



City of Cartersville

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

COUNCILPERSONS:

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

AGENDA

Council Chamber, Third Floor of City Hall– 7:00
PM – 11/21/2013
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. November 7, 2013 (Pages 3-21)

[Attachments](#)

B. Proclamations

1. Native American Awareness Month (Pages 22-23)

[Attachments](#)

C. Second Reading of Ordinances

1. Amendment to Utility Fees Ordinance (Pages 24-25)

[Attachments](#)

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

1. File T13-04: Text Amendment application by Womack Two LLC (Ray Womack, Representative) to add the use of Automotive storage yards and wrecker service in the L-I (Light Industrial) District (Pages 26-27)

[Attachments](#)

2. File Z13-07: Rezoning application by James Kareken to rezone property located on Old Alabama Road (north side) near Douthit Ferry Road (approximately 23.2 acres) from RA-12 (Townhouse Residential) with conditions to R-20 (Single Family Residential) (Pages 28-40)

[Attachments](#)

E. First Reading of Ordinances

1. Amendment to Budget Ordinance for Fiscal Year 2012-13 (Pages 41-43)

[Attachments](#)

2. Water and Sewer Capacity Fee Restoration (Pages 44-45)

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F. Resolutions

1. Downtown Master Plan (Pages 46-49)

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G. Certification

1. Election Results (Pages 50-52)

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H. Grant Application/Acceptance

1. LWCF Grant Application & Resolution - Dellinger Park Fence Replacement (Pages 53-54)

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I. Bid Award/Purchases

1. Printing for 2014 Calendar (Pages 55-58)

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J. Monthly Financial Statement

1. September 2013 (Pages 59-63)

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K. Presentations

1. Citizen's Survey Results (Page 64)

[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
11/21/2013 7:00:00 PM
November 7, 2013

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

City Council Meeting
 10 N. Public Square
 November 7, 2013
 6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Mayor Matt Santini

Pledge of Allegiance led by Council Member Jayce Stepp

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

II. Regular Agenda

A. Council Meeting Minutes

1. October 17, 2013

A motion to approve the October 13, 2013 City Council Meeting Minutes as presented was made by Council Member Tate and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0

B. Public Hearings – 2nd Reading of Zoning/Annexation Request

1. File Z13-05: Rezoning application by John Adams for property located at 217 Cassville Road (approximately 0.43 acres) from MF-14 to O-C.

Randy Mannino, Planning and Development Director, stated that the Public Official Forms have been received and there are no conflicts of interest. All adjacent property owners have been notified and the required legal notices have been advertised. Mr. Mannino requested that the application and zoning ordinance be made part of the official record. Copies of the adopted procedures and zoning standards are available upon request. Mr. Mannino states that this tract is located at 217 Cassville Rd, near the Cartersville Public Safety Headquarters. The property includes a house built in approximately 1945. In early 2013, City staff discovered that a Halfway House was operating in this residence. Since this use is not allowed at the property's current zoning the property owner has chosen to apply to rezone the property. Mr. Mannino stated that the City of Cartersville Fire Department officials have conducted a site visit, viewing the interior and exterior of the house. CFD staff has stated that they do not have any objections to the application as long as the person responsible for this use follow all adopted fire codes relating to the type of occupancy that exists at the location. Mr. Mannino stated that there have been no

additions or corrections since the first reading and the Planning Commission has recommended approval.

Mayor Santini opened the floor for a public hearing. John Adams came forward in spoke in favor of the rezoning. With no further comments Mayor Santini closed the public hearing.

A motion to approve Ordinance No. 23-13 was made by Council Member Tate and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

Ordinance
of the
City of Cartersville, Georgia

Ordinance No. 23-13

Petition No. Z13-05

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 John Adams. Property is located 217 Cassville Road. Said property contains .043 acres located in the 4th District, 3rd Section, Land Lot(s) 342 as shown on the attached plat Exhibit "A". Property is hereby rezoned from MF-14 (Multi Family) to O-C (Office Commercial). Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 17th day of October 2013.

ADOPTED this the 7th day of November 2013. Second Reading.

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

ATTEST:

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

2. File AZ13-03: Annexation and zoning application by Shaw Industries Group (John Wilkinson, representative) for property located at the southeast corner of Douthit Ferry Road and Old Mill Road (approximately 5.92 acres) from Bartow County jurisdiction to City O-C (Office Commercial)

Randy Mannino, Planning and Development Director, stated that the Public Official

Forms have been received and there are no conflicts of interest. All adjacent property owners have been notified and the required legal notices have been advertised. Mr. Mannino requested that the application and zoning ordinance be made part of the official record. Copies of the adopted procedures and zoning standards are available upon request. Mr. Mannino stated that these tracts are located at the southeast intersection of Douthit Ferry Road and Old Mill Road. The properties include a bank built in approximately 2004. Although these properties are not donut holes all lots to the north, east, and west are in the city limits. The applicant has stated that he would like the green field lot of nearly five acres to be annexed and combined with adjoining Shaw property. The bank on the corner would need to be annexed at the same time since future annexations cannot create new donut holes. Mr. Mannino stated that if annexed the properties would be zoned O-C (Office Commercial). There have been no additions or correction since the first reading and the Planning Commission has recommended approval.

Mayor Santini opened the floor for a public hearing for the rezoning. With no further comments Mayor Santini closed the public hearing.

Mayor Santini opened the floor for a public hearing for the annexation. With no further comments Mayor Santini closed the public hearing.

A motion to approve Ordinance No. 24-13 was made by Council Member Tonsmeire and seconded by Council Tate. Motion carried unanimously. Vote 5-0

A motion to approve Ordinance No. 25-13 was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 24-13

Petition No. AZ13-03

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that all that certain tract of land owned by Shaw Industries Group, Inc. Property is located Douthit Ferry Road and Old Mill Road. Said property contains 5.92 acres located in the 4th District, 3rd Section, Land Lot(s) 632 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 17th day of October 2013.

ADOPTED this the 7th day of November 2013. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 25-13

Petition No. AZ13-03

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that all that certain tract of land owned by Shaw Industries Group Inc. Property is located Douthit Ferry Road and Old Mill Road. Said property contains 5.92 acres located in the 4th District, 3rd Section, Land Lot(s) 632 as shown on the attached plat Exhibit "A". Property is hereby rezoned from County C-!(Commercial) and A-1 (Agricultural) to O-C (Office Commercial). Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 17th day of October 2013.

ADOPTED this the 7th day of November 2013. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

3. File SU13-05: Special Use application by Jay Frazier for property located at 310 N. Tennessee Street (approximately 0.46 acres) to allow a pawn and/or title pawn shop in the M-U District.

Randy Mannino, Planning and Development Director, stated that the Public Official Forms have been received and there are no conflicts of interest. All adjacent property owners have been notified and the required legal notices have been advertised. Mr. Mannino requested that the application and zoning ordinance be made part of the official record. Copies of the adopted procedures and zoning standards are available upon request. Mr. Mannino stated that this lot is located at 310 North Tennessee Street and includes a multi-tenant office, retail and service use building. The applicant has operated a gun store in one of the tenant spaces for the last few years, and now proposes to expand his business to include pawn and/or title pawn. Mr. Mannino stated that all City Departments have reviewed the application and the Cartersville Police Department stated that it would be a concern if there would be outside storage. Mr. Mannino stated that there have been no additions or corrections since the first reading and the Planning Commission recommended approval with the condition that there shall be no outside storage on the property.

Mayor Santini opened the floor for a public hearing. Jay Frazier came forward and spoke in favor of the special use application. With no further comments Mayor Santini closed the public hearing.

A motion to approve Ordinance No. 26-13 with the condition of no outside storage was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 26-13

Petition No. SU13-05

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 Jerry Williams. Property is located at 310 North Tennessee Street. Said property contains 0.46 acres located in the 4th District, 3rd Section, Land Lot(s) 410 as shown on the attached plat Exhibit "A". Property is hereby rezoned to M-U (Multiple Use) Special Use to allow pawn and/or title pawn shop as part of existing business with the following conditions. Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.

- a. There will be no outside storage on property.**

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 17th day of October 2013.

ADOPTED this the 7th day of November 2013. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

C. Resolutions

1. Approval of Capital Improvements Element Annual Update and Corresponding Transmittal Resolution.

Randy Mannino, Planning and Development Director, stated that Cartersville adopted Impact Fees in the last quarter of 2006 that went into effect in January 2007. In accordance with the Development Impact Fee Regulations as outlined by the state, we are required to file an annual update to the Capital Improvement Element (CIE) of the Comprehensive Plan. We are required to hold a public hearing regarding the update and forward it with a transmittal resolution to the Northwest Georgia Regional Commission and the Department of Community Affairs. After review, the document needs to be adopted by Council, and a copy sent to the Regional Commission. At this time the document is in “draft” form and the final version will be distributed for review before adoption. Mr. Mannino recommended approval.

Mayor Santini opened the floor for a public hearing. With no further comments Mayor Santini closed the public hearing.

A motion to approve the Capital Improvements Element Annual Update Resolution was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0

Resolution No. 22-13

TRANSMITTAL RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, GEORGIA.

Capital Improvements Element

WHEREAS, The City of Cartersville adopted a Capital Improvements Element as an amendment to the *Cartersville Comprehensive Plan*; and

WHEREAS, The City of Cartersville has prepared an Annual Update to the adopted Capital Improvements Element; and

WHEREAS, the Capital Improvements Element Annual Update was prepared in accordance with the “Development Impact Fee Compliance Requirements” and the “Minimum Planning Standards and Procedures for Local Comprehensive Planning” adopted by the Board of

Community Affairs pursuant to the Georgia Planning Act of 1989, and a duly advertised Public Hearing was held on November 7, 2013, at 7:00 P.M. in the City Council meeting room at Cartersville City Hall;

BE IT THEREFORE RESOLVED, that the City Council of the City of Cartersville does hereby submit the draft Capital Improvements Element Annual Update to the Northwest Georgia Regional Commission for Regional and State review, as per the requirements of the Development Impact Fee Compliance Requirements.

ADOPTED this the 7th day of November 2013.

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

ATTEST:

/s/ Catheryn Hembree
Catheryn Hembree
Deputy City Clerk

2. Correction to 2008 Quitclaim Deed to Sandlot Development, LLC

Sam Grove, City Manager, stated that this resolution is to correct the wrong parcel number referenced in the deed for property the City transferred to Sandlot Development, LLC in November 2008. Mr. Grove recommended approval,

A motion to approve the correction to 2008 Quitclaim Deed to Sandlot Development, LLC was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

Resolution No. 23-13

WHEREAS, on November 6, 2008 Mayor and City Clerk executed a deed to transfer acreage to Sandlot Development, LLC as part of a property transfer;

WHEREAS, when said Deed was recorded, it referenced the wrong parcel number;

WHEREAS, the proposed Deed corrects this error;

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and City Council that the City of Cartersville is hereby authorized to execute said Quitclaim Deed, attached as Exhibit "A" and authorizes the City Attorney to attend the closing on its behalf and authorizes the Mayor and City Clerk to execute any and all documents pertaining to said purchase on behalf of the City of Cartersville.

ADOPTED this the 7th day of November 2013.

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

ATTEST:

/s/ Catheryn Hembree
Catheryn Hembree
Deputy City Clerk

D. First Reading of Ordinances

1. Text Amendment to City Ordinance 11-146 thru 11-160, Miscellaneous Provision of Code of Ordinances relating to the sale, manufacture, distribution, ect of “so-called” synthetic marijuana.

Frank McCann, Assistant Police Chief, stated that the Police Department is requesting the amendment to the Code of Ordinances relating to Miscellaneous Offences; particularly that of “so-called” synthetic marijuana. The City needs to enact this ordinance so that we do not become a synthetic marijuana island, where persons desiring to purchase such products come to support their dangerous habit. Bartow County has recently enacted a similar ordinance. The ordinance would aid in the equitable enforcement of these products throughout the county and city. Assistant Chief McCann requested this be an Emergency Reading based on public safety and welfare. Assistant Chief McCann recommended approval.

A motion to approve Text Amendment to City Ordinance No. 27-13 was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 27-13

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 11. MISCELLANEOUS PROVISIONS AND OFFENSES. ARTICLE IV. OFFENSES INVOLVING PUBLIC SAFETY. Sec. 11-146 – 11-160. Reserved.** is hereby amended:

1.

WHEREAS, the City of Cartersville has been informed through reports from local law enforcement of the continuing manufacture, sale, distribution, delivery and/or use

throughout the State of Georgia of certain dangerous substances defined under this Ordinance as “Unregulated Marijuana Substitutes” that mimic the effects of marijuana or “synthetic cannabinoids” (or “synthetic marijuana”, “K2” or “Spice”) despite the efforts of the Georgia General Assembly to regulate “synthetic cannabinoids” (or “synthetic marijuana”, “K2” or “Spice”) as a Schedule 1 controlled substance under Code Section 16-13-25 of the Official Code of Georgia and the 2012 Act of the General Assembly known as “Chase’s Law”; and

WHEREAS, in particular, the City of Cartersville is aware of the growing movement among manufacturers of synthetic cannabinoids to circumvent the laws of the State of Georgia (and the laws of other states regulating “synthetic cannabinoids”, “synthetic marijuana”, “K2” or Spice) and frustrated enforcement efforts by manufacturing “Unregulated Marijuana Substitutes” by altering the chemical formula, molecular structure and/or composition of “synthetic cannabinoids” so as to make said substances undetectable or unidentifiable as banned Schedule 1 controlled substances under Georgia law; and

WHEREAS, like “synthetic cannabinoids”, these Unregulated Marijuana Substitutes are commonly packaged and marketed as “potpourri”, “bath salts”, “plant food”, “herbal smoking blends”, “incense” and/or “herbal incense” to disguise their dangerous nature, but are commonly being used as an alternative to marijuana or “synthetic cannabinoids”, have been typically sold online, in head shops, tobacco shops, various retail outlets and at some gas stations, and may be sold and marketed under a variety of names including but not limited to “K-2”, “K-2 SUMMIT”, “GENIE”, “DASCENTS”, “ZOHAI”, “SAGE”, “SPICE”, “KO KNOCKOUT 2”, “SPICE GOLD”, “SPICE DIAMOND”, “SPICE SILVER”, “YUCATAN FIRE”, “SOLAR FLARE”, “PEP SPICE”, “FIRE N’ ICE”, “BLACK MAGIC SMOKE”, “SALVIA DIVINORUM”, “EXTREME POTPOURRI”, “HAYZE TRAINWRECK”, “SKUNK”, “FAKE WEED”, “MOON ROCKS”, “MR. SMILEY”, “RED X DAWN”, “BLAZE”, “BLACK MAMBA”, “BOMBAY BLUE” and “BLISS”; and

WHEREAS, like “synthetic cannabinoids”, these Unregulated Marijuana Substitutes are reported by the medical community to produce a very potent, intoxicating effect ranging from three to one hundred times greater and more potent than Tetrahydrocannabinol (“THC”), the active ingredient in marijuana; and

WHEREAS, these Unregulated Marijuana Substitutes manifest all of the demonstrated attributes of substances that deprive persons of judgment, coordination and the ability to conduct themselves in a safe and appropriate manner in modern society, and are reported to cause hallucinations, vomiting, agitation, panic attacks, tachycardia, elevated blood pressure, pallor, numbness and tingling, disorientation, loss of time awareness, and in some cases, tremors, seizures, kidney failure and loss of consciousness; and

WHEREAS, due to the proliferation of Unregulated Marijuana Substitutes in the retail marketplace and the continued sale and use of Unregulated Marijuana Substitutes following the passage of amendments to Code Section 16-13-25 of the Official Code of

Georgia including the 2012 enactment of “Chase’s Law”, the Georgia State Board of Pharmacy recently enacted an emergency rule on June 12, 2012 to specifically classify five additional compounds as “synthetic cannabinoids” that are banned from over-the-counter sales; however the recently enacted emergency rule of the Georgia State Board of Pharmacy does not allow for arrests or criminal prosecution until further action by the Georgia Legislature, and the current Georgia law regulating “synthetic cannabinoids” still allows for the very real threat of manufacturers continuing to alter the chemical formula, molecular structure and/or composition of “synthetic cannabinoids” so as to make said substances undetectable or unidentifiable as banned Schedule 1 controlled substances under Georgia law; and

WHEREAS, the continuing efforts of manufacturers of “synthetic cannabinoids” to circumvent the laws of the State of Georgia and prevent enforcement efforts by constantly altering the chemical formula, molecular structure and/or composition of these dangerous substances poses a serious and imminent threat to the public health, safety and welfare of the citizens of Bartow County, particularly the youth of the City of Cartersville; and

WHEREAS, the Mayor and City Council of the City of Cartersville desires to broaden or strengthen current Georgia law prohibiting the purchase, possession, manufacture, distribution, sale, delivery or use of “synthetic cannabinoids” by regulating the purchase, possession, manufacture, distribution, sale, delivery or use of Unregulated Marijuana Substitutes; and operation throughout this state and no local or special law shall be enacted in any case for which provision has been made by an existing general law, except that the General Assembly may by general

WHEREAS, the Georgia Constitution provides that “[l]aws of a general nature shall have uniform law authorize local governments by local ordinance or resolution to exercise police powers which do not conflict with general laws.” Ga. Const. 1983, Art. III, Sec. VI, Par. IV(a).

WHEREAS, Courts have repeatedly held that the above constitutional provision prevents local governments from duplicating state regulatory requirements or criminalizing an activity that is already criminalized under state law. *Jenkins v. Jones*, 209 Ga. 758, 762 (1953) (city cannot make it a crime to drive while intoxicated because the exact same activity is already a crime under state law); *City of Atlanta v. S.W.A.N. Consulting & Sec. Services, Inc.*, 274 Ga. 277, 280 (2001) (city cannot regulate private detective agency serving as bouncers at strip clubs when the agency is already regulated by the state); *City of Buford v. Georgia Power Co.*, 276 Ga. 590, 590 (2003) (city cannot regulate electrical power substations because the Public Services Commission has the authority to regulate those substations).

WHEREAS, while the City of Cartersville may not duplicate regulatory requirements set forth in the general law of the state or criminalize an activity that is already criminalized under general law (See *Jenkins v. Jones*, 209 Ga. 758, 762, 75 S.E.2d 815 (1953)), it may enact a special law regulating an activity so long as that special law does not conflict with a general law, that is, so long as the special law does not detract from or

hinder the operation of the existing general law, but rather augments and strengthens it. *Grovenstein v. Effingham County*, 262 Ga. 45, 47, 414 S.E.2d 207, 210 (1992) (citing *City of Atlanta v. Associated Builders & Contractors of Ga.*, 240 Ga. 655, 657, 242 S.E.2d 139 (1978)); see also *Bd. of Com'rs of Miller County v. Callan*, 290 Ga. 327, 333, 720 S.E.2d 608, 613 (2012); *Pawnmart, Inc. v. Gwinnett County*, 279 Ga. 19, 21, 608 S.E.2d 639, 641 (2005).

WHEREAS, the City of Cartersville may also enact regulations to protect the health, safety, and general welfare of the public under its police powers. Ga. Const. of 1983, Art. IX, § 2, ¶ III; Ga. Const. of 1983, Art. III, § 6, ¶ IV(a); O.C.G.A. § 36-35-3; and

WHEREAS, the regulation of the purchase, possession, manufacture, distribution, sale, delivery or use of Unregulated Marijuana Substitutes does not detract or hinder the operation of the existing Georgia law, but rather, is filling a gap in the existing general law to account for a chemical compound or substance that is ever changing, and this regulation is designed with the specific intent to augment and strengthen the existing general law as opposed to regulating an activity that is already regulated by state law.

Sec. 11-146

Prohibition on the Sale, Manufacture, Use, Delivery, Purchase, Possession or Distribution of Unregulated Marijuana Substitutes.

(a) Definitions. The following words as used in this section shall have the following prescribed meaning:

(1) Unregulated Marijuana Substitutes shall mean and refer to any compounds or substances, whether described as tobacco herbs, incense spice, aromatherapy incense, bath salts, potpourri, herbal smoking blends, plant food, aromatic substance that may cause a sense of euphoria, novelty aromatic, or any blend thereof, regardless of whether the compound or substance is marketed for the purpose of being smoked, injected, inhaled or ingested by humans or for human consumption, that

(a) is not currently or hereinafter regulated as a Schedule 1 controlled substance under Georgia law (including the following Georgia law: Code Section 16-13-25 of the Official Code of Georgia, any amendments to Code Section 16-13-25 of the Official Code of Georgia including the 2012 Act of the Georgia General Assembly known as “Chase’s Law”, and the emergency rule of the Georgia State Board of Pharmacy enacted on June 12, 2012 declaring five specific additional compounds as “synthetic cannabinoids” that are Schedule 1 controlled substances under Georgia law),

(b) is privately compounded, with the specific intent to circumvent the criminal penalties for synthetic cannabinoids under Georgia law, and

(c) Emulate, simulate or mimic the effects of marijuana or synthetic cannabinoids through chemical changes such as the addition, subtraction or rearranging of a radical or the addition, subtraction or rearranging of a substituent.

(2) Synthetic cannabinoids shall mean and refer to those certain compounds or substances (also commonly known or referred to in general as “Spice” or “K2”) that mimic, emulate or simulate the effects of marijuana or the active ingredient in marijuana (Tetrahydrocannabinol) that are specifically listed and identified as Schedule 1 controlled substances under Code Sections 16-13-25(3) and 16-13-25(12) of the Official Code of Georgia, any amendments thereto, or any other Code Section of the Official Code of Georgia.

(3) Substituent shall mean an atom or group that replaces another atom or group in a molecule.

(4) Radical shall mean and refer to a group of atoms that enters into and goes out of chemical combination without change and that forms one of the fundamental constituents of a molecule.

(5) Person shall mean and refer to any individual, natural person, partnership, firm, corporation, joint venture, proprietorship, business entity, association, agency, group, organization or group of persons or any other entity.

(b) It shall be unlawful for any person to use, sell, give, manufacture with intent to sell, possess, purchase, deliver, transport or distribute any Unregulated Marijuana Substitutes within the limits of City of Cartersville.

(c) Any person violating this section as it exists or may be amended, upon conviction, shall be punished by the imposition of a fine not to exceed \$1,000.00, by imprisonment in the county jail for a period of time not to exceed sixty (60) days, or by both such fine and imprisonment. Each day any violation of this section shall continue shall constitute a separate offense.

(d) Conviction for a violation of this section may also result in the city revoking any person’s privilege of operating a business within the limits of the city.

Sec. 11-147

Repealer.

All ordinances or resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

Sec. 11-148

Severability.

The sections, paragraphs, sentences, clauses and phrases of this ordinance are severable. Should any section, paragraph, sentence, clause or phrase of this ordinance be

rendered invalid by any court of law, the remaining sections, paragraphs, sentences, clauses or phrases shall not be affected but shall continue in effect until amended or repealed by action of the governing authority of the City of Cartersville.

2.

At the request of the Bartow-Cartersville Drug Task Force this ordinance is to be deemed emergency in nature and require one reading due to the continuing effects of the Public's safety and health due to the proliferation and use of said substances described in this ordinance.

3.

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

BE IT AND IT IS HEREBY ORDAINED

ADOPTED this the 7 day of November 2013. Emergency Reading.

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

ATTEST:

/s/ Catheryn Hembree
Catheryn Hembree
Deputy City Clerk

2. Amendment to Utility Fees Ordinance

Dan Porta, Assistant City Manager, stated that part of this fiscal year's budget City customers who pay utility bills, permits, invoices, ect.to the City with a credit or debit card were to begin paying a convenience fee to offset the credit card processing fees that have been paid by the City. The change to the ordinance sets this fee at 2.5%. Mr. Porta recommended approval.

NO ACTION REQUIRED

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. - 13

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that the Code of Ordinances City of Cartersville, Georgia CHAPTER 24. UTILITIES, Sec. 24-21. Schedule of Charges, etc., (12) i. Additional charges is hereby amended by deleting said section in its entirety and replacing as follows:

Section 24-21. Schedule of Charges, etc.
“(12) Additional charges.

- i. City customers who pay for utility bills and other city invoices with a credit or debit card will be charged a 2.5% convenience fee.**

BE IT AND IT IS HEREBY ORDAINED.

ADOPTED this the 7th day of November 2013. **First Reading**
ADOPTED this the day of . **Second Reading.**

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

ATTEST:

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

E. Contracts/Agreements

1. 2014 Health Insurance Renewal with Cigna

Dan Porta, Assistance City Manager, stated that bids were solicited for employee health insurance. After reviewing the proposals, it was determined the best option was to stay with Cigna. There will be no benefit plan changes with a 6.91% rate increase. After meeting with ShawHankins, Mr. Porta requested that Cigna review their proposal. They came back and reduced their renewal to a 4.6% rate increase with no plan benefit changes. Due to the Affordable Care Act, out of pocket maximums in 2014 and future years will include co-pays that employees have already been paying to doctors and pharmacists. The ACA requires the co-pays, calendar year deductibles, and co-insurance amounts be counted toward the out of pocket maximum. The existing calendar year deductible is \$3,000 for single, and \$6,000 for family; and co-insurance is \$1,500 single, and \$3,000 family. After reviewing a report from Cigna it was determined that a \$500 co-pay amount was sufficient. Based on this, the renewal option recommended is a 3.97% rate increase over the current year's rate. Mr. Porta recommended approval.

A motion to approve the 2014 Health Insurance Renewal with Cigna was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

2. Annual Assessment for Membership in the Northwest Georgia Regional Commission

Sam Grove, City Manager, stated that the annual dues for membership and participation in the Northwest Regional Commission, this is for July 1, 2013 through June 30, 2014 in the amount of \$19,810.00. Mr. Grove recommended approval.

A motion to approve the Annual Assessment for Membership in the Northwest Georgia Regional Commission was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0

F. Easements

1. Leake Mounds Trail ROW Easement – Hamilton State Bank

Greg Anderson, Parks & Recreation Director, stated that this Right of Way easement is the final parcel acquisition for the Leake Mounds-Etowah River Walk link; located adjacent to the Water Department on Walnut Grove Road. The property was appraised for \$6,100.00. Mr. Anderson stated that this was not a budgeted item but will be paid for as part of the trail expense budgeted for this year. Mr. Anderson recommends approval.

A motion to approve purchase of the Leake Mounds Trail ROW Easement from Hamilton State Bank was made by Council Member Stepp and seconded by Council Member Tate. Motion carried 4-1 with Council Member Hodge voting against

G. Change Order

1. Final Adjustment Change Order Sanitary Sewer Manhole Installation Project

Ed Mullinax, Water Department Director, stated that the City had approved the agreement to Hill City Utilities for Sanitary Sewer Manhole Installations for an amount of \$28,000.00. Due to unforeseen conditions and corrections to the pipe and manhole defects encountered resulted in a \$12,500.000 increase to the project. The repairs and improvements will significantly reduce storm water infiltration. The Final Adjusted amount is \$41,100.00. Mr. Mullinax recommended approval.

A motion to approve the Final Adjustment Change was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

2. Final Adjustment Change Order for Water Treatment Plant Valve Vault

Installation Project.

Ed Mullinax, Water Department Director, stated that the original Water Treatment Plant Valve Vault Installation Project with C and L Contractors was for \$76,067.50. However an increase of \$58,100.00 occurred due to repairs of valves and relocation of existing utilities. Mr. Mullinax recommended approval.

A motion to approve Final Adjustment Change Order was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

H. Other

1. Asset Management Software Renewal and Training

Ed Mullinax, Water Department Director, stated that the Water Department uses a software system from SEMS Technologies for asset management and work orders. The annual software user license renewal and annual Webinar training subscription is due. The total annual fee is \$7,545.00 and Mr. Mullinax recommended approval.

A motion to approve the Asses Management Software Renewal and Training was made by Council Member Tate and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

I. Bid Award/Purchases

1. Center Road 24-Inch Gravity Sewer Replacement Project – Construction Project

Ed Mullinax, Water Department Director, stated that the Water Department was replacing a sewer line paralleling Center Road between Rowland Springs Road and the entrance to Hamilton Township. The design was prepared and bid received by four contractors. Jacobs Engineering Group has provided a Recommendation of Award of this contract to T.J. Lyle and Co, Inc. of Taylorsville in the amount of \$418,255.61. The Water Department concurs with this recommendation.

A motion to approve the Agreement with T.J. Lyle & Co, Inc. was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

2. Fiber Installation for Water Tank on Center Road

Dan Porta, Assistant City Manager, stated that as part of the work on the City's water tank on Center Road, fiber cable was installed to service the telemetry equipment. This project was completed by Parker Systems at the cost of \$65,106.50. Mr. Porta recommended approval of this payment.

A motion to approve the payment of Fiber Installation for Water Tank of Center Road was made by Council Member Hodge and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0

3. Firefighter's Annual Clearance Physicals

Scott Carter, Fire Chief, stated that the contract for the annual firefighter physicals per NFPA 1582 and OSHA 1910.156 was due. The firm, SiteMed, has performed the physicals for the past four years and has developed a departmental profile and standard. Beyond annual physicals they are involved in the specialized clearance of all haz mat team members and any firefighters who sustain significant injury or illness to assist in returning them back to duty. It provides a departmental physician per the requirement of NFPA 1500. Chief Carter requested an approval of an amount up to and not exceed \$19,750.00. This includes \$18,460.00 for all base line physicals and the remainder is additional lab work as required for haz mat team members and additional testing that may be required after baselines are completed. Chief Carter recommended approval.

A motion to approve the Firefighter's Annual Clearance Physicals was made by Council Member Pruitt and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0

4. Line Truck Rebuild

Don Hassebrock, Director of the Electric Department, stated that they have a 2001 vintage truck that needs a complete rebuild on the boom. Their practice is to do a complete rebuild every 10 years and retire the truck after 20 years. The Electric Department has found that a complete rebuild after 10 years allows them to get the ultimate usage out of a truck. There are only two major manufacturers that build and maintain the upper boom portion of the truck. These two manufacturers are Terex and Altec. From past experience it was found that the best quality of workmanship and performance was achieved by letting the manufacturer repair their truck. This truck was manufactured by Terex and proposed \$47,978.31 to rebuild. The item is budgeted as part of ongoing maintenance of existing equipment. Mr. Hassebrock recommended approval.

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

5. Compactor Cylinders for Commercial Garbage Truck

Tommy Sanders, Public Works Director, requested the approval to purchase the compact cylinders needed to repair one of the commercial front loader garbage trucks and put the truck back in service. The sole source of equipment is from the truck body manufacturer and will be \$6,788.22. Mr. Sanders recommended approval.

A motion to approve the Compactor Cylinders for Commercial Garbage Truck was made by Council Member Hodge and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0

J. Presentations**1. Citizen's Survey Results**

Sam Grove, City Manager, spoke about the Health and Wellness and Parks & Recreation topics of the Citizen's Survey Results.

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

Meeting Adjourned

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Catheryn Hembree
Deputy City Clerk



City of Cartersville

**City Council Meeting
11/21/2013 7:00:00 PM
Native American Awareness Month**

SubCategory:	Proclamations
Department Name:	
Department Summary Recommendation:	To proclaim November as Native American Awareness month and to honor the memory of the Cherokees who died during the infamous "Trail of Tears".
City Manager's Remarks:	
Financial/Budget Certification:	
Legal:	
Associated Information:	



CITY of CARTERSVILLE

Proclamation

WHEREAS, the month of November is Native American Awareness month; and

WHEREAS, the Georgia tribe of Eastern Cherokee Indians wish to honor the memory of the sixteen thousand Cherokees who were removed against their will and forced to endure the horrors of the infamous "Trail of Tears" to the west in the winter of 1838-1839; and

WHEREAS, it is estimated that one fourth of the Cherokees died on the removal route; and

WHEREAS, fifteen hundred Cherokees were removed from (Cass) Bartow County in the spring of 1838 and incarcerated in forts and holding pens; and

WHEREAS, they were then rounded up and sent on their trek to what is now known as the State of Oklahoma; and

WHEREAS, this acknowledgement that America has been made richer with the experience of the Native American culture.

NOW, THEREFORE, be it proclaimed by Mayor Matthew J. Santini and the Cartersville City Council that the month of November 2013 is designated as **Native American Awareness Month** in the City of Cartersville, Bartow County, in the state of Georgia.

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

Mayor

Attest: _____ City Clerk



City of Cartersville

City Council Meeting
11/21/2013 7:00:00 PM
Amendment to Utility Fees Ordinance

SubCategory:	Second Reading of Ordinances
Department Name:	Administration
Department Summary Recommendation:	As part of this fiscal year's budget city customers who pay utility bills, permits, invoices, etc. to the city with credit or debit cards were to begin paying a convenience fee to offset the credit card processing fees that have been paid by the city. The attached ordinance sets this fee at 2.5% and I recommend approval of this ordinance amendment.
City Manager's Remarks:	This item is unchanged since first reading. Your approval of this ordinance is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

Ordinance
of the
City of Cartersville, Georgia

Ordinance No. - 13

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that the Code of Ordinances City of Cartersville, Georgia CHAPTER 24. UTILITIES, Sec. 24-21. Schedule of Charges, etc., (12) i. Additional charges is hereby amended by deleting said section in its entirety and replacing as follows:

Section 24-21. Schedule of Charges, etc.
“(12) Additional charges.

- i. City customers who pay for utility bills and other city invoices with a credit or debit card will be charged a 2.5% convenience fee.

BE IT AND IT IS HEREBY ORDAINED.

ADOPTED this the 7th day of November 2013. First Reading
ADOPTED this the day of . Second Reading.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk



City of Cartersville

City Council Meeting
11/21/2013 7:00:00 PM

File T13-04: Text Amendment application by Womack Two LLC (Ray Womack, Representative) to add the use of Automotive storage yards and wrecker service in the L-I (Light Industrial) District

SubCategory:	Public Hearing - 1st Reading of Zoning/Annexation Requests
Department Name:	
Department Summary Recommendation:	Text Amendment T13-04 is an application by Womack Two LLC to add the following as a permitted use in the L-I (Light Industrial) zoning district: -Automotive storage yards and wrecker service This use is currently only allowed in the GC district. The 2010 Zoning Ordinance revision included changes to the L-I zoning district to allow some auto-related and equipment-related uses, including the following: -Repair garage, automotive (no outdoor storage of inoperable and/or dismantled vehicles). -Repair garage, heavy equipment (no outdoor storage of inoperable and/or dismantled trucks and equipment). -Truck terminals. This proposed text amendment would expand the list of options for properties zoned L-I.
City Manager's Remarks:	Your approval of this item 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 Santini & Council
From: Randy Mannino and Richard Osborne
Date: November 6, 2013
Re: Text Amendment T13-04

Text Amendment T13-04 is an application by Womack Two LLC to add the following as a permitted use in the L-I (Light Industrial) zoning district:

- Automotive storage yards and wrecker service

This use is currently only allowed in the GC district. The 2010 Zoning Ordinance revision included changes to the L-I zoning district to allow some auto-related and equipment-related uses, including the following:

- Repair garage, automotive (no outdoor storage of inoperable and/or dismantled vehicles).
- Repair garage, heavy equipment (no outdoor storage of inoperable and/or dismantled trucks and equipment).
- Truck terminals.

This proposed text amendment would expand the list of options for properties zoned L-I.



City of Cartersville

City Council Meeting
11/21/2013 7:00:00 PM

File Z13-07: Rezoning application by James Kareken to rezone property located on Old Alabama Road (north side) near Douthit Ferry Road (approximately 23.2 acres) from RA-12 (Townhouse Residential) with conditions to R-20 (Single Family Residential)

SubCategory:	Public Hearing - 1st Reading of Zoning/Annexation Requests
Department Name:	Planning and Development
Department Summary Recommendation:	The subject tract is located on Old Alabama Road, near the intersection with Douthit Ferry Road. In 2007, a different applicant was approved for a rezoning request from R-20 to RA-12 (detached or attached residential 12 units per acre) for a senior development. After approval of the rezoning, no site plans were submitted to City staff, and no grading work occurred on the property. At this time, the current applicant has submitted a request to rezone the property to a lower-density zoning, R-20, that would take into account the significant amount of floodplain on this large tract and would allow him to have horses on the property, with future potential for one single-family residence.
City Manager's Remarks:	Your approval of this item is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

ZONING SYNOPSIS

Petition Number(s): **Z13-07**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **James Kareken**
Representative: **none**
Property Owner: **James Kareken**
Property Location: **Old Alabama Road**
Access to the Property: **Old Alabama Road**

Site Characteristics:

Tract Size: Acres: **23.15 acres** District: **4th** Section: **3rd** LL(S): **918-919 and 954-955**
Ward: **3** Council Member: **Louis Tonsmeire Sr.**

LAND USE INFORMATION

Current Zoning: **RA-12 w/ conditions (Residential attached/detached 12 units per acre)**
Proposed Zoning: **R-20 (Single-family Residential)**
Proposed Use: **Allow for equestrian use and a single-family residence**
Current Zoning of Adjacent Property:
North: **Bartow County jurisdiction**
South: **Bartow County jurisdiction**
East: **R-20**
West: **R-20**

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 comments.

Gas:

No objections.

Electric:

No objection.

Fire:

No objections.

Police:

No comments.

The subject tract is located on Old Alabama Road, near the intersection with Douthit Ferry Road. In 2007, a different applicant was approved for a rezoning request from R-20 to RA-12 (detached or attached residential 12 units per acre) for a senior development. After approval of the rezoning, no site plans were submitted to City staff, and no grading work occurred on the property. At this time, the current applicant has submitted a request to rezone the property to a lower-density-zoning, R-20, that would take into account the significant amount of floodplain on this large tract and would allow him to have horses on the property, with future potential for one single-family residence.

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 R-20 zoning proposal may permit a use that is suitable in view of the large lot residential found on Old Alabama Road.
- B. *Whether the zoning proposal will create an isolated district unrelated to adjacent and nearby districts.*
The R-20 zoning proposal may not create an isolated zoning district since there are residential zoned properties on adjacent tracts.
- 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 for RA-12 with conditions, the property may not have a reasonable economic use. Approximately 90% or more of the property is in floodplain, and would be extremely costly to develop a higher-density development based on discussions with Public Works representatives.
- E. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*
The proposal may not cause an excessive use of existing streets and facilities. Utility, Public Works, and Planning & Development staff would review any future development 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 of the comprehensive plan.

- G. Whether the zoning proposal will result in a use which will or could adversely affect the environment, including but not limited to drainage, wetlands, groundwater recharge areas, endangered wildlife habitats, soil erosion and sedimentation, floodplain, air quality, and water quality and quantity.
The proposal may not result in a use which could adversely affect the environment. Utility, Public Works, and Planning & Development staff would review any future development/redevelopment.
- H. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.
Economic conditions have changed so drastically since 2007 (date of rezoning from R-20 to RA-12) that, given the unusually high costs of constructing a higher density development on this property with 90% or more floodplain, it may be appropriate for the property to have a lower density zoning designation.

STAFF RECOMMENDATION:

Staff has no objections to the rezoning request.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

Application for Rezoning

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

Application Number Z13-07
11-12-13 @ 5:30 PM
11-21-13 @ 7:00 PM
 Hearing Dates 12-5-13 @ 9:00 AM

See Z13-06

JAMES Kareken

Applicant ~~Daniel Wannall~~ Business/Cell Phone _____
 (applicant's printed name)
 Address _____ Home Phone _____
 City SAME AS OWNER State _____ Zip _____ Email _____
 (Representative's printed name (if other than applicant)) Phone _____ Fax # _____
 Representative's signature _____ Applicant's signature _____
 Signed, sealed and delivered in presence of: *see other sheet*
 My commission expires: _____
 Notary Public _____

Titleholder James Kareken Business _____ Home _____
 (titleholder's printed name)
 *attach additional notarized signatures as needed on separate application page Address _____
 Signature _____
 Signed, sealed, delivered in presence of: *see other sheet*
 My commission expires: _____
 Notary Public _____

Present Zoning District(s) RA-12 w/cond. Requested Zoning R-20
 Acreage 23.2 ac Land Lot(s) 918-919, 954-955 District(s) 4 Section(s) 3
 Location of Property Old Alabama Rd (north side) near Denthit Ferry Rd
 (street address, nearest intersections, etc)
 Reason for requested Rezoning: Allow for horses and S-F residence
 (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.

Application for Rezoning

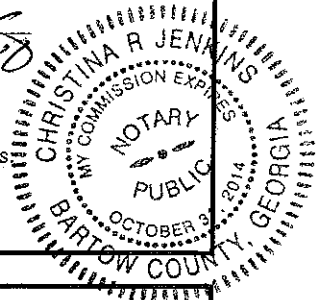
Planning and Development Department
10 North Public Square
City of Cartersville
 (770) 387-5600

Application Number 213-06

Hearing Dates 10-8-13
10-17-13
11-12-13

JAMES KAREKEN

Applicant Daniel G. Wannall **Business/Cell Phone** (404)-451-0288
 (applicant's printed name)
Address 4 Wilton Trace SW **Home Phone** (404)-451-0288
City Cartersville **State** GA **Zip** 30120 **Email** dwannall@yahoo.com
Phone _____ **Fax #** _____
 (Representative's printed name (if other than applicant))
Representative's signature _____ **Applicant's signature** D. Wannall
 Signed, sealed and delivered in presence of: SEE OWNER INFO
Kaycee Blankenship **My commission expires** 10/31/14
 Notary Public



Titleholder JAMES W. KAREKEN **Business** OWNER **Home** _____
 (titleholder's printed name)
 *attach additional notarized signatures as needed on separate application page **Address** 451 GALLARDIA Way
ALWORTH GA 30102
Signature J. W. Kareken
 Signed, sealed, delivered in presence of: Shanda D. Mayo
9/16/2013 **My commission expires:** SHANDA D. MAYO
 Notary Public **NOTARY PUBLIC, COBB COUNTY, GEORGIA**
MY COMMISSION EXPIRES 10/1/2015

Present Zoning District(s) RA-12 w/conditions **Requested Zoning** AG
Acreage 4-23.15 ac **Land Lot(s)** 918, 919, 954-955 **District(s)** 4 **Section(s)** 3
Location of Property Old Alabama Rd near Donthit Ferry Rd
 (street address, nearest intersections, etc)
Reason for requested Rezoning: Allow for equestrian use and single-family residence
 (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.

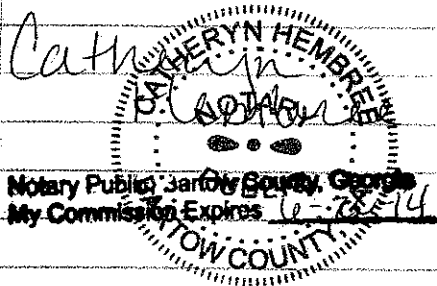
Oct 15, 2013

I, Daniel Wannall, am the applicant for
property located on the north side of
Old Alabama Road, (file 213-06).

I wish to withdraw this application and
apply for rezoning of this property
to the R-20 zoning district.

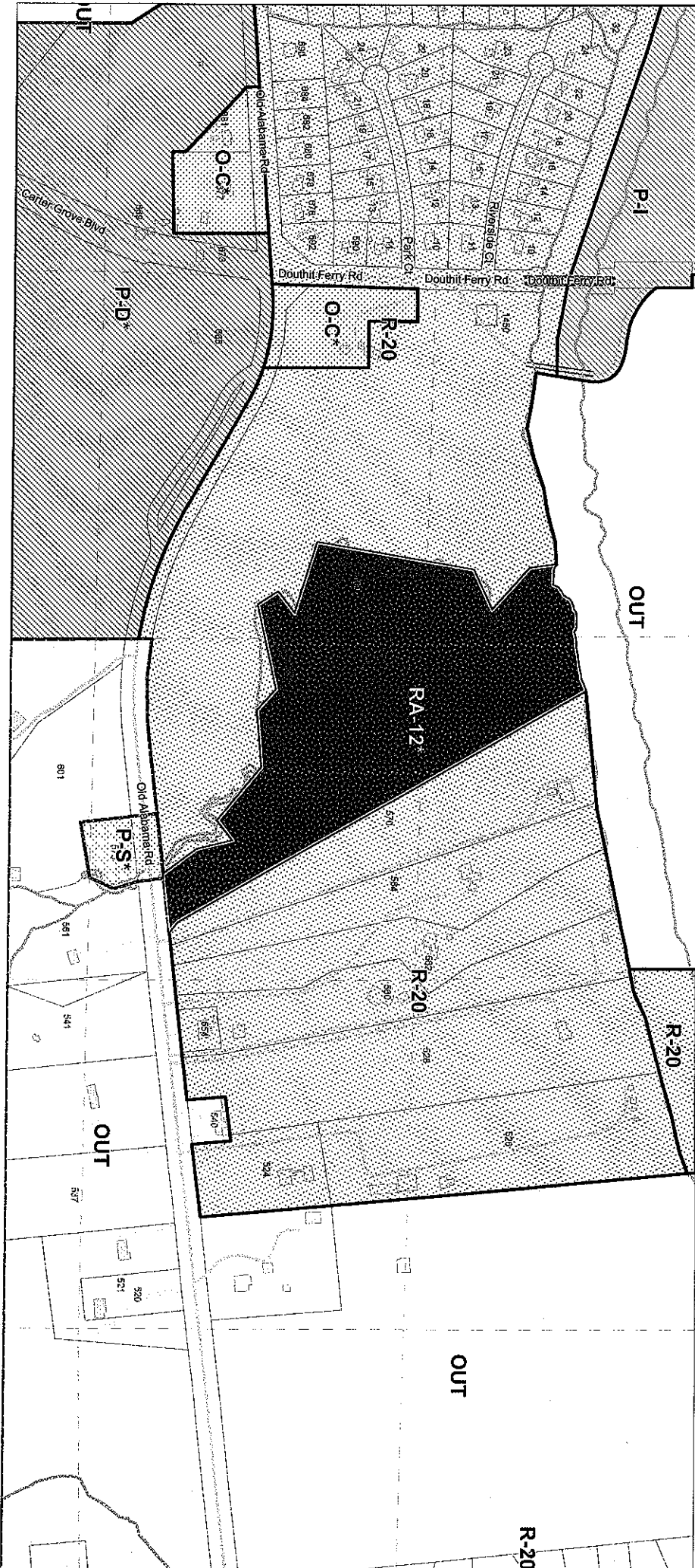
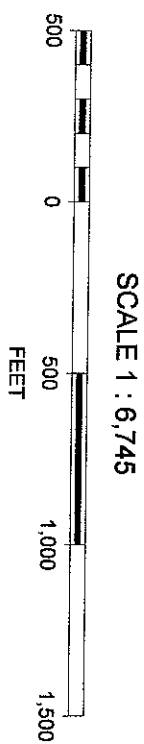
D. L. Wannall

Daniel Wannall

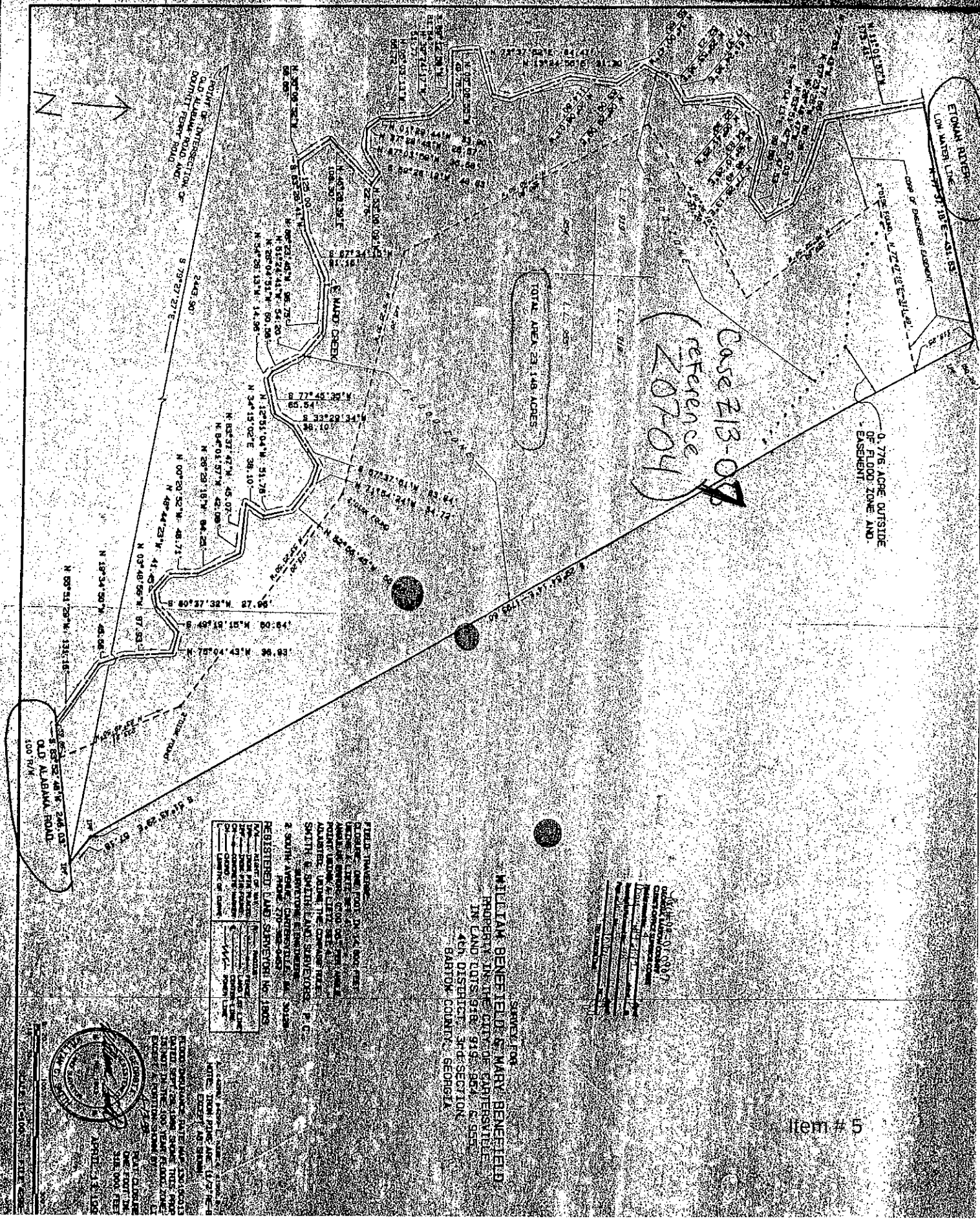


Old Alabama Rd (north side) - rezoning Z13-07

Item # 5









Parcel: 38095 Acres: 0

Name:	KAREN JAMES W	Land Value	\$ 223,294
Site:	OLD ALABAMA RD	Building Value	0
Sale:	0 on 2010-03-30 Reason=U Qual=CUVA	Misc Value	0
	451 GILLARDIA WAY	Total Value	\$ 223,294
File:	ACWORTH, GA 30102		



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 # **Z13-07**

DISCLOSURE OF INTERESTS BY LOCAL OFFICIAL

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

Danny Wannall has made a rezoning request on the following property: Approximately 23.15 acres located on Old Alabama Road in Land Lots 918-919 and 954-955, 4th District, 3rd Section, from RA-12 with conditions (Residential attached or detached 12 units per acre) to 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
11/21/2013 7:00:00 PM
Amendment to Budget Ordinance for Fiscal Year 2012-13**

SubCategory:	First Reading of Ordinances
Department Name:	Finance
Department Summary Recommendation:	After completion of the Fiscal Year 2012-13 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 adjustments reflect the necessary changes needed to keep the budgets of these funds at a zero based level (revenues equal expenses) for the fiscal year. I recommend 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
2012 - 2013 budget.**

2012 - 2013 Budget Summary

<u>General Fund</u>	<u>Revenues</u>	<u>Expenditures</u>
Revenues	\$39,488,170	
Expenditures:		
Legislative		\$19,831,025
Administration		\$ 986,810
Finance Dept.		\$ 1,089,225
Customer Service Dept.		\$ 684,000
Police		\$ 5,040,625
Fire		\$ 5,536,095
Municipal Court		\$ 213,670
Public Works		\$ 2,356,960
Recreation		\$ 2,908,935
Planning & Development		\$ 718,045
Downtown Development Authority		\$ 122,780
<u>Special Revenue Funds</u>		
SPLOST – 2003	\$ 3,811,505	\$ 3,811,505
SPLOST – 2007	\$ 8,303,395	\$ 8,303,395
SPLOST – 2014	\$ 1,018,545	\$ 1,018,545
DEA	\$ 1,133,160	\$ 1,133,160
State Forfeiture	\$ 3,000	\$ 3,000
CDBG Supplemental Dis Rec	\$ 11,305	\$ 11,305
Hotel/Motel Tax	\$ 465,755	\$ 465,755
Motor Vehicle Rental Tax	\$ 52,990	\$ 52,990
Grant Funds	\$ 307,510	\$ 307,510
Impact Fees	\$ 317,254	\$ 317,254
Business Improve Dist Tax	\$ 77,750	\$ 77,750
Development Fees	\$ 5,000	\$ 5,000
Cartersville Building Auth	\$ 1,487,150	\$ 1,487,150

Enterprise Funds

Fiber Optics	\$ 1,635,335	\$ 1,635,335
Electric	\$44,591,295	\$44,591,295
Gas	\$23,123,195	\$23,123,195
Solid Waste	\$ 2,397,270	\$ 2,397,270
Stormwater	\$ 1,323,050	\$ 1,323,050
Water & Sewer	\$20,710,175	\$16,263,215
Water Pollution Control Plant		\$ 2,254,970
Water Treatment Plant		\$ 2,191,990

Internal Service Fund

Garage	\$ 1,592,565	\$ 1,592,565
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BE IT AND IT IS HEREBY ORDAINED.

ADOPTED, this 24th day of November 2013. First Reading.

ADOPTED this day of December 2013. Second Reading.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk



City of Cartersville

**City Council Meeting
11/21/2013 7:00:00 PM
Water and Sewer Capacity Fee Restoration**

SubCategory:	First Reading of Ordinances
Department Name:	Water
Department Summary Recommendation:	MEMO TO: Sam Grove FROM: Edmund L. Mullinax DATE: November 21, 2013 SUBJECT: Water and Sewer Capacity Fee Restoration The Water Department Recommends approval of the City Ordinance Revision drafted by the City Attorney to restore Water Sewer Capacity Fees to their original amounts effective December 31, 2013.
City Manager's Remarks:	As discussed, this item 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 Code of Ordinances, City of Cartersville, Georgia **CHAPTER 24. UTILITIES. ARTICLE IV. WATER SERVICE. Sec. 24-64 Water and Sewage Utility Rates (g)** is hereby amended by deleting it in its entirety

2.

The effective date of this Ordinance shall be December 31, 2013

3.

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

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____
SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
CONNIE KEELING, CITY CLERK



City of Cartersville

City Council Meeting
11/21/2013 7:00:00 PM
Downtown Master Plan

SubCategory:	Resolutions
Department Name:	Planning and Development
Department Summary Recommendation:	City staff and Downtown Development Authority (DDA) representatives have been working on a Downtown Master Plan for Cartersville. The plan is intended to be used by City Council and DDA leaders to enhance downtown and encourage private investment. The plan combines past planning efforts, stakeholder input, evaluation of programs & facilities, and the desire to be flexible given that market conditions continually change. Input was obtained through surveys, stakeholder meetings, and interviews. The DDA Board has recommended approval of the plan. DDA has chosen to oversee implementation of the Downtown Master Plan. Any proposed initiative (program, project, incentive, etc.) must be reviewed by the City Attorney; will be subject to funding availability; and must be approved by Council. Successful implementation depends on cooperative efforts between downtown merchants & property owners, local leaders, and citizens. The plan will be reviewed as a formal Council agenda item on November 21 for possible approval by resolution.
City Manager's Remarks:	The adoption of the plan has been placed on the agenda as discussed at the City Council work session. Your approval of the plan, with any modifications you deem necessary, is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

DRAFT Cartersville Downtown Master Plan 2024

EXECUTIVE SUMMARY – NOVEMBER 2013

The Downtown Master Plan 2024 is intended to be used by City Council and Downtown Development Authority (DDA) leaders to enhance downtown and encourage private investment. Downtown is built on a firm foundation which is the result of strong, collaborative leadership. The plan combines past planning efforts, stakeholder input, evaluation of programs & facilities, and the desire to be flexible given that market conditions continually change.

The plan has been created through a community-based process involving residents, downtown merchants & property owners, DDA board members, and elected officials. Input was obtained through surveys, stakeholder meetings, and interviews. The plan envisions a safe, clean, and beautiful downtown for dining, shopping, living, and enjoying attractions and nightlife.

Based on survey results and comments, the following priority recommendations are proposed:

- The former fire station should remain City property and be reused, potentially for special events, offices, and/or residential lofts.
- DDA and City leaders should review existing codes for possible changes that could encourage downtown to become a dynamic district for restaurants, retail, nightlife, and temporary events.
- DDA leaders should coordinate and promote smaller, niche events (Bluegrass & Folk festival and possibly an arts expo are examples) each year to attract targeted groups.
- DDA and City leaders should continue to encourage commercial trucks to use routes around downtown. (example: add signs on Main St, Old Mill Rd, Burnt Hickory Rd, and Douthit Ferry Rd)
- DDA and City leaders should coordinate efforts with representatives of Booth Western Art Museum, Bartow History Museum, Grand Theatre, Legion Theatre, and others to discuss ways to promote downtown arts. (examples: art exhibits, sculptures, small outdoor theatre performances)
- DDA and City leaders should work to implement free, secure Wi-Fi access downtown.
- DDA and City leaders should install aesthetically-pleasing directory signs. Wayfinding signs directing visitors to public parking should also be installed.
- DDA and City leaders should continue to promote small-scale flowers and potted plants for businesses. For trees, the recommendations of the Community Forest Management Plan for downtown should be followed. A new landscape design plan should be created.
- DDA and City leaders should improve the Church Street Bridge and Under-the-Bridge areas. By working on functional and aesthetic improvements, this area will continue to be a focal point. Under-the-Bridge could be closed to traffic for events or permanently.

DDA has chosen to oversee implementation of the Downtown Master Plan. The DDA Board will meet on at least a quarterly basis to review items related to this plan and the Main Street Work Plan. The DDA Manager or his/her designee will serve as a liaison between the DDA Board and City Council in matters related to this plan. The DDA Board will consider, investigate, make findings, and report and recommend upon any special matter or question coming within the scope of its work.

Any proposed initiative (program, project, incentive, etc.) must be reviewed by the City Attorney; will be subject to funding availability; and must be approved by Council. All means to reduce barriers to development should be reviewed. Successful implementation depends on cooperative efforts between downtown merchants & property owners, local leaders, and citizens.

The plan was presented to Mayor Santini and City Council during a work session on October 29. The plan will be reviewed as a formal Council agenda item on November 21 for possible approval by resolution.



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 Santini & City Council
From: Randy Mannino and Richard Osborne
CC: Keith Lovell
Date: November 12, 2013
Re: Downtown Master Plan resolution

City staff and Downtown Development Authority (DDA) representatives have been working on a Downtown Master Plan for Cartersville. The plan is intended to be used by City Council and DDA leaders to enhance downtown and encourage private investment. The plan combines past planning efforts, stakeholder input, evaluation of programs & facilities, and the desire to be flexible given that market conditions continually change.

The plan has been created through a community-based process involving residents, downtown merchants & property owners, DDA board members, and elected officials. Input was obtained through surveys, stakeholder meetings, and interviews.

DDA has chosen to oversee implementation of the Downtown Master Plan. The DDA Board will meet on at least a quarterly basis to review items related to this plan and the Main Street Work Plan. The DDA Manager or his/her designee will serve as a liaison between the DDA Board and City Council in matters related to this plan.

Any proposed initiative (program, project, incentive, etc.) must be reviewed by the City Attorney; will be subject to funding availability; and must be approved by Council. Successful implementation depends on cooperative efforts between downtown merchants & property owners, local leaders, and citizens.

The DDA Board has recommended approval of the plan. The plan will be reviewed as a formal Council agenda item on November 21 for possible approval by resolution.

Resolution No. __-13**A RESOLUTION ADOPTING A DOWNTOWN MASTER PLAN****CITY OF CARTERSVILLE, GEORGIA**

WHEREAS, the City of Cartersville and Downtown Development Authority (DDA) have prepared a Downtown Master Plan to enhance downtown and encourage private investment; and

WHEREAS, the Downtown Master Plan can be used alone, or in combination with, other local, State, and Federal development and redevelopment tools to support comprehensive planning, revitalize commercial corridors, recruit and nurture small businesses, ensure architecturally compatible infill development, and generate adaptive reuse for old structures; and

WHEREAS, the City of Cartersville has identified the geographic Downtown Business District (DBD) area boundary, and can be described as:

That certain area lying within the corporate limits of the City of Cartersville and being enclosed by the boundary identified in Exhibit "A", City of Cartersville, Georgia Downtown Business District (DBD).

WHEREAS, the Downtown Master Plan has been recommended for adoption by the Downtown Development Authority (DDA) Board to the Mayor and City Council of the City Council; and

WHEREAS, the City of Cartersville desires to work with public and private sector partners to ensure that quality infill development and redevelopment are achieved; and

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Mayor and City Council of the City of Cartersville, Georgia do hereby adopt the attached Downtown Master Plan (Exhibit "B").

This Resolution is adopted this 21st day of November, 2013.

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

ATTEST:

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



City of Cartersville

City Council Meeting
11/21/2013 7:00:00 PM
Election Results

SubCategory:	Certification
Department Name:	Clerk
Department Summary Recommendation:	Attached are the results of the November 5, 2013 General Election certified by the Bartow County Board of Elections on November 8, 2013. I recommend approval.
City Manager's Remarks:	Election results are traditionally reviewed and approved by City Council. These are recommended for your approval.
Financial/Budget Certification:	
Legal:	
Associated Information:	

November 21, 2013

Honorable Mayor and City Council
City of Cartersville
Cartersville, GA 30120

This report constitutes the returns of the General Election held on November 5, 2013 to the Governing Authority of the City of Cartersville, as required by the Georgia Municipal Election Code.

The purpose of the General Election was to elect the Mayor, City Council Members from Wards One, Three, and Five School Board Members Wards One, Two, Five, and Six.

The election review board was Richard Osborne and Cheryl Jackson.

Results of the November 5, 2013 General Election is as follows:

Office	Votes Received
Mayor	
Matthew J. Santini	1115
Write in Votes	20
Council Ward 1	
Kari Hodge	97
Write in Votes	1
Council Ward 3	
Valerie Hold	177
Louis Tonsmeire Sr. (I)	353
Write in Votes	0
Council Ward 5	
Dianne E. Tate	146
Write in Votes	1
Cartersville School Board Ward 1	
Carolyn Johnson	98
Write in Votes	1
Cartersville School Board Ward 2	
Floyd Braid	195
Write in Votes	3

Cartersville School Board Ward 5	
David Apple	141
Write in Votes	0
Cartersville School Board Ward 6	
Kelley A. Dial	111
Write in Votes	0

The number of registered voters is 9338

The number voting at the Cartersville West Precinct, Civic Center is 733

The number voting at the Cartersville East Precinct, Chamber of Commerce is 469

The number of valid absentee ballots is 9.

The number of provisional ballots is zero.

Respectfully Submitted,

Connie Keeling

Election Superintendent



City of Cartersville

City Council Meeting

11/21/2013 7:00:00 PM

LWCF Grant Application & Resolution - Dellinger Park Fence Replacement

SubCategory:	Grant Application/Acceptance
Department Name:	Parks and Recreation
Department Summary Recommendation:	Cartersville Parks and Recreation Department wishes to apply for a 2013 – Land, Water and Conservation Fund grant, administrated by Georgia Department of Natural Resources. The grant application request will be for a maintenance project that will consist of removal and replacement of fencing, backstop, gates and dugouts on Field #1, #2, and Cricket Field, all original fields at Dellinger Park The fields were constructed in 1975/1976 and are in terrible need of renovation. CPRD just completed the replacement of lighting system (poles & lighting) on these fields in 2011 and the next safety concern is the deterioration of the fencing on these fields that must be addressed. This is one of the many maintenance issues that is related the age and usage of Dellinger Park facilities. Cost per field is estimated at \$62,779.00 with the total cost of all 3-fields being \$188,337.00. If approved, LWFC is a 50-50 matching grant with City of Cartersville's portion being \$94,168.50. Parks and Recreation's match would come from the 2014-2015 outdoor maintenance budget. I recommend approval of this LWFC grant application and resolution and request that Mayor sign these documents and any other related documents for the grant project.
City Manager's Remarks:	Your approval of this item is recommended.
Financial/Budget Certification:	There are no funds available for this expense in the current year's budget. As Greg has said, the funds for this will have to come from the FY 2014-15 budget if they are available.
Legal:	
Associated Information:	

Appendix A**RESOLUTION**

STATE OF GEORGIA

COUNTY OF BARTOW

WHEREAS, at the regular meeting of City of Cartersville City Council Meeting of Bartow County, Georgia, held on November 21, 2013, a motion was made and duly seconded that the City of Cartersville agrees to submit a Pre-application for funding from the Land and Water Conservation Fund. Proposed project will be for needed maintenance at Dellinger Park as fencing replacement on the three – (3) original baseball/softball fields, Fields 1, 2, and Cricket Field. The City of Cartersville further agrees that in the event the City of Cartersville pre-application is recommended for funding by the Department of Natural Resources, the City of Cartersville certifies and assures that it has the **ability** and **intention** to finance their 50 percent of the total project cost and will move forward with due diligence to prepare, or have prepared, appropriate documentation required for a formal LWCF application.

CITY OF CARTERSVILLE, GEORGIA

BY: _____
The Hon. Matthew J. Santini
Mayor, City of Cartersville

Attest:

Connie Keeling, City Clerk



City of Cartersville

City Council Meeting
11/21/2013 7:00:00 PM
Printing for 2014 Calendar

SubCategory:	Bid Award/Purchases
Department Name:	
Department Summary Recommendation:	Four printers responded to the bid request for the printing of the 2014 calendar. All three bids were very close, however, when adding printing and postage costs together, the lowest bid was New Dimensions Printing in Cartersville. Therefore I recommend New Dimensions print the 2014 calendar.
City Manager's Remarks:	Low bid is recommended for approval.
Financial/Budget Certification:	This is a budgeted item.
Legal:	
Associated Information:	Everify document is attached.

Printer	Printing Cost	Estimated Postage per piece	Postage Total	Total Price
New Dimension	\$ 7,317.84	\$ 0.17	\$ 1,622.82	\$ 8,940.66
H&W Printing	\$ 8,159.17	\$ 0.27	\$ 2,529.69	\$ 10,688.86
McStatss	\$ 8,894.00	\$ 0.24	\$ 2,243.31	\$ 11,137.31
Arco	\$ 8,982.45	Not provided	Not provided	Incomplete

CONTRACTOR AFFIDAVIT AND AGREEMENT

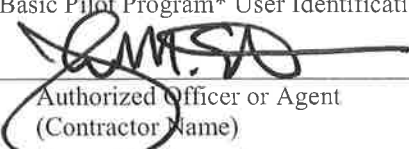
By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. 13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with City of Cartersville has registered with and is participating in a federal work authorization program* [any 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.

374318

EEV/Basic Pilot Program* User Identification Number

BY: 
Authorized Officer or Agent
(Contractor Name)

11/12/13
Date

President

Title of Authorized Officer or Agent of Contractor

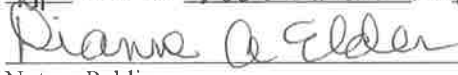
John M. Elder

Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN

BEFORE ME ON THIS THE

11th DAY OF November, 2013



Notary Public

My Commission Expires:

MY COMMISSION EXPIRES
AUGUST 2, 2017

* 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 M. Elder

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

A New Dimension Graphic Design & Printing, Inc.

[Name of business, corporation, partnership]

- 1) X 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: _____ Date 11/12/13
John M. Elder
 Printed Name: _____

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

19th DAY OF November, 2013

* _____
Alien Registration number for non-citizens

Dianne A. Elder

Notary Public

My Commission Expires:

MY COMMISSION EXPIRES
AUGUST 2, 2017

*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
11/21/2013 7:00:00 PM
September 2013

SubCategory:	Monthly Financial Statement
Department Name:	Finance
Department Summary Recommendation:	Attached is the financial report, the supplemental financial information report, and the cash position report for September 2013.
City Manager's Remarks:	Tom R. will present this information Thursday at the meeting.
Financial/Budget Certification:	
Legal:	
Associated Information:	

MONTHLY SUMMARY

As of September 30, 2013

21 # wat

<i>GENERAL FUND, excluding SPLST, DDA & School System Property Tax Revenue & Expenditures</i>						100.00%
	FY 2012 - 13 MONTH OF September-12	FY 2013 - 14 MONTH OF September-13	FY 2012 - 13 Year to Date September-12	FY 2013 - 14 Year to Date September-13	OF BUDGET (Year to Date)	
REVENUE	\$1,409,822	\$1,664,990	\$4,268,273	\$4,469,902	19.66%	
EXPENDITURE	\$1,471,651	\$1,813,978	\$4,738,095	\$4,978,516	21.90%	
Gen. Fund Net Profit (Loss)	(\$61,829)	(\$148,988)	(\$469,822)	(\$508,614)		
WATER & SEWER						
REVENUE	\$1,240,435	\$1,186,365	\$3,842,818	\$3,669,939	17.95%	
EXPENDITURE	\$1,276,875	\$1,171,447	\$4,097,872	\$3,521,893	17.23%	
Wtr. & Swr. Fund Net Profit (Loss)	(\$36,440)	\$14,918	(\$255,054)	\$148,046		
GAS						
REVENUE	\$1,336,538	\$1,262,277	\$3,654,159	\$3,885,275	15.27%	
EXPENDITURES	\$1,353,748	\$1,682,404	\$3,975,728	\$4,683,808	18.41%	
Gas Fund Net Profit (Loss)	(\$17,210)	(\$420,127)	(\$321,569)	(\$798,533)		
ELECTRIC						
REVENUE	\$4,022,977	\$4,202,849	\$12,345,925	\$12,417,855	26.46%	
EXPENDITURES	\$3,761,969	\$3,984,879	\$11,868,642	\$11,893,454	25.34%	
Electric Fund Net Profit (Loss)	\$261,008	\$217,970	\$477,283	\$524,401		
STORMWATER						
REVENUE	\$105,790	\$143,832	\$312,012	\$358,416	25.56%	
EXPENDITURE	\$64,879	\$85,414	\$256,576	\$277,409	19.79%	
Stormwater Fund Net Profit (Loss)	\$40,911	\$58,418	\$55,436	\$81,007		
SOLID WASTE						
REVENUE	\$172,030	\$178,404	\$522,219	\$534,404	24.08%	
EXPENDITURE	\$147,921	\$240,353	\$433,288	\$513,222	23.12%	
Solid Waste Fund Net Profit (Loss)	\$24,109	(\$61,949)	\$88,931	\$21,182		
FIBER OPTICS						
REVENUE	\$133,617	\$136,530	\$406,131	\$442,576	26.57%	
EXPENDITURE	\$102,623	\$104,174	\$317,256	\$338,070	20.30%	
Fiber Fund Net Profit (Loss)	\$30,994	\$32,356	\$88,875	\$104,506		

				% of Monthly Totals to Budget
General Fund	Description	Through 9-30-13	FY 2014 Budget	
	Total Revenues	\$4,469,902	\$22,733,825	19.66%
	GO Bond Proceeds from School	\$0	\$1,487,450	0.00%
	Property Taxes-City Portion Only	\$80,074	\$1,260,260	6.35%
	Local Option Sales Tax (LOST)	\$903,385	\$4,058,385	22.26%
	Other Taxes	\$1,206,165	\$7,063,165	17.08%
	Building Permit & Inspection Fees	\$20,638	\$6,000	343.97%
	Fines and Forfeitures	\$171,749	\$823,000	20.87%
	Operating Transfers In-City Utilities	\$1,033,362	\$4,025,430	25.67%
	Other Revenues	\$1,054,529	\$4,010,135	26.30%
	Total Expenditures	\$4,978,516	\$22,733,825	21.90%
	Personnel Expenses	\$3,557,297	\$14,672,425	24.24%
	Operating Expenses	\$1,297,764	\$5,626,495	23.07%
	Capital Expenses	\$9,530	\$315,200	3.02%
	GO Bond Proceeds from School	\$0	\$1,487,450	0.00%
	Debt Pymt - JDA/CBA	\$0	\$176,555	0.00%
	Library Appropriations	\$113,925	\$455,700	25.00%
Water & Sewer Fund	Total Revenues	\$3,669,939	\$20,443,865	17.95%
	Water Sales	\$2,224,991	\$8,484,615	26.22%
	Sewer Sales	\$1,315,042	\$4,740,500	27.74%
	Bond Proceeds	\$0	\$0	#DIV/0!
	Prior Year Bond Proceeds	\$0	\$6,030,000	0.00%
	Prior Year Capacity Fees	\$0	\$490,000	0.00%
	Other Revenues	\$129,906	\$698,750	18.59%
	Total Expenditures	\$3,521,893	\$20,443,865	17.23%
	Personnel Expenses	\$772,898	\$3,135,300	24.65%
	Operating Expenses	\$736,891	\$3,189,400	23.10%
	Capital Expenses	\$154,374	\$7,901,220	1.95%
	Transfer To General Fund	\$685,698	\$2,734,650	25.07%
	Debt Payments	\$1,172,032	\$3,483,295	33.65%
Gas Fund	Total Revenues	\$3,885,275	\$25,438,015	15.27%
	Gas Sales	\$3,566,369	\$22,463,715	15.88%
	Gas Commodity Charge	\$261,648	\$1,245,000	21.02%
	Bond Proceeds	\$0	\$960,000	0.00%
	Proceeds from Capital Leases	\$0	\$109,300	0.00%
	Other Revenues	\$57,258	\$660,000	8.68%
	Total Expenses	\$4,683,808	\$25,438,015	18.41%
	Personnel Expenses	\$430,161	\$1,783,860	24.11%
	Operating Expenses	\$164,062	\$954,480	17.19%
	Purchase of Natural Gas	\$3,192,904	\$18,072,525	17.67%
	Transfer to General Fund	\$860,279	\$3,524,825	24.41%
	Capital Expenses	\$36,402	\$1,102,325	3.30%

				% of Monthly Totals to Budget
Electric Fund	Description	Through 9-30-13	FY 2014 Budget	
	Total Revenues	\$12,417,855	\$46,939,100	26.46%
	Electric Sales	\$12,125,868	\$45,598,600	26.59%
	Other Revenues	\$291,987	\$1,340,500	21.78%
	Total Expenses	\$11,893,454	\$46,939,100	25.34%
	Personnel Expenses	\$499,468	\$2,062,180	24.22%
	Operating Expenses	\$326,626	\$1,323,250	24.68%
	Purchase of Electricity	\$10,450,924	\$40,621,800	25.73%
	Capital Expenses	\$49,327	\$687,000	7.18%
	Transfer to General Fund	\$567,109	\$2,244,870	25.26%
Stormwater Fund	Total Revenues	\$358,416	\$1,402,065	25.56%
	Stormwater Revenues	\$318,598	\$1,310,500	24.31%
	Mitigation Grant Revenue	\$37,185	\$0	
	Other Revenues	\$2,633	\$12,565	20.96%
	Proceeds from Capital Leases	\$0	\$79,000	0.00%
	Prior Year Carryover	\$0	\$0	#DIV/0!
	Stormwater Improvement Funds	\$0	\$0	#DIV/0!
	Total Expenses	\$277,409	\$1,402,065	19.79%
	Personnel Expenses	\$112,979	\$486,520	23.22%
	Operating Expenses	\$114,782	\$585,185	19.61%
	Capital Expenses	\$49,648	\$330,360	15.03%
Solid Waste Fund	Total Revenues	\$534,404	\$2,219,575	24.08%
	Refuse Collections Revenues	\$521,086	\$2,169,375	24.02%
	Other Revenues	\$13,318	\$50,200	26.53%
	Proceeds From Capital Leases	\$0	\$0	#DIV/0!
	Total Expenses	\$513,222	\$2,219,575	23.12%
	Personnel Expenses	\$288,727	\$1,105,535	26.12%
	Operating Expenses	\$224,495	\$1,114,040	20.15%
	Capital Expenses	\$0	\$0	#DIV/0!
	Total Revenues	\$442,576	\$1,665,775	26.57%
	Fiber Optics Revenues	\$384,923	\$1,510,335	25.49%
Fiber Optics Fund	GIS Revenues	\$21,450	\$104,000	20.63%
	Other Revenues	\$36,203	\$51,440	
	Total Expenses	\$338,070	\$1,665,775	20.30%
	Personnel Expenses	\$142,552	\$566,865	25.15%
	Operating Expenses	\$128,784	\$682,125	18.88%
	MEAG Telecom Statewide Pymt	\$57,258	\$229,070	0.00%
	Debt Payment to Electric Dept	\$0	\$125,665	0.00%
	Capital Expenses	\$9,476	\$62,050	15.27%

Cash Position							
	6/30/13	7/31/13	8/31/13	9/30/13	10/31/13	11/31/13	12/31/13
Total Unrestricted Cash Balance	\$8,755,475.96	\$7,234,254.00	\$8,233,430.49	\$9,279,553.71			
Total Restricted Cash Balance	\$56,023,688.37	\$56,639,113.75	\$55,840,682.95	\$56,380,796.80			
Cash Position		1/31/14	2/28/14	3/31/14	4/30/14	5/31/14	6/30/14
Total Unrestricted Cash Balance							
Total Restricted Cash Balance							



City of Cartersville

City Council Meeting
11/21/2013 7:00:00 PM
Citizen's Survey Results

SubCategory:	Presentations
Department Name:	City Manager's Office
Department Summary Recommendation:	Staff will be presenting a portion of the results from the recently completed Citizen Survey. Today's presentation will address Community Inclusiveness and Civic Engagement.
City Manager's Remarks:	Another section of the citizens survey that I will be presenting at the meeting.
Financial/Budget Certification:	
Legal:	
Associated Information:	
