increase/Decrease(-)	-0.80%	-0.74%	-1.51%	2.03%	0.99%	3.32%
Total Millage Rate	17.93	16.82	16.546	16.192	15.674	14.576

PT-32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2019				
COUNTY: BARTOW		TAXING JURISDICTION: CARTERSVILLE SCHOOL - PRELIMINARY		
ENTER VALUES AND MILLAGE RATES FOR THE APPLICABLE TAX YEARS IN YELLOW HIGHLIGHTED BOXES BELOW				
DESCRIPTION	2018 DIGEST	REASSESSMENT OF EXISTING REAL PROP	OTHER CHANGES TO TAXABLE DIGEST	2019 DIGEST
REAL	748,790,920	74,103,192	23,935,497	846,829,609
PERSONAL	319,479,404		17,530,139	337,009,543
MOTOR VEHICLES	12,846,280		(2,299,110)	10,547,170
MOBILE HOMES	26,462		12,240	38,702
TIMBER -100%	0		0	0
HEAVY DUTY EQUIP	45,847		117,266	163,113
GROSS DIGEST	1,081,188,913	74,103,192	39,296,032	1,194,588,137
EXEMPTIONS	128,817,379		7,695,625	136,513,004
NET DIGEST	952,371,534	74,103,192	31,600,407	1,058,075,133
	(PYD)	(RVA)	(NAG)	(CYD)
2018 MILLAGE RATE: 15.674		2019 MILLAGE RATE: 14.576		
CALCULATION OF ROLLBACK RATE				
DESCRIPTION	ABBREVIATION	AMOUNT	FORMULA	
2018 Net Digest	PYD	952,371,534		
Net Value Added-Reassessment of Existing Real Property	RVA	74,103,192		
Other Net Changes to Taxable Digest	NAG	31,600,407		
2019 Net Digest	CYD	1,058,075,133	(PYD+RVA+NAG)	
2018 Millage Rate	PYM	15.674	PYM	
Millage Equivalent of Reassessed Value Added	ME	1.098	(RVA/CYD) * PYM	
Rollback Millage Rate for 2019	RR - ROLLBACK RATE	14.576	PYM - ME	
CALCULATION OF PERCENTAGE INCREASE IN PROPERTY TAXES				
If the 2019 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. § 48-5-32.1(c) (2)		Rollback Millage Rate	14.576	
		2019 Millage Rate	14.576	
		Percentage Tax Increase	0.00%	
CERTIFICATIONS				
I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.				
----- Chairman, Board of Tax Assessors		----- Date		
I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years.				
----- Tax Collector or Tax Commissioner		----- Date		
I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. § 48-5-32.1 for the taxing jurisdiction for tax year 2019 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2019 is _____				
CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION				
-----	If the final millage rate set by the authority of the taxing jurisdiction for tax year 2019 exceeds the rollback rate, I certify that the required advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. §§ 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published "five year history and current digest" advertisement and the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.			
-----	If the final millage rate set by the authority of the taxing jurisdiction for tax year 2019 does not exceed the rollback rate, I certify that the required "five year history and current digest" advertisement has been published in accordance with O.C.G.A. § 48-5-32 as evidenced by the attached copy of such advertised report.			
----- Responsible Party		----- Title		
----- Date		----- Date		

CARTERSVILLE SCHOOL BOARD

Millage Rate Levy to City Council of the City of Cartersville

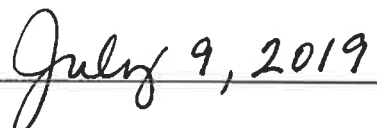
MOTION for School Board approval:

The Cartersville School Board recommends to the City Council of the City of Cartersville the rollback millage rate of 14.576 mills to fund the school system's FY20 Budget, provided there is not significant change to the preliminary digest of \$1,058,075,133.

Recommendation passed by unanimous vote of the Cartersville School Board on July 8, 2019.



Notary Public



Date





City of Cartersville

City Council Meeting

8/1/2019 7:00:00 PM

Cartersville Business Improvement District Millage Rate Set at 1.789 Mills for 2019

SubCategory:	Other
Department Name:	Finance
Department Summary Recommendation:	The Cartersville Business Improvement District (BID) is made up of the Downtown Cartersville Business District. These business owners have been self-assessing a property tax for many years to raise funds for use in the downtown area. The Downtown Development Authority (DDA) works with the local businesses to use the funds to improve the downtown area. The DDA Board requests the City Council approval of their recommended BID's property tax millage of 1.789 mills for 2019. This is the rollback rate. I recommend approval of the Cartersville Business Improvement District property tax millage of 1.789 mills for 2019.
City Manager's Remarks:	Your approval of the 1.789 mills for the Cartersville Business Improvement District is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

CARTERSVILLE DOWNTOWN DEVELOPMENT AUTHORITY NOTICE OF PUBLIC HEARING

Tax Digest and M&O and Capital Levy History for Current and Past Five Years

The City of Cartersville City Council hereby announces that the M&O and Capital millage rate for the Cartersville Downtown Development Authority for fiscal year 2020 will be established at the Council meeting on August 15, 2019 at 7:00 P.M. in the City Council Chambers located on the Third Floor, City Hall, 10 North Public Square. The 2019 tax digest figures are preliminary at the present time. Pursuant to the requirements of O.C.G.A. 48-5-32, the city hereby publishes the following schedule of the current years' tax digest and levy, in addition to the past five years' tax digest and levy. This information only applies to the Cartersville Downtown Development Authority.

Current 2019 Tax Digest and 5-Year History of Levy						
Downtown Development Authority Digest and Levy	2014	2015	2016	2017	2018	Preliminary 2019
Real & Personal	\$8,927,401	\$9,260,040	\$9,260,040	\$10,331,261	\$10,925,365	\$13,823,589
Motor Vehicle						
Mobile Homes						
Timber - 100%						
Heavy Duty Equipment						
Public Utilities						
Gross Digest	\$8,927,401	\$9,260,040	\$9,260,040	\$10,331,261	\$10,925,365	\$13,823,589
Less: M&O Exemptions	\$20,000	\$43,000	\$28,000	\$56,756	\$112,000	\$42,874
Net M&O Digest	\$8,907,401	\$9,217,040	\$9,232,040	\$10,274,505	\$10,813,365	\$13,780,715
M&O Millage	2.50	2.42	2.3680	2.3260	2.2100	1.7890
Dollars Generated	\$22,269	\$22,305	\$21,861	\$23,898	\$23,898	\$24,654
Total \$ Increase/(Decrease)	(\$351)	\$37	(\$444)	\$2,037	(\$1)	\$756
% Increase/Decrease(-)	-1.55%	0.16%	-1.99%	9.32%	0.00%	3.16%
Total Millage Rate	2.50	2.42	2.3680	2.3260	2.2100	1.7890

PT-32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2019				
COUNTY: BARTOW		TAXING JURISDICTION: DDA - Dist 11 - 2nd PRELIMINARY		
ENTER VALUES AND MILLAGE RATES FOR THE APPLICABLE TAX YEARS IN YELLOW HIGHLIGHTED BOXES BELOW				
DESCRIPTION	2018 DIGEST	REASSESSMENT OF EXISTING REAL PROP	OTHER CHANGES TO TAXABLE DIGEST	2019 DIGEST
REAL	10,925,365	2,622,742	275,482	13,823,589
PERSONAL	0		0	0
MOTOR VEHICLES	0		0	0
MOBILE HOMES	0		0	0
TIMBER -100%	0		0	0
HEAVY DUTY EQUIP	0		0	0
GROSS DIGEST	10,925,365	2,622,742	275,482	13,823,589
EXEMPTIONS	112,000		(69,126)	42,874
NET DIGEST	10,813,365	2,622,742	344,608	13,780,715
	(PYD)	(RVA)	(NAG)	(CYD)
2018 MILLAGE RATE: 2.210		2019 MILLAGE RATE: 1.789		
CALCULATION OF ROLLBACK RATE				
DESCRIPTION	ABBREVIATION	AMOUNT	FORMULA	
2018 Net Digest	PYD	10,813,365		
Net Value Added-Reassessment of Existing Real Property	RVA	2,622,742		
Other Net Changes to Taxable Digest	NAG	344,608		
2019 Net Digest	CYD	13,780,715	(PYD+RVA+NAG)	
2018 Millage Rate	PYM	2.210	PYM	
Millage Equivalent of Reassessed Value Added	ME	0.421	(RVA/CYD) * PYM	
Rollback Millage Rate for 2019	RR - ROLLBACK RATE	1.789	PYM - ME	
CALCULATION OF PERCENTAGE INCREASE IN PROPERTY TAXES				
If the 2019 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. § 48-5-32.1(c) (2)		Rollback Millage Rate	1.789	
		2019 Millage Rate	1.789	
		Percentage Tax Increase	0.00%	
CERTIFICATIONS				
I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.				
----- Chairman, Board of Tax Assessors		----- Date		
I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years.				
----- Tax Collector or Tax Commissioner		----- Date		
I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. § 48-5-32.1 for the taxing jurisdiction for tax year 2019 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2019 is _____				
CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION				
-----	If the final millage rate set by the authority of the taxing jurisdiction for tax year 2019 exceeds the rollback rate, I certify that the required advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. §§ 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published "five year history and current digest" advertisement and the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.			
-----	If the final millage rate set by the authority of the taxing jurisdiction for tax year 2019 does not exceed the rollback rate, I certify that the required "five year history and current digest" advertisement has been published in accordance with O.C.G.A. § 48-5-32 as evidenced by the attached copy of such advertised report.			
----- Responsible Party		----- Title		----- Date



City of Cartersville

City Council Meeting

8/1/2019 7:00:00 PM

GO Parks & Recreation Bond Property Tax Millage Rate set at 0.861 Mills for 2019

SubCategory:	Other
Department Name:	Finance
Department Summary Recommendation:	The citizens of Cartersville approved a referendum in November of 2014 authorizing the city to issue bonds to be used to pay for renovations and improvements to the parks and recreation buildings and properties. The bonds were issued with a ten year payback period. In order to make the scheduled bond payments, the city is assessing a property tax millage of 0.861 mills (rollback rate) for 2019, also approved by the citizens. The millage rate for this will fluctuate over the ten years and will need to be set with a millage large enough to cover the semi-annual bond payments. I recommend approval of the Cartersville GO Parks and Recreation Bond tax millage rate of 0.861 mills for 2019.
City Manager's Remarks:	Your approval of the Cartersville GO Parks and Recreation Bond tax millage rate of 0.861 mills is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

6T # wa11

CITY OF CARTERSVILLE GO PARKS AND RECREATION BOND

NOTICE OF PUBLIC HEARING

Tax Digest and M&O and Capital Levy History for Current and Past Five Years

The City of Cartersville City Council hereby announces that the GO Parks & Recreation Bond millage rate for the fiscal year 2020 will be established at the Council meeting on August 15, 2019 at 7:00 P.M. in the City Council Chambers located on the Third Floor, City Hall, 10 North Public Square. The 2019 tax digest figures are preliminary at the present time. Pursuant to the requirements of O.C.G.A. 48-5-32, the city hereby publishes the following schedule of the current year's tax digest and levy, in addition to the past five years' tax digest and levy. This information only applies to the debt payment for the GO Parks and Recreation Bond.

Current 2019 Tax Digest and 5-Year History of Levy

Parks and Recreation Digest and Levy	2014	2015	2016	2017	2018	Preliminary 2019
Real & Personal	\$934,100.631	\$944,870.489	\$999,637.827	\$1,057,720.590	\$1,172,863.513	\$1,172,863.513
Motor Vehicle	\$28,221.434	\$21,531.900	\$16,342.900	\$12,846.280	\$10,547.170	\$10,547.170
Mobile Homes	\$42,312	\$16,580	\$16,348	\$26,462	\$38,702	\$38,702
Timber - 100%	\$0	\$22,403	\$0	\$0	\$0	\$0
Heavy Duty Equipment	\$41,200	\$3,292	\$66,798	\$45,847	\$163,113	\$163,113
Public Utilities	\$9,837.474	\$11,762.499	\$9,920.811	\$10,549.734	\$10,975.639	\$10,975.639
Gross Digest	\$972,243.051	\$978,207.163	\$1,025,984.684	\$1,081,188.913	\$1,194,588.137	\$1,194,588.137
Less: M&O Exemptions	\$64,497.507	\$67,593.828	\$77,428.558	\$128,817.379	\$136,513.004	\$136,513.004
Net M&O Digest	\$907,745.544	\$910,613.335	\$948,556.126	\$952,371.534	\$1,058,075.133	\$1,058,075.133
M&O Millage	1.1000	1.0830	1.0000	0.9690	0.8610	0.8610
Dollars Generated	\$998,520	\$986,194	\$948,556	\$922,848	\$911,003	\$911,003
Total \$ Increase/(Decrease)	\$998,520	(\$12,326)	(\$37,638)	(\$25,708)	(\$11,845)	(\$11,845)
% Increase/Decrease(-)	0.00%	0.00%	0.00%	-2.71%	-1.28%	-1.28%
Total Millage Rate	1.1000	1.0830	1.0000	0.9690	0.8610	0.8610

PT-32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2019

COUNTY: BARTOW	TAXING JURISDICTION: Parks & Rec - 2nd PRELIMINARY
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ENTER VALUES AND MILLAGE RATES FOR THE APPLICABLE TAX YEARS IN YELLOW HIGHLIGHTED BOXES BELOW

DESCRIPTION	2018 DIGEST	REASSESSMENT OF EXISTING REAL PROP	OTHER CHANGES TO TAXABLE DIGEST	2019 DIGEST
REAL	731,932,747	74,103,192	40,793,670	846,829,609
PERSONAL	315,355,127		21,654,416	337,009,543
MOTOR VEHICLES	12,846,280		(2,299,110)	10,547,170
MOBILE HOMES	26,462		12,240	38,702
TIMBER -100%	0		0	0
HEAVY DUTY EQUIP	45,847		117,266	163,113
GROSS DIGEST	1,060,206,463	74,103,192	60,278,482	1,194,588,137
EXEMPTIONS	92,394,009		7,202,200	99,596,209
NET DIGEST	967,812,454	74,103,192	53,076,282	1,094,991,928
	(PYD)	(RVA)	(NAG)	(CYD)
2018 MILLAGE RATE:	0.969		2019 MILLAGE RATE:	0.861

CALCULATION OF ROLLBACK RATE

DESCRIPTION	ABBREVIATION	AMOUNT	FORMULA
2018 Net Digest	PYD	967,812,454	
Net Value Added-Reassessment of Existing Real Property	RVA	74,103,192	
Other Net Changes to Taxable Digest	NAG	53,076,282	
2019 Net Digest	CYD	1,094,991,928	(PYD+RVA+NAG)
2018 Millage Rate	PYM	0.969	PYM
Millage Equivalent of Reassessed Value Added	ME	0.066	(RVA/CYD) * PYM
Rollback Millage Rate for 2019	RR - ROLLBACK RATE	0.903	PYM - ME

CALCULATION OF PERCENTAGE INCREASE IN PROPERTY TAXES

If the 2019 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. § 48-5-32.1(c) (2)

Rollback Millage Rate	0.903
2019 Millage Rate	0.861
Percentage Tax Increase	-4.65%

CERTIFICATIONS

I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.

Chairman, Board of Tax Assessors

Date

I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years.

Tax Collector or Tax Commissioner

Date

I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. § 48-5-32.1 for the taxing jurisdiction for tax year 2019 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2019 is _____

CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION

☐ If the final millage rate set by the authority of the taxing jurisdiction for tax year 2019 exceeds the rollback rate, I certify that the required advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. §§ 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published "five year history and current digest" advertisement and the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.

☐ If the final millage rate set by the authority of the taxing jurisdiction for tax year 2019 does not exceed the rollback rate, I certify that the required "five year history and current digest" advertisement has been published in accordance with O.C.G.A. § 48-5-32 as evidenced by the attached copy of such advertised report.

Responsible Party

Title

Date

Item # 19