



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 – 10/17/2013
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. October 3, 2013 (Pages 4-21)

[Attachments](#)

B. Proclamations

1. Anheuser-Busch 20th Anniversary (Pages 22-23)

[Attachments](#)

C. Presentations

1. Chamber of Commerce Report to Council (Page 24)

[Attachments](#)

D. Second Reading of Ordinances

1. Emergency Management Ordinance (Pages 25-34)

[Attachments](#)

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

1. 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 (Pages 35-48)

[Attachments](#)

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2. File AZ13-03: Annexation and zoning application by Shaw Industries Group (John Wilkinson, rep.) 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. (Pages 49-61)

[Attachments](#)

3. 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. (Pages 62-72)

[Attachments](#)

F. Resolutions

1. Urban Redevelopment Plan (Pages 73-81)

[Attachments](#)

2. Cartersville Bartow County Metropolitan Planning Organization (Pages 82-83)

[Attachments](#)

G. Contracts/Agreements

1. Subordination Agreement 19 Roving Road (Pages 84-85)

[Attachments](#)

H. Certification

1. National Flood Insurance Program's (NFIP) Community Rating System (CRS) (Pages 86-89)

[Attachments](#)

I. Change Order

1. 6" Drill Pipe (Page 90)

[Attachments](#)

J. Bid Award/Purchases

1. Purchase and Installation of Cameras and Cabling at Conference Center (Pages 91-92)

[Attachments](#)

2. Retiree Medicare Insurance Supplement Renewal (Page 93)

[Attachments](#)

3. Bartow-Cartersville Second Joint Development Authority Payment (Page 94)

[Attachments](#)

4. Heating and Air Unit Replacement for Finance Dept. (Pages 95-104)

[Attachments](#)

K. Monthly Financial Statement

1. August 2013 (Pages 105-109)

[Attachments](#)

L. Presentations

1. Citizen's Survey Results (Page 110)

[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
10/17/2013 7:00:00 PM
October 3, 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 are recommended for your approval.
Financial/Budget Certification:	
Legal:	
Associated Information:	

City Council Meeting
 10 N. Public Square
 October 3, 2013
 6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Council Member Tonsmeire

Pledge of Allegiance led by Etowah Valley Young Marines Corporal Hartley and Private First Class Massengell.

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; Connie Keeling, City Clerk and David Archer, City Attorney. Jayce Stepp, Council Member Ward Two was absent.

II. Regular Agenda

A. Council Meeting Minutes

1. September 19, 2013

A motion to approve the September 19, 2013 City Council Meeting Minutes as presented was made by Council Member Hodge and seconded by Council Member McDaniel. Motion carried unanimously. Vote 5-0

B. Proclamations

1. Red Ribbon Week sponsored by Etowah Valley Young Marines

Mayor Santini presented a proclamation to Young Marine Corporal Emma Hartley and Private First Class Massengell to proclaim October 23-31, 2013 as Red Ribbon Week in the City of Cartersville.

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

1. File Z13-04: Rezoning application by Consolidated Holdings, Inc. (Jeff Royal, representative) for property located on Overlook Parkway east of I-75 exit 288 (approximately 33.67 acres) from O-C (Office Commercial) and Main Street Overlay District to G-C (General Commercial) and Main Street Overlay 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 tract is located on Overlook Parkway. Recently staff has been working with Jeff Royal regarding development-related issues for this property. Mr. Royal has proposed to rezone the property from O-C to G-C to allow for a four story building (no taller than 60 feet). Mr. Mannino stated that there have been no additions or deletions since the first reading and the Planning Commission recommended approval.

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

Ordinance
of the
City of Cartersville, Georgia
Ordinance No. 21-13

A motion to approve Ordinance No. 21-13 was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

Petition No. Z13-04

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 Consolidated Holdings Inc. Property is located Overlook Parkway (east of I-75 exit 288). Said property contains 33.67 acres located in the 4th District, 3rd Section, Land Lot(s) 328 – 330 as shown on the attached plat Exhibit “A”. Property is hereby rezoned from O-C (Office Commercial) and Main Street Overlay District to G-C (General Commercial) and Main Street 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 19th day of September 2013.

ADOPTED this the 3rd day of October 2013. Second Reading.

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

ATTEST:

/s/ Connie Keeling

Connie Keeling
City Clerk

D. First Reading of Ordinances

1. Emergency Management Ordinance

Scott Carter, Fire Chief stated that this ordinance is to create an Emergency Management Section within the city codes. This ordinance has been recommended by GMA and works in conjunction with Bartow County Emergency Management Agency and Georgia Emergency Management Agency. Chief Carter stated that this ordinance does not replace, repeal, or conflict with any practices of Bartow County or the State of Georgia and allows the city to be more self-sufficient. This ordinance will enable the city to provide protection of public health, safety, and welfare of the citizens of Cartersville and Chief Carter recommended approval.

NO ACTION REQUIRED

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. _____

WHEREAS, O.C.G.A. §§ 38-3-27 through 38-3-54 through 38-3-56 authorizes the City of Cartersville to provide emergency management within the City of Cartersville and

WHEREAS, the city governing authority believes that an ordinance should be adopted to protect for the health and safety of persons and property during an emergency or disaster resulting from manmade or natural causes.

WHEREAS, the Georgia Emergency Management Agency is the state agency assigned responsibility for the coordination of all organizations for emergency management activities within this state; and

WHEREAS, the Bartow County Emergency Management Agency is an established emergency management agency; and

WHEREAS, to insure an effective and coordinated response to disasters the City of Cartersville wishes to coordinate emergency management activities and response with the Georgia Emergency Management Agency and the Bartow County Emergency Management Agency.

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** by creating a new **CHAPTER 8.5. EMERGENCY MANAGEMENT** to read as follows:

1.

Chapter 8.5 Emergency Management

Sec. 8.5-1. Regulations continued in effect.

All ordinances, resolutions, motions and orders pertaining to civil defense, emergency Management and disaster relief, which are not in conflict with this chapter, are continued in full forces and effect. Such ordinances, etc., are on file in the office of the City Clerk.

Sec. 8.5-2. Emergency management and response powers.

(A) Declaration of local emergency.

1. *Grant of authority.* In the event of an actual or threatened occurrence of a disaster or emergency, which may result in the large-scale loss of life, injury, property damage or destruction or in the major disruption of routine community affairs, business or governmental operations in the city and which is of sufficient severity and magnitude to warrant extraordinary assistance by federal, state and local departments and agencies to supplement the efforts of available public and private resources, the Mayor may declare a local emergency for the City of Cartersville. The form of the declaration shall be similar to that provided in subsection (b) of this Code section.

2. *Request for state assistance.* Consistent with a declaration of local emergency, the Mayor may request the Governor to provide assistance, provided that the disaster or emergency is beyond the capacity of the city meet adequately and state assistance is necessary to supplement local efforts to save lives and protect property, public health and safety, or to avert or lessen the threat of a disaster.

3. *Continuance.* The declaration of local emergency shall continue until the Mayor finds that emergency conditions no longer exist, at which time, the Mayor shall execute and file with the City Clerk a document marking the end of the state of emergency. No state of local emergency shall continue for longer than 30 days, unless renewed by the Mayor. The city governing authority may, by resolution and in accordance with the city charter, end a state of local emergency at any time.

4. *Effect of declaration of local emergency.*

(a) *Activation of emergency operations plan.* A declaration of emergency by the Governor or a declaration of local emergency by the Mayor shall automatically activate the local emergency operations plan and shall be authority for the deployment of personnel

and use of any forces to which the plan applies and for use or distribution of any supplies, equipment, materials, and facilities assembled, stockpiled or arranged to be made available pursuant to the Georgia Emergency Management Act or any other laws *applicable to emergencies or disasters*.

1. The Fire Chief and/or his/her designees shall have the legal authority to exercise the powers and discharge the duties conferred by law. Including the implementation of the local emergency operations plan, coordination of the emergency response of public and private agencies and organizations, coordination of recovery efforts with county, state and federal officials, and inspection of emergency or disaster sites.

2. In responding to the emergency and conducting necessary and appropriate survey of the damages caused by the emergency, the Fire Chief or his/her designee is authorized to enter at a reasonable time upon any property, public or private, for the purpose of evaluating sites involved with emergency management functions to protect the health, safety, and welfare of the public.

3. The Fire Chief is authorized to execute a right of entry and/or agreement to use property for these purposes on behalf of the city; however, any such document shall be later presented for ratification by the city governing authority.

4. No person shall refuse entry or access to any authorized representative or agent of the city who requests entry for purposes of evaluating sites involved with emergency management functions to protect the health, safety, or welfare of the public, and who presents appropriate credentials. Nor shall any person obstruct, hamper or interfere with any such representative while that individual is in the process of carrying out his or her official duties.

(b). *Emergency powers.* Following a declaration of emergency and during the continuance of such state of emergency, the Mayor is authorized to implement local emergency measures to protect life and property or to bring the emergency situation under control. In exercising this authority, the Mayor may cause to become effective any of the sections of this chapter as appropriate. If any of these sections is included in a declaration of local emergency, the same shall be filed in the office of the City Clerk and shall be in effect until the declaration of local emergency has been terminated.

(c). *Authority to waive procedures and fees.* Pursuant to a declaration of emergency, the city governing authority is authorized to cause to be effective any of the subsections of Sec.8.5-4 of this chapter as appropriate. The implementation of such subsections shall be filed in the office of the City Clerk.

(d). *Additional emergency powers.* The Fire Chief shall have and may exercise for such period as the declared emergency exists or continues, the following additional emergency powers:

1. To direct and compel the evacuation of all or part of the population from any stricken or threatened area, for the preservation of life or other disaster mitigation, response or recovery:

2. To prescribe routes, modes of transportation and destinations in connection with evacuation;

3. To make provision for the availability and use of temporary emergency housing, emergency shelters and/or emergency medical shelters.

4. To transfer the direction, personnel or functions of any city departments and agencies or units thereof for the purpose of performing or facilitating emergency services;

5. To utilize all available resources of the city and subordinate agencies over which the city has budgetary control as reasonably necessary to cope with the emergency or disaster;

6. To utilize public property when necessary to cope with the emergency or disaster or when there is compelling necessity for the protection of lives, health and welfare; and/or the property of citizens;

7. To suspend any law, code provision or regulation prescribing the procedures for conduct of city business, or the orders, rules or regulations of any city agency, if strict compliance with any ordinance, resolution, order, rule or regulation would in any way prevent, hinder or delay necessary action in coping with the emergency or disaster, provided that such suspension shall provide for the minimum deviation from the requirements under the circumstances and further provided that, when practicable, specialists shall be assigned to avoid adverse effects resulting from such suspension;

8. To provide benefits to citizens upon execution of an intergovernmental agreement for grants to meet disaster-related necessary expenses or serious needs of individuals or families adversely affected by an emergency disaster in cases where the individuals or families are unable to meet the expenses or needs from other means, provided that such grants are authorized only when matching state and federal funds are available for such purposes;

9. To perform and exercise such other functions, powers, and duties as may be deemed necessary to promote and secure the safety, including the individuals with household pets and service animals prior to, during, and following a major disaster or emergency.

(B) Form of declaration.

Upon the declaration of local emergency, an official “Declaration of Local Emergency,” in substantially the same form set forth below, shall be signed and filed in the office of the City Clerk and shall be communicated to the citizens of the affected area using

the most effective and efficient means available. The declaration shall state the nature of the emergency or disaster, the conditions that require the declaration and any sections of this chapter which shall be in effect.

“DECLARATION OF LOCAL EMERGENCY”

WHEREAS, the City of Cartersville, Georgia has experienced an event of critical significance as a result of [DESCRIPTION OF EVENT] on [DATE]; and

WHEREAS, in the judgment of the Mayor of the City of Cartersville, there exists emergency circumstances located in [DESCRIBE GEOGRAPHIC LOCATION] requiring extraordinary and immediate corrective actions for the protection of the health, safety and welfare of the citizens of the City of Cartersville, including individuals with household pets and service animals; and

WHEREAS, to prevent or minimized injury to people and damage to property resulting from this event;

NOW, THEREFORE, pursuant to the authority vested in me by local and state law;

IT IS HEREBY DECLARED that local state of emergency exists and shall continue until the conditions requiring this declaration are abated.

WHEREFORE, IT IS ORDERED:

(1) That the applicable local emergency operations plan is hereby activated;

(2) That the following sections of the City of Cartersville Code be implemented; [If deemed appropriate, choose from the following: Section 8.5-5, Overcharging; Section 8.5-6, Registration of Building and Repair Services; Section 8.5-7, Closed or Restricted Areas and Curfews]; and

(3) That the following measures also be implemented; Section 8.5-2(A)(4) c, d or such other measures as appropriate.

ENTERED at [TIME] on [DATE].

[Signed]

Mayor, City of Cartersville.”

(C) *Contracts with local governments.*

In addition to the normal agreements embodied in the applicable local emergency operations plan for mutual emergency assistance, the city may contract with any municipality or county for the administration of a local emergency response program.

Sec. 8-5.3. Enforcement and remedies.

(a) *Law enforcement.* In accordance with O.C.G.A. §38-3-4, city police department shall be authorized to enforce the orders, rules and regulations contained in this chapter and/or implemented by the Fire Chief or local governing authority during a declared emergency.

(b) *Penalties.* Failure to comply with any of the requirements or provisions of the regulations contained in this chapter, or with any code section, order, rule or regulation made effective by the Fire Chief or local governing authority upon or after the declaration of an emergency shall constitute a violation of the provisions of this chapter. Any person who violates any provision in this chapter shall, upon conviction thereof, be punishable by a fine not exceeding \$1000.00, imprisonment for a term not exceeding six (6) months, or both such fine and imprisonment, for each violations. Each person assisting in the commission of a violation, shall be guilty of separate offenses. Each day during which a violation or failure to comply continues shall constitute a separate violation.

(c) *Injunctive relief.* In accordance with O.C.G.A § 38-3-5, in addition to the remedies described in this section, the Fire Chief is authorized to obtain an injunction to restrain violation of laws, code sections, orders, rules and regulations which are contained in the Georgia Emergency Management Act and/or this code, and/or which are implemented by the local governing authority during a declared emergency.

(d) *Enforcement.* Except as otherwise provided in this chapter, this ordinance may be enforced by the city police department.

Sec. 8-5.4. Authority to waive procedures and fee structures.

(a) *City Business.* Upon declaration of an emergency or disaster by the Governor or Mayor, the affairs and business of the city may be conducted at places other than the regular or usual location, within or outside of the city, when it is not prudent, expedient or possible to conduct business at the regular location. When such meetings occur outside the city, all actions taken by the city governing authority shall be as valid and binding as if performed within the city. Such meetings may be called by the presiding officer or any two members of the governing body without regard to or compliance with time-consuming procedures and formalities otherwise required by law.

(b) *Public Works Contracts.* Upon declaration of an emergency or disaster by the Governor or Mayor, the city may contract for public works without letting such contract out to the lowest, responsible bidder and without advertising and posting notification of such contract for four weeks; provided, however, that the emergency must be of such nature that immediate action is required and that the action is necessary for the protection of the public health, safety and welfare. Any public works contract entered into pursuant to this subsection shall be entered on the minutes of the city as soon as practical and the nature of the emergency described therein in accordance with O.C.G.A. §36-91-22(e). Any E-Verify affidavit or other state required affidavit shall be obtained from any contractor if otherwise required by law.

(c) *Purchasing.* Upon declaration of an emergency or disaster by the Governor or Mayor, the purchasing ordinances, regulations or policies may be suspended. City officials shall continue to seek to obtain the best prices during the state of local emergency.

(d) *Code Enforcement.* Upon declaration of a state of emergency or disaster by the Governor or Mayor, the city governing authority may temporarily suspend the enforcement of the ordinances of the city, or any portion thereof, where the emergency is of such nature that immediate action outside the code is required, such suspension is consistent with the protection of the public health, safety and welfare, and such suspension is not inconsistent with any federal or state statutes or regulations.

(e) *Fees.* Upon declaration of a state of emergency or disaster by the Governor or Mayor, the city may temporarily reduce or suspend any permit fees, application fees or other rate structures as necessary to encourage the rebuilding of the areas impacted by the disaster or emergency. The term “fees” include fees or rates charged by the city for building permits, land disturbance permits, zoning applications, special land use permits, temporary land use permits and other fees relating to the reconstruction, repair and clean-up of areas impacted by the disaster or emergency. The term “fees” does not include fees collected by the city on behalf of the state or federal government or fees charged by the city pursuant to a state or federal statute or regulation.

(f) *Temporary Dwellings.* Upon the declaration of a state of emergency or disaster by the Governor or Mayor, the city or its designees may issue temporary mobile home, trailer, recreational vehicle or other temporary dwelling structures or parks in any zoning district, even though not otherwise permitted by development code, while the primary dwelling is being repaired. The temporary permit shall not exceed six months in duration. Upon expiration of the temporary permit and/or extension, the temporary dwelling must be removed.

Sec. 8-5.5. Registration of building and repair services.

(a) In accordance with O.C.G.A. § 38-3-56, before building, constructing, repairing, renovating or making improvements to any real property, including dwellings, homes, buildings, structures or fixtures within an area in the city designated in a declared emergency or disaster, any person, firm, partnership, corporation or other entity must register with the city clerk and secure a building permit that is posted at the work site. Each day any such entity does business in the city without complying with this ordinance constitutes a separate offense.

(b) The cost of registration fees in a declared emergency or disaster is fixed at \$50.00 per annum. Registration is nontransferable. The cost of the emergency building permit shall be equal to the cost for a building permit under existing regulations. The permit shall only be authorized for repairs.

(c) When registering, any person, partnership, corporation or other entity making application must, under oath, complete an application, providing the following information:

- (1) Name of applicant;
- (2) Permanent address and phone number of applicant;
- (3) Applicant's Social Security number or federal Employer Identification Number;
- (4) If applicant is a corporation, the state and date of incorporation;
- (5) Tag registration information for each vehicle to be used in the business;
- (6) List of cities and/or counties where the applicant has conducted business within the past 12 months;
- (7) Georgia sales tax number or authorization;
- (8) Georgia business license number, if required.
- (9) Copy of license from Secretary of State, if required.
- (10) A signed and sworn affidavit verifying the applicant's legal presence in the United States as required by O.C.G.A. § 50-36-1.
- (11) At least one secure and verifiable document as defined in O.C.G.A. § 50-36-2.

(d) *Effective date.* This section shall become effective only upon the signing of a declaration of emergency, stating this section is in effect. Unless otherwise specified in the declaration of emergency or otherwise extended by the city governing authority, the provisions of this Code section shall remain in effect during the state of emergency and for a subsequent recover period of three months.

Sec. 8-5.6. Closed or restricted areas and curfews during emergency.

(a) To preserve, protect or sustain the life, health, welfare or safety of persons, or their property, within a designated area under a declaration of emergency, it shall be unlawful for any person to travel, loiter, wander or stroll in or upon the public streets, highways, roads, lanes, parks or other public grounds, public places, public buildings, places of amusement, eating places, vacant lots or any other place during a declared emergency between hours specified by the Mayor until the curfew is lifted.

(b) To promote order, protect lives, minimize the potential for looting and other crimes, and facilitate recovery operations during an emergency, the Mayor shall have

discretion to impose reentry restrictions on certain areas. The Mayor shall exercise such discretion in accordance with the applicable local emergency operations plan, which shall be followed during emergencies.

(c) The provisions of this section shall not apply to persons acting in the following capacities:

- (1) Authorized and essential law enforcement personnel;
- (2) Authorized and essential health care providers;
- (3) Authorized and essential personnel of the city;
- (4) Authorized National Guard or federal military personnel;
- (5) Authorized and essential firefighters;
- (6) Authorized and essential emergency response personnel;
- (7) Authorized and essential personnel or volunteers working with or through an emergency management agency (EMA);
- (8) Authorized and essential utility repair crews;
- (9) Citizens seeking to restore order to their homes or businesses while on their own property or place of business;
- (10) Other authorized and essential persons as designated on a list compiled by the Fire Chief for the City of Cartersville.

(d) *Enforceability.* This section shall be enforced by officers of the law enforcement personnel approved to provide aid and assistance during the emergency. Nothing contained in this section shall prohibit a law enforcement officer from bringing other charges under state law.

(e) *Effective date.* This section shall become effective only upon the signing of a declaration of emergency, stating this section is in effect.

2.

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

BE IT AND IT IS HEREBY ORDAINED

**First Reading this the 3rd day of October 2013.
ADOPTED this the day of 2013. Second Reading.**

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

ATTEST:

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

E. Other

1. Historic Preservation Commission Appeal of Denial – 19 S. Public Square

Randy Mannino, Planning and Development Director stated that Tina Chung, property owner at 19 S, Public Square and the owner/operator of Locks Salon, is appealing the Historic Preservation Commission's denial of her August 20 2013 HPD application for a Certificate of Preservation. Mr. Mannino stated that on August 20, 2013 Ms. Chung spoke to the HPC about her request to replace the wood windows with metal framed window. The windows are leaking water and rotting and the cost to replace the windows with wood was too expensive.

Tina Chung came forward and presented pictures of the current windows and stated that she takes on one large project a year with this store front and the cost to replace the windows with wood was twice the cost to replace them with metal. Ms. Chung stated that she wants to retain the look of the current windows but cannot afford the wood window replacement.

A motion to reject the determination of the HPC and allow the metal replacement windows and retain the current look and characteristic of the windows pending approval of the Planning and Development Director was made by Council Member Hodge and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

2. Department of Justice Equitable Sharing Annual Report

Tommy Culpepper, Police Chief stated that this is the required annual report for the Equitable Asset Sharing as mandated by the Department of Justice. This report covers all expenses made using federally seized assets in FY 2013. Chief Culpepper stated that this report is required for the Agency to be in compliance with the Equitable Sharing Program rules and to receive further seized funds. Chief Culpepper recommended approval.

A motion to approve the Mayor's Signature and submission to the Department of Justice was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

F. Contracts/Agreements

1. Crime Mapping Support Agreement

Tommy Culpepper, Police Chief stated that this is the annual agreement with USA Software for the Crime Mapping System through the Omega Group. This is the second year this has been in place and is used to identify crime activity by specific areas. Chief Culpepper recommended approval of this agreement in the amount of \$7,200.00.

A motion to approve the Crime Mapping Support Agreement with USA Software was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

2. Ford Street Quit Claim Deed

Tommy Sanders, Public Works Director stated that this quit claim deed to Bartow County involves an approximate 150 feet section of Ford Street that is located south of Johnson Street. This section of Ford Street borders the Bartow Water Department Complex on all sides and is needed for their complex. Mr. Sanders stated that this property is not needed by the City and recommended approval of the quit claim deed and the Mayor's signature on all necessary documents.

A motion to approve the Quit Claim Deed and the Mayor's Signature was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0

3. Amendment – GA Department of Natural Resources

Greg Anderson, Parks and Recreation Director stated that this is an amendment to the agreement signed October 20, 2011 for the Etowah River "Blue Trail" at Leake Mounds between the City and the Georgia Department of Natural Resources for the purpose of constructing a canoe/kayak launch on the Etowah River with a Recreational Trails grant. This amendment increases the grant award from \$32,924.00 to \$80,000.00 with a minimum local match of \$20,000.00. Mr. Anderson stated that the additional grant money was requested because the project bid came in approximately \$34,000.00 over budget and recommended approval.

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

4. Tennessee Street Water Main Replacement Project – Easement Acquisition Services

Ed Mullinax, Assistant Water and Sewer Superintendent stated that the water main on Tennessee Street between Leake Street and Opal Street is in deteriorated condition and in need of replacement. The design for the replacement of these mains utilized existing DOT right of way where possible. Some easements on private property were necessary. The DOT has set a

strict deadline for completion of this project. Mr. Mullinax stated that they have retained the services of Satterfield and Associates for easement acquisition services at a rate of \$750 per easement. Mr. Mullinax requested approval for Satterfield and Associates to handle negotiations for up to 50 easements at this rate.

A motion to approve Satterfield and Associates to obtain up to 50 easements was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 5-0

5. Tennessee Street Water Main Replacement Project – Easement Property Appraisals

Ed Mullinax, Assistant Water and Sewer Superintendent stated that the water main on Tennessee Street between Leake Street and Opal Street is in deteriorated condition and in need of replacement. The design for the replacement of these mains utilized existing DOT right of way where possible. Some easements on private property were necessary. The DOT has set a strict deadline for completion of this project. Mr. Mullinax stated that they have retained the services of AGW Enterprises, Inc. for property appraisals necessary for easement acquisition at the rate of \$800 per easement and requested approval for AGW Enterprises to appraise up to 50 easements at this rate.

A motion to approve AGW Enterprises to appraise up to 50 easements was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

G. Engineering Services

1. Proposal for Construction Engineering Services for Water Main Relocation for DOT State Route 20 Widening and Relocation Project

Ed Mullinax, Assistant Water and Sewer Superintendent stated that the Water Department has retained the firm of Sweitzer Engineering, Inc. to provide engineering services for the design and bidding of the water main relocation needed for the DOT State Route 20 Widening and Relocation Project. Design work has been completed and a contract for construction awarded. Mr. Mullinax requested approval of an amendment to the existing contract to include Construction Engineering Services for this project. The proposal is for an amount not to exceed \$31,000.00 and Mr. Mullinax recommended approval.

A motion to approve the amendment to the agreement with Sweitzer Engineering, Inc. was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

H. Bid Award/Purchases

1. Brown Farm Road Pump Station Rehabilitation

Ed Mullinax, Assistant Water and Sewer Superintendent stated that while the rehabilitation work was underway it was discovered that the control panel would need to be replaced. Mr. Mullinax recommended approval to amend the contract with Lanier Contracting Company to include the control panel at a total cost of \$72,395.00.

A motion to approve the replacement of the control panel at the Brown Farm Road Pump Station was made by Council Member Pruitt and seconded by Council Member McDaniel. Motion carried unanimously. Vote 5-0

2. Inventory Restock

Ed Mullinax, Assistant Water and Sewer Superintendent stated that bids were accepted for materials to restock inventory for Distribution and Collection. Mr. Mullinax recommended approval of the low bid from Kendall Municipal at a cost of \$17,816.06.

A motion to approve the low bid from Kendall Municipal was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0

3. Emergency Electrical Repairs at Water Treatment Plant

Ed Mullinax, Assistant Water and Sewer Superintendent stated that a section of electrical conduit was found to be in conflict of excavation for installation of valve vaults at the Water Treatment Plant and was removed to allow work to proceed. This conduit and associated wiring had to be replaced before final backfilling could be completed around the vaults. East Electrical Contractors, Inc. was contacted to provide a quote for the repair work. Mr. Mullinax stated that they were the contractors that originally installed the wiring and conduit and recommended approval for materials and labor to replace the electrical system in the amount of \$11,130.00.

A motion to approve the Emergency Repairs by East Electrical Contractors, Inc. was made by Council Member Pruitt and seconded by Council Member McDaniel. Motion carried unanimously. Vote 5-0

4. Metering Software – Annual Maintenance and Support

Don Hassebrock, Electric Department Director stated that they currently use ITRON MV-90 system to remotely collect, tabulate, process, and provide billing data for the industrial and commercial customers. The cost of the annual software maintenance and support agreement is \$6,969.27 and Mr. Hassebrock recommended approval.

A motion to approve the annual agreement with ITRON was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

I. Resolutions

1. Council Meeting Time Change for Christmas Parade

Sam Grove, City Manager stated that this resolution changes the December 5, 2013 City Council Meeting to 9:00 a.m. to avoid conflict with the annual Christmas Parade and recommended approval.

A motion to approve the time change for the December 5, 2013 City Council Meeting was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

Resolution No.

WHEREAS, The Mayor and City Council has determined that it is in the best interest of the City of Cartersville and its inhabitants and their general health, safety and welfare to reschedule the below referenced meetings of the Mayor and City Council pursuant to the authority provided by the CODE OF ORDINANCES, CITY OF CARTERSVILLE, GEORGIA; and

THEREFORE, NOW BE IT RESOLVED, by the Mayor and City Council of the City of Cartersville that the meetings listed below of the Mayor and City Council are hereby rescheduled pursuant to Section 2-17 of the City of Cartersville Code of Ordinances:

- **December 5, 2013 at 7 PM rescheduled to December 5, 2013 at 9 AM**

NOW BE IT AND IT IS HEREBY RESOLVED.

ADOPTED this 3rd day of October, 2013.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

J. Presentations

1. Citizen's Survey Results

Sam Grove, City Manager presented a portion of the results from the recently completed Citizens Survey pertaining to Public Safety.

After announcements a motion to adjourn the meeting was made by Council Member

Tonsmeire and needing no second. Motion carried unanimously. Vote 5-0

Meeting Adjourned

/s/ _____
Matthew J. Santini
Mayor

ATTEST:
/s/ _____
Connie Keeling
City Clerk



City of Cartersville

City Council Meeting
10/17/2013 7:00:00 PM
Anheuser-Busch 20th Anniversary

SubCategory:	Proclamations
Department Name:	
Department Summary Recommendation:	To acknowledge the 20th Anniversary of Anheuser-Busch and to express our appreciation for the positive impact to our community.
City Manager's Remarks:	Its is appropriate for Council to recognize Anhueser Busch and their presence in our community for the past 20 years.
Financial/Budget Certification:	
Legal:	
Associated Information:	

CITY of CARTERSVILLE

Proclamation



Attachment number 1 \nPage 1

WHEREAS, the Anheuser-Busch Cartersville brewery is the newest brewery in the Anheuser-Busch system, it did begin brewing beer here in 1993; and

WHEREAS, the Cartersville brewery produces more than 25 different brands in their 1,700 acre site using approximately 1.7 million gallons of water daily provided by the City of Cartersville; and

WHEREAS, the twelve Anheuser-Busch U.S. breweries have reduced water use by 37 percent over the past four years; efforts were highlighted by the Cartersville brewery, making it the most water-efficient brewery in the entire global company; and

WHEREAS, the Quality Assurance department at the Cartersville brewery performs numerous tests, surveys and inspections during every major aspect of the brewing and packaging process, then has approximately 250 trucks a day delivering primarily to the states of Georgia, Alabama, Tennessee, Florida and South Carolina; and

WHEREAS, for the 10th consecutive year, Cartersville brewery employees sponsored a charity bike ride to give back to the our community and raise money for local charities, including Hickory Log Vocation School, Boys & Girls Club and Cancer Navigators with this event drawing more than 1,400 riders; and

WHEREAS, being great environmental stewards, recycling 99% of the solid waste generated in the brewing and packaging process makes every day recycling day; and

WHEREAS, since 1988, the company has packaged and donated over 72 million cans of fresh drinking water for emergency relief organizations following natural disasters, much of which was produced at the Cartersville location and even donated to communities in Bartow County during tornado relief situations.

NOW, THEREFORE, I, Matthew J. Santini, Mayor of the City of Cartersville, encourage all citizens to express their appreciation to the company for the positive impact on the economy and our community and join with the Cartersville City Council in recognizing the 20th Anniversary of the Anheuser-Busch Cartersville brewery.

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
10/17/2013 7:00:00 PM
Chamber of Commerce Report to Council**

SubCategory:	Presentations
Department Name:	City Manager
Department Summary Recommendation:	Chief Executive Officer, Joe Harris and Board Chairman, Wayne Moore, wish to update the Mayor and City Council on the state of the Cartersville-Bartow County Chamber of Commerce.
City Manager's Remarks:	No action is required of Council on this item. The leadership of the Chamber has requested time to update City Council on Chamber activities.
Financial/Budget Certification:	
Legal:	
Associated Information:	



City of Cartersville

City Council Meeting
10/17/2013 7:00:00 PM
Emergency Management Ordinance

SubCategory:	Second Reading of Ordinances
Department Name:	Fire
Department Summary Recommendation:	This recommended ordinance is to create an Emergency Management section within our codes. This has been recommended by Georgia Municipal Association (GMA) and works in conjunction with Bartow County Emergency Management Agency and Georgia Emergency Management Agency. This ordinance does not replace, repeal or conflict with any practices of Bartow County or the State of Georgia. It allows the City of Cartersville to be more self-sufficient in the process. It establishes a process where we, as a City, may declare a local disaster, provide emergency powers in a time of disaster, to activate an emergency operations plan, and the authority to waive certain fees and processes as needed to mitigate and recover from a disaster that may strike our city. It will establish a process for building and repair services to register with the City to provide services to the Citizens. It will enable Public Works with a faster process to perform actions for the protection of public health, safety and welfare of the citizens of Cartersville. It will also enable the City to establish and enforce closed or restricted geographical areas and curfews during a disaster. This has been reviewed by City legal staff and it is respectfully recommended that Mayor and Council add this needed ordinance.
City Manager's Remarks:	This is needed in the event of a disaster and is a good step in being prepared. We, of course, hope that we never need it but if you approve we will have it in place, just in case.
Financial/Budget Certification:	
Legal:	
Associated Information:	

Ordinance
of the
City of Cartersville, Georgia
Ordinance No. _____

WHEREAS, O.C.G.A. §§ 38-3-27 through 38-3-54 through 38-3-56 authorizes the City of Cartersville to provide emergency management within the City of Cartersville and

WHEREAS, the city governing authority believes that an ordinance should be adopted to protect for the health and safety of persons and property during an emergency or disaster resulting from manmade or natural causes.

WHEREAS, the Georgia Emergency Management Agency is the state agency assigned responsibility for the coordination of all organizations for emergency management activities within this state; and

WHEREAS, the Bartow County Emergency Management Agency is an established emergency management agency; and

WHEREAS, to insure an effective and coordinated response to disasters the City of Cartersville wishes to coordinate emergency management activities and response with the Georgia Emergency Management Agency and the Bartow County Emergency Management Agency.

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 by creating a new CHAPTER 8.5. EMERGENCY MANAGEMENT to read as follows:

1.

Chapter 8.5 Emergency Management

Sec. 8.5-1. Regulations continued in effect.

All ordinances, resolutions, motions and orders pertaining to civil defense, emergency Management and disaster relief, which are not in conflict with this chapter, are continued in full forces and effect. Such ordinances, etc., are on file in the office of the City Clerk.

Sec. 8.5-2. Emergency management and response powers.

(A) Declaration of local emergency.

1. *Grant of authority.* In the event of an actual or threatened occurrence of a disaster or emergency, which may result in the large-scale loss of life, injury, property damage or destruction or in the major disruption of routine community affairs, business or governmental operations in the city and which is of sufficient severity and magnitude to warrant extraordinary assistance by federal, state and local departments and agencies to supplement the efforts of available public and private resources, the Mayor may declare a local emergency for the City of Cartersville. The form of the declaration shall be similar to that provided in subsection (b) of this Code section.

2. *Request for state assistance.* Consistent with a declaration of local emergency, the Mayor may request the Governor to provide assistance, provided that the disaster or emergency is beyond the capacity of the city meet adequately and state assistance is necessary to supplement local efforts to save lives and protect property, public health and safety, or to avert or lessen the threat of a disaster.

3. *Continuance.* The declaration of local emergency shall continue until the Mayor finds that emergency conditions no longer exist, at which time, the Mayor shall execute and file with the City Clerk a document marking the end of the state of emergency. No state of local emergency shall continue for longer than 30 days, unless renewed by the Mayor. The city governing authority may, by resolution and in accordance with the city charter, end a state of local emergency at any time.

4. *Effect of declaration of local emergency.*

(a) *Activation of emergency operations plan.* A declaration of emergency by the Governor or a declaration of local emergency by the Mayor shall automatically activate the local emergency operations plan and shall be authority for the deployment of personnel and use of any forces to which the plan applies and for use or distribution of any supplies, equipment, materials, and facilities assembled, stockpiled or arranged to be made available pursuant to the Georgia Emergency Management Act or any other laws *applicable to emergencies or disasters*.

1. The Fire Chief and/or his/her designees shall have the legal authority to exercise the powers and discharge the duties conferred by law. Including the implementation of the local emergency operations plan, coordination of the emergency response of public and private agencies and organizations, coordination of recovery efforts with county, state and federal officials, and inspection of emergency or disaster sites.

2. In responding to the emergency and conducting necessary and appropriate survey of the damages caused by the emergency, the Fire Chief or his/her designee is authorized to enter at a reasonable time upon any property, public or private, for the purpose of evaluating sites involved with emergency management functions to protect the health, safety, and welfare of the public.

3. The Fire Chief is authorized to execute a right of entry and/or agreement to use property for these purposes on behalf of the city; however, any such document shall be later presented for ratification by the city governing authority.

4. No person shall refuse entry or access to any authorized representative or agent of the city who requests entry for purposes of evaluating sites involved with emergency management functions to protect the health, safety, or welfare of the public, and who presents appropriate credentials. Nor shall any person obstruct, hamper or interfere with any such representative while that individual is in the process of carrying out his or her official duties.

(b). *Emergency powers.* Following a declaration of emergency and during the continuance of such state of emergency, the Mayor is authorized to implement local emergency measures to protect life and property or to bring the emergency situation under control. In exercising this authority, the Mayor may cause to become effective any of the sections of this chapter as appropriate. If any of these sections is included in a declaration of local emergency, the same shall be filed in the office of the City Clerk and shall be in effect until the declaration of local emergency has been terminated.

(c). *Authority to waive procedures and fees.* Pursuant to a declaration of emergency, the city governing authority is authorized to cause to be effective any of the subsections of **Sec.8.5-4** of this chapter as appropriate. The implementation of such subsections shall be filed in the office of the City Clerk.

(d). *Additional emergency powers.* The Fire Chief shall have and may exercise for such period as the declared emergency exists or continues, the following additional emergency powers:

1. To direct and compel the evacuation of all or part of the population from any stricken or threatened area, for the preservation of life or other disaster mitigation, response or recovery:

2. To prescribe routes, modes of transportation and destinations in connection with evacuation;

3. To make provision for the availability and use of temporary emergency housing, emergency shelters and/or emergency medical shelters.

4. To transfer the direction, personnel or functions of any city departments and agencies or units thereof for the purpose of performing or facilitating emergency services;

5. To utilize all available resources of the city and subordinate agencies over which the city has budgetary control as reasonably necessary to cope with the emergency or disaster;

6. To utilize public property when necessary to cope with the emergency or disaster or when there is compelling necessity for the protection of lives, health and welfare; and/or the property of citizens;

7. To suspend any law, code provision or regulation prescribing the procedures for conduct of city business, or the orders, rules or regulations of any city agency, if strict compliance with any ordinance, resolution, order, rule or regulation would in any way prevent,

hinder or delay necessary action in coping with the emergency or disaster, provided that such suspension shall provide for the minimum deviation from the requirements under the circumstances and further provided that, when practicable, specialists shall be assigned to avoid adverse effects resulting from such suspension;

8. To provide benefits to citizens upon execution of an intergovernmental agreement for grants to meet disaster-related necessary expenses or serious needs of individuals or families adversely affected by an emergency disaster in cases where the individuals or families are unable to meet the expenses or needs from other means, provided that such grants are authorized only when matching state and federal funds are available for such purposes;

9. To perform and exercise such other functions, powers, and duties as may be deemed necessary to promote and secure the safety, including the individuals with household pets and service animals prior to, during, and following a major disaster or emergency.

(B) Form of declaration.

Upon the declaration of local emergency, an official “Declaration of Local Emergency,” in substantially the same form set forth below, shall be signed and filed in the office of the City Clerk and shall be communicated to the citizens of the affected area using the most effective and efficient means available. The declaration shall state the nature of the emergency or disaster, the conditions that require the declaration and any sections of this chapter which shall be in effect.

“DECLARATION OF LOCAL EMERGENCY”

WHEREAS, the City of Cartersville, Georgia has experienced an event of critical significance as a result of [DESCRIPTION OF EVENT] on [DATE]; and

WHEREAS, in the judgment of the Mayor of the City of Cartersville, there exists emergency circumstances located in [DESCRIBE GEOGRAPHIC LOCATION] requiring extraordinary and immediate corrective actions for the protection of the health, safety and welfare of the citizens of the City of Cartersville, including individuals with household pets and service animals; and

WHEREAS, to prevent or minimized injury to people and damage to property resulting from this event;

NOW, THEREFORE, pursuant to the authority vested in me by local and state law;

IT IS HEREBY DECLARED that local state of emergency exists and shall continue until the conditions requiring this declaration are abated.

WHEREFORE, IT IS ORDERED:

(1) That the applicable local emergency operations plan is hereby activated;

(2) That the following sections of the City of Cartersville Code be implemented; [If deemed appropriate, choose from the following: Section 8.5-5, Overcharging; Section 8.5-6, Registration of Building and Repair Services; Section 8.5-7, Closed or Restricted Areas and Curfews]; and

(3) That the following measures also be implemented; Section 8.5-2(A)(4) c, d or such other measures as appropriate.

ENTERED at [TIME] on [DATE].

[Signed]

Mayor, City of Cartersville.”

(C) Contracts with local governments.

In addition to the normal agreements embodied in the applicable local emergency operations plan for mutual emergency assistance, the city may contract with any municipality or county for the administration of a local emergency response program.

Sec. 8-5.3. Enforcement and remedies.

(a) *Law enforcement.* In accordance with O.C.G.A. §38-3-4, city police department shall be authorized to enforce the orders, rules and regulations contained in this chapter and/or implemented by the Fire Chief or local governing authority during a declared emergency.

(b) *Penalties.* Failure to comply with any of the requirements or provisions of the regulations contained in this chapter, or with any code section, order, rule or regulation made effective by the Fire Chief or local governing authority upon or after the declaration of an emergency shall constitute a violation of the provisions of this chapter. Any person who violates any provision in this chapter shall, upon conviction thereof, be punishable by a fine not exceeding \$1000.00, imprisonment for a term not exceeding six (6) months, or both such fine and imprisonment, for each violations. Each person assisting in the commission of a violation, shall be guilty of separate offenses. Each day during which a violation or failure to comply continues shall constitute a separate violation.

(c) *Injunctive relief.* In accordance with O.C.G.A § 38-3-5, in addition to the remedies described in this section, the Fire Chief is authorized to obtain an injunction to restrain violation of laws, code sections, orders, rules and regulations which are contained in the Georgia Emergency Management Act and/or this code, and/or which are implemented by the local governing authority during a declared emergency.

(d) *Enforcement.* Except as otherwise provided in this chapter, this ordinance may be enforced by the city police department.

Sec. 8-5.4. Authority to waive procedures and fee structures.

(a) *City Business.* Upon declaration of an emergency or disaster by the Governor or Mayor, the affairs and business of the city may be conducted at places other than the regular or usual location, within or outside of the city, when it is not prudent, expedient or possible to conduct business at the regular location. When such meetings occur outside the city, all actions taken by the city governing authority shall be as valid and binding as if performed within the city. Such meetings may be called by the presiding officer or any two members of the governing body without regard to or compliance with time-consuming procedures and formalities otherwise required by law.

(b) *Public Works Contracts.* Upon declaration of an emergency or disaster by the Governor or Mayor, the city may contract for public works without letting such contract out to the lowest, responsible bidder and without advertising and posting notification of such contract for four weeks; provided, however, that the emergency must be of such nature that immediate action is required and that the action is necessary for the protection of the public health, safety and welfare. Any public works contract entered into pursuant to this subsection shall be entered on the minutes of the city as soon as practical and the nature of the emergency described therein in accordance with O.C.G.A. §36-91-22(e). Any E-Verify affidavit or other state required affidavit shall be obtained from any contractor if otherwise required by law.

(c) *Purchasing.* Upon declaration of an emergency or disaster by the Governor or Mayor, the purchasing ordinances, regulations or policies may be suspended. City officials shall continue to seek to obtain the best prices during the state of local emergency.

(d) *Code Enforcement.* Upon declaration of a state of emergency or disaster by the Governor or Mayor, the city governing authority may temporarily suspend the enforcement of the ordinances of the city, or any portion thereof, where the emergency is of such nature that immediate action outside the code is required, such suspension is consistent with the protection of the public health, safety and welfare, and such suspension is not inconsistent with any federal or state statutes or regulations.

(e) *Fees.* Upon declaration of a state of emergency or disaster by the Governor or Mayor, the city may temporarily reduce or suspend any permit fees, application fees or other rate structures as necessary to encourage the rebuilding of the areas impacted by the disaster or emergency. The term “fees” include fees or rates charged by the city for building permits, land disturbance permits, zoning applications, special land use permits, temporary land use permits and other fees relating to the reconstruction, repair and clean-up of areas impacted by the disaster or emergency. The term “fees” does not include fees collected by the city on behalf of the state or federal government or fees charged by the city pursuant to a state or federal statute or regulation.

(f) *Temporary Dwellings.* Upon the declaration of a state of emergency or disaster by the Governor or Mayor, the city or its designees may issue temporary mobile home, trailer, recreational vehicle or other temporary dwelling structures or parks in any zoning district, even though not otherwise permitted by development code, while the primary dwelling is being repaired. The temporary permit shall not exceed six months in duration. Upon expiration of the temporary permit and/or extension, the temporary dwelling must be removed.

Sec. 8-5.5. Registration of building and repair services.

(a) In accordance with O.C.G.A. § 38-3-56, before building, constructing, repairing, renovating or making improvements to any real property, including dwellings, homes, buildings, structures or fixtures within an area in the city designated in a declared emergency or disaster, any person, firm, partnership, corporation or other entity must register with the city clerk and secure a building permit that is posted at the work site. Each day any such entity does business in the city without complying with this ordinance constitutes a separate offense.

(b) The cost of registration fees in a declared emergency or disaster is fixed at \$50.00 per annum. Registration is nontransferable. The cost of the emergency building permit shall be equal to the cost for a building permit under existing regulations. The permit shall only be authorized for repairs.

(c) When registering, any person, partnership, corporation or other entity making application must, under oath, complete an application, providing the following information:

- (1) Name of applicant;
- (2) Permanent address and phone number of applicant;
- (3) Applicant's Social Security number or federal Employer Identification Number;
- (4) If applicant is a corporation, the state and date of incorporation;
- (5) Tag registration information for each vehicle to be used in the business;
- (6) List of cities and/or counties where the applicant has conducted business within the past 12 months;
- (7) Georgia sales tax number or authorization;
- (8) Georgia business license number, if required.
- (9) Copy of license from Secretary of State, if required.
- (10) A signed and sworn affidavit verifying the applicant's legal presence in the United States as required by O.C.G.A. § 50-36-1.
- (11) At least one secure and verifiable document as defined in O.C.G.A. § 50-36-2.

(d) *Effective date.* This section shall become effective only upon the signing of a declaration of emergency, stating this section is in effect. Unless otherwise specified in the declaration of emergency or otherwise extended by the city governing authority, the provisions of this Code section shall remain in effect during the state of emergency and for a subsequent recover period of three months.

Sec. 8-5.6. Closed or restricted areas and curfews during emergency.

(a) To preserve, protect or sustain the life, health, welfare or safety of persons, or their property, within a designated area under a declaration of emergency, it shall be unlawful for any person to travel, loiter, wander or stroll in or upon the public streets, highways, roads, lanes, parks or other public grounds, public places, public buildings, places of amusement, eating places, vacant lots or any other place during a declared emergency between hours specified by the Mayor until the curfew is lifted.

(b) To promote order, protect lives, minimize the potential for looting and other crimes, and facilitate recovery operations during an emergency, the Mayor shall have discretion to impose reentry restrictions on certain areas. The Mayor shall exercise such discretion in accordance with the applicable local emergency operations plan, which shall be followed during emergencies.

(c) The provisions of this section shall not apply to persons acting in the following capacities:

- (1) Authorized and essential law enforcement personnel;
- (2) Authorized and essential health care providers;
- (3) Authorized and essential personnel of the city;
- (4) Authorized National Guard or federal military personnel;
- (5) Authorized and essential firefighters;
- (6) Authorized and essential emergency response personnel;
- (7) Authorized and essential personnel or volunteers working with or through an emergency management agency (EMA);
- (8) Authorized and essential utility repair crews;
- (9) Citizens seeking to restore order to their homes or businesses while on their own property or place of business;
- (10) Other authorized and essential persons as designated on a list compiled by the Fire Chief for the City of Cartersville.

(d) *Enforceability.* This section shall be enforced by officers of the law enforcement personnel approved to provide aid and assistance during the emergency. Nothing contained in this section shall prohibit a law enforcement officer from bringing other charges under state law.

(e) *Effective date.* This section shall become effective only upon the signing of a declaration of emergency, stating this section is in effect.

2.

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

BE IT AND IT IS HEREBY ORDAINED

ADOPTED this the ____ day of _____ 2013. First Reading.

ADOPTED this the ____ day of _____ 2013. Second Reading.

/s/ _____
Matthew Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk



City of Cartersville

City Council Meeting
10/17/2013 7:00:00 PM

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

SubCategory:	Public Hearing - 1st Reading of Zoning/Annexation Requests
Department Name:	
Department Summary Recommendation:	The subject lot is 310 N. Tennessee Street, near the intersection with McEver St. The property includes a multi-tenant office, retail, and service use building constructed in approximately 1988. 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. All City departments have reviewed this Special Use application. Cartersville Police Department asked whether or not there would be vehicle storage on the property, and stated that it would be a concern if there would be proposed outside storage. Planning Commission recommended approval with the condition that there shall be no outside storage on the property.
City Manager's Remarks:	Your approval of this item is recommended by the Planning Commission.
Financial/Budget Certification:	
Legal:	
Associated Information:	

SPECIAL USE APPLICATION SYNOPSIS

Petition Number(s): SU13-04

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: Randy Wimpy

Representative: Shep Helton

Property Owner: Dad & His Daughter LLC

Property Location: 416 and 420 N. Tennessee Street

Access to the Property: Tennessee Street

Site Characteristics:

Tract Size: Acres: 0.38 acres District: 4th Section: 3rd LL(S): 383

Ward: 1 Council Member: Kari Hodge

LAND USE INFORMATION

Current Zoning: M-U (Multiple Use)

Proposed Special Use: Expand the adjacent auto lot north onto these M-U lots.

Current Zoning of Adjacent Property:

North: M-U

South: M-U

East: M-U

West: R-D (Residential single-family and duplex)

The Future Development Plan designates the subject property as:

Tennessee Street Corridor, with recommended zoning districts O-C, M-U, P-S, and P-D.

ZONING ANALYSIS

City Departments Reviews

Water and Sewer:

No objections.

Public Works:

No comments.

Gas:

No objections.

Electric:

No objections.

Fire:

No objections.

Police:

No comments.

The subject lots are 416 and 420 N. Tennessee Street, near the intersection with MLK Jr Drive. The former single-family residences were cleared from these lots many years ago, and these lots have remained vacant during the 2000's. The applicant has operated a used automotive business on the adjacent lot to the south at 414 N. Tennessee Street for many years, and now proposes to expand his business to operate on these lots. All City departments have reviewed this Special Use application and there have been no objections. Planning Commission recommended approval.

Please review the following findings, as stated in the Zoning Ordinance, that are to be utilized in determining justification for approval or denial of special use request(s).

ARTICLE XVI. SPECIAL USES

Sec. 16.1. Scope and intent.

- A. This article specifies uses which are not classified as permitted uses as a matter of right in zoning districts, and are therefore only allowed through the approval of a Special use. The standards which apply to each use are enumerated and must be met in order for an application to be granted.
- B. In granting a Special use, conditions may be attached as are deemed necessary in the particular case for the protection or benefit of neighbors in order to assimilate the proposed development or use into the neighborhood with minimal impact.

Sec. 16.2. Application of regulations and approval.

Uses allowable with a Special use and the minimum standards for such uses are listed in section 16.4 of this article.

Uses in the districts enumerated herein may be authorized by Special use only. The regulations contained in this article shall not apply to any permitted use as a matter of right in any zoning district.

Any use which may be authorized by Special use shall be approved by the Mayor and Council in accordance with section 16.1, scope and intent, provided:

- A. The standards for the Special use as specified herein can be met;
- B. Recommendations have been received from the planning and development staff and other appropriate City departments.
- C. A public hearing has been held in relation to the Special use before the Planning Commission in conformance with the advertising standards outlined in article XXIV of this chapter. The Planning Commission shall make recommendations to the Mayor and Council regarding the application for a Special use; and
- D. A public hearing has been held in relation to the Special use before the Mayor and Council in conformance with the advertising standards outlined in article XXIV of this chapter.

Sec. 16.3. Additional restrictions.

- A. In the interest of the public health, safety and welfare, the Mayor and Council may exercise limited discretion in evaluating the site proposed for a use which requires a Special use. In exercising such discretion pertaining to the subject use, the Mayor and Council may consider the following, which shall

be stated in writing by the applicant and submitted to the department of planning and development to initiate an application for a Special use:

1. The effect of the proposed activity on traffic flow along adjoining streets;
2. The availability, number and location of off-street parking;
3. Protective screening;
4. Hours and manner of operation of the proposed use;
5. Outdoor lighting;
6. Ingress and egress to the property; and
7. Compatibility with surrounding land use.

- B. Any use which may be authorized by special use shall comply with all other City regulations, zoning district regulations and other regulations contained herein, and conditions of zoning approval if applicable. Whenever a standard contained in this section is in conflict with another provision of this chapter, the more restrictive provision shall prevail.

Sec.16.4. Minimum Special use standards.

None related to expansion of used automotive businesses.

HOW GENERAL AND SPECIFIC STANDARDS ARE MET

General Standard #1: The effect of the proposed activity on traffic flow along adjoining streets.

How Standard #1 has / will be met: The applicant has stated that traffic flow will be minimally impacted in this area. If anything, the applicant has stated that the impact should be positive since customers will have more room to negotiate entry and exit from the property.

General Standard #2: The availability, location, and number of off-street parking.

How Standard #2 has / will be met: Applicant does not anticipate this expansion will result in the need for more parking. However, by adding this property, applicant will have more room for parking.

General Standard #3: Protective screening.

How Standard #3 has / will be met: Applicant does not anticipate the need for any protective screening. Staff notes that this is residential zoned property (R-D) to the west (rear) of the property along Douglas Street. However, this property has a nonresidential use (religious institution).

General Standard #4: Hours and manner of operation:

How Standard #4 has / will be met: Applicant anticipates maintaining the same hours of operation currently used on the applicant's adjacent property (approximately 10:00 AM to 7:00 PM).

Application for Special Use

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

Application Number

5U13-04

Hearing Dates

July 9 @ 5:30 PM
July 18 @ 7:00 PM

August 1st @ 7:00 PM

*Paid \$400 6-7-13
 -RO*

Applicant RANDY WIMPY

(applicant's printed name)

Business Phone (770) 382-6144Address 414 North Tennessee Street

Home Phone _____

City CartersvilleState GAZip 30120Shepard HeltonPhone 770-382-6144 Fax # 770-382-1085

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

Representative's signature

Applicant's signature

Signed, sealed and delivered in presence of:

Donna Barrett
 DONNA BARRETT
 NOTARY PUBLIC
 Bartow County
 State of Georgia

My commission expires:

My Comm. Expires March 19, 2017

Titleholder Dad & His Daughter, LLC

(titleholder's printed name)

Business 770-382-6144

Home _____

*attach additional notarized signatures as needed on separate application page

Address 422 N. TN Street, 30120Signature *Randy Wimpy*

Signed, sealed, delivered in presence of:

Shepard Helton
 SHEPARD HELTON
 NOTARY PUBLIC
 Bartow County
 State of Georgia
 My Comm. Expires November 6, 2016

My commission expires:

Notary Public

Present Zoning District(s) M-URequested Special Use Automobile and Truck SalesAcreage .381Land Lot(s) 383District(s) 4Section(s) 3

Location of Property

416 & 420 North Tennessee Street, Cartersville, 30120

(street address, nearest intersections, etc)

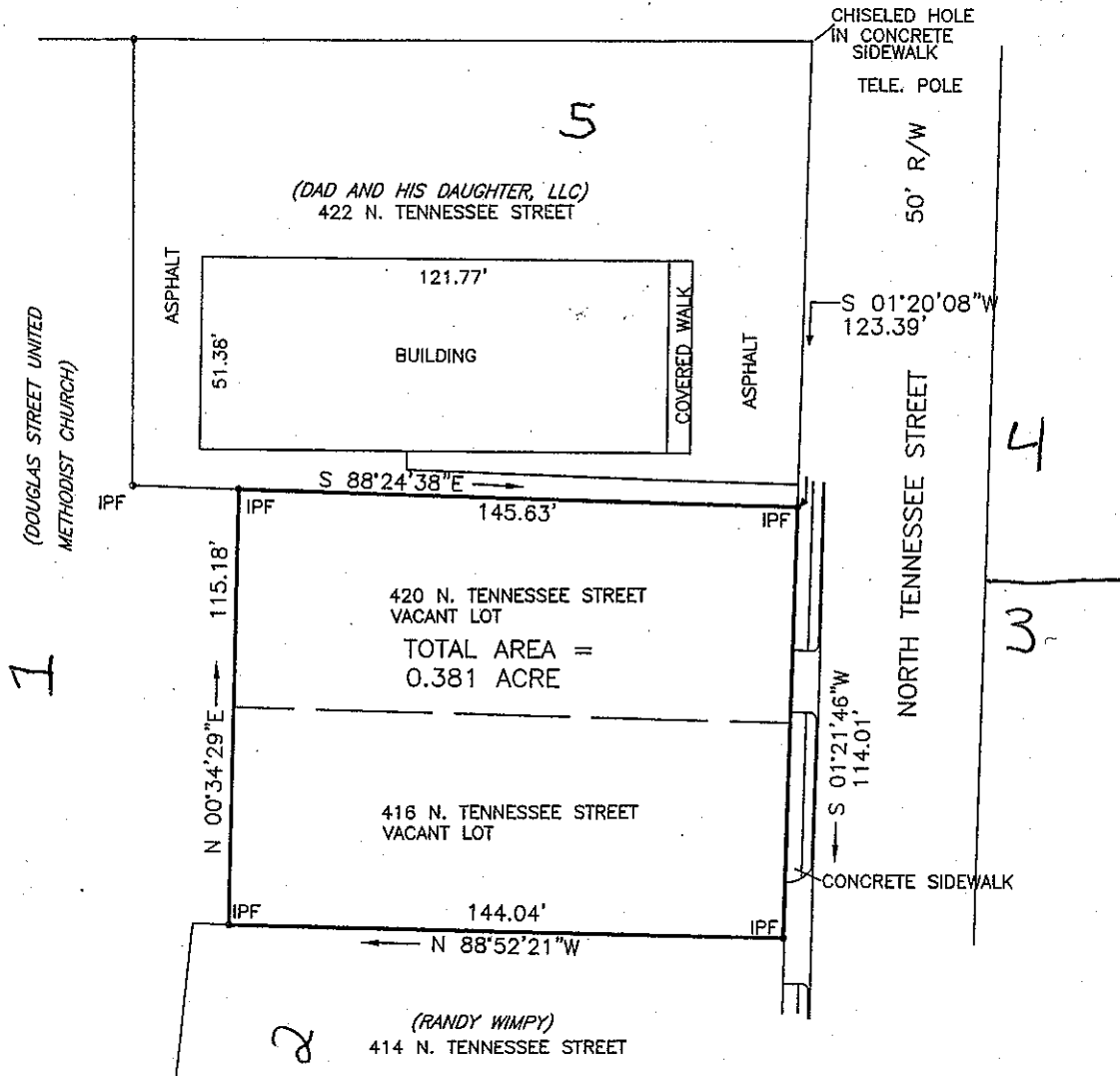
Reason for requested Special Use: Expand current car lot to better accomodate currentcustomers and traffic flow.

(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.

SURVEY FOR
DAD AND HIS DAUGHTER, LLC
 PROPERTY IN THE CITY OF CARTERSVILLE,
 IN LAND LOT 383, 4th DISTRICT,
 3rd SECTION, BARTOW COUNTY, -GEORGIA

MARTIN LUTHER KING, JR. DRIVE 35' R/W



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

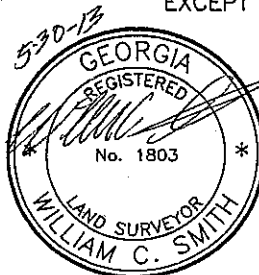
SMITH & SMITH LAND SURVEYORS, P.C.
 2 SOUTH AVENUE, CARTERSVILLE, GA. 30120
 PHONE 770-382-0457

REGISTERED LAND SURVEYOR No. 1803

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

2623-1.CRD 2623-5.DWG
 FLOOD INSURANCE RATE MAP 13015C0266 G
 DATED SEPT. 28, 2007 SHOWS THIS PROPERTY
 IS NOT IN THE 100 YEAR FLOOD ZONE.

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



PLAT CLOSURE;
 ONE FOOT IN
 50,000 FEET.

MAY 30, 2013

0 8 40 60
 4 20
 SCALE 1"=40'

FILE 2623-5

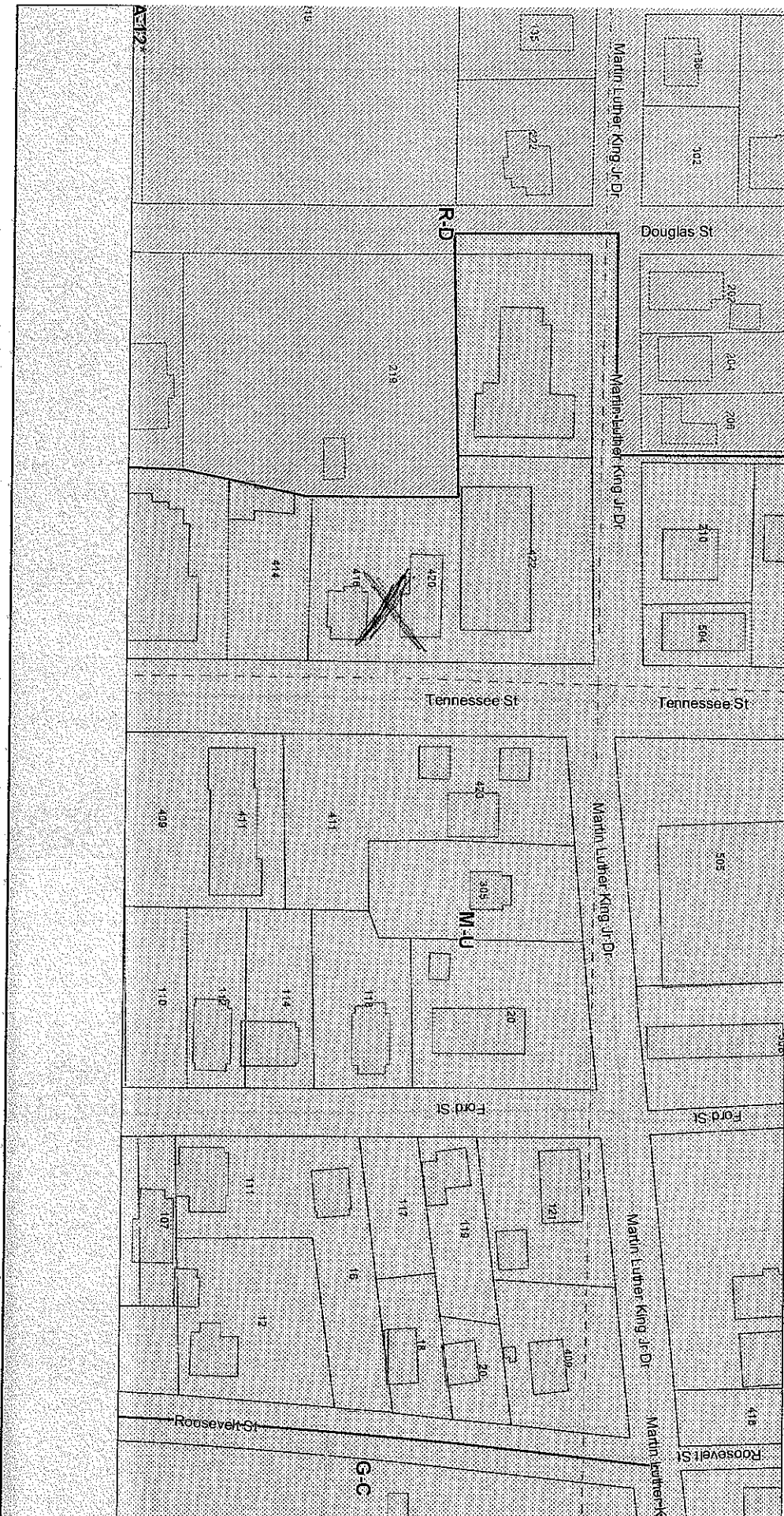
Item # 5

MAG. NORTH



416 and 420 N. Tennessee St SU13-04

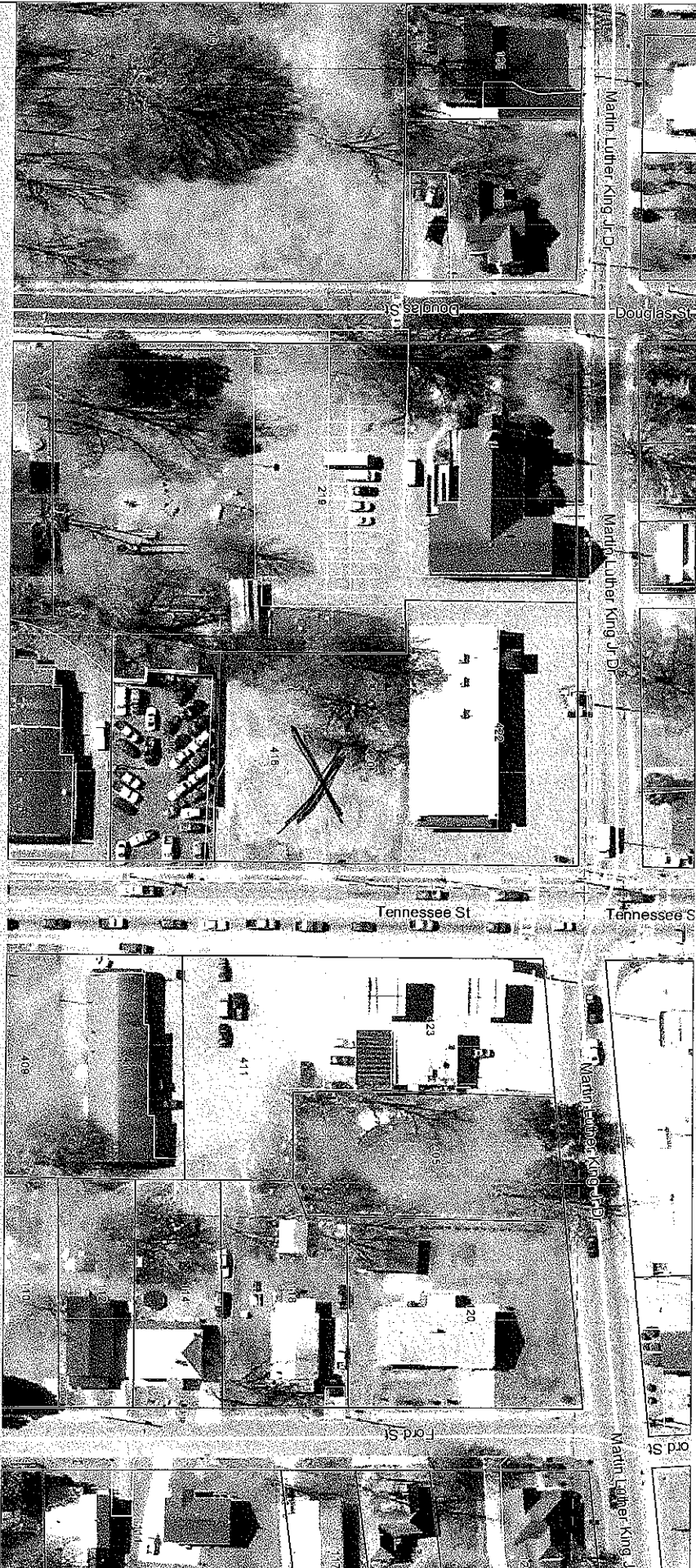
Item # 5

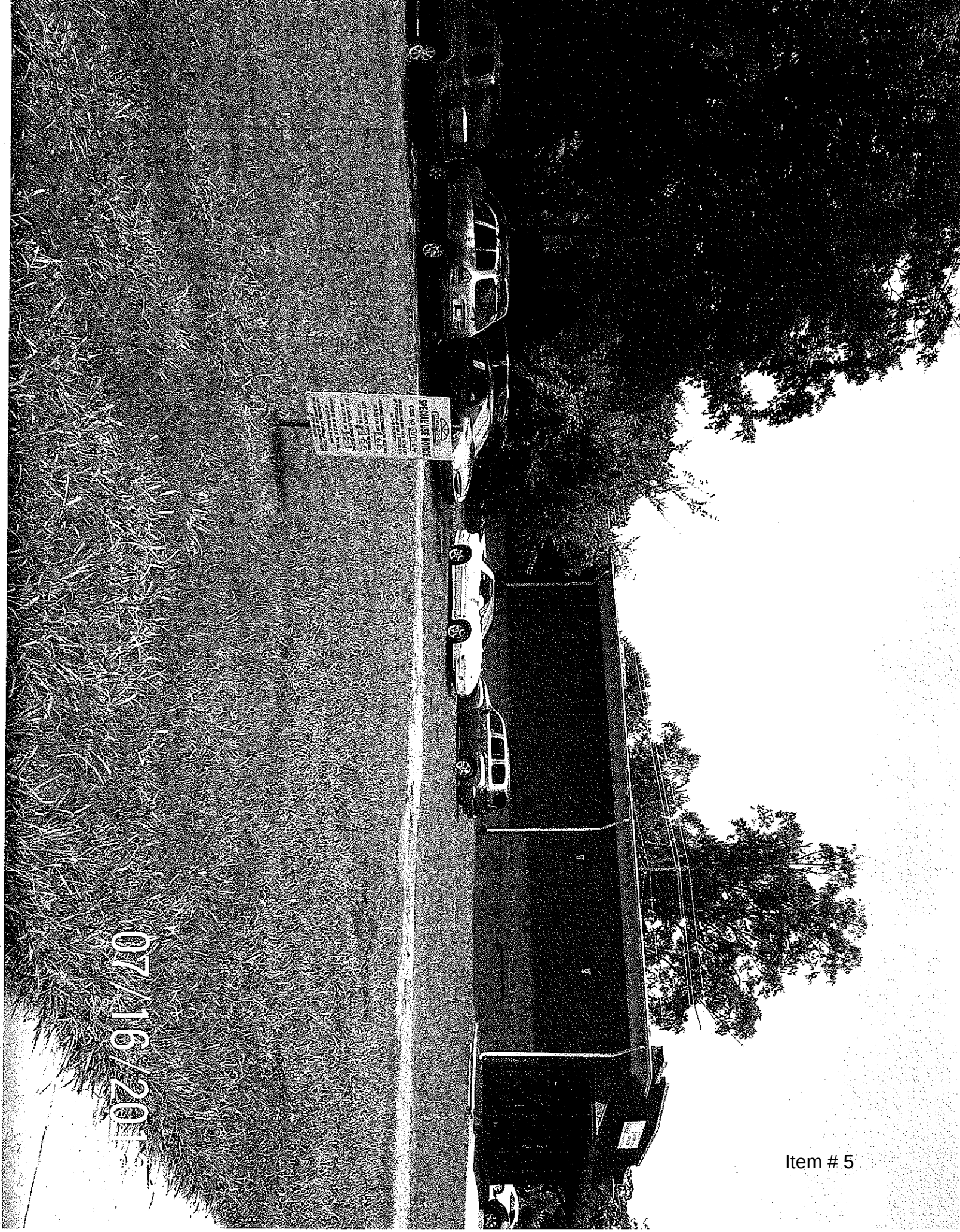




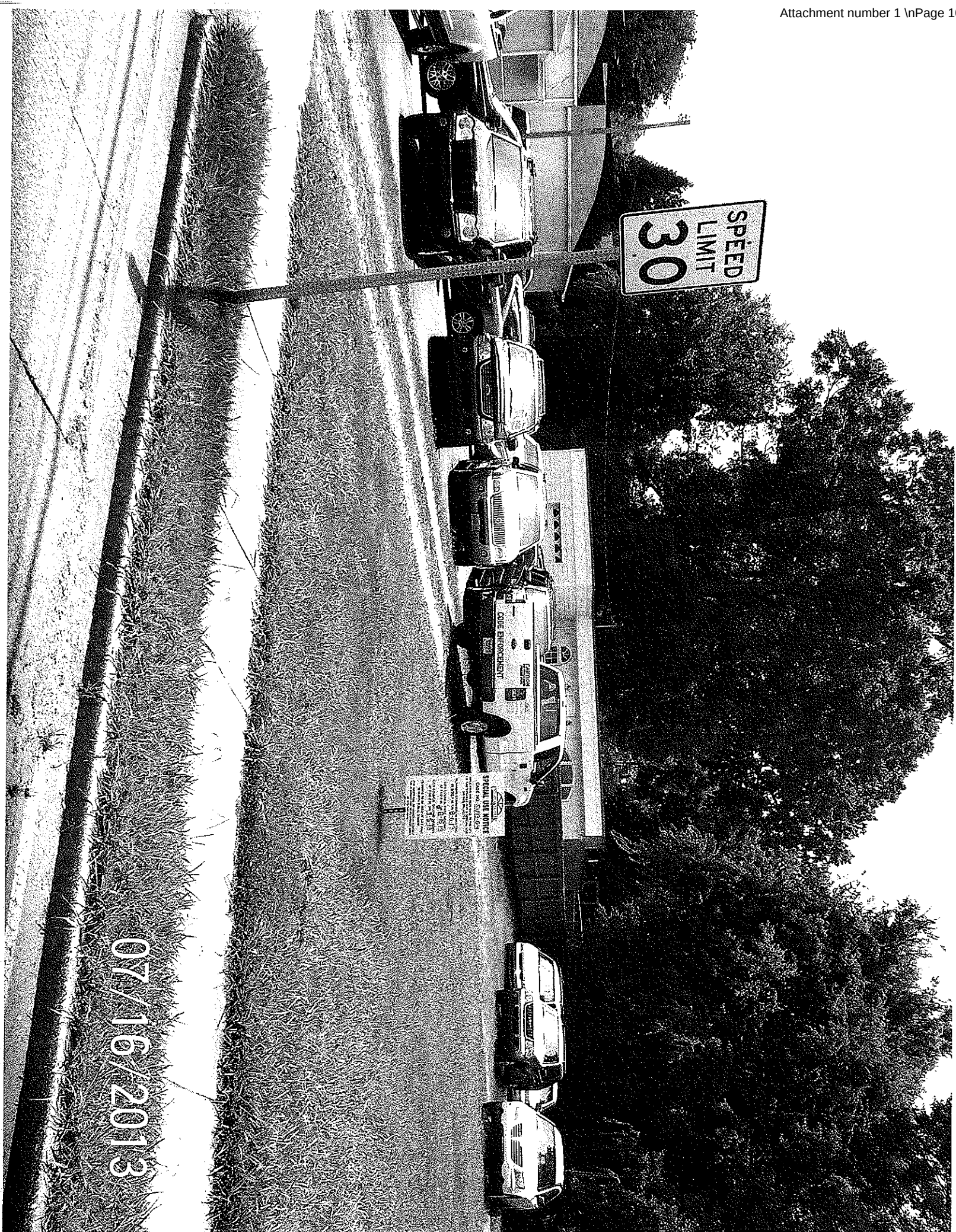
416 and 420 N. Tennessee St SU13-04

Item # 5





07/16/2015



SPECIAL USE JUSTIFICATION

The Mayor and City Council, upon review, may authorize a Special Use which is not classified as a permitted use as a matter of right in a zoning district.

Zoning Ordinance section 16.3.A

In the interest of the public health, safety and welfare, the Mayor and Council may exercise limited discretion in evaluating the site which requires a Special use. In exercising such discretion pertaining to the subject use, the Mayor and Council may consider the following, which shall be stated in writing by the applicant and submitted to the department of planning and development to initiate an application for a Special use:

1. *The effect of the proposed activity on traffic flow along adjoining streets;*
2. *The availability, number and location of off-street parking;*
3. *Protective screening;*
4. *Hours and manner of operation of the proposed use;*
5. *Outdoor lighting;*
6. *Ingress and egress to the property; and*
7. *Compatibility with surrounding land use.*

Zoning Ordinance section 16.4 states standards for specific uses – if the use you are applying for has additional standards, these must also be addressed below.

Use applied for: Automobile and Truck Sales

Standard #1: The effect of the proposed activity on traffic flow along adjoining streets.

How Standard #1 has / will be met:

If there is any impact, it should be a positive one, in that customers will have more room to negotiate entry to and exit from the property.

Standard #2: The availability, number, and location of off-street parking.

How Standard #2 has / will be met:

Applicant does not anticipate that this expansion will result in the need for more parking.
However, by adding this property, applicant will have more room for parking.

Standard #3: Protective screening.

How Standard #3 has / will be met:

Applicant does not anticipate the need for any protective screening.

Standard #4: Hours and manner of operation of the proposed use.

How Standard #4 has / will be met:

Applicant anticipates maintaining the same hours of operation currently used on

Applicant's adjacent property. Approximately 10 A.M. - 7 P.M.

Standard #5: Outdoor lighting.**How Standard #5 has / will be met:**

Applicant intends to erect security lights on the property. However, the lights will

be directed away from any residences and away from any street.

Standard #6: Ingress and egress to the property.**How Standard #6 has / will be met:**

Ingress and egress will be in the same location as currently used.

Standard #7: Compatibility with surrounding land use.**How Standard #7 has / will be met:**

Applicant currently operates a car lot immediately adjacent to the subject property and

has operated it continuously for many years. This use is compatible with surrounding uses.

Additional standards from Zoning Ordinance section 16.4 for use applied for and how they are met:

N/A

Signed,



Applicant's or representative's name

6/7/13

Date



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 # **SU13-04**

DISCLOSURE OF INTERESTS BY LOCAL OFFICIAL

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

Randy Wimpy (Shep Helton, representative) has made a Special use request on the following property: Approximately 0.38 acres located at 416 and 420 N. Tennessee Street in Land Lot 383, 4th District, 3rd Section, to allow expansion of the adjacent used automotive business north onto these M-U lots.

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
10/17/2013 7:00:00 PM

File AZ13-03: Annexation and zoning application by Shaw Industries Group (John Wilkinson, rep.) 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.

SubCategory:	Public Hearing - 1st Reading of Zoning/Annexation Requests
Department Name:	Planning and Development
Department Summary Recommendation:	The subject 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 (completely surrounded by incorporated properties), all lots to the north, east, and west of this area are in the City limits. The applicant's representative has stated that he would like the greenfield lot of nearly five acres to be annexed to be combined with adjoining Shaw property on Old Mill Road. The bank on the corner, which is approximately one acre, needs to be annexed at the same time since the City Attorney's office has stated that future annexations cannot create new donut holes. The properties would, if annexed, be zoned O-C (Office Commercial). Planning Commission recommended approval
City Manager's Remarks:	Your approval of this annexation and rezone is recommended for approval by the Planning Commission.
Financial/Budget Certification:	
Legal:	
Associated Information:	

ZONING & ANNEXATION SYNOPSIS

Petition Number(s): **AZ13-03**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **Shaw Industries Group, Inc.**

Representative: **John Wilkinson**

Property Owner: **Walnut Grove Plantation, Inc. and Renasant Bank**

Property Location: **Douthit Ferry Road and Old Mill Road**

Access to the Property: **Douthit Ferry Road and Old Mill Road**

Site Characteristics:

Tract Size: Acres: **5.92 acres** District: **4th** Section: **3rd** LL(S): **632**

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

LAND USE INFORMATION

Current Zoning: **County C-1 (Commercial) and A-1 (Agricultural)**

Proposed Zoning: **O-C (Office Commercial)**

Proposed Use: **1) Combine with adjoining Shaw tract in City limits**
2) Avoid creating an unincorporated island (Renasant Bank)

Current Zoning of Adjacent Property:

North: **O-C and G-C (General Commercial)**

South: **Bartow County jurisdiction**

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

West: **O-C**

The Future Development Plan designates the subject property as: **Community Village Center with recommended zoning districts O-C, M-U, and P-S.**

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 properties are currently zoned C-1 (Commercial) and A-1 (Agricultural) and are identified on the County's Future Land Use Map as Commercial / Mixed-use.

The subject 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 (completely surrounded by incorporated properties), all lots to the north, east, and west of this area are in the City limits. The applicant's representative has stated that he would like the greenfield lot of nearly five acres to be annexed to be combined with adjoining Shaw property on Old Mill Road. The bank on the corner, which is approximately one acre, needs to be annexed at the same time since the City Attorney's office has stated that future annexations cannot create new donut holes. The properties would, if annexed, be zoned O-C (Office Commercial). 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 O-C zoning may permit a use that is suitable in view of the existing commercial and industrial development of adjacent properties.
- B. *Whether the zoning proposal will create an isolated district unrelated to adjacent and nearby districts.*
The proposed O-C zoning may not create an isolated district since there are adjacent and nearby properties that are zoned O-C.
- C. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*
The O-C 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 Commercial (C-1) in unincorporated Bartow County, the bank property may have a reasonable economic use. As currently zoned Agricultural (A-1) in unincorporated Bartow County, the greenfield lot may not have a reasonable economic use since there are few agricultural use lots in this part of Cartersville.
- 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 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 O-C 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.
Although these properties are not donut holes (completely surrounded by incorporated properties), all lots to the north, east, and west of this area are in the City limits. In the last ten years, the adjacent section of West Avenue (SR 61/113) has been widened and new commercial developments such as CVS, Arby's, and Zaxby's have been built. It may be appropriate for these properties to be in the City limits for consistency in services, and to be zoned O-C (Office Commercial).

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

*Paid \$450
-BO*

Application Number AZ13-03

10-8 @ 5:30

Hearing Dates 10-17 @ 7:00

11-7 @ 7:00

Applicant <u>Shaw Industries Group, Inc.</u> (applicant's printed name)		Business/Cell Phone <u>706-275-4624</u>	
Address <u>616 E. Walnut Avenue</u>		Home Phone _____	
City <u>Dalton</u>	State <u>GA</u>	Zip <u>30722</u>	Email <u>john.wilkinson@shawinc.com</u>
John H. Wilkinson (Representative's printed name (if other than applicant))		Phone <u>706 275-4624</u> Fax # <u>706-275-4754</u>	
Representative's signature _____		SHAW INDUSTRIES GROUP, INC., By: <u>John H. Wilkinson</u> Applicant's signature	
Signed, sealed and delivered in presence of:		Print Name: <u>John H. Wilkinson</u>	
<u>Karen Metcalf</u>		Title: <u>Director of Real Estate</u>	
Notary Public		OFFICIAL SEAL KAREN METCALF My commission expires: NOTARY PUBLIC GEORGIA <u>john.parks@bryancave.com</u> WHITFIELD COUNTY My Commission Expires May 3, 2016	

Titleholder <u>Walnut Grove Plantation, Inc.</u> (titleholder's printed name)	Business <u>770-382-6807</u>	Home _____
*attach additional notarized signatures as needed on separate application page Address <u>84 Cummings Road, S.E.</u>		
WALNUT GROVE PLANTATION, INC.		
Signature By: <u>Ann O. Cummings</u>	Cartersville, GA 30120	
Signed, sealed, delivered in presence of:		
<u>Mark A. Harris</u> Notary Public State of Georgia Bartow County Commission Expires 2/13/18	SEE ATTACHMENT	

Requested City Zoning <u>O-C</u>		
Acreage <u>5.92</u>	Land Lot(s) <u>632</u>	District(s) <u>4th</u> Section(s) <u>3rd</u>
Location of Property <u>Southeast corner of Douthit Ferry Road and Old Mill Road</u> (street address, nearest intersections, etc)		
Reason for requested Annexation / Zoning:		
1. <u>Combine with adjoining Shaw tract in City limits</u>		
2. <u>Avoidance of island as to adjoining Renasant Bank tract</u> (attach additional statement as necessary)		

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

ATTACHMENT

Additional Titleholder: Renasant Bank
Address: 190 Village Centre East
Woodstock, Georgia 30188
Contact: Kenneth E. Davis
Georgia Division President
Telephone: 678-388-5358
Email: kdavis@renasant.com

Signature: RENASANT BANK

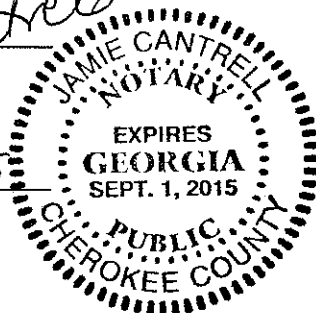
By: Kenneth Davis
Print Name: KENNETH DAVIS
Title: GEORGIA DIV. PRESIDENT

Signed, sealed and delivered in
the presence of:

Jamie Cantrell
Notary Public

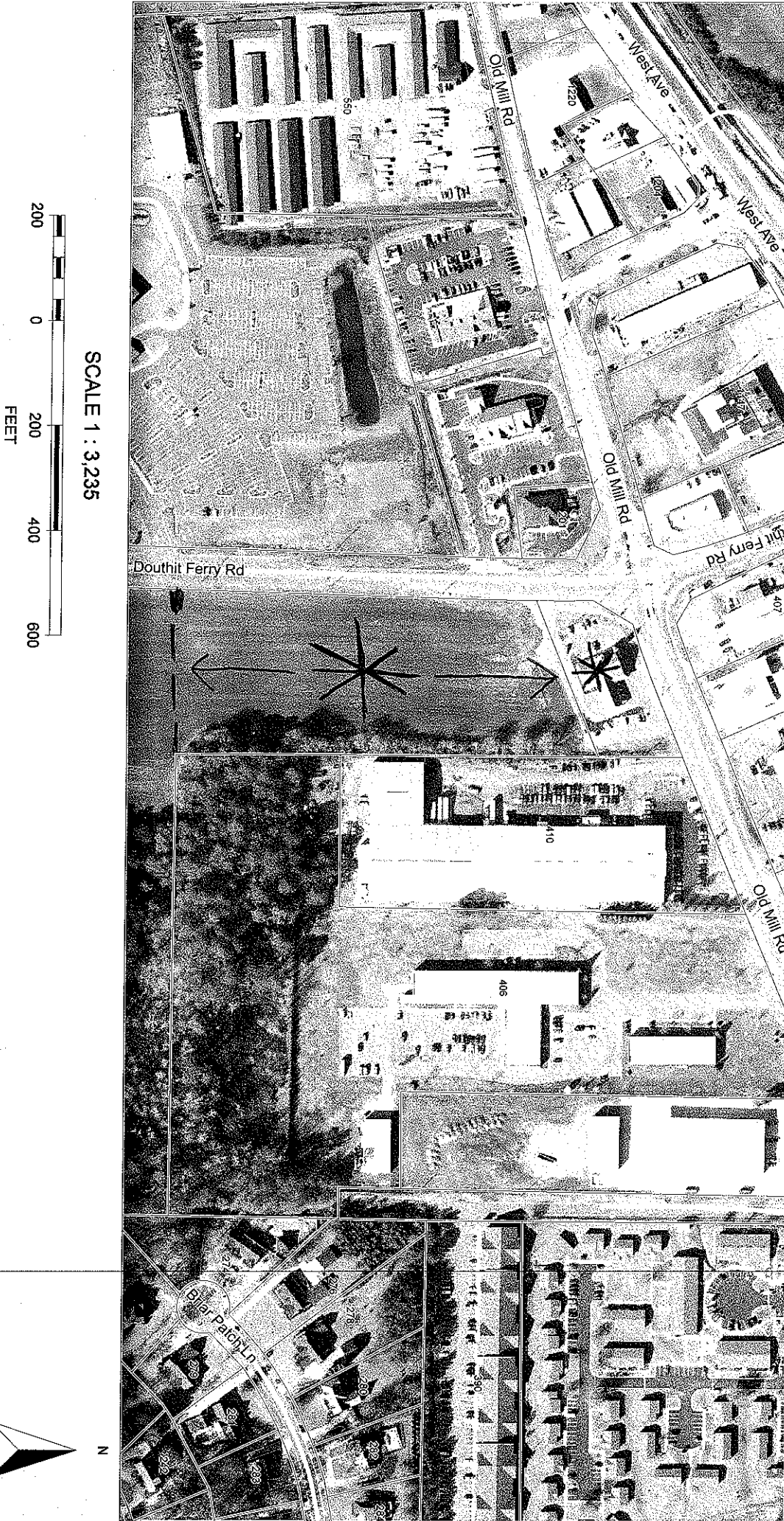
My commission expires:

Sept 1, 2015



Douthit Ferry Rd & Old Mill Rd - annexation AZ13-03

Item # 6



Douthit Ferry Rd & Old Mill Rd - annexation case AZ13-03

Item # 6





Douthit Ferry Rd & Old Mill Rd

AZ13-03

Item # 6





Bartow County Commissioner's Office • Steve Taylor, Commissioner

CERTIFIED MAIL # 7006 3450 0001 5974 6489

September 17, 2013

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

RE: AZ13-03
Request by Shaw Industries Group, Inc.
to annex approximately 5.92 acres
located at Old Mill Road & Douthit Ferry Road

Dear Richard:

This office has reviewed the above referenced annexation request and finds no objection to the application. The two properties are currently zoned C-1 (Commercial) and A-1 (Agriculture) and are identified on the County's Future Land Use Map as Commercial/Mixed Use.

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 # 6



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 # **AZ13-03**

DISCLOSURE OF INTERESTS BY LOCAL OFFICIAL

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

Shaw Industries Group, Inc. has made an annexation and zoning request on the following property: Approximately 5.92 acres located at and adjacent to the southeast intersection of Douthit Ferry Road and Old Mill Road in Land Lot 632, 4th District, 3rd Section, from Bartow County C-1 and A-1 to City O-C (Office Commercial).

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

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

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

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

TITLE: _____

DATE: _____



City of Cartersville

City Council Meeting
10/17/2013 7:00:00 PM

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.

SubCategory:	Public Hearing - 1st Reading of Zoning/Annexation Requests
Department Name:	
Department Summary Recommendation:	The subject tract is located at 217 Cassville Road, 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 in the property's current zoning (MF-14), the property owner has chosen to apply to rezone the property to O-C so that the use can operate by-right. 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 objections to the application as long as the persons responsible for this use follow all adopted fire codes relating to the type of occupancy that exists at the location. Planning Commission recommended approval.
City Manager's Remarks:	Your approval of this item is recommended by the Planning Commission.
Financial/Budget Certification:	
Legal:	
Associated Information:	

ZONING SYNOPSIS

Petition Number(s): **Z13-05**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **John Adams**

Representative: **none**

Property Owner: **John & Harriet Adams**

Property Location: **217 Cassville Road**

Access to the Property: **Cassville Road**

Site Characteristics:

Tract Size: Acres: **0.43 acres** District: **4th** Section: **3rd** LL(S): **342**

Ward: **5** Council Member: **Dianne Tate**

LAND USE INFORMATION

Current Zoning: **MF-14**

Proposed Zoning: **O-C**

Proposed Use: **Rezone to allow use of the residence as a Halfway house.**

Current Zoning of Adjacent Property:

North: **P-I (Public Institutional)**

South: **MF-14**

East: **MF-14**

West: **Bartow County jurisdiction**

The Future Development Plan designates the subject property as:

Transitional Activity Village with recommended zoning districts R-7, RA-12, MF-14, M-U, P-S.

ZONING ANALYSIS

City Departments Reviews

Water and Sewer:

No objections.

Public Works:

No comments.

Gas:

No objections.

Electric:

No objection.

Fire:

Cartersville Fire Department takes no exceptions provided that the applicant follows all adopted fire codes relating to the type occupancy that exists at the location. Applicant should contact the CFD Fire Marshal to cover what will be required from a fire code standpoint.

Police:

No comments.

The subject tract is located at 217 Cassville Road, 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 in the property's current zoning (MF-14), the property owner has chosen to apply to rezone the property to O-C so that the use can operate by-right. 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 objections to the application as long as the persons responsible for this use follow all adopted fire codes relating to the type of occupancy that exists at the location. 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 O-C zoning proposal may permit a use that is suitable in view of the mixture of uses and development of nearby properties on this stretch of Cassville Road (institutional, commercial, residential).
- B. *Whether the zoning proposal will create an isolated district unrelated to adjacent and nearby districts.*
The O-C zoning proposal may not create an isolated zoning district since there are commercial zoned properties nearby to the north (entrance to ATCO) and south (intersection with N. Erwin St).
- C. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*
The O-C 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 MF-14, the property may have a reasonable economic use.
- 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 not in conformity with the Future Development Map of the comprehensive plan. However, it is noted that M-U is one of the recommended zoning districts for this lot, which allows for many of the same commercial uses as O-C.

- 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.
During the last ten years, the commercial development at the entrance to ATCO and the construction of the Public Safety Headquarters have added to the mixture of uses and zoning districts found on this section of Cassville Road. O-C may be an appropriate zoning district for this area.

STAFF RECOMMENDATION:

Staff has no objections to the rezoning request. The comments of CFD relating to fire codes are noted in this analysis.

PLANNING COMMISSION RECOMMENDATION

Approval

Application for Rezoning

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

*Paid \$450
 8-19-13-RO*

Application Number Z13-05
 October 8 @ 5:30 PM
 Hearing Dates October 17 @ 7:00 PM
 November 7 @ 7:00 PM

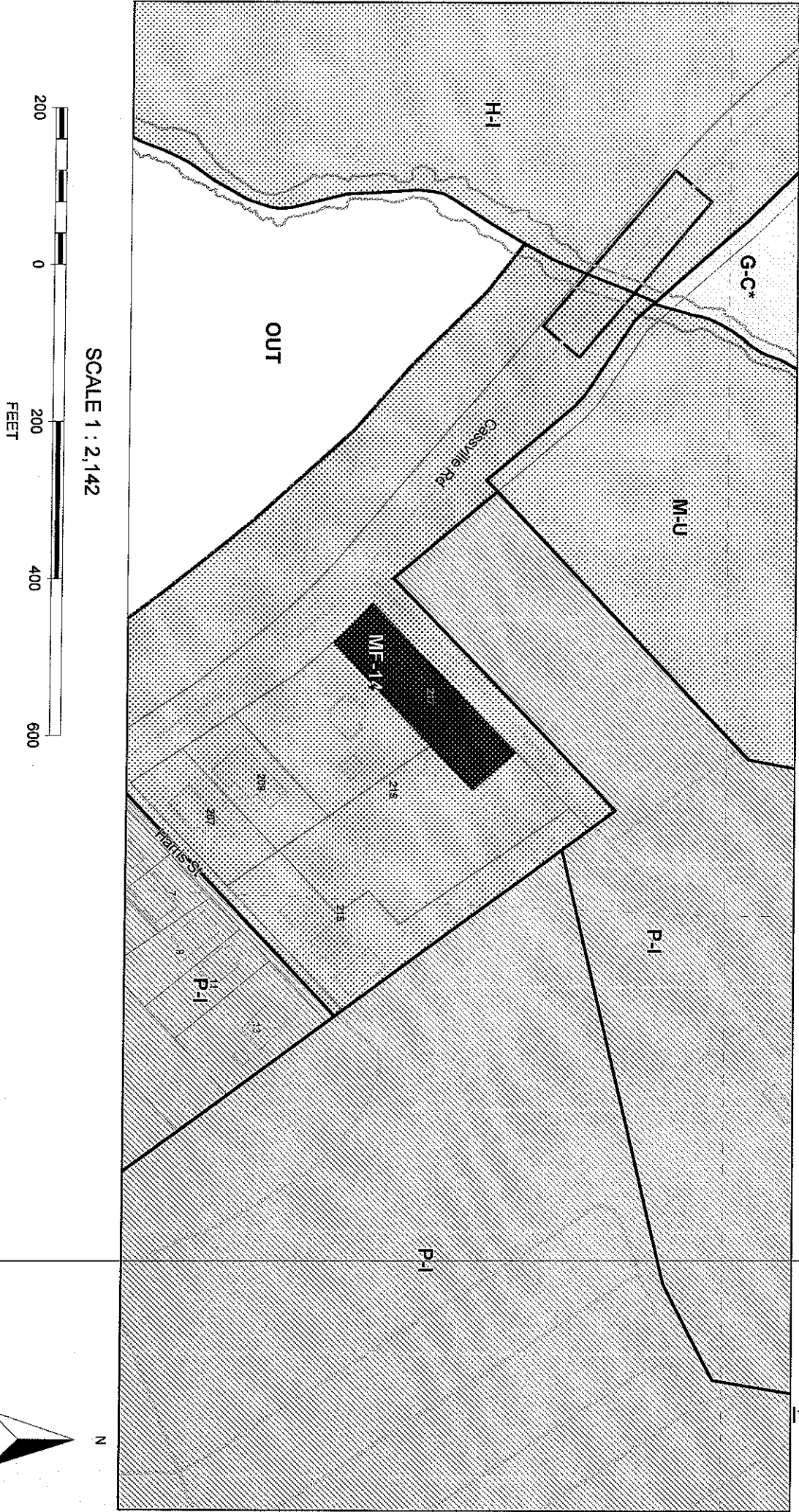
Applicant <u>John Adams</u> (applicant's printed name)		Business /Cell Phone <u>770-383-0543</u>	
Address <u>100 Tanglewood Dr.</u>		Home Phone <u>770-382-8707</u>	
City <u>Cartersville</u>	State <u>GA</u>	Zip <u>30120</u>	Email <u>jcahha@bellsouth.net</u>
_____ (Representative's printed name (if other than applicant))		Phone _____	Fax # _____
_____ Representative's signature		<i>John C. Adams</i> Applicant's signature	
Signed, sealed and delivered in presence of: _____			
_____ Notary Public		My commission expires:	

Titleholder <u>John and Harriet Adams</u> (titleholder's printed name)	Business <u>above</u>	Home <u>above</u>
*attach additional notarized signatures as needed on separate application page Address <u>same as above</u>		
Signature <i>John C. Adams</i>		
Signed, sealed, delivered in presence of: _____		
_____ Notary Public		My commission expires:

Present Zoning District(s) <u>MF-14</u>	Requested Zoning <u>O-C</u>
Acreage <u>± 0.43</u>	Land Lot(s) <u>342</u>
District(s) <u>4</u>	Section(s) <u>3</u>
Location of Property <u>217 Cassville Rd</u> (street address, nearest intersections, etc)	
Reason for requested Rezoning: <u>Allow operation of Halfway house</u> (attach additional statement as necessary)	

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

217 Cassville Rd - rezoning case Z13-05



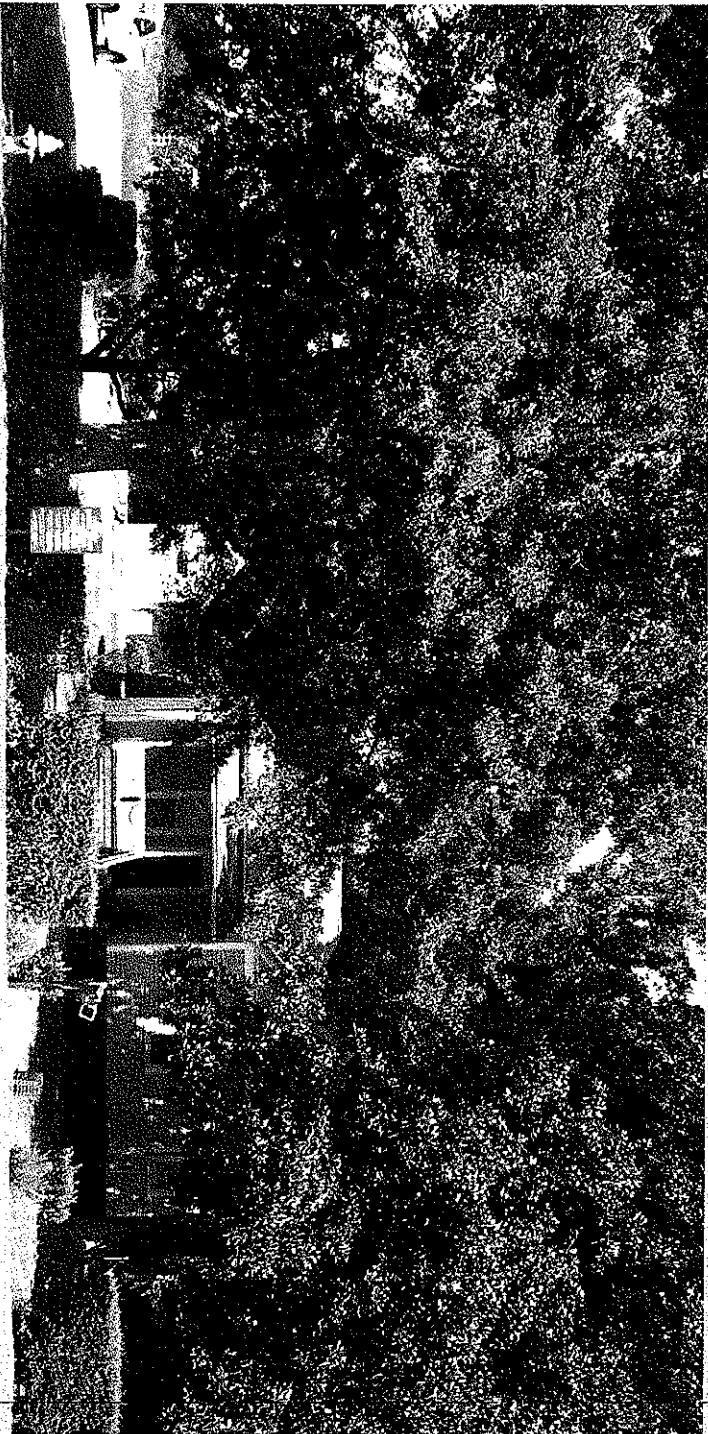
217 Cassville Rd - rezoning case Z13-05

Item # 7





217 Cassville Rd
Z13-05



Item # 7

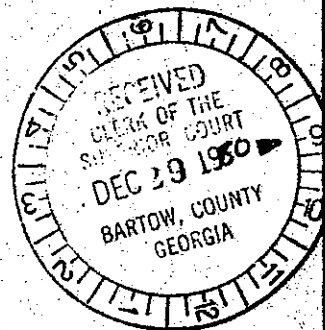
Recorded 12-29-80 Brady Jefferson Reg

23-424

BOOK 117
PAGE 126 5-26-59

PROPERTY OF
WILLIAM H. JOHNSON

IN THE CITY OF CARTERSVILLE, BARTOW COUNTY,
GEORGIA, IN LAND LOT 342, 4th. DISTRICT,
3rd. SECTION, BARTOW COUNTY, GEORGIA.
DATE 11-17-76 SCALE 1" = 50'
BEARINGS ARE MAG. CAL. FROM ANGLES TURNED.
KNIGHT & KNIGHT LAND SURVEYORS.

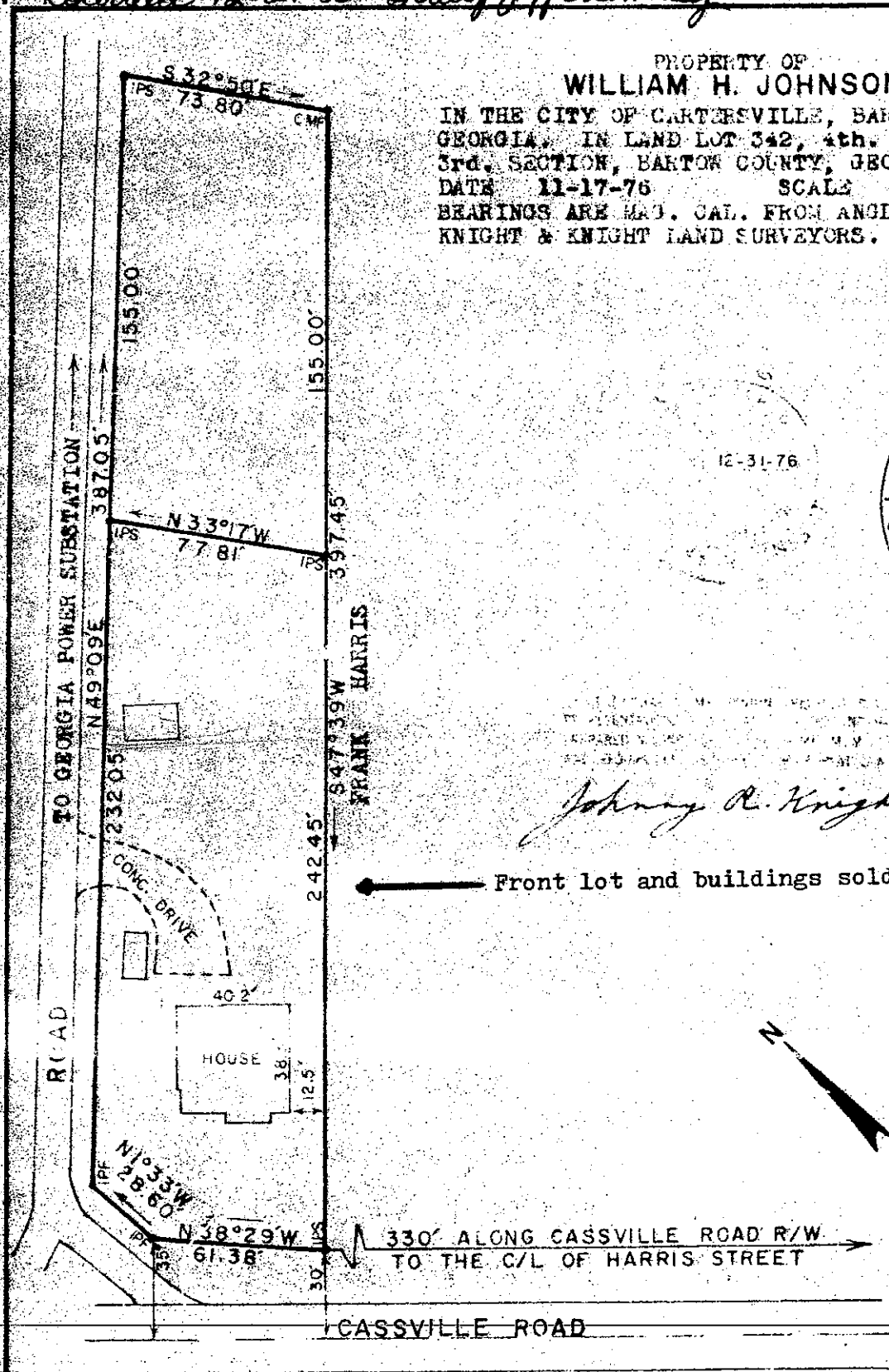


12-31-76

JOHNNY R. KNIGHT
CLERK OF THE SUPERIOR COURT
BARTOW COUNTY, GEORGIA

JOHNNY R. KNIGHT PLAT BOOK 18
PAGE 79

Front lot and buildings sold to J. Moore
BOOK 289
PAGE 235



217 Cassville Rd.

John C. Adams & Harriet H. Adams #7



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 # **Z13-05**

DISCLOSURE OF INTERESTS BY LOCAL OFFICIAL

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

John Adams has made a rezoning request on the following property: Approximately 0.43 acres located at 217 Cassville Road in Land Lot 342, 4th District, 3rd Section, from MF-14 (Multi-family residential) to O-C (Office Commercial).

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

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

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

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

TITLE: _____

DATE: _____



City of Cartersville

City Council Meeting
10/17/2013 7:00:00 PM
Urban Redevelopment Plan

SubCategory:	Resolutions
Department Name:	Planning and Development
Department Summary Recommendation:	City of Cartersville staff has been working on a revision to the Urban Redevelopment Plan (URP), adopted by the Mayor and City Council on September 2, 2010 and amended on May 19, 2011. The revision would add a new boundary area of 36 parcels adjacent to Cass-White Road, one of which would be in the City limits. If City Council approves the amendment to the URP, City staff would work cooperatively with Bartow County representatives to apply for a joint City-County Opportunity Zone. The property owner of the parcel in the City limits, Bartow-Cartersville Second Joint Development Authority, is aware of the proposed revision and is amenable to the amendment. The September 19 Council meeting served as a legally advertised public hearing to discuss the proposed revision, and no action was taken. The October 17 Council meeting will serve as a legally advertised public hearing. The Mayor and City Council may consider the adoption, denial, or modification of the proposed amended plan by resolution. The City Attorney's office has reviewed this information to ensure that the resolution and other data are legally appropriate.
City Manager's Remarks:	Your approval of this item is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

Resolution No. __-13**A RESOLUTION AMENDING THE ADOPTED URBAN REDEVELOPMENT PLAN****CITY OF CARTERSVILLE, GEORGIA**

WHEREAS, the City of Cartersville has prepared an amendment to the adopted Urban Redevelopment Plan in accordance with Official Code of Georgia Annotated Section 36-61-1 et. seq. to rehabilitate, conserve, or redevelop the Cass-White Road 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, rehabilitate older homes and neighborhoods, ensure architecturally compatible infill development, and generate new adaptive reuse for old industrial facilities; and

WHEREAS, the City of Cartersville has identified the geographic Cass-White Road area boundary that contains slum, which constitutes one of the Urban Redevelopment Areas, 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 "E", City of Cartersville, Georgia Urban Redevelopment Area.

WHEREAS, conditions in this delineated area suffers from slum and blighting influences that are detrimental to the public's health, safety, and welfare and that the property's deterioration is negatively affecting the community; and

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

WHEREAS, the City of Cartersville hereby identifies the influences on the geographic area designated and intends to work to foster conditions conducive to redevelopment within this area;

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Mayor and Council of the City of Cartersville, Georgia does hereby adopt the amended attached Urban Redevelopment Plan (Exhibit "D"), to include the Cass White Road Area.

This Resolution is adopted this 17th day of October, 2013.

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

ATTEST:

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



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: October 7, 2013
Re: Urban Redevelopment Plan amendment (Cass-White Road area)

City of Cartersville staff has been working on a revision to the Urban Redevelopment Plan (URP), adopted by the Mayor and City Council on September 2, 2010 and amended on May 19, 2011. The revision would add a new boundary area of 36 parcels adjacent to Cass-White Road, one of which would be in the City limits of Cartersville (parcel C123-0001-002). The property owner of the parcel in the City limits, Bartow-Cartersville Second Joint Development Authority, is aware of the proposed revision and is amenable to the amendment.

By amending the URP to include the Cass-White Road area, which includes commercial and industrial properties, company representatives in this area may be able to obtain increased job tax credits for new full-time hiring. If City Council approves the amendment to the URP, City staff would work cooperatively with Bartow County representatives to apply for a joint City-County Opportunity Zone.

Northwest Georgia Regional Commission is preparing an Urban Redevelopment Plan for Bartow County. If approved by Commissioner Taylor, Bartow County representatives would apply for the Cass-White Road Opportunity Zone (OZ), and the City of Cartersville would be asked to submit a letter of authorization by Mayor Santini to accompany the OZ application since one property is in the City limits.

The September 19 Council meeting served as a legally advertised public hearing to discuss the proposed revision, and no action was taken at the meeting. The October 17 Council meeting will serve as a legally advertised public hearing. After said second public hearing, the Mayor and City Council will consider the adoption, denial, or modification of the proposed amended plan by resolution.



OPPORTUNITY ZONE: CASS-WHITE ROAD

The Cass-White Road area includes 36 parcels adjacent to Interstate 75 exit 296 (Census tract 9601.02), one of which would be in the City limits. This area includes deteriorating and dilapidated commercial and industrial properties adjacent to the interstate exit. The area also includes the Highland 75 Business Park, located one mile east of the interstate exit near the intersection of Cass-White Road and Great Valley Parkway.

This area includes distressed properties that have one or more of the following characteristics: dumpsites; vacant and deteriorating lots; abandoned and dilapidated commercial buildings; deteriorating and unused billboards; deteriorating infrastructure; and operating businesses that have been cited for delinquent payment of occupational tax certificate (business license). On Cass-White Road, there is a former Red Roof Inn that has been condemned by the Bartow County Building Official under Section 18-391 of the Bartow County Building Ordinance since August 2011. Bartow County Sheriff's Deputies, have cited persons on commercial properties in this area where operating and vacant businesses exist for a variety of minor incidents and major crimes.

Highland 75 is a collaboration of Bartow County, the City of Cartersville, and the Bartow-Cartersville Joint Development Authority. Highland 75 is a 707-acre master planned development for manufacturing, distribution, call centers, technology and research & development. The property in the City limits that would be part of the Cass-White Road OZ includes approximately 381 acres (tax parcel C123-0001-002) and is located in Highland 75. The property has road frontage on Cass-Pine Log Road and Great Valley Parkway. This parcel is underdeveloped (no buildings or substantial improvements) and exhibits general distress. This property has been used multiple times as a dumpsite, and the following have been found on this parcel: tires, roof shingles, a toilet, and appliances. The property owner, Bartow-Cartersville Second Joint Development Authority, is aware of the proposed revision to the URP and proposed OZ application and is amenable to the request.

Northwest Georgia Regional Commission (NWGRC) has prepared an Urban Redevelopment Plan for Bartow County. If approved by Commissioner Steve Taylor, Bartow County representatives would submit an application to the Georgia Department of Community Affairs for the Cass-White Road area to be an Opportunity Zone (OZ), and the City of Cartersville would submit a letter of authorization by Mayor Matt Santini to accompany the OZ application.

The Cass-White Road area includes properties on the following roads: Brown Loop, Carson Loop, Cass-White Road, Cass-Pine Log Road, Five Forks Road, Great Valley Parkway, Grogan Road, and Kent Drive, and Spring Place Road.



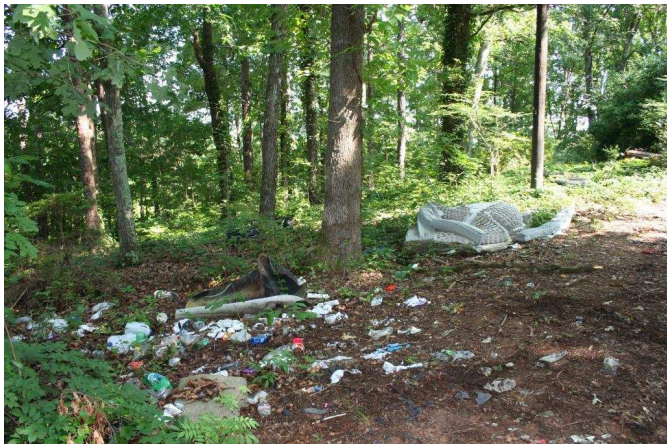
This area contains vacant and condemned commercial buildings.



City of Cartersville

URBAN REDEVELOPMENT PLAN

OPPORTUNITY ZONE: CASS-WHITE ROAD



This area contains dumpsites.



This area contains deteriorating infrastructure.



This area contains vacant and deteriorating sites.



This area includes dilapidated and unused billboards.



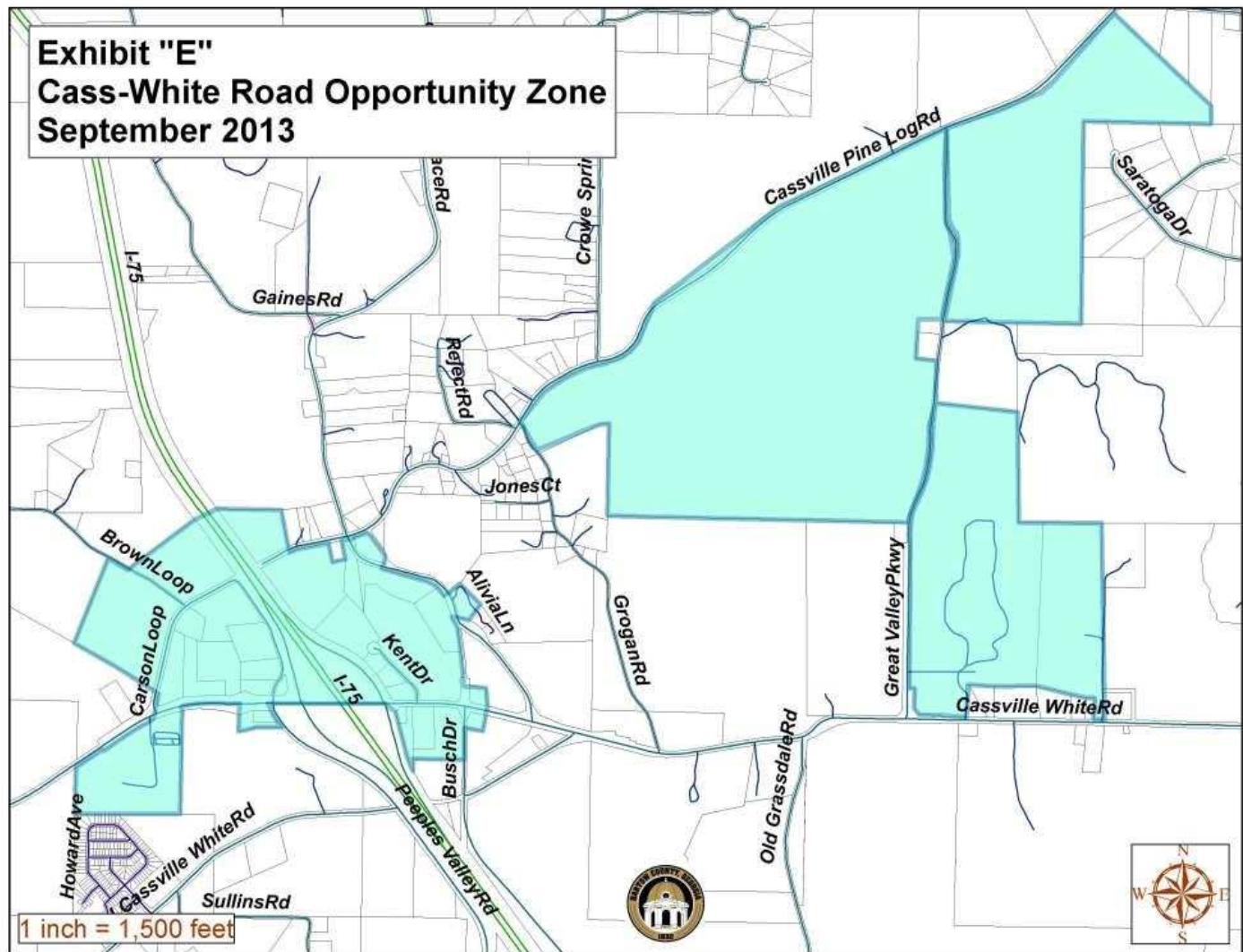
This area includes overgrown lots for sale.



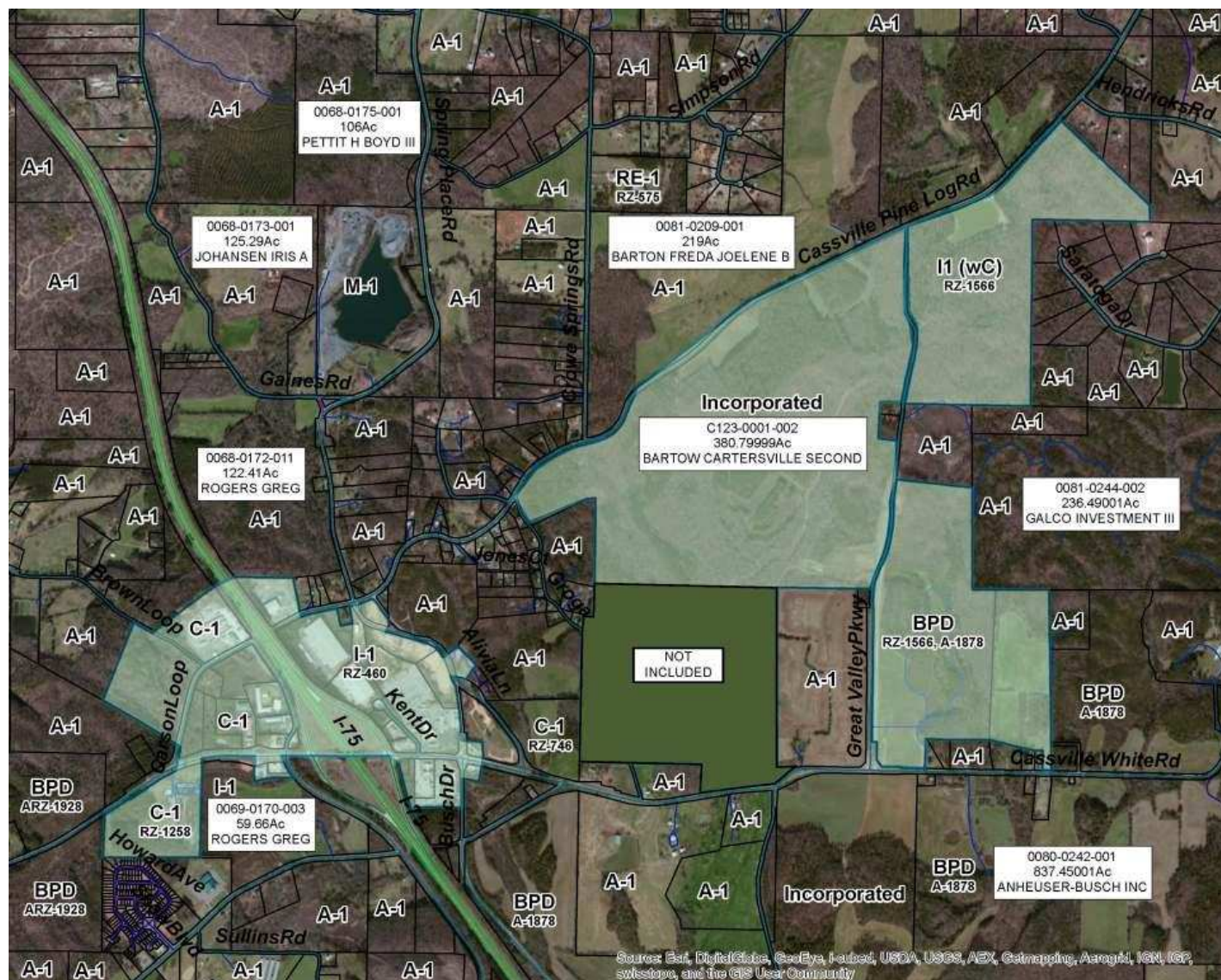
City of Cartersville

URBAN REDEVELOPMENT PLAN

CASS-WHITE ROAD BOUNDARY MAP



CASS-WHITE ROAD AERIAL MAP

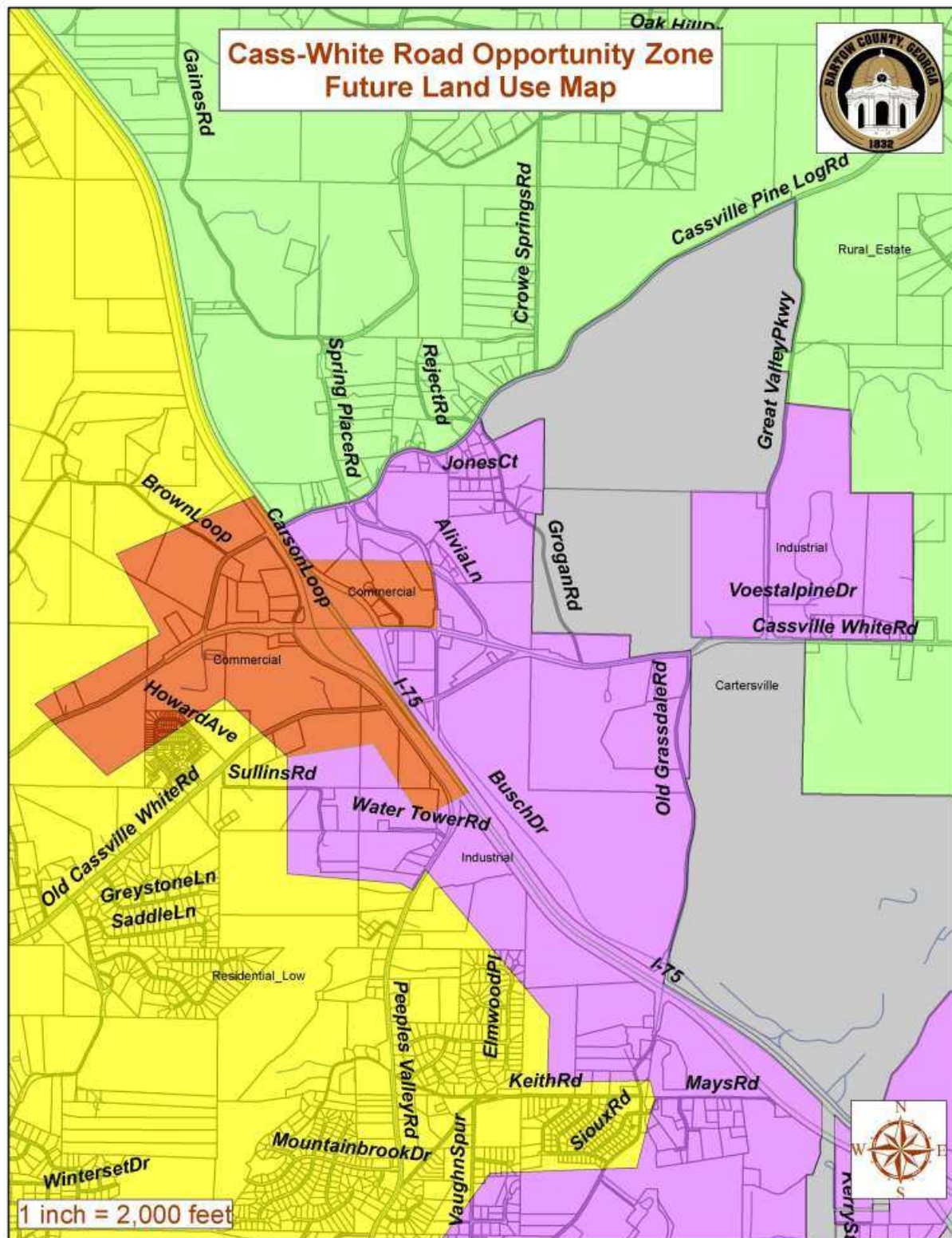




City of Cartersville

URBAN REDEVELOPMENT PLAN

CASS-WHITE ROAD FUTURE LAND USE MAP







City of Cartersville

**City Council Meeting
10/17/2013 7:00:00 PM
Cartersville Bartow County Metropolitan Planning Organization**

SubCategory:	Resolutions
Department Name:	Planning and Development
Department Summary Recommendation:	This resolution sets the members of the policy committee for the new MPO. As written this will be the Mayor, Director of Planning and Development and the City Manager.
City Manager's Remarks:	Your approval of this item is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

Resolution No.

A RESOLUTION OF THE CITY OF CARTERSVILLE, GEORGIA ADOPTED BY THE CITY COUNCIL FOR THE PURPOSES OF APPOINTING A POLICY COMMITTEE MEMBER TO THE CARTERSVILLE-BARTOW COUNTY METROPOLITAN PLANNING ORGANIZATION (CB-MPO); AND FOR OTHER PURPOSES, ADOPTED THIS THE _____ DAY OF _____, 2013.

WHEREAS, under the 2010 decennial census, additional portion of Cartersville-Bartow County were designated urban areas, thereby qualifying the creation of a separate Metropolitan Planning Organization for transportation planning purposes; and

WHEREAS, Bartow County and the Cities of Cartersville, Adairsville, Emerson, Euaharlee, Kingston, White and Taylorsville entered into a Memorandum of Understanding in December 2012 regarding the Cartersville-Bartow County Metropolitan Organization; and Governor Nathan Deal authorized the creation of said CB-MPO; and

WHEREAS, the CB-MPO requires the designation of members of a Policy Committee to adopt goals, work programs and plans, and to direct future transportation improvements in the Regional Transportation Study areas; and

WHEREAS, the City of Cartersville shall have three members of the Policy Committee, and desires to designate its representatives by Resolution of the governing authority;

NOW THEREFORE BE IT RESOLVED, and it is hereby resolved, that the members of the Cartersville-Bartow County Metropolitan Planning Organization representing the City of Cartersville shall be 1) the Mayor of Cartersville or such person as the Mayor shall designate as a permanent or temporary proxy; 2) the City Manager of Cartersville or such person as the City Manager shall designate as a permanent or temporary proxy; and 3) the Planning and Development Director of the City of Cartersville or such person as the Planning and Development Director shall designate as a permanent or temporary proxy. Such representatives shall have a term of one year commencing July 1, but shall serve until a replacement is appointed.

ADOPTED this the day of .

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk



City of Cartersville

City Council Meeting
10/17/2013 7:00:00 PM
Subordination Agreement 19 Roving Road

SubCategory:	Contracts/Agreements
Department Name:	
Department Summary Recommendation:	This item is needed to allow Lequitta and Rickie Watters to refinance a single-family house located at 19 Roving Road, for which there is a \$10,000 Deed to Secure Debt and Promissory Note issued in 2011 to the City of Cartersville as part of the CHIP five-year forgivable first-time homebuyer's program. Previously, the property owner had a security deed on the house that served as the primary debt and the deed to the City of Cartersville was secondary / subordinate. This agreement allows the property owner to maintain the primary and secondary / subordinate agreement with a new mortgage loan to serve as the primary debt, and the City will remain in the same security position as before the new agreement. The City Attorney's office has reviewed the document and recommended that it be forwarded to Council
City Manager's Remarks:	As with others that were similar in the past, this one is recommended for your approval.
Financial/Budget Certification:	
Legal:	
Associated Information:	

STATE OF GEORGIA
COUNTY OF BARTOW

SUBORDINATION AGREEMENT

WHEREAS, on the 13th day of September, 2011, a Promissory Note and Deeds to Secure Debt in the principal amount of \$10,000.00 were given by LEQUITTA M. WATTERS to THE CITY OF CARTERSVILLE and recorded in the office of the Clerk of the Superior Court of Bartow County, Georgia in Deed Book 2493, Pages 77 & 82, encumbering the following described property lying and being in the County of Bartow, State of Georgia, to-wit:

All that tract or parcel of land lying and being in the City of Cartersville, Land Lot 119 of the 4th District, 3rd Section of Bartow County, Georgia; and being Lot 1, Section C, William H. Felton Subdivision and other property, as per plat recorded in Plat Book 41, Page 283, Bartow County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.

Subject Property Address: 19 ROVING ROAD, Cartersville, Georgia 30120
Parcel ID: C095-0001-015

WHEREAS, FAMILY SAVINGS CREDIT UNION has agreed to make a first priority mortgage loan in the amount of \$119,000.00 from LEQUITTA M. WATTERS AND RICKIE F. WATTERS, JR. to FAMILY SAVINGS CREDIT UNION encumbering the above described property, provided that the Security Deed and promissory note to THE CITY OF CARTERSVILLE is subordinated to the new Security Deed and new promissory note.

NOW, THEREFORE, in order to induce FAMILY SAVINGS CREDIT UNION to make the new mortgage loan in the amount of \$119,000.00, and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable considerations paid by LEQUITTA M. WATTERS AND RICKIE F. WATTERS, JR. receipt of which is hereby acknowledged, the mortgagee hereby agrees that by this instrument the debt first described to THE CITY OF CARTERSVILLE is hereby made subordinate and inferior to the new Security Deed given to PLATINUM MORTGAGE, INC..

IN WITNESS WHEREOF, mortgagee has hereunto set mortgagee's hand and seal on this _____ day of October, 2013.

Signed, sealed and delivered
in the presence of:

The City of Cartersville

Unofficial Witness

BY: _____ (SEAL)
TITLE: Mayor

Notary Public

BY: _____ (SEAL)
TITLE: City Clerk



City of Cartersville

City Council Meeting
10/17/2013 7:00:00 PM

National Flood Insurance Program's (NFIP) Community Rating System (CRS)

SubCategory:	Certification
Department Name:	Public Works
Department Summary Recommendation:	The National Flood Insurance Program's (NFIP) Community Rating System (CRS) is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. As a result, flood insurance premium rates are discounted to reflect the reduced flood risk resulting from the community actions. In order to participate in this program we are required annually to complete a re-certification form that the Mayor has to sign. We request approval for the Mayor to sign the re-certification form.
City Manager's Remarks:	Your approval of the Mayor's signature for this program is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

COMMUNITY RATING SYSTEM ANNUAL RECERTIFICATION

*OMB No. 1660-0022
Expires September 30, 2013*

Section 1- Community Data:

If there are any changes or corrections to the information in this section, please line out the old item and write in the correction.

Community: Cartersville, City of State: GA NFIP Number: 130209

Recertification Date: 10/01/2014

Chief Executive Officer:

Name: Honorable Matthew J. Santini Title: Mayor

Address: P.O. Box 1390, Cartersville, GA 30120

CRS Coordinator:

Name: Wade Wilson, PE Title: City Engineer

Address: 330 South Erwin Street, Cartersville, GA 30120

Coordinator's Phone: (770) 387 - 5602 Fax:

E-Mail Address: wwilson@cityofcartersville.org

We are maintaining, to the best of my knowledge and belief, in force all flood insurance policies that have been required of us as a condition of federal financial assistance for insurable buildings owned by us and located in the Special Flood Hazard Area shown on our Flood Insurance Rate Map. *DWS*

Section 2 – Certification:

I hereby certify that this community is continuing to implement the activities noted below as credited under the Community Rating System and described in our original application and subsequent modifications.

Signed: _____
 Honorable Matthew J. Santini, Mayor

Date: _____

COMMUNITY RATING SYSTEM ANNUAL RECERTIFICATION

*OMB No. 1660-0022
Expires September 30, 2013*

Section 3 - Community Activities:

Your community has been verified as receiving CRS credit for the following activities. If your community is still implementing these activities the CRS Coordinator needs to put his or her initials in the blank and attach the appropriate items. The numbers refer to the activity number which is found in the CRS Coordinator's Manual.

- DWW 310 We are maintaining Elevation Certificates on all new and substantially improved buildings in our Special Flood Hazard Area.
- DWW 310 We have issued 2 (insert number) permits for new construction and substantial improvements in the Special Flood Hazard Area in the last year.
- DWW 310 Attached are 5 Elevation Certificates for new or substantially improved structures that have been completed in the last year. (Two are attached)
- DWW 310 We continue to make copies of Elevation Certificates on newer properties available at our present office location. ☐ Initial here if your office address has changed in the past year. Please provide new .
- DWW 320 We are providing Flood Insurance Rate Map information and information on the flood insurance purchase requirement to inquirers. ☐ Initial here if the office address or the manner in which requests may be submitted has changed in the last year. Please provide the new office address or manner of submittal with this form.
- DWW 320 Attached is a copy of the document that told lenders, insurance agents, and real estate offices about this service this year, including informing insurance agents about the availability of elevation certificates. ☐ Initial here if the information is included in your annual outreach project to the community or is part of your community's outreach projects strategy. Mark the attachment to Activity 330 to show where this service is publicized.
- DWW 320 Attached is a copy of one page of the log, a letter, or other record that we kept on this service this year.
- DWW 320 We are continuing to keep our FIRM updated and maintain old copies of our FIRM.
- DWW 340 People looking to purchase flood prone property are being advised of the flood hazard through our credited hazard disclosure measures.
- DWW 420 We continue to preserve our open space in the floodplain.
- DWW 430 We continue to enforce the floodplain management provisions of our zoning, subdivision and building code ordinances for which we are receiving credit. ☐ Initial here if you have amended your floodplain regulations. Attach a copy of the amendment.

COMMUNITY RATING SYSTEM ANNUAL RECERTIFICATION

*OMB No. 1660-0022
Expires September 30, 2013*

DW 430 We continue to enforce our current building code. ☐ Initial here if you have amended your building code. Attach a copy of the amendment.

DW 440 We continue to use and update our flood data maintenance system on an annual basis as needed.

DW 450 We continue to enforce the provisions of our zoning, subdivision and building codes as they pertain to erosion and sediment control and water quality.

DW 502 Attached is a copy of this year's notice on property protection that we sent to our repetitive loss areas.

DW 502 We currently have 1 repetitive loss properties and send our notice to 2 properties in the repetitive loss areas.

NFIP Number: 130209



City of Cartersville

City Council Meeting
10/17/2013 7:00:00 PM
6" Drill Pipe

SubCategory:	Change Order
Department Name:	Gas Department
Department Summary Recommendation:	At the August 1, 2013 council meeting, council approved the purchase of 6" drill pipe from Consolidated Pipe for a total of \$7,011.90 with a three week delivery ARO. The pipe was ordered on August 2, 2013. As of October 8, 2013, we have still not received the pipe which is part of the material for the relocation of our facilities on SR 20. Also on October 8, 2013, we contacted several suppliers to requote the pipe. We would request that council cancel the order with Consolidated Pipe and approve the purchase of the pipe from CAVCO, Inc for a total of \$8,236.62.
City Manager's Remarks:	Cancellation of the previous bid award with Consolidated and approval of the next low bid from CAVCO is recommended.
Financial/Budget Certification:	This is a budgeted item.
Legal:	N/A
Associated Information:	



City of Cartersville

**City Council Meeting
10/17/2013 7:00:00 PM**

Purchase and Installation of Cameras and Cabling at Conference Center

SubCategory:	Bid Award/Purchases
Department Name:	Fiber
Department Summary Recommendation:	The Convention and Visitor's Bureau (CVB) requested that additional cameras be installed at the Clarence Brown Conference Center. Since the Fiber Department maintains this equipment at this facility, Fiber Department and CVB staff met and determined the type of equipment needed. The Fiber Department then contracted with Telenet Systems to purchase and install the cameras and requisite cabling. The total cost for this work was \$11,590.80 and I recommend approval of this purchase and installation.
City Manager's Remarks:	Your approval of this item is recommended.
Financial/Budget Certification:	This is paid for from Bartow County's 2007 SPLOST funds.
Legal:	
Associated Information:	Everify is attached.

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.

193736

EEV/Basic Pilot Program* User Identification Number

BY: Chuck Moore
(Authorized Officer or Agent
(Contractor Name)

8/28/13
Date

Telenet Systems, Inc
Contractor/Entity Name

Sales manager
Title of Authorized Officer or Agent of Contractor

86 Center Rd Cartersville, GA 30121
Contractor Address

Chuck Moore
Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

28 DAY OF Aug, 2013

Jennifer Statton
Notary Public

My Commission Expires: **MY COMMISSION EXPIRES
APRIL 4TH, 2016**

* 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
10/17/2013 7:00:00 PM
Retiree Medicare Insurance Supplement Renewal**

SubCategory:	Bid Award/Purchases
Department Name:	Administration
Department Summary Recommendation:	City staff met with ShawHankins and reviewed the Medicare insurance renewal options for city retirees over the age of 65. Currently the retirees are covered by a Medicare Supplement from United Healthcare (UHC). ShawHankins presented us with the renewal from UHC without any benefit changes and it had a 5.9% rate increase. We discussed the other insurance proposals most of which only kept the cost the same or lower by making plan benefit changes like adding a co-pay every time a retiree went to the doctor. After reviewing all the options, I recommend we renew this coverage with UHC with no benefit plan changes with the 5.9% rate increase. Note that when the fiscal year 2013-14 budget was approved there were increases in insurance premiums that employees had to pay and that these increases were to be passed onto retirees starting in January 2014 when this insurance renewal becomes effective. So retirees covered under the Medicare Supplement who are covered under the single policy will see their monthly premium for medical insurance increase from \$15 per month to \$37.50 per month, while retirees with family coverage will go from \$173.12 per month to \$183.12 per month. Also, retirees will begin to pay the increased cost in dental insurance which is \$2.50 more per month for single coverage (\$9.75 to \$12.25 per month) and \$2.50 more per month for family coverage (\$27.32 to \$29.82 per month).
City Manager's Remarks:	Your approval of the retiree insurance Medicare supplement as outlined above is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	



City of Cartersville

City Council Meeting
10/17/2013 7:00:00 PM

Bartow-Cartersville Second Joint Development Authority Payment

SubCategory:	Bid Award/Purchases
Department Name:	Finance
Department Summary Recommendation:	In 2011, the Bartow-Cartersville Second Joint Development Authority was created by the City and County to act as a conduit for the land debt service of the industrial park. The Second JDA allows the debt on the park to be paid off by the bond call date in 2015 or as soon thereafter as possible, saving an estimated \$5,000,000 in interest alone. Operational funding of the Second JDA is jointly between the City and the County. I am requesting the payment of \$7,000 to the Second JDA for the purpose of being used to pay its operating expenses for the calendar year 2013. Calendar year 2012 expenses were absorbed by the first JDA, and the city/county attorneys have the legal opinion that the expenses for each authority should be maintained separately, thus creating the need for funding the calendar year 2013 expenses. This is an unbudgeted expense.
City Manager's Remarks:	This is something that needs to be done in order to pay off the debt with this Authority. That will start in 2014 when we begin collecting the 2014 SPLOST.
Financial/Budget Certification:	This is an unbudgeted item.
Legal:	
Associated Information:	



City of Cartersville

City Council Meeting
10/17/2013 7:00:00 PM
Heating and Air Unit Replacement for Finance Dept,

SubCategory:	Bid Award/Purchases
Department Name:	Finance
Department Summary Recommendation:	The heating and a/c unit in the finance department of the city manager's office is in need of replacement. The current unit is approaching 30 years of age. Over the last five years, the city has spent \$3965 in repairs to this unit and have been advised that the amount of repairs will climb over the next several years unless the unit is replaced. The city met with five local vendors and walked through the scope of work to be performed. The city building code staff participated in the walk through along with the vendors in order to answer any questions. Our staff made recommendations on the needs of the replacement and the duct work associated with the work. The vendors were asked to price the bids based on several scenarios presented in the walk through. The attached bid tabulation shows the amounts of the quotes based on the scenarios talked about. After reviewing the tabulation, it was recommended that Pendley Heating and Air be awarded the replacement based on a couple of reasons. First, Pendley recommends that metal duct work be installed instead of flex duct work. Our building code staff liked this due to the fact that metal duct work can be cleaned without any issues. Second, Pendley has been making repairs on the unit over the past several years and they know the layout. Pendley's quote is not the lowest and is not the highest, but is in the middle and staff feels that they are qualified to perform the work. Therefore, I recommend the replacement of the heating and a/c unit for the finance department be awarded to Pendley Heating and Air Option #2 in the amount of \$19,734.55 to include a Trane 10 ton unit and new metal duct system.
City Manager's Remarks:	Your approval of this item as outlined above is recommended.
Financial/Budget Certification:	This is an unbudgeted item.
Legal:	
Associated Information:	No Everify document required as the company is licensed under O.C.G.A Title 43.

City of Cartersville
Finance Department
Heating and A/C Replacement Bid Tabulation
October 7, 2013

Vendor	Unit Type	Option 1- replace and tighten	Option 2- replace and new duct	Replace 10 Ton Unit	Repace Condensate Drain	Replace Duct System-flex	Replace Duct System-Metal	Tighten Existing Duct	Whole House Air Purification System	Warranty Info	Lowest Cost (minimum)
Preferred Heating And Air Conditioning, Inc	Trane			\$10,350.00	\$175.00	\$3,500.00		\$450.00		Preferred Protection-2 year parts and labor. Addl 3 year parts	\$10,800.00
Meadows Heating and Air	Carrier ???	\$18,870.00	\$25,429.00								\$18,870.00
Weaver Heating and Air, Inc	Trane		\$24,151.36							5 Year all parts and 1 year labor	\$24,151.36
Weldon's Comfort Heating, AC, and Plumbing	Carrier			\$8,362.00		\$10,850.00	\$11,950.00	\$3,650.00	\$585.00	1 Year parts only	\$12,012.00
Pendley Heating and Air Conditioning, Inc	Trane	\$14,912.73	\$19,734.55							5 Year all parts and 1 year labor	\$14,912.73

MEADOWS HEATING & AIR

12 Phillips Drive SE
Cartersville, GA 30121
(770) 387-0266
www.meadowsheatingandair.com

DATE:	10-3-2013
CUSTOMER NAME:	City of Cartersville
CUSTOMER ADDRESS:	1 North Erwin Street Cartersville, Ga 30120
DAYTIME PHONE:	
EVENING PHONE:	
JOB:	City Manager's office

We, the Contractor, propose to furnish the following equipment, materials and labor:

1st bid

Replace equipment Carrier 10 ton heat pump system
Inspect, clean and re-insulate line set as needed
Inspect and repair joints in attic for tightness
Correct condensate pipes for twin unit
Seal attic penetrations around ductwork

Labor and Materials \$ 18,870.00

2nd bid

Replace system Carrier 10 ton heat pump system
Replace duct work in attic r-8 insulation for system metal trunk lines
Correct drain lines
Clean and re-insulate as needed
Seal attic penetrations around ductwork

Labor and Materials \$ 25,429.00

Item # 16

Net due upon completion. Payments to be made by: Cash Check Credit Card Other

I have the authority to order the above work and do so order as outlined above. It is agreed that the seller will retain title to any equipment or materials furnished until final and complete payment is made, and if settlement is not made as agreed, the seller shall have the right to remove same and the seller will be held harmless for any damages resulting from the removal thereof. I also authorize Meadows Heating and Air, Inc. to make inquiries to verify my creditworthiness as needed.

Customer Signature _____ Date _____
Proposed By TJ Musher Date 10-3-2013



26 Waterstone Dr.
 Cartersville, GA 30121
 Ga. Reg. CN208931
 Ph. 770-383-9001 Fax
 770-387-4384

Estimate

Date	Estimate #
10/4/2013	CityCart.

City of Cartersville
 Judy Jones
 1 North Erwin St.
 Cartersville, Ga. 30120

Ship To
 City of Cartersville
 Judy Jones
 1 North Erwin St.
 Cartersville, Ga. 30120

Terms

Item # 16

Item	Description	Cost	Total
Installation	Install Trane 10.0 ton Air handler. w/ supplemental strip heaters. Install Trane 10.0 ton heat pump outside on existing pad. Install new digital setback thermostat. Repipe duct to additional returns, and correct free air return currently in place. Replace suction line insulation outside after replacing outdoor unit.	10,350.00	10,350.00T
Options	To Replace condensate drain line currently is 3/4" upsize to 1"	175.00	175.00T
Options	To replace duct system in attic that is currently ductboard with R-8 flex duct. Add \$3500.00 To simply "tighten" current duct system to allow new system to work more efficiently Add \$450.00		0.00T
Warranty	"Preferred Protection Plan" 2 year parts and labor warranty. Addl. 3 year parts warranty.	0.00	0.00T
	Sales Tax	0.00%	0.00
Hoping to be favored with your valued business!		Total	\$10,525.00

Customer Signature _____

Proposal

WEAVER HEATING & AIR INC

P. O. Box 815

CARTERSVILLE, GA 30120

(770) 387-1570

WEAVERHEATANDAIR@MSN.COM

July 05, 2011

Summary:

PROPOSAL

Reference #:

9633-101

Due Date:

8/4/2011

CITY OF CARTERSVILLE
1 N. ERWIN ST.
CITY MANAGER BUILDING
CARTERSVILLE, GA 30120

Job Name:
CITY OF CARTERSVILLE
1 N. ERWIN ST.
CITY MANAGER BUILDING
CARTERSVILLE, GA 30120

(770)387-5672

(770)386-5841 FAX

(770)387-5672

(770)386-5841 FAX

We Hereby Submit Specifications And Estimates For:

INSTALL NEW 10 TON 11.0 EER R-410A TRANE 3 PHASE (208/230) COMMERCIAL HEAT PUMP SPLIT SYSTEM WITH 20 KW AUXILLARY HEAT FOR \$24151.36 AS PER QJOTE. INSTALLATION SHALL INCLUDE NEW DUCT SYSTEM (DESIGN BY WEAVER), SMOKE DETECTOR, NEW EMERGENCY CONDENSATE PAN, NEW CONDENSATE SAFETY DEVICE, NEW DIGITAL THERMOSTAT, OLD SYSTEM REMOVAL, DUCT TIGHTENING ON 15 TON AND COMPLETE SYSTEM START UP. SYSTEM WILL ATTACH EXISTING COPPER LINES AND EXISTING ELECTRICAL. SYSTEM WILL BE INSTALLED TO MEET ALL STATE AND LOCAL CODES. PRICE REFLECTS CASH PAYMENT.

MODEL NUMBERS : AIR HANDLER- TWE120D300A
CONDENSER-TWA120D3CRA
HEATER-20KW
THERMOSTAT-HONEYWELL FOCUS 3000

WARRANTIES : EQUIPMENT-5 YEAR PARTS, 1 YEAR LABOR
THERMOSTAT-5 YEAR PARTS, 1 YEAR LABOR

15 TON NEED NEW EMERGENCY OVERFLOW PAN AND CONDENSATE LINE FOR \$1425.00 AS PER QJOTE

We propose hereby to furnish material and labor - complete in accordance with the above specifications, for the sum of: \$24,151.36

Payment to be made as follows:

UPON COMPLETION

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All proposed sums are for cash or check only. (IF PAID BY CREDIT CARD ADD 4% TO PROPOSED SUM.) All agreements contingent upon delays beyond our control. Purchaser agrees to pay all costs of collection, including attorney's fees. This proposal may be withdrawn by us if not accepted by the above due date.

Authorized
Signature _____

Acceptance
Signature _____

Date _____

Item # 16



Proposed by: Tim Weldon
 21Curtis ct. Bld 9 suit B
 Cartersville, GA 30120
 Tel : (770) 382 9600
 info@weldonsair.com
 Fax: 770-382-9605
 www.weldonscomfort.com

Tom Rhinehart City of
 Cartersville
 1 North Erwin St.
 Cartersville, Ga. 30120
 Tel : (770) 387 5615
 trhinehart@cityofcartersville.org



Weldon's Comfort Heating, A/C & Plumbing

Making homes better - One family at a time.



COMMERCIAL 10 TON HEAT PUMP SYSTEM

You Invest: \$8,362

MODELS

Carrier 38AUQA12A0A5-0A0A0
 Scroll Compressor Air-Cooled Heat
 Pump Unit 10 Tons Cooling
 EERs up to 11.0 and 3.5 COP
 ASHRAE 90.1 Efficiency Compliant
 Novation™ Aluminum fin /
 aluminum tube coils or round tube /
 plate fin coils
 Standard crankcase heater
 Compressor vibration isolation
 Low ambient temperature control
 (factory-installed option or field-
 installed accessory)
 Unit performance certified in
 accordance with ARI standard
 340/360
 Standard Limited Warranty
 5 years parts only on compressor
 3 years parts only on Novation™
 condenser coil
 One year parts only on all other
 parts

Carrier 40RUQA12A2A6-0A0A0
 Heat Pump Air Handling Unit 10 Tons Cooling Tri-voltage
 208/230/460-3-60Uses field-supplied Puron® (R-410A) refrigerant
 (40RUA) and chilled water or brine (40RUS)
 Non-corroding drain pans
 Cleanable insulation treated with an anti-microbial agent
 Fan motor options allowing more complex new or replacement air
 distribution systems (factory-installed option)
 Powerful belt-driven forward curved centrifugal fans
 Single blower on sizes 07 to 12; dual blowers on sizes 14 to 30
 Durable die-formed galvanized steel casings
 40RUA & 40RUQ direct expansion cooling coils are rated in
 accordance with ARI standard 340/360 when paired with Carrier 38A
 cooling only condensing units
 Standard Limited Warranty
 One year parts only

Net Investment: \$8,362

SPECIAL PARTS:

15.0 kW, 240-3-60 Electric
 Heater
 CARRIER COMFORT PROLOG
 HP TSTAT

We will install 25.0 K.W. heat
 strips if electrical panel and
 wiring can support it.

Item # 16

INCLUDED SERVICES:

- INSTALL NEW DRAIN PAN WITH NEW SAFTY SWITCH
- INSTALL NEW AIR HANDLER, AND OUTDOOR HEATPUMP IN THE SAME LOCATION,
- REGISTER WARRANTY
- CHECK, TEST AND ADJUST SYSTEM FOR PROPER OPERATION.
- FLUSH AND CLEAN EXISTING REFRIGERANT LINES.
- FLUSH, CLEAN AND CONNECT PVC CONDENSATE DRAIN LINES
- USE EXISTING CONTROL WIRE
- INSPECT, REPAIR AND REINSULATE COPPER LINE SET WHERE NEEDED.
- SEAL ALL CRACKS AND PENETRATIONS AROUND DUCT TO PREVENT DRAW FROM ATTIC.

- CONNECT ALL LOW AND HIGH VOLTAGE ELECTRICAL WIRING.
- COMPLIMENTARY 1 YEAR (2 INSPECTIONS, ONE SPRING AND ONE FALL)
- PERMIT FEES
- EVACUATE SYSTEM AND CHARGE WITH NEW REFRIGERANT.
- USE EXISTING REFRIGERANT LINES
- USE EXISTING ELECTRICAL
- REMOVAL AND DISPOSAL OF OLD EQUIPMENT AND RECOVERY OF THE OLD FREON AS PER EPA REQUIREMENTS
- CORRECT CONDENSTATE PIPE FOR TWIN UNIT ON 2ND FLOOR

1. Find us on Facebook! <https://www.facebook.com/WeldonsHeatingAcPlumbing>

AVAILABLE UPGRADES & OPTIONS



Weldon's Comfort Heating, A/C & Plumbing
Making homes better - One family at a time.

UPGRADE 1 **\$585.00**

Available for: COMMERCIAL 10 TON HEAT PUMP SYSTEM

Whole house air purification: Global Plasma Solutions is "Engineering Air For A Better World™" through cutting edge air purification technologies and implementation strategies. Third party tested and proven to reduce or eliminate viruses, bacteria, mold, allergies, dust, smoke and odors. GPS' independent testing shows Cold Plasma kills 99.6% of contaminants in less than 15 minutes in the space. WWW.GPSHVAC.COM



<http://www.youtube.com/watch?v=kcEYG5qy1h4>

Item # 16

UPGRADE 2 **\$3,650.00**

Available for: COMMERCIAL 10 TON HEAT PUMP SYSTEM

We will repair and connect all duct work and mastic seal all duct connections on both the existing system in attic and the system being replaced in attic for an airtight seal. We will install support hangers every 4 feet to provide a better support system for both the new system and existing system. We will install cat walks in attic and all employees will wear safety harness connected to a safety line to provide a safe work environment. The cat walks will be left in attic for future use. Our work area will be cleaned daily and any materials left will be stored in a safe location.

UPGRADE 3 **\$10,850.00**

Available for: COMMERCIAL 10 TON HEAT PUMP SYSTEM

For the new system being installed, we will replace all duct work using R-8 Duct Board Trunk Line and Flex. The return for new system will be permanently connected to the Air Handler. On the existing system, we will repair and connect all duct work and mastic seal all duct connections for an airtight seal. We will install support hangers every 4 feet to provide a better support system for both the new system and existing system. We will install cat walks in attic and all employees will wear safety harness connected to a safety line to provide a safe work environment. The cat walks will be left in attic for future use. Our work area will be cleaned daily and any materials left will be stored in a safe location.

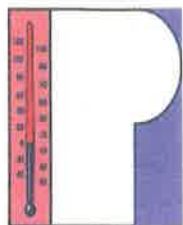
JPGRADE 4**\$11,950.00***Available for: COMMERCIAL 10 TON HEAT PUMP SYSTEM*

For the new system being installed, we will replace all duct work using Metal Pipe Trunk Line wrapped with R-8 Insulation and Flex. The return for new system will be permanently connected to the Air Handler. On the existing system, we will repair and connect all duct work and mastic seal all duct connections for an airtight seal. We will install support hangers every 4 feet to provide a better support system for both the new system and existing system. We will install cat walks in attic and all employees will wear safety harness connected to a safety line to provide a safe work environment. The cat walks will be left in attic for future use. Our work area will be cleaned daily and any materials left will be stored in a safe location.

Item # 16

UPGRADE 5**\$674.00***Available for: COMMERCIAL 10 TON HEAT PUMP SYSTEM*

Low Ambient Temperature Control This control allows you to run the AC during colder outdoor air temperature without fear of freezing up the coil.



GA. LICENSE #: CN002212

Pendley *Heating & Air Conditioning, Inc.*

9/23/2013

HVAC QUOTE
CITY MANAGERS OFFICE
1 NORTH ERWIN STREET
CARTERSVILLE, GEORGIA 30120
ATTN: JUDY
(770) 387-5675

OPTION #1

FURNISH AND INSTALL 1 – 10 TON SPLIT SYSTEM HEAT PUMP. TO INCLUDE NEW INDOOR UNIT, OUTDOOR UNIT, HEAT STRIP HEATER, THERMOSTAT, NEW SAFETY DRAIN PAN WITH SWITCH. CHECK REFRIGERATN LINE SET FOR LEAKS. RUN NEW DRAIN LINE AS NECESSARY. RECONNECT EXISTING DUCT WORK. SEAL ALL DUCT JOINTS IN ATTIC. SEAL MECHANICAL ROOM AIR TIGHT. CHECK AND ADD DUCT HANGERS AS NECESSARY. START UP AND CHECK SYSTEM THOROUGHLY.

DUE TO DUCT SYSTEM BEING FIBERGLASS DUCT BOARD IT CANNOT BE CLEANED WITH MACHINE.

\$14,912.73 TRANE EQUIPMENT
WARRANTY: 5 YEARS ALL PARTS AND 1 YEAR LABOR

526 Old Alabama Rd. Cartersville, Georgia 30120
770-382-1221. Emergency Phone: 770-655-2068. Fax: 770-382-8223.penhtgac61@aol.com

Item # 16



GA. LICENSE #: CN002212

Pendley *Heating* & Air Conditioning, Inc.

9/23/2013

HVAC QUOTE
CITY MANAGERS OFFICE
1 NORTH ERWIN STREET
CARTERSVILLE, GEORGIA 30120
ATTN: JUDY
(770) 387-5675

Item # 16

OPTION #2

FURNISH AND INSTALL 1 – 10 TON SPLIT SYSTEM HEAT PUMP. TO INCLUDE NEW INDOOR UNIT, OUTDOOR UNIT, HEAT STRIP HEATER, THERMOSTAT, NEW SAFETY DRAIN PAN WITH SWITCH, INCLUDE NEW DUCT WORK. CHECK REFRIGERANT LINE SET FOR LEAKS. RUN NEW DRAIN LINE AS NECESSARY. SEAL ALL DUCT JOINTS IN ATTIC, AND MECHANICAL ROOM AIR TIGHT. USE METAL DUCT TRUCK LINES – NEW FLEX BRANCH LINES. PROPERLY SIZED DUCT SYSTEM.

\$19,734.55 TRANE EQUIPMENT AND NEW DUCT SYSTEM
WARRANTY: 5 YEARS ALL PARTS AND 1 YEAR LABOR



City of Cartersville

City Council Meeting
10/17/2013 7:00:00 PM
August 2013

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

MONTHLY SUMMARY

As of August 31, 2013

LT # wa11

		FY 2011 - 12 MONTH OF August-12	FY 2012 - 13 MONTH OF August-13	FY 2011 - 12 Year to Date August-12	FY 2012 - 13 Year to Date August-13	100.00% OF BUDGET (Year to Date)
GENERAL FUND <i>excluding SPOST, DDA & School System Property Tax Revenue & Expenditures</i>						
REVENUE		\$1,445,705	\$1,468,730	\$2,858,340	\$2,805,039	12.34%
EXPENDITURE		\$1,593,331	\$1,413,526	\$3,266,444	\$3,087,644	13.58%
Gen. Fund Net Profit (Loss)		(\$147,626)	\$55,204	(\$408,104)	(\$282,605)	
WATER & SEWER						
REVENUE		\$1,224,543	\$1,162,507	\$2,580,636	\$2,484,726	12.15%
EXPENDITURE		\$1,430,540	\$1,090,471	\$2,395,116	\$2,350,445	11.50%
Wtr. & Swr. Fund Net Profit (Loss)		(\$205,997)	\$72,036	\$185,520	\$134,281	
GAS						
REVENUE		\$1,129,687	\$1,248,811	\$2,315,142	\$2,625,185	10.32%
EXPENDITURES		\$1,381,430	\$1,597,901	\$2,620,858	\$3,000,666	11.80%
Gas Fund Net Profit (Loss)		(\$251,743)	(\$349,090)	(\$305,716)	(\$375,481)	
ELECTRIC						
REVENUE		\$4,222,422	\$4,159,753	\$8,322,068	\$8,216,044	17.50%
EXPENDITURES		\$4,007,707	\$3,939,666	\$8,067,439	\$7,908,575	16.85%
Electric Fund Net Profit (Loss)		\$214,715	\$220,087	\$254,629	\$307,469	
STORMWATER						
REVENUE		\$103,321	\$107,352	\$206,222	\$214,584	15.30%
EXPENDITURE		\$121,601	\$126,506	\$191,697	\$191,995	13.69%
Stormwater Fund Net Profit (Loss)		(\$18,280)	(\$19,154)	\$14,525	\$22,589	
SOLID WASTE						
REVENUE		\$173,755	\$175,853	\$350,189	\$356,000	16.04%
EXPENDITURE		\$138,747	\$154,270	\$285,367	\$272,869	12.29%
Solid Waste Fund Net Profit (Loss)		\$35,008	\$21,583	\$64,822	\$83,131	
FIBER OPTICS						
REVENUE		\$133,609	\$172,211	\$272,514	\$306,046	18.37%
EXPENDITURE		\$138,850	\$150,869	\$214,633	\$233,896	14.04%
Fiber Fund Net Profit (Loss)		(\$5,241)	\$21,342	\$57,881	\$72,150	

				% of Monthly Totals to Budget
General Fund	Description	Through 8-31-13	FY 2014 Budget	
	Total Revenues	\$2,805,039	\$22,733,825	12.34%
	GO Bond Proceeds from School	\$0	\$1,487,450	0.00%
	Property Taxes-City Portion Only	\$41,246	\$1,260,260	3.27%
	Local Option Sales Tax (LOST)	\$605,668	\$4,058,385	14.92%
	Other Taxes	\$779,123	\$7,063,165	11.03%
	Building Permit & Inspection Fees	\$9,531	\$6,000	158.85%
	Fines and Forfeitures	\$123,833	\$823,000	15.05%
	Operating Transfers In-City Utilities	\$686,179	\$4,025,430	17.05%
	Other Revenues	\$559,459	\$4,010,135	13.95%
	Total Expenditures	\$3,087,644	\$22,733,825	13.58%
	Personnel Expenses	\$2,292,454	\$14,672,425	15.62%
	Operating Expenses	\$681,181	\$5,626,495	12.11%
	Capital Expenses	\$84	\$315,200	0.03%
	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	\$2,484,726	\$20,443,865	12.15%
	Water Sales	\$1,492,028	\$8,484,615	17.59%
	Sewer Sales	\$891,493	\$4,740,500	18.81%
	Bond Proceeds	\$0	\$0	#DIV/0!
	Prior Year Bond Proceeds	\$0	\$6,030,000	0.00%
	Prio Year Capacity Fees	\$0	\$490,000	0.00%
	Other Revenues	\$101,205	\$698,750	14.48%
	Total Expenditures	\$2,350,446	\$20,443,865	11.50%
	Personnel Expenses	\$490,966	\$3,135,300	15.66%
	Operating Expenses	\$372,507	\$3,189,400	11.68%
	Capital Expenses	\$99,799	\$7,901,220	1.26%
Gas Fund	Transfer To General Fund	\$458,036	\$2,734,650	16.75%
	Debt Payments	\$929,138	\$3,483,295	26.67%
	Total Revenues	\$2,625,185	\$25,438,015	10.32%
	Gas Sales	\$2,416,125	\$22,463,715	10.76%
	Gas Commodity Charge	\$170,412	\$1,245,000	13.69%
	Bond Proceeds	\$0	\$960,000	0.00%
	Proceeds from Capital Leases	\$0	\$109,300	0.00%
	Other Revenues	\$38,648	\$660,000	5.86%
	Total Expenses	\$3,000,666	\$25,438,015	11.80%
	Personnel Expenses	\$277,067	\$1,783,860	15.53%
	Operating Expenses	\$61,802	\$954,480	6.47%
	Purchase of Natural Gas	\$2,088,412	\$18,072,525	11.56%
	Transfer to General Fund	\$564,240	\$3,524,825	16.01%
	Capital Expenses	\$9,145	\$1,102,325	0.83%

				% of Monthly Totals to Budget
Electric Fund	Description	Through 8-31-13	FY 2014 Budget	
	Total Revenues	\$8,216,044	\$46,939,100	17.50%
	Electric Sales	\$8,024,134	\$45,598,600	17.60%
	Other Revenues	\$191,910	\$1,340,500	14.32%
	Total Expenses	\$7,908,575	\$46,939,100	16.85%
	Personnel Expenses	\$324,465	\$2,062,180	15.73%
	Operating Expenses	\$158,419	\$1,323,250	11.97%
	Purchase of Electricity	\$7,013,418	\$40,621,800	17.27%
	Capital Expenses	\$31,582	\$687,000	4.60%
	Transfer to General Fund	\$380,691	\$2,244,870	16.96%
Stormwater Fund	Total Revenues	\$214,584	\$1,402,065	15.30%
	Stormwater Revenues	\$212,797	\$1,310,500	16.24%
	Mitigation Grant Revenue	\$0	\$0	
	Other Revenues	\$1,787	\$12,565	14.22%
	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	\$191,995	\$1,402,065	13.69%
	Personnel Expenses	\$73,521	\$486,520	15.11%
	Operating Expenses	\$69,321	\$585,185	11.85%
	Capital Expenses	\$49,153	\$330,360	14.88%
Solid Waste Fund	Total Revenues	\$356,000	\$2,219,575	16.04%
	Refuse Collections Revenues	\$346,258	\$2,169,375	15.96%
	Other Revenues	\$9,742	\$50,200	19.41%
	Proceeds From Capital Leases	\$0	\$0	#DIV/0!
	Total Expenses	\$272,869	\$2,219,575	12.29%
	Personnel Expenses	\$168,661	\$1,105,535	15.26%
	Operating Expenses	\$104,208	\$1,114,040	9.35%
	Capital Expenses	\$0	\$0	#DIV/0!
Fiber Optics Fund	Total Revenues	\$306,046	\$1,665,775	18.37%
	Fiber Optics Revenues	\$256,805	\$1,510,335	17.00%
	GIS Revenues	\$14,300	\$104,000	13.75%
	Other Revenues	\$34,941	\$51,440	
	Total Expenses	\$233,896	\$1,665,775	14.04%
	Personnel Expenses	\$92,120	\$566,865	16.25%
	Operating Expenses	\$97,317	\$682,125	14.27%
	MEAG Telecom Statewide Pymt	\$38,172	\$229,070	0.00%
	Debt Payment to Electric Dept	\$0	\$125,665	0.00%
	Capital Expenses	\$6,287	\$62,050	10.13%

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				
Total Restricted Cash Balance	\$56,023,688.37	\$56,639,113.75	\$55,840,682.95				
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
10/17/2013 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 Culteral Arts and Education.
City Manager's Remarks:	Another section of the citizens survey that I will be presenting at the meeting.
Financial/Budget Certification:	
Legal:	
Associated Information:	