



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
Dianne Tate – Mayor Pro Tem
Kari Hodge
Lindsey McDaniel, Jr.
Lori Pruitt
Jayce Stepp
Louis Tonsmeire, Sr.

AGENDA

Council Chamber, Third Floor of City Hall– 7:00
PM – 12/17/2015
Work Session – 6:00 P.M.

CITY MANAGER:
Sam Grove

CITY ATTORNEY:
David Archer

CITY CLERK:
Connie Keeling

I. Opening of Meeting

- Invocation
- Pledge of Allegiance
- Roll Call

II. Regular Agenda

A. Council Meeting Minutes

1. December 3, 2015 (Pages 1-5)

[Attachments](#)

B. Appointments

1. Appointment and Swearing in of Assistant Municipal Court Judge (Page 6)

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2. Appointment and Swearing in of Municipal Court Judge (Page 7)

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3. Convention and Visitors Bureau (Page 8)

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4. Bartow-Cartersville Second Joint Development Authority (Page 9)

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C. Other

1. Laboratory Quality Assurance Award (Page 10)

[Attachments](#)

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

1. File Z15-04: Rezoning application by TPA Group (Jeff Watkins, representative) for property located at 118 Old Mill Road (approximately 63.5 acres) from R-20 to H-I (Pages 11-34)

[Attachments](#)

2. File Z15-07: Rezoning application by Thoro LLC (Jeff Watkins, representative) for property located at 49 North Avenue (approximately 1.03 acres) from L-I to G-C (Pages 35-45)

[Attachments](#)

E. Resolutions

1. Dept. of Community Affairs Grant for Sheet Metal Components (Pages 46-47)

[Attachments](#)

F. Bid Award/Purchases

1. Wireless Access Equipment (Page 48)

[Attachments](#)

2. Uniforms for Fire Dept. (Pages 49-51)

[Attachments](#)

3. Mobile Data Computer System (Pages 52-59)

[Attachments](#)

4. Athletic Field Sports Lighting (Pages 60-61)

[Attachments](#)

G. Contracts/Agreements

1. Stormwater Contract Agreement with Fox Environmental (Pages 62-66)

[Attachments](#)

2. Asset Management Software Renewal (Pages 67-68)

[Attachments](#)

H. Monthly Financial Statement

1. October 2015 Financial Report (Pages 69-73)

[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
12/17/2015 7:00:00 PM
December 3, 2015

SubCategory:	Council Meeting Minutes
Department Name:	Clerk
Department Summary Recommendation:	Attached are the minutes for your review and approval
City Manager's Remarks:	Minutes have been generated and reviewed by staff and are recommended for your approval.
Financial/Budget Certification:	
Legal:	
Associated Information:	

City Council Meeting
 10 N. Public Square
 December 3, 2015
 8:00 A.M. – Work Session 9:00 A.M.

I. Opening Meeting

Invocation by Council Member Pruitt

Pledge of Allegiance led by Council Member Hodge

The City Council met in Regular Session with Matt Santini, Mayor presiding and the following present: Kari Hodge, Council Member Ward One; Jayce Stepp, Council Member Ward Two; Louis Tonsmeire, Sr., Council Member Ward Three; Dianne Tate, Council Member Ward Five; Lori Pruitt, Council Member Ward Six; Dan Porta, Assistant City Manager; Connie Keeling, City Clerk; and Keith Lovell, Assistant City Attorney. Lindsey McDaniel Council Member Ward Four; Sam Grove, City Manager and David Archer, City Attorney were absent.

II. Regular Agenda

A. Council Meeting Minutes

1. November 19, 2015

A motion to approve the November 19, 2015 City Council Meeting Minutes as presented was made by Council Member Tate and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

Mayor Santini stated that two items needed to be added to the agenda. A motion to add two items to the agenda was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

B. Swearing in of Police Chief

Mayor Santini stated that with the retirement of Chief Culpepper, Frank McCann had been appointed Police Chief and needed to be officially sworn in. Connie Keeling administered the oath of office to Chief McCann.

C. Contracts/Agreements

1. B.I.G. USA Gas Service Agreement

Gary Riggs, Gas Superintendent stated that this is the standard agreement to provide gas service to B.I.G. USA. Mr. Riggs recommended approval.

A motion to approve the Gas Service Agreement with B.I.G. USA was made by Council

Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0

D. Other

1. Floyd County Taxes

Gary Riggs, Gas Superintendent stated that this is the 2015 tax bill from Floyd County in the amount of \$5,868.13. Mr. Riggs recommended approval.

A motion to approve the Floyd County Tax Bill was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

E. Bid Award/Purchases

1. One Beacon Accident Insurance Deductibles

Dan Porta, Assistant City Manager stated that the city had received an invoice from our property and casualty insurance carrier, One Beacon, in the amount of \$7,195.04. This amount is from four automobile accidents where the city was at fault and payment is due to close the insurance claims. Mr. Porta recommended approval.

A motion to approve the insurance payment was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0

2. GMA Telecommunications Management Services

Dan Porta, Assistant City Manager stated that GMA currently provides assistance to the city through their Cable and Telecommunications Services. The annual fee to the city for this service for 2016 is \$8,000 and Mr. Porta recommended approval.

A motion to approve the annual fee for Cable and Telecommunications Services was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

3. Water Distribution System Hydraulic Model

Ed Mullinax, Assistant Water and Sewer Superintendent stated that proposals were requested for development of a hydraulic model of the water distribution system. Mr. Mullinax recommended approval of the best bid from Sweitzer Engineering in the amount of \$65,000.

A motion to approve the bid from Sweitzer Engineering was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

4. Water Treatment Plant SCADA System Data Archival

Ed Mullinax, Assistant Water and Sewer Superintendent stated that the Water Treatment Plant SCADA (Supervisory Control and Data Acquisition) system is the computer system used to operate, control and monitor various equipment parameters both locally and at remote pump stations. The Wonderware program is the SCADA software in use at the plant currently. The Wonderware Historian software package is the companion software used to archive data from the SCADA system and is a necessary part of modeling the City's water system. Mr. Mullinax recommended approval to purchase the Wonderware Historian software and hardware package and be installed by M/R Systems in the amount of \$13,220.

A motion to approve the software purchase was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

Added Item

5. Fire Service Line Repair

Ed Mullinax, Assistant Water and Sewer Superintendent stated that this was an emergency repair on the 6/8" Fire Service Line on Joe Frank Harris Parkway near Shaw Plant 12. Per record drawings the line may be up to 18 feet deep due to a DOT turn lane that now covers the main. Mr. Mullinax stated that the city does not have equipment capable of digging this deep and Kirkpatrick and Sons was the only bid received on this project. Mr. Mullinax recommended approval of an amount not to exceed \$15,000.

A motion to approve the repairs by Kirkpatrick and Sons for an amount not to exceed \$15,000 was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

6. Pre-Cast Vaults for Main Street Kroger Project

Derek Hampton, Assistant Electric Department Director stated that his department needs to purchase pre-cast concrete vaults for the Main Street Kroger Project and recommended approval to purchase 4 concrete vaults from the Irby Company in the amount of \$24,154.

A motion to approve the vault purchase from Irby Company was made by Council Member Tate and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0

7. Pad Mounted Transformer Purchase

Derek Hampton, Assistant Electric Department Director stated that his department needs to purchase a 150kVA transformer for a system spare. Mr. Hampton recommended approval of the next to lowest Total Ownership Cost and the shortest delivery time from Gresco in the amount of \$6,260.

A motion to approve the transformer purchase from Gresco was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

Dan Porta, Assistant City Manager gave a report on the Cook Street Sinkholes. 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/ _____
Connie Keeling
City Clerk



City of Cartersville

City Council Meeting
12/17/2015 7:00:00 PM
Appointment and Swearing in of Assistant Municipal Court Judge

SubCategory:	Appointments
Department Name:	
Department Summary Recommendation:	This is the annual reappointment of Assistant Municipal Court Judge, Jay Choate, as required according to statute per Keith Lovell.
City Manager's Remarks:	Your approval of this item is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	



City of Cartersville

City Council Meeting
12/17/2015 7:00:00 PM
Appointment and Swearing in of Municipal Court Judge

SubCategory:	Appointments
Department Name:	
Department Summary Recommendation:	This is the annual reappointment of Municipal Court Judge, Harry White, as required according to statute per Keith Lovell.
City Manager's Remarks:	Your approval of this appointment is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	



City of Cartersville

City Council Meeting
12/17/2015 7:00:00 PM
Convention and Visitors Bureau

SubCategory:	Appointments
Department Name:	
Department Summary Recommendation:	Kathy Lyles and Jeff Watkins for re-appointment to the CVB Board, new terms to expire 12.31.17.
City Manager's Remarks:	The reappointments to this board are recommended for your approval.
Financial/Budget Certification:	
Legal:	
Associated Information:	



City of Cartersville

City Council Meeting
12/17/2015 7:00:00 PM
Bartow-Cartersville Second Joint Development Authority

SubCategory:	Appointments
Department Name:	
Department Summary Recommendation:	The Bartow-Cartersville Second Joint Development Authority to reappoint David Caswell and Malcolm Cooley to a new term to expire 12.31.19.
City Manager's Remarks:	These reappointments are recommended for your approval.
Financial/Budget Certification:	
Legal:	
Associated Information:	



City of Cartersville

**City Council Meeting
12/17/2015 7:00:00 PM
Laboratory Quality Assurance Award**

SubCategory:	Other
Department Name:	Water Dept.
Department Summary Recommendation:	The purpose of these awards is to encourage the professional advancement of laboratories within Georgia. The process provides an avenue for peers to exchange ideas, circulate technical expertise, and offer productive feedback. In so doing, the committee ultimately recognizes those laboratories who are demonstrating outstanding quality assurance programs. Determined from labs across the State of Georgia, the City of Cartersville's Water Dept. lab is receiving the Laboratory Quality Assurance Award at a Municipal Wastewater Laboratory in the category of 5-20 million gallons per day.
City Manager's Remarks:	This is an award for the water department lab. No formal action is required on the part of City Council.
Financial/Budget Certification:	
Legal:	
Associated Information:	



City of Cartersville

City Council Meeting
12/17/2015 7:00:00 PM

File Z15-04: Rezoning application by TPA Group (Jeff Watkins, representative) for property located at 118 Old Mill Road (approximately 63.5 acres) from R-20 to H-I

SubCategory:	Public Hearing - 2nd Reading of Zoning/Annexation Requests
Department Name:	Planning and Development
Department Summary Recommendation:	This property is 118 Old Mill Road, located on the south side of the road near the intersection with S. Erwin Street. There are a variety of uses adjacent to the property – industrial, restaurant, gas station, office, and residential south of this portion of the property. There are no structures on this section of the property proposed for rezoning – the houses, barns, and other structures are to the south of the area proposed for rezoning and are proposed to remain as such. The adjacent 17 acres to the east of the subject request was annexed and zoned (AZ08-13) to the H-I zoning district in 2008. The applicant seeks to rezone a 63.5 acre portion of the property from “R-20 to H-I with conditions” for development of the highest and best use based on the application. Because the applicant has noted that they are seeking up to a million square feet, the request met the threshold for requiring it to proceed through the States Development of Regional Impact (DRI) review process. The Northwest Georgia Regional Commission (NWGRC) did return a favorable recommendation noting the proposed project is consistent with local and regional plans, and encouraged to review and implement comments and guidelines presented. RECOMMENDATION: Planning Commission recommends approval as presented
City Manager's Remarks:	Planning Commission recommends your approval of this item.
Financial/Budget Certification:	
Legal:	
Associated Information:	

ZONING SYNOPSIS

Petition Number(s): **Z15-04**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **TPA Group**

Representative: **Jeff Watkins**

Property Owner: **William Wright**

Property Location: **118 Old Mill Road**

Access to the Property: **Old Mill Road**

Site Characteristics:

Tract Size: Acres: **63.5 acres** District: **4th** Section: **3rd** LL(S): **625, 672**

Ward: **3** Council Member: **Louis Tonsmeire, Sr.**

LAND USE INFORMATION

Current Zoning: **R-20 (Residential)**

Proposed Zoning: **H-I (Heavy Industrial) with conditions * (H-I conditioned to the permitted uses set forth in the L-I district including the uses listed for special use (which are allowed by right in HI), and further excluding special use for Tattoo/Body Piercing Parlors and Adult Entertainment Establishments as listed in the L-I district.)**

Proposed Use: **Development of highest and best use**

Current Zoning of Adjacent Property:

North: **H-I (Heavy Industrial)**

South: **R-20 (Residential)**

East: **H-I**

West: **L-I (Light Industrial)**

The Future Development Plan designates the subject property as: **Suburban Living**

ZONING ANALYSIS

City Departments Reviews

Water and Sewer:

No objections.

Public Works:

Per the traffic study the Level of Service at South Bridge and SR 3 will go below acceptable levels due to the increase in EB traffic on South Bridge. This is an off-site impact that we recommend be addressed. It should be noted that this is on GDOT right-of-way therefore plans would have to be submitted to and coordinated with GDOT for approval to revise the signal permit before any improvements could commence.

We do not concur with the conclusion that no turn lanes are necessary at the driveways, but that is on-site impact and can be addressed through the regular plan review process.

Gas:

No objections.

Electric:

No objections.

Fire:

No objections.

Police:

No comments.

This property is 118 Old Mill Road, located on the south side of the road near the intersection with S. Erwin Street. There are a variety of uses adjacent to the property – industrial, restaurant, gas station, office, and residential south of this portion of the property. There are no structures on this section of the property proposed for rezoning – the houses, barns, and other structures are to the south of the area proposed for rezoning and are proposed to remain as such. The adjacent 17 acres to the east of the subject request was annexed and zoned (AZ08-13) to the H-I zoning district in 2008. The applicant seeks to rezone a 63.5 acre portion of the property from “R-20 to H-I with conditions” for development of the highest and best use based on the application. Because the applicant has noted that they are seeking up to a million square feet, the request met the threshold for requiring it to proceed through the States Development of Regional Impact (DRI) review process. The Northwest Georgia Regional Commission (NWGRC) did return a favorable recommendation noting the proposed project is consistent with local and regional plans, and encouraged to review and implement comments and guidelines presented.

STANDARDS FOR EXERCISE OF ZONING POWERS.

- A. *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*
There are a variety of uses adjacent to this property – heavy industrial, light industrial, restaurant, gas station, power substation, office, and residential.
- B. *Whether the zoning proposal will create an isolated district unrelated to adjacent and nearby districts.*
There are a variety of zoning districts adjacent to this property – H-I, L-I, G-C, O-C, R-20, and Bartow County jurisdiction.
- C. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*
The biggest concern about use or usability would be the portion of the tract that is not being requested for re-zoning. The remaining portion of this tract (approximately 60 acres) will remain zoned residential, and is situated directly adjacent to the closest nearby residential.
- D. *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.*
As currently zoned for single-family residential development, the property is unusual in that a large portion of the property is touching or adjacent to commercial and industrial zoning.
- E. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*
Utility, Public Works, and Planning & Development staff would review any future development/redevelopment based on possible use on roads, utilities, and other factors.

The applicant has submitted a traffic study that does identify impacts to the roadway network.

- F. *Whether the zoning proposal is in conformity with the local Comprehensive Land Use Plan.*
The proposal is not in conformity with the “Character Area – Future Development Map” portion of the Comprehensive Plan.
- G. *Whether the zoning proposal will result in a use which will or could adversely affect the environment, including but not limited to drainage, wetlands, groundwater recharge areas, endangered wildlife habitats, soil erosion and sedimentation, floodplain, air quality, and water quality and quantity.*
Utility, Public Works, and Planning & Development staff would review any future development/redevelopment based on the adopted regulations.
- H. *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.*
The fact that large portions of touching and adjacent properties are zoned nonresidential and are used for industrial and commercial purposes may affect potential approval or disapproval of the proposal. The annexation and zoning to H-I in 2008 of the 17 acres directly adjacent to the eastern boundary of the subject application does provide for changing conditions.

STAFF RECOMMENDATION:

Staff has reservations about rezoning a portion of this property from R-20 to H-I given the variety of adjacent zoning districts and uses. The initial thought based on the data was to consider L-I (Light Industrial) which could be a more appropriate zoning than H-I.

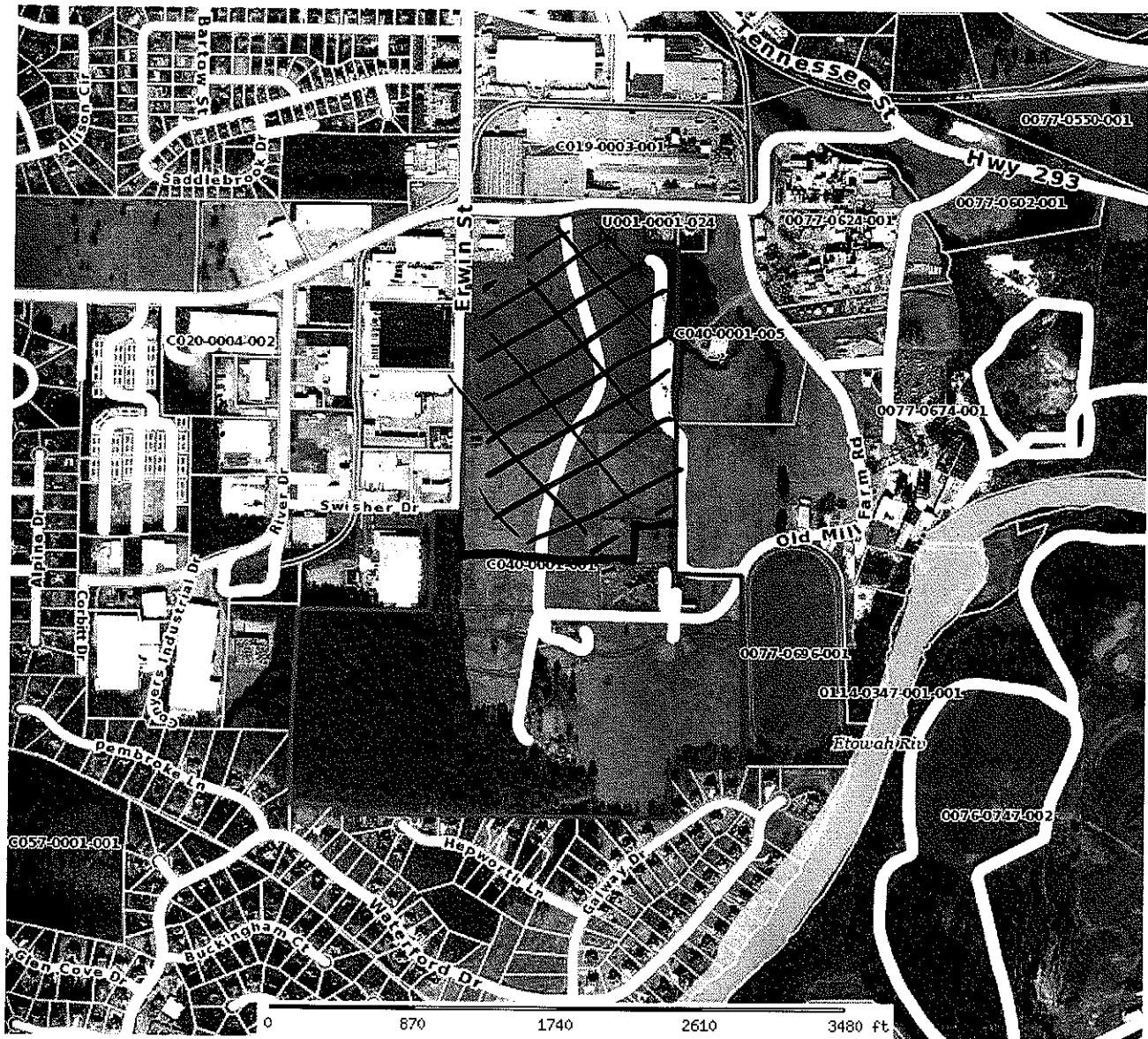
The applicant has further modified the request for H-I to the permitted uses set forth in the L-I district including the uses listed for special use (which are allowed by right in HI), and further excluding special use for *Tattoo/Body Piercing Parlors and Adult Entertainment Establishments* as listed in the L-I district.

The above modification or condition proposed by the applicant does seem more appropriate, eliminating many of the more intensive H-I uses such as asphalt and concrete plants, salvage yards, etc.

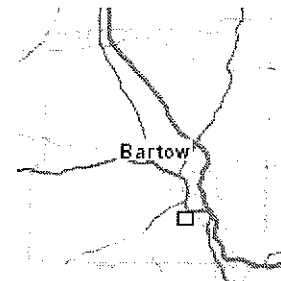
There is still concern about the traffic impact as mentioned in the Public Works Department comments and submitted traffic study.

PLANNING COMMISSION RECOMMENDATION: **APPROVAL AS PRESENTED**

ALTA/CMSI LAND TITLE SURVEY FOR
TPA ACQUISITIONS 1, LLC, A GEORGIA LIMITED LIABILITY COMPANY
AND COMMONWEALTH LAND TITLE INSURANCE COMPANY
LOCATED IN
LAND LOTS 625 & 672
4TH DISTRICT, 3RD SECTION
CITY OF CARTERSVILLE
BARTOW COUNTY, GEORGIA



Bartow County Assessor			
Parcel: 36373 Acres: 0			
Name:	WRIGHT WILLIAM W	Land Value	\$ 630,400
Site:	831 ERWIN ST	Building Value	\$ 512,300
Sale:	0 on 2001-02-01 Reason=U Qual=X	Net Value	\$ 169,900
Mail:	P O BOX 68	Total Value	\$ 1,312,600
	CARTERSVILLE, GA 30120		

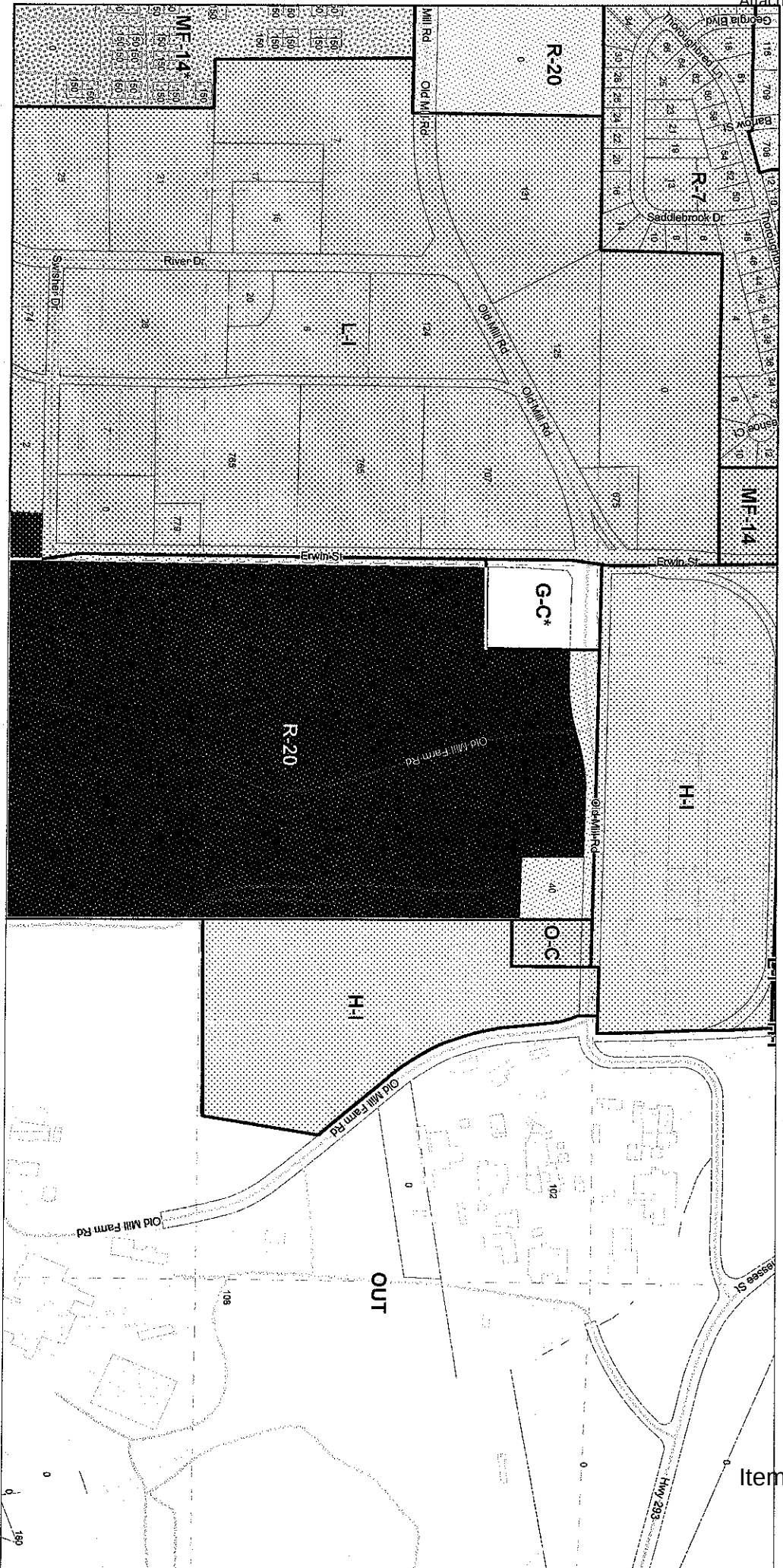


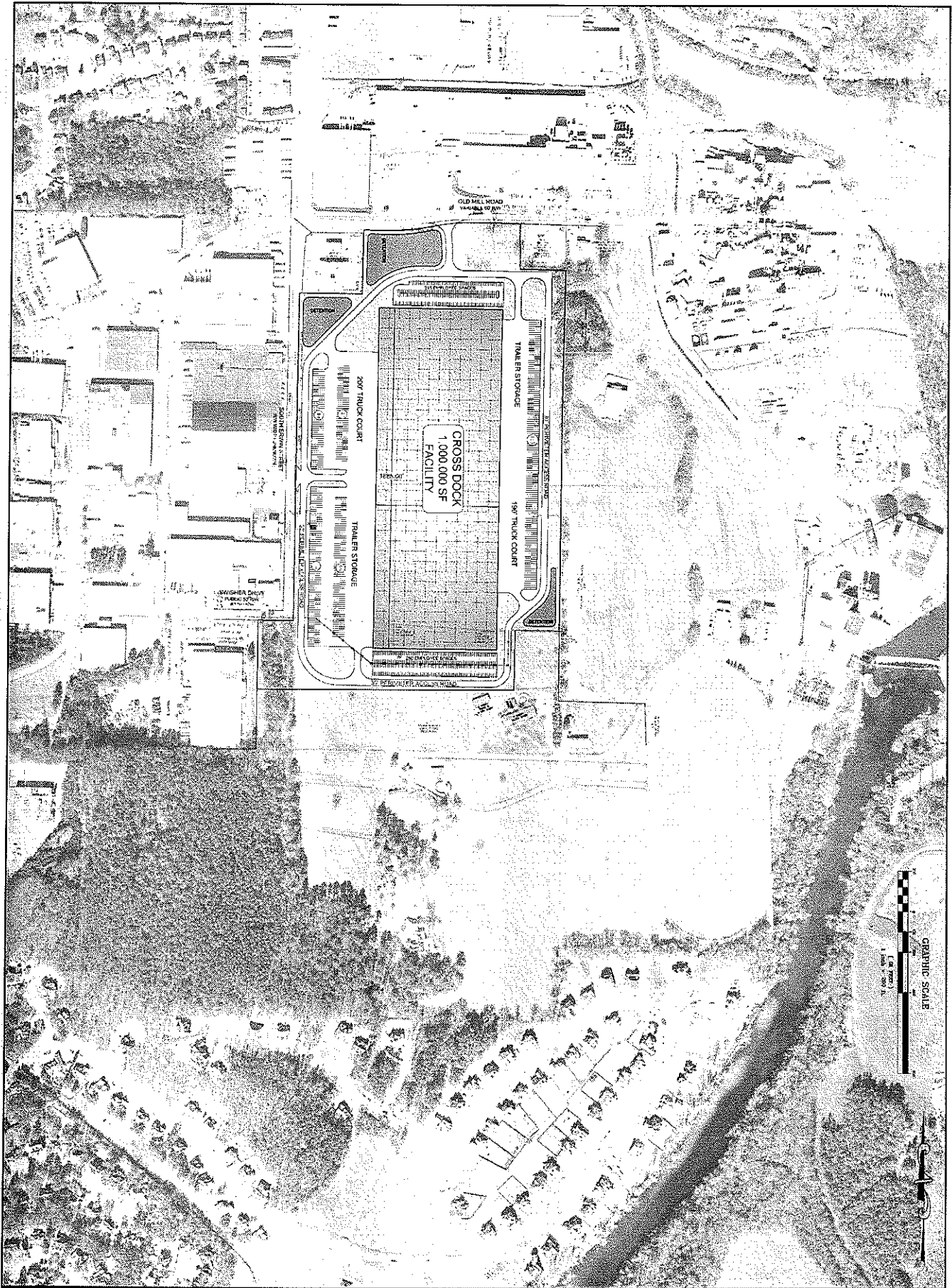
The Bartow County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER BARTOW COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS —THIS IS NOT A SURVEY—

Date printed: 07/22/15 11:17:17

Item # 7

Old Mill Rd & S. Erwin St - rezoning R-20 to H-1





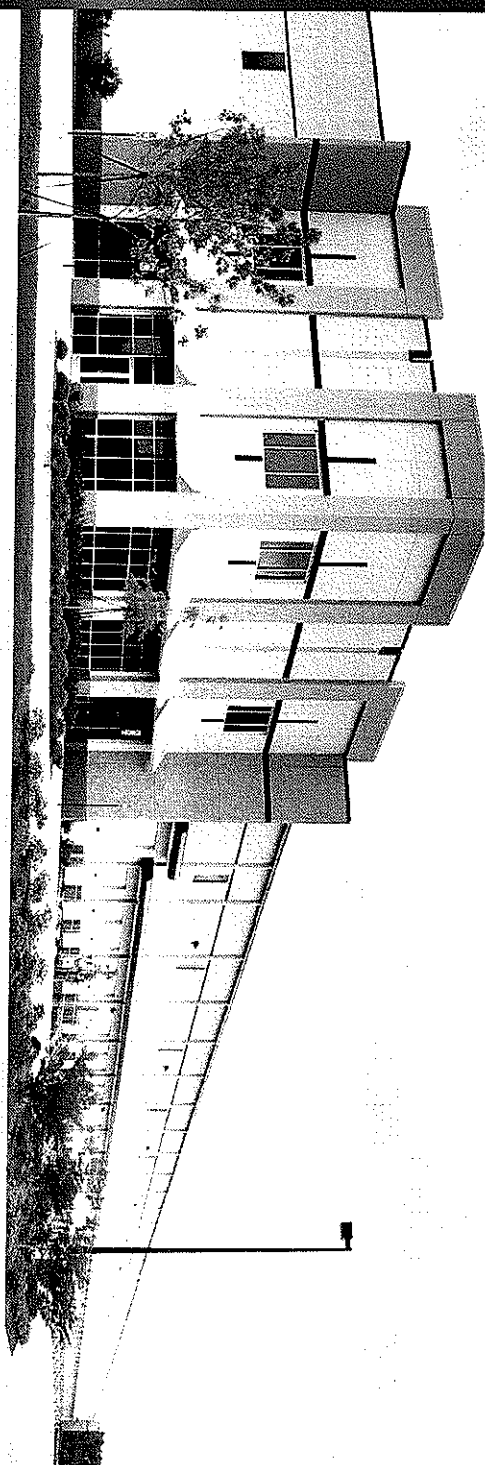
SHEET NO.: C201	OLD MILL DISTRIBUTION CENTER CARTERSVILLE, GA	 SOUTHLAND ENGINEERING CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS 114 OLD MILL ROAD, CARTERSVILLE, GA 30120 PH: 770.387.0440 FAX: 770.607.5151	REVISIONS: <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>02/26/15</td> <td>Item #</td> </tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table>	DATE	DESCRIPTION	02/26/15	Item #											PROJECT NO.: 15055
DATE	DESCRIPTION																	
02/26/15	Item #																	



Cartersville
Be Charmed • Be Prosperous • Belong

118 Old Mill Rd Rezoning Z15-04

Item # 7



Application for Rezoning

Planning and Development Department
10 North Public Square
City of Cartersville
(770) 387-5600

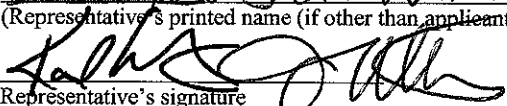
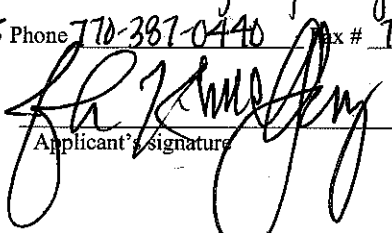
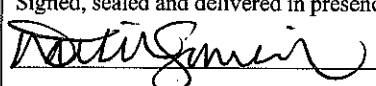
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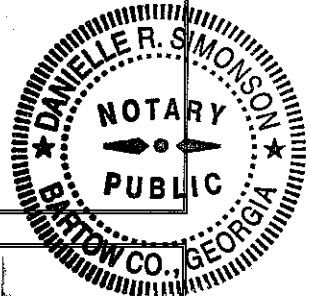
Application Number

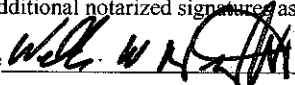
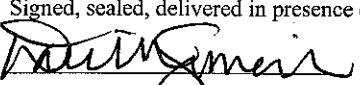
Z15-04

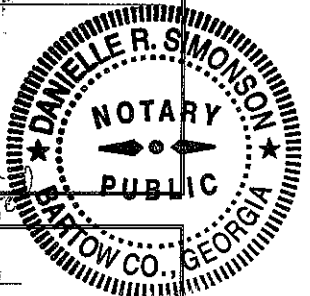
Hearing Dates

*8-11-15 @ 5:30
8-20-15 @ 7:00
9-3-15 @ 7:00*

Applicant <u>TPA Group</u> (applicant's printed name)		Business/Cell Phone <u>404-900-8484</u>	
Address <u>3350 Riverwood Rwy, Suite 750</u>		Home Phone <u>770-430-5319</u>	
City <u>Atlanta</u>	State <u>GA</u>	Zip <u>30339</u>	Email <u>jmcgorry@tpa-grp.com</u>
Karl Watkins <u>Jeff Watkins</u> (Representative's printed name (if other than applicant))		Phone <u>770-387-0440</u>	Fax # <u>770-407-5151</u>
 Representative's signature		 Applicant's signature	
Signed, sealed and delivered in presence of:  Notary Public			
My commission expires: <i>1-24-17</i>			



Titleholder <u>William Wright</u> (titleholder's printed name)	Business _____	Home _____
*attach additional notarized signatures as needed on separate application page Address _____		
Signature 		
Signed, sealed, delivered in presence of:  Notary Public		
My commission expires: <i>1-24-17</i>		



Present Zoning District(s) <u>R-20</u>	Requested Zoning <u>H-1*</u>	<i>See attached applicant submitted conditions.</i>
Acreage <u>03.50189</u>	Land Lot(s) <u>025 & 072</u>	District(s) <u>4th</u>
Section(s) <u>3rd</u>		
Location of Property <u>118 Old Mill Rd, Cartersville, GA 30120; Erwin St + Old Mill Rd.</u> (street address, nearest intersections, etc)		
Reason for requested Rezoning: <u>Changing the use of the property for development of the highest and best use.</u> (attach additional statement as necessary)		

Attach a copy of a current boundary survey showing metes and bounds and indicating all existing site improvements and confirmation of the availability of all public utilities. Said site must meet the proposed zoning district development standards and access requirements of the City's regulations.

*Paid check # 0259
7/19/15*

Item # 7

REQUESTED ZONING
APPLICANT: TPA GROUP/APPLICATION NO. Z15-04

Heavy Industrial limited to the permitted uses set forth in the L-I District including the uses listed for a special use, but excluding tattoo and body piercing parlors and adult entertainment.

Rec'd from
applicant 10/29/15

ADDENDUM TO REZONING APPLICATION

TPA GROUP

CONSTITUTIONAL OBJECTIONS

The Zoning Ordinance for the City of Cartersville, Georgia, lacks adequate standards for the City Council to exercise its power to zone and rezone. In essence, the standards are not sufficient to contain the discretion of the City Council and to provide the Courts with a reasonable basis for judicial review. Because the stated standards (individually and collectively) are too vague and uncertain to provide reasonable guidance to the City Council, the Zoning Ordinance violates the Fifth and Fourteenth Amendments of the Constitution of the United States in matters of zoning. The Zoning Ordinance also violates Article I, Section III, Paragraph 1; and Article I, Section I, Paragraphs 1 and 2 of the Constitution of the State of Georgia, 1983.

The City Council is granted the power to zone pursuant to Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia, 1983. It is a power which must be fairly exercised. Based on this element of fairness, the Zoning Ordinance for the City of Cartersville violates Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia, 1983.

The Zoning Ordinance presently in effect, zoning this property as Zoning District R-20 is contrary to the best interest of the health and welfare of the citizens of the City of Cartersville, Georgia, and constitutes an arbitrary and capricious act. As a result, the Zoning Ordinance is in violation of Article I, Section I, Paragraphs 1

Item # 7

Failure to grant the application for rezoning to H-I with conditions set forth on Exhibit "A" or to zone the subject property to H-I with conditions other than those set forth on Exhibit "A", or to zone the subject property any other classification including other intervening classifications would be contrary to the best interest of the health and welfare of the citizens of the City of Cartersville, Georgia, and would further constitute an arbitrary and capricious act motivated by spite and ill will towards the Applicant for retaliatory purposes. As such, failure to grant the application would constitute a violation of Article I, Section I, Paragraph 1 of the Constitution of the State of Georgia, 1983; Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia, 1983; and Article I, Section II, Paragraph 3 of the Constitution of the State of Georgia, 1983, together with due process clause and equal protection clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America.

Any limitation on the time for presentation of the issues before the City Council who has the power to zone and rezone is a violation of the guarantees of free speech under Article I, Section I, Paragraph 5 of the Constitution of the State of Georgia, 1983 and the First Amendment of the Constitution of the United States of America. Further, said limitations are in violation of the right to petition and assemble, in violation of Article I, Section I, Paragraph IX of the Constitution of Georgia, 1983 and the First Amendment of the Constitution of the United States of America as well as the due process clauses of the Constitution of Georgia, 1983 and the Constitution of the United State of America.

Finally, the Applicant places the City of Cartersville, Georgia on notice that it will be strictly held accountable for all monetary damages sustained by them as a result of an illegal denial. The Applicant specifically reserves all the monetary and equitable remedies available to them pursuant to the United States Civil Rights Act, 42

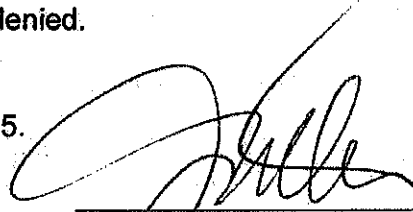
and 2 of the Constitution of the State of Georgia, 1983; Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia; and Article I, Section II, Paragraph 3 of the Constitution of the State of Georgia, 1983. Furthermore, the Zoning Ordinance violates the due process clause and equal protection clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America.

In addition, the Zoning Ordinance presently in effect, zoning this property in Zoning District R-20 is unconstitutional in that it renders this property unusable and destroys its marketability. Therefore, the Zoning Ordinance constitutes a taking of applicant's property without just and adequate compensation and without due process of law in violation of the Fifth and Fourteenth Amendments to the United States Constitution and in violation of Article I, Section I, Paragraph 1, and Article I, Section III, Paragraph 1 (a) of the Constitution of Georgia.

The failure to rezone the subject property to H-I with conditions set forth on Exhibit "A", as requested, or to zone the subject property to H-I with conditions other than those set forth on Exhibit "A" or to zone the property to any other classification including other intervening zoning classifications, would constitute the taking of property without due process and without the payment of adequate compensation in violation of Article I, Section I, Paragraph 1 of the Constitution of the State of Georgia, 1983; Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia, 1983; and the Fifth and Fourteenth Amendments of the Constitution of the United States.

U.S.C. §§ 1983 and 1988 and laws of the State of Georgia as a result of the infringements of their constitutional rights in the foregoing provisions of this notice, which will result if the Application is denied.

This 10th day of November, 2015.



JEFFREY A. WATKINS, ESQ.
ATTORNEY FOR TPA GROUP

EXHIBIT "A"

REQUESTED ZONING

APPLICANT: TPA GROUP/APPLICATION NO. Z15-04

Heavy Industrial limited to the permitted uses set forth in the L-I District including the uses listed for a special use, but excluding tattoo and body piercing parlors and adult entertainment.



The Cartersville Waterford Homeowners' Association Board
PO Box 2545, Cartersville, GA 30120

A RESOLUTION

EXPRESSING OPPOSITION TO REZONING CASE NO. Z15-04

- WHEREAS:** There is a tract of land located at 118 Old Mill Road consisting of approximately 178 acres and which is currently advertised for sale; and
- WHEREAS:** This same tract of land has for many years been zoned as R-20 and has been used as a horse farm with pastures, fenced areas, stables, barns, and, a residence; and
- WHEREAS:** An application has been made to the city of Cartersville, Georgia to rezone approximately 60 acres of this tract to HI; and
- WHEREAS:** This tract of land shares a property line with twenty-two lots or homes in The Waterford, a residential development which broke ground in 1988 and now has 400 homes; and
- WHEREAS:** Approval of the rezoning request would bring development and usage noise thereby interfering with the quality of life experienced by homeowners in The Waterford; and
- WHEREAS:** Approval of the rezoning request would cause irreversible damage to property values in The Waterford and impact for many what is their largest asset, their home; and
- WHEREAS:** There are currently several vacant industrial buildings and warehouses within one-quarter mile of this land tract, some of which have been vacant for years, thereby negating the perceived need for additional acreage for heavy industrial purposes; and
- WHEREAS:** There exists the Cartersville Waterford Homeowners' Association, Inc. (Waterford HOA) whose members are all lot owners in The Waterford and which is governed by a board of directors elected by the members; and
- WHEREAS:** The Waterford HOA board of directors does at all times faithfully act in the best interests of its members; now
- THEREFORE:** Be it resolved by the Waterford HOA board of directors that the board does hereby adopt this resolution to express opposition to the rezoning application of case number Z15-04 and shall transmit a copy of this resolution to both the Cartersville Planning Commission and the Cartersville City Council and urges both bodies to deny the application.

Adopted by the board on July 27, 2015

Troy Weaver, President, Waterford HOA



FRANK E. JENKINS, III
 BRANDON L. BOWEN
 ROBERT L. WALKER
 ERIK J. PIROZZI
 SARAH C. MARTIN

15 SOUTH PUBLIC SQUARE
 CARTERSVILLE, GEORGIA 30120-3350
 TELEPHONE (770) 387-1373
 FACSIMILE (770) 387-2396
<http://www.ga-lawyers.pro>

SAVANNAH OFFICE
 11 CEDAR VIEW DRIVE
 SAVANNAH, GEORGIA 31410

REPLY TO: CARTERSVILLE

November 10, 2015

VIA HAND DELIVERY

Mayor and City Council of the City of Cartersville
 City of Cartersville Planning Commissioners
 c/o Randy Mannino, AICP
 Carterville Zoning Administrator

LETTER OF CONSTITUTIONAL OBJECTIONS

Re: TPA Group / Wright rezoning application
 Case # Z15—04

Dear Honorable Mayor, Council, and Planning Commissioners:

This firm represents a number of residents of Galway Drive directly adjacent to the subject of this rezoning application; I attach a list of names and addresses as Exhibit A for your reference. We would like to make a few essential points in regards to this application.

1. Rezoning to speculatively allow across the board special use permits is unconstitutional.

It is our understanding that the applicant seeks a Heavy Industrial zoning classification, but proposes as a condition that the permitted uses would be those permissible in the Light Industrial classification, expressly including those that are special uses. According to the City's zoning ordinance, this would allow as a matter of right manufacturing uses which emit smoke, noise, odor, dust, vibration or fumes outside of their building:

Manufacturing establishments which use limited water in the manufacturing operation either for processing, cooling, or heating; or which emit smoke, noise, odor, dust, vibrations, or fumes beyond the walls of the building in which housed shall not be allowed, except with approval of a special use in accordance with standards further described in section 16.4.9.¹

¹ Zoning Ordinance Sec. 10.1

November 10, 2015

Page 2 of 3

The effect of such a speculative rezoning would give the applicant the right to establish such noxious uses without the public notice and hearing process that is required of special use permits under the Zoning Procedures Law. It would also take away from the Planning Commission and City Council the right and ability to consider particular special uses and decide if they are right for our community. It simply makes no sense to rezone property in such a speculative fashion and give the applicant a blanket exception from the future public notice and decision-making process. The accepted process in jurisdictions throughout Georgia is that the applicant determines what use it will actually make of the property and then seeks rezoning that is site plan specific. This way the Planning Commission and City Council can know exactly what they are approving, and the public can have a meaningful opportunity to comment. Where appropriate, the City Council would be able to deny an application or impose reasonable conditions to mitigate concerns raised by the application. But by granting this speculative request, the City would be giving this up for no good reason and contrary to the interests of residents and other property owners in the vicinity.

2. The application is not consistent with City comprehensive planning.

As discussed in the Zoning Synopsis for this application, the request is not consistent with the City's comprehensive planning. The City's Character Area-Future Development Map shows this property as Suburban Living (See Exhibit B). The purpose of this character area is stated by the Comprehensive Plan as:

Preserves established suburban neighborhoods and adjacent areas with suitable land use patterns, potential infill and redevelopment opportunities where development pressure is the greatest due to the adjacency of current or proposed community infrastructure (such as sewer, water and transportation facilities). Embody the spirit of traditional neighborhoods, such as sense of place, human connectivity and safety.²

The approved zoning classifications are R-20 (the current zoning applicable to the County), R-15, and P-D. These are all residential classifications similar to our client's adjacent properties. We believe the existing zoning and planning is constitutional, and it would be unconstitutional to so drastically deviate from that planning for the benefit of one applicant to the detriment of the adjacent residential landowners. Moreover, making decisions that are consistent with the planning is essential to having enforceable zoning throughout the City in future years. If you rezone in a manner that is not consistent with the City's planning here, it will be more difficult to deny inconsistent rezoning applications in the future. The applicant will point to the fact that there are established industrial uses on the north side of the subject property and that the application does not seek to rezone the southern half of the property. But of course, as soon as the City rezones the north, now the southern half of the property will be adjacent to industrial property, further undermining the City's ability to remain consistent with the comprehensive plan.

² Comprehensive Plan, page 50

November 10, 2015

Page 3 of 3

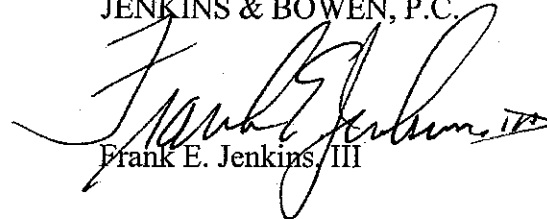
3. The applicant's traffic study is deeply flawed.

The traffic study presented to the City fails to consider the traffic signal that will likely be most adversely impacted by the siting of a distribution center on Old Mill Road. I am referring to the intersection of Old Mill Road and Etowah Drive. This intersection is already very busy in the morning peak time because two of the City's schools (Cartersville Primary and Elementary) are located on Old Mill near this intersection, along with Excel Christian Academy. In addition, the Cartersville Middle School is only a short way down Pine Grove Road. Thus, much of the City's school traffic will pass through this intersection one or more times every morning of the school year between 7 and 9 a.m. Likewise, east west traffic to the subject property will use Old Mill, passing through this intersection, and the above-named schools, on the most direct route to Georgia 113 and 61. The study is fundamentally flawed in failing to consider this proposed development's impact on the level of service of this intersection.

In summary, the City's existing zoning is constitutionally applied to the subject property; deviating from the comprehensive planning to benefit a developer at the expense of residents would be an unconstitutional exercise of the zoning power and a manifest abuse of the zoning power. We urge you to continue to stay the course and apply the sound zoning practices discussed above.

Very truly yours,

JENKINS & BOWEN, P.C.



Frank E. Jenkins, III

Enclosures

cc: Mr. David Archer (by facsimile)
Mr. Jeff Watkins (by facsimile)

Item # 7

EXHIBIT A

Herb and Rebecca Upton
13 Hepworth Lane
Cartersville, GA 30120

David & Erin Sinclair
431 Waterford Drive
Cartersville, GA 30120

Jeff & Sara Kellner
38 Galway Drive
Cartersville, GA 30120

Ted & Karen Boone
40 Galway Drive
Cartersville, GA 30120

David & Cynthia Hayes
415 Waterford Drive
Cartersville, GA 30120

Chris & Lisa Sward
433 Waterford Drive
Cartersville, GA 30120

Robby & Deena Stewart
4 Galway Drive
Cartersville, GA 30120

Brad & Stacey Wall
22 Hepworth Lane
Cartersville, GA 30120

Matthew & Danae Gambill
20 Hepworth Lane
Cartersville, GA 30120

Cory & Courtney Phillips
9 Galway Drive
Cartersville, GA 30120

Mark & Carol Wolfe
36 Galway Drive
Cartersville, GA 30120

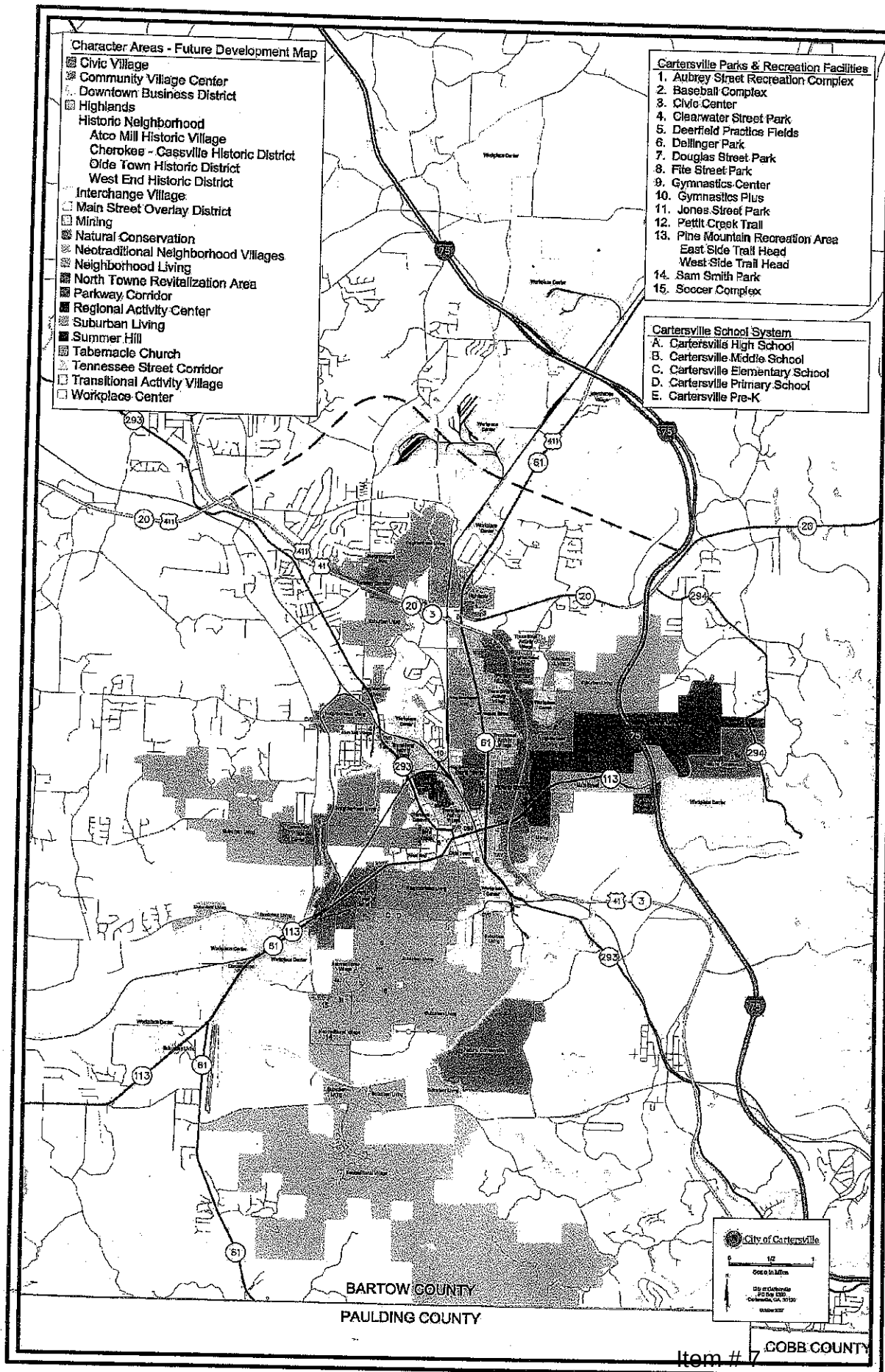
Brian & Angie Cahn
423 Waterford Drive
Cartersville, GA 30120

Donny & Jannae Cagle
32 Galway Drive
Cartersville, GA 30120

Steven & Leslie Chatman
416 Waterford Drive
Cartersville, GA 30120

Fred & Kathy Genrich
421 Waterford Drive
Cartersville, GA 30120

EXHIBIT B





City of Cartersville

PLANNING AND DEVELOPMENT

P.O. Box 1390 • 10 North Public Square • Cartersville, Georgia 30120

Telephone: 770-387-5600 • Fax: 770-387-5605 • www.cityofcartersville.org

File # **Z15-04**

DISCLOSURE OF INTERESTS BY LOCAL OFFICIAL

(To be completed by Mayor, City Council, and Planning Commission)

TPA Group (Jeff Watkins, rep.) has made a rezoning request on the following property:
Approximately 63.5 acres located at 118 Old Mill Road in the 4th District, 3rd Section, Land Lots
625 and 672 from R-20 (Residential) to H-I (Heavy Industrial).

Pursuant to O.C.G.A § 36-67A-2 any local government official considering a rezoning request must disclose if he has any of the following interest:

1. A Property interest in any real property affected by a rezoning request.
 Yes _____ No _____ If the answer is Yes, please disclose the nature and extent of such interest.

2. A financial interest in any business entity which has a property interest in any real property affected by a rezoning action.
 Yes _____ No _____
 If the answer is Yes, please disclose the nature and extent of such interest.

3. A spouse, mother, father, brother, sister, son, or daughter with either of the above interests.
 Yes _____ No _____ If the answer is Yes, please disclose the nature and extent of such interest.

TITLE: _____

DATE: _____



City of Cartersville

City Council Meeting
12/17/2015 7:00:00 PM

File Z15-07:Rezoning application by Thoro LLC (Jeff Watkins, representative) for property located at 49 North Avenue (approximately 1.03 acres) from L-I to G-C

SubCategory:	Public Hearing - 2nd Reading of Zoning/Annexation Requests
Department Name:	Planning and Development
Department Summary Recommendation:	This property includes a building constructed in approximately 1950 according to Bartow County tax records that was used for many years for office uses. In the last 10 years, there have been a variety of tenants in the building, including a church, in between periods of vacancy. The building is currently vacant. The applicant seeks to rezone from L-I (Light Industrial) to G-C (General Commercial) and there is no specified future use. The structure itself appears to make it difficult for the applicant to attract industrial tenants, and a commercial type zoning may open up options to find future occupants for the building. City departments had no objections. RECOMMENDATION: Planning Commission recommends approval as submitted
City Manager's Remarks:	Planning Commission recommends your approval of this item.
Financial/Budget Certification:	
Legal:	
Associated Information:	

ZONING SYNOPSIS

Petition Number(s): **Z15-07**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **Thoro LLC**

Representative: **Jeff Watkins**

Property Owner: **Thoro LLC**

Property Location: **49 North Ave (corner Freeman St)**

Access to the Property: **North Ave and Freeman St**

Site Characteristics:

Tract Size: Acres: **1.03 acres** District: **4th** Section: **3rd** LL(S): **339**

Ward: **4** Council Member: **Lindsey McDaniel**

LAND USE INFORMATION

Current Zoning: **L-I (Light Industrial)**

Proposed Zoning: **G-C (General Commercial)**

Proposed Use: **None listed**

Current Zoning of Adjacent Property:

North:	<u>L-I</u>
South:	<u>L-I</u>
East:	<u>L-I</u>
West:	<u>H-I</u>

The Future Development Plan designates the subject property as:
Workplace Center with recommended zoning districts H-I, L-I, and P-D

ZONING ANALYSIS

City Departments Reviews

Water and Sewer:

No objections.

Public Works:

No objections.

Gas:

No objections.

Electric:

No objections.

Fire:

No objections.

Police:

No comments.

This property includes a building constructed in approximately 1950 according to Bartow County tax records that was used for many years for office uses. In the last 10 years, there have been a variety of tenants in the building, including a church, in between periods of vacancy. The building is currently vacant. The applicant seeks to rezone from L-I (Light Industrial) to G-C (General Commercial) and there is no specified future use. The structure itself appears to make it difficult for the applicant to attract industrial tenants, and a commercial type zoning may open up options to find future occupants for the building. City departments had no objections.

STANDARDS FOR EXERCISE OF ZONING POWERS.

- A. *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*
There is little commercial use in the adjacent and nearby properties; it is mostly industrial and residential.
- B. *Whether the zoning proposal will create an isolated district unrelated to adjacent and nearby districts.*
There is little nearby G-C zoned property.
- C. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*
The proposal for G-C, depending on the use, could affect the adjacent industrial properties.
- D. *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.*
As currently zoned for L-I, the may have a reasonable economic use as currently zoned.
- E. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*
The proposal may not cause an excessive use of existing streets and facilities. Utility, Public Works, and Planning & Development staff would review any future development/redevelopment based on possible use on roads, utilities, and other factors.
- F. *Whether the zoning proposal is in conformity with the local Comprehensive Land Use Plan.*
The proposal does not conform to the local Comprehensive Land Use Plan.
- G. *Whether the zoning proposal will result in a use which will or could adversely affect the environment, including but not limited to drainage, wetlands, groundwater recharge areas, endangered wildlife habitats, soil erosion and sedimentation, floodplain, air quality, and water quality and quantity.*
The proposal may not result in a use which could adversely affect the environment. Utility, Public Works, and Planning & Development staff would review any future development/redevelopment.

- H. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

None

STAFF RECOMMENDATION: Staff has concerns about the variety of uses allowed in the G-C zoning district. GC is intended for regionally-oriented retail services and activities along major thoroughfares. This area is not a regional activity area nor is it along a major roadway corridor. The current L-I zoning district allows for a mixture of light industrial and some medium commercial uses, including office and wholesale trade & distribution. As an alternative to G-C, O-C would provide a variety of commercial uses (office, restaurant, retail, service) and have fewer heavy-use commercial potentials. However, this area continues to be predominately industrial and residential.

PLANNING COMMISSION RECOMMENDATION:

Planning Commission Rrecommends Approval as submitted

Application for Rezoning

Planning and Development Department
10 North Public Square
City of Cartersville
 (770) 387-5600

Application Number 215-07Hearing Dates 10-6-15
10-15-15
11-5-15

Applicant THORO, LLC Business/Cell Phone 770-382-8708
 (applicant's printed name)
 Address 27 CENTER ROAD Home Phone _____
 City CARTERSVILLE State GA Zip 30120 Email JEFF@JEFFWATKINSLAW.COM
JEFFREY A. WATKINS Phone 770-382-7017 Fax # 770-382-3833
 (Representative's printed name (if other than applicant))
 Representative's signature _____ Applicant's signature _____
 Signed, sealed and delivered in presence of:
Julia B. Gustin My commission expires: _____
 Notary Public

Titleholder THORO, LLC Business 770-382-8708 Home _____
 (titleholder's printed name)
 *attach additional notarized signatures as needed on separate application page Address 27 CENTER ROAD
 Signature _____ CARTERSVILLE, GA 30120
 Signed, sealed, delivered in presence of:
Julia B. Gustin My commission expires: _____
 Notary Public

Present Zoning District(s) L-1 Requested Zoning G-C
 Acreage 1.029 Land Lot(s) 339 District(s) 4TH Section(s) 3RD
 Location of Property
49 NORTH AVENUE, CARTERSVILLE, GEORGIA 30120
 (street address, nearest intersections, etc)
 Reason for requested Rezoning:
To allow for a general commercial use.
 (attach additional statement as necessary)

Attach a copy of a current boundary survey showing metes and bounds and indicating all existing site improvements and confirmation of the availability of all public utilities. Said site must meet the proposed zoning district development standards and access requirements of the City's regulations.

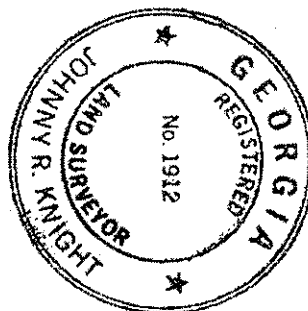
SURVEYED FOR

BUDDY HILL POST NO. 6124

VETERANS OF FOREIGN WARS
OF THE UNITED STATES, INC.

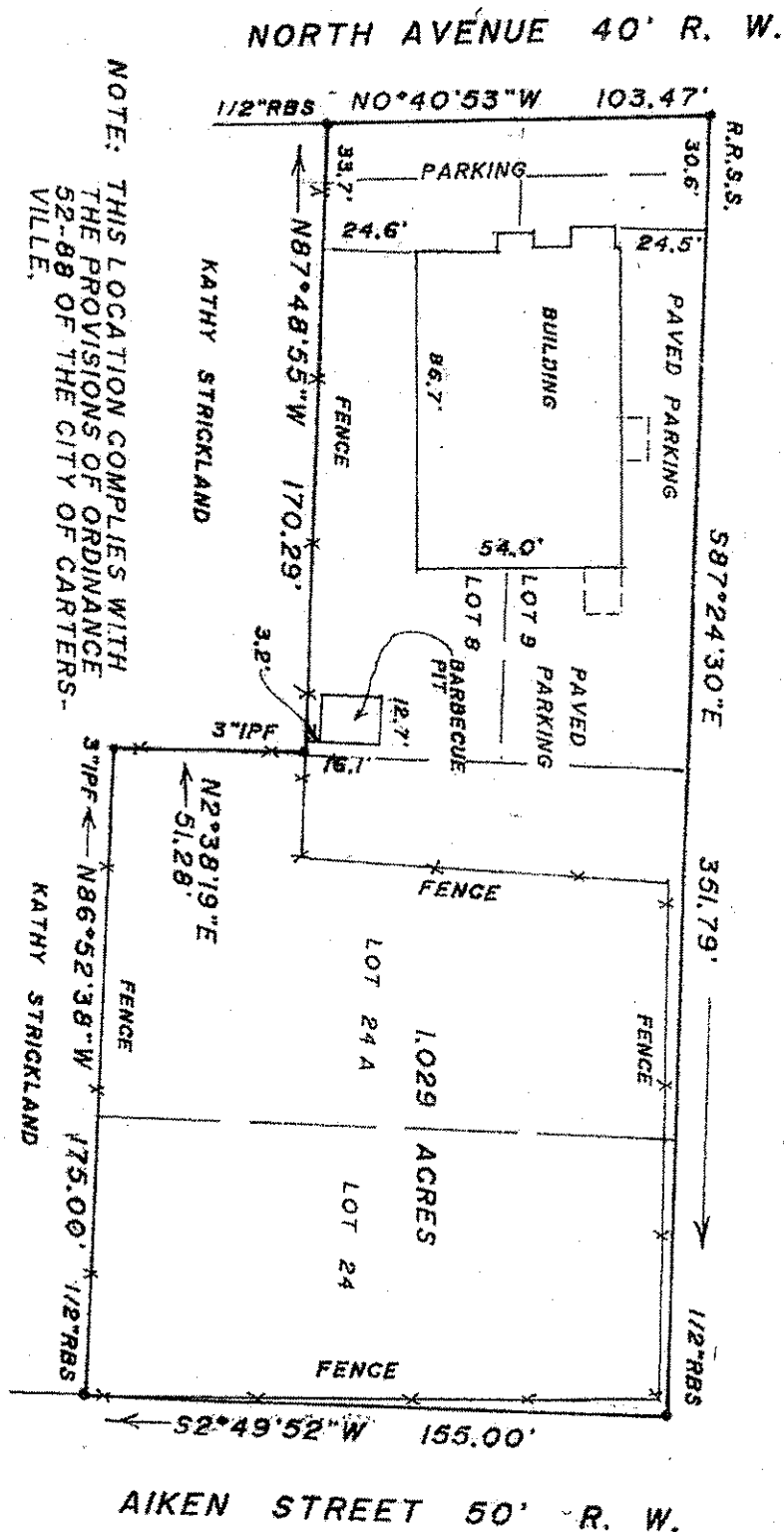
FIELD DATA:
CLOSURE: 1 IN 21,800
EQUIPMENT: TOPCON GTS-3
ANGULAR ERROR 0.4" PER ANGLE POINT
BEARINGS ARE MAG. CAL. FROM ANGLES
TURNED.
ADJUSTED, USING THE COMPASS RULE
PLAT CLOSURE, 1 IN 100,000.

1.029 ACRES IN LOTS 8 & 9, CARTERSVILLE
HEIGHTS, 8 LOTS 24 & 24A, OF THE JOHN W.
HODGE PROPERTY LOCATED IN CARTERSVILLE,
HEIGHTS, IN LAND LOT 339, 4TH DISTRICT,
3RD SECTION, CITY OF CARTERSVILLE, BARTOW
COUNTY, GEORGIA.
DATE 1-09-89
SCALE 1"=50'
KNIGHT & KNIGHT LAND SURVEYORS.



"FIA FLOOD HAZARD MAP" 0005 E
SHOWS THIS PROPERTY IS OUT OF
FLOOD ZONE.

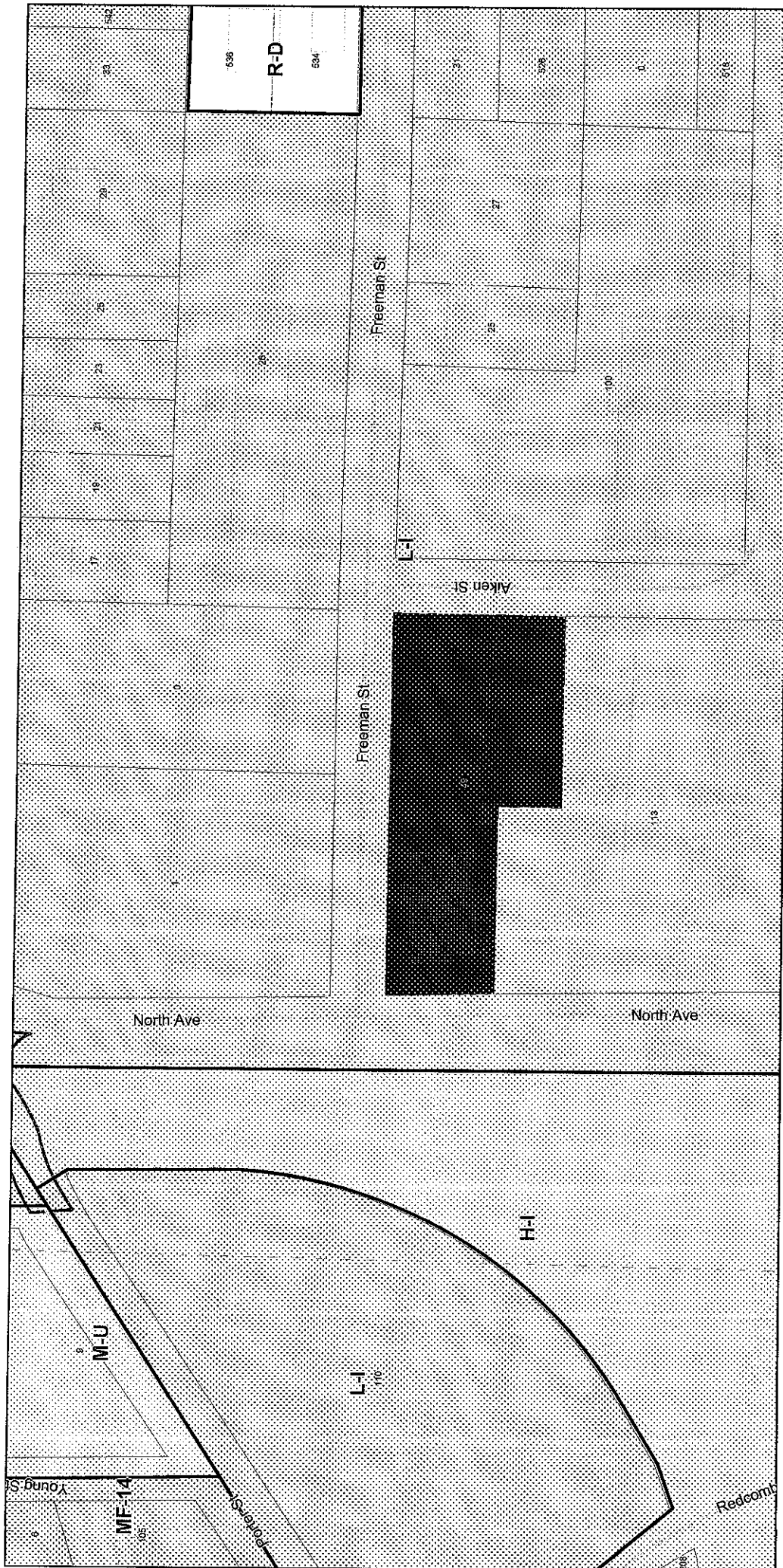
FREEMAN STREET 50' R. W.



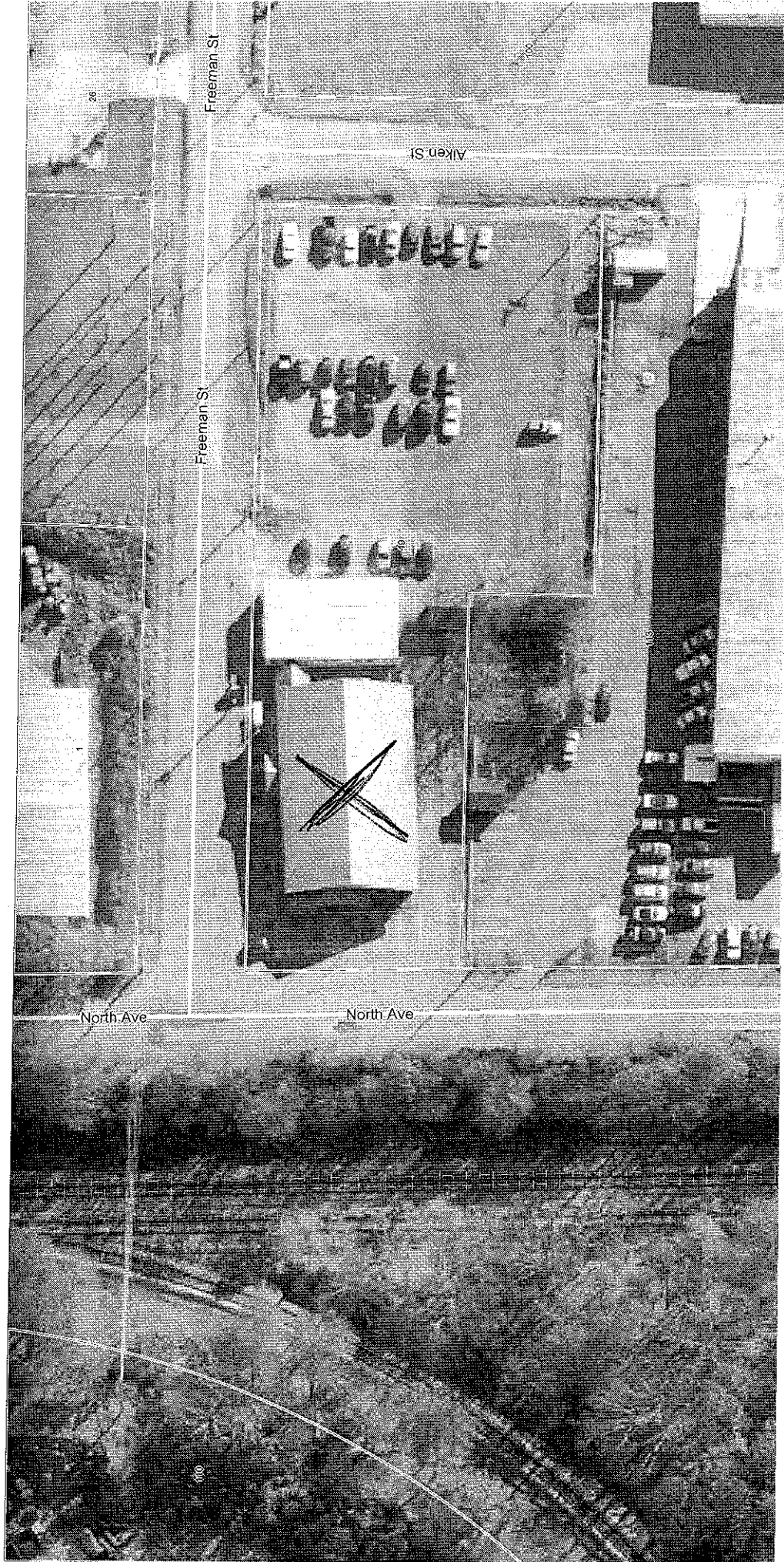
NOTE: THIS LOCATION COMPLIES WITH
THE PROVISIONS OF ORDINANCE
52-88 OF THE CITY OF CARTERS-
VILLE.

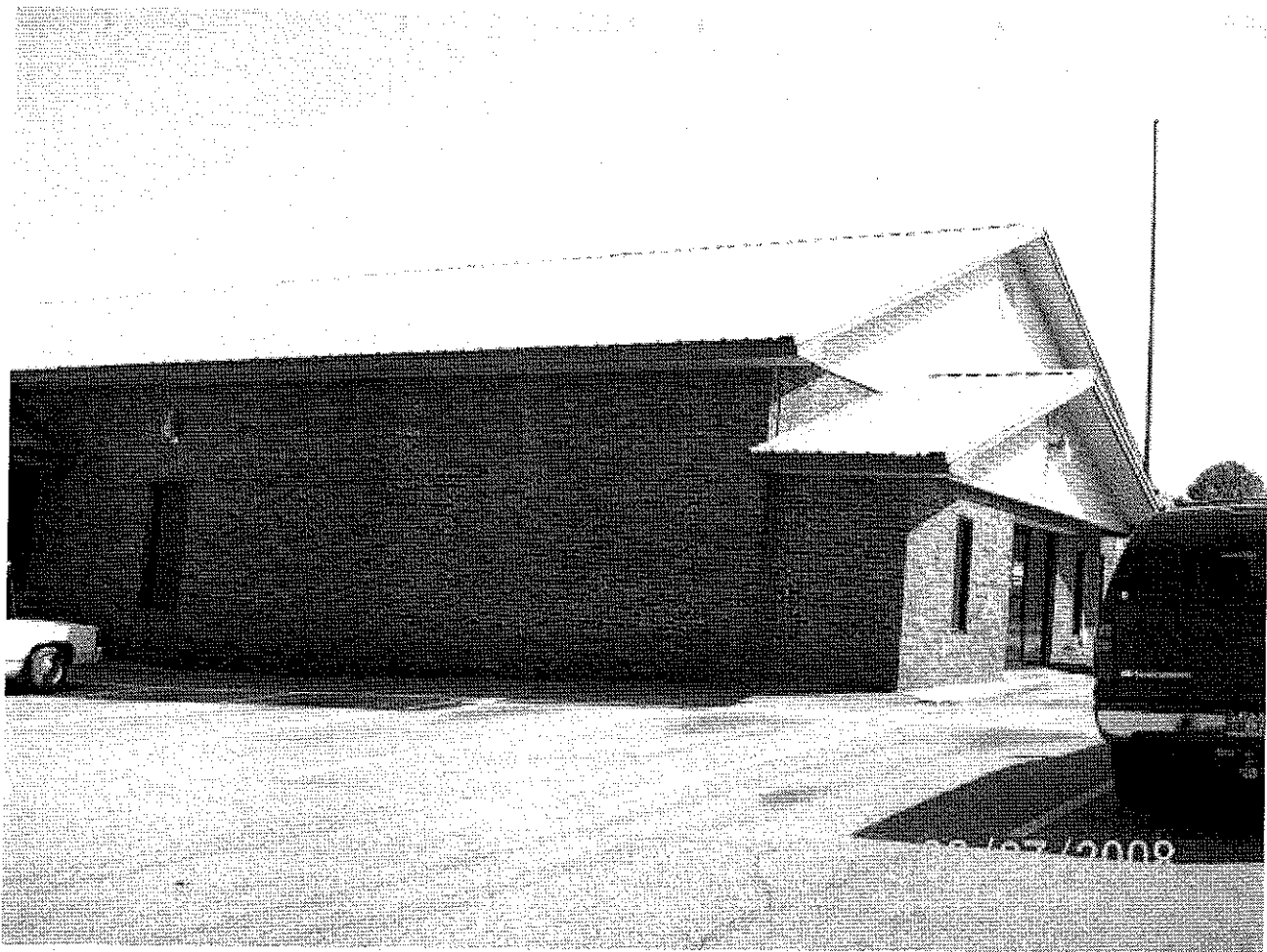
Item # 8

49 North Ave - rezoning case Z15-07



49 North Ave - rezoning case Z15-07





Item # 8

http://qpublic7.qpublic.net/bartow_photos/33259-001.JPG

9/4/2015



City of Cartersville

PLANNING AND DEVELOPMENT

P.O. Box 1390 • 10 North Public Square • Cartersville, Georgia 30120

Telephone: 770-387-5600 • Fax: 770-387-5605 • www.cityofcartersville.org

File # **Z15-07**

DISCLOSURE OF INTERESTS BY LOCAL OFFICIAL

(To be completed by Mayor, City Council, and Planning Commission)

Thoro LLC (Jeff Watkins, rep.) has made a rezoning request on the following property:
Approximately 1.03 acres located at 49 North Ave in the 4th District, 3rd Section, Land Lot 339
from L-I (Light Industrial) to G-C (General Commercial).

Pursuant to O.C.G.A § 36-67A-2 any local government official considering a rezoning request must disclose if he has any of the following interest:

1. A Property interest in any real property affected by a rezoning request.
 Yes _____ No _____ If the answer is Yes, please disclose the nature and extent of such interest.

2. A financial interest in any business entity which has a property interest in any real property affected by a rezoning action.
 Yes _____ No _____
 If the answer is Yes, please disclose the nature and extent of such interest.

3. A spouse, mother, father, brother, sister, son, or daughter with either of the above interests.
 Yes _____ No _____ If the answer is Yes, please disclose the nature and extent of such interest.

TITLE: _____

DATE: _____



City of Cartersville

City Council Meeting
12/17/2015 7:00:00 PM
Dept. of Community Affairs Grant for Sheet Metal Components

SubCategory:	Resolutions
Department Name:	Administration
Department Summary Recommendation:	The City would like to participate with Sheet Metal Components in an Employment Incentive Program for an economic development project through the Department of Community Affairs. The purpose of the grant will be to move an existing sewer line, construct a stormwater detention pond and install a storm drain to facilitate the expansion of Sheet Metal Components. City participation is required in order for the company to be awarded the grant therefore a resolution must be signed. Sheet Metal Components will be responsible for the contracting and bidding of the project. The Bartow County grant writing department will be responsible for the administration of the grant. There is minimal financial responsibility to the City in the form of a non-interest bearing checking account that will be dedicated to this project. The plans have been approved by the City. I recommend that Council approve the resolution for the City to participate in the grant with Sheet Metal Components.
City Manager's Remarks:	Your approval of the DCA grant is recommended.
Financial/Budget Certification:	N/A
Legal:	Approved by Keith Lovell
Associated Information:	

**STATE OF GEORGIA
COUNTY OF BARTOW**

Resolution No.

WHEREAS, the Georgia Department of Community Affairs has notified the City of Cartersville and other general purpose governments that federal funds, managed by said state agency, are available to local governmental units under the Employment Incentive Program for the purpose of economic development projects that will result in employment of low and moderate income persons; and

WHEREAS, the purpose of said grant shall be to move an existing sewer line, construct a stormwater detention pond, and install a storm drain to facilitate the expansion of Sheet Metal Components, Inc.; and

WHEREAS, the City of Cartersville is committed to working cooperatively with the Georgia Department of Community Affairs, multiple federal project participants, property owners and the citizens of Cartersville to implement the Project in accordance with federal and state guidelines as defined by Employment Incentive Program/Community Development Block Grant staff of the Georgia Department of Community Affairs in such a manner as to assure that the Project is developed, operated and maintained as a community asset designed to benefit current and future residents of the City of Cartersville; and

WHEREAS, the City of Cartersville deems the Project to be in the best interests of the citizens of Cartersville; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor of Cartersville acting in his official capacity and in behalf of the Cartersville City Council is hereby authorized to file an application with the Georgia Department of Community Affairs in order to obtain said Employment Incentive Program Grant in order to perform those activities specified within this resolution; and

BE IT FUTHER RESOLVED, that the City of Cartersville shall be committed to the operation and maintenance of infrastructure developed through the Grant resources herein specified as a part of its water/sewer inventory; and

BE IT FUTHER RESOLVED, that the Mayor of Cartersville is hereby authorized to execute any and all documents as may be required to accompany said application and to provide the Georgia Department of Community Affairs any and all Support Documentation which is considered to be part of said application process.

ADOPTED this the day of

**/s/ _____
Matthew J. Santini
Mayor**

ATTEST:

**/s/ _____
Connie Keeling
City Clerk**



City of Cartersville

**City Council Meeting
12/17/2015 7:00:00 PM
Wireless Access Equipment**

SubCategory:	Bid Award/Purchases
Department Name:	Fiber
Department Summary Recommendation:	The Fiber Department is requesting approval to purchase wireless access hardware and materials that will be used to upgrade WiFi services at the Conference Center and will also benefit the city. The cost of the hardware and materials is \$17,393 and will be repaid by the CVB. I recommend approval of this purchase.
City Manager's Remarks:	Your approval of this item is recommended.
Financial/Budget Certification:	This is a budgeted item.
Legal:	
Associated Information:	



City of Cartersville

City Council Meeting
12/17/2015 7:00:00 PM
Uniforms for Fire Dept.

SubCategory:	Bid Award/Purchases
Department Name:	Fire Dept.
Department Summary Recommendation:	Respectfully request consideration to make our annual uniform purchase for Fire Department personnel. This order will provide each staff member with two sets of Nomex uniforms as compliant with NFPA standards for firefighter protection and safety. In addition on this order we will be making additions and repairs to dress uniform inventory for personnel that has been long overdue. T and T uniforms from Smyrna is the approved vendor for this style uniform and there is no local distributor. Traditionally this is handled on a case by case basis, but we bring this to council as one large bulk buy in order to provide bigger buying power through a larger quantity and therefore ensure that we are getting the lowest possible price. The total cost for the annual uniform purchase is \$32, 287.30. We respectfully request a funding amount of up to and not exceed \$33,000.00. This will allow for any potential last minute alterations that may apply to an order of this size. This is a budgeted item under account 100-2400-52-2210 and is below our budget amount. We appreciate in advance your positive consideration.
City Manager's Remarks:	Your approval of this item is recommended.
Financial/Budget Certification:	This is a budgeted item.
Legal:	
Associated Information:	

A shift	Rank	Dress	Nomex	B Shift	Rank	Dress	Nomex	C Shift	Rank	Dress	Nomex
Bachman, Seth	FF	\$303.00	\$413.00	Callahan, Antonio		\$265.00	\$406.00	Amerson, Jason	Sgt	\$157.00	\$432.00
Bagley, Mark	B/C	\$41.00	\$0.00	Clark, Keith	Lt	\$38.00	\$395.00	Bagley, Mitchell	Capt	\$0.00	\$406.00
Crocker, Dewitt	Lt	\$41.00	\$390.00	Elrod, Mike	Lt	\$41.00	\$390.00	Carlton, Robby	Sgt	\$0.00	\$402.00
Daniel, Matt	Lt	\$235.00	\$407.00	Farmer, Charlie	FF	\$0.00	\$418.00	Cason, Labron	FF	\$262.00	\$390.00
Dodson, Derrick	FF	\$62.00	\$390.00	Fillers, Scotty	FF	\$3.00	\$425.00	Champion, Hagen	Lt	\$41.00	\$395.00
Frasier, Johnny	Capt	\$0.00	\$390.00	Gwin, Rusty	FF	\$262.00	\$418.00	Edge, Chris	Capt	\$62.00	\$390.00
Gonzales, Raymond	FF	\$0.00	\$390.00	Hill, Joseph	Sgt	\$41.00	\$413.00	Gilmer, Wesley	FF	\$38.00	\$390.00
Holladay, Brian	Sgt	\$35.00	\$418.00	Horn, Shannon	Capt	\$76.00	\$418.00	Gregory, Marcus	FF	\$262.00	\$413.00
Jones, Nick	FF	\$62.00	\$395.00	Huskins, Eric	FF	\$38.00	\$466.00	Hendrix, Chad	Lt	\$324.20	\$515.10
Lanier, Daniel	FF	\$262.00	\$390.00	Huskins, Shawn	FF	\$89.00	\$390.00	Hyde, Matt	Lt	\$41.00	\$413.00
McFadden, Tracey	Sgt	\$0.00	\$395.00	Key, Tim	Lt	\$130.00	\$390.00	Kelly, Adam	FF	\$262.00	\$390.00
Mealer, Robert	Sgt	\$235.00	\$430.00	King, Mack	Sgt	\$41.00	\$390.00	Mealer, Stetson	FF	\$303.00	\$395.00
Moore, Herod	Sgt	\$41.00	\$395.00	Loyd, Jon	FF	\$6.00	\$403.00	Owenby, Adam	FF	\$0.00	\$413.00
Owens, Eric	FF	\$62.00	\$396.00	McClung, Tim	BC	\$41.00	\$0.00	Ray, Jeremy	Sgt	\$35.00	\$413.00
Patterson, Heath	Sgt	\$54.00	\$418.00	McGivern, Ryan	Sgt	\$95.00	\$408.00	Reliford, Greg	FF	\$62.00	\$425.00
Stewart, Coy	Lt	\$0.00	\$395.00	Mitchell, Michael	Sgt	\$0.00	\$395.00	Stanfield, John	Sgt	\$0.00	\$390.00
Sutton, Corey	FF	\$0.00	\$390.00	Ogle, Stephen	Lt	\$95.00	\$395.00	Swancy, Andrew	FF	\$351.00	\$395.00
Varvel, Paul	FF	\$262.00	\$441.00	Paschal, John	Sgt	\$49.00	\$390.00	Taylor, Casey	FF	\$62.00	\$413.00
Wallace, Chris	Lt	\$35.00	\$418.00	Ralston, Blake	FF	\$35.00	\$460.00	Williams, Brad	Sgt	\$62.00	\$390.00
Williams, Dave	FF	\$262.00	\$390.00	Vann, Jeff	FF	\$303.00	\$413.00				
				Willis, Kam	Sgt	\$89.00	\$407.00				
A shift		\$1,992.00	\$7,651.00	B Shift		\$1,737.00	\$8,190.00	C Shift		\$2,324.20	\$7,770.10

Grand Totals		
SGT Shirt badge	2	\$52.50 \$105.00
SGT Hat Badge	4	\$52.50 \$110.00
CAPT Collar Brass	1	\$6.00 \$6.00
FF Coat of Arms Badge	25	\$50.00 \$1,250.00
SGT Coat of Arms Badge	18	\$50.00 \$900.00
LT Coat of Arms Badge	4	\$63.00 \$252.00
Brass Total		\$2,623.00
		\$6,053.20
		\$23,611.10
		\$2,623.00
		\$32,287.30



2015 Cartersville Fire Uniform Quote

A shift	Rank	Dress	Nomex	B Shift	Rank	Dress	Nomex
Bachman, Seth	FF	\$303.00	\$413.00	Callahan, Antonio		\$265.00	\$406.00
Bagley, Mark	B/C	\$41.00	\$0.00	Clark, Keith	Lt	\$38.00	\$395.00
Crocker, Dewitt	Lt	\$41.00	\$390.00	Elrod, Mike	Lt	\$41.00	\$390.00
Daniel, Matt	Lt	\$235.00	\$407.00	Farmer, Charlie	FF	\$0.00	\$418.00
Dodson, Derrick	FF	\$62.00	\$390.00	Fillers, Scotty	FF	\$3.00	\$425.00
Frasier, Johnny	Capt	\$0.00	\$390.00	Gwin, Rusty	FF	\$262.00	\$418.00
Gonzales, Raymond	FF	\$0.00	\$390.00	Hill, Joseph	Sgt	\$41.00	\$413.00
Holladay, Brian	Sgt	\$35.00	\$418.00	Horn, Shannon	Capt	\$76.00	\$418.00
Jones, Nick	FF	\$62.00	\$395.00	Huskins, Eric	FF	\$38.00	\$466.00
Lanier, Daniel	FF	\$262.00	\$390.00	Huskins, Shawn	FF	\$89.00	\$390.00
McFadden, Tracey	Sgt	\$0.00	\$395.00	Key, Tim	Lt	\$130.00	\$390.00
Mealer, Robert	Sgt	\$235.00	\$430.00	King, Mack	Sgt	\$41.00	\$390.00
Moore, Herod	Sgt	\$41.00	\$395.00	Loyd, Jon	FF	\$6.00	\$403.00
Owens, Eric	FF	\$62.00	\$396.00	McClung, Tim	BC	\$41.00	\$0.00
Patterson, Heath	Sgt	\$54.00	\$418.00	McGivern, Ryan	Sgt	\$95.00	\$408.00
Stewart, Coy	Lt	\$0.00	\$395.00	Mitchell, Michael	Sgt	\$0.00	\$395.00
Sutton, Corey	FF	\$0.00	\$390.00	Ogle, Stephen	Lt	\$95.00	\$395.00
Varvel, Paul	FF	\$262.00	\$441.00	Paschal, John	Sgt	\$49.00	\$390.00
Wallace, Chris	Lt	\$35.00	\$418.00	Ralston, Blake	FF	\$35.00	\$460.00
Williams, Dave	FF	\$262.00	\$390.00	Vann, Jeff	FF	\$303.00	\$413.00
				Willis, Kam	Sgt	\$89.00	\$407.00
A shift		\$1,992.00	\$7,651.00	B Shift		\$1,737.00	\$8,190.00



City of Cartersville

**City Council Meeting
12/17/2015 7:00:00 PM
Mobile Data Computer System**

SubCategory:	Bid Award/Purchases
Department Name:	Fire
Department Summary Recommendation:	We respectfully request approval to move ahead with our Mobile Data Computer project that is within the current FY 2015-16 budget. This project aligns with the new computer aided dispatch project this is ongoing county wide that includes added interoperability with record management systems and affects all public safety departments within our county. This system will eventually replace our current Firehouse system. Firefighters will have the ability of direct link in the field with Bartow 911's computer dispatch system. This will allow for live updates while in response and insure that our responders are provided with the most current information for decision making and tactics. This will not only improve our efficiency in response but will enhance our safety of personnel and citizens. Along with city IT staff we reviewed three different models of computers to be used in the field. Once these test were completed we selected to use the Motion model R-12. This is the same system that is used by Cartersville PD. Vendors were sought for the purchase of 8 units and all required mounting equipment and hardware. The bids received were as follows: Vendor Total Price Insight \$36,467.79 CDW-G \$36,693.00 DATEC \$41,412.19 Our recommendation will be to accept the low bid of Insight Public Sector at a maximum price of \$36,467.79. There are a few items that we will renegotiate with the vendor if accepted and we do expect this dollar amount to drop. This is a budgeted item and within our budget amount through general fund. We have been and will continue to look for funding streams to offset this project. We would appreciate your positive consideration. Cover Memo Item # 12

City Manager's Remarks:	Your approval of low bid outlined above is recommended.
Financial/Budget Certification:	This is a budgeted item.
Legal:	
Associated Information:	

CARTERSVILLE FIRE DEPARTMENT MOBILE DATA COMPUTER PURCHASE

December 1, 2015

OVERVIEW

1. Project Background and Description

The Cartersville Fire Department is in need of Mobile Data Computers (MDCs) in fire vehicles. These systems will allow communication with 911 via Computer Aided Dispatch, Automatic Vehicle Locating (AVL), and access to other mobile features of New World Systems mobile solution. Firefighters will have the ability to access GIS data, preplan drawings, records, departmental email, and other native and web based tools. There are 8 units proposed for purchase. These units will be running Windows 7 Professional and will have a built in key providing the ability to upgrade to Windows 8.1 or 10 when necessary. With the countywide adoption of the New World Mobile solution, it is important to have these systems in place as soon as possible so Cartersville is equipped to take full advantage of the AEGIS training process in 2016. These machines meet the software and hardware requirements of the new CAD and records solution and will allow for new lines of communication and other field capabilities. The systems as quoted include a five year warranty and the hardware specifications of the units will be sufficient to perform job related tasks for that length of time. It is recommended that these units be purchased and deployed as soon as possible. Mounting hardware for these terminals is proposed for purchase as well. This mounting hardware will be installed in each Fire Truck, Car 1 and Car 3.

2. Project Considerations

Many models were considered. Three models were chosen for the sales quotation process. These were:

- | | |
|---------------------------|---|
| 1. GeTac V110 | @ 8 units = \$39,961.00 before mounting equipment |
| 2. Panasonic Toughbook 19 | @ 8 units = \$39,768.00 before mounting equipment |
| 3. Motion R12 | @ 8 units = \$25,339.76 before mounting equipment |

Based on hardware and software capabilities, warranty terms, cost, and other factors, the Motion R12 was chosen as the best solution. This unit has lower cost, higher performing hardware internals, and some key capabilities that the other units do not possess. This model has been in the field with the Cartersville Police Department for the majority of 2015 and has performed well vs the elements of the Georgia Public Safety environment.

3. Quotation (subject to change)

The following pages contain sales quotations from three possible vendors. Insight is the low bidder and is recommended pending approval. The Grand Total for this project is **\$36,467.79**

SOLD-TO PARTY 10937185

CARTERSVILLE FIRE DEPT
195 CASSVILLE RD
CARTERSVILLE GA 30120-2643

SHIP-TO PARTY

CARTERSVILLE FIRE DEPT
195 CASSVILLE RD
CARTERSVILLE GA 30120-2643

We deliver according to the following terms:

Payment Terms : Net 30 days
Ship Via : Insight Assigned Carrier/Ground
Terms of Delivery : FOB DESTINATION
Currency : USD

MOTION AND LIND PRODUCTS ARE NOT RETURNABLE UNLESS DEFECTIVE

Quotation

Quotation Number : 217336527
Document Date : 13-NOV-2015
PO Number :
PO Release :
Sales Rep : Melissa Sanchez
Email : MSANCHE3@INSIGHT.COM
Telephone : 678-794-3924
Sales Rep 2 : Janis McCoy
Email : JMCCOY1@INSIGHT.COM
Telephone : 8009344947 X 7048

Material	Material Description	Quantity	Unit Price	Extended Price
RD3A3A2A2A2A2B	Motion R12 - 12.5" - Core i7 4610Y - Windows 7 Pro 64-bit - 8 GB RAM - 128 GB SSD OPEN MARKET	8	2,650.00	21,200.00
910.900.02	R12SER 5Y STDWARRANTY 3YR STD TO 5YR STD OPEN MARKET	8	294.73	2,357.84
601.530.06	Lind power cable OPEN MARKET	8	25.86	206.88
510.057.01	Motion Mobile Dock docking station OPEN MARKET	8	517.47	4,139.76
508.551.02	Motion keyboard OPEN MARKET	8	426.90	3,415.20
PKG-PSM-209	Havis PKG-PSM-209 - mounting kit OPEN MARKET	2	368.53	737.06
PKG-PSM-242	Havis PKG-PSM-242 - mounting kit OPEN MARKET	2	380.27	760.54
C-HDM-205	Havis C-HDM 205 - mounting component (telescopic) OPEN MARKET	9	105.06	945.54
C-MKM-102	Havis C-MKM-102 - mounting component OPEN MARKET	9	116.79	1,051.11
T5D-02375	Microsoft Office Home and Business 2016 - Box pack - 1 PC - medialess - Win - English - North America OPEN MARKET	8	196.75	1,574.00
C-HDM-301	Havis C-HDM 301 - Mounting component (top offset bracket) for notebook OPEN MARKET	9	8.28	74.52

Product Subtotal	34,104.61
Services Subtotal	2,357.84
Freight	5.34
TAX	0.00
Total	36,467.79

PURCHASE ORDER REQUIREMENTS:

Quote Number:217336527

Purchase Order Number: _____

Authorized by/Title: _____ (please print)

Authorized Signature: _____ Date: _____

Thank you for considering Insight. Please contact us with any questions or for additional information about Insight's complete IT solution offering.

Sincerely,

Melissa Sanchez
678-794-3924
MSANCHE3@INSIGHT.COM

Janis McCoy
8009344947 X 7048
JMCCOY1@INSIGHT.COM
Fax 8136377093

Insight Global Finance has a wide variety of flexible financing options and technology refresh solutions. Contact your Insight representative for an innovative approach to maximizing your technology and developing a strategy to manage your financial options.

This purchase is subject to Insight's online Terms of Sale unless you have a separate purchase agreement signed by both your company and Insight, in which case, that separate agreement will govern. Insight's online Terms of Sale can be found at: https://www.ips.insight.com/en_US/help/product-returns-terms-and-conditions.html



CDWG.com | 800.594.4239

OE400SPS

SALES QUOTATION

QUOTE NO.	ACCOUNT NO.	DATE
GQGN340	12285474	11/19/2015

BILL TO:
 CARTERSVILLE POLICE DEPT
 195 CASSVILLE RD

SHIP TO:
 CARTERSVILLE POLICE DEPT
 Attention To: TJ LEFFEW
 195 CASSVILLE RD

Accounts Payable
 CARTERSVILLE , GA 30120

CARTERSVILLE , GA 30120-2643
 Contact: TJ LEFFEW 770.607.6197

Customer Phone #770.607.6197

Customer P.O. # MOTION QUOTE

ACCOUNT MANAGER		SHIPPING METHOD	TERMS	EXEMPTION CERTIFICATE
ROB SULLIVAN 866.245.8105			Net 30 Days-Govt State/Local	008004528
QTY	ITEM NO.	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
8	3302562	MOTION R12 I7 8GB 128G SSD WIN 7 Mfg#: RD3A3A2A2A2A2B Contract: National IPA Technology Solutions 130733	2,565.00	20,520.00
8	3303171	MOTION 12V ADAPTER Mfg#: 601.532.02 Contract: National IPA Technology Solutions 130733	97.00	776.00
8	3302587	MOTION R12 5YR STD WTY 3-YR TO 5-YR Mfg#: 910.900.02 Contract: National IPA Technology Solutions 130733	324.00	2,592.00
8	3368356	MOTION R12 SERIES SECURE MOBILE DOCK Mfg#: 510.057.01 Contract: National IPA Technology Solutions 130733	529.00	4,232.00
8	2122989	MOTION MNT KB W/TOUCHPAD BLK Mfg#: 508.551.01 Contract: National IPA Technology Solutions 130733	365.00	2,920.00
8	2933542	MS OFFICE HOME AND BUS 2013 32/64 Mfg#: T5D-01575 Contract: National IPA Technology Solutions 130733	190.00	1,520.00
2	2185865	HAVIS TITAN MNT PACKAGE F/EXPEDITION Mfg#: PKG-PSM-209 Contract: National IPA Technology Solutions 130733	426.00	852.00
2	2185870	HAVIS TITAN MNT PACKAGE F250/350/450 Mfg#: PKG-PSM-242 Contract: National IPA Technology Solutions 130733	439.00	878.00
9	1916144	HAVIS POLE SIDE MOUNT 14IN Mfg#: C-HDM205 Contract: National IPA Technology Solutions 130733	121.00	1,089.00
9	3612555	HAVIS FOLDING MONITOR & KB MOUNT Mfg#: C-MKM-102 Contract: National IPA Technology Solutions 130733	134.00	1,206.00
9	1896037	HAVIS FIXED ADAPT, HEAVY DUTY MOUNT Mfg#: C-HDM-301 Contract: National IPA Technology Solutions 130733	12.00	108.00
SUBTOTAL				36,693.00
FREIGHT				0.00
TAX				0.00

Item # 12

Item #	Description	Quantity	Unit Price	Total Price
TOTAL 36,693.00				

CDW Government
230 North Milwaukee Ave.
Vernon Hills, IL 60061

Fax: 312.705.9405

Please remit payment to:
CDW Government
75 Remittance Drive
Suite 1515
Chicago, IL 60675-1515

Item # 12

		Quote Prepared For: City of Cartersville GA TJ Leffew 770-607-6197 tjleffew@cartersvillega.gov 195 Cassville Rd Cartersville, GA 30120
Contact: Bob Stein 364 Upland Drive, Seattle, WA 98188 206/909-5272 cell: 206/575-1470 Office Fed TAX ID 91-0930538 Email Po To: bstein@datecinc.net Fax PO To: 206-575-1475		
Quote# 15K1801 Date: 11/18/15 Terms: Net 30 Days Validity: 30 Days		

Part Number	Description	Qty	Unit Price	Ext. Price
RD3C3A2A2A2A2B	R12 i7 8GB - 8GB RAM - 128G SSD - No WWAN w/GPS - Win 7 (64 Bit) - US Power - No SlateMate - Companion Keyboard Not Included - WLAN NA - 3-Year Warranty	0	\$2,739.45	\$ -
RD3A3A2A2A2A2B	R12 i7 8GB - 8GB RAM - 128G SSD - 4G LTE WWAN (NA) - Win 7 (64 Bit) - US Power - No SlateMate - Companion Keyboard Not Included - WLAN NA - 3-Year Warranty	8	\$2,740.45	\$ 21,923.60
910.900.02	5 Yr warranty Standard Coverage	8	\$305.31	\$ 2,442.48
910.900.05	5 Yr warranty Complete Coverage	8	\$436.50	\$ 3,492.00
510.057.01	Motion R12 Secure Mobile Dock	8	\$524.88	\$ 4,199.04
T5D-02323	OFFICE HOME AND BUSINESS 2016 ALLNG ESD DWNLD **NO RETURNS**	8	\$199.99	\$ 1,599.92
601.530.06	Lind Bare Wire Power cable for Motion R12	8	\$29.99	\$ 239.92
508.551.01	iKey IK-88-TP-USB Keyboard	8	\$345.55	\$ 2,764.40
PKG-PSM-242	Havis PKG-PSM-209	2	\$494.46	\$ 988.92
PKG-PSM-242	Havis PKG-PSM-242	2	\$499.95	\$ 999.90
				\$ -
C-HDM-205	Havis C-HDM-205	9	\$139.95	\$ 1,259.55
C-MKM-102	Havis C-MKM-102	9	\$155.95	\$ 1,403.55
C-HDM-301	Havis C-HDM-301	9	\$10.99	\$ 98.91
MS Ship	Freight / Handling / Shipping	1	0.00	\$ -
			Sub Total	\$41,412.19
			Sales Tax	\$ 3,934.16
			Total	\$3,934.16

Spec requested from Customer:

- Motion R12 Core i7- Windows 7 x64 Pro (with built-in upgrade key to 8.1 and 10) 128 SSD 4G micro SIM slot- 8 GB RAM

Per Motion Rep
2 SKUS Provided

RD3C3A2A2A2A2B	R12 i7 8GB - 8GB RAM - 128G SSD - No WWAN w/GPS - Win 7 (64 Bit) - US Power - No SlateMate - Companion Keyboard Not Included - WLAN NA - 3-Year Warranty
RD3A3A2A2A2A2B	R12 i7 8GB - 8GB RAM - 128G SSD - 4G LTE WWAN (NA) - Win 7 (64 Bit) - US Power - No SlateMate - Companion Keyboard Not Included - WLAN NA - 3-Year Warranty



City of Cartersville

City Council Meeting
12/17/2015 7:00:00 PM
Athletic Field Sports Lighting

SubCategory:	Bid Award/Purchases
Department Name:	Parks and Recreation
Department Summary Recommendation:	Bid proposals will be for athletic field lighting on 4-fields, Dellinger Park fields #4, #5, & #6 and Richard Bell field at the Cartersville Sports Complex (home for Cartersville High School baseball and softball teams). Bid specifications requested field lighting standards for recreational play which is 50-footcandles on infield and 30-footcandles in outfield on all fields. These recreational play lighting standards also meet the minimum requirements for Georgia and National High School play. I also requested a separate bid proposal that holds the same lighting standards for Dellinger Park fields but requested Richard Bell field be lighted to a minimum standard of NCAA field lighting standards which are 70-footcandles infield and 50-footcandles outfield. There is also additional proposals for an extended warranty and additional lighting project at Dellinger Park. These athletic field lighting projects were identified and budgeted in the Park Bond and 2014 SPLOST. Installation new lighting systems on all park fields/courts has been a project beginning in 2003, as all the wooden poles are in dire need to be replaced. After this lighting system project is complete there will remain 4-athletic fields at Sports Complex and 3-tennis courts and 2-outdoor basketball at Dellinger Park, 3-tennis courts at Hicks Park and 2-tennis courts at Matthew Hill Park lighting systems that will need to be addressed. Bids have been advertised and bid closing date is past agenda item deadline (Monday December 14, 1:30pm). City Council will receive summary of quotes, product specifications and my recommendation before the meeting on Thursday December 17th. This project is time sensitive as I have placed a very tight schedule for one of the fields. Cover Memo Item # 13

City Manager's Remarks:	The costs and recommended bid for this item will be presented to City Council at the meeting.
Financial/Budget Certification:	This is a budgeted item.
Legal:	
Associated Information:	



City of Cartersville

City Council Meeting
12/17/2015 7:00:00 PM
Stormwater Contract Agreement

SubCategory:	Contracts/Agreements
Department Name:	Public Works
Department Summary Recommendation:	Public Works is requesting approval of a proposal from Fox Environmental to provide continuing support services to facilitate compliance with our GA EPD Phase II MS4 permit. This service is considered to be as needed and is a budgeted stormwater item.
City Manager's Remarks:	The cost estimate on this item is \$12,500. Your approval of this item is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	



November 28, 2015

Mr. Wade Wilson, P.E.
City Engineer
City of Cartersville
Public Works Department
330 S. Erwin Street
Cartersville, GA 30120

RE: PROPOSAL TO PROVIDE CONTINUING TECHNICAL SUPPORT SERVICES TO FACILITATE COMPLIANCE WITH GA EPD STORMWATER PHASE II PERMIT REQUIREMENTS

Dear Wade:

The City of Cartersville is committed to high quality stormwater management and watershed protection. FOX Environmental, LLC (FOX) has been fortunate to have the opportunity to assist the City design and implement effective solutions to meet local needs and compliance with state (EPD) and regional (MNGWPD) regulations. The purpose of this proposal is to describe how FOX Environmental, LLC will continue to provide high quality technical support to assist with planning and implementation of the various requirements of the City's current NPDES MS4 Permit. Below is a list of proposed tasks.

I. SCOPE OF WORK

TASK	HOURS
1. <u>Business Inspections</u> –Plan and conduct inspections of local industrial and commercial businesses to identify pollution prevention opportunities and facilitate compliance with local ordinances. All violations will be documented and action taken based on the City's Enforcement Response Plan.	25
2. <u>Technical Assistance (when needed)</u> – Technical assistance on a variety of topics related to municipal separate storm sewer system permit and Metropolitan North GA Water Planning District requirements will be provided to City managers and staff, as needed.	29

Continued on next page

3. <u>Training/Education</u> – Plan and conduct training programs to City staff and other groups, as needed, on various pollution prevention practices, MS4 procedures, green infrastructure/low-impact development, etc. Training materials and attendees will be documented for use in meeting annual MS4 training requirements.	20
4. <u>Outfall Evaluations (when needed)</u> – Perform stream walks and/or dry-weather screening of stormwater outfalls, document all results; and work with the City’s Code Enforcement Officer to prepare follow-up correspondence, (e.g., Notice to Comply, Notice of Violations), as needed, to eliminate all identified illicit discharges. This task includes field testing of pH, conductivity and temperature but does not include the cost of laboratory testing.	20
5. <u>Prepare an Impaired Waters Monitoring and Implementation Plan</u> – The new SWMP requires preparation and submittal of an Impaired Waters Monitoring and Implementation Plan that describes what the City will do to ensure the health of local streams. Revise as needed to obtain EPD approval.	25
TOTAL	119 Hours*

** Note the above hourly estimates may be redistributed among tasks depending upon the expressed needs of the City Engineer and/or MS4 Stormwater Program Coordinator.*

II. CONTRACT RATES FOR PROPOSED SERVICES

POSITION	FEE
Principal/Senior Environmental Scientist	\$105/hr

III. COST ESTIMATE

TASKS 1-5	COST
COST ESTIMATE	Not to Exceed \$12,500

Thank you for the opportunity to provide these services to you. If you have any questions or require any additional information regarding this cost estimate, please call me at your convenience. You may indicate your acceptance of this proposal by signing below and returning this letter to me. FOX Environmental is prepared to initiate these services immediately upon receipt of the following notice to proceed.

Sincerely,



Catherine A. Fox, Principal
FOX Environmental, LLC

III. AUTHORIZATION

TO PROVIDE CONTINUING TECHNICAL SUPPORT SERVICES TO FACILITATE COMPLIANCE WITH GA EPD STORMWATER PHASE II PERMIT REQUIREMENTS

Signature: _____

Title: _____

Date: _____

TERMS & CONDITIONS

Billings/Payment: FOX Environmental, LLC shall perform the services outlined in this agreement for the stated fee arrangement. Invoices for FOX Environmental's services shall be submitted, at FOX Environmental's option, either upon completion of such services or on a monthly basis (unless noted otherwise and are due when rendered. Invoices shall be considered "Past Due" if not paid within 30 days after the invoice date. If the invoice is not paid within 30 days, FOX Environmental may, without waiving any claim or right against the Owner, and without liability whatsoever to the Owner, terminate the performance of the service. Unpaid accounts shall be subject to a monthly service charge of 1.5% on the unpaid balance at the sole election of FOX Environmental. In the event any portion or all of an account remains unpaid 90 days after billing, the Owner shall pay all costs of collection, including attorney's fees.

Additional Services: Additional services include increase or change in scope of project, major revisions when such revisions are inconsistent with written approvals or instructions previously given, services after award of contract in evaluation of substitutions proposed by the construction contractor, and other services that are not included under professional services; provided, however, that additional services shall not be classified as reimbursable expenses and will be billed at FOX Environmental's cost incurred or normal prevailing rate. FOX Environmental will only perform additional services when authorized in writing by the Owner.

Reimbursable Expenses: Any expenses that are required beyond those identified under professional services will be billed at a multiple of 1.2 times the cost incurred (including laboratory testing).

Compliance with State and Federal Immigration Laws: During the duration of this agreement, FOX Environmental, LLC and its subcontractors will remain in compliance with Georgia Security and Immigration Compliance Act of 2007 and Georgia Code 13-10-91 and O.C.G.A. Section 50-36-1.

Termination of Services: This agreement may be terminated by written notice by either the Client or FOX Environmental, LLC should the other fail to perform its obligations hereunder. In the event of termination, the Client shall pay FOX Environmental for all services rendered to the date of termination and all reimbursable expenses.

Ownership of Documents: All documents produced by FOX Environmental, LLC under this agreement shall remain the property of FOX Environmental and may not be used by the Client for any other endeavor without the written consent of FOX Environmental. Any unauthorized use or distribution shall be at Client's and Recipient's sole risk and without liability to FOX Environmental. Client further agrees that documents produced by FOX Environmental pursuant to this agreement will not be used at any location or for any project not expressly provided for in this agreement without FOX Environmental's written approval.

Client Initial _____

FOX Environmental, LLC Initial **CAF**



City of Cartersville

City Council Meeting
12/17/2015 7:00:00 PM
Asset Management Software Renewal

SubCategory:	Contracts/Agreements
Department Name:	Water Dept
Department Summary Recommendation:	The Water Department uses a software system from SEMS Technologies for asset management and work orders. The annual software user license renewal is due. The total annual fee is \$7,545.00. The Water Department recommends approval of the license renewal. This is the same amount as last year. This item will be paid from operating revenue and is a budgeted item.
City Manager's Remarks:	Your approval of this payment is recommended.
Financial/Budget Certification:	This item will be paid from operating revenue and is a budgeted item.
Legal:	
Associated Information:	

SEMS Technologies, LLC
5400 Laurel Springs Parkway
Building 1100, Suite 1105
Suwanee, GA 30024



Invoice

Date	Invoice #
10/21/2015	A-5837
RENEWAL	DUE DATE
12/31/2015	11/15/2015

(678) 845-0243
bookkeeper@semstechnologies.com

BILL TO
 City of Cartersville
 148 Walnut Grove Rd.
 Cartersville, GA 30120
 ATTN: Accounts Payable

***** PLEASE NOTE NEW ADDRESS ABOVE *****

AMOUNT ENCLOSED

Please detach top portion and return with your payment.

Activity	Qty	Rate	Amount
12 Month Renewal of SEMS PRO Software	1	7,600.00	7,600.00
12 Month Renewal of SEMS Monthly Webinar	1	495.00	495.00
Special Customer Loyalty Rate Applied			(550.00)
Total Subscription Renewal			7,545.00
Total Due With Webinar Training Subscription			\$ 7,545.00

Federal ID: 20-8276558

MC, Visa, Amex, Discover Accepted

Thank you for your business!



City of Cartersville

City Council Meeting
12/17/2015 7:00:00 PM
October 2015 Financial Report

SubCategory:	Monthly Financial Statement
Department Name:	Finance
Department Summary Recommendation:	Attached is the October 2015 financial report along with the supplemental financial information and the cash position report.
City Manager's Remarks:	Tom R. will present this information Thursday evening.
Financial/Budget Certification:	
Legal:	
Associated Information:	

MONTHLY SUMMARY

As of October 31, 2015

91 # wat

91 # Wat		FY 2014-15 MONTH OF October-14	FY 2015-16 MONTH OF October-15	FY 2014-15 Year to Date October-14	FY 2015-16 Year to Date October-15	100.00% OF BUDGET (Year to Date)
GENERAL FUND <i>excluding SPL/OST, DDA & School System Property Tax Revenue & Expenditures</i>						
REVENUE	\$4,090,439	\$12,646,661	\$8,797,312	\$17,581,604	72.31%	
EXPENDITURE	\$3,771,349	\$12,089,857	\$8,895,195	\$17,354,314	71.37%	
Gen. Fund Net Profit (Loss)	\$319,090	\$556,804	(\$97,883)	\$227,290		
WATER & SEWER						
REVENUE	\$1,337,446	\$1,350,809	\$5,488,401	\$5,761,441	36.99%	
EXPENDITURE	\$1,393,369	\$1,005,184	\$4,921,722	\$4,337,268	27.85%	
Wtr. & Swr. Fund Net Profit (Loss)	(\$55,923)	\$345,625	\$566,679	\$1,424,173		
GAS						
REVENUE	\$1,357,382	\$1,209,324	\$5,351,477	\$5,180,291	22.37%	
EXPENDITURES	\$1,878,810	\$1,769,655	\$7,257,555	\$6,183,162	26.70%	
Gas Fund Net Profit (Loss)	(\$521,428)	(\$560,331)	(\$1,906,078)	(\$1,002,871)		
ELECTRIC						
REVENUE	\$4,078,714	\$4,057,789	\$17,387,636	\$18,072,477	36.25%	
EXPENDITURES	\$3,925,569	\$4,004,514	\$16,587,434	\$16,555,970	33.20%	
Electric Fund Net Profit (Loss)	\$153,145	\$53,275	\$800,202	\$1,516,507		
STORMWATER						
REVENUE	\$109,830	\$114,584	\$438,244	\$453,761	32.67%	
EXPENDITURE	\$129,845	\$104,828	\$382,253	\$386,175	27.80%	
Stormwater Fund Net Profit (Loss)	(\$20,015)	\$9,756	\$55,991	\$67,586		
SOLID WASTE						
REVENUE	\$186,328	\$184,667	\$729,277	\$738,106	30.90%	
EXPENDITURE	\$160,938	\$268,848	\$641,358	\$741,125	31.03%	
Solid Waste Fund Net Profit (Loss)	\$25,390	(\$84,181)	\$87,919	(\$3,019)		
FIBER OPTICS						
REVENUE	\$147,143	\$159,905	\$606,404	\$666,039	35.51%	
EXPENDITURE	\$143,767	\$155,629	\$503,283	\$592,032	31.57%	
Fiber Fund Net Profit (Loss)	\$3,376	\$4,276	\$103,121	\$74,007		

	Description	10/31/2015	FY 2016 Budget	% of Monthly Totals to Budget
General Fund	Total Revenues	\$17,581,604	\$24,315,565	72.31%
	GO Bond Proceeds from School	\$9,879,375	\$1,448,125	682.22%
	Property Taxes-City Portion Only	\$192,519	\$1,570,235	12.26%
	Local Option Sales Tax (LOST)	\$1,295,329	\$3,916,000	33.08%
	Other Taxes	\$3,044,676	\$7,719,290	39.44%
	Building Permit & Inspection Fees	\$90,708	\$140,000	64.79%
	Fines and Forfeitures	\$213,402	\$700,000	30.49%
	Operating Transfers In-City Utilities	\$1,507,997	\$4,603,245	32.76%
	Other Revenues	\$1,357,598	\$4,218,670	32.18%
	Total Expenditures	\$17,354,314	\$24,315,565	71.37%
	Personnel Expenses	\$5,549,018	\$15,730,045	35.28%
	Operating Expenses	\$1,670,666	\$5,988,545	27.90%
	Capital Expenses	\$430	\$298,500	0.14%
	GO Bond Proceeds from School	\$9,879,375	\$1,448,125	682.22%
	Debt Pymt - JDA/CBA	\$26,975	\$394,650	6.84%
	Library Appropriations	\$227,850	\$455,700	50.00%
Water & Sewer Fund	Total Revenues	\$5,761,411	\$15,575,145	36.99%
	Water Sales	\$3,519,408	\$9,432,605	37.31%
	Sewer Sales	\$2,073,520	\$5,424,540	38.22%
	Bond Proceeds	\$0	\$0	#DIV/0!
	Prior Year Bond Proceeds	\$0	\$0	#DIV/0!
	Prior Year Capacity Fees	\$0	\$305,000	0.00%
	Other Revenues	\$168,483	\$413,000	40.79%
	Total Expenditures	\$4,337,268	\$15,575,145	27.85%
	Personnel Expenses	\$1,177,520	\$3,465,290	33.98%
	Operating Expenses	\$878,052	\$3,346,775	26.24%
Gas Fund	Capital Expenses	\$107,924	\$2,630,500	4.10%
	Transfer To General Fund	\$835,857	\$2,507,570	33.33%
	Debt Payments	\$1,337,915	\$3,625,010	36.91%
	Total Revenues	\$5,180,291	\$23,159,760	22.37%
	Gas Sales	\$4,539,433	\$20,350,660	22.31%
	Gas Commodity Charge	\$435,720	\$1,245,000	35.00%
	Bond Proceeds	\$0	\$653,100	0.00%
	Proceeds from Capital Leases	\$0	\$76,000	0.00%
	Other Revenues	\$205,138	\$835,000	24.57%
	Total Expenses	\$6,183,162	\$23,159,760	26.70%
	Personnel Expenses	\$627,214	\$1,925,315	32.58%
	Operating Expenses	\$252,975	\$1,469,350	17.22%
	Purchase of Natural Gas	\$4,146,326	\$14,808,320	28.00%
	Transfer to General Fund	\$1,291,608	\$3,420,825	37.76%
	Capital Expenses	(\$134,961)	\$1,535,950	-8.79%

	Description	10/31/2015	FY 2016 Budget	% of Monthly Totals to Budget
Electric Fund	Total Revenues	\$18,072,477	\$49,860,820	36.25%
	Electric Sales	\$17,621,567	\$47,909,705	36.78%
	Other Revenues	\$450,910	\$1,308,030	34.47%
	Use of Reserves		\$643,085	0.00%
	Total Expenses	\$16,555,970	\$49,860,820	33.20%
	Personnel Expenses	\$792,597	\$2,326,270	34.07%
	Operating Expenses	\$461,433	\$1,353,135	34.10%
	Purchase of Electricity	\$13,710,619	\$42,211,805	32.48%
	Capital Expenses	\$631,108	\$1,088,970	57.95%
	Transfer to General Fund	\$960,213	\$2,880,640	33.33%
Stormwater Fund	Total Revenues	\$453,761	\$1,389,000	32.67%
	Stormwater Revenues	\$449,691	\$1,340,000	33.56%
	Mitigation Grant Revenue	\$0	\$0	#DIV/0!
	Other Revenues	\$4,070	\$13,000	31.31%
	Proceeds from Capital Leases	\$0	\$36,000	0.00%
	Prior Year Carryover	\$0	\$0	#DIV/0!
	Stormwater Improvement Funds	\$0	\$0	#DIV/0!
	Total Expenses	\$386,175	\$1,389,000	27.80%
	Personnel Expenses	\$230,091	\$698,585	32.94%
	Operating Expenses	\$154,998	\$579,695	26.74%
	Capital Expenses	\$1,086	\$110,720	0.98%
Solid Waste Fund	Total Revenues	\$738,106	\$2,388,600	30.90%
	Refuse Collections Revenues	\$716,898	\$2,177,450	32.92%
	Other Revenues	\$21,208	\$41,150	51.54%
	Proceeds From Capital Leases	\$0	\$170,000	0.00%
	Total Expenses	\$741,125	\$2,388,600	31.03%
	Personnel Expenses	\$332,061	\$1,081,240	30.71%
	Operating Expenses	\$317,043	\$1,137,360	27.88%
	Capital Expenses	\$92,021	\$170,000	54.13%
Fiber Optics Fund	Total Revenues	\$666,039	\$1,875,465	35.51%
	Fiber Optics Revenues	\$582,178	\$1,765,720	32.97%
	GIS Revenues	\$34,750	\$104,000	33.41%
	Other Revenues	\$49,111	\$5,745	854.85%
	Total Expenses	\$592,032	\$1,875,465	31.57%
	Personnel Expenses	\$233,470	\$785,395	29.73%
	Operating Expenses	\$226,719	\$752,880	30.11%
	MEAG Telecom Statewide Pymt	\$88,072	\$115,795	0.00%
	Debt Payment to Electric Dept	\$0	\$92,395	0.00%
	Capital Expenses	\$43,771	\$129,000	33.93%

9T # watl

Cash Position

	6/30/15	7/31/15	8/31/15	9/30/15	10/31/15	11/30/15	12/31/15
Total Unrestricted Cash Balance	\$14,730,500.90	\$14,002,158.95	\$15,198,260.99	\$15,972,077.87	\$16,484,083.63		
Total Restricted Cash Balance	\$64,560,610.64	\$63,821,933.72	\$62,696,702.71	\$61,893,236.40	\$63,988,695.78		

Cash Position

	1/31/16	2/28/16	3/31/16	4/30/16	5/31/16	6/30/16
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Total Unrestricted Cash Balance
Total Restricted Cash Balance

Highlights for the Month of October 2015:

Unrestricted cash increased due mainly to increases in cash balances in the general fund (tax collections) and the water fund.

Restricted cash .

Restricted cash increased due mainly to increased debt service accounts in the water fund and a large gain in the pension fund as a result of the upturn in the overall market.