City Council Meeting
10 N. Public Square
December 4, 2014
6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Council Member Tonsmeire

Pledge of Allegiance led by Council Member Pruitt

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

II. Regular Agenda

A. Council Meeting Minutes

1. November 20, 2014

A motion to approve the November 20, 2014 City Council Meeting Minutes as presented was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

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

1. File SU14-03: Special Use application by Mark Harris to allow a title pawn business at 422 North Tennessee Street in the M-U (Multiple Use) Zoning District

Randy Mannino, Planning and Development Director, stated that the Public Official Forms have been received and there are no conflicts of interest. All adjacent property owners have been notified and the required legal notices have been advertised. Mr. Mannino requested that the application and zoning ordinance be made part of the official record. Copies of the adopted procedures and zoning standards are available upon request. Mr. Mannino stated that this application is for 422 North Tennessee Street and the applicant proposes to operate a title pawn shop in this building. The applicant has stated in writing that there would be no outdoor storage on the property. The Planning Commission has recommended approval with the condition that there be no outdoor storage. Mr. Mannino stated that one other condition of no outside display of merchandise be allowed be added to this permit.

Mayor Santini opened the floor for a public hearing and with no comments Mayor Santini closed the public hearing.

A motion to approve the special use application with the following conditions: "there be no outside storage and there will be no outside display of merchandise allowed" was made by Council Member Tate and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

C. First Reading of Ordinances

1. Park and Recreational Facilities Bond, Series 2014

Sam Grove, City Manager stated that this is the initial draft of the Park and Recreational Facilities Bond Series 2014 Ordinance proposed for adoption by City Council. Mr. Grove stated that this ordinance is in draft format and the official numbers will be added before the second reading. Mr. Grove stated that this bond issue annual payments will be paid for with an increase in the yearly millage rate voted in by the citizens in November and recommended approval.

NO ACTION REQUIRED

ORDINANCE NO. 2014 - ____

A BOND ORDINANCE AUTHORIZING THE ISSUANCE OF $8,200,000 IN PRINCIPAL AMOUNT OF CITY OF CARTERSVILLE, GEORGIA GENERAL OBLIGATION PARK AND RECREATIONAL FACILITIES BOND, SERIES 2014, ADOPTING A FORM FOR THE BOND, AUTHORIZING THE EXECUTION OF THE BOND, ESTABLISHING THE DATE, DENOMINATIONS, RATE OR RATES OF INTEREST, AND REDEMPTION PROVISIONS FOR THE BOND, LEVYING AN ANNUAL AD VALOREM TAX ON THE TAXABLE PROPERTY WITHIN CITY OF CARTERSVILLE, GEORGIA SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BOND AS THE SAME BECOME DUE, AUTHORIZING THE SALE OF THE BOND, AND FOR OTHER RELATED PURPOSES.

WHEREAS, on June 17, 2014, the City Council of the City of Cartersville, Georgia (the "Governing Body"), which is the governing authority of the City of Cartersville, Georgia (the "City"), adopted, at a meeting duly called and held, a resolution (the "Referendum Resolution") entitled:

A REFERENDUM RESOLUTION TO REGULATE AND PROVIDE FOR THE CALLING OF AN ELECTION AND TO CALL AN ELECTION TO DETERMINE THE ISSUANCE OR NON-ISSUANCE BY THE CITY OF CARTERSVILLE, GEORGIA OF GENERAL OBLIGATION PARK AND RECREATIONAL FACILITIES BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $8,200,000; TO PROVIDE FOR THE DATE, RATE OR RATES OF INTEREST, AND SCHEDULE OF MATURITIES THAT SUCH BONDS SHALL BEAR AND THAT THE BONDS MAY BE MADE SUBJECT TO REDEMPTION PRIOR TO MATURITY TO THE EXTENT PERMITTED BY LAW; TO PROVIDE FOR THE LEVY AND COLLECTION OF TAXES TO SERVICE SUCH BONDED INDEBTEDNESS, IF SO AUTHORIZED; TO PROVIDE THAT THE BONDS AUTHORIZED MAY BE ISSUED IN ONE OR MORE SERIES AND ON ONE OR MORE DATES OF ISSUANCE; AND FOR OTHER PURPOSES; and

WHEREAS, the Referendum Resolution called an election to be held in the City for the purpose of submitting to the qualified voters of the City for their determination the question, among others, of whether or not $8,200,000 in aggregate principal amount of City of Cartersville, Georgia General Obligation Park and Recreational Facilities Bonds should be issued for the purpose of providing funds to pay or be applied toward the cost of acquiring, constructing, reconstructing, renovating, repairing, improving, and installing park and recreational facilities and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, to pay capitalized interest incident thereto, and to pay expenses incident to accomplishing the foregoing; and

WHEREAS, the Referendum Resolution called the election for November 4, 2014 and authorized and directed publication of notice of the election (in the form specified in the Referendum Resolution) in the newspaper in which sheriff's advertisements for Bartow County are published for a period of not less than thirty (30) days preceding the date of the election; and

WHEREAS, notice of the election was duly published in The Daily Tribune News, which is the newspaper in which sheriff's advertisements for Bartow County are published, as required by law; and

WHEREAS, at the election duly called and held on November 4, 2014, a majority of the qualified voters of the City, voting in the election, voted in favor of the issuance of $8,200,000 in aggregate principal amount of City of Cartersville, Georgia General Obligation Park and Recreational Facilities Bonds, such bonds to be dated as of the first day of the month of delivery or such other date(s) as the Governing Body may approve, to be in such denomination or denominations as the Governing Body may approve, and to bear interest from date at such rate or rates as the Governing Body may approve but not exceeding six percent (6.00%) per annum in any year, all interest to be payable semiannually on July 1 and January 1 of each year, beginning on July 1, 2015, and the principal to mature (by scheduled maturity or by mandatory redemption, as the Governing Body may approve) on January 1 in the years and amounts as follows:

Year	Amount	Year	Amount
2016	$745,000	2021	$820,000
2017	755,000	2022	840,000
2018	770,000	2023	870,000
2019	780,000	2024	895,000
2020	800,000	2025	925,000

and;

WHEREAS, on November 20, 2014, the Governing Body adopted, at a meeting duly called and held, a resolution entitled:

A RESOLUTION DECLARING THE RESULTS OF A BOND ELECTION HELD ON NOVEMBER 4, 2014; PROVIDING FOR NOTIFICATION OF THE DISTRICT ATTORNEY; AND FOR OTHER RELATED PURPOSES

declaring the results of the election to be in favor of the issuance of $8,200,000 in aggregate principal amount of City of Cartersville, Georgia General Obligation Park and Recreational Facilities Bonds, and authorizing the commencement of validation proceedings for such bonds; and

WHEREAS, on December 17, 2014, the Superior Court of Bartow County entered a judgment validating such bonds, in the case of **STATE OF GEORGIA vs. CITY OF CARTERSVILLE, GEORGIA,** Civil Action File No. _____________; and

WHEREAS, the City now wishes to issue all of such bonds so authorized in the form of a single general obligation bond in the principal amount of $8,200,000 and to ratify, confirm, and approve the commencement of validation proceedings for such bond; and

WHEREAS, in order to issue and deliver such bond, it is necessary to adopt a form for such bond, to authorize the execution of such bond, to establish the date, denominations, rate or rates of interest, and redemption provisions for such bond, to levy an annual ad valorem tax on the taxable property within the City sufficient to pay the principal of and interest on such bond as the same become due, to authorize the acceptance of an offer to purchase such bond from, and the sale of such bond to, __________________ (the "Purchaser");

NOW, THEREFORE, BE IT ORDAINED by the City Council of City of Cartersville, Georgia, and it is hereby ordained by authority of the same, as follows:

Section 1. There is hereby authorized to be issued, executed, and delivered $8,200,000 in original principal amount of a bond designated "City of Cartersville, Georgia General Obligation Park and Recreational Facilities Bond, Series 2014" (the "Bond"). The Bond shall be dated the date of issuance and delivery, shall be issued only as a single, fully registered bond without coupons in the principal amount of $8,200,000, shall be numbered R-1, and shall bear interest from date on the outstanding principal amount thereof at the rate per annum equal to ____% (computed on the basis of a 360-day year consisting of twelve 30-day months). Interest on the Bond shall be payable semiannually on July 1 and January 1 in each year, beginning July 1, 2015. Principal of the Bond shall be payable on January 1, in the years and in the amounts as follows:

Year	Amount	Year	Amount
2016	$745,000	2021	$820,000
2017	755,000	2022	840,000
2018	770,000	2023	870,000
2019	780,000	2024	895,000
2020	800,000	2025	925,000

Section 2. (a) The City shall keep at its office a register for the registration and registration of transfers of the Bond. The name and address of the registered owner of the Bond (the "Bondholder"), each transfer thereof, and the name and address of each transferee of the Bond shall be registered in such register. Prior to due presentment for registration of transfer, the person in whose name the Bond shall be registered shall be deemed and treated as the owner and holder thereof for all purposes hereof (including

the receipt of payments of principal of, premium, if any, and interest on the Bond), whether or not the Bond shall be overdue, and the City shall not be affected by any notice or knowledge to the contrary.

(b) Upon surrender of the Bond at the office of the City for registration of transfer, duly endorsed or accompanied by a written instrument of transfer duly executed by the registered owner of the Bond or its attorney duly authorized in writing and accompanied by the address for notices of each transferee of the Bond, the City shall execute and deliver, at its expense (except as provided below), a new Bond in exchange therefor, in a principal amount equal to the unpaid principal amount of the surrendered Bond. Each such new Bond shall be payable to such person as the former Bondholder may request and shall be issued as a single, fully registered bond substantially in the form provided in Section 6 hereof. Each such new Bond shall be dated and bear interest from the date to which interest shall have been paid on the surrendered Bond or dated the date of the surrendered Bond if no interest shall have been paid thereon. The City may require payment of a sum sufficient to cover any stamp tax or governmental charge imposed in respect of any such transfer of the Bond. The Bond shall not be transferred in a denomination of less than the unpaid principal amount of the surrendered Bond. The City shall not be required to transfer the Bond until the certificate of validation on any new Bond shall have been properly executed by the Clerk of the Superior Court of Bartow County.

(c) Upon receipt by the City of evidence reasonably satisfactory to it of the ownership of and the loss, theft, destruction, or mutilation of the Bond, and

(1) in the case of loss, theft, or destruction, of indemnity reasonably satisfactory to it (provided that if the Bondholder is, or is a nominee for, the initial Bondholder or is another Bondholder with a minimum net worth of at least $25,000,000, such person's own unsecured agreement of indemnity shall be deemed to be satisfactory), or

(2) in the case of mutilation, upon surrender and cancellation thereof,

the City at its expense shall execute and deliver, in lieu thereof, a new single, fully registered Bond, dated and bearing interest from the date to which interest shall have been paid on such lost, stolen, destroyed, or mutilated Bond or dated the date of such lost, stolen, destroyed, or mutilated Bond if no interest shall have been paid thereon.

Section 3. All sums becoming due on the Bond for principal, premium, if any, and interest shall be paid in lawful money of the United States by the method and at the address specified for such purpose by the Bondholder in writing to the City, without the presentation or surrender of the Bond or the making of any notation thereon, except that upon written request of the City made concurrently with or reasonably promptly after payment or redemption in full of the Bond, the Bondholder shall surrender the Bond for cancellation, reasonably promptly after any such request, to the City. Prior to any sale or other disposition of the Bond the Bondholder shall endorse thereon the amount of principal paid thereon and the last date to which interest has been paid thereon.

All payments of principal of the Bond (whether at maturity or upon redemption), including the date and amount of each payment, shall be endorsed by the Bondholder on the Schedule of Payments and Redemptions attached to the Bond; provided, however, that any failure by the Bondholder to endorse such information on such Schedule or any error therein shall not in any manner affect the obligation of the City to make payments of principal and interest in accordance with the terms of the Bond. The City hereby irrevocably authorizes and directs the Bondholder to enter on the Schedule of Payments and Redemptions the date and amount of each payment of principal of the Bond.

The Bondholder shall permit the City at any time during regular business hours to make at its office an appropriate notation on the Bond of payments of principal thereof, if at least five days prior thereto the City shall have given written notice of its intention to do so and if it shall not have received from you a written confirmation that the requested notation has been made.

Section 4. The Bond may be redeemed prior to maturity at the option of the City, either in whole or in part on any date, upon payment of a redemption price for the Bond or portion thereof to be redeemed equal to ___% of the principal amount thereof plus accrued interest thereon to the redemption date. As a condition precedent to each optional redemption under this Section 4 (unless waived by the Bondholder), the Bondholder shall receive written notice of such optional redemption not less than 30 days and not more than 60 days prior to the date fixed for such redemption. Each such notice shall specify the date of redemption, the principal amount of the Bond to be redeemed on such date, the accrued interest (if the same can be calculated) to be paid on the redemption date with respect to the principal amount being redeemed, and the applicable premium, if any.

Any partial redemptions of the Bond shall be applied to the annual principal payments due on the Bond in the inverse order of their maturities.

In the case of each redemption of the Bond pursuant to this Section 4, the principal amount of the Bond to be redeemed shall mature and become due and payable on the date fixed for such redemption, together with interest on such principal amount accrued to such date and the applicable premium, if any. From and after such date, unless the City shall fail to pay such principal amount when so due and payable, together with the interest and premium, if any, as aforesaid, interest on such principal amount shall cease to accrue.

Section 5. There shall be and is hereby levied a continuing direct annual ad valorem tax for the years 2014 through 2024, without limitation as to rate or amount, upon all property subject to taxation for general obligation bond purposes within the corporate limits of the City, sufficient to provide moneys required to pay the principal of and interest on the Bond, as more fully set forth in Exhibit A attached hereto and incorporated herein by this reference. The sums hereby levied are hereby irrevocably pledged and appropriated to the payment of the principal of and interest on the Bond as the same become due and payable. The amount to be levied for each year is the amount specified to pay principal, if any, and interest coming due in the following year. These sums shall be collected by the tax collector of the City, in each of the years levied, and shall be paid into a sinking fund to be maintained for, and shall be applied to, the payment of the principal of and interest on the Bond as the same become due and payable, and provisions to meet the requirements of this Section 5 shall be made annually hereafter.

Section 6. The Bond, the Validation Certificate, the Schedule of Payments and Redemptions, and the Assignment and Transfer shall be substantially in the following forms, with such variations, omissions, substitutions, and insertions as may be required or permitted by this Ordinance:

[FORM OF BOND]

THIS BOND IS SUBJECT TO AN INVESTMENT LETTER AGREEMENT AND MAY NOT BE SOLD, TRANSFERRED, ASSIGNED, OR OTHERWISE DISPOSED OF EXCEPT PURSUANT TO THE TERMS OF SUCH INVESTMENT LETTER AGREEMENT.

UNITED STATES OF AMERICA
STATE OF GEORGIA
CITY OF CARTERSVILLE, GEORGIA
GENERAL OBLIGATION PARK AND RECREATIONAL FACILITIES BOND, SERIES 2014

Number R-1 $8,200,000

Maturity Date	Interest Rate	Dated
January 1, 2025	____%	December __, 2014

Registered Owner:

Principal Amount: EIGHT MILLION TWO HUNDRED THOUSAND AND NO/100 DOLLARS

CITY OF CARTERSVILLE, GEORGIA (the “City”), for value received, hereby promises to pay to the registered owner identified above, or registered assigns, on the principal payment dates specified herein, unless redeemed prior thereto as hereinafter provided, the principal amount identified above and to pay interest from the date of this Bond, or from the most recent interest payment date to which interest has been paid, on the balance of such principal sum from time to time remaining unpaid, as indicated on the Schedule of Payments and Redemptions attached to this Bond, at the interest rate per annum shown above (computed on the basis of a 360-day year consisting of twelve 30-day months) on July 1 and January 1 of each year, commencing July 1, 2015, until the payment of the principal amount of this Bond in full. Principal of this Bond shall be payable on January 1, in the years and in the amounts as follows:

Year	Amount	Year	Amount
2016	$745,000	2021	$820,000
2017	755,000	2022	840,000
2018	770,000	2023	870,000
2019	780,000	2024	895,000
2020	800,000	2025	925,000

All sums becoming due on this Bond for principal, premium, if any, and interest shall be paid in lawful money of the United States by the method and at the address specified for such purpose by the registered owner of this Bond in writing to the City, without the presentation or surrender of this Bond or the making of any notation hereon, except that upon the written request of the City made concurrently with or reasonably promptly after payment or redemption in full of this Bond, the registered owner of this Bond shall surrender this Bond for cancellation, reasonably promptly after any such request, to the City. Prior to any sale or other disposition of this Bond, the registered owner of this Bond shall endorse hereon the amount of principal paid hereon and the last date to which interest has been paid hereon.
All payments of principal of this Bond (whether at maturity or upon redemption), including the date and amount of each payment, shall be endorsed by the registered owner of this Bond on the Schedule of Payments and Redemptions attached to this Bond; provided, however, that any failure by the registered owner of this Bond to endorse such information on such Schedule or any error therein shall not in any manner affect the obligation of the City to make payments of principal and interest in accordance with the terms of this Bond. The City hereby irrevocably authorizes and directs the registered owner of this Bond to enter on the Schedule of Payments and Redemptions the date and amount of each payment of principal of this Bond.

This Bond is the only bond of an authorized issue limited in original principal amount to $8,200,000, issued by the City for the purpose of providing funds to pay or be applied toward the cost of acquiring, constructing, reconstructing, renovating, repairing, improving, and installing park and recreational facilities and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, to pay capitalized interest incident thereto, and to pay expenses incident to accomplishing the foregoing. The Bond is authorized by the Constitution and laws of the State of Georgia and is being issued pursuant to an ordinance (the "Bond Ordinance") duly adopted by the City Council of City of Cartersville, Georgia on December 18, 2014.

This Bond shall be issued as a single, fully registered bond without coupons in the original principal amount of $8,200,000. Upon surrender of this Bond at the office of the City for registration of transfer, duly endorsed or accompanied by a written instrument of transfer duly executed by the registered owner of this Bond or its attorney duly authorized in writing and accompanied by the address for notices of each transferee of this Bond, the City shall execute and deliver, at the City's expense (except as provided below), a new Bond in exchange herefor, in a principal amount equal to the unpaid principal amount of the surrendered Bond. Each such new Bond shall be payable to such person as the former registered owner of this Bond may request and shall be issued as a single, fully registered bond. Each such new Bond shall be dated and bear interest from the date to which interest shall have been paid on the surrendered Bond or dated the date of the surrendered Bond if no interest shall have been paid hereon.

The City may require payment of a sum sufficient to cover any stamp tax or governmental charge imposed in respect of any such transfer of this Bond. This Bond shall not be transferred in a denomination of less than the unpaid principal amount of the surrendered Bond.
Prior to due presentment for registration of transfer, the person in whose name this Bond shall be registered shall be deemed and treated as the owner and holder hereof for all purposes hereof (including the receipt of payments of principal of, premium, if any, and interest on this Bond), whether or not this Bond shall be overdue, and the City shall not be affected by any notice or knowledge to the contrary.
The City has designated this Bond as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

IT IS HEREBY CERTIFIED, RECITED, AND DECLARED that all acts, conditions, and things required by the Constitution and laws of the State of Georgia to exist, happen, and be performed precedent to and in the issuance of this Bond do exist, have happened, and have been performed in due time, form, and manner as required by law, that provision has been made for the collection of a direct annual ad valorem tax, without limitation as to rate or amount, sufficient to pay the principal of and interest on this Bond in accordance with its terms, and that the total indebtedness of the City, including the Bond, does not exceed any limitation prescribed by the Constitution and laws of the State of Georgia.

IN WITNESS WHEREOF, City of Cartersville, Georgia has caused this Bond to be executed by its Mayor and has caused the official seal of the City to be impressed hereon and attested by its City Clerk.

CITY OF CARTERSVILLE, GEORGIA

(SEAL)

By:______________________________
Mayor

Attest:

____
City Clerk

VALIDATION CERTIFICATE

STATE OF GEORGIA

COUNTY OF BARTOW

The undersigned Clerk of the Superior Court of Bartow County, Georgia, does hereby certify that this Bond was validated and confirmed by judgment of the Superior Court of Bartow County, Georgia, on the 17th day of December 2014, that no intervention or objection was filed opposing the validation of this Bond, and that no appeal of such judgment of validation has been taken.

IN WITNESS WHEREOF, I have hereunto set my hand and have impressed hereon the official seal of the Superior Court of Bartow County, Georgia.

(SEAL)

____
Clerk, Superior Court of
Bartow County, Georgia

SCHEDULE OF PAYMENTS AND REDEMPTIONS

Date of Payment	Amount of Payment	Notation Made By	Date of Payment	Amount of Payment	Notation Made By

ASSIGNMENT AND TRANSFER

FOR VALUE RECEIVED, the undersigned, ________________________________, hereby sells, assigns, and transfers unto

____

(Tax Identification or Social Security No. ______________)

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints ____ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _________________________________ ____
Signature

NOTICE: The signature(s) to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

[END OF FORM OF BOND]

Section 7. The Bond shall be executed for and on behalf of the City by the manual signature of its Mayor, and the City's seal shall be impressed thereon and attested by the manual signature of its City Clerk. In case any officer whose signature shall appear on the Bond shall cease to be such officer before delivery of the Bond, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer remained in office until such delivery.

Section 8. The City shall sell the Bond to the Purchaser for the price of $8,200,000. The Mayor of the City is hereby authorized to execute and deliver, on behalf of the City, a purchase contract between the City and the Purchaser, providing for the sale of the Bond. The execution and delivery of a purchase contract by the Mayor of the City shall constitute conclusive evidence of the ratification, confirmation, and approval by the City of the terms and conditions of the purchase contract.

Section 9. The Bond shall, in due course, be delivered to the Purchaser against payment for the Bond.

Section 10. All actions taken or to be taken by the Governing Body and by the City Manager relating to the authorization, issuance, and sale of the Bond, shall be, and the same are hereby, ratified, confirmed, and approved.

Section 11. The City recognizes that the purchaser and owner of the Bond will have accepted the Bond on, and paid for the Bond a price that reflects, the understanding that interest on such Bond is not included in the gross income of the owners for federal income tax purposes under laws in force at the time the Bond shall have been delivered.

The City shall take any and all action that may be required from time to time in order to assure that interest on the Bond shall remain excludable from the gross income of the owners of the Bond for federal income tax purposes and shall refrain from taking any action that would adversely affect such status.

Prior to or contemporaneously with delivery of the Bond, the Mayor and the City Clerk of the City shall execute a Certificate as to Arbitrage Matters on behalf of the City respecting the investment of the proceeds of the Bond. Such certificate shall be a representation and certification of the City, and an executed copy thereof shall be delivered to the Purchaser. The City shall not knowingly invest or participate in the investment of any proceeds of the Bond if such investment would cause interest on the Bond to become included in gross income for federal income tax purposes.

The Mayor or the City Clerk of the City may also execute and deliver, on behalf of the City: (i) such agreements, filings, and other writings as may be necessary or desirable to cause or bind the City to comply with any requirements for rebate under Section 148(f) of the Internal Revenue Code of 1986, as amended (the "Code"), or (ii) such certificate or other writing as may be necessary or desirable to qualify for exemption from such rebate requirements.

The City shall calculate, from time to time, as required in order to comply with the provisions of Section 148(f) of the Code, the amounts required to be rebated (including penalties) to the United States and shall pay or cause to be paid to the United States any and all of such amounts on or before the due date.

The City hereby covenants and agrees that it will not use or permit any use of the proceeds of the sale of any Bond, or use or permit the use of any of the facilities being financed thereby, which would cause the Bond or any portion thereof to be "private activity bonds" within the meaning of Section 141 of the Code.

The City hereby designates the Bond as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code and covenants that the Bond does not constitute a "private activity bond," as defined in Section 141 of the Code, and that not more than $10,000,000 in aggregate principal amount of obligations the interest on which is excludable from gross income for federal income tax purposes (excluding, however, private activity bonds, as defined in Section 141 of the Code, other than qualified 501(c)(3) bonds, as defined in Section 145 of the Code), including the Bond, have been or shall be issued by the City, including all subordinate entities of the City and all entities that issue obligations on behalf of the City, during the calendar year 2014.

The covenants, certifications, representations, and warranties contained in this Section 11 shall survive payment in full or provision for payment in full of the Bond.

Section 12. The issuance of the Bond shall not exceed any debt limitation prescribed by the Constitution of the State of Georgia.

Section 13. All ordinances and resolutions and parts of ordinances and resolutions in conflict with this Ordinance, if any, shall be and the same are hereby repealed.

Section 14. The Mayor and the City Clerk of the City are hereby authorized and directed to execute, for and on behalf of the City, such other agreements, certificates, or documents as may be necessary or desirable in connection with the issuance, sale, and delivery of the Bond or the investment of the proceeds of the Bond, including, without limitation, a placement agreement between the City and Raymond James & Associates, Inc.

Section 15. Notwithstanding anything herein to the contrary, any action that the Mayor of the City is required, permitted, or otherwise authorized to take in connection with the Bond may be taken by the Mayor Pro Tempore of the City, in the absence at the time or in the event of the vacancy in the office of the Mayor or the incapacity at the time of the Mayor. These actions shall include execution, delivery, or performance of any certificate, agreement, instrument, document, or other writing relating to the Bond, including the execution of the Bond. To this end, this Ordinance shall be construed so that all references to the Mayor of the City may also be considered to be references to the Mayor Pro Tempore of the City. The City Clerk of the City shall determine whether the Mayor is absent or incapacitated or whether there is a vacancy in the office of Mayor so that the Mayor Pro Tempore may act under this Section 15, and the determination of the City Clerk of the City shall be binding and conclusive upon the City.

PASSED, ADOPTED, SIGNED, APPROVED, AND EFFECTIVE this 18th day of December 2014.

CITY OF CARTERSVILLE, GEORGIA

(SEAL)

By:__________________________________
Mayor

Attest:

____
City Clerk

EXHIBIT A
DEBT SERVICE SCHEDULE

Payment Date	Principal	Interest	Total Debt Service
7/1/15	$ ---		
1/1/16	745,000		
7/1/16	---		
1/1/17	755,000		
7/1/17	---		
1/1/18	770,000		
7/1/18	---		
1/1/19	780,000		
7/1/19	---		
1/1/20	800,000		
7/1/20	---		
1/1/21	820,000		
7/1/21	---		
1/1/22	840,000		
7/1/22	---		
1/1/23	870,000		
7/1/23	---		
1/1/24	895,000		
7/1/24	---		
1/1/25	925,000		
Total	$8,200,000		

STATE OF GEORGIA
BARTOW COUNTY

CITY CLERK'S CERTIFICATE

I, **CONNIE KEELING,** City Clerk of City of Cartersville, Georgia, **DO HEREBY CERTIFY** that the foregoing pages constitute a true and correct copy of a Bond Ordinance adopted by the City Council of City of Cartersville, Georgia (the "Governing Body") at an open public meeting duly called and lawfully assembled at 7:00 p.m., on the 18th day of December 2014, in connection with the issuance and sale of $8,200,000 in original principal amount of City of Cartersville, Georgia General Obligation Park and Recreational Facilities Bond, Series 2014, the original of such Bond Ordinance being duly recorded in the Minute Book of the Governing Body, which Minute Book is in my custody and control.

I do hereby further certify that the following members of the Governing Body were present at such meeting:

Matt Santini, Mayor
Dianne Tate, Mayor Pro Tempore
Kari Hodge
Lindsey McDaniel, Jr.
Lori Pruitt
Jayce Stepp
Louis Tonsmeire, Sr.

and that the following members were absent:

____

____

and that such Bond Ordinance was duly adopted by a vote of:

Aye _____ Nay _____.

WITNESS my hand and the official seal of City of Cartersville, Georgia, this the 18th day of December 2014.

(SEAL) ____________________________________

D. Other

1. 9 Clover Lane Subordination Agreement

Randy Mannino, Planning and Development Director stated that this subordination agreement is for property located at 9 Clover Lane. The current property owner purchased the property as part of the first time homeowners' $10,000 five-year forgivable loan program through the Community Housing Improvement Program. Mr. Mannino stated that the property owner would like to refinance to obtain a better rate and this document is needed to confirm that the five-year forgivable loan will remain a secondary subordinate to the mortgage and he recommended approval.

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

2. Proposed Workers Compensation Settlement Agreement

Dwight Hale, Human Resources Director stated that this is a proposed workers compensation settlement agreement for a former employee of the Water Department in the amount of $7,000 and recommended approval.

A motion to approve workers compensation settlement agreement was made by Council Member Stepp and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0

E. Bid Award/Purchases

1. Citizen Survey 2015

Rebecca Bohlander, Communications/Public Relations stated that this is the first invoice for the 2015 Citizen Survey. This invoice is in the amount of $6,900 and the total survey will cost $10,900. Ms. Bohlander recommended approval.

A motion to approve 2015 Citizens Survey was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0

2. Transformer for Electric Department

Don Hassebrock, Electric Department Director stated that his department needs to replenish stock by purchasing a 1000 kVA transformer to replace the one that was recently installed at a customer site. Mr. Hassebrock stated the four bids were received and recommended the lowest unit price of $12,334.00 from Stuart C. Irby.

A motion to approve the purchase of the 1000kVA transformer from Stuart C. Irby was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

Mayor Santini stated that there was one item to be added to the agenda. A motion to add an item to the agenda was made by Council Member Tate and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

F. Added Item

1. Terry Reid GMC Lighting Project

Don Hassebrock, Electric Department Director stated that the Terry Reid Group of North Georgia had requested proposals for their newly acquired dealership at 125 South Dixie Avenue. Terry Reid has accepted the proposal, has already paid the upfront construction cost of $13,900.00 and has agreed to a three year Outdoor Lighting Contract with a monthly charge of $1,950.00. Mr. Hassebrock stated that with the upfront payment and the monthly lighting charges the payback for this project is less than 24 months. The work will be completed by city crews and will have the same materials used for other projects in the area. Mr. Hassebrock recommended approval of this project for a total cost of $44,742.50.

A motion to approve the outdoor lighting project with Terry Reid was made by Council

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

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

Meeting Adjourned

/s/ ___________________________
Matthew J. Santini
Mayor

ATTEST:

/s/ ______________________________
Connie Keeling
City Clerk