



City of Cartersville

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

COUNCIL PERSONS:

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 – 10/2/2014
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. September 18, 2014 (Pages 1-16)

[Attachments](#)

B. Proclamations

1. Red Ribbon Week (Pages 17-18)

[Attachments](#)

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

1. File AZ14-04: Annexation and zoning application by Anthony Linley (City annexation initiative) for property at 119 Dogwood Drive (approximately 0.5 acres) from Bartow County jurisdiction to R-20 (Single-family residential). (Pages 19-31)

[Attachments](#)

2. File AZ14-05: Annexation and zoning application by B.I.G. USA Inc. (Burr & Forman, rep.) for property on the south side of Cass-White Road, east of the intersection with Old Grassdale Road (approximately 50 acres) from Bartow County jurisdiction to H-I (Heavy Industrial) and Business Park Overlay District. (Pages 32-49)

[Attachments](#)

3. File ZMA14-02: Zoning Map Amendment by City of Cartersville to revise the Business Park Overlay District map. (Pages 50-53)

[Attachments](#)

D. First Reading of Ordinances

1. Amendment to Budget Ordinance for Fiscal Year 2013-14 (Pages 54-56)

[Attachments](#)

2. Amendment to Capacity Fees Ordinance (Pages 57-59)

[Attachments](#)

E. Change Order

1. Final Change Order - Etowah Drive 12" Water Main (Page 60)

[Attachments](#)

F. Resolutions

1. Approval of Resolutions and Agreement Related to the East Main Street TAD #1 Redevelopment Plan (Pages 61-73)

[Attachments](#)

G. Bid Award/Purchases

1. Aggregate/Salt Spreader and Snow Plows (Page 74)

[Attachments](#)

2. Fire Truck(s) Replacement Purchase (Pages 75-81)

[Attachments](#)

3. Patrol Vehicles 2014-2015 (Pages 82-90)

[Attachments](#)

4. Purchase of SMART Boards (Pages 91-93)

[Attachments](#)

5. Itron Metering Software - Annual Maintenance and Support Contract (Pages 94-96)

[Attachments](#)

6. Electric Meter Testing Contract (Pages 97-108)

[Attachments](#)

H. Other

1. American Public Gas Association Dues (Pages 109-110)

[Attachments](#)

I. Discussion

1. Chamber of Commerce Can-A-Thon (Page 111)

[Attachments](#)

2. Removal of Trees on Wall Street (Page 112)

[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
10/2/2014 7:00:00 PM
September 18, 2014

SubCategory:	Council Meeting Minutes
Department Name:	
Department Summary Recommendation:	Attached are the minutes for your review and approval.
City Manager's Remarks:	The September 18th City Council minutes are recommended for your approval.
Financial/Budget Certification:	
Legal:	
Associated Information:	

City Council Meeting
10 N. Public Square

6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Council Member Hodge

Pledge of Allegiance led by representative from American Legion Carl Boyd Post 42

The City Council met in Regular Session with Matt Santini, Mayor presiding and the following present: Kari Hodge, Council Member Ward One; 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; Catheryn Hembree, Deputy City Clerk and David Archer, City Attorney.

Absent: Jayce Stepp, Council Member Ward Two

II. Regular Agenda

A. Council Meeting Minutes

1. September 4, 2014

A motion to approve the September 4, 2014 City Council Meeting Minutes as presented was made by Council Member Tate and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

B. Proclamation

1. Georgia a Purple Heart State

Georgia was declared a Purple Heart State on March 17, 2014. The local American Legion Carl Boyd Post 42 is requesting that Cartersville be proclaimed a Purple Heart City in like recognition of our veterans wounded in combat.

2. National POW/MIA Recognition Day

American Legion Carl Boyd Post 42 is requesting that Cartersville recognize National POW/MIA Recognition Day to honor former and present American Prisoners of War and members of the Armed Forces. National POW/MIA Recognition Day will be held on September 19, 2014.

C. Second Reading of Ordinances

1. Amendment to Retirement Board Ordinance

Mr. Dan Porta, Assistant City Manager, stated that the Retirement Board is currently comprised of five board members, three of which are elected by city employees. Each elected Board member currently serves a three year term. This past spring, several members of the Retirement Board attended a Pension Trustee Certification Program which takes two years to complete. Mr. Porta stated that due to the fiduciary responsibility of each Board Member, it is important that members become Certified Pension Trustees, therefore, the ordinance amendment recommends changing the term of the Board members to six years and requires they become certified Pension Trustees within a few years of being elected to the Board. The retirement board recommends approval.

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

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 29-14

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, that the Code of Ordinances City of Cartersville, Georgia CHAPTER 16. PERSONNEL. ARTICLE II EMPLOYEE BENEFITS. DIVISION 2. RETIREMENT PLAN. SECTION 16-55. RETIREMENT BOARD – GENERALLY is hereby amended by deleting said sections in there entirety and replacing it as follows:

- (a) The general administration of the plan and the responsibility for carrying out the provisions of this division are hereby vested in a retirement board. Such board shall be composed of five (5) members; three (3) of whom shall be participating employees whom shall be elected as follows one (1) from the Police and Fire Departments, one (1) from the Gas, Electric and Water and Sewer Departments and one (1) from the Community Development, Public Works, Customer Service, Garage, Parks and Recreation, Finance, Municipal Court and Administration Departments. The elected participating employees shall serve six-year staggered terms or until their successors are elected. The other two (2) members shall be the city manager and the city finance director whose terms shall be equivalent to their employment in those capacities. Current board members terms will expire at the end of their existing term and at the next regularly scheduled election the elected board member will serve a six-year term. Elections for regularly expiring board member terms will be held on the Tuesday after the first Monday in November.
- (b) The board shall elect a chairman from among its members. The board shall also appoint a secretary who shall keep all records of its meetings and actions and

execute in behalf of the board any paper or instrument when so required by the board.

- (c) The board members shall serve without pay but shall be entitled to reimbursement for all reasonable and necessary disbursements made or expenses incurred by them in the performance of their duties. The board may be authorized to compensate the secretary in an amount approved by the mayor and council.
- (d) No member shall be personally liable by virtue of any contract, agreement, bond or other instrument or undertaking made or executed by him as a member of the board, nor for honest mistakes of judgment, nor for any loss unless resulting from his own willful misconduct; and no member shall be liable for the act of neglect, omission or wrongdoing of any other member, or for those of agents or counsel of the board.
- (e) The city shall hold the retirement board harmless from and shall indemnify the members for the consequences of their acts or omissions and conduct in their official capacity, including the cost of litigation and counsel fees, except for such act, omission or conduct for which such member is liable under subsection (d).
- (f) Meetings of the board shall be held at such times and places as the majority of the members shall from time to time determine. A majority of the membership shall constitute a quorum, and all decisions, acts and resolutions of the board shall be by an affirmative vote of at least three (3) members.
- (g) When a vacancy occurs or exists on the board, the remaining members, provided that they are not less than three (3), are authorized to perform all functions of the board. However, vacancies on the board shall be filled as expeditiously as possible.
- (h) Newly elected board members must begin Pension Trustee training through the Georgia Association of Public Pension Trustees within one (1) year of being elected to the Pension Board and become a certified Pension Trustee within three (3) years of being elected to the Retirement Board. Failure to meet any of these requirements will mean termination from the Retirement Board.
- (i) The city attorney is the legal advisor to the board.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 4th day of September 2014.

ADOPTED this 18th day of September 2014. Second Reading.

/s/ Matthew J. Santini
Matthew J. Santini
Mayor

ATTEST:

/s/ Catheryn Hembree
Catheryn Hembree
Deputy City Clerk

D. Public Hearing – First Reading of Zoning/Annexation Request

1. File AZ14-04: Annexation and zoning application by Anthony Linley (City annexation initiative) for property located at 119 Dogwood Drive (approximately 0.5 acres) from Bartow County jurisdiction to R-20 (Single Family Residential).

Richard Osborne, City Planner, stated this property is a “donut hole” and is eligible for the City annexation initiative. All legal advertising and notification have been completed. County officials have no objections to the request. Planning Commission recommends approval. Mayor Santini opened the floor for a public hearing. There being no other comments the public hearing was closed.

NO ACTION REQUIRED

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

Petition No. AZ 14-04

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that all that certain tract of land owned by Anthony Linley . Property is located 119 Dogwood Drive. Said property contains 0.5 acres located in the 4th District, 3rd Section, Land Lot(s) 115 as shown on the attached plat Exhibit “A”. Annexation will be duly noted on the official zoning map of the City of Cartersville, Georgia.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 18th day of September 2014.
ADOPTED this the day of. Second Reading.

/s/ _____

Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk

Ordinance
of the
City of Cartersville, Georgia

Ordinance No.

Petition No. AZ 14-04

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that all that certain tract of land owned by Anthony Linley. Property is located 119 Dogwood Drive. Said property contains 0.5 acres located in the 4th District, 3rd Section, Land Lot(s) 115 as shown on the attached plat Exhibit "A". Property is hereby rezoned from Bartow County R-1 (Single Family Residential) to R-20 (Single Family Residential). Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 18th day of September 2014.
ADOPTED this the day of. Second Reading.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk

2. File AZ 14-05: Annexation and zoning application by B.I.G. USA Inc (Burr & Forman rep.) for property on the south side of Cass-White Road, east of the intersection with Old Grassdale Road (approximately 50 acres) from Bartow County jurisdiction to H-I (Heavy industrial) and Business Park Overlay District.

Richard Osborne, City Planner, stated this property is part of a larger B.I.G. development and this parcel would be going the existing H-I/Overlay District zoned property. The County Officials have no objections. Planning Commission recommends approval. Mayor Santini opened the floor for a public hearing. Mr. Jeff Holt, Attorney for B.I.G. Development, addressed the council and stated he was there if they had any questions. There being no other comments the public hearing was closed.

NO ACTION REQUIRED

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

Petition No. AZ14-05

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that all that certain tract of land owned by Anheuser Busch LLC and Jack Nally . Property is located on the south side of Cass-White Road, east of Old Grassdale Road. Said property contains approximately 50 acres located in the 5th District, 3rd Section, Land Lot(s) 227 as shown on the attached plat Exhibit "A". Annexation will be duly noted on the official zoning map of the City of Cartersville, Georgia.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 18th day of September 2014.
ADOPTED this the day of. Second Reading.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
 City Clerk

Ordinance
of the
City of Cartersville, Georgia

Ordinance No.

Petition No. AZ14-05

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that all that certain tract of land owned by Anheuser Busch LLC and Jack Nally. Property is located on the south side of Cass-White Road, east of Old Grassdale Road. Said property contains approximately 50 acres located in the 5th District, 3rd Section, Land Lot(s) 227 as shown on the attached plat Exhibit "A". Property is hereby rezoned from Bartow County Business Park to H-I (Heavy Industrial) and Business Park Overlay District. Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 18th day of September 2014.
ADOPTED this the day of. Second Reading.

/s/ _____
Matthew J. Santini
 Mayor

ATTEST:

/s/ _____
Connie Keeling
 City Clerk

3. File ZMA 14-05: Zoning Map amendment by City of Cartersville to revise the Business Park Overlay District map.

Richard Osborne, City Planner, stated that the changes in the zoning map would correspond to the annexation and zoning application by B.I.G. USA Inc. The County Officials have no objections. Planning Commission recommends approval. Mayor Santini opened the floor for a public hearing. There being no other comments the public hearing was closed.

NO ACTION REQUIRED

E. Public Hearing

1. East Main Street TAD - #1 Urban Redevelopment Plan

Sam Grove, City Manager, stated that the City is proposing an Urban Redevelopment Plan for East Main Street for the new proposed Kroger and related developments. The property is eligible under Georgia Law for a Tax Allocation District due to its previous use as a landfill and mining property. The property will be developed into a commercial node centered around Kroger. A Tax Allocation District is an area where the increase in the tax digest above the current value is taxed, but instead of those funds going to the taxing jurisdiction, they are used to pay for various infrastructures. The size of the site is 53 acres, and contains 231,013sqft of commercial space. The current assessed values if \$455,412.66. The total assessed valued of proposed redevelopment phase I and phase II is \$7,529.992. This is a net taxable increase of \$7,074,579.39. Infrastructure cost include \$460,767 for the Publix Access to Main Street including a new traffic signal, a new connecting road on the east side for \$276,674, landfill excavation for \$856,748, and site work \$1,777,661. A bond issue of approximately \$2.3 million is anticipated. The City will have no liability except to assess ad valorem taxes on the TAD to pay it off. Mayor Santini opened the floor for a public hearing. There being no other comments the public hearing was closed.

NO ACTION REQUIRED

F. Bid Award/Purchases

1. UHC Senior Supplement Insurance Renewal

Dan Porta, Assistant City Manager, stated City retirees over the age of 65 or disabled have been covered with Medicare insurance supplement for several years through United Healthcare. The insurance renewal for calendar year 2015 is approximately 9% higher than the current year rates. Mr. Porta recommended approval of the UHC Senior Supplement Insurance renewal for 2015.

A motion to approve the UHC Senior Supplemental Insurance Renewal was made by Council Member Tonsmeire and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

2. Pension Plan IRD Determination Letter

Dan Porta, Assistant City Manager, stated in April 2013 the Retirement Board approved for the actuary to submit the Cartersville Pension Plan to the Internal Revenue Service for approval of the plan document. During the course of the review addition information was requested to document when amendments to the Pension Plan were approved by the Pension Board. The IRS agent has applied a charge of \$15,000 to bring the Pension Plan Document into compliance. The charge does seem high, but the City has never had to pay an ERISA attorney to keep the plan in compliance. The Retirement Board has approved the charge and recommends approval to pay the charge to bring the Pension Plan into compliance and receive an IRS Determination Letter.

A motion to approve Pension Plan IRD Determination Letter was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

(Council Member Hodge excused herself from the meeting)

3. Macro Air HVLS Fans

Dan Porta, Assistant City Manager, the garage department has received bids for two large ceiling fans to be installed in the bay area. Three bids were received and the lowest bid was from Allied Materials Handling in the amount of \$8,415.00. There is money in the budget for this item. Mr. Porta recommends approval for the purchase.

A motion to approve the Macro Air HVLS fans was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

4. 2 MG Clearwell External Repair WTP – Phase 1

Bob Jones, Water Superintendent, stated the 2 million gallon Clearwell has been cracked and leaking since construction. This is a large concrete structure at the WTP with cracks and leak stains that was highlighted during the FY 14-15 budget discussion. Bids were taken for exterior repair from two reputable companies that specialize in this type of repair. Both companies were asked to bid the exact same repair process using the same materials and quantities. The lowest bid was from Precon for \$39,150.00. During the bid process both companies inspected the tank and advised us on estimated quantities of each type of repair. These estimates range from as little as 500 linear feet to as much as 3000 linear feet. Because the exact quantity of cracks and type of repair needed is unknown, Mr. Jones is asking for a not to exceed amount of \$75,000. In no way does this guarantee a complete repair of the structure. It is likely that another round of this type of repair in addition to internal repairs will be necessary in the future. Council Member Tate asked for verification on the total cost. Mr. Jones stated they were going to complete this section and see how it weathers and then ask for addition repairs.

A motion to approve the external repairs was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

5. Front Loader Containers

Tommy Sanders, Public Works Director, stated Public Works solicited bids for front loader containers for the commercial garbage service. We requested bids for 15 – 8 yd High Tops, 10 – 8 yd slant tops, and 5 – 4yds. After soliciting quotes we had several 4yd container request from customers, therefore Public Works would like to add 10 -7yd containers to the low bidders price. Mr. Sanders request approval of the low bidder, Lewis Steel Works, INC for \$27,675.00 which includes the 10 addition units and freight.

A motion to approve the purchase of 40 front loader containers was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

6. Compact Track Loader with Attachments

Tommy Sanders, Public Works Director, stated Public Works opened sealed bids for a Compact Track Loader for the Stormwater Division. Six bids were submitted ranging from \$54,181 to \$68,548. The lowest bidder than met all the required specifications was Rhinehart Equipment Company, Rome. They bid a 2014 Bobcat t750 with 80” heavy duty construction bucket and BID X-Treme Hi-Flo Brush Cutter for \$60,855. Bobcat has been making compact track loaders since 1999. Mr. Sanders recommends awarding the bid to Rhinehart Equipment Company for \$60,855.00. This is a budgeted item and the budget was \$75,000.00.

A motion to approve the purchase of a compact track loader was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 4-0

G. Certification

1. Community Rating System Annual Recertification

Tommy Sanders, Public Works Director, stated the City of Cartersville participates in the Community Rating System in order to qualify for reduced flood insurance rates from the National Flood Insurance Program. Mr. Sanders is requesting the Mayor’s signature for the attached annual recertification.

A motion to approve the Mayor’s signature on the annual recertification was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 4-0

H. Contacts/Agreements

1. Professional Services Proposal – Fox Environmental

Tommy Sanders, Public Works Director, requests the approval of a proposal from Fox Environmental to provide continuing technical support services to facilitate compliance with the new GA EPD Phase II MS4 Permit. The profession service will be provided over a two year

period. Mr. Sanders recommends approval for the contract for a not to exceed amount of \$25,850. This is a budgeted item.

A motion to approve the contact with Fox Environmental was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 4-0

2. Historic Tour of Oak Hill Cemetery

Dan Porta, Assistant City Manager, stated the Bartow History Museum would like permission to use the Oak Hill Cemetery on September 27, 2014 for an event titled, "An Evening in Oak Hill". Museum staff will sale tickets to the event and lead participants on a tour, stopping at preselected historical figures. They have provided the City a certificate of insurance naming the City as an additional insured. Mr. Porta recommended approval.

A motion to approve the use of Oak Hill Cemetery by the Bartow History Museum was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 4-0

3. SEGAS Agreement

Gary Riggs, Gas Superintendent, stated that this is a new agreement SEGAS. It increases the rate we pay from \$0.03 to \$0.035 per dekatherm. Mr. Riggs recommends approval.

A motion to approve the SEGAS Agreement was made by Council Member Pruitt and seconded by Council Member McDaniel. Motion carried unanimously. Vote 4-0

I. Other

1. Floyd County Taxes

Gary Riggs, Gas Superintendent, stated that this is the 2014 Tax Bill from Floyd County for the City's facilities in their jurisdiction. The amount is \$5,720.75. This is a budgeted item. Mr. Riggs recommends approval of payment.

A motion to approve the payment of Floyd County Taxes was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

J. Resolutions

1. Special Event Application Festival Zone

Greg Anderson, Parks and Recreation Director, stated his department wished to apply for a Festival Zone permit at Dellinger Park for the purpose of having beer and wine served at the

Dog Disc Banquet. The Banquet is scheduled for Saturday, October 11th, for 6:30-10:30pm. The Festival Zone will be picnic shelters #2 and #3. Although Parks & Recreation is applying for the Festival Zone permit, Woof Sports is sponsoring the banquet for the sponsors, participants, and spouses. The banquet is for invited guest only. Parks & Recreation will follow all requirements for the City of Cartersville Special Event "Festival Zone". The area will be fenced with one entrance/exit, a City off duty police officers will be on site, and staff will be checking ID and issuing wrist bands. Johnny Mitchell's Smokehouse will be catering and serving at the event. Mr. Anderson recommends approval of the Special Event application.

A motion to approve the Festival Zone Permit was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 4-0

Resolution 17-14

WHEREAS, the Cartersville City Council approved a Festival Ordinance in June 2014

WHEREAS, the Cartersville Parks and Recreation Department wishes to establish a Festival Zone at Dellinger Park for a banquet sponsored by Woof Sports for the 15th annual Dog Disc Championship on Saturday October 11, 2014 from 6:30 – 10:30pm. The banquet is open to Dog Disc sponsors, participants and their spouses and is closed to the general public.

WHEREAS, the Parks and Recreation Department recommends that Picnic Shelter #2 and Picnic Shelter #3 be established as the Festival Zone and where only invited guests 21 years and older that show proof of identification and receive a wristband, which will allow them to consume beer or wine within the Festival Zone.

WHEREAS, the Parks and Recreation Department will install a fence around the Festival Area and Cartersville Police will provide an Off-Duty police officer who will be stationed at the sole entrance and exit and Parks and Recreation Department staff will check identification and issue the wristband. Signage will be placed at the entrance that states "NO ALCOHOLIC BEVERAGES OUTSIDE THE FESTIVAL ZONE".

WHEREAS, Johnny Mitchell's Smokehouse will be catering the banquet and is to provide a "Certificate of Liability Insurance", Special Event pouring permit from City of Cartersville and Special Event pouring permit from the State of Georgia which will allow them to serve beer and wine.

WHEREAS, the Director of Planning and Development has received the proposal and application and approved the event with the understanding alcoholic beverages will be

served from 6:30 – 10:30pm on Saturday October 11 and that all plans, drawings and safety as outlined in Exhibit “A” will be adhered.

NOW, THEREFORE BE IT RESOLVED by the City of Cartersville that the October 11 event, planned, implemented by Cartersville Parks and Recreation Department, with sponsorship from Woof Sports and approved by Director of Planning and Development be designated as a Festival Zone.

ADOPTED this the 18th day of September 2014.

/s/ Matthew J. Santini
Matthew J. Santini
Mayor

ATTEST:

/s/ Catheryn Hembree
Catheryn Hembree
Deputy City Clerk

2. Downtown Festival Zone Proposal

Tara Currier, Downtown Manager, stated the DDA is applying for a Festival Zone permit for their Cartersville Bluegrass & Folk Festival, held on Saturday, October 18th. Mrs. Currier recommends approval of the Festival Zone Permit.

A motion to approve the Festival Zone Permit was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 4-0

Resolution 18-14

WHEREAS, the Cartersville City Council approved a Festival Ordinance in June 2014

WHEREAS, the Downtown Development Authority (DDA) wishes to establish a Festival Zone for the Cartersville Bluegrass & Folk Festival, held downtown on Saturday October 18, 2014.

WHEREAS, the DDA Board recommends that the area from Main Street to Church Street, and Museum Drive to Erwin Street, be designated a controlled Festival Zone, allowing those of 21 years and older, who show proof of identification and receive a festival

cup and wristband, be allowed to consume purchased beer or wine within the Festival Zone.

WHEREAS, the DDA Board and staff have completed Crowd Management training and will, in conjunction with a minimum of four law enforcement officers, ensure the safety of all guests, and keep those with alcoholic beverages within the allotted Festival Zone, which is also boarded with white fencing, and ample signage.

WHEREAS, the Director of Planning and Development has received the proposal and application and approved the event with the understanding alcoholic beverages will be served from 1-7 PM on Saturday October, 18th by the approved downtown alcohol-license holding businesses, and that all plans, drawings and safety as outlined in Exhibit "A" will be adhered.

NOW, THEREFORE BE IT RESOLVED by the City of Cartersville that the Cartersville Bluegrass & Folk Festival event, planned and implemented by the DDA, and approval by the Director of Planning and Development, be designated a Community Festival.

ADOPTED this the 18th day of September 2014.

/s/ Matthew J. Santini
Matthew J. Santini
Mayor

ATTEST:

/s/ Catheryn Hembree
Catheryn Hembree
Deputy City Clerk

K. Monthly Financial Statement

1. July 2014 Financial Report

Tom Reinhart, Finance Director, explained the July 2014 monthly financial statement in detail, along with the supplemental financial information and the cash position for the same time period.

After announcements a motion to adjourn the meeting was made by Council Member Pruitt and needing no second. Motion carried unanimously. Vote 4-0

Meeting Adjourned

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Catheryn Hembree
Deputy City Clerk



City of Cartersville

City Council Meeting
10/2/2014 7:00:00 PM
Red Ribbon Week

SubCategory:	Proclamations
Department Name:	Administration
Department Summary Recommendation:	This proclamation is at the request of YM/Sgt. Hartley, who is involved with the Etowah Valley Young Marines organization.
City Manager's Remarks:	This is a ceremonial item. No action other than recognition is required on the part of City Council.
Financial/Budget Certification:	
Legal:	
Associated Information:	



CITY of CARTERSVILLE

Proclamation

WHEREAS, Alcohol and drug abuse in this nation has reached epidemic stages; and

WHEREAS, It is imperative that visible, unified preventive educational efforts by community members be launched to eliminate the demand for drugs; and

WHEREAS, The National Red Ribbon Campaign offers citizens the opportunity to demonstrate their commitment to drug-free lifestyles which is defined as no use of illegal drugs or no illegal use of legal drugs; and

WHEREAS, The National Red Ribbon Campaign will be celebrated in every community in America during Red Ribbon Week, October 23-31; and

WHEREAS, business, government, parents, law enforcement, media, medical institutions, religious institutions, schools, senior citizens, service organizations, and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying red ribbons during this week-long campaign; and

WHEREAS, the City of Cartersville further commits its resources to ensure the success of the Red Ribbon Campaign.

NOW, THEREFORE, I, Matthew J. Santini, as Mayor of the City of Cartersville do hereby proclaim October 23-31, 2014 as

RED RIBBON WEEK

and encourage all of its citizens to participate in activities related to drug prevention education, not only during Red Ribbon Week, but all year long, making a visible statement that we are strongly committed to a drug-free community.

In Witness whereof I have hereunto set my hand and caused this seal to be affixed

Mayor

Attest: _____ City Clerk

OCTOBER 2, 2014

Item # 2



City of Cartersville

City Council Meeting

10/2/2014 7:00:00 PM

File AZ14-04: Annexation and zoning application by Anthony Linley (City annexation initiative) for property at 119 Dogwood Drive (approximately 0.5 acres) from Bartow County jurisdiction to R-20 (Single-family residential).

SubCategory:	Public Hearing - 2nd Reading of Zoning/Annexation Requests
Department Name:	Planning and Development
Department Summary Recommendation:	The subject tract is approximately 0.5 acres of residential property in the Country Club Estates subdivision that includes a single-family ranch house built in approximately 1964. This property is part of a “donut hole” of properties surrounding by land in the City limits of Cartersville, and is eligible for the City annexation initiative in which staff handles the annexation procedures for the applicant. The property would be, if annexed, zoned R-20 (Single-family residential), which is similar to the current R-1 Residential zoning district in Bartow County. County officials have no objections to this request. Planning Commission recommended approval.
City Manager's Remarks:	This annexation and rezoning is recommended for your approval by the Planning Commission.
Financial/Budget Certification:	
Legal:	
Associated Information:	

ZONING & ANNEXATION SYNOPSIS

Petition Number(s): **AZ14-04**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **Anthony Linley (City annexation initiative)**

Representative: **None**

Property Owner: **Anthony Linley**

Property Location: **119 Dogwood Drive**

Access to the Property: **Dogwood Drive**

Site Characteristics:

Tract Size: Acres: **0.5 acres** District: **4th** Section: **3rd** LL(S): **115**

Ward: **6** Council Member: **Lori Pruitt**

LAND USE INFORMATION

Current Zoning: **County R-1 (Single-family residential)**

Proposed Zoning: **R-20 (Single-family residential)**

Proposed Use: **Annex for City schools**

Current Zoning of Adjacent Property:

North: **City R-20**

South: **City R-20**

East: **City R-20**

West: **Bartow County jurisdiction**

The Future Development Plan designates the subject property as: **Suburban Living with recommended zoning districts R-20 and R-15**

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.

Bartow County government has also received information regarding the annexation request and finds no objection to the application. The property is currently zoned R-1 (Mining) and is identified on the County's Future Land Use Map as Residential.

The subject tract is approximately 0.5 acres of residential property in the Country Club Estates subdivision that includes a single-family ranch house built in approximately 1964. This property is part of a "donut hole" of properties surrounding by land in the City limits of Cartersville, and is eligible for the City annexation initiative in which staff handles the annexation procedures for the applicant. The property would be, if annexed, zoned R-20 (Single-family residential), which is similar to the current R-1 Residential zoning district in Bartow County. County officials have no objections to this request. Planning Commission recommended approval.

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.*
The proposed R-20 zoning may permit a use that is suitable in view of the existing single-family residential use and development of adjacent properties.
- B. *Whether the zoning proposal will create an isolated district unrelated to adjacent and nearby districts.*
The proposed R-20 zoning may not create an isolated district since there are adjacent and nearby properties that are zoned R-20 in the City.
- C. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*
The R-20 zoning proposal may not adversely affect the existing use of adjacent properties.
- D. *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.*
As currently zoned R-1 (Residential) in unincorporated Bartow County, it may have a reasonable economic use. However, the proposed zoning and annexation into the City limits may be reasonable for a more consistent public safety coverage area.
- 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 zoning proposal may not cause an excessive use of existing streets and facilities. Utility, Public Works, and Planning & Development staff would review any future development based on possible use on roads, utilities, and other factors.
- F. *Whether the zoning proposal is in conformity with the adopted local Comprehensive Land Use Plan.*
The zoning proposal is in conformity with the Future Development Map.

- 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 R-20 zoning 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 based on possible environmental factors related to use.

- 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.

Based on the annexations based on property owner requests that have occurred in the last five years in the Country Club Estates subdivision and adjacent neighborhoods as part of the City annexation initiative, it may be appropriate for this property to be in the City limits.

STAFF RECOMMENDATION: Staff has no objections.

PLANNING COMMISSION RECOMMENDATION: Approval

Application for Annexation/Zoning

Planning and Development Department

10 North Public Square

City of Cartersville

(770) 387-5600

City Annex Initiative

Application Number

A214-04

Hearing Date

9-9-14

Applicant

Anthony Linley

(applicant's printed name)

Address

119 Dogwood Dr.

City

Cartersville

State

GA

Business Phone

Home Phone

770-905-2184 (cell)

Zip

30120

(Representative's printed name (if other than applicant))

Business Phone

Cell or Fax #

Representative's signature

Applicant's signature

linley.anthony@yahoo.com

Signed, sealed and delivered in presence of:

Notary Public

My commission expires:

6/21/15

Titleholder

Anthony Linley

Business Phone

Home Phone

770-905-2184

*attach additional notarized signatures as needed on separate application page

Address 119 Dogwood Dr. Cartersville GA 30120

Signature

Signed, sealed, delivered in presence of:

Notary Public

My commission expires:

6/21/15

County Zoning District(s)

R-1

Proposed City Zoning District(s)

R-20

Acreage

1/2-0.50

Land Lot(s)

115

District(s)

4

Section(s)

3

Location of Property

119 Dogwood Dr

(street address, nearest intersections, etc)

Utility Providers: Water

City

Gas

City

Sewer

City

Electric

GA Power

Reason for annexation:

City annex initiative for grandchild in City schools

(attach additional statement as necessary)

Attach a copy of a current boundary survey showing metes and bounds and indicating all existing site improvements.

Planning Commission Recommendation:

Approved:

Disapproved:

Conditions:

Date

City Council Decision:

Approved:

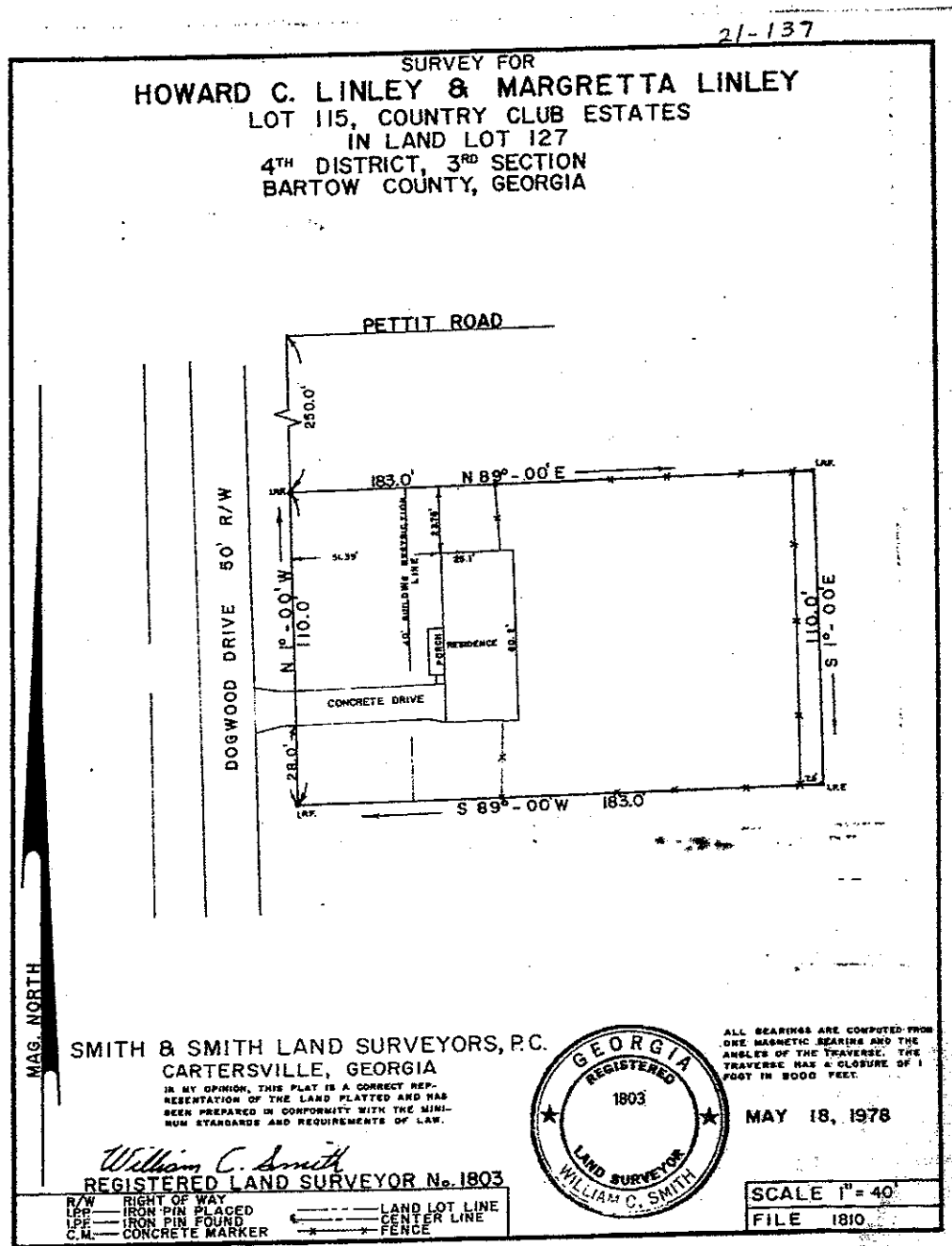
Disapproved:

Conditions:

Date

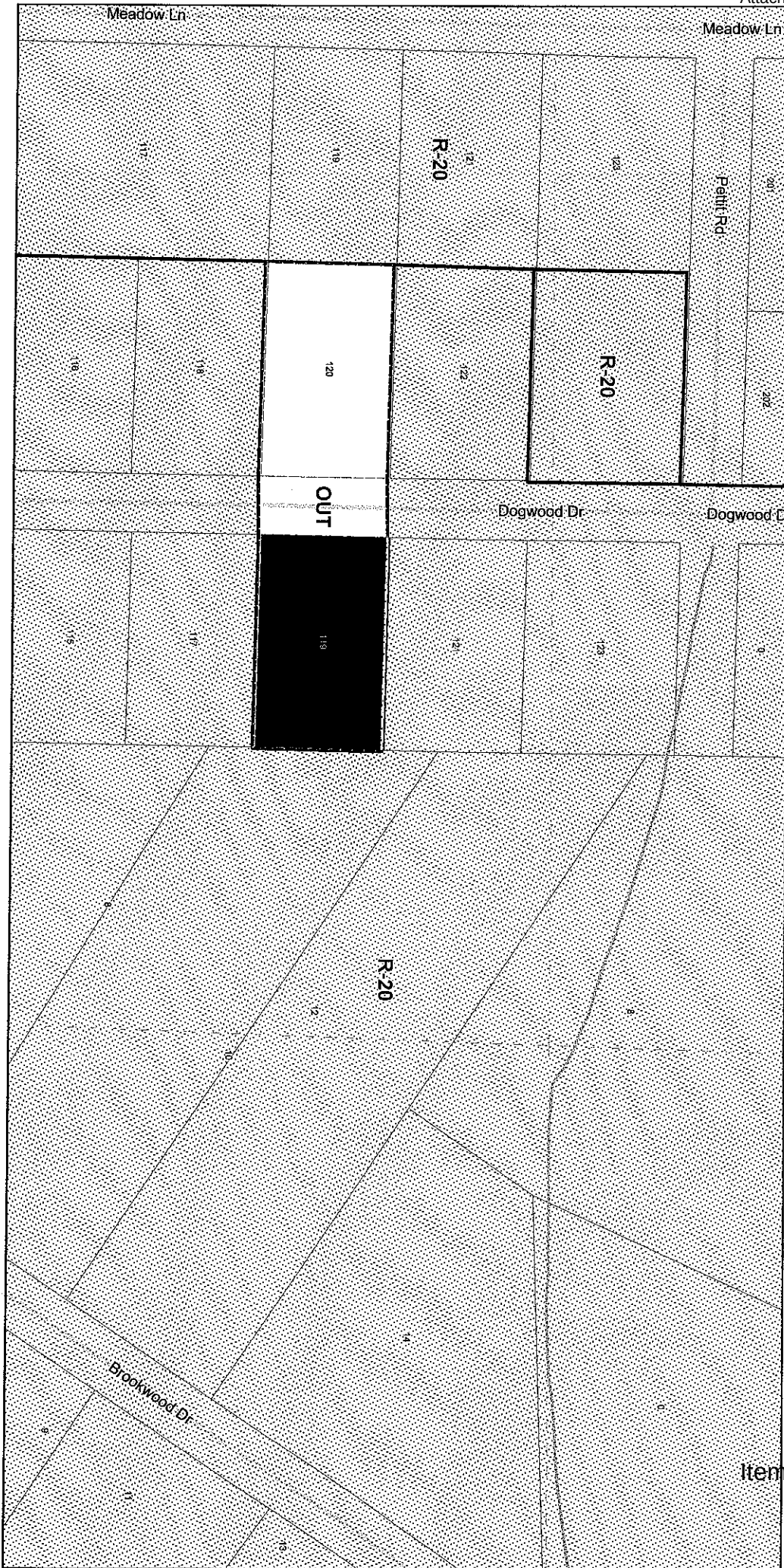
Item # 3

City schools (patterson@cartersville.k12.ga.us)



Recorded June 1
 Gladys Jaffer

119 Dogwood Dr - annexation case AZ14-04



Item # 3

119 Dogwood Dr - annexation case AZ14-04



Item # 3





08/13/2014

CITY OF CARTERSVILLEZONING / ANNEXATION ANALYSISPETITION NUMBER AZ14-04APPLICANT INFORMATION AND PROPERTY DESCRIPTIONPROPERTY OWNER (S) Anthony Linley PHONE NUMBER 770-905-2184PETITIONER same OWNER'S ADDRESS 119 Dogwood Dr.Cartersville, GA 30120PROPERTY LOCATION 119 Dogwood Dr TRACT SIZE 0.5 acDISTRICT 4 SECTION 3 LL(S) 115TAX MAP # 007160004001 PARCEL (S) 1 WARD (S) 6CURRENT LAND USE single family residence PROPOSED LAND USE single family residenceCURRENT ZONING R-1 PROPOSED ZONING R-20SPECIFICS OF PROPOSED USENUMBER OF DWELLING UNITS 1 NUMBER OF OCCUPANTS 6RACIAL COMPOSITION African-AmericanNUMBER OF SCHOOL AGED CHILDREN 1GRADE LEVEL (S) OF SCHOOL AGE CHILDREN 1st gradeSCHOOL SYSTEM TO BE ATTENDED Cartersville CityOWNER OCCUPIED: YES ☒ NO ☐UTILITY SERVICE (CITY, COUNTY, GEORGIA POWER, ATLANTA GAS)

1. WATER City
2. SEWER City
3. GAS City
4. ELECTRICITY GA Power



BARTOW COUNTY

Steve Taylor, Sole Commissioner

CERTIFIED MAIL # 7006 3450 0001 5974 6526

July 30, 2014

Mr. Richard Osborne
Planning Department
City of Cartersville
P.O. Box 1390
Cartersville, GA 30120

RE: AZ14-04
Request by Anthony Linley
to annex approximately .5 acres
located at 119 Dogwood Drive

Dear Richard:

This office has reviewed the above referenced annexation request and finds no objection to the application. The property is currently zoned R-2 and is identified on the County's Future Land Use Map as Low Density Residential.

Please be advised that, pursuant to O.C.G.A. §36-36-7, there may exist county water and/or sewer lines within the area proposed to be annexed.

Also, be advised that the City will be responsible for maintenance of that portion of the roadway, where as a result of this annexation, property on both sides of the road is now within the city limits.

Sincerely,

STEVE TAYLOR
Commissioner
Bartow County

CB/kg

- c. Zoning Department
Bartow County Road Department
Voter Registration
Tax Assessor
GIS Department

Item # 3



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 # **AZ14-04**

DISCLOSURE OF INTERESTS BY LOCAL OFFICIAL

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

Anthony Linley has made an annexation and zoning request on the following property:
Approximately 0.5 acres located at 119 Dogwood Drive in Land Lot 115, 4th District, 3rd Section,
to annex and zone property from Bartow County to City R-20 (Single-family residential).

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

10/2/2014 7:00:00 PM

File AZ14-05: Annexation and zoning application by B.I.G. USA Inc. (Burr & Forman, rep.) for property on the south side of Cass-White Road, east of the intersection with Old Grassdale Road (approximately 50 acres) from Bartow County jurisdiction to H-I (H

SubCategory:	Public Hearing - 2nd Reading of Zoning/Annexation Requests
Department Name:	
Department Summary Recommendation:	The two subject tracts include approximately 50 acres of industrial property on the south side of Cass-White Road and a small tract with a single-family residential structure built in approximately 1952. These tracts are proposed to be annexed into the City limits to be incorporated into the larger adjoining property to the west. On the land currently in the City limits as well as the proposed 50 acres to be annexed, the applicant, B.I.G. USA, proposes to construct a campus of multiple buildings dedicated to producing intermediate goods for flooring solutions and engineered products. The property would be, if annexed, zoned H-I (Heavy Industrial) and Business Park Overlay District, which is similar to the current Business Park zoning district in Bartow County. County officials have no objections to this request. Planning Commission recommended approval.
City Manager's Remarks:	Your approval of this annexation and rezoning is recommended by the Planning Commission.
Financial/Budget Certification:	
Legal:	
Associated Information:	

ZONING & ANNEXATION SYNOPSIS

Petition Number(s): **AZ14-05**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **B.I.G. USA, Inc., a Georgia corporation**
 Representative: **Burr & Forman LLP**
 Property Owner: **Two adjoining parcels - Anheuser-Busch LLC and Jack Nally**
 Property Location: **South side of Cass-White Rd, east of Old Grassdale Rd**
 Access to the Property: **Cass-White Rd**

Site Characteristics:

Tract Size: Acres: **Approximately 50 acres** District: **5th** Section: **3rd** LL(S): **227**
 Ward: **6** Council Member: **Lori Pruitt**

LAND USE INFORMATION

Current Zoning: **County Business Park zoning district**
 Proposed Zoning: **H-I (Heavy Industrial) and Business Park Overlay District**
 Proposed Use: **Annex for consistency in development and permitting with adjoining property already in City limits.**
 Current Zoning of Adjacent Property:
 North: **Bartow County jurisdiction**
 South: **City H-I (Heavy Industrial) and Business Park Overlay District**
 East: **Bartow County jurisdiction**
 West: **City H-I (Heavy Industrial) and Business Park Overlay District**

The Future Development Plan designates the subject property as: **Not designated.**

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.

Bartow County government has also received information regarding the annexation request and finds no objection to the application. The property is currently zoned Business Park and is identified on the County's Future Land Use Map as Industrial.

The two subject tracts include approximately 50 acres of industrial property on the south side of Cass-White Road and a small tract with a single-family residential structure built in approximately 1952. These tracts are proposed to be annexed into the City limits to be incorporated into the larger adjoining property to the west. On the land currently in the City limits as well as the proposed 50 acres to be annexed, the applicant, B.I.G. USA, proposes to construct a campus of multiple buildings dedicated to producing intermediate goods for flooring solutions and engineered products. The property would be, if annexed, zoned H-I (Heavy Industrial) and Business Park Overlay District, which is similar to the current Business Park zoning district in Bartow County. County officials have no objections to this request. Planning Commission recommended approval.

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.*
The proposed H-I and Business Park Overlay zoning may permit a use that is suitable in view of the existing industrial use and development of adjacent properties.
- B. *Whether the zoning proposal will create an isolated district unrelated to adjacent and nearby districts.*
The proposed H-I and Business Park Overlay zoning may not create an isolated district since there are adjacent and nearby properties that are zoned H-I and Business Park Overlay in the City.
- C. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*
The H-I and Business Park Overlay zoning proposal may not adversely affect the existing use of adjacent properties.
- D. *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.*
As currently zoned Business Park in unincorporated Bartow County, it may have a reasonable economic use. However, the proposed zoning and annexation into the City limits may be reasonable for more consistent jurisdictional review, permitting, and public safety coverage area for this development.
- 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 zoning proposal may not cause an excessive use of existing streets and facilities. Utility, Public Works, and Planning & Development staff would review any future development based on possible use on roads, utilities, and other factors.
- F. *Whether the zoning proposal is in conformity with the adopted local Comprehensive Land Use Plan.*
The property is not designated on the Future Development Map.

- 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 zoning 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 based on possible environmental factors related to use.
- 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.
It may be appropriate for this property to be in the City limits so that all construction and building plan review, permitting, and public safety coverage area of the overall development may be within one jurisdiction.

STAFF RECOMMENDATION: Staff has no objections.

PLANNING COMMISSION RECOMMENDATION: Approval

Application for Annexation / Zoning

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

Application Number AZ14-05

Hearing Dates 9/9/14, 9/18/14, 10/2/14

Applicant B.I.G.USA, Inc., a Georgia corporation
 (applicant's printed name)

Business/Cell Phone 404-815-3000

Address c/o BURR & FORMAN LLP
171 17th Street, Suite 1100

Home Phone _____ N/A _____

City Atlanta State GA Zip 30363

Email rfishman@burr.com

BURR & FORMAN LLP

Phone 404-685-4307 Fax # 404-214-7389

(Representative's printed name (if other than applicant))

[SEE ATTACHED SIGNATURE PAGE]

Representative's signature

_____ N/A _____
 Applicant's signature

Signed, sealed and delivered in presence of:

 Notary Public

My commission expires: _____

Titleholder ANHEUSER-BUSCH, LLC,
a Missouri limited liability company
 (titleholder's printed name)

Business 314-765-2708

Home _____ N/A _____

*attach additional notarized signatures as needed on separate application page Address One Busch Place, St. Louis, MO 63118

Signature [SEE ATTACHED SIGNATURE PAGE] _____

Signed, sealed, delivered in presence of:

 Notary Public

My commission expires: _____

Titleholder JACK NALLY

Business 770-337-7305

Home 770-386-0032

(titleholder's printed name)

*attach additional notarized signatures as needed on separate application page Address 204 Nally Road, Rydal, GA 30171

Signature [SEE ATTACHED SIGNATURE PAGE] _____

Signed, sealed, delivered in presence of:

 Notary Public

My commission expires: _____

Requested City Zoning HEAVY INDUSTRIAL (H-I) and BUSINESS PARK OVERLAY DISTRICT

Acreage 50+/- Land Lot(s) 227 District(s) 5TH Section(s) 3RD

Location of Property

CASS-WHITE ROAD, SOUTHEAST OF INTERSECTION OF GREAT VALLEY PARKWAY

(street address, nearest intersections, etc)

Reason for requested Annexation / Zoning: [SEE ATTACHED STATEMENT]
(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.

[SIGNATURE PAGE OF REPRESENTATIVE OF APPLICANT]

Signed, sealed and delivered

BURR & FORMAN LLP

Virginia Lynn Kane
Notary Public

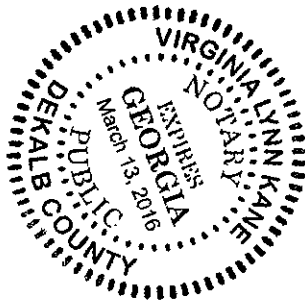
By: _____

Name: Richard A. Fishman

Title: Partner

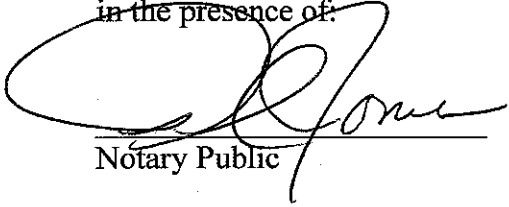
My commission expires: 3-13-2016

[NOTARIAL SEAL]



[SIGNATURE PAGE OF TITLEHOLDER]

Signed, sealed and delivered
in the presence of:

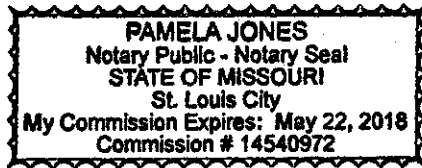

Notary Public

ANHEUSER-BUSCH, LLC, a Missouri
limited liability company

By: 
Name: Michael B. Taylor
Title: Vice-President, Corp Real Estate

My commission expires: 5/22/2014

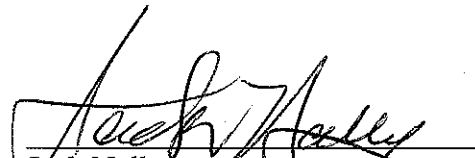
[NOTARIAL SEAL]



[SIGNATURE PAGE OF TITLEHOLDER]

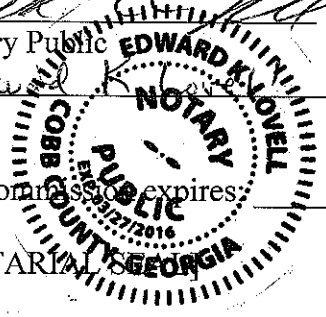
Signed, sealed and delivered
in the presence of:


Notary Public Edward K. Lovell


Jack Nally

My commission expires: _____

[NOTARY]



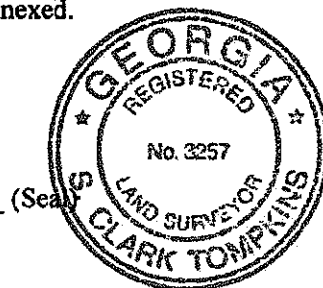
SURVEYOR'S CERTIFICATE

That the undersigned a Georgia Registered Land Surveyor on behalf of the above annexation applicant do certify the following:

- 1) That the attached survey contains no fewer than four surveyed map regulation points and recorded with the Georgia Coordinate System of 1985.
- 2) That the attached survey shows the boundaries of the area being annexed and the existing boundaries of the area being annexed and the existing boundaries of the annexing municipality between the points at which these boundaries close, if applicable.
- 3) That the attached survey meets the requirements of O.C.G.A. 15-6-67 and Section 180-7-01 Technical Standards for Property Survey, Rules and Regulations of the State of Georgia.
- 4) That the map demarcation of the map registration points are well distributed along, within, or near the boundary of the annexed area.
- 5) That at least one-eighth of the aggregate external boundary or fifty (50) feet of the area to be annexed, whichever is less, either abuts directly on the municipal boundary or would directly abut on the municipal boundary if it were not otherwise separated from the municipal boundary by other lands owned by the municipal corporation, by lands owned by this State, or by the definite width of any street or street right-of-way; any creek or river; any right-of-way of a railroad or other public service corporation, which divides the municipal boundary from any area proposed to be annexed.

8/28/2014
Date

Clark Tompkins
Georgia Registered Land Surveyor



ZONING ADMINISTRATOR:

1. Annexation number: AZ14-05
2. Yes ☒ No ☐

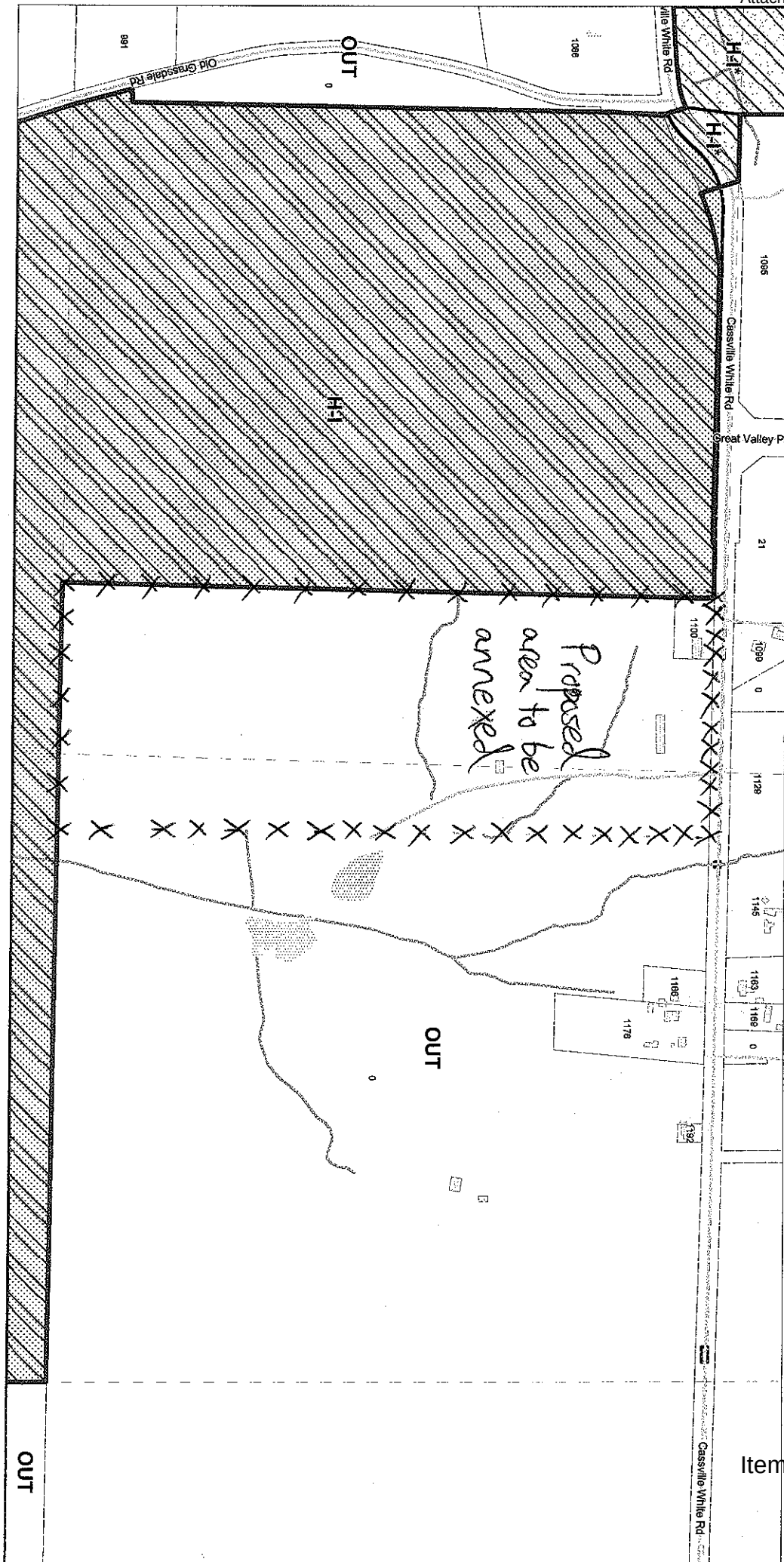
The above property complies with the City of Cartersville minimum size requirements to construct a building or structure occupiable by persons or property under the policies, ordinance, or regulations of the City of Cartersville.

3. Survey attached.

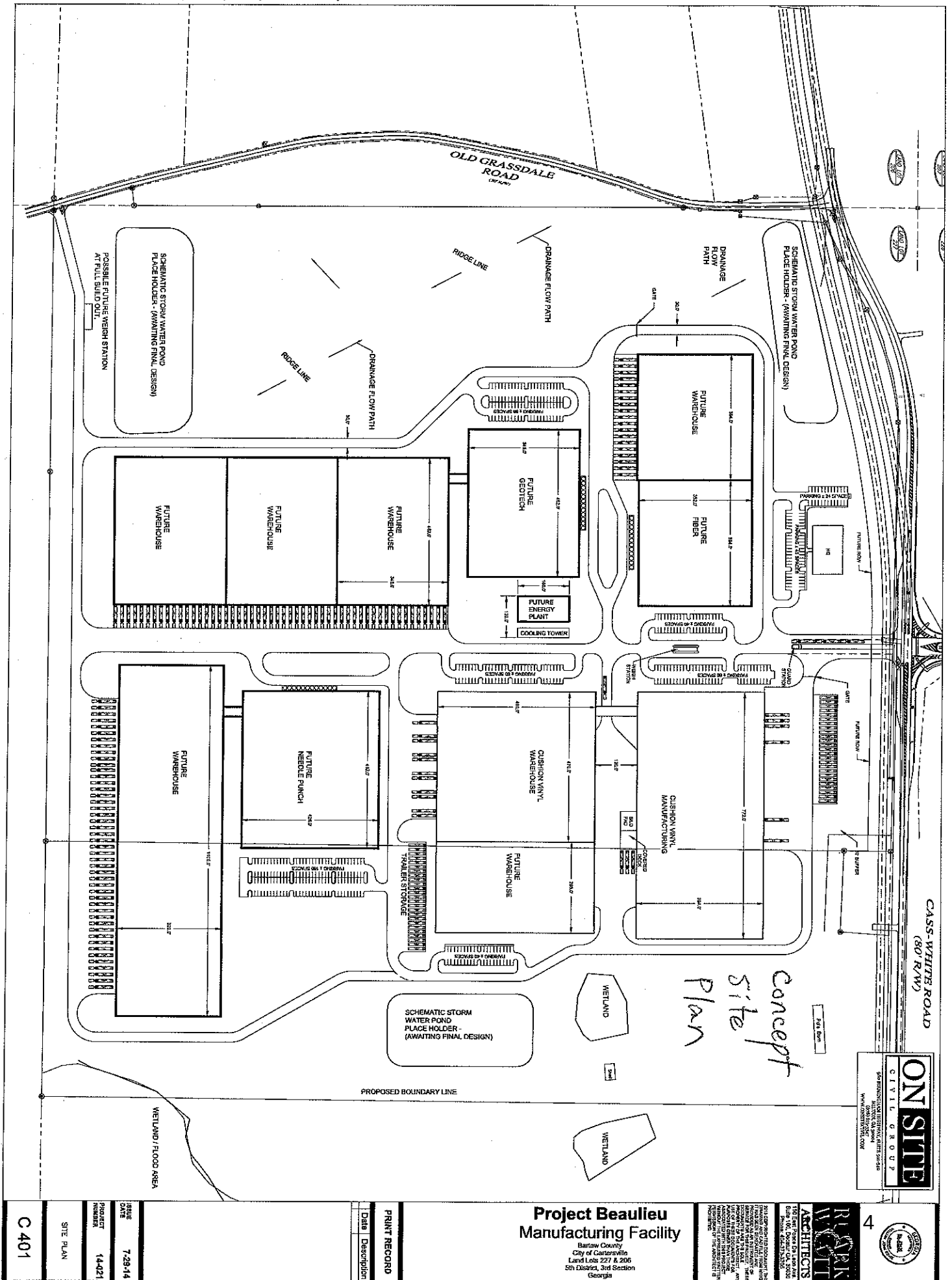
8-29-14
Date

[Signature]
Zoning Administrator

Annexation case AZ14-05 south side Cass-White Rd



Item # 4



REASON FOR REQUESTED ANNEXATION / ZONING:

APPLICANT IS CURRENTLY UNDER CONTRACT TO PURCHASE THE ADJACENT 119 ACRE PARCEL LOCATED IN THE CITY OF CARTERSVILLE (ZONED HI) FOR THE DESIGN, ACQUISITION, CONSTRUCTION, EQUIPPING AND OPERATION OF STATE-OF-THE-ART FACILITIES DEDICATED TO PRODUCING INTERMEDIATE GOODS FOR FLOORING SOLUTIONS AND ENGINEERED PRODUCTS. THE SUBJECT PROPERTY IS PROPOSED FOR ANNEXATION AND REZONING TO PROVIDE ADDITIONAL LAND FOR THE ABOVE-REFERENCED FACILITIES.

Petition number AZ14-05

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Property Owner(s) ANHEUSER-BUSCH, LLC Phone number 314-765-2708

Property Owner(s) JACK NALLY Phone number 770-337-7305

Petitioner B.I.G. USA, LLC Owner's address ONE BUSCH PLACE
ST. LOUIS, MO 63118

Property Location CASS-WHITE ROAD, SE OF INTERSECTION OF GREAT VALLEY PARKWAY

Tract Size 50+/- ACRES

District 5TH Section 3RD LL(s) 227

Tax Map #0080-0242-001, 0081A-0007-002 Parcel(s) 2 Ward(s) 6

Current Land Use AGRICULTURAL Proposed Land Use [SEE ATTACHED STATEMENT]

Current Zoning BARTOW COUNTY A-1 Proposed Zoning HEAVY INDUSTRIAL

Specifics of Proposed Use

Number of Dwelling Units N/A Number of Occupants N/A

Racial Composition N/A

Number of school-aged children N/A

Grade Level(s) of school-aged children N/A

School System to be Attended N/A

Owner-Occupied: Yes X No

Utility Service (City, County, Georgia Power, Atlanta Gas, etc)

1. Water COUNTY

2. Sewer COUNTY

3. Gas CITY OF CARTERSVILLE

4. Electricity CUSTOMER CHOICE

Item # 4



BARTOW COUNTY

Steve Taylor, Sole Commissioner

CERTIFIED MAIL # 7006 3450 0001 5974 6533

August 27, 2014

Mr. Richard Osborne
Planning Department
City of Cartersville
P.O. Box 1390
Cartersville, GA 30120

RE: AZ14-05
Request by B.I.G. USA, Inc.
to annex approximately 55 acres
located at Cass White Road & Old Grassdale Road

Dear Richard:

This office has reviewed the above referenced annexation request and finds no objection to the application. The property is currently zoned as the Business Park District and is identified on the County's Future Land Use Map as Industrial.

Please be advised that, pursuant to O.C.G.A. §36-36-7, there may exist county water and/or sewer lines within the area proposed to be annexed.

Also, be advised that the City will be responsible for maintenance of that portion of the roadway, where as a result of this annexation, property on both sides of the road is now within the city limits.

Sincerely,

STEVE TAYLOR
Commissioner
Bartow County

/kg

- c. Zoning Department
- Bartow County Road Department
- Voter Registration
- Tax Assessor
- GIS Department



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 # **AZ14-05**

DISCLOSURE OF INTERESTS BY LOCAL OFFICIAL

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

B.I.G. USA Inc., a Georgia corporation (Burr & Forman LLP, rep.) has made an annexation and zoning request on the following property: Approximately 50 acres located on the south side of Cass-White Road east of the intersection with Old Grassdale Road in Land Lot 227, 5th District, 3rd Section, to annex and zone property from Bartow County to City H-I (Heavy Industrial) and Business Park Overlay District.

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

10/2/2014 7:00:00 PM

File ZMA14-02: Zoning Map Amendment by City of Cartersville to revise the Business Park Overlay District Map

SubCategory:	Public Hearing - 2nd Reading of Zoning/Annexation Requests
Department Name:	
Department Summary Recommendation:	Case ZMA14-02 is an application by the City of Cartersville to revise the Business Park Overlay District Map. This process will update the map to show approximately 50 acres on the south side of Cass-White Rd east of the intersection with Old Grassdale Rd proposed to be annexed and zoned for H-I (Heavy Industrial) and incorporated into the existing Business Park Overlay District adopted by Mayor & Council in 2010. Planning Commission recommended approval.
City Manager's Remarks:	Your approval of this map amendment is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	



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

MEMO

TO: Mayor & Council
FROM: Randy Mannino and Richard Osborne
DATE: September 10, 2014
SUBJECT: Revision to Business Park Overlay District Map

Case ZMA14-02 is an application by the City of Cartersville to revise the Business Park Overlay District Map. This process will update the map to show approximately 50 acres on the south side of Cass-White Rd east of the intersection with Old Grassdale Rd proposed to be annexed and zoned for H-I (Heavy Industrial) and incorporated into the existing Business Park Overlay District adopted by Mayor & Council in 2010. Planning Commission recommended approval.

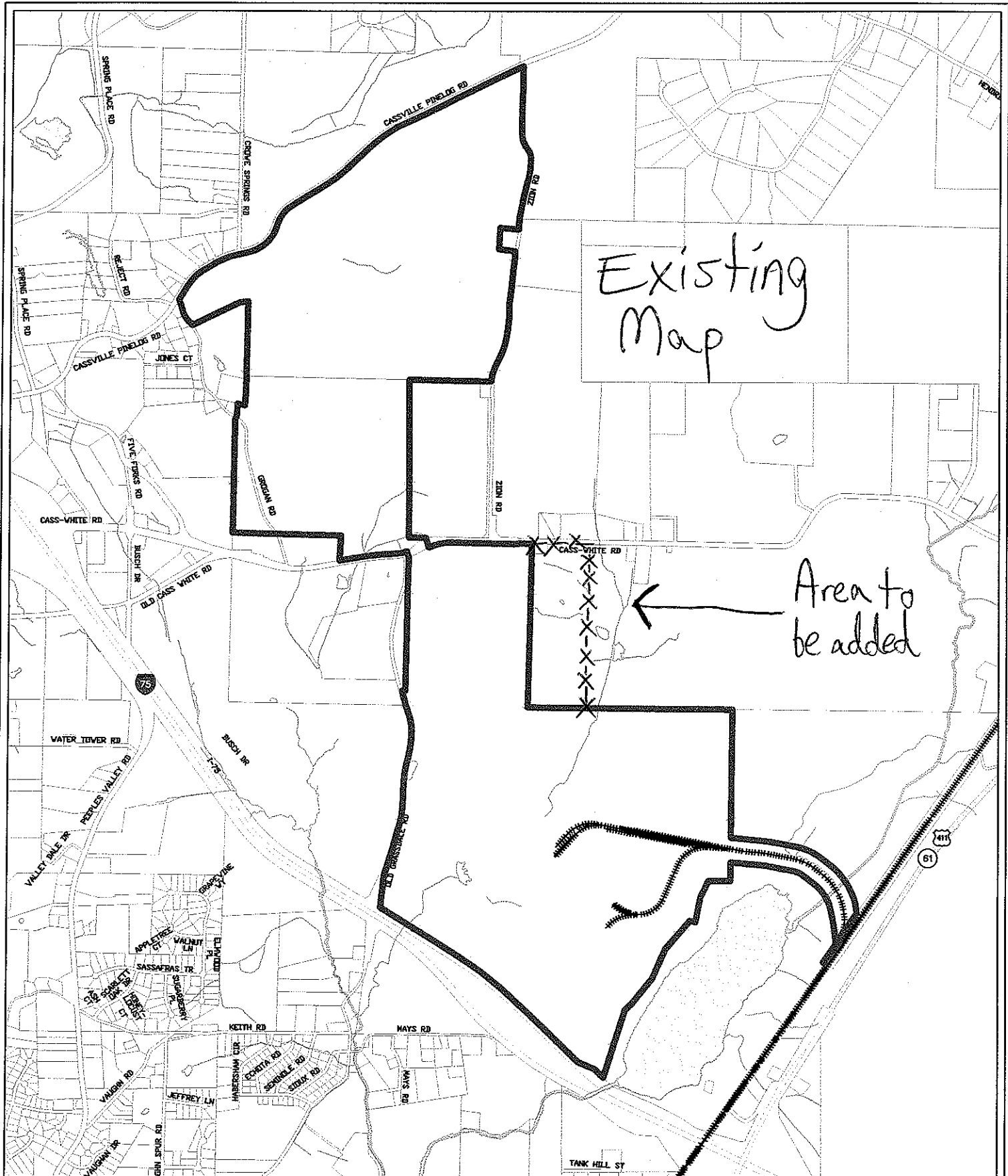


Exhibit "B"
Business Park Overlay District

Item # 5

August 2010



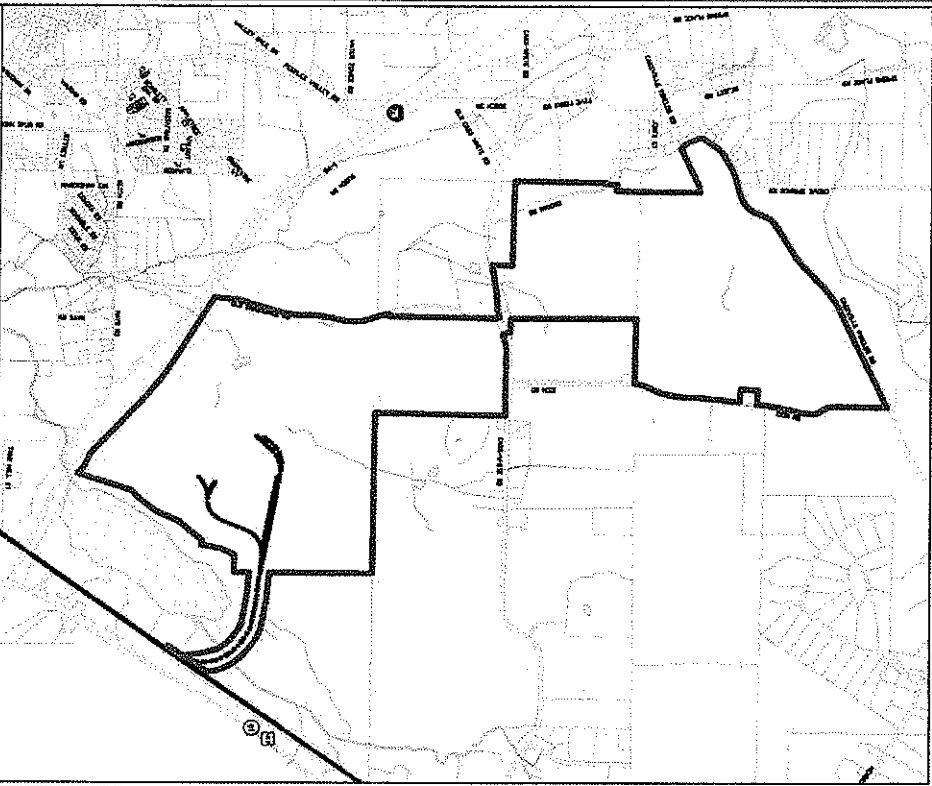
Cartersville

Be Charmed • Be Prosperous • Belong

Zoning Map Amendment ZMA14-02

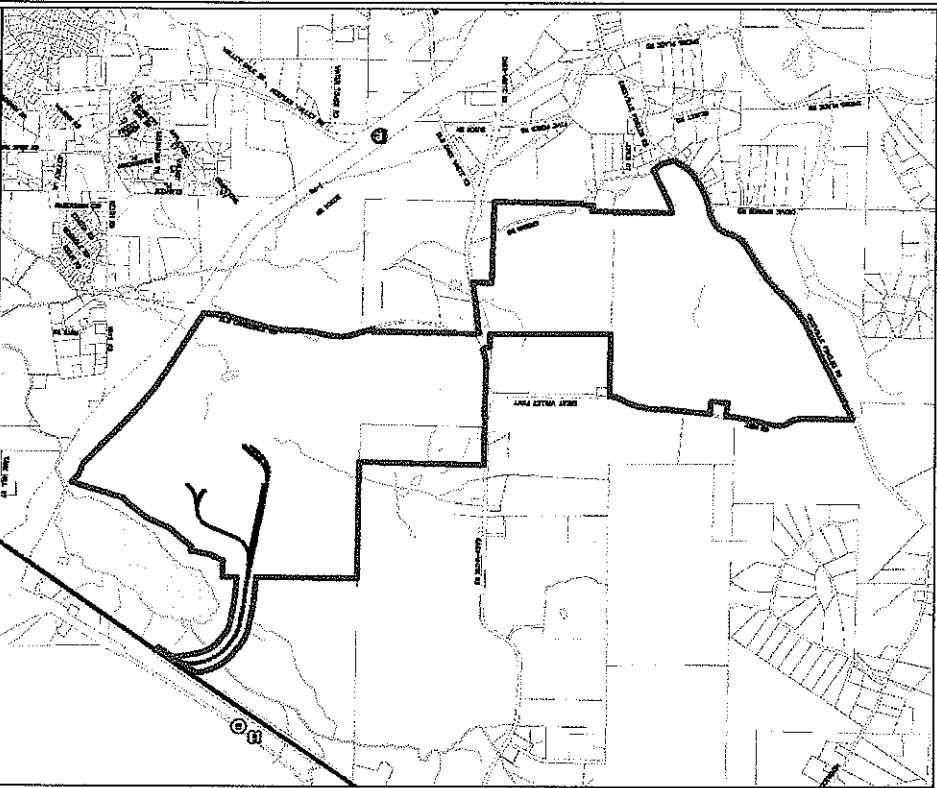
Item # 5

Exhibit "B"
Business Park Overlay District



**Old
vs.
New**

Exhibit "B"
Business Park Overlay District





City of Cartersville

City Council Meeting

10/2/2014 7:00:00 PM

Amendment to Budget Ordinance for Fiscal Year 2013-14

SubCategory:	First Reading of Ordinances
Department Name:	Finance
Department Summary Recommendation:	After completion of the Fiscal Year 2013-14 close, the general fund and special revenue fund budgets need to be amended. By amending these budgets, the city general fund and special revenue funds will be in compliance with Generally Accepted Accounting Principles (GAAP). These adjustment reflect the necessary changes needed to bring the budgets back to a zero based level (revenues equal expenses) for the fiscal year. I recommend your approval of the attached ordinance amendment.
City Manager's Remarks:	Your approval of this item is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

Ordinance
of the
City of Cartersville, Georgia

Ordinance No.

NOW BE IT HEREBY ORDAINED by the Mayor and City Council that pursuant to the City of Cartersville Charter; the City of Cartersville Fiscal Year 2013 - 2014 budget.

2013 - 2014 Budget Summary

<u>General Fund</u>	<u>Revenues</u>	<u>Expenditures</u>
Revenues	\$39,182,570	
Expenditures:		
Legislative		\$19,029,440
Administration		\$ 876,415
Finance Dept.		\$ 1,094,715
Customer Service Dept.		\$ 651,755
Police		\$ 5,082,120
Fire		\$ 5,978,130
Municipal Court		\$ 233,985
Public Works		\$ 2,341,630
Recreation		\$ 3,029,585
Planning & Development		\$ 722,455
Downtown Development Authority		\$ 142,340
 <u>Special Revenue Funds</u>		
SPLOST – 2003	\$ 612,920	\$ 612,920
SPLOST – 2007	\$ 2,702,390	\$ 2,702,390
SPLOST – 2014	\$ 1,576,465	\$ 1,576,465
DEA	\$ 262,900	\$ 262,900
State Forfeiture	\$ 3,000	\$ 3,000
CDBG Supplemental Dis Rec	\$ 24,510	\$ 24,510
Hotel/Motel Tax	\$ 521,660	\$ 521,660
Motor Vehicle Rental Tax	\$ 59,700	\$ 59,700
Grant Funds	\$ 42,415	\$ 42,415
Impact Fees	\$ 0	\$ 0
Business Improve Dist Tax	\$ 27,830	\$ 27,830
Development Fees	\$ 5,000	\$ 5,000
Cartersville Building Auth	\$ 1,837,800	\$ 1,837,800

Enterprise Funds

Fiber Optics	\$ 1,665,775	\$ 1,665,775
Electric	\$46,939,100	\$46,939,100
Gas	\$25,438,015	\$25,438,015
Solid Waste	\$ 2,219,575	\$ 2,219,575
Stormwater	\$ 1,402,065	\$ 1,402,065
Water & Sewer	\$20,443,865	\$15,588,035
Water Pollution Control Plant		\$ 2,024,365
Water Treatment Plant		\$ 2,831,465

Internal Service Fund

Garage	\$ 1,486,155	\$ 1,486,155
--------	--------------	--------------

BE IT AND IT IS HEREBY ORDAINED.

ADOPTED, this 2nd day of October 2014. First Reading.

ADOPTED this day of October 2014. Second Reading.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk



City of Cartersville

City Council Meeting
10/2/2014 7:00:00 PM
Amendment to Capacity Fees Ordinance

SubCategory:	First Reading of Ordinances
Department Name:	
Department Summary Recommendation:	This proposed amendment clarifies the existing ordinance by listing in greater detail how water and sewer capacity fees are calculated for multiple unit services (hotels, assisted living homes, etc.). The amendment corresponds to the way capacity fees have been calculated by Water Department policy. The Water Department recommends approval of this ordinance amendment.
City Manager's Remarks:	This ordinance amendment is recommended for your approval.
Financial/Budget Certification:	
Legal:	
Associated Information:	

Ordinance No. _____

Now be it and it is hereby ORDAINED by the Mayor and City Council of the City of Cartersville, that the CITY OF CARTERSVILLE CODE OF ORDINANCES. CHAPTER 24. Utilities. Article IV. Water Service 24-64. Water and Sewage Utility Rates (d) Other Provisions is hereby amended by deleting Section 24-64 (d) Other Provisions in its entirety and replacing it with the following:

I. OTHER PROVISIONS**1. Apartments and hotels per unit calculations.**

All hotel and apartment units with refrigerator and stove are to be calculated as a single (1) unit ($\frac{3}{4}$ " water meter equivalent) for capacity fees.

All hotel and apartment units without refrigerator and stove are to be calculated as one-half unit ($\frac{3}{4}$ " water meter equivalent) for capacity fees. The following, if part of an apartment or hotel and served by a single meter are to be considered a separate unit for capacity fees. The capacity fee will be calculated as a single (1) unit based on meter size. If the following are served by a master meter, they are considered to be a separate unit to be calculated as a single (1) unit ($\frac{3}{4}$ " water meter equivalent):

- (a) Restaurant;
- (b) Lounge;
- (c) Car wash;
- (d) Lobby;
- (e) Full kitchen (not part of restaurant).
- (f) Linen Laundry
- (g) Guest Laundry
- (h) Swimming Pool

2. Assisted Living Facility, Nursing Home and Hospital per unit calculations:

All resident/patient rooms with refrigerator and stove are to be calculated as a single (1) unit ($\frac{3}{4}$ " water meter equivalent) for capacity fees.

All patient rooms without refrigerator and stove are to be calculated as one-half unit ($\frac{3}{4}$ " water meter equivalent) for capacity fees. The following, if part of a nursing home, assisted living facility or hospital and served by a single meter are to be considered a separate unit for capacity fees. The capacity fee will be calculated as a single (1) unit based on meter size. If the following are served by a master meter, they are considered to be a separate unit to be calculated as a single (1) unit ($\frac{3}{4}$ " water meter equivalent):

- (a) Restaurant;
- (b) Lounge;
- (c) Car wash;
- (d) Lobby/Waiting Room;
- (e) Full kitchen (not part of restaurant).

- (f) Linen Laundry
- (g) Guest Laundry
- (h) Swimming Pool

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

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____
SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
CONNIE KEELING, CITY CLERK



City of Cartersville

**City Council Meeting
10/2/2014 7:00:00 PM
Final Change Order - Etowah Drive 12" Water Main**

SubCategory:	Change Order								
Department Name:	Water Dept								
Department Summary Recommendation:	City Council approved the Etowah Drive 12 inch Water Main Replacement contract with C.H. Kirkpatrick & Sons, Inc. in the amount of \$1,295,319.98 on 9/5/2013. On 2/20/2014, a change order in the amount of \$21,106.66 was approved to address additional costs resulting from unanticipated field conditions and material pay items that were omitted from the bid specifications. This approval brought the amended contract amount to \$1,316,426.64. This final change order for \$49,031.88 is the result of the following additional work outside the original project scope required to complete the project: <table border="0"><tr><td>· Sewer repair at Tabernacle Street</td><td>\$24,603.23</td></tr><tr><td>· Regions Bank sewer main repair</td><td>\$16,038.88</td></tr><tr><td>· Point repair to sewer in Etowah Dr.</td><td>\$3,763.20</td></tr><tr><td>· Misc. additional valves, gaskets etc.</td><td>\$4,626.57</td></tr></table> Total Change Order Amount: \$49,031.88 Approval of this change will result in a delivered project cost of \$1,365,458.52. This is 5.4% over the original contract price. Keep in mind that 91% of this change order amount was the result of failed or failing sewers that were discovered during construction of the water main. The Water Department recommends approval of this final change order to the project. This change will bring the total project cost to \$1,365,458.52. This is a bond funded project.	· Sewer repair at Tabernacle Street	\$24,603.23	· Regions Bank sewer main repair	\$16,038.88	· Point repair to sewer in Etowah Dr.	\$3,763.20	· Misc. additional valves, gaskets etc.	\$4,626.57
· Sewer repair at Tabernacle Street	\$24,603.23								
· Regions Bank sewer main repair	\$16,038.88								
· Point repair to sewer in Etowah Dr.	\$3,763.20								
· Misc. additional valves, gaskets etc.	\$4,626.57								
City Manager's Remarks:	Your approval of this final change order is recommended.								
Financial/Budget Certification:	This is a bond funded project.								
Legal:									
Associated Information:									



City of Cartersville

City Council Meeting

10/2/2014 7:00:00 PM

Approval of Resolutions and Agreement Related to the East Main Street TAD #1 Redevelopment Plan

SubCategory:	Resolutions
Department Name:	
Department Summary Recommendation:	The following items require approval by the Mayor and City Council if they wish to adopt the proposed East Main Street Redevelopment Plan and TAD #1 : 1. Resolution Adopting the East Main Street TAD #1 Redevelopment Plan, declaring it a blighted area, and approving a tax allocation district for it. 2. Official Intent Resolution regarding the East Main Street Tax Allocation District. 3. A Financial Advisor Agreement with Raymond James & Associates, Inc. regarding the East Main Street TAD #1 Redevelopment Project. The proposed TAD plan is available for viewing at the City Manager's office, 1 N. Erwin Street. Staff recommends approval.
City Manager's Remarks:	Your approval of the resolutions and agreement included in this item is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

Resolution No. _____

WHEREAS, the City of Cartersville has prepared an Urban Redevelopment Plan entitled "EAST MAIN STREET TAD #1 URBAN REDEVELOPMENT PLAN" adopted under O.C.G.A. § 36-61-1 et seq. to rehabilitate, conserve, or redevelop a defined geographical area; and,

WHEREAS, the Urban Redevelopment Act can be used alone or in combination with many of Georgia's other legislative redevelopment tools to support local comprehensive planning, revitalize faltering commercial corridors, recruit and nurture small businesses, generate new adaptive reuses for old mining and landfill property; and

WHEREAS, the Mayor and City Council as the redevelopment agency for the City of Cartersville has determined that the below described area constitutes a slum area pursuant to O.C.G.A. § 36-1 7(a) and O.C.G.A. § 36-61-2 (18) by the existence of a previous landfill developments impaired by environmental hazards, deterioration of the site, and a combination of other factors substantially impair the sound growth of the City by having an undevelopable area which is detrimental to the public's health, safety, and welfare; and,

WHEREAS, the City of Cartersville has identified a defined geographic boundary that constitutes the Urban Redevelopment Plan Area. The area can be described as all that property lying and being within the City of Cartersville within the area bounded as follows:

OVERALL

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN LAND LOTS 387, 388, 405, & 406, OF THE 4TH DISTRICT, 3RD SECTION, IN THE CITY OF CARTERSVILLE, BARTOW COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY OF GEORGIA HIGHWAY 113 – A.K.A. EAST MAIN STREET (150' RIGHT-OF-WAY) AND THE WEST LINE OF LAND LOT 387, SAID DISTRICT AND SECTION; THENCE ALONG THE SOUTH RIGHT-OF-WAY OF GEORGIA HIGHWAY 113 – A.K.A. EAST MAIN STREET (150' RIGHT-OF-WAY) IN A NORTHEASTERLY DIRECTION A DISTANCE OF 78.45 FEET TO AN IRON PIN (#4 REBAR) AND THE TRUE POINT OF BEGINNING.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED; THENCE ALONG THE SOUTH RIGHT-OF-WAY OF GEORGIA HIGHWAY 113 IN A NORTHEASTERLY DIRECTION WITH A CURVE TURNING TO THE RIGHT WITH A RADIUS OF 1834.91 FEET, HAVING A CHORD BEARING OF N 59°59'15" E, A CHORD DISTANCE OF 93.22, AND AN ARC LENGTH OF 93.23 TO A POINT; THENCE WITH A BEARING OF S 28°33'24" E A DISTANCE OF 25.00 FEET TO A POINT; THENCE WITH A BEARING OF N 62°56'36" E A DISTANCE OF 94.75 FEET TO A POINT; THENCE WITH A BEARING OF N 25°33'24" W A DISTANCE OF 25.00 FEET TO A POINT; THENCE IN A EASTERLY DIRECTION WITH A NON-TANGENT CURVE TURNING TO THE RIGHT WITH A

RADIUS OF 1835.09 FEET, HAVING A CHORD BEARING OF N 71°33'56" E, A CHORD DISTANCE OF 455.01, AND AN ARC LENGTH OF 456.18 TO A POINT; THENCE WITH A BEARING OF N 80°04'32" E A DISTANCE OF 428.36 FEET TO A POINT; THENCE WITH A BEARING OF S 09°55'28" E A DISTANCE OF 35.00 FEET TO A POINT; THENCE WITH A BEARING OF N 80°04'32" E A DISTANCE OF 100.00 FEET TO A POINT; THENCE WITH A BEARING OF N 09°55'28" W A DISTANCE OF 35.00 FEET TO A POINT; THENCE WITH A BEARING OF N 80°04'32" E A DISTANCE OF 811.01 FEET TO A POINT; THENCE WITH A BEARING OF S 09°55'28" E A DISTANCE OF 10.00 FEET TO A POINT; THENCE WITH A BEARING OF N 80°05'28" E A DISTANCE OF 15.42 FEET TO A POINT; THENCE WITH A BEARING OF N 80°05'28" E A DISTANCE OF 14.58 FEET TO A POINT; THENCE WITH A BEARING OF N 09°55'28" W A DISTANCE OF 10.00 FEET TO A POINT; THENCE WITH A BEARING OF N 80°04'32" E A DISTANCE OF 168.49 FEET TO A POINT; THENCE LEAVING THE SOUTH RIGHT-OF-WAY OF GEORGIA HIGHWAY 113 WITH A BEARING OF S 10°04'22" E A DISTANCE OF 460.55 FEET TO A POINT; THENCE WITH A BEARING OF S 79°55'38" W A DISTANCE OF 184.98 FEET TO A POINT; THENCE WITH A BEARING OF S 09°50'02" E A DISTANCE OF 632.00 FEET TO A POINT; THENCE WITH A BEARING OF S 09°50'02" E A DISTANCE OF 164.01 FEET TO A POINT; THENCE WITH A BEARING OF S 79°55'38" W A DISTANCE OF 983.91 FEET TO A POINT ON THE WEST LINE OF LAND LOT 405 AND THE EAST LINE OF LAND LOT 406; THENCE WITH A BEARING OF S 79°55'38" W A DISTANCE OF 594.90 FEET TO A POINT; THENCE WITH A BEARING OF N 29°30'48" W A DISTANCE OF 1203.13 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF GEORGIA HIGHWAY 113 AND THE TRUE POINT OF BEGINNING.

A map is attached hereto as Exhibit "A: and incorporated herein by reference.

WHEREAS, conditions within this delineated area suffer from slum and blighting influences under local standards, and is detrimental to the public health, safety, and welfare, the property's deterioration is negatively affecting the community and the residents of the City;

WHEREAS, the Mayor and City Council has caused a public hearing to be held on September 18, 2014; and,

WHEREAS, the City desires to work with public and private sector partners to ensure that the desired redevelopment is achieved; and,

WHEREAS, the city hereby identifies the influences on the above described geographic areas designated herein and intends to work diligently to foster conditions conducive to redevelopment within those areas;

WHEREAS, the Mayor and City Council find it necessary to exercise powers of urban redevelopment pursuant to the provisions of O.C.G.A. § 36-61-1 et seq.; and,

WHEREAS, the Mayor and City Council have caused to be prepared an Urban Redevelopment Plan for those portions of the City of Cartersville described herein; and,

NOW THEREFORE the Mayor and City Council finds that one or more areas of slum and blight exist within the City and that the rehabilitation, conservation, redevelopment, or a combination thereof within such areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City of Cartersville, and furthermore:

1. That the designated area is a slum or blighted area as defined in O.C.G.A. § 36-61-1 et. seq.
2. That the Urban Redevelopment Plan for the East Main Street TAD #1:
 - (a) conforms to the Comprehensive Plan of the City of Cartersville;
 - (b) will afford maximum opportunity consistent with the sound needs of the City for the rehabilitation and/or redevelopment of the area by private enterprise.
3. That the East Main Street TAD #1 Urban Redevelopment Plan is hereby adopted by the Mayor and City Council;
4. That the Mayor and City Council has previously designed itself as the redevelopment agency and is the entity best suited to implement the provisions of the East Main Street TAD #1 Urban Redevelopment Plan.
5. The Mayor and City Council finds and declares that the Area has not been subject to growth and development through private enterprise and would not reasonably be anticipated to be developed without the approval of the proposed Redevelopment Plan.
6. The Mayor and City Council finds that the proposed improvements are likely to enhance the value of the property in the district.
7. The Mayor and City Council established the Tax Allocation District Increment Base as \$1,138,531.52. The property taxes to be used for computing tax allocation increments are specified in the attached Redevelopment Plan and incorporated herein by reference.
8. If authorized, the proceeds of such bonds will be used for any and all eligible uses including, without limitation, costs of issuance of the tax allocation bonds, capital costs of public improvements, including but not limited to streets, bridges, topography, site improvement, landfill removal, utilities, storm and sanitary sewers, parks and parking lots, professional services costs (including fees for architectural engineering and environmental services), and such other uses deemed necessary pursuant to the provisions of the Redevelopment Plan, the Redevelopment Powers Law, and the Urban Redevelopment Law.

This Resolution shall be effective upon adoption.

CITY OF CARTERSVILLE, GEORGIA

By: _____
Matthew J. Santini, Mayor

(Seal)

ATTEST:

Connie Keeling, City Clerk

CLERK'S CERTIFICATE

The undersigned Clerk of the City of Cartersville, Georgia (the "City") DOES HEREBY CERTIFY that the foregoing pages of typewritten matter constitute a true and correct copy of a resolution adopted on _____, 2014, by the Mayor and Council of the City of Cartersville, Georgia (the "Governing Body") in a meeting duly called and assembled, which was open to the public and at which a quorum was present and acting throughout, and that the original of said resolution appears of record in the Minute Book of the Governing Body which is in the undersigned's custody and control, and that a certified copy of the same is available for distribution upon request to members of the general public.

WITNESS my hand and the official seal of the City, this _____ day of _____, 2014.

Connie Keeling, City Clerk

(SEAL)

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF CARTERSVILLE, GEORGIA WITH RESPECT TO PROPOSED FINANCING OF SITE WORK, INFRASTRUCTURE IMPROVEMENTS, TRAFFIC IMPROVEMENTS AND IN-LINE RETAIL BUILDINGS IN CONNECTION WITH THE EAST MAIN STREET TAX ALLOCATION DISTRICT THROUGH THE ISSUANCE OF ONE OR MORE TAX-EXEMPT DEBT FINANCINGS; AND FOR OTHER PURPOSES

WHEREAS, the Mayor and Council of the City of Cartersville, Georgia (the “Governing Body”) has determined that it is in furtherance of public good that the City of Cartersville, Georgia, a municipal corporation of the State of Georgia (the “City”), expend money on the costs of the acquisition, construction, and installation of site work, infrastructure improvements, traffic improvements and in-line retail buildings in connection with the East Main Street Tax Allocation District (the “Project”) in advance of the issuance of tax-exempt debt for such purposes; and

WHEREAS, the Project will require capital expenditures currently estimated at not to exceed \$3,000,000 and the one or more issues of tax-exempt debt to pay the costs of such Project is currently estimated not to exceed \$3,000,000 in aggregate principal amount; and

WHEREAS, the tax-exempt debt to pay the costs of such Project is to be issued by the City or by a political subdivision or other governmental entity for the benefit of the City; and

WHEREAS, the Governing Body finds it prudent to adopt this Resolution stating its intention to reimburse itself from future proceeds of tax-exempt debt for any such expenditures;

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

(1) The Governing Body hereby indicates its official intent to reimburse expenditures heretofore or hereafter made by itself in connection with the foregoing Project (to the extent permitted by Section 1.150-2 of the Income Tax Regulations of the Internal Revenue Code of 1986, as amended) from one or more future issues of tax-exempt debt.

(2) The maximum principal amount of tax-exempt debt expected to be issued by the City or by a political subdivision or other governmental entity for the benefit of the City for the acquisition, construction and installation of the Project hereinabove described is currently estimated not to exceed \$3,000,000.

(3) The Clerk of the City is instructed to file a certified copy of this resolution with instructions that this resolution should be made available to the general public upon reasonable request therefor.

ADOPTED this ____ day of September, 2014.

CITY OF CARTERSVILLE, GEORGIA

By: _____
Mayor

(Seal)

ATTEST:

Clerk

CLERK'S CERTIFICATE

The undersigned Clerk of the City of Cartersville, Georgia (the "City") DOES HEREBY CERTIFY that the foregoing pages of typewritten matter constitute a true and correct copy of a resolution adopted on _____, 2014, by the Mayor and Council of the City of Cartersville, Georgia (the "Governing Body") in a meeting duly called and assembled, which was open to the public and at which a quorum was present and acting throughout, and that the original of said resolution appears of record in the Minute Book of the Governing Body which is in the undersigned's custody and control, and that a certified copy of the same is available for distribution upon request to members of the general public.

WITNESS my hand and the official seal of the City, this _____ day of _____, 2014.

Clerk

(SEAL)

FINANCIAL ADVISOR AGREEMENT

BY and BETWEEN

CITY OF CARTERSVILLE (GEORGIA)
and
RAYMOND JAMES & ASSOCIATES, INC.

THIS AGREEMENT is by and between the City of Cartersville, Georgia (the "City") and Raymond James & Associates, Inc. (the "Financial Advisor").

WHEREAS, the City wishes to hire the Financial Advisor to monitor and evaluate its proposed issuance of \$2,380,000 (may be issued in two Series) City of Cartersville Tax Allocation District Bonds (TAD #1 East Main Street Redevelopment Project), and the Financial Advisor, through its Public Finance/Debt Investment Banking Department, is engaged in the business of providing, and is authorized under applicable Federal and State statutes to provide, the advisory services necessary or desirable to advise the City with respect to these matters, and

NOW THEREFORE, it is agreed by all parties signing this Financial Advisor Agreement (the "Agreement") that:

I. SCOPE OF SERVICES

RJA shall provide financial advisory services to the City. Such services shall be only with respect to the proposed \$2,380,000 (est.) in aggregate (may be issued as 2 individual bonds) East Main Street Tax Allocation District Bonds (or "TAD Bonds") and shall include:

1. Reviewing and making of recommendations concerning procedures and policies of the City regarding the TAD; and
2. Reviewing and making of recommendations relating to financing or refinancing of specific projects through the TAD; and
3. Such other services as the City requests RJA to undertake.

II. UNDERTAKINGS BY THE CITY

1. The City will make available to the Financial Advisor financial data and information concerning the City's fiscal operation. City officials and staff will be responsible for collecting, assembling and organizing the documentation essential to its financing activities and disclosure responsibilities and drafting and distribution of Offering Documents and other disclosure documents relating to any bonds, notes or other obligations to be issued by the City (the "Obligations").
2. The City will work with bond counsel who will issue an approving legal opinion to accompany the issuance of the Obligations, and also with appropriate City's local legal counsel with respect thereto. Additionally, the City will either retain or work with counsel to advise it as to the adequacy of disclosure and to assist with the preparation of the Offering Documents or other official documents relating to the Obligations.

III. PAYMENT TO THE FINANCIAL ADVISOR

1. The Financial Advisor will be paid a fee of \$10,000 upon closing of the first issue, which is estimated at \$1,756,000 and \$5,000 upon closing of the second issue, which is estimated at \$624,000. The Financial Advisor's fee will be \$12,500, if both phases are combined into one bond issue.
2. In addition to the amount payable above, out-of-pocket expenses to include word processing, travel (including mileage) copies and any and all other out-of-pocket expenses shall be paid to RJA. These will not exceed \$500 without prior approval of the City.

IV. GENERAL PROVISIONS

1. The City understands and acknowledges that the Financial Advisor or its affiliates may have trading and other business relationships with members of the City's underwriting team, or other participants in the proposed transaction. Additionally, the Financial Advisor or its affiliates may have trading and other business relationships with potential purchasers of the Obligations. These relationships include, but may not be limited to, trading lines, frequent purchases and sales of securities and other engagements through which Financial Advisor may have, among other things, an economic interest. Notwithstanding the foregoing, Financial Advisor will not receive any compensation with respect to the issuance of the Obligations other than as disclosed above. Financial Advisor is involved in a wide range of activities from which conflicting interests or duties may arise. Information which is held elsewhere within Raymond James, but of which none of the Financial Advisor's personnel involved in the proposed transaction actually has knowledge, will not for any purpose be taken into account in determining Financial Advisor's responsibilities to the City.
2. Both parties acknowledge and agree that the Financial Advisor is acting solely as a financial advisor to the City with respect to the Obligations/Bonds/Notes identified above; Financial Advisor's engagement by the City is limited to providing financial advisory services to the City. Advisor has not been engaged to compare alternatives to the Obligations/Bonds/Notes. Advisor is not a fiduciary of any other party to the transaction. Advisor will not (1) provide any assurances that any investment made in connection with the Obligations/Bond/Note or otherwise during its engagement is the best possible investment available for the City's situation or that every possible alternative or provider has been considered and/or solicited, (ii) investigate the veracity of any certifications provided by any party, (iii) provide legal or accounting assurance that any matter or procedure complies with any applicable law, or (iv) be liable to any party if any of the Obligations fails to close or for default of same.
3. The Financial Advisor agrees to assist the City as provided only on the basis that it is expressly understood and agreed that the Financial Advisor assumes no responsibility to the City or any person for the accuracy or completeness of any information contained in any Preliminary Official Statement or Final Official Statement issued in connection with the Obligations.
4. This Agreement may be terminated by either party hereto with ten (10) business days prior written notice to the other. In the event of such termination, whether by either party hereto, the Financial Advisor shall promptly submit for payment, and City shall promptly pay, a final bill

for the payment of all unpaid fees and unreimbursed costs and expenses then due and owing. Other than the foregoing, neither party shall incur any liability to the other arising out of the termination of this Agreement. However, this Article 5 shall survive any such termination.

5. The City hereby covenants and agrees that it will indemnify and hold harmless the Financial Advisor, its parent and affiliates, and each of the foregoing entities' officers, directors, employees and agents (the "Financial Advisor Indemnities") against any and all losses, claims, demands, damages or liabilities of any kind whatsoever, arising from or out of the acts, omissions or doings of the City, its representatives, employees or agents, or in any way relating to the financings or other matter within the purview of this Agreement, whether pursuant to statute or at common law or otherwise (hereinafter, "Claims"), and will reimburse each of the Financial Advisor Indemnities for any legal or other expense reasonably incurred by it in connection with investigating or defending any such Claims or actions or proceedings arising from such Claims, whether or not resulting in any liability.
6. This Agreement embodies all the terms, agreements, conditions and rights contemplated and negotiated by the City and the Financial Advisor, and supersedes any and all discussions and understandings, written or oral, between City and Financial Advisor regarding the subject matter hereof. Any modifications and/or amendments must be made in writing and signed by both parties.
7. This Agreement shall be governed by and construed in accordance with the laws of the State of Georgia, without reference to its conflicts of law principles.
8. Any dispute arising out of this Agreement or the performance hereof shall be resolved in binding arbitration before the American Arbitration Association, pursuant to its commercial arbitration rules. Each party, to the fullest extent permitted by law, knowingly, voluntarily and intentionally waives its right to a jury trial in any action or other legal proceeding arising out of or relating to this Agreement or the performance hereof.

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE DULY CAUSED THIS AGREEMENT to be signed and sealed by their respective authorized officers this 21st day of August, 2014.

City of Cartersville, Georgia

By: _____

Date: _____

Raymond James & Associates, Inc.



By: _____

Gabriel L. Agan, First Vice President

Date: August 21, 2014



City of Cartersville

City Council Meeting
10/2/2014 7:00:00 PM
Aggregate/Salt Spreader and Snow Plows

SubCategory:	Bid Award/Purchases
Department Name:	Public Works
Department Summary Recommendation:	Public Works solicited bids for a 9 CY Aggregate/Salt Spreader for a Tandem Dump Truck and for two 10' municipal snow plows. We received three responses, O.G. Hughes and Sons, bid \$27,479.00, Palfleet Truck Equipment bid \$33,347.67 and Valk Manufacturing submitted a "no bid". We recommend approval to purchase this equipment from the low bidder, O.G. Hughes and Sons, Forest Park GA. This is a budgeted item, the budget was \$35,000 and this equipment will be purchased through GMA Lease Pool.
City Manager's Remarks:	Your approval of the recommended bid award is recommended.
Financial/Budget Certification:	These are budgeted items to be purchased with leasepool funds.
Legal:	
Associated Information:	



City of Cartersville

City Council Meeting
10/2/2014 7:00:00 PM
Fire Truck(s) Replacement Purchase

SubCategory:	Bid Award/Purchases
Department Name:	Fire
Department Summary Recommendation:	I respectfully submit the request for two new fire trucks as discussed and budgeted for in the FY14-15 budget. Our pricing will be \$446,349.00 each. For the replacement of E1 and E3, the total will be \$892,698.00. Engine #1 is a 2002 apparatus and Engine #3 is a 2001 model. Both Have over 300,000 operational miles and are showing significant repair cost to maintain. We have negotiated a 90 pre-pay prior to deliver which will lower the cost of each truck to 436,516.00, saving \$9,833.00 per apparatus or a savings of \$19,666.00 lowering the total amount requested to \$873,032.00. These prices are apparatus only. In FY 14-15, we have budgeted 525,000.00 for each apparatus and associated equipment for a total of 1,050,000.00. Based on the current pricing with the 90 day pre-pay option this will allow for \$176,968.00 for equipment, excluding SCBA's which are listed under separate budget line items. We will do separate open bids for all loose equipment in January. This is the process that we used when we purchased the apparatus in 2011 and it proved to save us considerable money. I anticipate us being below budget on this project. Timing here is very important. With a construction time of 8.5 months, this allows us to get the apparatus in at the end of the current fiscal year and lease pool payments not go into effect until next fiscal year as planned. We will also avoid the price increase that I know is coming. Pierce will be a single source due to the specifications of a Detroit engine drive train, fleet standardization and we have lowered the cost by attaching ourselves to the Florida Sheriff Association bid process which was competitive. Attorney Keith Lovell has approved of this process. At this time we respectfully request approval to enter into a contract with Ten-8 Fire Apparatus for the construction and purchase of 2 new fire trucks. There are two options:

Cover Memo

Item # 11

	Option A -Pay upon delivery at \$446,349.00 each or a total of \$892,698.00 Option B- 90 day pre-pay option at a price of \$436,516.00 each or a total of \$873,032.00. After Discussions with City Administration we are recommending Option B which will provide us \$19,666.00 savings from the original price. These trucks will be funded through lease pool with delivery before June 30th 2015.
City Manager's Remarks:	Your approval of this given option B as outlined above is recommended.
Financial/Budget Certification:	These are budgeted items. They are to be paid for with leasepool purchase. In order to save some additional funding, the option of paying for the trucks in full 90 days prior to delivery was chosen. The city will pay for the trucks and equipment and then submit reimbursements from the leasepool purchase.
Legal:	E-Verify Forms on file
Associated Information:	



Ten-8 Fire and Safety Equipment
 1591 Collier Road
 Forsyth, GA 31029

Cartersville Fire Department
 195 Cassville Rd.
 Cartersville, Ga. 30120
 Attention: Chief Scott Carter

September 24, 2014

Chief Carter,

We are offering this revised proposal letter which extends the current pricing from September 29th, 2014 through October 31st, 2014. The contents of the proposal listed below remains the same as previously submitted.

Ten-8 Fire and Safety Equipment, representing Pierce Manufacturing, would like to offer a revised proposal with 3 options as outlined below.

Option Explanation

#1 Original specification with only minor revisions: strip lights added for perimeter lights, analog gauges added to pump panel, deluge gun outlet relocated to driver's side cargo area (deluge gun not included), helmet holders deleted, extend-a-gun deleted, deleted hose bed lights, added (16) reflective letters (6")

NOTE: 19" extended front bumper with hose tray is included in this option.

#2 Deleted 19" extended front bumper and replaced with 27" extended bumper with booster reel. Reel to hold 100' of 1" standard hose or 150' of 1" Reel Lite hose. All other specs same as Option # 1

#3 Same spec as Option # 1. Added booster reel. Booster reel location can be selected for the rear compartment or the storage area above the pump house.

NOTE: 19" extended front bumper with hose tray is included with this option.

	<u>OPTION #1</u>	<u>#2</u>	<u>#3</u>
Velocity SLT Pumper per customer spec	\$471,791.00	\$473,799.00	\$478,344.00
Pierce, Ten-8, and multi-unit discounts	(\$25,442.00)	(\$25,550.00)	(\$25,795.00)
Total after discounts (Apparatus only)	\$446,349.00	\$448,249.00	\$452,549.00

This pricing is for each but is based on a total of two units to receive the multi-unit discount.

The below reflects advance pay discounts available should you decide to make payments prior to apparatus completion. Other variations are available for advance payments should you decide to make adjustments.

100% payment received 90 days prior to delivery

	<u>OPTION #1</u>	<u>#2</u>	<u>#3</u>
Beginning amount	\$446,349.00	\$448,249.00	\$452,549.00
Interest discount	(\$2,365.00)	(\$2,376.00)	(\$2,398.00)
Chassis discount	(\$7,468.00)	(\$7,468.00)	(\$7,468.00)
Amount due 90 days prior to delivery	\$436,516.00	\$438,405.00	\$442,683.00

100 % payment received with signing of contract

	<u>OPTION #1</u>	<u>#2</u>	<u>#3</u>
Beginning amount	\$446,349.00	\$448,249.00	\$452,549.00
Interest discount	(\$10,310.00)	(\$10,354.00)	(\$10,453.00)
Chassis discount	(\$7,468.00)	(\$7,468.00)	(\$7,468.00)
Amount due with signing of contract	\$428,571.00	\$430,427.00	\$434,628.00

Pricing shown is valid through October 31st, 2014. This specification incorporates the Detroit Diesel engine which meets the requirements of the Cartersville Fire Department. This engine has also been selected by Fleet Service for fire service use in regards to reliability, service, and longevity.

The above pricing will be for the apparatus only and no loose equipment. The equipment to be furnished with the apparatus is listed below and included in the above pricing.

Wheel chocks
 Wheel chock holders
 24' ladder
 14' ladder
 10' ladder

Pike poles

Turtle tile matting for compartments

Note: Fireceom headset system is not included but can be installed by Ten-8 after vehicle completion should you decide to choose this option. Ten-8 is an authorized dealer for the Firecom system.

Current build time is 8.5 – 9.5 months after receipt of P.O. number.

We thank you for the opportunity to provide this proposal. Please advise if you have any questions or need additional information.

Sincerely,

Guy R. Binion
Sales Representative

AFFIDAVIT VERIFYING STATUS FOR CITY OF CARTERSVILLE BENEFIT APPLICATION

By executing this affidavit under oath, as an applicant for a City of Cartersville, Georgia Occupation Tax Certificate, Alcohol License or other public benefits as referenced in O.C.G.A. Section 50-36-1, I am stating the following with respect to my application for a City of Cartersville, Georgia Occupational Tax Certificate, Alcohol License or other public benefit (circle one) for

DANN A. BOUWER

[Name of natural person applying on behalf of individual, business, corporation, partnership, or other private entity]

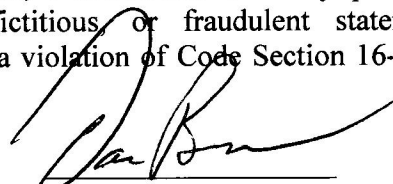
TEN-8 FIRE & SAFETY EQUIP OF GA, LLC

[Name of business, corporation, partnership]

1) ☒ I am a United States citizen

2) ☐ I am a legal permanent resident 18 years of age or older or I am an otherwise qualified alien or non-immigrant under the Federal Immigration and Nationality Act 18 years of age or older and lawfully present in the United States.*

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious or fraudulent statement or representation in an affidavit shall be guilty of a violation of Code Section 16-10-20 of the Official Code of Georgia.



Signature of Applicant:

7/28/2014
Date

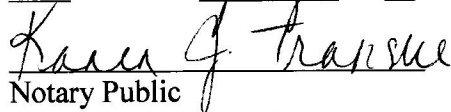
DANN A. BOUWER
Printed Name:

7/28/2014

SUBSCRIBED AND SWORN

BEFORE ME ON THIS THE

28th DAY OF July, 2014


Notary Public

My Commission Expires: 5/28/2018



* _____
Alien Registration number for non-citizens

KAREN J. TRANSUE
MY COMMISSION # FF 107492
EXPIRES: May 28, 2018
Bonded Thru Budget Notary Services

*Note: O.C.G.A. § 50-36-1(e)(2) requires that aliens under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, provide their alien registration number. Because legal permanent residents are included in the federal definition of "alien", legal permanent residents must also provide their alien registration number. Qualified aliens that do not have an alien registration number may supply another identifying number below:

CONTRACTOR AFFIDAVIT AND AGREEMENT

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. 13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with City of Cartersville has registered with and is participating in a federal work authorization program* [any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603], in accordance with the applicability provisions and deadlines established in O.C.G.A. 13-10-91.

The undersigned further agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to this contract with City of Cartersville, contractor will secure from such subcontractor(s) similar verification of compliance with O.C.G.A. 13-10-91 on the Subcontractor Affidavit provided in Rule 300-10-01-.08 or substantially similar form. Contractor further agrees to maintain records of such compliance and provide a copy of each such verification to the City of Cartersville at the time the subcontractor(s) is retained to perform such service.

The undersigned Contractor is using and will continue to use the federal work authorization program throughout the contract period.

205879
EEV/Basic Pilot Program* User Identification Number

BY: [Signature]
Authorized Officer or Agent
(Contractor Name)

7/28/2014
Date

PRESIDENT
Title of Authorized Officer or Agent of Contractor
DANN A. BOUWER
Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN

BEFORE ME ON THIS THE
28th DAY OF July, 2014

Karen J. Transue
Notary Public
My Commission Expires: 5/28/2018



KAREN J. TRANSUE
MY COMMISSION # FF 107492
EXPIRES: May 28, 2018
Bonded Thru Budget Notary Services

* As of the effective date of O.C.G.A. 13-10-91, the applicable federal work authorization program is the "EEV/Basic Pilot Program" operated by the U.S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA).



City of Cartersville

City Council Meeting
10/2/2014 7:00:00 PM
Patrol Vehicles 2014 - 2015

SubCategory:	Bid Award/Purchases
Department Name:	Police
Department Summary Recommendation:	The Police Department annually replaces a number of vehicles due to wear and tear. Presently the Police department is seeking approval to purchase five (5) vehicles. Four (4) vehicles and equipment would be purchased from budgeted funds (100.2100.54.2200) and one (1) vehicle and equipment from asset forfeiture funds (210.2110.54.2201). Each vehicle will require additional equipment, such as computer, radio, video system, printer, console, containment unit, lights, graphics, shotgun rack, miscellaneous parts/ components and installation (see attached list). The average cost for equipment is approximately \$22,000.00 per vehicle. Where feasible, equipment from out of service units will be recycled to help reduce the cost. Bids for vehicle were sent out on the City website and all pervious automobile vendors were advised via mail that the bid request was announced on the website. Only two bids were received. The bids received were as follows: 1. University CDJR (Rome, GA) @ \$126,500.00 2. Robert Loehr CDJR (Cartersville, GA) @ \$126,825.00 As there is only \$325.00 difference in the total amount of the (\$65.00 per vehicle) bids, I am asking that the Council approve the bid from Robert Loehr of Cartersville. The total expenditure from both budgeted funds and asset forfeiture would be in an amount up to \$ 236,825.00. Again, the department expects to recycle equipment from other vehicles taken out of service to reduce the final cost. E-Verify and SAVE documents are on file.
City Manager's Remarks:	Your approval of this vehicle purchase is recommended for your approval.
Financial/Budget Certification:	Four vehicles were budgeted in the police budget to be paid for with leasepool proceeds. The fifth vehicle (purchased through DEA funds) was not budgeted. However, the city has received several large deposits in the DEA funds from forfeited assets and

Cover Memo

Item # 12

	all five units and equipment will be paid for using asset forfeiture funds.
Legal:	
Associated Information:	

City of Cartersville
P.O. Box 1390
Cartersville, Georgia 30120

Attn: Police Department

Contact: Chief Thomas N. Culpepper 770-607-6238
tnculpepper@cartersvillepolice.com; Attn: Vehicle Bids

Bid Specification Sheet

Request for Bid (RFB)

**New New Dodge Charger Police
Pursuit Sedan**

Quantity: 5

TO:

Model Year :2014 or 2015

Make: 4 Door

Robert Looker
367 E. Main Street
Cartersville, GA 30120

Vendor Information:

The vehicle(s) offered shall meet or exceed the requirements listed below (unless otherwise noted).

Bidders are to indicate in the "**Meets or Exceeds Specifications**" specifications.

All bids **must** include completed **SAVE** and **E-Verify** Documentation. Failure to provide these documents **Will** result in the bid being rejected. **The lowest/best bidder will be contacted.**

Supporting Data:

Bidders may furnish any additional information to support their bid proposal.

Police Pursuit Vehicles	<u>Meets or Exceeds Specifications</u>		COMMENTS
	<u>YES</u>	<u>NO</u>	
Body Type- four door, sedan Basic Prep Police Package (AYE) Includes: Front and rear wiring harness(XPW), power distribution center(XWK), siren speaker and bracket(XWP), trunk tray and cooling fan(XWQ)	✓		
Engine- 5.7L Hemi, V8 WVT, w/Fuel saver technology (EZH)	✓		
Body-Color lower body side cladding (MRC)	✓		
Severe-duty Cooling System (XDK)	✓		
Automatic Transmission – Police rated Column mounted (CV8)	✓		
Power Steering (NHF)	✓		

Heavy Duty Antilock Brakes - Assist (BGE)	✓		
Factory Air Conditioning (HAD)	✓		
Seats - Heavy-duty cloth Bucket with vinyl rear (*X5)	✓		
Variable/Intermittent Windshield Wipers (JHA)	✓		
Power Windows/ Power Door Locks (JP3)	✓		
Tilt Steering Wheel	✓		
Brakes Heavy Duty, Anti-Lock (BR8)	✓		
AM/FM Stereo Radio	✓		
Heavy duty rubber floor mats (no carpet)	✓		
Spotlight LED- driver side only (LNX)	✓		
Factory tinted side windows	✓		
Exterior Color – Bright White	✓		
Rear Wheel Drive	✓		
Radial Police Rated Tires, P225/60R18 Performance Tires (TWW) Firestone	✓		
Full size spare tire (TBW)	✓		
Entire fleet keyed alike (GXF)	✓		
Driver/Front Passenger Air Bags (CG3)	✓		

Total Per Unit Price

\$ 25,365 X 5.

Anticipated number of weeks until delivery (after award): 6 to 8.

Bid due no later than August 30, 2014

Other required equipment:

-
- ❖ Manufacturer's Warranty
 - ❖ Dash pass through for wiring harness
 - ❖ Traction Control (BNP)
 - ❖ Rear windows inoperative from rear seat
 - ❖ Full wheel covers (W8A)
 - ❖ Power Trunk lid release (JPC)
 - ❖ Includes delivery to the City of Cartersville Garage, 500 S.
-

City of Cartersville
P.O. Box 1390
Cartersville, Georgia 30120

Attn: Police Department
 Contact: Chief Thomas N. Culpepper 770-607-6238
tnculpepper@cartersvillepolice.com; Attn: Vehicle Bids

Bid Specification Sheet

Request for Bid (RFB)

**New New Dodge Charger Police
Pursuit Sedan**

Quantity: 5

TO:

Model Year :2014 or 2015

Make: 4 Door

University CDJR of Rome
 Attn: Jason Smith
 2500 New Calhoun Hwy NE.
 Rome, GA. 30161

Vendor Information:

The vehicle(s) offered shall meet or exceed the requirements listed below (unless otherwise noted).

Bidders are to indicate in the **"Meets or Exceeds Specifications"** specifications.

All bids **must** include completed **SAVE and E-Verify Documentation**. Failure to provide these documents **Will** result in the bid being rejected. **The lowest/best bidder will be contacted.**

Supporting Data:

Bidders may furnish any additional information to support their bid proposal.

Police Pursuit Vehicles	Meets or Exceeds Specifications		COMMENTS
	YES	NO	
Body Type- four door, sedan Basic Prep Police Package (AYE) Includes: Front and rear wiring harness(XPW), power distribution center(XWK), siren speaker and bracket(XWP), trunk tray and cooling fan(XWQ)	✓		
Engine- 5.7L Hemi, V8 WVT, w/Fuel saver technology (EZH)	✓		
Body-Color lower body side cladding (MRC)	✓		
Severe-duty Cooling System (XDK)	✓		
Automatic Transmission – Police rated Colum mounted (CV8)	✓		
Power Steering (NHF)	✓		

Heavy Duty Antilock Brakes - Assist (BGE)	✓		
Factory Air Conditioning (HAD)	✓		
Seats - Heavy-duty cloth Bucket with vinyl rear (*X5)	✓		
Variable/Intermittent Windshield Wipers (JHA)	✓		
Power Windows/ Power Door Locks (JP3)	✓		
Tilt Steering Wheel	✓		
Brakes Heavy Duty, Anti-Lock (BR8)	✓		
AM/FM Stereo Radio	✓		
Heavy duty rubber floor mats (no carpet)	✓		
Spotlight LED- driver side only (LNX)	✓		
Factory tinted side windows	✓		
Exterior Color – Bright White	✓		
Rear Wheel Drive	✓		
Radial Police Rated Tires, P225/60R18 Performance Tires (TWW) Firestone	✓		Goodyear
Full size spare tire (TBW)	✓		
Entire fleet keyed alike (GXF)	✓		
Driver/Front Passenger Air Bags (CG3)	✓		
Total Per Unit Price		\$ 25,300.00	

Anticipated number of weeks until delivery (after award): 8 to 12 weeks

Bid due no later than August 30, 2014

Other required equipment:

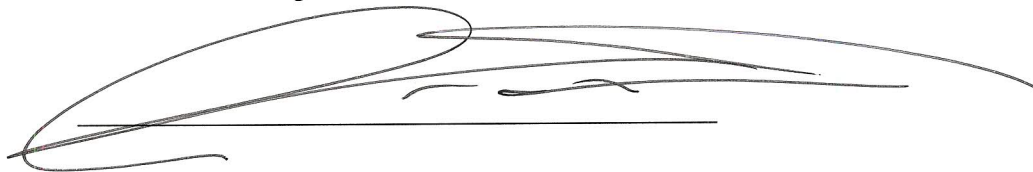
❖ Manufacturer's Warranty		
❖ Dash pass through for wiring harness		
❖ Traction Control (BNP)	✓	
❖ Rear windows inoperative from rear seat		Rear doors and windows inoperative from inside
❖ Full wheel covers (W8A)		
❖ Power Trunk lid release (JPC)		
❖ Includes delivery to the City of Cartersville Garage, 500 S.	✓	

Tennessee St Cartersville, GA

Please Take Note

Do to 2014, 2015 Charger build scheduling, these prices reflect 2014 Dodge Chargers. In the event that your order is scheduled for the 2015 Dodge Charger there may be a small up charge for each vehicle according to Chrysler LLC.

Jason Beckett
General Manager

A handwritten signature in black ink, appearing to read 'Jason Beckett', is written over a horizontal line. The signature is stylized with a large, sweeping loop on the left side and a long, horizontal stroke extending to the right.

5

CARTERSVILLE POLICE DEPARTMENT
PATROL VEHICLE
STANDARD EQUIPMENT PROFILE

06-21-2013

Marked Patrol Units

Equipment Console	Havis-Shield	424.98
Radio 40 w	Motorola CDM1250	620.00
Computer/Mount	Data Lux	4200.00
Siren/Mount	Interceptor	325.00
Antenna- radio	Motorola	60.00
Containment Unit	Code 3	419.00
Siren speaker	Code 3	159.00
Light bar		1185.00
Control head for lights	Interceptor	150.00
Graphics for vehicle	Martin Neon	766.70
corner lights(front and rear)		100.00
Power outlet		18.00
Push Bumpers	Code 3	174.95
Airbags switch		65.00
Shotgun rack		224.00
Wiring Harness		150.00
Circuit Breaker		45.00
Power Supply		395.00
Equipment Installation	Law Enforcement Supply	785.00
Misc. parts/materials for install		150.00
Fire extinguisher	H&R Fire Safety	
Digital Camera System/Mountings	ICOP/Digital Ally	4600.00
Installation	LE Supply	1800.00
Printer- In car	Brother	350.00
		21143.00
		5777.00

For non-patrol units

Radio	Motorola CDM1260	620.00
Emergency lights	LE Supply	345.00
Siren	LE Supply	325.00
Siren speaker	LE Supply	159.00
Equipment console	LE Supply	424.98
Antenna	Motorola	60.00
Circuit breaker	LE Supply	45.00
Wiring harness	LE Supply	150.00
Power Supply	LE Supply	395.00
Misc. Installation Parts	LE Supply	150.00
Installation	LE Supply	1600.00



City of Cartersville

City Council Meeting
10/2/2014 7:00:00 PM
Purchase of SMART Boards

SubCategory:	Bid Award/Purchases
Department Name:	Police
Department Summary Recommendation:	The Police Department is always seeking ways to enhance training. Part of training is being able to provide quality instruction. To that end, the Police Department is asking for authorization to purchase two (2) SMART Boards. One would be installed in the second classroom in the Public Safety Headquarters and the second would be a portable unit used at the firing range. These two boards will allow for more effective presentations and enhance the capabilities of the training venue in the PSHQ. We are recommending approval of the purchase of both systems from OnePath Systems LLC at a total cost of \$17,700.00. This recommendation comes from an analysis provided by T.J. Leffew, IT Specialist, after reviewing quotes and product function. This purchase will be made from funds in the asset forfeiture account. See Attached Recommendation
City Manager's Remarks:	Your approval of the purchase of the smart boards is recommended.
Financial/Budget Certification:	This was not a budgeted item, but will be paid for with asset forfeiture funds.
Legal:	
Associated Information:	



Cartersville Police Department

SMART Board Purchase Request

The Cartersville Police Department requested quotes for 2 Smart Board packages. The first package will be installed in Classroom #1 at the Public Safety Headquarters. The second package will be used for training purposes and will be housed at the Firing Range.

PACKAGE 1

- 87" Smart Board and software to match the board in the adjoining classroom.
- NEC – WXGA LCD 3300 Lumen Projector
- Wall plate with inputs for USB, VGA, HDMI, and audio (cables included)
- Delivery and Installation

:

PACKAGE 2

- 55" Smart Board Interactive Display with software
- SMART Mobile Stand for the Display (FSSBID100)
- HDMI and VGA/Audio cables
- Delivery and Installation

Three quotes were provided to the Cartersville Police Department and they are from the following vendors:

OnePath Systems, LLC - Marietta, GA
 Whitlock - Alpharetta, GA
 Unified AV Systems - Atlanta, GA

Package 1 quotes:

OnePath Systems, LLC: \$7,865.00
 Whitlock: \$11,176.90
 Unified AV Systems: \$9,786.15

Package 2 quotes:

OnePath Systems, LLC:	\$9,835.00
Whitlock:	\$12,742.87
Unified AV Systems:	\$10,175.51

Recommendation

We recommend the low bidder, OnePath Systems, LLC for both packages. This vendor has been quick to respond and estimates a 2 week time period for installation following the receipt of a purchase order. OnePath provides a one year warranty from the date of purchase in addition to the manufacturer's hardware warranty. OnePath also offers an hour long refresher/training session at no additional cost if needed. OnePath uses an NEC projector instead of the rebranded Smart projectors provided by the other vendors. This does not change the way the system works. The projector mounted above the whiteboard itself will have a slightly different look. Interaction with the equipment will be the same as other SMART products in the city. This projector is the only major difference among the quotes and it does not sacrifice quality.



City of Cartersville

City Council Meeting

10/2/2014 7:00:00 PM

Itron Metering Software - Annual Maintenance and Support Contract

SubCategory:	Bid Award/Purchases
Department Name:	Electric Department
Department Summary Recommendation:	Annual renewal for maintenance and support contract is due. The contract allows for the Maintenance and support for our MV90 meter test equipment. The Electric Department has been and is currently using ITRON MV90 system to remotely collect, tabulate, process and provide billing data for our large industrial and commercial customers. Itron is the sole source provider of this software. Budget item. Electric Department is asking council to approve the invoiced amount of 7178.35 from Itron.
City Manager's Remarks:	Your renewal of this contract and payment of the related invoice is recommended.
Financial/Budget Certification:	This is a budgeted item.
Legal:	
Associated Information:	Attached invoice



(800) 635-5461

www.itron.com

INVOICE

Terms and Conditions:

Absent a written agreement between us to the contrary, the purchase of goods or services described herein is governed by the terms of sale at www.itron.com/termsofsale. Receipt of this document, without written objection within 7 days, constitutes acceptance of these terms.

Invoice Number	344917
Invoice Date	11-SEP-14
Customer Number	1522
Itron Contract No.	SC00001852

TO:	City of Cartersville, Georgia Attn: Tom Woods PO Box 1390 Cartersville, GA 30120-1390 United States	SEND TO:	City of Cartersville, Georgia PO Box 1390 Cartersville, GA 30120-1390 United States
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Regular Invoice

Terms	Customer PO	Contract Term - FROM	Contract term - TO
Net 30		01-OCT-14	30-SEP-15

Billing Period From: 01-OCT-14 To :30-SEP-15

Software Maintenance and Other

Product Description

MVLT XI SINGLE COPY
LICENSE,ELECTRONIC
DELIVERY

Quantity	Taxable Amt	Ext. Amount
1		983.34

Serial Number	Start Date	End Date	Amt	Sub Qty		
	01-OCT-14	30-SEP-15	983.34	1		
MV-90 XI BASE SINGLE PC				1		0.00
Serial Number	Start Date	End Date	Amt	Sub Qty		
	01-OCT-14	30-SEP-15	0.00	1		
MVLT XI BASE				1		0.00
Serial Number	Start Date	End Date	Amt	Sub Qty		
	01-OCT-14	30-SEP-15	0.00	1		
MV-90 XI SINGLE PC 50 METER				1		5,641.88



(800) 635-5461

www.itron.com

INVOICE

Terms and Conditions:

Absent a written agreement between us to the contrary, the purchase of goods or services described herein is governed by the terms of sale at www.itron.com/termsandsale. Receipt of this document, without written objection within 7 days, constitutes acceptance of these terms.

Invoice Number	344917
Invoice Date	11-SEP-14
Customer Number	1522
Itron Contract No.	SC00001852

TO:	City of Cartersville, Georgia Attn: Tom Woods PO Box 1390 Cartersville, GA 30120-1390 United States	SHIP TO:	City of Cartersville, Georgia PO Box 1390 Cartersville, GA 30120-1390 United States
------------	---	-----------------	--

Terms	Customer PO	Contract Term - FROM	Contract Term - TO
Net 30		01-OCT-14	30-SEP-15

Product Description	Serial Number	Start Date	End Date	Amt	Quantity Sub Qty	Taxable Amt	Ext. Amount
		01-OCT-14	30-SEP-15	5,641.88	1		
MV-90 XI TCP-IP SINGLE PC					1		553.13
		01-OCT-14	30-SEP-15	553.13	1		

Software Maintenance and Other Subtotal:

7,178.35

OK 9-15-14
CF

Banking Information: Please Include Your Invoice Number On Check.**Wire payment to:**

Itron, Inc.
Wells Fargo Bank
420 Montgomery Street
San Francisco, CA 94105
ABA # 121000248
ACCOUNT # 4375688983

Remit-to:

Itron, Inc.
P.O. Box 200209
Dallas, TX 75320-0209

Subtotal Amount	7,178.35
Tax Amount	0.00
Total Amount	7,178.35
Currency	USD



City of Cartersville

City Council Meeting
10/2/2014 7:00:00 PM
Electric Meter Testing Contract

SubCategory:	Bid Award/Purchases
Department Name:	Electric Department
Department Summary Recommendation:	The Electric Department would like to undertake a program to test the meters of our larger customer for accuracy. We would test approximately 75 meters a year. Due to the cost and complexity of the test equipment it is more economically feasible to have a contractor perform this test. We have accepted bids from three companies that are interested in doing this work for Cartersville. This project is a budgeted item. The Electric Department is asking that council award the contract to M and R Services who is the low cost bidder. M and R Services is a Duluth based company that we have previously done business with.
City Manager's Remarks:	Your approval of the bid for electric meter testing equipment is recommended.
Financial/Budget Certification:	This is a budgeted item.
Legal:	Keith Lovell has reviewed this contract
Associated Information:	Attached is the contract from M and R Services as well as the E-verify and Save documents.

Metering Test Maintenance Program

Bid Tabulation

<u>Description</u>	<u>HB Next Company</u>	<u>K&S Technical Services</u>	<u>M&R Services</u>
Meter and CT Testing (price per meter)	100.00	110.00	105.00
ECG Program Administrative Charge - (\$998 annual charge / 75 meters)	13.30	13.30	0.00
Total cost to test one meter	113.30	123.30	105.00
Total Anticipated cost to test 75 meters	\$8,475.00	\$9,247.50	\$7,875.00

**CITY OF CARTERSVILLE/M & R SERVICES, INC.
METERING TESTING SERVICE CONTRACT**

CONTRACT FOR: METERING TESTING SERVICES

DATE: _____

This Contract shall be between the Purchaser:

City of Cartersville
320 South Erwin Street
P.O. Box 1390
Cartersville, Georgia 30120

hereinafter called the "Purchaser,"

and the Contractor:

M & R Services, Inc.
1806 Asteria Court
Duluth, Georgia 30097

hereinafter called the "Contractor"

ARTICLE 1: SCOPE OF WORK/SERVICES TO BE PROVIDED

Contractor will perform the following services, more fully described in Exhibits "A" and "B", attached hereto and made a part hereof:

- A. On-site transformer-rated metering testing at agreed upon test sites, pursuant to Article 2 below, in accord with this Contract and with the specifications and requirements attached hereto as Exhibit "A." A site test consists of one transformer-rated meter test and the in-service test of the associated current and potential (if applicable) transformers (CTs & PTs). The meter accuracy will be tested using a portable watt-hour standard. Each CT will be tested for ratio, polarity, and burden to verify accuracy and proper installation (given sufficient load);
- B. A detailed report will be provided by Contractor to Purchaser upon completion of the testing. The report will consist of, at a minimum, a handwritten report with notes, a printed meter test and a CT test print-out for each site test, together with the following in a report binder: (i) an evaluation of each part of each metering site tested; (ii) a list of all sites tested; (iii) a synopsis of the project; (iv) lists of problems found and observations; (v) loss/overbill revenue estimates; and (vi) a list of calibrations, more fully and specifically described in Exhibit "B" attached hereto;
- C. Expert witness testimony will be provided by Contractor in the event Purchaser requires such testimony. Contractor will be compensated on a daily basis for said services, at a rate mutually agreeable to the parties, plus reimbursement of travel expenses; and
- D. Such other and further work and reporting as is necessary to carry out appropriate on-site transformer-rated metering testing as contemplated by this Agreement; however, Contractor reserves the right to adjust the Price accordingly with authorization by Purchaser and Contractor may require assistance from Purchaser to complete such other and further work.

ARTICLE 2: INFORMATION TO BE PROVIDED BY PURCHASER

In order to perform the services outlined in Article 1 above and described in Exhibit "A", Contractor requires certain information; if provided by purchaser, said information must be provided prior to testing. Information needed, such as, but not limited to, the following: list of sites to be tested, account numbers, meter numbers, address, multiplier, and average monthly bill data.

Item # 15

ARTICLE 3: ACCESS RIGHTS TO BE PROVIDED BY PURCHASER

Contractor must be provided certain items, such as, but not limited to, the following: all keys, seals, and locks necessary for access to each site to be tested, and later, for securing each site to be tested. Contractor requires access to all sites to be tested during daylight hours, and may require access at other times. Contractor shall set the times necessary for testing. Contractor may require assistance by Purchaser for access to certain equipment or to test inaccessible meters or other metering equipment from time to time.

ARTICLE 4: CONTRACT DURATION

The Contract shall run for a period of one (1) year beginning July 1, 2014 and ending June 30, 2015; however, the Services are to commence on or about _____, 2014. Said Services shall be performed on or about the same time each year of the contract. This Contract shall automatically renew successive one year terms unless either party gives written notice of its intention not to renew within 30 days after Purchaser is sent the report and invoice from Contractor for the current year's testing. Purchaser acknowledges and agrees to this automatic renewal at the beginning of the original contract period by initialing here _____.

Contractor and Purchaser further agree that upon the swearing in of the Mayor and City Council of the City of Cartersville after an election, this Agreement may be terminated upon thirty (30) days' written notice by Purchaser, if said notice is provided within sixty (60) days of the swearing in of said Mayor and City Council. Said notice is to be in writing and delivered to the address above. In the event said notice is sent, Purchaser shall be responsible for fulfillment of all obligations up to the termination date.

ARTICLE 5: PRICING and PAYMENT

Pricing shall be at the rate of ONE HUNDRED AND FIVE DOLLARS (\$105.00) per completed site test payable to Contractor in current funds for services within 30 days of receipt of an invoice from Contractor. The exact number of sites tested will be determined at the end of testing and shown in the report detailed in Article 1, Section B. This contract is based on testing 70 sites per year, plus or minus five (5) sites. The added or subtracted sites will incur an additional or negative cost at the same rate as the original number of sites. In the event Purchaser requires anything not contemplated and set forth in Exhibit "A", Contractor reserves the right to adjust the Pricing accordingly with authorization by Purchaser. With this exception, all prices are to remain firm throughout the contract period.

Before the contract is automatically renewed, if a price change is desired by either party, said price change will be tied to the change in the consumer price index. Either party is able to request a price change according to the change in the CPI since the date of the last established price. If either party does not approve of the increase/decrease, the price will remain the same for the additional year of the contract after which either party is able to end the Contract. The CPI will be found at the following internet link:

<http://www.inflationsummary.com/ConsumerPriceIndex/Housing/FuelsandUtilities>

ARTICLE 6: COMPLIANCE WITH LAWS

Contractor shall work with Purchaser to comply with all applicable federal, state, county, and local laws, ordinances, regulations, and codes (including procurement of required permits or certificates) in Contractor's performance hereunder, if a specification is furnished. This includes any applicable state or local law, rule or regulation affecting safety and health. Contractor reserves the right to adjust the pricing accordingly if there are said requirements.

IMMIGRATION REFORM COMPLIANCE REQUIREMENT: During the entire duration of this agreement, Contractor and all subcontractors must remain in compliance with Georgia Security and Immigrations Compliance Act of 2007 and Georgia Code §13-10-91 and §50-36-1.

ARTICLE 7: CONTINGENCY

Neither of the parties shall be held responsible for any delay or failure in performance hereunder caused by fires, strikes, embargoes, requirements imposed by Government regulation, civil, or military authorities, acts of God or by the public enemy, or other similar causes beyond such party's control. The party injured by the other's inability to perform may elect to (a) terminate this agreement or part thereof as to services not already received; (b) suspend this agreement for the duration of the delaying cause, buy or sell elsewhere services to be bought or sold hereunder; or (c) resume performance hereunder once the delaying cause ceases with the injured party having an option to extend the period hereunder up to the length of time the contingency endured, unless written notice is given within thirty (30) days after such injured party is apprised of the contingency.

ARTICLE 8: BUSINESS LICENSE/OCCUPATIONAL LICENSE

Contractor shall provide appropriate proof of an Occupational Tax License (Business License) upon request.

ARTICLE 9: INSURANCE AND INDEMNIFICATION

Contractor has and maintains the following insurance coverage and agrees to the following indemnification provisions:

A. INSURANCE

Contractor agrees to provide and maintain insurance coverage until the contract is completed and, upon request of Purchaser, to furnish certificates from its insurance carrier(s), showing that it carries insurance in the following limits:

1. Workman's Compensation Insurance: Statutory
2. Commercial General Liability Insurance including:
 - a. Each Occurrence \$1,000,000.00
 - b. General Aggregate \$2,000,000.00
3. Automobile Liability Insurance including:
 - a. Bodily Injury (per person) \$1,000,000.00
 - b. Bodily Injury (per accident) \$1,000,000.00
 - c. Property Damage (per accident) \$1,000,000.00

Contractor shall name Purchaser as an additional insured upon request.

B. INDEMNIFICATION

Contractor agrees to indemnify and save harmless Purchaser, its agents, assigns, and employees from and against all claims, demands, liabilities, suits, judgments and decrees, losses, costs, and expenses of any kind or nature whatsoever on account of injuries to or death of any person or persons or damage to any property occurring directly or indirectly from performance of work hereunder by Contractor or his employees, agents, servants, associates or subcontractors caused by or arising from Contractor's *gross negligence* or willful misconduct. Except, this indemnification shall not apply to the extent that such claims, demands, liabilities, etc., arise directly or indirectly from Purchaser's or its agents' or employees' or subcontractors' *negligence* or willful misconduct.

ARTICLE 10: RELATIONSHIP OF PARTIES

Contractor is an independent contractor. The Contractor is not, and neither is its Sub-Contractor(s), if any, an employee of Purchaser. Contractor is responsible for the direction and supervision of its employees and Sub-Contractors, and shall promptly remove from the worksite any personnel who are not adhering to the terms of this Agreement or other hazard on the worksite.

Purchaser will not provide fringe benefits, including health insurance, paid vacation, overtime, or any other employee benefit for the benefit of Contractor.

Contractor shall purchase and maintain insurance for claims for damages because of bodily injury, including death, and from claims for damages, other than to work itself, to property which may arise out of or result from the Contractor's operation under this Contract, whether such operations be by Contractor or by any Sub-Contractor or anyone directly or indirectly employed by any of them. Claims under workers' or workmen's compensation acts and other employee benefit acts are statutory and the Contractor complies with the statute.

ARTICLE 11: LIMITATIONS OF LIABILITY

Neither party shall be liable in contract or in tort (including negligence) to the other party, subcontractor or suppliers of the other party, regardless of tier, for incidental or consequential damages arising out of or resulting from performance or nonperformance of its obligations under this Contract, or from its termination or suspension of the services under this Contract.

ARTICLE 12: REMEDIES

Regardless of whether goods are being sold or leased or whether services are being performed, Contractor and Purchaser agree that both parties have all the Uniform Commercial Code rights, duties and remedies available as well as all remedies allowed by law.

ARTICLE 13: CONFLICT OF LAWS

The agreement of purchase and the performance of the parties hereunder shall be construed with and governed by the laws of the State of Georgia.

ARTICLE 14: NOTICES

Any notices or demand which under the terms of this agreement or under any statute must or may be given or made by Contractor or Purchaser shall be in writing and shall be given or made to the respective parties as follows:

To Purchaser:

City of Cartersville
Attn: Don Hassebrock, Director
320 South Erwin Street/P.O. Box 1390
Cartersville, GA 30120
dhassebrock@cityofcartersville.org
Fax: 770-387-5630

To Contractor:

M & R Services, Inc.
Attn: Mr. John Stein, President
1806 Asteria Court
Duluth, Georgia 30097
mrservices@mindspring.com
Fax: 770-813-9965

Method of Delivery of Notice. Subject to limitations and conditions set forth herein, notices may only be delivered: (1) in person; (2) by an overnight delivery service, prepaid; (3) by facsimile transmission (FAX); (4) by registered or certified U. S. mail, prepaid, return receipt requested; or (5) by e-mail. The delivery of notice by any method, must use the communication information contained herein. If notice is delivered by FAX or by e-mail, receipt must be acknowledged by the receiving party, in one of the forms listed above, before it shall be deemed received. A faxed or emailed signature of a party shall constitute an original signature binding upon that party.

Item # 15

ARTICLE 15: MODIFICATIONS

No modifications in prices, delivery methods or schedule, quality, quantity, specifications or any other term of the contract will be effective unless agreed to in writing, signed by Contractor and Purchaser with Notice given as specified in Article 14 above.

ARTICLE 16: SEVERABILITY

If any provisions of this agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable, but that by limiting such provision it would become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

ARTICLE 17: ENTIRE AGREEMENT

The purchase order, this contract, and any documents referred to on the face hereof, including Exhibits, constitute the entire agreement between the parties and can only be modified by a writing signed by both parties. No part of this order or contract may be assigned or subcontracted without the written approval of either party. Time is of the essence of this contract.

Purchaser and Contractor for themselves and their successors, executors, administrators, and assigns agree to the full performance of this agreement.

IN WITNESS WHEREOF we have executed the agreement on the date written above.

Purchaser: City of Cartersville

Contractor: M & R Services, Inc.

Date: _____

Date: 9/3/14

Approved: _____
Matthew J. Santini Mayor

Approved: John P. Stein
John P. Stein President

Attest: _____
Connie Keeling City Clerk

Attest: Amy S. Stein
Amy S. Stein Secretary

Witness: _____

Witness: SA 9/3/14

J. S. ARA
NOTARY PUBLIC
Gwinnett County - State of Georgia
My Comm. Expires Aug. 04, 2015

EXHIBIT A

Description of Testing Performed by M & R Services, Inc.

Meter Testing

M & R Services, Inc. will conduct KWh testing on meters designated for test. Series tests will be conducted on each meter and separate element tests on each meter, as applicable, based on the type/application of the metering. The following table indicates the number of revolutions/pulses and the accuracy limits (solid-state/mechanical) that will be used for each test:

<u>Test type</u>	<u># rev./pulses</u>	<u>accuracy limit</u>
Series full load	6	+/- 0.3%/0.5%
Series light load	2	+/- 0.3%/0.5%
Series power factor	6	+/- 0.5%/1.0%
Separate element full load	2	+/- 1.0%/2.0%
Separate element light load	1	+/- 1.0%/2.0%
Separate element power factor	2	+/- 1.0%/2.0%
Separate element balance will be checked to be within		+/- 1.0%/2.0%

If necessary (if possible), out of spec meters will be calibrated to the series spec. If a replacement meter is needed/provided the series tests will be conducted on the new meter as the old meter is changed-out. M & R Services, Inc. can adjust the accuracy limits as desired by the Purchaser if a difference in specifications exists. Full load and power factor tests are performed at 5.0 amps and light load tests at 0.5 amps. Power factor tests are performed at 60 degree phase shift.

Instrument Transformer Testing

M & R Services, Inc. will perform in service per phase polarity/cross-phasing, ratio and burden testing on each current transformer (CT) at each site designated for test. In doing so, each site's CTs, associated wiring and socket will be tested to insure proper wiring, wiring integrity, CT accuracy and socket functionality. Each CT will be tested at 0.1, 0.2 and 0.5 ohms of burden. Upon request for no additional charge, M & R Services, Inc. can increase the burden test to include 1.0 and 2.0 ohms of burden. If necessary, if possible, load will be created to test the current transformers at no load/light load sites. There is no additional charge for this service.

M & R Services, Inc. will perform in service per phase polarity/cross-phase testing of each potential transformer (PT) at each site designated for test. Ratio calculations will be performed on secondary PTs by measuring the primary and secondary voltages. Primary PTs will be checked for secondary voltage only.

EXHIBIT A (continued)

Meter & CT Test Operations Performed by M & R Services, Inc.

Record site/test information

- assign unique work order number to each site test
- record account number and site name
- record test date and time
- perform visual inspection of wiring, equipment and site
- clean metering enclosure and meter

Record/verify meter information, etc.

- document meter manufacturer, type, form, class, constant and serial number
- inspect meter and auxiliary equipment operation and condition
- record as found and as left meter readings
- secure connections (as necessary)

Record per phase readings

- document voltage, current and phase angle readings (as part of CT test)

Perform meter test

- perform series and separate element KWh tests
- record as found and as left meter test results
- calibrate as necessary and/or test replacement meter

Record current & potential transformer data

- document service type and voltage
- record key CT/PT nameplate information
- record miscellaneous CT/PT nameplate information (as requested, if possible)

Perform current & potential transformer tests

- perform per phase polarity test (record primary amps, secondary amps, primary volts (if possible), secondary volts and phase angles)
- perform per phase ratio test (record three ratio readings)
- perform per phase burden test (record ratio and secondary current without burden and with burden)
- check PT ratio (if possible)

Perform final inspection

- inspect meter operation (displayed items, diagnostics and potential indicators)
- reset demand (if necessary)
- record stop time and meter seal number (upon request)

Site evaluation (documented on report printout)

- breakdown each aspect of metering and document as under limit, within limit or over limit, both as found and as left
- estimate percent out of spec (if applicable)
- compare calculated multiplier to system multiplier
- perform demand check (by comparison of instantaneous vs. metered demand)
- document problems found, actions taken and miscellaneous comments

EXHIBIT B

Meter & CT Test Report Contents Prepared by M & R Services, Inc.

List of Sites Tested

- sequential list of sites tested by work order number with site name and meter and/or account number

General Observations

- synopsis of problems found with mechanical meters, solid-state meters, CTs and other equipment and definitions of various aspects of the report

Lists of Findings/Miscellaneous

- Mechanical Meters Out of Specification
- Solid-state Meters Out of Specification
- CTs Out of Specification (with explanation)
- PTs/Potential Out of Specification (with explanation)
- Wiring Errors (with explanation)
- Meters to Replace (with explanation)
- Demand Reset
- Multiplier Errors (with explanation)
- Sites Where CTs May Be Undersized (secondary current > 7A)
- Sites Where CT Secondary Current is Low (secondary current < 0.2A)
- Sites that Did Not Pass Wire Verify Check
- Sites with Possible Harmonic Problems
- Miscellaneous

Estimated Revenue Loss Only, Overbill Only and Loss/Overbill Combined

- spreadsheet quantifying the loss by site in dollars as found and as left with per month and per year estimates, total loss and average loss/site
- spreadsheet quantifying the overbill by site in dollars as found and as left with per month and per year estimates, total overbill and average overbill/site
- spreadsheet quantifying the combined loss/overbill by site in dollars as found and as left with per month and per year estimates, total and average/site

List of Calibrations

- list of meters that were calibrated or adjusted

Sites Out of Specification

- typewritten test printouts of sites that were out of specification preceded by a list of the sites included in the section and why

Sites Within Specification

- typewritten test printouts of sites that were within specification

Original Handwritten Reports

- handwritten test forms with additional notes in order by work order number

* the report is bound in a pressboard report binder with a label identifying the report by customer, the year prepared and the preparer

Item # 15

VENDOR AFFIDAVIT AND AGREEMENT

By executing this affidavit, the undersigned vendor verifies its compliance with O.C.G.A. 13-10-91, stating affirmatively that the individual, firm, or corporation which is selling goods or services to the City of Cartersville has registered with and is participating in a federal work authorization program* [any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603], in accordance with the applicability provisions and deadlines established in O.C.G.A. 13-10-91.

The undersigned further agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to this sale with the City of Cartersville, vendor will secure from such subcontractor(s) similar verification of compliance with O.C.G.A. 13-10-91 on the Subcontractor Affidavit provided in Rule 300-10-01-.08 or substantially similar form. Vendor further agrees to maintain records of such compliance and provide a copy of each such verification to the City of Cartersville at the time the subcontractor(s) is retained to perform such service.

The undersigned Vendor is using the federal work authorization program.

61377
EEV/Basic Pilot Program* User Identification Number

BY: John P. Stein
Authorized Officer or Agent

9/3/14
Date

M B R SERVICES, INC.
Vendor/Entity Name

PRESIDENT
Title of Authorized Officer or Agent of Vendor

1806 ASTERIA CT, DULUTH, GA 30097
Vendor/Entity Address

JOHN P. STEIN
Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN

BEFORE ME ON THIS THE

3rd DAY OF September, 2014

J S Ara.

Notary Public

My Commission Expires: August - 4th 2015

J. S. ARA NOTARY PUBLIC Gwinnett County - State of Georgia My Comm. Expires Aug. 04, 2015

* As of the effective date of O.C.G.A. 13-10-91, the applicable federal work authorization program is the "EEV/Basic Pilot Program" operated by the U.S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA).

AFFIDAVIT VERIFYING STATUS FOR CITY OF CARTERSVILLE BENEFIT APPLICATION

By executing this affidavit under oath, as an applicant for a City of Cartersville, Georgia Occupation Tax Certificate, Alcohol License or other public benefits as referenced in O.C.G.A. Section 50-36-1, I am stating the following with respect to my application for a City of Cartersville, Georgia Occupational Tax Certificate, Alcohol License or other public benefit (circle one) for

JOHN P. STEIN

[Name of natural person applying on behalf of individual, business, corporation, partnership, or other private entity]

M & R SERVICES, INC.

[Name of business, corporation, partnership]

1) ☒ I am a United States citizen

2) ☐ I am a legal permanent resident 18 years of age or older or I am an otherwise qualified alien or non-immigrant under the Federal Immigration and Nationality Act 18 years of age or older and lawfully present in the United States.*

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of Code Section 16-10-20 of the Official Code of Georgia.

John P. Stein
Signature of Applicant:

9/3/14
Date

JOHN P. STEIN
Printed Name:

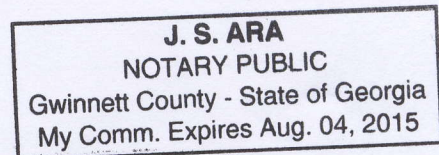
SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
3rd DAY OF September, 2014

J. S. Ara

Notary Public

My Commission Expires: August 4th 2015

*
Alien Registration number for non-citizens



*Note: O.C.G.A. § 50-36-1(e)(2) requires that aliens under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, provide their alien registration number. Because legal permanent residents are included in the federal definition of "alien", legal permanent residents must also provide their alien registration number. Qualified aliens that do not have an alien registration number may supply another identifying number below:



City of Cartersville

**City Council Meeting
10/2/2014 7:00:00 PM
American Public Gas Association Dues**

SubCategory:	Other
Department Name:	Gas Department
Department Summary Recommendation:	Our membership dues with the American Public Gas Association are due. I recommend approval of the \$6,820.10 invoice.
City Manager's Remarks:	City Council's approval to allow payment of this invoice is recommended. (Pages 109-110)
Financial/Budget Certification:	This is a budgeted item.
Legal:	N/A
Associated Information:	N/A



American Public Gas Association

2015 APGA Membership Dues Invoice

Current Contact Information	Update Contact Information
☐ Yes. The information below is correct.	☐ No. Please update our information.
Gary Riggs Director Cartersville Gas System P.O. Box 1390 Cartersville, GA 30120 Phone: (770) 387-5642 Fax: (770) 387-5638 Email: griggs@cityofcartersville.org	Main Contact: _____ Title: _____ Company: _____ Address: _____ City, State, Zip: _____ Phone: _____ Fax: _____ Email: _____

Help us ensure that we have the most up-to-date contact information for your system! Please make any necessary changes/additions to the listing above or you may make changes to your record any time at www.apga.org. To request a username and password, please contact Marghet Hager at mhager@apga.org. This information is used for APGA communications and will be published in the 2015 Annual Membership Directory. Thank you for your assistance!

2015 APGA Membership Dues	
Dues Amount: \$6,820.10 Number of Meters = 9,743 Membership dues for public gas systems with 501 to 60,000 meters are calculated at 70¢ per meter. If the number of meters shown above is incorrect, please provide the correct number of meters and adjust your dues amount: Correct Number of Meters = _____ Adjusted Dues Amount = _____	Membership includes: • A voice on Capitol Hill and in the regulatory agencies that impact your public gas utility; • Regulatory and operations updates; • The APGA biweekly newsletter <i>Public Gas News</i>; • The APGA quarterly magazine <i>The Source</i>; • Training workshops and conferences; • 24/7 access to the APGA Members Only section of the website (www.apga.org); • Networking opportunities; • The APGA Annual Directory; and • APGA Weekly Updates.
2015 APGA Research Foundation Contribution	
☐ My system would like to contribute to the APGA Research Foundation, and our contribution is included with our APGA Membership Dues in the amount of: \$ _____	
☐ My system would like to contribute to the APGA Research Foundation, but please bill me in _____ (month) in the amount of: \$ _____	
NOTE: The suggested Research Foundation contribution rate for public gas systems is 1 cent/Dth but you may contribute at any rate you deem appropriate.	
Please return a copy of this invoice with your payment. APGA Federal Tax ID: 52-0805605	

Item # 16



City of Cartersville

City Council Meeting
10/2/2014 7:00:00 PM
Chamber of Commerce Can-A-Thon

SubCategory:	Discussion
Department Name:	Administration
Department Summary Recommendation:	The Chamber of Commerce puts on an annual can-a-thon to help the local food banks and the sub-committee that is responsible for this event has asked about using the old Fire Station #1 fire bays as a location for this event. They anticipate needing the space starting approximately during the afternoon of November 10th to drop off the boxes and pallets for the can food drive through the morning of November 12th. The actual can food drive will take place on November 11th. If approved, this location will serve as a central point for residents to make donations for this event.
City Manager's Remarks:	Your approval of allowing the Can-A-Thon to use the old main Fire Station November 10-12 is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	



City of Cartersville

City Council Meeting
10/2/2014 7:00:00 PM
Removal of Trees on Wall Street

SubCategory:	Discussion
Department Name:	DDA
Department Summary Recommendation:	Downtown Development Authority Board and City Council members have been contacted by several business owners over the past couple of years regarding the need to cut down the trees in the planters along Wall Street. Business owners feel that the trees hinder their business by blocking storefronts and signs, and would like to ask that the City remove the trees.
City Manager's Remarks:	This is a discussion item for the purpose of allowing the referenced businesses above to publicly discuss this item.
Financial/Budget Certification:	
Legal:	
Associated Information:	