



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 – 12/20/2018
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. December 6, 2018 (Pages 1 - 24)

[Attachments](#)

B. Appointments

1. Electric Department Appointment (Page 25)

[Attachments](#)

C. First Reading of Ordinances

1. Alcohol Ordinance Amendment - Partially Consumed Bottles of Wine (Pages 26 - 28)

[Attachments](#)

D. Contracts/Agreements

1. Relocation of Natural Gas Main Marriott Courtyard (Pages 29 - 47)

[Attachments](#)

E. Bid Award/Purchases

1. Garbage Truck Repair (Pages 48 - 50)

[Attachments](#)

2. Georgia Municipal Association Membership Dues (Pages 51 - 52)

[Attachments](#)

3. New Vehicles (Pages 53 - 54)

[Attachments](#)

4. Mauldin and Jenkins Invoice (Pages 55 - 60)

[Attachments](#)

F. Monthly Financial Statement

1. October 2018 Financial Report (Pages 61 - 65)

[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
12/20/2018 7:00:00 PM
December 6, 2018

SubCategory:	Council Meeting Minutes
Department Name:	Clerk
Department Summary Recommendation:	The minutes have been prepared by staff and are recommended for your approval with any modifications you may have.
City Manager's Remarks:	The minutes have been prepared by staff and are recommended for your approval with any modifications you may have.
Financial/Budget Certification:	
Legal:	
Associated Information:	

City Council Meeting
10 N. Public Square
December 6, 2018
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 Jayce 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; Taff Wren, Council Member Ward Six; Tamara Brock, City Manager; Meredith Ulmer, City Clerk and David Archer, City Attorney.

Absent: Gary Fox, Ward Five

II. Regular Agenda

A. Council Meeting Minutes

1. November 15, 2018

A motion to approve the November 15, 2018 City Council Meeting Minutes as presented was made by Council Member Roth and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

B. Appointments

1. Appointment and Swearing in of Assistant Municipal Court Judge

Motion to approve Jay Choate as Assistant Municipal Court Judge was made by Council Member Wren and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

2. Appointment and Swearing in of Municipal Court Judge

Motion to approve Harry White as Municipal Court Judge was made by Council Member Hodge and seconded by Council Member Wren. Motion carried unanimously. Vote: 5-0.

Jay Choate and Harry White were sworn in for their positions by Meredith Ulmer, City Clerk.

3. Joint Cartersville-Bartow County Regional Industrial Development

Authority

Tamara Brock, City Manager stated the current terms for Ralph "Sonny" Miller, Tommy Strickland and James Jarrett of the Joint Cartersville-Bartow County Regional Industrial Development Authority will expire 12.31.18. They would like to continue serving and if reappointed, their new terms would expire 12.31.22.

Motion to approve Ralph "Sonny" Miller, Tommy Strickland and James Jarrett for reappointment to the Joint Cartersville-Bartow County Regional Industrial Development Authority was made by Council Member Hodge and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

4. Bartow-Cartersville Joint Development Authority

Ms. Brock stated the current terms of Beth Tilley, LaDonna Jordan, James Jarrett serving on the Bartow-Cartersville Joint Development Authority will expire on 12.31.18. They would all like to continue serving and if reappointed, their new terms will expire 12.31.22.

Motion to Beth Tilley, LaDonna Jordan, James Jarrett for reappointment to the Bartow-Cartersville Joint Development Authority was made by Council Member Roth and seconded by Council Member Wren. Motion carried unanimously. Vote: 5-0.

5. Convention and Visitors Bureau

Ms. Brock stated the current terms for Jennifer Wiggins Matthews and Shawn Jervis on the CVB Board will expire on 12.31.18. They would like to continue serving and if reappointed, their new terms will expire on 12.31.22.

Motion to approve Jennifer Wiggins Matthews and Shawn Jervis for another term to the Convention and Visitors Bureau was made by Council Member Cooley and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

Mayor Santini recused himself from the next item and physically exited the Council Chambers. Mayor Pro Tem Cooley called for the next item.

C. Public Hearing – 2nd Reading of Zoning/Annexation Requests

1. AZ18-03: 36 Old Tenn. Road & 36 Oak Drive. Applicant: Highlands Development Associates, LLC

Randy Mannino, Planning and Development Department Head stated the request is to annex two parcels located at 36 Old Tennessee Road and 36 Oak Drive and consisting of 2.35 acres. The applicant requests the property to be annexed for additional space and use by the Savoy Automobile Museum.

G-C (General Commercial) zoning is requested for the two parcels in order to be consistent with

the current museum property. The existing zoning is County A-1 (Agriculture). The Planning Commission recommends approval.

Mayor Pro Tem Cooley opened the floor for a public hearing, and with no coming forward the hearing was closed.

Motion to approve both the zoning and annexation for AZ18-03 was made by Council Member Wren and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

Petition No. AZ18-03

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that all that certain tract of land owned by Highlands Development Associates, LLC. Property is located at 36 Old Tennessee Road and 36 Oak Drive. Said properties contain a total of 2.353 acres located in the 4th District, 3rd Section, Land Lot 23 as shown on the attached plat Exhibit "A". Annexation will be duly noted on the official zoning map of the City of Cartersville, Georgia.

BE IT AND IT IS HEREBY ORDAINED.

First Reading: November 15, 2018

ADOPTED: Second Reading: December 6, 2018

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Meredith Ulmer
City Clerk

Ordinance
of the
City of Cartersville, Georgia

Ordinance No. 33-18

Petition No. AZ18-03

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that all that certain tract of land owned by Highlands Development Associates, LLC. Property is located at 36 Old Tennessee Road and 36 Oak Drive. Said property contains 2.353 acres located in the 4th District, 3rd Section, Land Lot 23 as shown on the attached plat Exhibit "A". Property is hereby rezoned from County A-1 (Agriculture) to G-C (General Commercial). Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.

BE IT AND IT IS HEREBY ORDAINED.

First Reading: November 15, 2018

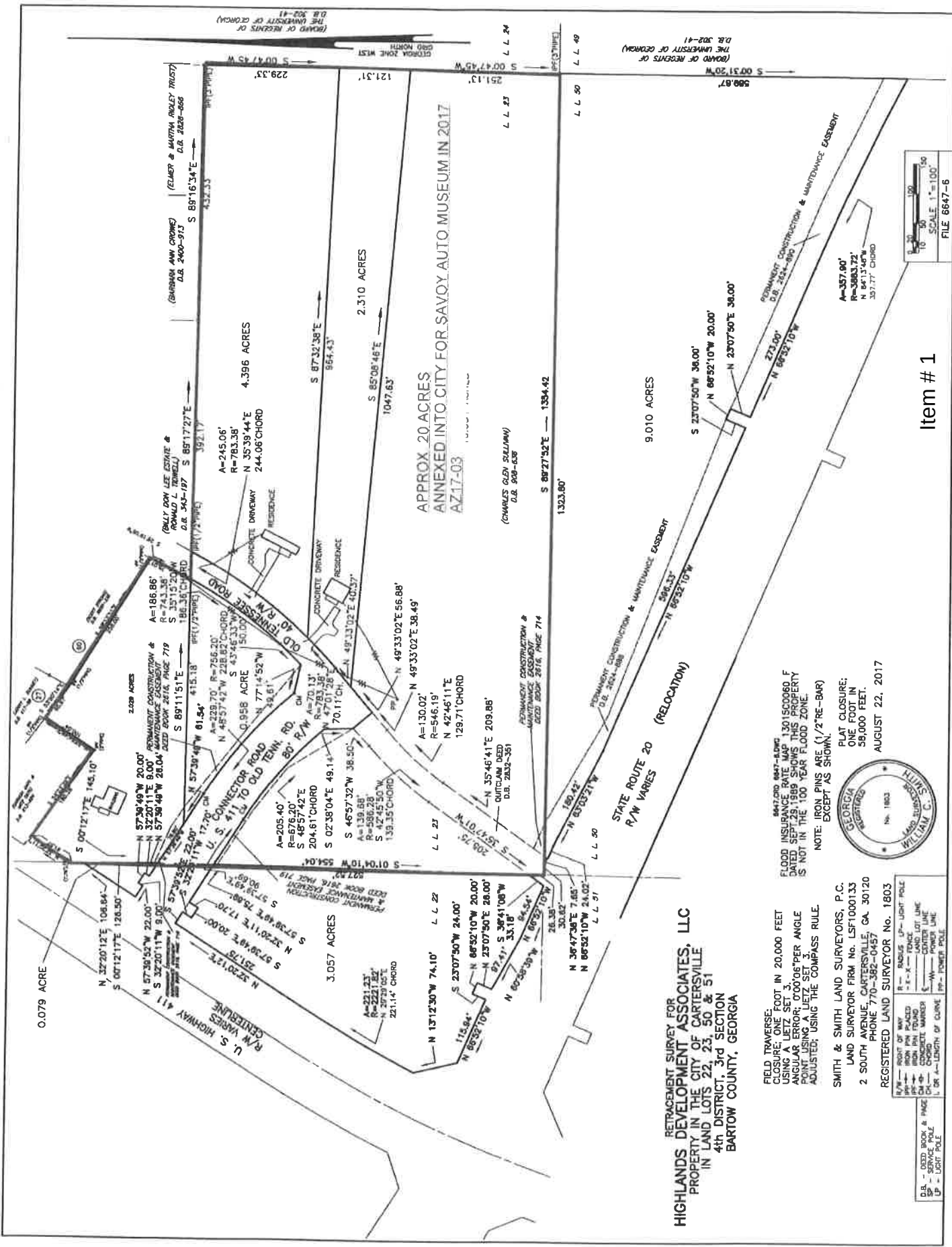
ADOPTED: Second Reading: December 6, 2018

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Meredith Ulmer
City Clerk

Item # 1



RETRACEMENT SURVEY FOR
HIGHLANDS DEVELOPMENT ASSOCIATES, LLC
PROPERTY IN THE CITY OF CARTERSVILLE
IN LAND LOTS 22, 23, 50 & 51
4th DISTRICT, 3rd SECTION
BARTOW COUNTY, GEORGIA

FIELD TRAVERSE
CLOSURE: 1.00 FT IN 20,000 FEET
USING A LETZ SET 3
ANGULAR ERROR: 0'00'06\"/>

SMITH & SMITH LAND SURVEYORS, P.C.
LAND SURVEYOR FIRM NO. LSF1000133
2 SOUTH AVENUE, CARTERSVILLE, GA. 30120
PHONE 770-382-0457
REGISTERED LAND SURVEYOR NO. 1803

R/W - RIGHT OF WAY
F - FENCE
CH - CONCRETE MARKER
L - OR A - LENGTH OF CURVE
D.B. - DEED BOOK & PAGE
UP - SERVICE POLE
LP - LIGHT POLE

6647200 6647-1000
FLOOD INSURANCE RATE MAP 1301SC0080.F
DATED SEPT. 25, 1989 SHOWS THIS PROPERTY
IS NOT IN THE 100 YEAR FLOOD ZONE.
NOTE: IRON PINS ARE (1/2\"/>



AUGUST 22, 2017

Item # 1

FILE 6647-6

Contracts and Agreements

1. Agreement for Auto Museum

Mayor Pro Tem Cooley called the next item.

Ms. Brock stated this is the agreement between the City of Cartersville and Anverse, Inc. regarding the permits for the new Auto Museum. It is requested that Council approve the agreement and approve any related documents to be signed.

A motion to approve Agreement for Auto Museum was made by Council Member Roth and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0.

Mayor Santini entered the room and called the next item.

C. Public Hearing – 2nd Reading of Zoning/Annexation Requests

2. SU18-06: 306 Johnson Street. Applicant: John C. Waters

Mr. Mannino stated the applicant, J.C. Waters, owns the property located on 401 North Tennessee Street where the existing used car lot resides (Duncan Auto Sales). Mr. Waters also owns the 306 and 308 Johnson Street lots and would like to extend the used car lot onto the adjacent 306 Johnson Street lot to allow Duncan Auto Sales to expand. The special use permit is required because used car lots are not allowed in the M-U district, but expanding an existing used car lot is considered an expansion of a nonconforming use and may be allowed with the SUP. The Planning Commission recommends approval.

Mayor Santini opened the floor for a public hearing and with no one coming forward to speak for or against the hearing was closed.

Motion to approve SU18-06 was made by Council Member Stepp and seconded by Council Member Wren. Motion carried unanimously. Vote: 5-0.

ZONING NOTE

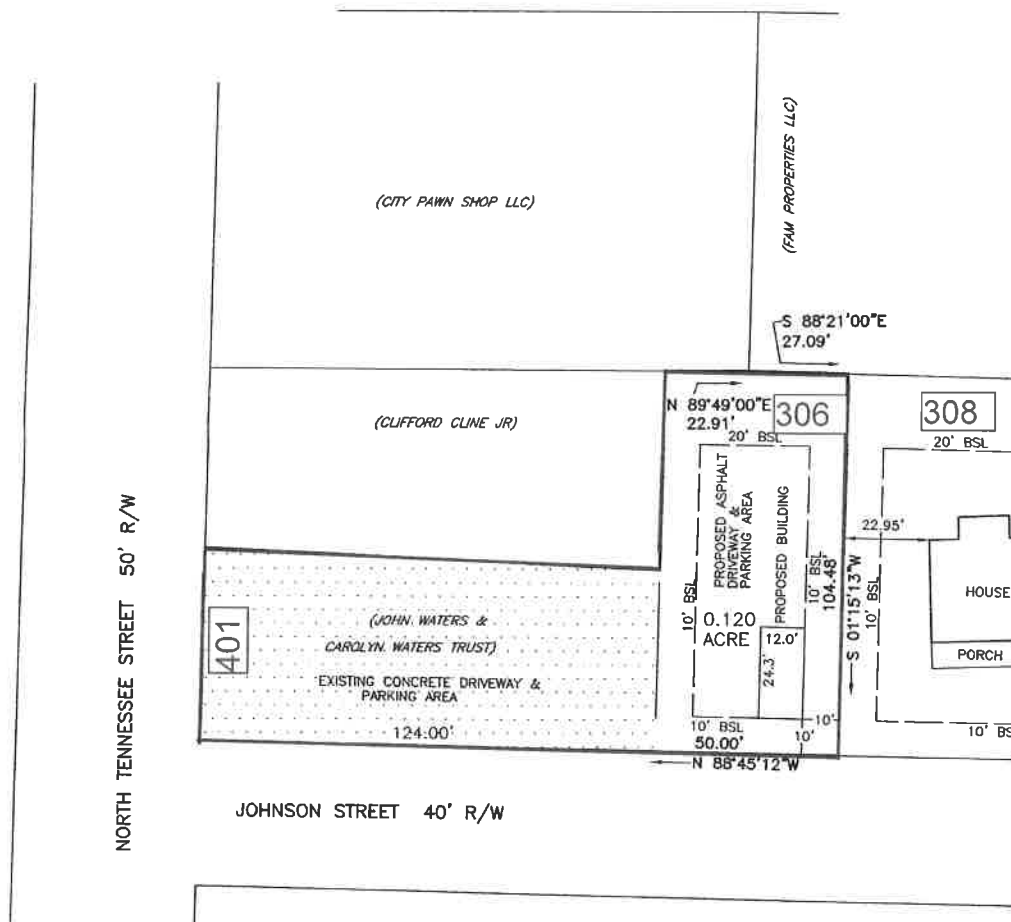
THIS PROPERTY IS ZONED "M-U"
MULTIPLE USE DISTRICT

SET BACKS ARE AS FOLLOWS

FRONT 10 FEET

SIDE 10 FEET

REAR 20 FEET



Item # 1

SURVEY FOR
PROPOSED SITE LAYOUT FOR
**JOHN WATERS &
CAROLYN WATERS**
PROPERTY IN THE CITY OF CARTERSVILLE
IN LAND LOT 384
4th DISTRICT, 3rd SECTION
BARTOW COUNTY, GEORGIA

FIELD TRAVERSE:
CLOSURE; ONE FOOT IN 20,000 FEET
USING A LIETZ SET 3.
ANGULAR ERROR; 0'00'06"PER ANGLE
POINT USING A LIETZ SET 3.
ADJUSTED; USING THE COMPASS RULE.

1025.CRD 1025-6.DWG
FLOOD INSURANCE RATE MAP 13015C0266 G
DATED SEPT.28, 2007 SHOWS THIS PROPERTY
IS NOT IN THE 100 YEAR FLOOD ZONE.

NOTE: IRON PINS ARE (1/2"RE-BAR)
EXCEPT AS SHOWN.

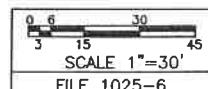
PLAT CLOSURE;
ONE FOOT IN
288,000 FEET.

SEPTEMBER 28, 2018

SMITH & SMITH LAND SURVEYORS, P.C.
LAND SURVEYOR FIRM No. LSF1000133
2 SOUTH AVENUE, CARTERSVILLE, GA. 30120
PHONE 770-382-0457

REGISTERED LAND SURVEYOR No. 1803

R/W — RIGHT OF WAY	R — RADIUS LP — LIGHT POLE
IPP — IRON PIN PLACED	-X-X- FENCE
IPF — IRON PIN FOUND	— LAND LOT LINE
CM — CONCRETE MARKER	— CENTER LINE
CH — CHORD	— POWER LINE
L OR A — LENGTH OF CURVE	PP — POWER POLE



3. SU18-07: 7 Dixie Avenue, Applicant: Amit Patel

Mr. Mannino stated the applicant wishes to construct a fast food restaurant with a drive thru. The property is in the M-U (Multiple Use) zoning district where restaurants are allowed by right; however, restaurants with drive thru windows require a special use permit per the M-U zoning regulations. The Planning Commission recommends approval.

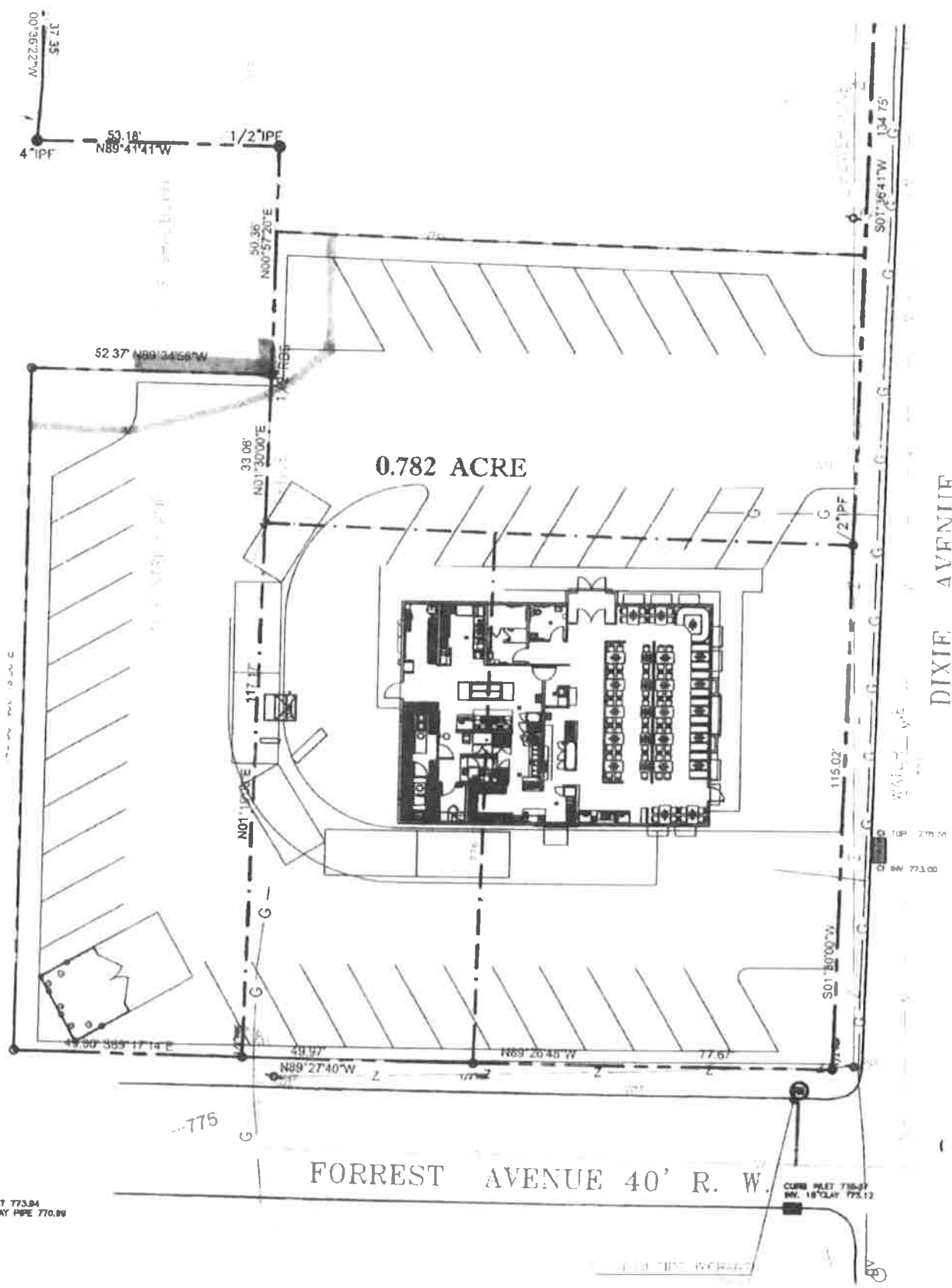
Mayor Santini opened the floor for a public hearing:

Jeff Watkins, attorney representing the application came forward. Mr. Watkins stated an agreement has been reached with Ms. Brooker, an adjacent property owner, to address her buffer/fence concerns.

Council Member Roth thanked Mr. Watkins for working with the property owner.

Motion to approve SU18-06 was made by Council Member Hodge and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

ET 773.84
LAY PIPE 770.89



Item # 1

D. Second Reading of Ordinances

1. T18-06: Brewery, Microbrewery, & Distillery Definitions. Applicant: City of Cartersville

Mr. Mannino stated the proposed text amendments to the zoning and alcohol ordinances are driven by the 2018 Visioning Session, and requests by citizens and the Downtown Development Authority. The text amendments involve ordinance changes to support changes in State law and requests for breweries, distilleries and microbreweries. Currently, there are two potential projects for microbreweries in or adjacent to the DBD. Alcohol related text amendments to the zoning ordinance include updates to the Definitions, Zoning Districts and Special Use Standards sections.

A motion to approve T18-06: Brewery, Microbrewery, & Distillery Definitions was made by Council Member Stepp and seconded by Council Member Wren. 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 26 – ZONING. ARTICLE II. – INTERPRETATIONS AND DEFINITIONS. SECTION 2.2 – DEFINITIONS is hereby amended by adding the following definitions thereto:

1.

Sec. 2.2. - Definitions.

For the purposes of this chapter, certain terms or words used herein shall be defined as follows:

2.2.2. B

***Brewery.* An establishment that manufactures malt beverages.**

2.2.4. D

***Distillery.* An establishment that manufactures distilled spirits.**

2.2.13. M

***Microbrewery.* Microbrewery means an establishment in which not more than 15,000 barrels of beer or malt beverages are manufactured or brewed on the licensed premises in a calendar year and in which such manufactured or brewed beer or malt beverages may be sold for consumption on the premises and consumption off premises,**

subject to the limitations prescribed in O.C.G.A. § 3-5-24.1. As used in this definition, the term “barrel” shall be defined as set forth in O.C.G.A. § 3-5-1.

2.

The additional definitions added to Section 2-2 are to be alphabetized accordingly and included in said Section 2-2, and the remainder of said section shall be unaltered.

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.

Item # 1

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____ SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____

MEREDITH ULMER, CITY CLERK

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 26 – ZONING, ARTICLE XVI. – SPECIAL USES. SECTION 16.4. – MINIMUM SPECIAL USE STANDARDS is amended by adding Section 16.4.18, 16.4.19, and 16.4.20 as follows:

1.

Sec. 16.4.18. Brew Pubs.

- (a) Production shall be in a wholly-enclosed building.
- (b) Production space shall be limited subject to state law.

2.

Sec. 16.4.19. Breweries.

Breweries, including accessory tasting rooms.

(a) Production shall be in a wholly-enclosed building.

(b) Any building or structure established in connection with such use shall be set back not less than 50 feet from any residentially zoned property.

3.

Sec. 16.4.20. Distilleries.

Distilleries, including accessory tasting rooms.

(a) Production shall be in a wholly-enclosed building.

(b) Any building or structure established in connection with such use shall be set back not less than 50 feet from any residentially zoned property.

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

Ordinance no. _____

Item # 1

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 26 – ZONING. ARTICLE II. – INTERPRETATIONS AND DEFINITIONS. SECTION 2.2 – DEFINITIONS is hereby amended by adding the following definitions thereto:

1.

Sec. 2.2. - Definitions.

For the purposes of this chapter, certain terms or words used herein shall be defined as follows:

2.2.2. B

Brewery. A place that manufactures malt beverages.

2.2.4. D

Distillery. A place that manufactures distilled spirits.

2.2.13. M

Microbrewery. *Microbrewery* means an establishment in which not more than 15,000 barrels of beer or malt beverages are manufactured or brewed on the licensed premises in a calendar year and in which such manufactured or brewed beer or malt beverages may be sold for consumption on the premises and consumption off premises, subject to the limitations prescribed in O.C.G.A. § 3-5-24.1. As used in this definition, the term “barrel” shall be defined as set forth in O.C.G.A. § 3-5-1.

3.

The additional definitions added to Section 2-2 are to be alphabetized accordingly and included in said Section 2-2, and the remainder of said section shall be unaltered.

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

2. Alcohol Text Amendments

Mr. Mannino stated the following 4 ordinances have been unanimously recommended by the Alcohol Control Board: First ordinance is in regards to violation fines. State law has changed and limited the fine amount to \$1,000.00 per violation. The second ordinance states the definitions for microbreweries, manufacturers, and distilleries. The third ordinance states pouring licenses may be issued to manufacturers for off premises and on premises consumption for microbreweries and distilleries. The fourth ordinance states that consumption on premises is allowed at microbreweries and distilleries. All ordinances have been reviewed by the City Attorney and are all in accordance with State law.

Motion to approve all 4 of the proposed alcohol ordinance text amendments was made by Council Member Hodge and seconded by Council Member Wren. 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 4 – ALCOHOL BEVERAGES. ARTICLE V. – ALCOHOL CONTROL BOARD. SECTION 4-209. - ACTION BY ALCOHOL CONTROL BOARD (c) is hereby amended by deleting said paragraph (c) in its entirety and replacing it as follows:

1.

(c) Subject to the notice, hearing and appeal rights of a licensee as provided in this chapter, if the alcohol control board determines that a violation has occurred and been adjudicated guilty or the licensee has pled guilty or no contest it is authorized to levy the following fines and penalties. The board has the right to impose additional penalties or waive any of the penalties imposed based upon the facts of the incident as presented to them.

For violations within a three-year period involving the same license, owners or location the following recommended guidelines are hereby adopted.

Offense	Fine	Probation	Suspension/ Revocation

Item # 1

First	Up to \$1,000.00	3 years	None
Second	Up to \$1,000.00	3 years	30 days suspension
Third	Up to \$1,000.00	3 years	Revocation; no reapplication for one year

2.

All other remaining provisions of Section 4-209 are to remain as is and made part of the permitted uses in Section 4-209.

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

Ordinance no. _____

Now be it and it is hereby ordained by the Mayor and City Council of the City of Cartersville, that the CITY OF CARTERSVILLE CODE OF ORDINANCES. CHAPTER 4 – ALCOHOL BEVERAGES. ARTICLE II. - LICENSING REQUIREMENTS. DIVISION 4. PREMISES RESTRICTIONS. SECTION 4-1; definitions are amended by adding the definitions of Distillery, Manufacturer, and Microbrewery; and deleting the definitions of Hotel or Motel, and Restaurant in their entirety and replacing them as listed below:

1.

Sec. 4-1. – Definitions

Item # 1

Distillery means a facility that manufactures distilled spirits.

Manufacturer means any maker, brewer, producer, distillery, vintner, rectifier, blender, or bottler of distilled spirits or malt beverages and wine, microbrewers, or any other alcoholic beverage.

Microbrewery means an establishment in which not more than 15,000 barrels of beer or malt beverages are manufactured or brewed on the licensed premises in a calendar year and in which such manufactured or brewed beer or malt beverages may be sold for consumption on the premises and consumption off premises, subject to the limitations prescribed in O.C.G.A. § 3-5-24.1. As used in this definition, the term "barrel" shall be defined as set forth in O.C.G.A. § 3-5-1.

2.

The additional definitions added to Section 4-1 are to be alphabetized accordingly and included in said Section 4-1.

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

Ordinance no. _____

Now be it and it is hereby ordained by the Mayor and City Council of the City of Cartersville, that the CITY OF CARTERSVILLE CODE OF ORDINANCES. CHAPTER 4 – ALCOHOL BEVERAGES. ARTICLE II. - LICENSING REQUIREMENTS. DIVISION 2. APPLICATION AND ISSUANCE. SECTION 4-59 POURING LICENSES LIMITED TO CERTAIN ESTABLISHMENTS is amended by adding a new paragraph E as follows:

1.

Sec. 4-59. – Pouring Licenses Limited to Certain Establishments.

E. Pouring licenses may be issued to manufacturers for off premises and on premises consumption as follows:

- a. Microbrewer as defined in this Chapter and Brewers shall be subject to the limitations presented in O.C.G.A. § 3-5-24.1 shall be allowed to sell for on premises and off premises consumption.**
- b. Distillers as defined in this Chapter shall be subject to the limitations presented in O.C.G.A. § 3-4-24.2 shall be allowed to sell for on premises and off premises consumption.**

2.

All other remaining provisions of Section 4-59 are to remain as is and made part of the permitted uses in Section 4-59.

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**

Ordinance no. _____

Now be it and it is hereby ordained by the Mayor and City Council of the City of Cartersville, that the CITY OF CARTERSVILLE CODE OF ORDINANCES. CHAPTER 4 – ALCOHOL BEVERAGES. ARTICLE II. - LICENSING REQUIREMENTS. DIVISION 4. PREMISES RESTRICTIONS. SECTION 4-105. – CONSUMPTION ON-PREMISES is amended by deleting and replacing the same as listed below.

1.

Sec. 4-105. – Consumption on-premises.

It shall be unlawful for anyone to open, drink, or otherwise consume any wine or malt beverage or distilled spirits upon any premises, other than a pouring outlet or package wine outlet, wherein such beverages are sold under a license issued by the city, except as allowed for Brewer's pursuant to O.C.G.A. § 3-5-24.1 and Distiller's as allowed pursuant to O.C.G.A. § 3-4-24.2.

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.

Item # 1

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____
SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
MEREDITH ULMER, CITY CLERK

E. Resolutions

1. Submittal of Capital Improvements Element (CIE) and Short Term Work Program (STWP) Annual Update and Corresponding Transmittal Resolution

Mr. Mannino stated Cartersville adopted Impact Fees in the last quarter of 2006 and these fees became effective in January 2007. In accordance with the Development Impact Fee Regulations as outlined by the State, we are required to file an annual update to the Capital Improvements Element (CIE) of the Comprehensive Plan. The update gives the impact fee receipts and expenditures for fiscal year 2018 (July 1, 2017 through June 30, 2018). We are required to hold a public hearing regarding the update and forward it with a transmittal resolution to the Northwest Georgia Regional Commission (RC) and the Department of Community Affairs (DCA). After review from the RC and DCA, the document has to be adopted by the Council, and a copy sent to the RC (just like the Comp Plan process). At this time, the document is in "Draft" form and the final version will be distributed for review and comment prior to adoption.

Staff recommends that Council approve this resolution to allow us to forward the update to the RC and DCA for their review. Cartersville Electric System is requesting that Council authorize the Mayor and City Clerk to sign the Amendment to Power Sales Contracts.

Mayor Santini opened the floor for a public hearing and with no one coming forward to speak for or against the hearing was closed.

A motion to approve Submittal of Capital Improvements Element (CIE) and Short-Term Work Program (STWP) Annual Update and Corresponding Transmittal Resolution was made by Council Member Roth and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

F. Contracts/Agreements

2. Courtware Solutions, Inc. Agreement

Tom Rhinehart, Finance Director stated the City has received an updated contract from Courtware Solutions, Inc. This is the software used by the Municipal Court to process payments made from their court cases and all traffic related cases within the City. The agreement is being updated to reflect Courtware's new pricing which increases the citation fee from \$3 to \$4. The \$3 fee has not been changed since the City contracted with Courtware in 2005. The citation fee is added to the cost of each citation and is paid by the defendants. I recommend approval of the contract as presented and ask that the Mayor be authorized to sign any and all documents regarding the contract.

A motion to approve Courtware Solutions, Inc. Agreement was made by Council Member Roth and seconded by Council Member Stepp. Motion carried unanimously. Vote: 5-0.

3. Mauldin & Jenkins Engagement Letter to Complete the Annual MEAG Questionnaire

Mr. Rhinehart stated the City completes an annual MEAG questionnaire and part of the questionnaire needs to be completed by the audit firm. Mauldin and Jenkins have been asked to complete the questionnaire and in return, is asking the City to approve the attached engagement letter giving Mauldin and Jenkins the go ahead to complete the questionnaire. This is the first time the City has been asked to sign an engagement letter to complete the MEAG questionnaire. Mr. Rhinehart recommend the approval and ask that the Mayor be authorized to sign the engagement letter as submitted.

If approved, the recommendation would be to authorize the Mayor and City Clerk to sign the contract documents once they have been approved by the City Manager and City Attorney.

A motion to approve Mauldin & Jenkins Engagement Letter to Complete the Annual MEAG Questionnaire and authorize the Mayor and City Clerk to sign the contract documents once they have been approved by the City Manager and City Attorney was made by Council Member Hodge and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

G. Bid Award/Purchases

1. Cogsdale Invoice

Mr. Rhinehart stated the City has received the annual maintenance invoice from Cogsdale in the amount of \$78,283.05. Cogsdale is the City's third-party utility billing software and is a sole source provider. Mr. Rhinehart recommended approval of the Cogsdale invoice in the amount of \$78,283.05.

Motion to approve payment of the Cogsdale Invoice was made by Council Member Roth and seconded by Council Member Hodge. Motion carried unanimously. Vote: 5-0.

2. WTP Filters 1-3 & 7 Rehabilitation

Bob Jones, Water Department Head stated on January 21, 2016, Council authorized Wiedeman and Singleton Engineers (WSE) to design the Filter 1-3 & 7 Rehabilitation Project. Design was undertaken due to an inspection of Filter #2 which showed signs of underdrain failure. A similar project was completed in 2013 on Filters 4 – 6 due to an actual underdrain failure in Filter #5 which rendered the filter useless. While the design has been complete for almost a year, construction funds were not available until after the bond closing in June.

Bids were publicly opened and read at the Water Treatment Plant (WTP) on November 14, 2018 at 2:00pm. A total of four (4) pre-qualified bidders submitted the following bids:

Heavy Constructors, Inc.	\$928,000.00
IHC Construction Companies, LLC	\$1,004,300.00
Willow Construction, Inc.	\$1,224,472.00
J.S. Haren Company	Bid Withdrawn

WSE has evaluated the bids and recommends awarding to Heavy Constructors, Inc. A copy of their letter of recommendation and bid tabulation are attached. I concur with their recommendation and request authorization be granted for the Mayor to execute any and all contract documents related to the project subject to approval by the City Attorney. All bids are within the amount budgeted for the project.

A motion to approve WTP Filters 1-3 & 7 Rehabilitation was made by Council Member Stepp and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0.

3. Everbridge – Mass Notification System

Rebecca Bohlander Public Relations and Communications Manager recommended renewal of annual Everbridge contract for \$6,825.00.

A motion to approve payment of the Everbridge invoice was made by Council Member Hodge and seconded by Council Member Roth. Motion carried unanimously. Vote: 5-0. _____

4. Trail Mix – Park Trails

Greg Anderson, Parks and Recreation Department Head stated one of the last remaining GO Bond Projects will be renovation of the Dellinger Park Trail (Vita Course). Over the last 38 years, there have been 4 aggregates used for the trail surface; 1) washed cinders increased to over \$25.00/ton, 2) 89 stone, maintenance issues, 3) screened 810, product washes away easily, 4) Rockmart Slate trail mix which withstood 5" of rain on November 12th with no wash areas or floating away.

Rockmart Slate Company is providing a quote of \$14.00 per ton F.O.B., through December 31, 2018 and we request authorization to order an amount not to exceed 650-tons or \$9,100.00. This cost will be split between GO Bond fund and park maintenance budget.

This trail mix product will enhance all CPRD aggregate trails (Dellinger Park, Sports Complex and Leake Mounds Interpretive Trail) and the City will spread approximately 550-600 tons. CPRD will haul the product using Public Works tandem dump trucks.

Rockmart Slate Company provided a price per ton for the next 2 years, for the purpose of maintaining the trails. The 2-year quote from January 2019 – December 2020 is \$19.00 per ton.

A motion to approve trail mix – park trails was made by Council Member Stepp and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

5. Bid 18-005 – Sports Lighting Fields and Courts

Mr. Anderson stated bids were legally advertised and received for Bid 18-005, Sports Lighting Fields and Courts. This is one of the last GO Bond projects and includes lighting of Dellinger Park Tennis Courts, 6-7 and 13-14, lighting of Dellinger Park Outdoor Basketball Courts and lighting of athletic fields (#3 & #4) for the Cartersville Sports Complex.

Mr. Anderson recommended the low bid in the amount of \$462,023.00 from West Georgia Lighting and that Mayor Santini be authorized to sign any and all related bid documents. All required documentation was received as part of bid package.

The recommended bid is approximately \$87,023.00 over the revised GO Bond project list for sports lighting discussed at Cartersville City Council meeting on June 21, 2018.

Motion to approve Bid 18-005 – Sports Lighting Fields and Courts was made by Council Member Cooley and seconded by Council Member Stepp. Motion carried unanimously. Vote: 5-0.

6. Repair of 2011 Mobile Air/Light Unit

Chief Scott Carter stated he respectfully requested permission to proceed with a required repair of our 2011 mobile air/light unit. This unit provides emergency breathing air to fill our breathing apparatus tanks in the field and it provides emergency scene lighting at night. The electronic boards are out on this unit and require a retro replacement. Repairs will be completed

by Municipal Emergency Services who is a sole source provider for Scott Liberty equipment for the State of Georgia. Total cost for this repair will be \$6,780.00.

Motion to approve the repair of 2011 Mobile Air/Light Unit was made by Council Member Roth and seconded by Council Member Wren. Motion carried unanimously. Motion carried unanimously. Vote: 5-0.

7. One Beacon Insurance Deductible

Dan Porta, Assistant City Manager stated the City has received an invoice from our prior insurance carrier, One Beacon, on two outstanding insurance claims. Our deductible on each claim is \$25,000 and currently we have an invoice due in the amount of \$8,566.84 and Mr. Porta recommended approval of this expenditure.

Motion to approve One Beacon Insurance Deductible was made by Council Member Cooley and seconded by Council Member Roth. Motion carried unanimously. Vote:5-0.

H. Change Order

1. Gas Department Facility Change Order #1

Mr. Porta stated City staff has been working with Balfour Beatty, the Construction Manager At Risk for the Gas Department facility on Old Mill Road and we have a change order to make for some reductions in their scope of work. The changes are as follows:

Delete Generators and Pads	(\$102,763.00)
Add Conduit at Fuel Canopy	\$5,777.00
Delete Fuel Station from Contract	(\$272,746.00)
Net Reduction	(\$369,732.00)

The fuel station has been bid directly by the City and the City Council has already awarded this bid to Guardian Fueling Technologies in the amount of \$220,390.07 which is a savings of \$52,355.93 from the Balfour Beatty bid. The generators will be bid at a later date and we expect to save money over what Balfour Beatty has previously quoted.

Mr. Porta requested approval of change order #1 reduction in the amount of \$369,732.00.

A motion to approve Gas Department Facility Change Order #1 was made by Council Member Roth and seconded by Council Member Cooley. Motion carried unanimously. Vote: 5-0.

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

Meeting Adjourned

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Meredith Ulmer
City Clerk

Item # 1



City of Cartersville

**City Council Meeting
12/20/2018 7:00:00 PM
Electric Department Appointment**

SubCategory:	Appointments
Department Name:	Administration
Department Summary Recommendation:	Don Hassebrock's retirement was effective as of December 14, 2018. With the Mayor and Council's approval, I would like to appoint Derek Hampton to be the director of the Electric department.
City Manager's Remarks:	I would like to recommend for approval from Mayor and Council to appoint Derek Hampton as the director of the Electric department.
Financial/Budget Certification:	
Legal:	
Associated Information:	



City of Cartersville

**City Council Meeting
12/20/2018 7:00:00 PM**

Alcohol Ordinance Amendment - Partially Consumed Bottles of Wine

SubCategory:	First Reading of Ordinances
Department Name:	Planning and Development
Department Summary Recommendation:	Restaurants which are licensed to sell wine may allow customers to take partially consumed bottles home if it has been purchased with a meal, is sealed appropriately and placed properly in their vehicle. Proposed ordinance is attached.
City Manager's Remarks:	This amendment was drafted by Keith Lovell and mimics the state's version. Your approval of this ordinance 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 4 – ALCOHOL BEVERAGES. ARTICLE II. - LICENSING REQUIREMENTS. DIVISION 4. PREMISES RESTRICTIONS. SEC. 4-113 – 4-119. RESERVED is hereby deleted in its entirety and replaced with the following:

1.

Sec. 4-113. – Partially consumed bottles of wine poured with a meal.

- (a) Any restaurant which is licensed to sell wine for consumption on the premises may permit a patron to remove one (1) unsealed bottle of wine per patron for consumption off premises, if the patron has purchased a meal and consumed a portion of the bottle of wine which has been purchased on the premises with such meal on the restaurant's premises.
- (b) A partially consumed bottle of wine that is to be removed from the premises must be securely resealed by the licensee or its employees before removal from the premises.
- (c) The partially consumed bottle of wine shall be placed in a bag or other container that is secured in such a manner that it is visibly apparent if the container has been subsequently opened or tampered with, and a dated receipt for the bottle of wine and meal shall be provided by the licensee and attached to the container.
- (d) If transporting in a motor vehicle, the container with the resealed bottle of wine shall be placed in a locked glove compartment, a locked trunk, or the area behind the last upright seat of a motor vehicle that is not equipped with a trunk.

2.

Sec. 4-114 – 4-19. - Reserved.

3.

It is the intention of the city council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Cartersville, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____
SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
MEREDITH ULMER, CITY CLERK



City of Cartersville

**City Council Meeting
12/20/2018 7:00:00 PM
Relocation of Natural Gas Main Marriott Courtyard**

SubCategory:	Contracts/Agreements
Department Name:	Gas System
Department Summary Recommendation:	This is the relocation agreement between the City of Cartersville, Bartow County, and the Owner/Developer of the new Marriott Courtyard at Clarence Brown Conference Center. To avoid conflicts with the existing gas facilities, a relocation is required along with new easements. The estimated cost of the relocation is \$52,000.00. The owner will reimburse the City for the expenses associated with the relocation and any overages. The agreement also provides for the City to abandon all rights and interests in any existing easements not to be incorporated in the completed overall project site.
City Manager's Remarks:	This has been approved by the City attorney. Your approval of this agreement between the City, Bartow County and the developer is recommended.
Financial/Budget Certification:	N/A
Legal:	This has been approved by the City attorney.
Associated Information:	

Memorandum

To: Michael Hill, Gas System Director *via email*

From: Brian Friery, Gas System Engineer

Date: December 13, 2018

RE: Relocation Agreement
Natural Gas Main Relocation
Marriott Courtyard at Clarence
Brown Conference Center
Cartersville Project No. SP-18-002

As you know, a hotel facility is proposed to be developed adjacent to the Clarence Brown Conference Center at the intersection of S.R. 20 and Roving Road. The proposed construction conflicts with several existing natural gas facilities and such existing natural gas facilities require relocation. We have estimated the relocation of the existing natural gas facilities to avoid the conflicts with the proposed construction to be approximately \$52,000.

We have, therefore, prepared a Relocation Agreement whereas the Owner/Developer of the facility will reimburse the City all of the costs associated with the relocation of the natural gas facilities in the approximate estimated amount of \$52,000 plus any and all customary overruns. Additionally, the Agreement provides for the County to provide easements associated with this relocation where proposed City utilities will be constructed on property owned by the County. The Agreement also provides for the City to abandon all rights and interests in any existing easements not to be incorporated in the completed overall project site.

Attached is a copy of Agreement executed by all outside parties associated with this Agreement. The Agreement is acceptable to the City Attorney's office and I, therefore, recommend Council approval for the execution of this Agreement by the City, the abandonment all rights and interests in any existing easements not to be incorporated in the completed overall project site as provided for in the Agreement and awarding a proposal yet to be requested for the costs associated with the relocation to be fully reimbursed by the Owner/Developer, also, as provided for in the Agreement.

AFTER RECORDING RETURN TO:
 ARCHER & LOVELL PC
 PO BOX 1024
 CARTERSVILLE GA 30120

RELOCATION AGREEMENT

This Relocation Agreement is made and entered into this _____ day of _____, 20____, by and between the **CITY OF CARTERSVILLE**, a municipal corporation of the State of Georgia (hereinafter the "**City**") and **RENAISSANCE GROUP CARTERSVILLE LLC**, a Georgia Limited Liability Company (hereinafter the "**Developer**") and **BARTOW COUNTY**, a political subdivision of the State of Georgia (hereinafter the "**County**").

W I T N E S S E T H:

WHEREAS, Developer desires to enter into the following Agreement to promote and protect the safety, health, peace, security, good order, comfort, convenience, morals and general welfare of the City and the Developer is the owner of certain property being developed as **MARRIOTT COURTYARD AT CLARENCE BROWN CONFERENCE CENTER**, (hereinafter the "**Property**"), which is more particularly described in Exhibit "A" attached hereto;

WHEREAS, the Mayor and City Council of the City of Cartersville deems it is in the interest of the City to enter into the following Agreement to promote and protect the safety, health, peace, security, good order, comfort, convenience, morals and general welfare of the City and its inhabitants and accept this Agreement to allow for the relocation of natural gas utility infrastructure (hereinafter "**natural gas facilities**") and to obtain the easements required for the relocation and to promote development in Bartow County;

WHEREAS, Developer and County desires to perform the following services for the City;

NOW, THEREFORE, the parties do hereby agree as follows:

1. Developer will perform the following for the City and its inhabitants: provide a minimum of \$51,395.56 of which a breakdown of the costs are attached hereto as Exhibit "B" to relocate the existing natural gas facilities in accordance with the plans attached hereto and incorporated herein as Exhibit "C". The Developer also agrees to provide all easement plats and drawings acceptable to the City of Cartersville in accordance with Exhibit "D" including any revisions as necessary or required by the construction of the natural gas facilities and any other City utilities. The County shall grant the City all of the easements, across its property, as reasonably necessary in accordance with Exhibit "D"

for the maintenance and use of said easements after the natural gas facilities and any other City utilities are completed in accordance with Exhibit "C". The City agrees to abandon all rights and interests in the existing easements shown to be abandoned in accordance with Exhibit "D" after the natural gas facilities are completed in accordance with Exhibit "C". Additionally, the Developer shall agree to pay any and all reasonable and customary costs overruns and beyond the estimate attached as Exhibit "B". All of the above costs are based upon the Exhibits. If there are any reasonable and customary adjustments, Developer is responsible for all costs related to the scope of work referenced within the attached Exhibits.

2. In exchange for Developer providing the above described funds and the County providing the above easements, the City shall relocate the existing natural gas facilities into the new easement area and abandon the above described existing easements.
3. Developer agrees to pay the above described sum within the following time period, no later than ten (10) days from notice by the City, or no later than ten (10) days from the notice of any additional costs associated with the scope of work referenced herein.
4. County shall be required to execute the easement documents prepared in accordance with Exhibit "D" within twenty (20) days from notice by the City.
5. Developer shall be responsible for expenses and costs associated with this Agreement and installation of the natural gas facilities and related appurtenances including, but not limited to, legal fees, closing fees, real estate fees, recording fees, title fees and survey fees.
6. The City agrees to or cause to provide and apply straw or hay mulch to a depth of 6" over all areas disturbed specifically by the construction of the proposed gas facilities within the relocation under this Agreement provided no further disturbance of such areas are planned within 14 days of initial disturbance or as required by local jurisdiction.
7. With the exception of Paragraph 6 above, the Developer agrees to provide, install, maintain and remove any and all erosion and sediment control measures necessary or required to comply with all local, State and Federal erosion and sediment control requirements which may be associated with the construction of the proposed gas facilities within the relocation under this Agreement. The Developer further agrees to or cause to maintain or re-apply the erosion and sediment control measures called for in Paragraph 6 above as necessary or required to comply with all local, State and Federal erosion and sediment control requirements after initial application.

8. The City has no responsibility and/or liability for any activities and actions of the Developer or the County.
9. Developer agrees to hold harmless the City against any and all claims, actions or suits against it relating to the Agreement or the performance of services pursuant to this Agreement and agrees to defend the City in the event such claims are made against the City. In addition, Developer will reimburse the City for any and all costs incurred by the City in defending any claims against the City arising out of the Agreement or the performance of this Agreement.

10. Notices:

If to the City: City Manager
 P.O. Box 1390
 Cartersville, Georgia 30120
 770.387.5686

If to the Developer: Renaissance Group Cartersville LLC
 2921 Grey Moss Pass
 Duluth, Georgia, 30097
 678.923.8226

If to the County: County Manager
 135 W. Cherokee Avenue
 Cartersville, Georgia 30120
 770.387.5030

IN WITNESS WHEREOF, the parties hereto set their hands and affix their seals this _____ day of _____, 20____.

(Signatures Next Page)

Signed, sealed, and delivered in the presence of:

Witness

Notary Public

[NOTARIAL SEAL]

Signed, sealed, and delivered in the presence of:

Witness

Notary Public

[NOTARIAL SEAL]

Signed, sealed, and delivered in the presence of:

Witness

Notary Public

[NOTARIAL SEAL]

CITY OF CARTERSVILLE, GEORGIA

By: _____ (SEAL)

Mathew Santini, Mayor

Attest: _____ (SEAL)

Meredith Ulmer, City Clerk

RENAISSANCE GROUP CARTERSVILLE LLC AS OWNER/DEVELOPER

By: _____ (SEAL)

Its: Managing Member (SEAL)

BARTOW COUNTY, GEORGIA

By: _____ (SEAL)

Commissioner

Its: _____ (SEAL)



City of Cartersville

P.O. Box 1900 • 4 Cook Street • Cartersville, Georgia 30130
Telephone: 770-957-9541 • Fax: 770-957-9541 • www.cityofcartersville.org

RECEIVEDClerk of Superior Court - Bartow Co. Ga
06/21/2018 11:15 AMDOCH# 007746
FILED IN OFFICE
6/21/2018 12:07 PM
BK:3013 PG:538-543
MELBA SCOGGINS
CLERK OF SUPERIOR COURT
BARTOW COUNTY*Melba Scoggins*REAL ESTATE TRANSFER TAX
PAID: \$871.50

PT-61 008-2018-002475

After Recording Return To:

Republic Commercial Title Company, LLC
6111 Peachtree-Dunwoody Rd., Bldg. D
Atlanta, Georgia 30328

R07C180014

Recording requested by and
After recording return to:Jeffrey A. Watkins, Esq.
128 West Cherokee Avenue
Cartersville, GA 30120STATE OF GEORGIA
COUNTY OF BARTOW

Item # 4

LIMITED WARRANTY DEED

THIS INDENTURE, made as of the 13th day of June, 2018, between **CARTERSVILLE-BARTOW COUNTY TOURISM COUNCIL, INC., dba CONVENTION & VISITORS BUREAU**, a Georgia corporation (hereinafter referred to as "**Grantor**"), and **RENAISSANCE GROUP CARTERSVILLE LLC**, a Georgia limited liability company (hereinafter referred to as "**Grantee**") (the words "**Grantor**" and "**Grantee**" to include their respective heirs, legal representatives, successors, and assigns where the context requires or permits);

WITNESSETH: THAT

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto Grantee, all those tracts or parcels of land lying and being in Gordon County, Georgia, being more particularly described in Exhibit "A", attached hereto and incorporated herein by this reference (hereinafter referred to as the "**Land**");

TOGETHER WITH all buildings, structures, and improvements thereon and all rights, members, easements, hereditaments, tenements and appurtenances appertaining to the Land and all right, title, and interest of Grantor in and to alleys, streets, rights-of-way adjacent to or

BK:3013 PG:539

abutting the Land (the Land, together with the foregoing, is hereinafter referred to as the "Property");

TO HAVE AND TO HOLD the Property, without warranty as to the matters set forth in Exhibit "B" hereto, with all and singular the rights, members, hereditaments, tenements and appurtenances thereof, to the same being, belonging, or in anywise appertaining to the only proper use, benefit, and behoof of Grantee forever in FEE SIMPLE;

AND Grantor will warrant and forever defend the right and title to the Property unto Grantee against the claims of all persons whomsoever claiming by, through or under Grantor, except as to claims arising under those matters set forth in Exhibit "B" hereto.

AND the Property is hereby conveyed with and shall be subject to certain restrictive covenants more particularly described in Exhibit "C", attached hereto and incorporated herein by this reference.

AND the Property is hereby conveyed subject to, and Grantor hereby reserves, an easement for ingress and egress (Easement (C), the approximate location of which is shown on Exhibit "D", and the metes and bounds description of which shall be set forth in that certain Easement Agreement to be executed during the development of the subject Property.

IN WITNESS WHEREOF, Grantor has executed this Limited Warranty Deed under seal, to be effective as of this 13th day of June, 2018.

Signed, sealed, and delivered
in the presence of:

Witness

Notary Public

My Commission Expires: 4-17-19

(NOTARIAL SEAL)

GRANTOR:

CARTERSVILLE-BARTOW COUNTY TOURISM COUNCIL,
INC., a Georgia corporation

By: Karl Lutjens

Name: Karl Lutjens

Title: Chairman of the Board of Directors

(SEAL)



Item # 4

BK:3013 PG:540

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING IN LAND LOT 47, 4TH DISTRICT, 3RD SECTION, CITY OF CARTERSVILLE, BARTOW COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE METERED INTERSECTION ON THE SOUTHERLY CORNER OF THE STATE ROUTE 20 R/W (VARIABLE) AND OF THE WESTERN RIGHT-OF-WAY OF ROVING ROAD (50' R/W) AT CONCRETE MONUMENT FOUND; THENCE HEADING IN A SOUTHERLY DIRECTION 365.8' +/- TO AN IRON PIN PLACED (#4 REBAR) AND THE TRUE POINT OF BEGINNING;

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED; THENCE ALONG THE WESTERN RIGHT-OF-WAY OF ROVING ROAD (50' R/W) THE FOLLOWING BEARINGS AND DISTANCES; THENCE IN A SOUTHERLY DIRECTION WITH A CURVE TURNING TO THE RIGHT WITH A RADIUS OF 679.13 FEET, HAVING A CHORD BEARING OF SOUTH 29°38'07" WEST AND A CHORD DISTANCE OF 103.54 FEET AND AN ARC LENGTH OF 103.64 FEET TO A CONCRETE R/W MONUMENT FOUND; THENCE IN A SOUTHERLY DIRECTION WITH A CURVE TURNING TO THE LEFT WITH A RADIUS OF 1945.55 FEET, HAVING A CHORD BEARING OF SOUTH 32°53'45" WEST AND A CHORD DISTANCE OF 75.49 FEET AND AN ARC LENGTH OF 75.50 FEET TO AN IRON PIN PLACED (#4 REBAR); THENCE LEAVING SAID RIGHT-OF-WAY WITH A BEARING OF THENCE SOUTH 70°10'09" WEST, 122.70 FEET TO A POINT; THENCE NORTH 19°49'51" WEST, 74.00 FEET TO A POINT; THENCE SOUTH 70°10'09" WEST, 29.41 FEET TO A POINT; THENCE NORTH 19°28'05" WEST, 254.65 FEET TO A POINT; THENCE NORTH 70°31'55" EAST, 21.80 FEET TO A POINT; THENCE NORTH 20°05'09" WEST, 118.36 FEET TO A POINT; THENCE NORTH 70°06'53" EAST, 31.04 FEET TO A POINT; THENCE IN AN EASTERLY DIRECTION WITH A CURVE TURNING TO THE RIGHT WITH A RADIUS OF 333.00 FEET, HAVING A CHORD BEARING OF SOUTH 87°19'19" EAST AND A CHORD DISTANCE OF 255.54 FEET AND AN ARC LENGTH OF 262.27 FEET TO AN IRON PIN PLACED; THENCE SOUTH 19°43'53" EAST, 234.76 FEET TO AND IRON PIN PLACED AND THE TRUE POINT OF BEGINNING; SAID TRACT OR PARCEL OF LAND CONTAINS 2.529 ACRES MORE OR LESS SHOWN ON SURVEY PREPARED BY SOUTHLAND ENGINEERING.

TOGETHER WITH A TEMPORARY EASEMENT FOR INGRESS AND EGRESS TO AND FROM ROVING ROAD, A PUBLIC ROAD, AND THE PROPERTY OVER AND ACROSS THAT CERTAIN PRIVATE ACCESS DRIVE CONTAINED IN EASEMENT (B) CONFERENCE CENTER DRIVE ON THAT CERTAIN SITE PLAN DATED 5/1/2018, PREPARED BY SOUTHLAND ENGINEERING ATTACHED HERETO AS EXHIBIT "D" AND MADE A PART HEREOF.

SAID TEMPORARY EASEMENT SHALL EXPIRE AND MERGE INTO THAT CERTAIN EASEMENT AGREEMENT BETWEEN BARTOW COUNTY AND RENAISSANCE GROUP CARTERSVILLE LLC, WHICH SHALL BE EXECUTED AND RECORDED DURING DEVELOPMENT OF THE PROPERTY

Item # 4

BK:3013 PG:541

EXHIBIT "B"**PERMITTED EXCEPTIONS**

1. All ad valorem real estate property taxes for the year 2018 and subsequent years, not yet due and payable.
2. Easement from Georgia Institute of Genetics to Georgia Power Company, dated September 7, 1944, filed November 7, 1945 and recorded in Deed Book 84, Page 122, records of the Superior Court of Bartow County, Georgia.
3. Non-Exclusive Easement by and between the Board of Regents of The University System of Georgia, a department of the State of Georgia and the City of Cartersville, a local government of the State of Georgia, dated December 17, 2004, filed December 28, 2004 and recorded in Deed Book 1874, Page 857, aforesaid records.
4. Easement from Bartow County to Georgia Power Company, dated August 17, 2009, filed September 9, 2009 and recorded in Deed Book 2383, Page 977, aforesaid records.
5. All matters set forth on that certain ALTA/NSPS Land Title Survey for: Bartow County, Renaissance Group Cartersville LLC, and Chicago Title Insurance Company, prepared by Southland Engineering, bearing the seal of Kevin N. Cooney, GRLS No. 2980, dated April 12, 2018, and which includes all matters affecting the subject property as shown on Plat recorded in Plat Book 70, Page 54, aforesaid records.

Item # 4

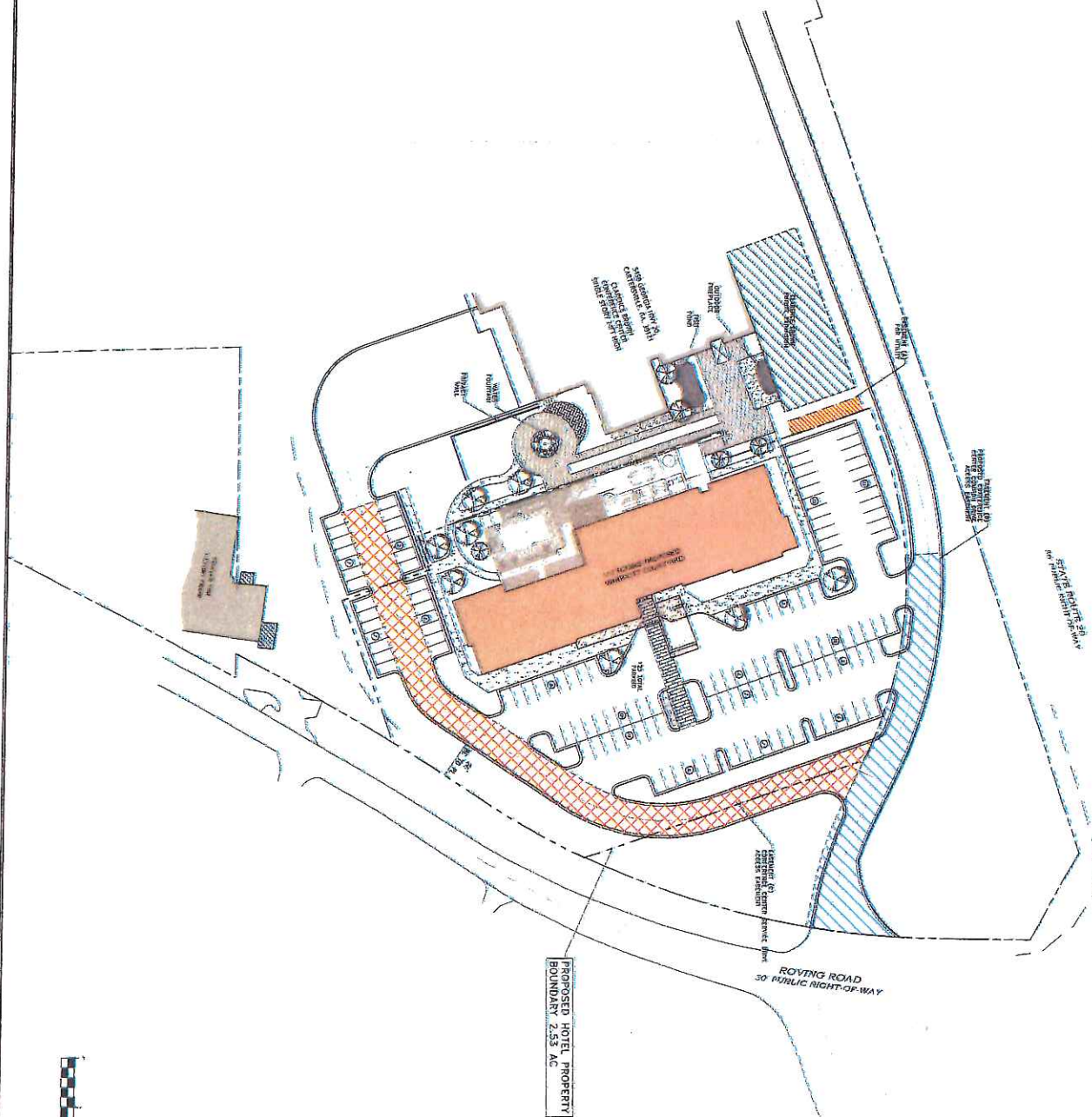
BK:3013 PG:542

EXHIBIT "C"

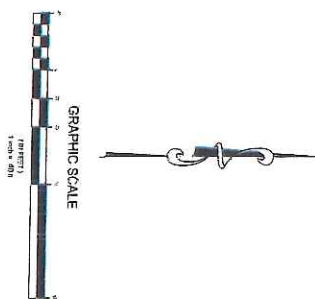
1. The Property shall only be developed as a Courtyard by Marriott (the "Hotel") with a limited restaurant and cocktail lounge as allowed by Marriott;
2. The exterior veneer elements of any improvement to the Property shall be consistent with Marriott Courtyard prototype and of materials approved by Marriott Courtyard. The finished colors and the aesthetic elements of the exterior veneer shall compliment the adjacent Clarence Brown Conference Center (the "Conference Center"). Notwithstanding the foregoing, the exterior of any improvements to the Property shall have a minimum of fifty percent (50%) of hard surface material on the front side of the Hotel (facing east and Roving Road), and the north end facing Highway 20, and on the back of the Hotel (facing east and the Conference Center) beginning at the northwest corner for a distance of approximately thirty (30) feet.
3. The foregoing restrictive covenants shall expire twenty (20) years from the date of this deed.

Item # 4

EXHIBIT "D"



Item # 4



SHEET NO.: C201	SHEET TITLE: SITE PLAN EXHIBIT "A"		MARriot COURTYARD AT CLARENCE BROWN CONFERENCE CENTER LOCATED IN LAND LOT(S) 47-48 & 97-98 xxTH DISTRICT, x SECTION CITY/COUNTY, GEORGIA	 SOUTHLAND ENGINEERING CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS 114 OLD MILL ROAD, CARTERSVILLE, GA 30120 PH: 770.387.0440 FAX: 770.607.5151	REVISIONS: <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">DATE</th> <th style="width: 95%;">DESCRIPTION</th> </tr> </thead> <tbody> <tr><td>1</td><td></td></tr> <tr><td>2</td><td></td></tr> <tr><td>3</td><td></td></tr> <tr><td>4</td><td></td></tr> <tr><td>5</td><td></td></tr> </tbody> </table>	DATE	DESCRIPTION	1		2		3		4		5		DATE: 05/07/2018 DRAWN BY: JTB/MS
DATE	DESCRIPTION																	
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3																		
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ENGINEER'S ESTIMATE

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>EST. QTY.</u>	<u>UNIT</u>	<u>ESTIMATED UNIT PRICE¹</u>	<u>ESTIMATED TOTAL AMOUNT</u>
Contractor Labor Costs:					
1.	2-3/8" O.D.-.154" W.T., F.B.E. Coated, ERW X42/X52 Steel Line Pipe	110	L.F.	\$16.16	\$1,777.60
2.	4" IPS, DR 11, P.E. 2708 Polyethylene Pipe	30	L.F.	\$12.56	\$376.80
3.	2" IPS, DR 11, P.E. 2708 Polyethylene Pipe	560	L.F.	\$9.96	\$5,577.60
4.	Regulating Station	1	L.S.	\$11,000.00	\$11,000.00
5.	3" Stopper Fitting w/Outlet ANSI Class 300 (<i>Tap Only</i>)	1	Ea.	\$6,700.00	\$6,700.00
6.	2" Stopper Fitting, ANSI Class 300 (<i>Tap & Stop</i>)	1	Ea.	\$6,800.00	\$6,800.00
7.	2" Line Valve Assembly, ANSI Class 300	1	Ea.	\$500.00	\$500.00
8.	2" Line Valve Assembly, 80# W.P. (<i>PE</i>)	1	Ea.	\$300.00	\$300.00
9.	4"x4" Tee (<i>PE</i>) (<i>Cut-In w/ Temporary 2" Bypass</i>)	1	Ea.	\$500.00	\$500.00
10.	2" Service Tee (<i>PE</i>)	1	Ea.	\$150.00	\$150.00
11.	2" Bore (<i>Bore Only</i>)	50	L.F.	\$18.00	\$900.00
12.	2" IPS x 2" IPS Anodeless Service Riser	1	Ea.	\$150.00	\$150.00
13.	2" Meter Valve, 175# W.P.	1	Ea.	\$75.00	\$75.00



ENGINEER'S ESTIMATE

ITEM NO.	DESCRIPTION	EST. QTY.	UNIT	ESTIMATED UNIT PRICE ¹	ESTIMATED TOTAL AMOUNT
14.	Purge and Remove Existing Regulating Station	1	L.S.	\$1,500.00	\$1,500.00
15.	Purge and Abandon In Place Existing Piping	965	L.F.	\$2.00	\$1,930.00
16.	Grassing	2,000	S.Y.	\$1.00	\$2,000.00
17.	Solid Rock Excavation	10	C.Y.	\$170.00	<u>\$1,700.00</u>
TOTAL ESTIMATED CONTRACTOR LABOR COST					\$41,937.00

Material Costs:

1.	2-3/8" O.D.-.154" W.T., F.B.E. Coated, ERW X42/X52 Steel Line Pipe	60	L.F.	\$5.75	\$345.00
2.	2-3/8" O.D.-.154" W.T., Dual Coated, ERW X42/X52 Steel Bore Pipe	50	L.F.	\$9.27	\$463.50
3.	2" IPS, DR 11, P.E. 2708 Polyethylene Pipe	560	L.F.	\$0.80	\$448.00
4.	Regulating Station	1	LS	\$4,500.00	\$4,500.00
5.	3" Stopper Fitting w/Outlet ANSI Class 300	1	Ea.	\$1,230.00	\$1,230.00
6.	2" Stopper Fitting, ANSI Class 300	1	Ea.	\$961.00	\$961.00
7.	2" Line Valve Assembly, ANSI Class 300	1	Ea.	\$300.00	\$300.00

Natural Gas Main Relocation
Marriott Courtyard at Clarence
Brown Conference Center
Cartersville Project No. SP-18-002

November 20, 2018

ENGINEER'S ESTIMATE

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>EST. QTY.</u>	<u>UNIT</u>	<u>ESTIMATED UNIT PRICE¹</u>	<u>ESTIMATED TOTAL AMOUNT</u>
8.	2" Line Valve Assembly, 80# W.P. (PE)	1	Ea.	\$51.00	\$51.00
9.	2" Service Tee (PE)	1	Ea.	\$95.00	\$95.00
10.	2" IPS x 2" IPS Anodeless Service Riser	1	Ea.	\$125.00	\$125.00
11.	2" Meter Valve, 175# W.P.	1	Ea.	\$65.00	\$65.00
12.	4"x90° L.R. Elbow, Standard Weight	3	Ea.	\$57.00	\$171.00
13.	4"x2" Concentric Reducer, Standard Weight	1	Ea.	\$29.00	\$29.00
14.	3"x90° L.R. Elbow, Standard Weight	4	Ea.	\$8.03	\$32.12
15.	3"x2" Concentric Reducer, Standard Weight	1	Ea.	\$18.69	\$18.69
16.	2"x90° L.R. Elbow, Standard Weight	1	Ea.	\$11.95	\$11.95
17.	4" Steel to Polyethylene Transition Fitting	1	Ea.	\$72.00	\$72.00
18.	4"x4" Tee (PE)	1	Ea.	\$22.00	\$22.00
19.	4"x2" Reducer (PE)	1	Ea.	\$10.00	\$10.00
20.	2"x90° Elbow (PE)	2	Ea.	\$4.00	\$8.00
21.	Grassing	2,000	S.Y.	\$0.25	<u>\$500.00</u>
TOTAL ESTIMATED MATERIAL COST					\$9,458.26

Natural Gas Main Relocation
Marriott Courtyard at Clarence
Brown Conference Center
Cartersville Project No. SP-18-002

November 20, 2018

ENGINEER'S ESTIMATE

<u>ITEM</u> <u>NO.</u>	<u>DESCRIPTION</u>	<u>EST.</u> <u>QTY.</u>	<u>UNIT</u>	<u>ESTIMATED</u> <u>UNIT PRICE</u> ¹	<u>ESTIMATED</u> <u>TOTAL AMOUNT</u>
TOTAL ESTIMATED CONTRACTOR LABOR COST (<i>From Page 2</i>)					<u>\$41,937.00</u>
TOTAL ESTIMATED PROJECT COST					<u>\$51,395.26</u>

¹ Estimated unit prices of construction costs are based on the Gas System's Contractor Price List accepted September 26, 2007 plus 200% for inflation. Estimated unit prices of material costs are based on the Gas System's Inventory Price List dated June 1, 2018.

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FIBER COMMUNICATION DEPARTMENT NOTES:

- NO FIBER COMM WILL BE INSTALLED ON SITE.

WATER DEPARTMENT NOTES:

- CONTACT CHATTIE AGAN, CARTERSVILLE WATER DEPARTMENT BACKFLOW PREVENTION COORDINATOR, (770) 607-6296, FOR ALL ISSUES RELATING TO BACKFLOW PREVENTION REQUIREMENTS. ALL BACKFLOW PREVENTION DEVICES MUST BE TESTED PRIOR TO WATER SERVICE.
- THE OWNER/DEVELOPER SHALL BE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH ESTABLISHING WATER AND SEWER SERVICE TO THE DEVELOPMENT. ADJUSTMENTS AND ADDITIONS TO THE WATER AND SEWER PIPING SHOWN ON THESE PLANS MAYBE NECESSARY TO ACCOMMODATE DIFFERENCES DETERMINED AT THE TIME OF CONSTRUCTION.

ELECTRIC SYSTEM NOTES:

- THE CONTRACTOR SHALL COORDINATE THE INSTALLATION OF THE ELECTRICAL SERVICE PRIOR TO CONSTRUCTION (770-387-5631)
- ALL SERVICE INSTALLATIONS SHALL COMPLY WITH THE CURRENT NATIONAL ELECTRICAL CODE.
- ANY TRENCHING OR CUTTING OF EXISTING CONCRETE OR ASPHALT SHALL BE REPAIRED BY THE CONTRACTOR. CARTERSVILLE ELECTRIC SYSTEM (CES) WILL COMPACT AND BACKFILL THEIR TRENCHES WITH EARTH AND/OR GRAVEL. THE CONTRACTOR SHALL REPAIR OR REPLACE CONCRETE OR ASPHALT SURFACES AS REQUIRED.
- THE ELECTRICAL CONTRACTOR SHALL ABIDE BY THE LATEST VERSION OF THE 'CARTERSVILLE ELECTRIC SYSTEM CONTRACTOR'S MANUAL' FOR CES CONSTRUCTION SPECIFICATIONS.
- A MINIMUM OF TWELVE (12)-INCHES OF VERTICAL SEPARATION SHALL BE MAINTAINED AT ALL CROSSINGS OVER OR UNDER CES UNDERGROUND LINES.
- A MINIMUM OF 36" HORIZONTAL SEPARATION SHALL BE MAINTAINED FROM ALL UNDERGROUND FACILITIES INSTALLED PARALLEL TO CES UNDERGROUND LINES.
- NO SHRUBS, TREES OR STRUCTURES SHALL BE PLACED WITHIN TEN (10)-FEET OF THE FRONT, OR WITHIN FOUR (4)-FEET OF THE SIDES OR REAR OF PAD-MOUNTED TRANSFORMERS.
- ALL METERING LOCATIONS SHALL BE COORDINATED WITH CES PRIOR TO INSTALLATION. CES MUST APPROVE THE LOCATION OF ALL METERING POINTS.
- EROSION & SEDIMENT CONTROL SHALL BE ADDRESSED AS FOLLOWS:
 - CES SHALL APPLY STRAW OR HAY MULCH OVER ALL AREAS DISTURBED SPECIFICALLY BY THE CONSTRUCTION OF THE CES ELECTRICAL FACILITIES WITHIN THE DEVELOPMENT.
 - THE CONTRACTOR SHALL MAINTAIN OR RE-APPLY SUCH EROSION AND SEDIMENT CONTROL MEASURES AS REQUIRED TO COMPLY WITH ALL LOCAL, STATE AND FEDERAL EROSION AND SEDIMENT CONTROL REQUIREMENTS AFTER INITIAL APPLICATION BY CARTERSVILLE ELECTRIC SYSTEM.
 - THE CONTRACTOR SHALL PROVIDE, INSTALL, MAINTAIN AND REMOVE ANY AND ALL EROSION AND SEDIMENT CONTROL MEASURES NECESSARY OR REQUIRED TO COMPLY WITH ALL LOCAL, STATE AND FEDERAL EROSION AND SEDIMENT CONTROL REQUIREMENTS. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO THOSE WHICH MAY BE ASSOCIATED WITH THE CONSTRUCTION OF THE CES ELECTRIC FACILITIES WITHIN THE DEVELOPMENT, WITH THE EXCEPTION OF THE MEASURES LISTED IN THESE NOTES AS BEING COMPLETED BY CES.
 - ANY AND ALL BMP'S IN CONFLICT WITH THE PROPOSED CES CONSTRUCTION SHALL BE RELOCATED OR REMOVED AND REPLACED BY AND AT THE EXPENSE OF THE DEVELOPER.
- UNLESS OTHER ARRANGEMENTS ARE MADE BETWEEN ALL AFFECTED PARTIES (INCLUDING CES), ALL PROPOSED UTILITY EASEMENTS SHALL BE CLEARLY MARKED AND LABELED ON THE JOB SITE BY A PROFESSIONAL SURVEYOR AT THE CONTRACTOR'S EXPENSE.

COC-EROSION & SEDIMENT CONTROL-NATURAL GAS FACILITY INSTALLATIONS

- Attachment Number 1 of 10 Page 16 of 16
- THE CITY OF CARTERSVILLE GAS SYSTEM WILL OR CAUSE TO PROVIDE AND APPLY STRAW OR HAY MULCH TO A DEPTH OF 6" OVER ALL AREAS DISTURBED SPECIFICALLY BY THE CONSTRUCTION OF THE NATURAL GAS FACILITIES WITHIN THE DEVELOPMENT PROVIDED NO FURTHER DISTURBANCE OF SUCH AREAS ARE PLANNED WITHIN 14 DAYS OF INITIAL DISTURBANCE OR AS REQUIRED BY THE LOCAL JURISDICTION.
 - THE DEVELOPER WILL OR CAUSE TO MAINTAIN OR RE-APPLY SUCH EROSION AND SEDIMENT CONTROL MEASURES AS NECESSARY OR REQUIRED TO COMPLY WITH ALL LOCAL, STATE AND FEDERAL EROSION AND SEDIMENT CONTROL REQUIREMENTS AFTER INITIAL APPLICATION AS REQUIRED BY #1 ABOVE.
 - THE DEVELOPER WILL OR CAUSE TO PROVIDE, INSTALL, MAINTAIN AND REMOVE ANY AND ALL EROSION AND SEDIMENT CONTROL MEASURES NECESSARY OR REQUIRED TO COMPLY WITH ALL LOCAL, STATE AND FEDERAL EROSION AND SEDIMENT CONTROL REQUIREMENTS WHICH MAY BE ASSOCIATED WITH THE CONSTRUCTION OF THE NATURAL GAS FACILITIES WITHIN THE DEVELOPMENT OTHER THAN #1 ABOVE.
 - ANY AND ALL SILT AND EROSION CONTROL DEVICES IN CONFLICT WITH THE CONSTRUCTION OF THE PROPOSED NATURAL GAS FACILITIES SHALL BE RELOCATED OR REMOVED AND REPLACED BY AND AT THE EXPENSE OF THE DEVELOPER.

COC-GAS NOTES

- ALL EARTHWORK AND CURBING IN THE AREAS OF THE PROPOSED NATURAL GAS FACILITIES SHALL BE COMPLETED PRIOR TO THE INSTALLATION OF THE PROPOSED NATURAL GAS FACILITIES.
- NO PAVEMENT SHALL BE PLACED IN THE AREAS OF THE PROPOSED NATURAL GAS FACILITIES PRIOR TO THE INSTALLATION OF THE PROPOSED NATURAL GAS FACILITIES. ANY PAVEMENT PLACED IN THE AREAS OF THE PROPOSED NATURAL GAS FACILITIES PRIOR TO THE INSTALLATION OF THE NATURAL GAS FACILITIES SHALL BE REMOVED AND REPLACED BUY AND AT THE EXPENSE OF THE DEVELOPER.
- ALL PROPOSED NATURAL GAS INSTALLATIONS AND RELOCATIONS SHALL BE COORDINATED WITH MICHAEL DICKSON OF THE GAS SYSTEM AT 770.387.5642.
- PROPOSED NATURAL GAS METER SHALL NOT BE LOCATED WITHIN 36" OF ANY ELECTRICAL METER, ELECTRICAL BOX OR WALL OPENING SUCH AS BUT NOT LIMITED TO INTAKE/EXHAUST VENTS, DOORS, WINDOWS, ETC.
- ANY AND ALL CONSTRUCTION STAKING, HORIZONTAL AND VERTICAL, NECESSARY OR REQUIRED FOR THE CONSTRUCTION OR RELOCATION OF THE PROPOSED NATURAL GAS FACILITIES SHALL BE PROVIDED BY AND AT THE EXPENSE OF THE DEVELOPER.
- A MINIMUM OF 24" VERTICAL AND A MINIMUM 36" HORIZONTAL SEPARATION SHALL BE MAINTAINED AND CROSSINGS WITHOUT THE REQUIRED SEPARATION SHALL NOT BE MADE WITHOUT THE EXPRESSED APPROVAL OF THE GAS SYSTEM AND SHALL BE COORDINATED WITH MICHAEL DICKSON OF THE GAS SYSTEM AT 770.387.5642.
- ALL NATURAL GAS FACILITY CROSSINGS SHALL BE BACKFILLED WITH CLEAN, SELECT MATERIAL FREE FROM ROCKS AND STONES TO A POINT AT LEAST 12" SURROUND THE PIPE CIRCUMFERENCE.
- ALL COST ASSOCIATED WITH THE RELOCATION OF THE EXISTING NATURAL GAS FACILITIES WILL BE AT THE EXPENSE OF THE OWNER AND THE DEVELOPER IN ACCORDANCE WITH A RELOCATION AGREEMENT ENTERED INTO WITH THE CITY OF CARTERSVILLE.

UTILITY DISCLAIMER:

INFORMATION REGARDING THE PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON IS BASED ON INFORMATION READILY AVAILABLE AT THE TIME OF PLAN PREPARATION. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE TAKEN INTO CONSIDERATION BY THOSE USING THIS DOCUMENT. THE LOCATION AND DISPOSITION OF UTILITIES SHOWN MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UTILITIES AFFECTED BY HIS WORK PRIOR TO BEGINNING ANY CONSTRUCTION OR LAND DISTURBANCE.

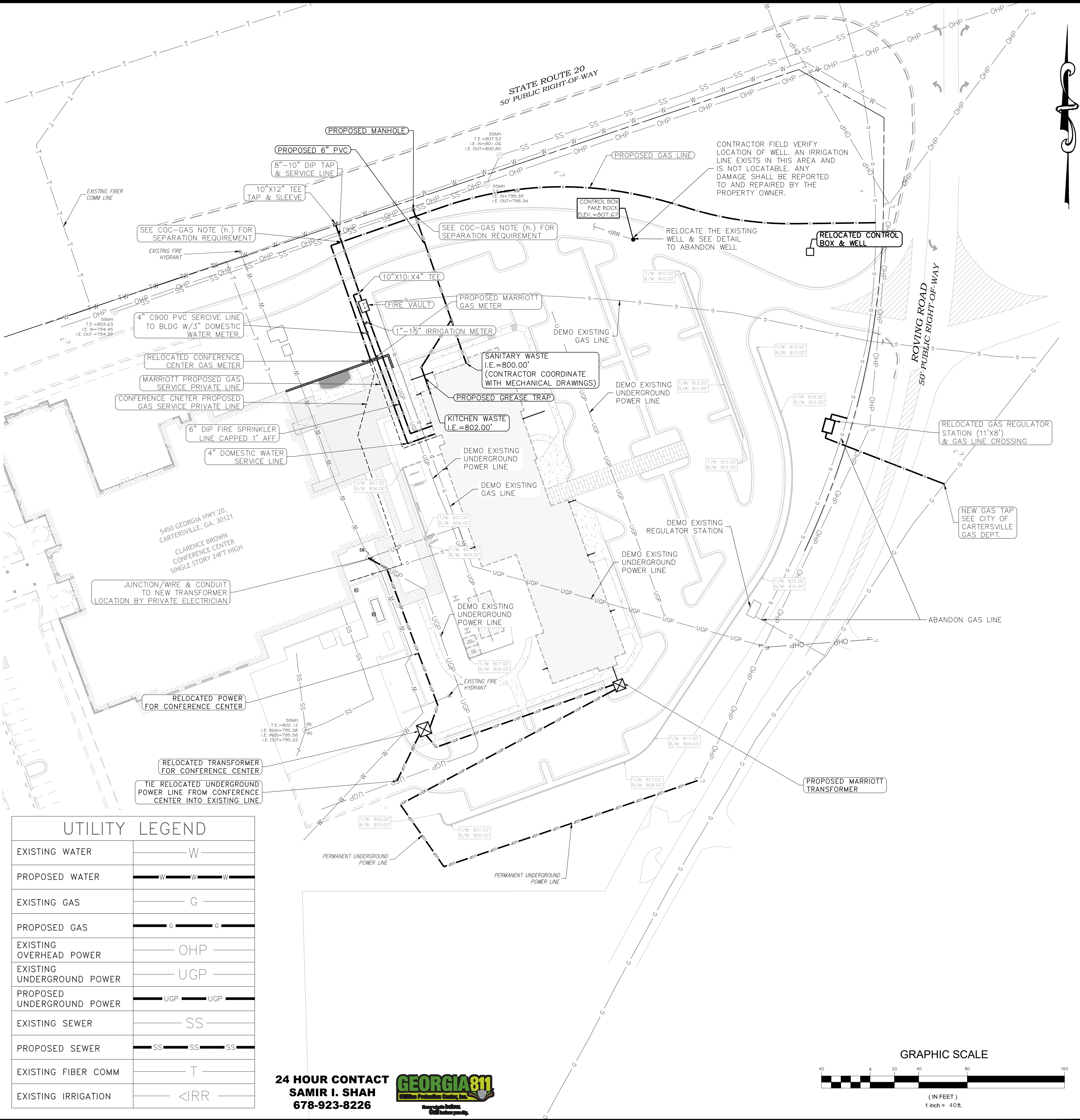


EXHIBIT "C"

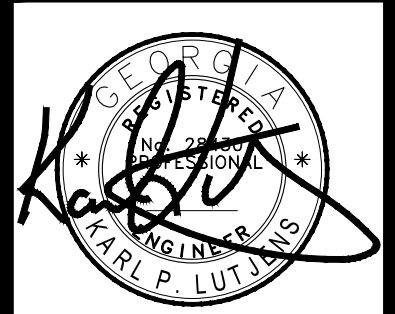
PROJECT NO.:
17165

DATE:
11/26/2018

REVISIONS:	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

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

**MARIOTT COURTYARD AT
CLARENCE BROWN CONFERENCE CENTER**
LOCATED IN LAND LOT(S) 47 & 98
4TH DISTRICT, 2ND SECTION
CITY OF CARTERSVILLE, GEORGIA



SHEET TITLE:

UTILITY
PLAN

SHEET NO.:

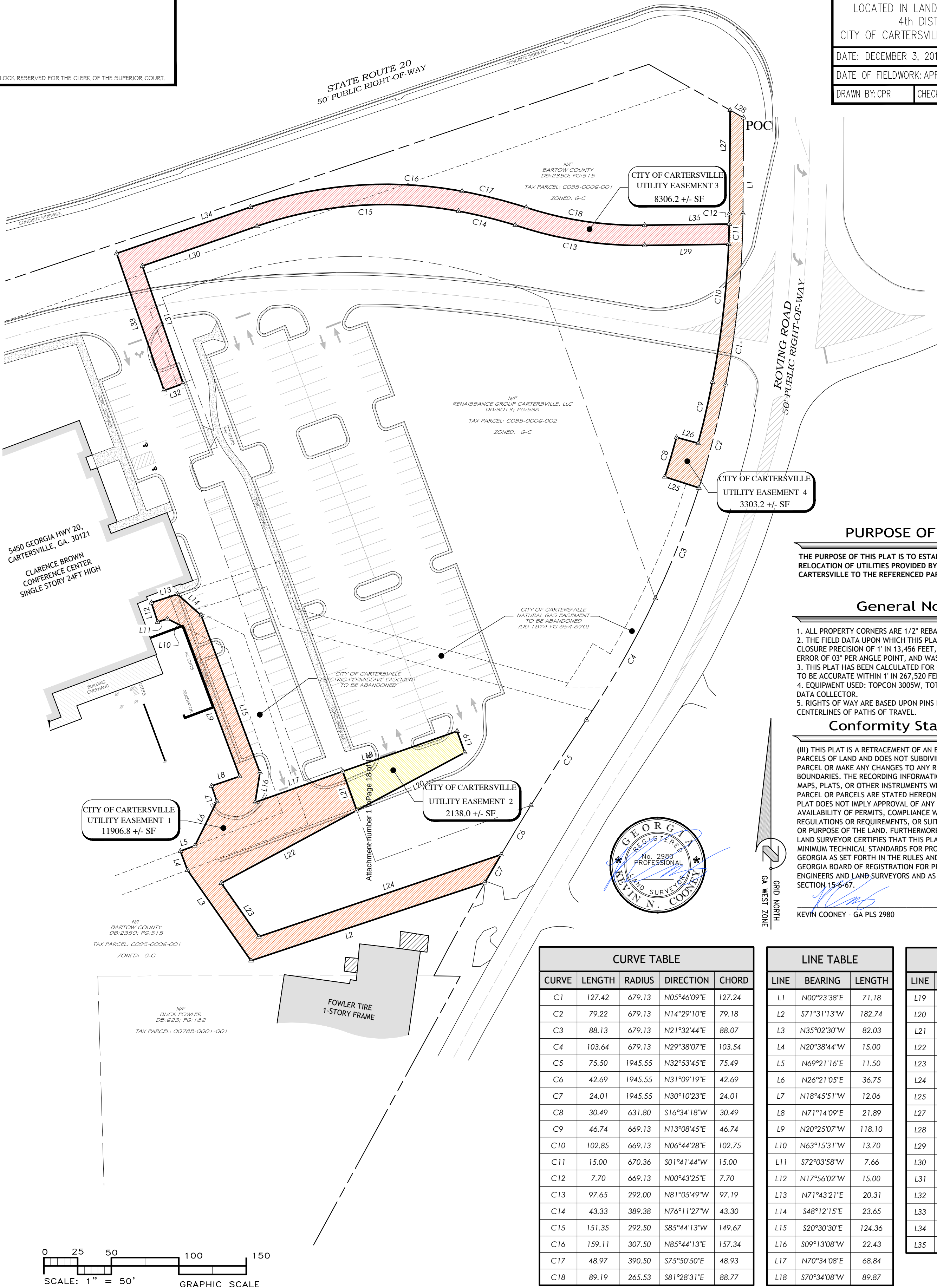
C301

EASEMENT EXHIBIT FOR:
RENAISSANCE GRP CARTERSVILLE
LOCATED IN LAND LOTS 97, 98, 47 AND 48
4th DISTRICT, 3rd SECTION
CITY OF CARTERSVILLE, BARTOW COUNTY, GEORGIA

DATE: DECEMBER 3, 2018	REV:	JOB NO:17165
DATE OF FIELDWORK: APRIL 24, 2018		
DRAWN BY: CPR	CHECKED BY: KNC	APPROVED BY: KNC

⊙ = IRON PIN FOUND □ = CONCRETE MON.FOUND ● = IRON PIN PLACED ⊕ = BENCHMARK ⊙ = PHOTO REFERENCE ⊙ = EXCEPTIONS ⊙ = PARKING BOLLARD	⊙ = DOUBLE WING CATCH BASIN ⊙ = SINGLE WING CATCH BASIN ⊙ = JUNCTION BOX ⊙ = CURB INLET ⊙ = YARD INLET ⊙ = DROP INLET ⊙ = HEADWALL	⊙ = GAS VALVE ⊙ = GAS METER ⊙ = TELEPHONE MANHOLE ⊙ = ELECTRIC MANHOLE ⊙ = TELEPHONE PEDESTAL ⊙ = SIGN	⊙ = SEWER MANHOLE ⊙ = CLEAN OUT ⊙ = WATER VALVE ⊙ = WATER METER ⊙ = FIRE HYDRANT ⊙ = IRRIGATION CONT. VALVE ⊙ = WELL	⊙ = POWER POLE ⊙ = GUY WIRE ⊙ = ELECTRIC METER ⊙ = TRANSFORMER ⊙ = LIGHT POLE ⊙ = FLOW ARROW ⊙ = MAILBOX
— SS — SS — = STORM PIPE — SS — SS — = SEWER PIPE	— OHP — OHP — = OVERHEAD PWR. — X — X — X — = FENCE LINE	— W — W — W — = WATER LINE — G — G — G — = GAS LINE	— UGP — UGP — UGP — = COMM. LINE — UGP — UGP — UGP — = UNDERGROUND PWR.	

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.



PURPOSE OF PLAT

THE PURPOSE OF THIS PLAT IS TO ESTABLISH EASEMENTS FOR RELOCATION OF UTILITIES PROVIDED BY THE CITY OF CARTERSVILLE TO THE REFERENCED PARCELS

General Notes

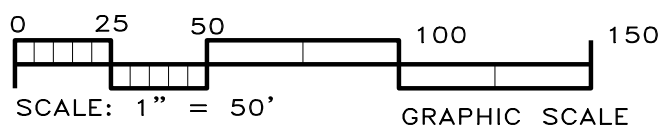
1. ALL PROPERTY CORNERS ARE 1/2" REBAR, EXCEPT AS SHOWN.
2. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF 1" IN 13,456 FEET, AND AN ANGULAR ERROR OF 03" PER ANGLE POINT, AND WAS NOT ADJUSTED.
3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1" IN 267,520 FEET.
4. EQUIPMENT USED: TOPCON 3005W, TOTAL STATION, WITH DATA COLLECTOR.
5. RIGHTS OF WAY ARE BASED UPON PINS FOUND AND/OR CENTERLINES OF PATHS OF TRAVEL.

Conformity Statement

(III) THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. 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.

KEVIN COONEY - GA PLS 2980

CURVE TABLE					LINE TABLE			LINE TABLE		
CURVE	LENGTH	RADIUS	DIRECTION	CHORD	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
C1	127.42	679.13	N05°46'09"E	127.24	L1	N00°23'38"E	71.18	L19	N19°49'51"W	16.84
C2	79.22	679.13	N14°29'10"E	79.18	L2	S71°31'13"W	182.74	L20	N61°46'11"E	90.85
C3	88.13	679.13	N21°32'44"E	88.07	L3	N35°02'30"W	82.03	L21	S19°49'51"E	30.74
C4	103.64	679.13	N29°38'07"E	103.54	L4	N20°38'44"W	15.00	L22	S61°46'11"W	113.96
C5	75.50	1945.55	N32°53'45"E	75.49	L5	N69°21'16"E	11.50	L23	S35°02'30"E	48.44
C6	42.69	1945.55	N31°09'19"E	42.69	L6	N26°21'05"E	36.75	L24	N71°16'27"E	189.60
C7	24.01	1945.55	N30°10'23"E	24.01	L7	N18°45'51"W	12.06	L25	N72°02'46"W	26.62
C8	30.49	631.80	S16°34'18"W	30.49	L8	N71°14'09"E	21.89	L27	N00°23'38"E	76.72
C9	46.74	669.13	N13°08'45"E	46.74	L9	N20°25'07"W	118.10	L28	N60°37'01"W	11.43
C10	102.85	669.13	N06°44'28"E	102.75	L10	N63°15'31"W	13.70	L29	S89°10'05"W	62.25
C11	15.00	670.36	S01°41'44"W	15.00	L11	S72°03'58"W	7.66	L30	S70°54'48"W	89.97
C12	7.70	669.13	N00°43'25"E	7.70	L12	N17°56'02"W	15.00	L31	S19°05'10"E	92.35
C13	97.65	292.00	N81°05'49"W	97.19	L13	N71°43'21"E	20.31	L32	S70°06'53"W	15.00
C14	43.33	389.38	N76°11'27"W	43.30	L14	S48°12'15"E	23.65	L33	N19°05'13"W	107.56
C15	151.35	292.50	S85°44'13"W	149.67	L15	S20°30'30"E	124.36	L34	N70°54'48"E	104.97
C16	159.11	307.50	N85°44'13"E	157.34	L16	S09°13'08"W	22.43	L35	N89°10'52"E	62.78
C17	48.97	390.50	S75°50'50"E	48.93	L17	N70°34'08"E	68.84			
C18	89.19	265.53	S81°28'31"E	88.77	L18	S70°34'08"W	89.87			





City of Cartersville

City Council Meeting
12/20/2018 7:00:00 PM
Garbage Truck Repair

SubCategory:	Bid Award/Purchases
Department Name:	Public Works
Department Summary Recommendation:	Solid Waste had a 2012 Front Loader Garbage Truck break down on the route and had it towed for evaluation. The City Garage recommended that Matthews Garage repair it. The final bill from Matthews Garage is \$15,012.65 with over \$13,000.00 being for parts, which includes an EGR Cooler, EGR Valve, and a Turbocharger. We recommend approval of this item and it will be paid with budgeted funds for Garbage Truck repairs.
City Manager's Remarks:	This will be paid out of budgeted funds for truck repairs. Your approval of the truck repair by Matthews Garage is recommended for approval.
Financial/Budget Certification:	This is a budgeted item.
Legal:	
Associated Information:	



Matthews Garage Inc.
18 Pinson Drive
Cartersville, GA. 30120
Phone: 770-382-0900 Fax: 770-382-0842

INVOICE**46417**

Org. Est. # 060389

Tax Resale # : 00000000

INVOICE

Ref # : 6233GARAGE

Work Completed : 11/09/2018

Date: 11/09/2018

CITY OF CARTERSVILLE - CARTERSVILLE CITY OF

2012 Peterbilt - 320 - CUMMINS ISX11.9 CM2250

P.O. BOX 1390

Lic # :

Odometer In : 39891

CARTERSVILLE, GA 30120

Home 770-387-5640 -- Fax 770-387-7409

VIN # : 3BPZL70X0 CF150524

Part Description	/ Number	Qty	Sale	Ext	Labor Description	Hours	Ext
EGR COOLER		1.00	2,009.09	2,009.09	WRECKER SERVICE		200.00
4352365RXCUM					DIAGNOSTIC TIME - COMPUTER HOOK UP		90.00
EGR VALVE		1.00	1,817.00	1,817.00	R&I EGR COOLER	5.60	560.00
5406049					R&I TURBOCHARGER	4.50	450.00
OIL PAN GASKET		1.00	240.45	240.45	R&I EGR VALVE	1.00	100.00
4975069					R&I ENGINE OIL PAN &/OR GASKET	2.60	260.00
ORING		1.00	11.53	11.53	R&R NOX SENSOR	0.50	50.00
367875					REPAIRED BATTERY CABLES	0.50	50.00
TURBO GASKET		1.00	17.83	17.83	PREFORMED REGEN	1.00	100.00
3693798					PO - 6233 GARAGE		
NUT		4.00	10.73	42.92			
4298975							
LUBE FILTER		1.00	49.38	49.38			
DNP550949							
AIR FILTER		1.00	125.14	125.14			
DNP181057							
AIR FILTER		1.00	36.85	36.85			
DNP11930							
TURBO STUDS		4.00	14.56	58.24			
4298242							
#7 INJECTOR - DOSER		1.00	634.13	634.13			
4309349							
GASKET - DOSER HOUSING INLET		1.00	15.89	15.89			
4966441							
GASKET - DOSER HOUSING OUTLET		1.00	23.12	23.12			
3684359							
FUEL FILTER		1.00	50.73	50.73			
DNP555776							
COOLANT FILTER		1.00	54.92	54.92			
DNP550866							
OIL		38.00	6.50	247.00			
15W40							
ANTIFREEZE		6.00	16.00	96.00			
COOLANT							
TURBO		1.00	5,546.31	5,546.31			
2882109RXCUM							
1/4" LOOM		10.00	0.75	7.50			
27037							
NOX SENSOR		1.00	511.88	511.88			
3687334							
TERMINAL		2.00	0.80	1.60			
27-880							

Visit us on the web : www.matthewsgarage.comOur Email Address: tara@matthewsgarage.com

Service Advisor : Garrison, Tara, Tech : Please Select, Technician

Page 1 of 2

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Matthews Garage Inc.

18 Pinson Drive

Cartersville, GA. 30120

Phone: 770-382-0900 Fax: 770-382-0842

INVOICE**46417**

Org. Est. # 060389

INVOICE

Ref #: 6233GARAGE

Work Completed : 11/09/2018

Tax Resale #: 00000000

Date: 11/09/2018

CITY OF CARTERSVILLE - CARTERSVILLE CITY OF

2012 Peterbilt - 320 - CUMMINS ISX11.9 CM2250

P.O. BOX 1390

Lic #:

Odometer In : 39891

CARTERSVILLE, GA 30120

Home 770-387-5640 -- Fax 770-387-7409

VIN #: 3BPZL70X0 CF150524

Part Description	/ Number	Qty	Sale	Ext	Labor Description	Hours	Ext
3/0 RED BATTERY CABLE		1.00	7.48	7.48			
..06455							
HEAT SHRINK		1.00	7.90	7.90			
26-929							
ACTUATOR		1.00	1,245.38	1,245.38			
4034289							
Shop Supplies				294.37			

Has this been pd.?
Do you want
me to just
file this?

Org. Estimate 15,012.64 Revisions 0.00 Current Estimate 15,012.64

Labor: 1,570.00
Parts: 13,152.64
Sublet: 290.00

SubTotal: 15,012.64
Tax: 0.00
Total: 15,012.64
Bal Due: 15,012.64

[Payments -]

Vehicle Received: 11/9/2018

Customer Number : 198

Warranty on parts and labor is one years or 12,000 miles whichever comes first. Warranty work has to be performed in our shop & cannot exceed the original cost of repair. Our Terms are NET 15 DAYS. I/We understand that any past due charges are subject to a 1 and 1/2 PERCENT monthly service charge added to any unpaid balances until such balances are satisfied. Collection agency fees (15%) plus all court cost, expenses & interest in the event that the account is turned over and collected by a collection agency or attorney.

Signature _____ Date _____

Visit us on the web : www.matthewsgarage.com

Our Email Address: tara@matthewsgarage.com

Service Advisor : Garrison, Tara Tech : Please Select, Technician



City of Cartersville

**City Council Meeting
12/20/2018 7:00:00 PM
Georgia Municipal Association Membership Dues**

SubCategory:	Bid Award/Purchases
Department Name:	Administration
Department Summary Recommendation:	This is the invoice for the Georgia Municipal Association 2019 membership dues for \$6759.26.
City Manager's Remarks:	This is our annual membership dues for GMA in the amount of \$6759.26. Your approval of the 2019 GMA membership dues is recommended for your approval.
Financial/Budget Certification:	This is a budgeted item.
Legal:	
Associated Information:	

**GEORGIA
MUNICIPAL
ASSOCIATION**
Membership Dues Invoice

City of Cartersville
Ms. Meredith Ulmer
PO Box 1390
Cartersville, GA 30120-1390

INVOICE #: DUES 19
INVOICE DATE: 11/30/2018
DUE DATE: 1/01/2019
MEMBER #: 372

BILLING DESCRIPTION	AMOUNT
2019 Membership Dues	Base Fee: \$1,417.00
Population 20,978 @ 0.25466	\$5,342.26
	Total Dues: \$6,759.26
RMEBS Program Participation Rebate	\$0.00
	Dues after rebate: \$6,759.26

C. Planning
DEC - 3 2018

Remittance advice - Cut here and insert in #10 window envelope



MEMBER #: 372
TOTAL DUE: \$6,759.26

PLEASE MAIL PAYMENT WITH REMITTANCE ADVICE TO:

GEORGIA MUNICIPAL ASSOCIATION
PO Box 105377
ATLANTA, GEORGIA 30348

Item # 6



City of Cartersville

City Council Meeting
12/20/2018 7:00:00 PM
New Vehicles

SubCategory:	Bid Award/Purchases
Department Name:	Fire
Department Summary Recommendation:	Respectfully request permission to proceed with our budgeted vehicle purchase package for this fiscal year. These are replacement vehicles for our Deputy Fire Chief and our Lt. of Inspections/Investigations. The bid request was placed on the City web site, the state procurement program and hand delivered to all local vendors. A total of four vendors responded. The lowest bid that met specifications for the 3/4 ton pickup truck was from Prater Ford at \$32,182.40. The lowest bid that met specifications for the SUV was from Wade Ford at a price of \$42,652.00. Additionally, we will need to add the packages for lettering, lights, sirens and communications. This will bring the project to a total of \$89,858.40. We respectfully request approval of up to, but not to exceed \$89,900.00 for the two vehicles as presented, along with emergency lighting and graphics. This is below our budgeted amount and will be paid for through lease pool.
City Manager's Remarks:	These are budgeted vehicle purchases for the fire department that will be paid through lease pool. The department is asking for a not to exceed amount of \$89,900 for the two vehicles. Your approval of these purchases is recommended.
Financial/Budget Certification:	This is a budgeted item.
Legal:	
Associated Information:	

Vendor	Vehicle Type	Price	Notes
Robert Loehr	¾ ton Pick Up	\$31,725.00	Does Not Meet Towing Capacity Needed
Gerald Jones Ford	¾ ton Pick up	\$32,868.40	
Wade Ford	¾ ton Pick-up	\$33,135.00	
Prater Ford	¾ ton Pick-up	\$32,182.40	Low Bid Meeting Specs

Vendor	Vehicle Type	Price	Notes
Robert Loehr	SUV	No Bid	
Gerald Jones Ford	SUV	\$42,050.70	Wheels Do Not Meet Spec / No support Documents as required
Wade Ford	SUV	\$42,652.00	Low Bid Meeting Specs
Prater Ford	SUV	\$43,997.50	

Vehicle Purchase Project

Prater Ford – ¾ ton Pick-Up	\$32,182.40
Wade Ford - SUV	\$42,652.00
Emergency Lights / Communication	\$13,024.00 (Coosa Valley Communication)
Lettering	\$2,000.00 (Martin Neon Signs)
Total Project	\$89,858.40

Request Up to and not exceed \$89,900.00 to include one vehicle from Wade Ford and one Vehicle from Prater Ford, required lights, sirens and lettering.



City of Cartersville

City Council Meeting
12/20/2018 7:00:00 PM
Mauldin and Jenkins Invoice

SubCategory:	Bid Award/Purchases
Department Name:	Finance
Department Summary Recommendation:	Attached is the Mauldin and Jenkins, LLC invoice for the additional work on the FY 2018 audit. This was brought to Council's attention in October after the field work was completed. The October email which was forwarded to the Council and City Manager with detailed information is also attached. I recommend approval of the additional invoice from Mauldin and Jenkins, LLC in the amount of \$33,000.
City Manager's Remarks:	This invoice takes the audit fees over the budgeted amount. This is the first year this company, who does numerous municipal audits, has done Cartersville's so we assumed there may be some additional work and costs associated but not on this level. Unfortunately, there were some issues in regards to how things had been recorded and reported in the past and they are righting those for us moving forward. The auditors were here an additional week. We should not see additional costs like this going forward in future years with them. Your approval of the additional audit amount of \$33,000 is recommended for approval.
Financial/Budget Certification:	As discussed in October, this additional invoice will take the audit fees over the budgeted amount. A budget amendment will need to be done and can be done at the end of the year with the rest of the general fund budget amendments.
Legal:	
Associated Information:	



200 Galleria Parkway S.E., Suite 1700 • Atlanta, Georgia 30339-5946 • Telephone (770) 955-8600 • www.mjcpa.com

Online Payments Available www.mjcpa.com

**City of Cartersville Georgia
ATTN Tom Rhinehart
PO Box 1390
Cartersville, GA 30120**

**Invoice No. 1180782
12/06/2018
Client No. 03013814.000**

PLEASE DETACH HERE AND RETURN UPPER PORTION
WITH YOUR REMITTANCE

PAYMENT IS DUE UPON
RECEIPT OF INVOICE

AMOUNT ENCLOSED \$

Item # 8

PROFESSIONAL SERVICES RENDERED AS FOLLOWS:

Progress billing regarding the annual financial and compliance audits of the City for the year ended June 30, 2018. Billing includes fees as approved by the City for additional time related to prior year financial statement restatements.

\$ 33,000.00

Prior Balance 0.00

Total Amount Due \$ 33,000.00

0 - 30	31 - 60	61 - 90	91 - 120	Over 120	Balance
33,000.00	0.00	0.00	0.00	0.00	33,000.00

WE APPRECIATE YOUR BUSINESS!

Tom Rhinehart

From: Tom Rhinehart
Sent: Wednesday, October 17, 2018 2:38 PM
To: 'Gary Fox'; Tamara Brock; 'matt santini'; Matt Santini; Kari Hodge; Cary Roth; Gary Fox; 'Jayce Stepp'; 'Calvin Cooley'; 'Taff Wren'; Taff Wren
Cc: Connie Salter
Subject: RE: Mauldin and Jenkins Audit

For the most part, the restatements will have a negative impact on all funds. The exception here is the electric fund where we will be recording a generation trust fund that has never been recorded on our books as an asset. The negative impacts across all funds are due from the implementation of GASB 74 and GASB 75 (effective for FY beginning 7/1/17 and after) recording the OPEB (Other Post Employment Benefits) balances to the new standards. This drastically increased the OPEB liabilities of each fund. The other big increase deals with the underfunding of the pension plan over the last several years. In this case, we discussed the prior year's shortfall with our prior audit firm, and the audit firm took the stance that the city did not need show book the deficit. As a result, the city will show the underfunded amount on the books as a receivable in the pension fund and a liability in the other funds. The shortfall was mentioned during the budget process, but was never really addressed. The state minimum, as calculated by our actuary, will not be met again this year (will make a total of three years underfunded). By the state minimum calculation, the city should be funding the pension plan this fiscal year by 23% and we only are funding it at 16%. The hole will only get larger if this practice is continued, as I look to increase the pension liabilities in all the funds and increase the receivable in the pension fund for a third year (FY 2018-19).

Tom

From: Gary Fox [mailto:garyfox@gfoxcpa.com]
Sent: Wednesday, October 17, 2018 11:28 AM
To: Tamara Brock; 'matt santini'; Matt Santini; Kari Hodge; Cary Roth; Gary Fox; 'Jayce Stepp'; 'Calvin Cooley'; 'Taff Wren'; Taff Wren
Cc: Connie Salter; Tom Rhinehart
Subject: RE: Mauldin and Jenkins Audit

CAUTION : This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hopefully they will explain all these restatements in the work session they agreed too earlier this year. Tom, which direction did each restatement listed below go?

Best regards,

Gary L. Fox, CPA, CFE, LLC
319 E. Church St., Suite A
PO Box 1297
Cartersville, Ga.
30120
770-608-4523
www.gfoxcpa.com

From: Tamara Brock <tbrock@cityofcartersville.org>
Sent: 10/17/2018 11:15 AM

To: 'matt santini' <mattsantini@yahoo.com>; Matt Santini <msantini@cartersvillega.gov>; Kari Hodge <khodge@cartersvillega.gov>; Cary Roth <croth@cartersvillega.gov>; Gary Fox <gfox@cartersvillega.gov>; 'Jayce Stepp' <jstepp@bcgga.com>; 'Calvin Cooley' <CCo4702115@aol.com>; 'Taff Wren' <taff@rtwlawpc.com>; Taff Wren <twren@cartersvillega.gov>
Cc: Connie Salter <csalter@cityofcartersville.org>; Tom Rhinehart <trhinehart@cityofcartersville.org>
Subject: Mauldin and Jenkins Audit

Good morning. Tom informed me that the auditors let him know that our audit will be over budget between \$33,000-\$35,000 bringing the total closer to \$90,000 as opposed to the original \$57,000. This is the first year this company, who does numerous municipal audits, has done Cartersville's so we assumed there may be some additional work and costs associated but not on this level. Unfortunately, there were some issues in regards to how things had been recorded and reported in the past and they are righting those for us moving forward. The auditors were here an additional week. We should not see additional costs like this going forward in future years with them. This was all unforeseen at the time we received the initial estimate from Mauldin and Jenkins. Unfortunately, we were reporting the way the former auditors had us do but from what we understand, that was not standard or best practices for municipalities. Tom and his staff are working diligently with the auditors to make this right going forward. There is an explanation at the bottom of the email from the auditor.

This will be coming before you in a future Council meeting once we receive the invoice but I wanted to go ahead and make you all aware. Please let Tom and myself know if you have any questions.

See you Thursday evening.
Tamara

Tamara W. Brock, City Manager
City of Cartersville
1 North Erwin Street
770.387.5684



From: Tom Rhinehart
Sent: Wednesday, October 17, 2018 8:49 AM
To: Tamara Brock <tbrock@cityofcartersville.org>
Subject: FW:

Tamara:

Here is the explanation of the additional cost for the FY 2018 audit. When Adam says "the city has determined" it really means that the audit firm found these issues and we agree that they need to be corrected. Let me know if you have questions.

Tom

From: Adam Fraley [mailto:afraley@mjcpa.com]
Sent: Tuesday, October 16, 2018 12:58 PM

To: Tom Rhinehart
Cc: Michael Garland; Christopher McKellar
Subject:

CAUTION : This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Tom,

As a follow up to our conversation Friday concerning the additional work outside of the scope of our original fee estimates for restatements of prior year's audited financial statements, I've summarized below the major items causing the required additional procedures, reporting and reviews.

Each of these items have caused significant additional time diagnosing, researching, making correcting entries, and auditing the correct treatment. These items will also require additional time reporting the prior year restatements in the City's financial statements, as well as additional reviews by a member of our Assurance Committee because we are restating financial statements that were audited by other auditors.

A summary of the restatements are as follows:

The City has determined that the accounting treatment for the City's contributions in relation to the minimum contributions required by state law should be reported as a receivable in the pension trust fund and liabilities in the participating funds. The City has determined this amount by calculating the cumulative amount of contributions below the minimum required contributions. This change results in a restatement of beginning fund balance of the General Fund and beginning net position of Garage Fund, Water and Sewer Fund, Stormwater Fund, Electric Fund, Gas Fund, Solid Waste Fund, Fiber Optic Fund, Business-type Activities, Governmental Activities, and Pension Trust Fund.

The City has determined that the accounting treatment in relation to the City's 1998 GMA Leasepool should have included the total amount of certificates of participation for the City along with the investment in the Leasepool. The City also determined that the leases recorded in each fund should be removed and advances between the participating funds and the General Fund should be recorded. This change results in a restatement of beginning fund balance of the General Fund and beginning net position of Water and Sewer Fund, Stormwater Fund, Gas Fund, Solid Waste Fund, Business-Type Activities and Governmental Activities.

The City has determined that the City of Cartersville's Tax Allocation Bonds, Series 2016 should have been reported in the prior year in relation to the City's tax allocation district. The bonds were noted to be limited obligation bonds of the City and therefore, should be reported in the City's financial statements. This change results in a restatement of beginning net position of Governmental Activities.

The City has determined that the City should have reported a deferred outflow for contributions to the City's pension plan subsequent to the measurement date. This change results in a restatement of beginning net position of Garage Fund, Water and Sewer Fund, Stormwater Fund, Electric Fund, Gas Fund, Solid Waste Fund, Fiber Optic Fund, Business-Type Activities and Governmental Activities.

The City has determined that the City should have reported the MEAG trust accounts as investments on the City's financial statements. This change results in a restatement of beginning net position of Electric Fund and Business-Type Activities.

The Cartersville Building Authority has determined that the City should have reported intergovernmental receivables from the County and the City in relation to the intergovernmental agreements entered into in prior years. This change results in a restatement of beginning net position of the Cartersville Building Authority, a discretely presented component unit.

The cumulative effects of these prior year restatements to the various funds and activities of the City is as follows:

General Fund - Approximately \$1.7 million
Garage Fund - Approximately \$700,000
Water & Sewer - Approximately \$2 million
Stormwater - Approximately \$700,000
Electric - Approximately \$50 million
Gas - Approximately \$800,000
Solid Waste - Approximately \$1.3 million
Fiber Optic - Approximately \$17,000
Governmental Activities - Approximately \$15 million
Business type Activities - Approximately \$45 million
Pension Trust Fund - Approximately \$1 million
Building Authority - Approximately \$7 million

As discussed the additional time and expenses to date have been over \$25,000 and our estimate of additional time that will be required for the financial reporting and reviews associated with the prior year restatements is approximately \$8,000-\$10,000, for a total estimated additional costs of approximately \$33,000-\$35,000.

We realize that this is not something that the City enjoys hearing. These are one time issues and one time costs that are required to correct the City's financial reporting that will not reoccur in future years. Unfortunately, there is no way that we would have been able to anticipate these items when providing initial fee estimates to the City for the FY18 audit.

I apologize for the long email. Please let me know any thoughts that you have.

Kind regards,
Adam

Adam Fraley, CPA | Partner

Office: (678) 742-6771 | Mobile: (678) 315-5276

afraley@mjcpa.com | www.mjcpa.com

**Albany | Atlanta | Birmingham | Bradenton
Chattanooga | Columbia | Macon | Savannah**

Item # 8



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City of Cartersville

**City Council Meeting
12/20/2018 7:00:00 PM
October 2018 Financial Report**

SubCategory:	Monthly Financial Statement
Department Name:	Finance
Department Summary Recommendation:	Attached are the monthly financial reports for October 2018.
City Manager's Remarks:	Tom R will present this information at the meeting on Thursday.
Financial/Budget Certification:	
Legal:	
Associated Information:	

MONTHLY SUMMARY

As of October 31, 2018

6 # wapl		FY 2017-18 MONTH OF October-17	FY 2018-19 MONTH OF October-18	FY 2017-18 Year to Date October-17	FY 2018-19 Year to Date October-18	100.00% OF BUDGET (Year to Date)
GENERAL FUND <i>excluding SPSLOST, DDA & School System Property Tax Revenue & Expenditures</i>						
REVENUE		\$3,102,947	\$3,958,321	\$7,670,444	\$8,718,828	35.56%
EXPENDITURE		\$1,997,025	\$1,931,682	\$8,432,155	\$8,217,298	33.52%
Gen. Fund Net Profit (Loss)		\$1,105,922	\$2,026,639	(\$761,711)	\$501,530	
WATER & SEWER						
REVENUE		\$1,615,077	\$1,870,198	\$6,678,362	\$7,982,146	19.90%
EXPENDITURE		\$1,625,698	\$1,709,722	\$5,059,159	\$6,276,762	15.65%
Wtr. & Swr. Fund Net Profit (Loss)		(\$10,621)	\$160,476	\$1,619,203	\$1,705,384	
GAS						
REVENUE		\$1,392,324	\$1,601,695	\$5,655,501	\$6,260,462	17.41%
EXPENDITURES		\$1,908,227	\$2,852,278	\$6,757,874	\$8,175,634	22.73%
Gas Fund Net Profit (Loss)		(\$515,903)	(\$1,250,583)	(\$1,102,373)	(\$1,915,172)	
ELECTRIC						
REVENUE		\$3,868,275	\$4,224,832	\$17,258,535	\$18,147,847	36.94%
EXPENDITURES		\$3,736,729	\$3,990,411	\$15,818,151	\$16,121,207	32.82%
Electric Fund Net Profit (Loss)		\$131,546	\$234,421	\$1,440,384	\$2,026,640	
STORMWATER						
REVENUE		\$123,428	\$124,297	\$505,798	\$499,586	31.28%
EXPENDITURE		\$105,997	\$333,210	\$431,435	\$730,682	45.75%
Stormwater Fund Net Profit (Loss)		\$17,431	(\$208,913)	\$74,363	(\$231,096)	
SOLID WASTE						
REVENUE		\$201,636	\$205,856	\$805,085	\$823,315	31.07%
EXPENDITURE		\$177,372	\$172,696	\$768,225	\$852,126	32.16%
Solid Waste Fund Net Profit (Loss)		\$24,264	\$33,160	\$36,860	(\$28,811)	
FIBER OPTICS						
REVENUE		\$178,983	\$183,106	\$748,114	\$744,077	35.10%
EXPENDITURE		\$169,943	\$152,217	\$721,300	\$726,769	34.28%
Fiber Fund Net Profit (Loss)		\$9,040	\$30,889	\$26,814	\$17,308	

	Description	10/31/2018	FY 2018 Budget	% of Monthly Totals to Budget
General Fund	Total Revenues	\$4,755,227	\$24,516,865	19.40%
	GO Bond Proceeds from School	\$0	\$0	#DIV/0!
	Property Taxes-City Portion Only	\$113,335	\$2,600,910	4.36%
	Local Option Sales Tax (LOST)	\$1,050,903	\$3,860,000	27.23%
	Other Taxes	\$1,479,105	\$8,463,870	17.48%
	Building Permit & Inspection Fees	\$130,523	\$390,000	33.47%
	Fines and Forfeitures	\$109,994	\$560,000	19.64%
	Operating Transfers In-City Utilities	\$740,632	\$3,322,395	22.29%
	Other Revenues	\$1,130,735	\$5,319,690	21.26%
	Total Expenditures	\$6,285,617	\$24,516,865	25.64%
	Personnel Expenses	\$4,658,518	\$17,103,135	27.24%
	Operating Expenses	\$1,478,155	\$6,561,830	22.53%
	Capital Expenses	\$35,019	\$396,200	8.84%
	GO Bond Proceeds from School		\$0	#DIV/0!
	Debt Pymt - JDA/CBA		\$0	#DIV/0!
	Library Appropriations	\$113,925	\$455,700	25.00%
Water & Sewer Fund	Total Revenues	\$5,947,639	\$40,113,000	14.83%
	Water Sales	\$3,775,264	\$11,535,000	32.73%
	Sewer Sales	\$1,931,072	\$6,365,000	30.34%
	Bond Proceeds		\$20,675,000	0.00%
	Use of Reserves		\$0	#DIV/0!
	Prior Year Capacity Fees		\$810,000	0.00%
	Other Revenues	\$241,303	\$728,000	33.15%
	Total Expenditures	\$4,567,040	\$40,113,000	11.39%
	Personnel Expenses	\$978,517	\$3,752,260	26.08%
	Operating Expenses	\$730,024	\$7,821,745	9.33%
	Capital Expenses	\$1,293,389	\$23,030,000	5.62%
Gas Fund	Total Revenues	\$4,645,968	\$35,962,150	12.92%
	Gas Sales	\$3,851,832	\$20,512,960	18.78%
	Gas Commodity Charge	\$371,888	\$1,300,000	28.61%
	Bond Proceeds	\$0	\$0	#DIV/0!
	Proceeds from Capital Leases	\$0	\$132,500	0.00%
	Other Revenues	\$422,248	\$2,325,000	18.16%
	Use of Reserves	\$0	\$1,840,375	0.00%
	Use of Borrowed Funds	\$0	\$9,851,315	0.00%
	Total Expenses	\$5,274,130	\$35,962,150	14.67%
	Personnel Expenses	\$568,193	\$2,182,270	26.04%
	Operating Expenses	\$291,170	\$2,340,740	12.44%
	Purchase of Natural Gas	\$3,205,419	\$16,757,775	19.13%
	Transfer to General Fund	\$767,706	\$3,070,825	25.00%
	Capital Expenses	\$441,642	\$11,610,540	3.80%

Item # 9

	Description	10/31/2018	FY 2018 Budget	% of Monthly Totals to Budget
Electric Fund	Total Revenues	\$13,915,821	\$49,126,240	28.33%
	Electric Sales	\$13,547,733	\$47,679,830	28.41%
	Other Revenues	\$368,088	\$1,446,410	25.45%
	Total Expenses	\$12,130,796	\$49,126,240	24.69%
	Personnel Expenses	\$658,069	\$2,504,675	26.27%
	Operating Expenses	\$358,432	\$1,602,575	22.37%
	Purchase of Electricity	\$10,285,910	\$40,911,645	25.14%
	Capital Expenses	\$158,224	\$1,426,705	11.09%
	Transfer to General Fund	\$670,161	\$2,680,640	25.00%
Stormwater Fund	Total Revenues	\$374,115	\$1,597,000	23.43%
	Stormwater Revenues	\$369,156	\$1,466,000	25.18%
	Mitigation Grant Revenue	\$0	\$0	#DIV/0!
	Other Revenues	\$4,959	\$11,000	45.08%
	Proceeds from Capital Leases	\$0	\$120,000	0.00%
	Use of Reserves	\$0	\$0	#DIV/0!
	Stormwater Improvement Funds	\$0	\$0	#DIV/0!
	Total Expenses	\$397,472	\$1,597,000	24.89%
	Personnel Expenses	\$195,675	\$757,185	25.84%
	Operating Expenses	\$137,536	\$605,860	22.70%
	Capital Expenses	\$64,261	\$233,955	27.47%
Solid Waste Fund	Total Revenues	\$617,040	\$2,649,715	23.29%
	Refuse Collections Revenues	\$600,697	\$2,405,515	24.97%
	Other Revenues	\$16,343	\$52,200	31.31%
	Proceeds From Capital Leases	\$0	\$192,000	0.00%
	Total Expenses	\$679,430	\$2,649,715	25.64%
	Personnel Expenses	\$347,821	\$1,149,185	30.27%
	Operating Expenses	\$255,034	\$1,308,530	19.49%
	Capital Expenses	\$76,575	\$192,000	39.88%
Fiber Optics Fund	Total Revenues	\$559,797	\$2,120,110	26.40%
	Fiber Optics Revenues	\$513,983	\$1,871,000	27.47%
	GIS Revenues	\$28,650	\$113,200	25.31%
	Proceeds from Capital Leases	\$0	\$35,000	0.00%
	Other Revenues	\$17,164	\$100,910	17.01%
	Total Expenses	\$574,552	\$2,120,110	27.10%
	Personnel Expenses	\$209,285	\$729,540	28.69%
	Operating Expenses	\$175,635	\$859,080	20.44%
	MEAG Telecom Statewide Pymt	\$0	\$0	0.00%
	Debt Payment	\$2,148	\$9,650	0.00%
	Capital Expenses	\$187,484	\$521,840	35.93%

Item # 9

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Cash Position

	6/30/18	7/31/18	8/31/18	9/30/18	10/31/18	11/30/18	12/31/18
Total Unrestricted Cash Balance	\$27,699,226.98	\$26,571,134.06	\$26,389,847.12	\$27,032,966.13	\$27,406,222.25		
Total Restricted Cash Balance	\$186,916,760.41	\$187,377,463.67	\$189,028,383.61	\$189,456,699.01	\$187,133,412.86		

Cash Position

	1/31/19	2/28/19	3/31/19	4/30/19	5/31/19	6/30/19
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Total Unrestricted Cash Balance

Total Restricted Cash Balance

Highlights for the Month of October 2018:

Unrestricted cash increased due to increases in the general, water, solid waste, electric, and fiber funds. The following funds cash decreased: stormwater, gas, and garage funds.

Restricted cash increased due to increases in cash in the following funds: Hotel Motel Tax, Vehicle Rental Tax, and Debt Service funds, while decreased cash was observed in the following funds: pension fund, Splott 2014 fund, and Federal DEA fund.