



City of Cartersville

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

COUNCIL PERSONS:

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

AGENDA

Council Chamber, Third Floor of City Hall – 7:00
PM – 10/3/2013
Work Session –

CITY MANAGER:

Sam Grove

CITY ATTORNEY:

David Archer

CITY CLERK:

Connie Keeling

I. Opening of Meeting

- Invocation
- Pledge of Allegiance
- Roll Call

II. Regular Agenda**A. Council Meeting Minutes**

1. September 19, 2013 (Pages 4-12)

[Attachments](#)

B. Proclamations

1. Red Ribbon Week sponsored by Etowah Valley Young Marines (Pages 13-14)

[Attachments](#)

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. (Pages 15-26)

[Attachments](#)

D. First Reading of Ordinances

1. Emergency Management Ordinance (Pages 27-36)

[Attachments](#)

E. Other

1. Historic Preservation Commission Appeal of Denial - 19 S. Public Square (Pages 37-47)

[Attachments](#)

2. Department of Justice Equitable Sharing Annual Report (Pages 48-60)

[Attachments](#)

F. Contracts/Agreements

1. Crime Mapping Support Agreement (Pages 61-65)

[Attachments](#)

2. Ford Street Quitclaim Deed (Pages 66-70)

[Attachments](#)

3. Amendment - GA Department of Natural Resources (Pages 71-73)

[Attachments](#)

4. Tennessee Street Water Main Replacement Project – Easement Acquisition Services (Page 74)

[Attachments](#)

5. Tennessee Street Water Main Replacement Project – Easement Property Appraisals (Page 75)

[Attachments](#)

G. Engineering Services

1. Proposal for Construction Engineering Services for Water Main Relocation for DOT State Route 20 Widening and Relocation Project (Page 76)

[Attachments](#)

H. Bid Award/Purchases

1. Browns Farm Road Pump Station Rehabilitation (Page 77)

[Attachments](#)

2. Inventory Restock (Page 78)

[Attachments](#)

3. Emergency Electrical Repairs at the Water Treatment Plant (Page 79)

[Attachments](#)

4. Metering Software - Annual Maintenance and Support (Pages 80-81)

[Attachments](#)

I. Resolutions

1. Council Meeting Time Change for Christmas Parade (Pages 82-83)

[Attachments](#)

J. Presentations

1. Citizen's Survey Results (Page 84)

[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
10/3/2013 7:00:00 PM
September 19, 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
 September 19, 2013
 6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Council Member Tonsmeire

Pledge of Allegiance led by Council Member Pruitt

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

II. Regular Agenda

A. Council Meeting Minutes

1. September 5, 2013

A motion to approve the September 5, 2013 City Council Meeting Minutes as presented was made by Council Member Tate and seconded by Council Member Stepp. Motion carried unanimously. Vote 4-0

B. Public Hearing

1. Urban Redevelopment Plan Update and Plan Amendment

Richard Osborne, City Planner stated that this was a public hearing for the Urban Redevelopment Plan adopted by the City in 2010 and a plan update to include the addition of a new boundary area of 36 parcels adjacent to Cass-White Road. Mr. Osborne stated by amending the URP to include the proposed Cass-White Road area, company representatives in this area may be able to obtain increased job tax credits for new full-time hiring. Mr. Osborne gave an overview and quarterly update for redevelopment activities and stated that this council meeting will serve as a legally advertised public hearing to discuss the proposed revision with no action required by the Mayor and Council.

Mayor Pro-Tem Tate opened the floor for a public hearing on Urban Redevelopment Plan and with no comments Mayor Pro-Tem Tate closed the public hearing.

C. Public Hearing – 1st 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 City staff has reviewed the zoning request and the Planning Commission recommended approval.

Mayor Santini opened the floor for a public hearing on the zoning. Jeff Royal came forward and with no further comments Mayor Santini closed the public hearing.

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

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 day of. Second Reading.

/s/ Matthew J. Santini

Matthew J. Santini

Mayor

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

NO ACTION REQUIRED

D. Contracts/Agreements

1. Georgia Power Encroachment Agreement – Leake Mounds – Etowah Riverwalk Link.

Greg Anderson, Parks and Recreation Director stated that in order to proceed with the Leake Mounds – Etowah Riverwalk Link an easement is required from Georgia Power. Mr. Anderson recommended approval of the standard Encroachment Agreement.

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

Resolution No. 17-13

WHEREAS, the Mayor and City Council has determined that recreational bike and hiking trails are necessary to promote the public's general health, safety, welfare and transportation;

WHEREAS, The City of Cartersville needs to acquire an easement encroachment from Georgia Power Company;

WHEREAS, Georgia Power Company has submitted to the City an Encroachment Agreement for Application 61658;

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and City Council that the City of Cartersville is hereby authorized to execute the Governmental Encroachment Agreement for Easement Re: Cartersville-Cartersville #8 46kV Transmission Tap Application #61658 attached hereto as Exhibit "A" and included herein by reference to extend the city's hiking and biking trail system, and furthermore, authorizes the City Attorney to attend the closing on its behalf and authorizes the Mayor and City Clerk to execute any and all documents pertaining to said purchase on behalf of the City of Cartersville.

BE IT AND IT IS HEREBY RESOLVED this 19th day of September, 2013.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

2. Etowah Area Consolidated Housing Authority Agreement to Replace Floor in JH Morgan Gym

Greg Anderson, Parks and Recreation Director stated that in August 2001 the City of Cartersville and the Etowah Area Consolidated Housing Authority entered into an agreement concerning the JH Morgan Gymnasium. In this agreement, cost of flooring of gym is specifically addressed with costs of replacement being shared equally by both parties. CPRD uses this gym as the main facility for the youth basketball program. Mr. Anderson stated that the facility is very much needed but the floor is unsafe as is. Mr. Anderson recommended approval of the agreement with the Etowah Area Consolidated Housing Authority.

A motion to approve of the agreement with the Etowah Area Consolidated Housing Authority was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 4-0

E. Bid Award/Purchases

1. JH Morgan Gym – Flooring Installation and Material

Greg Anderson, Parks and Recreation Director stated that bids were solicited for material, installation of sub-floor, and finished floor for the JH Morgan Gym. Two bids were received for the installation of the flooring and Mr. Anderson recommended approval of the low bid from Earl Hightower Construction in the amount of \$25,000.00. Bids were also solicited for wood material for the sub-floor and finished floor. Mr. Anderson recommended the bid from Lowe's of Cartersville in the amount of \$14,418.87 for sub-flooring, 2 x 4's and felt paper; and from Southern Wholesale Flooring in the amount of \$11,780.70 for #1 White Oak Hardwood.

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

2. Off System Safety Project Award

Tommy Sanders, Public Works Director stated that on August 30, 2013 the city conducted a public bid opening for the Off-System Safety Project PW-2013-001 1839. This project consists of signing and striping of 9 City Streets for which acceptance of the GDOT grant was approved at a prior council meeting. Only one bid was received from Peek Pavement Markings in the amount of \$89,995.00. Mr. Sanders stated that the GDOT grant for this work is \$93,000.00 which covers this project at no cost to the city and recommended approval.

A motion to approve the bid from Peek Pavement Markings was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 4-0

3. Pad Mounted Equipment Inspections

Don Hassebrock, Electric Department Director stated this is a contract for inspection and repairs needed on the city's pad mounted equipment that will be performed over a three year period. Mr. Hassebrock stated that the scope of work to be performed was bid out by the Electric Cities of Georgia for its members in order to obtain lower pricing. Mr. Hassebrock stated that the low bidder Southeastern Wood Pole Inspectors has done work for the city in the past and recommended approval.

A motion to approve the agreement with Southeastern Wood Pole Inspectors was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 4-0

4. Ladder Truck Transmission and Electronic Systems Repairs

Scott Carter, Fire Chief stated that the 1994 Ladder Truck transmission failed during the annual pump certification test. The transmission will need to be rebuilt by Reliable Transmission and at the same time the ring gear in the transfer case will need to be replaced. During the repairs an additional problem with the electronics for the truck was discovered and an additional cost of up to \$3,000 will be required to complete all repairs. Chief Carter stated that this the 2nd aerial truck and also serves as a back-up pumper apparatus in the event of a two alarm incident. Chief Carter requested approval of this truck's repairs not to exceed \$8,000.00.

A motion to approve the repairs at a cost not to exceed \$8,000.00 was made by Council Member Pruitt and seconded by Council Member Tate. Motion carried unanimously. Vote 4-0

5. Browns Farm Road Pump Station Rehabilitation

Ed Mullinax, Assistant Water and Sewer Superintendent stated that the sewer pump station on Browns Farm Road is in need of rehabilitation and replacement of pumps with a higher capacity. This pump station was originally put into service in 1989 and over the years the area and number of customers served by this station has expanded. Quotes for the rehabilitation and upgrading of the pump station were requested and Mr. Mullinax recommended approval of the low bid from Lanier Contracting Company in the amount of \$65,547.00.

A motion to approve the bid from Lanier Contracting Company was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 4-0

6. Valves and Materials for High Pressure Main

Ed Mullinax, Assistant Water and Sewer Superintendent stated that in order for the

existing Main Street Pump Station to be taken off line and allow the existing high pressure water mains on Main Street to be supplied by the tank system on Center Road an additional valve and associated piping must be installed. Material bids were requested from four suppliers and Mr. Mullinax recommended approval of the low bid from HD Supply in the amount of \$9,407.67.

A motion to approve the low bid from HD Supply was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 4-0

7. Water Department Annual Chemical Purchase

Ed Mullinax, Assistant Water and Sewer Superintendent stated that this is an annual bid for chemicals for the water treatment plant and the wastewater treatment plant. Mr. Mullinax stated that these are fixed prices obtained for a year at a time and requested approval to prevent coming before council each time an order over \$5,000.00 is placed.

A motion to approve these purchases for the next 12 months was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

8. Vehicle Repair by Matthews Garage

Dan Porta, Assistant City Manager stated that a city employee was involved in a wreck in late June and the damage estimate to repair the vehicle was \$5,331.30. The repair work was done by Matthews Garage and the city did receive most of the repair costs back from One Beacon Insurance Company (less the deductible). Mr. Porta recommended approval of the repairs.

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

9. GDOT Grant Fund Reimbursement to Airport Authority

Dan Porta, Assistant City Manager stated that the Cartersville-Bartow Airport Authority paid the engineering company, Robert and Company \$71,740.00 to provide an environmental assessment of the airport property. As with most Airport Authority grants the city is the conduit for grants and the city has received \$41,145.000 from GDOT for reimbursement of this work. Mr. Porta requested approval to issue a check to the Cartersville – Bartow Airport Authority in the amount of \$41,145.00 for the reimbursement of this environmental assessment.

A motion to approve the reimbursement to the Cartersville – Bartow Airport Authority was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

Mayor Santini stated that there was an item to be added to the agenda. A motion to add the item to the agenda was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

F. Added Item

Dan Porta, Assistant City Manager stated that this is an invoice from Georgia Power to move an underground electric service line which is part of the Main Street Gateway Project. Mr. Porta recommended approval of the invoice in the amount of \$7,425.70.

A motion to approve the Georgia Power Invoice was made by Council Member Tonsmeire and seconded by Council Member Pruitt. Motion carried unanimously. Vote 4-0

G. Discussion

1. Update on 2003 and 2007 SPLOST Projects

Dan Porta, Assistant City Manager gave an update on the 2003 and 2007 SPLOST Projects and Available Funds which included projects pending and complete.

H. Monthly Financial Statement

1. July 2013

Mr. Tom Rhinehart, Finance Director, presented the July 2013 monthly financial statement with comparisons from the previous year of July 2012 by fund, along with supplemental financial information comparing the year to date revenues and expenses for each fund and a report of cash position through July 2013

I. Presentations

1. Citizen Survey Results

Sam Grove, City Manager presented a portion of the results from the recently completed Citizens Survey pertaining to Economic and Environmental Sustainability.

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

Meeting Adjourned

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk



City of Cartersville

City Council Meeting

10/3/2013 7:00:00 PM

Red Ribbon Week Sponsored by Etowah Valley Young Marines

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



CITY of CARTERSVILLE

Proclamation

WHEREAS, communities across America have been plagued by the numerous problems associated with illicit drug use and those that traffic in them; and

WHEREAS, there is hope in winning the war on drugs, and that hope lies in education and drug demand reduction, coupled with the hard work and determination of organizations such as the Young Marine of the Marine Corps League to foster a healthy, drug-free lifestyle; and

WHEREAS, governments and community leaders know that citizen support is one of the most effective tools in the effort to reduce the use of illicit drugs in our communities; and

WHEREAS, the red ribbon has been chosen as a symbol commemorating the work of Enriquee "Kiki" Camarena, a Drug Enforcement Administration agent who was murdered in the line of duty, and represents the belief that one person can make a difference; and

WHEREAS, the Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention and reduction efforts; and

WHEREAS, October 23-31 has been designated National Red Ribbon Week, which encourages Americans to wear a red ribbon to show their support for a drug-free environment;

NOW, THEREFORE, I, Matthew J. Santini, as Mayor of the City of Cartersville do hereby proclaim October 23-31, 2013 as **RED RIBBON WEEK** in the City of Cartersville, and urge all citizens to join me in this special observance.

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

Mayor

Attest: _____ City Clerk

OCTOBER 3, 2013



City of Cartersville

City Council Meeting
10/3/2013 7:00:00 PM

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

SubCategory:	Public Hearing - 2nd Reading of Zoning/Annexation Requests
Department Name:	Planning and Development
Department Summary Recommendation:	The subject tract is located on Overlook Parkway, and is located just east of I-75 exit 288 (E. Main Street). In 2006 and 2007, project representatives worked with City staff regarding the road design and preliminary plat for several parcels of this frontage road that would extend north adjacent to the interstate. After several years of little communication with property representatives, City staff has been working in 2013 with Jeff Royal regarding development-related issues for this property. Before subdividing the land for parcels and submitting construction plans for the road, Mr. Royal has proposed to rezone the property from O-C to G-C. The property would remain in the Main Street Overlay District. The main difference in the two commercial districts is that G-C allows for four story buildings (no taller than 60 feet), rather than the maximum in O-C of three and one-half story buildings (no taller than 45 feet). City departments had no objections. Planning Commission recommended approval.
City Manager's Remarks:	Your approval of the item outlined above is recommended by the Planning Commission.
Financial/Budget Certification:	
Legal:	
Associated Information:	

ZONING SYNOPSIS

Petition Number(s): **Z13-04**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **Consolidated Holdings Inc.**
 Representative: **Jeff Royal**
 Property Owner: **Overlook Investment Group LLC**
 Property Location: **Overlook Parkway (east of I-75 exit 288)**
 Access to the Property: **E. Main Street east of I-75 exit 288**

Site Characteristics:

Tract Size: Acres: **33.67 acres** District: **4th** Section: **3rd** LL(S): **328-330**
 Ward: **1** Council Member: **Kari Hodge**

LAND USE INFORMATION

Current Zoning: **O-C and Main Street Overlay District**
 Proposed Zoning: **G-C and Main Street Overlay District**
 Proposed Use: **Rezone to allow the property to be used as a horse farm.**
 Current Zoning of Adjacent Property:
 North: **O-C and Main Street Overlay District**
 South: **H-I (Heavy Industrial)**
 East: **R-20 (Single-family residential)**
 West: **MN (Mining) and Main Street Overlay District**

The Future Development Plan designates the subject property as:
Main Street Overlay District with recommended zoning districts G-C, O-C, P-D, and RA-12.

ZONING ANALYSIS

City Departments Reviews

Water and Sewer:

No objections.

Public Works:

No comments.

Gas:

No objections.

Electric:

No objection.

Fire:

No objections.

Police:

No comments.

The subject tract is located on Overlook Parkway, and is located just east of I-75 exit 288 (E. Main Street). In 2006 and 2007, project representatives worked with City staff regarding the road design and preliminary plat for several parcels of this frontage road that would extend north adjacent to the interstate. After several years of little communication with property representatives, City staff has been working in 2013 with Jeff Royal regarding development-related issues for this property. Before subdividing the land for parcels and submitting construction plans for the road, Mr. Royal has proposed to rezone the property from O-C to G-C. The property would remain in the Main Street Overlay District. The main difference in the two commercial districts is that G-C allows for four story buildings (no taller than 60 feet), rather than the maximum in O-C of three and one-half story buildings (no taller than 45 feet). City departments had no objections. 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 G-C zoning proposal may permit a use that is suitable in view of the commercial use and development of nearby property on E. Main Street.
- B. *Whether the zoning proposal will create an isolated district unrelated to adjacent and nearby districts.*
The G-C zoning proposal would not create an isolated zoning district.
- C. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*
The G-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 O-C (and in the Main Street Overlay District), 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 in conformity with the Future Development Map of the comprehensive plan.

- G. Whether the zoning proposal will result in a use which will or could adversely affect the environment, including but not limited to drainage, wetlands, groundwater recharge areas, endangered wildlife habitats, soil erosion and sedimentation, floodplain, air quality, and water quality and quantity.
The proposal may not result in a use which could adversely affect the environment. Utility, Public Works, and Planning & Development staff would review any future development/redevelopment.
- H. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.
During the next five years, additional regional serving restaurants, hotels, and other commercial establishments are likely to be constructed in the Main Street Overlay District. The G-C (General Commercial) zoning district may be appropriate for this property.

STAFF RECOMMENDATION: Staff has no objections to the rezoning request.

PLANNING COMMISSION RECOMMENDATION: APPROVAL

Application for Rezoning

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

Application Number Z13-04
Hearing Dates 9-10-13 @ 5:30 PM
9-19-13 @ 7:00 PM
10-3-13 @ 7:00 PM

Paid 8-1-13 \$450 fee plus legal -RO

Applicant Consolidated Holdings, Inc. Business/Cell Phone 706 342-9807
(applicant's printed name)
Address 258 W. Washington St. Home Phone _____
City Madison State GA Zip 30650 Email choldingsinc@gmail.com
Representative's printed name (if other than applicant) Jeff Royal Phone 706 474-1033 Fax # 706 349-9977
Representative's signature [Signature] Applicant's signature _____
Signed, sealed and delivered in presence of: [Signature]
Notary Public

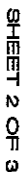
08-13-2016
My commission expires: _____
NOTARY PUBLIC
BARBARA TRAWICK
MORGAN COUNTY, GA

Titleholder Overlook Investment Group, LLC Business Home 706 342 8777
(titleholder's printed name) 706 342 9807
*attach additional notarized signatures as needed on separate application page Address 258 W. Washington St.
Signature [Signature] Madison, GA 30650
Signed, sealed, delivered in presence of: [Signature]
Notary Public

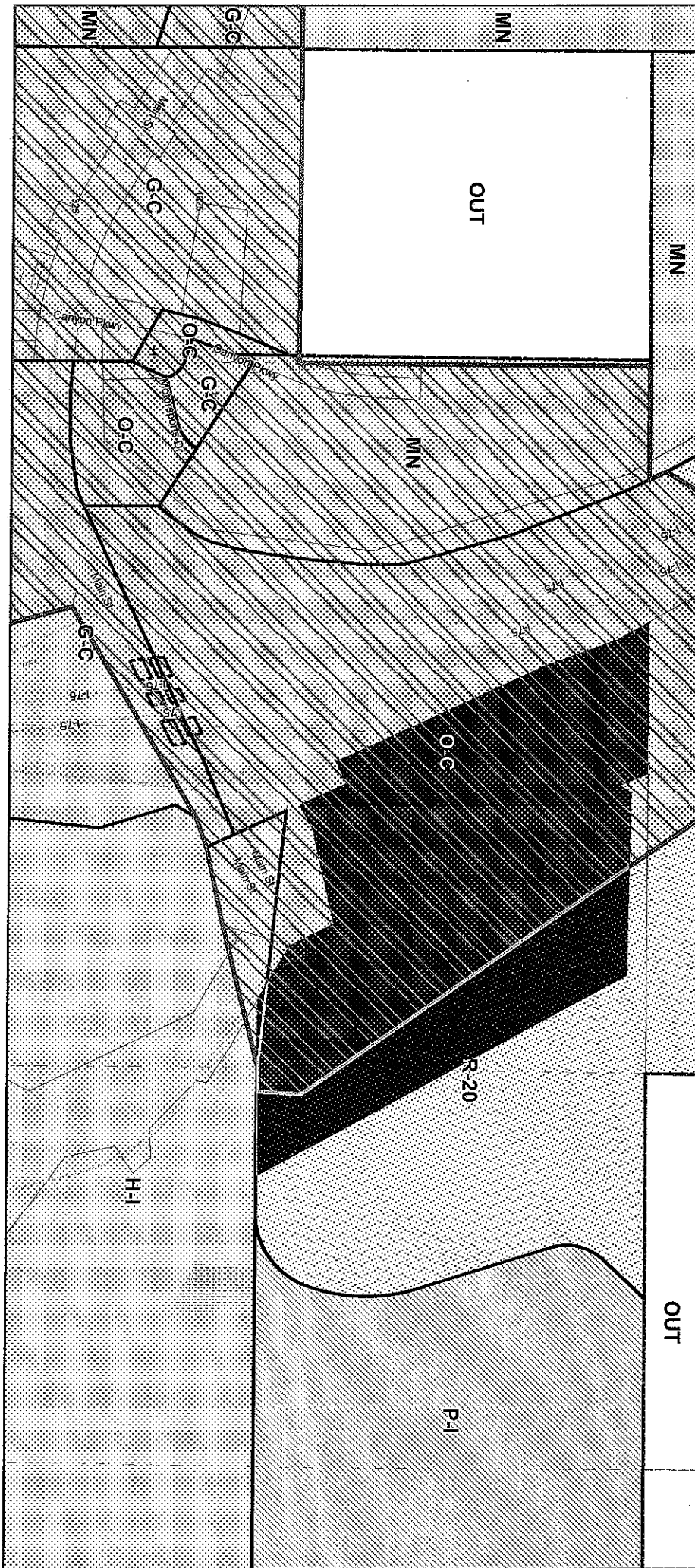
08-13-16
My commission expires: _____
NOTARY PUBLIC
BARBARA TRAWICK
MORGAN COUNTY, GA

Present Zoning District(s) O-C and Main St Overlay District Requested Zoning G-C and Main St Overlay District
Acreage 33.67^{ac} Land Lot(s) 328-330 District(s) 4 Section(s) 3
Location of Property Overlook Pkwy (east of I-75 exit 288)
(street address, nearest intersections, etc)
Reason for requested Rezoning: Rezone For highest and best use
(attach additional statement as necessary)

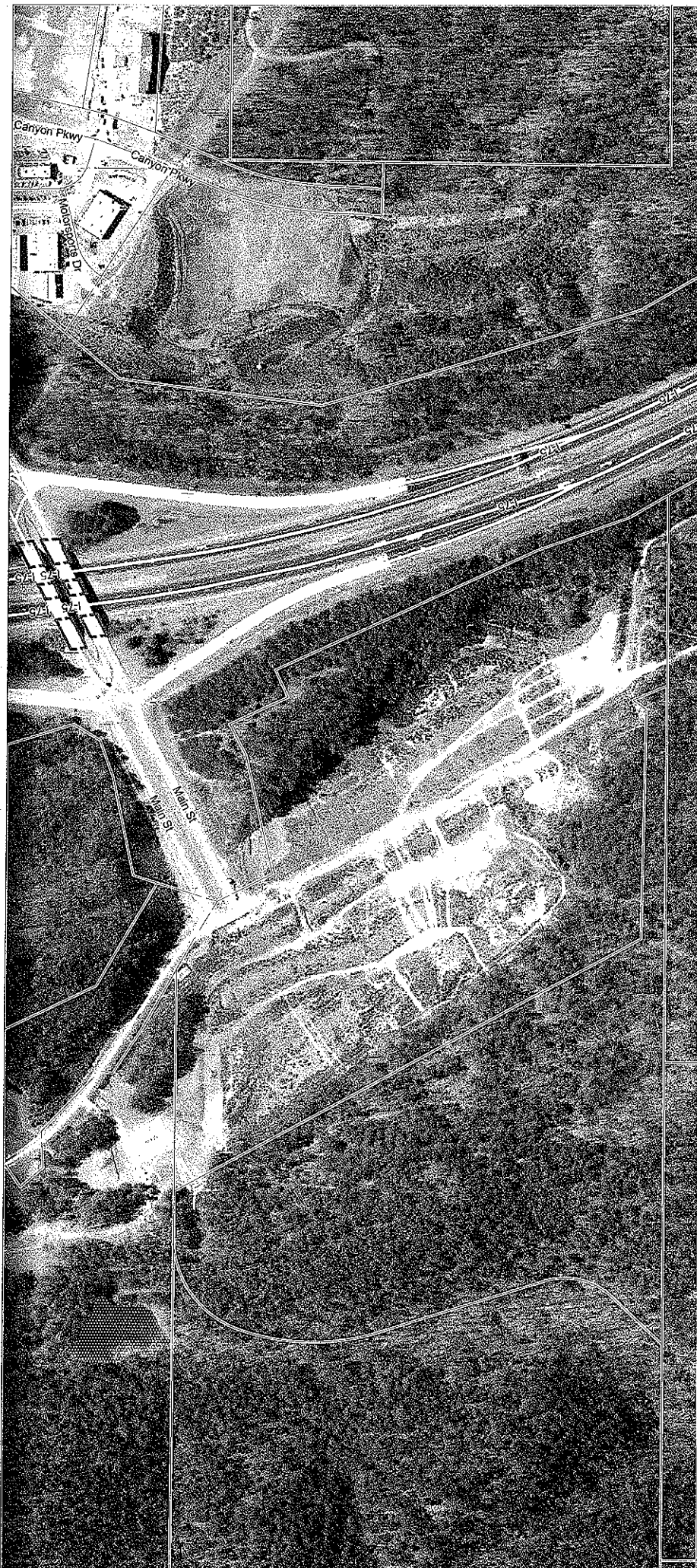
Attach a copy of a current boundary survey showing metes and bounds and indicating all existing site improvements and confirmation of the availability of all public utilities. Said site must meet the proposed zoning district development standards and access requirements of the City's regulations.

[illegible]

Overlook Pkwy rezoning case Z13-04



Overlook Pkwy rezoning case Z13-04

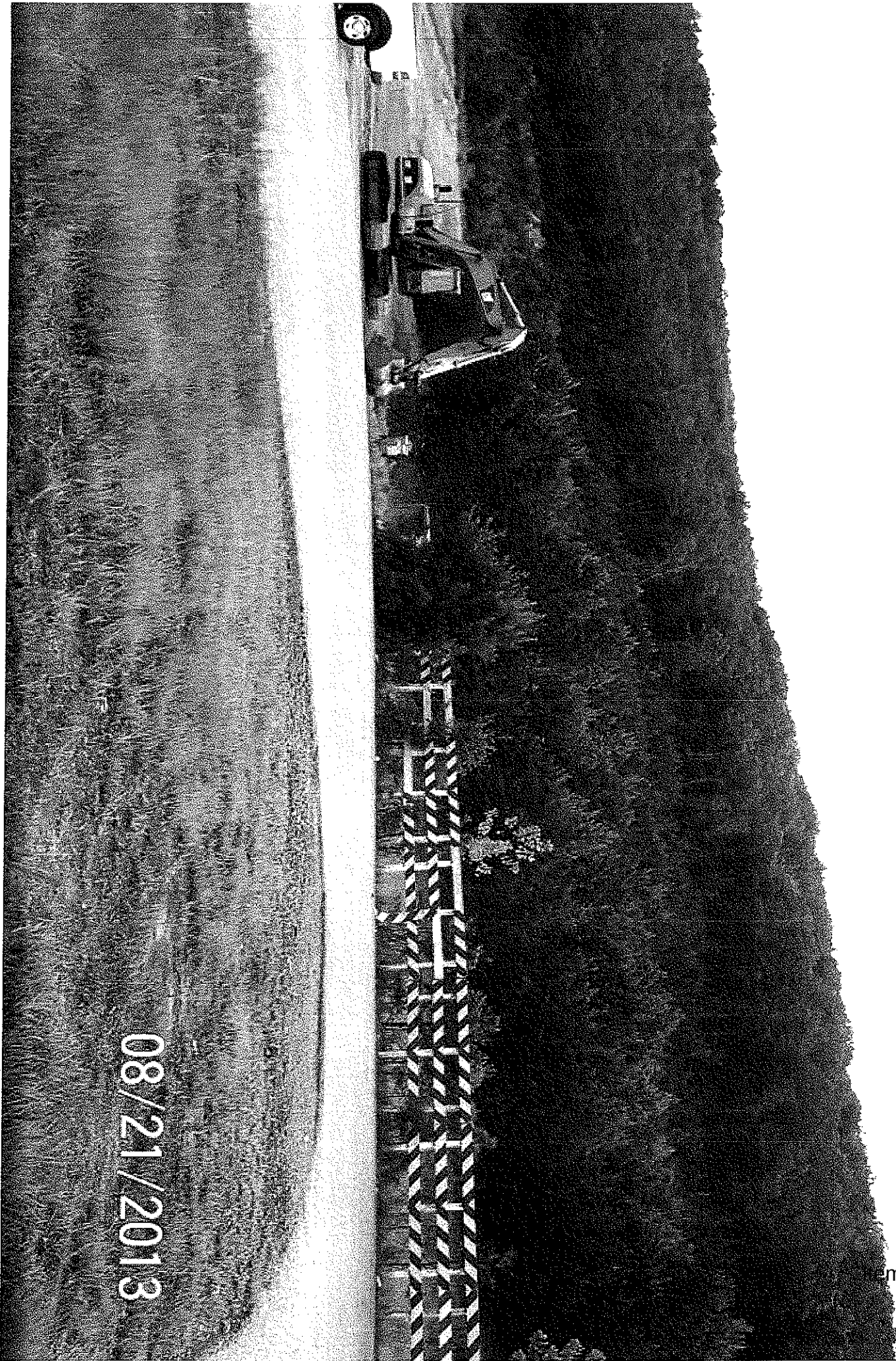


Item # 3



08/21/2013

m # 3



APPLICANT FOR REZONING ACTION CAMPAIGN DISCLOSURE REPORT

Pursuant to O.C.G.A. 36-67A-3 any and all applicants to a rezoning action must make the following disclosures:

Date of Application: 8-1-13

Date Two Years Prior to Application: 8-1-11

Date Five Years Prior to Application: 8-1-08

1. Has the applicant within the five (5) years preceding the filing of the rezoning action made campaign contributions aggregating \$250.00 or more to any of the following:

	YES	NO
Mayor Matt Santini	☐	☒
Council Member	☐	☒
Kari Hodge	☐	☒
Lindsey McDaniel, Jr.	☐	☒
Lori Pruitt	☐	☒
Jayce Stepp	☐	☒
Dianne Tate	☐	☒
Louis Tonsmeire, Sr.	☐	☒
Planning Commission	☐	☒
Sandra Cline	☐	☒
Harrison Dean	☐	☒
Ralph Miller, Jr.	☐	☒
Lamar Pendley	☐	☒
Lamar Pinson	☐	☒
Travis Popham	☐	☒
Steven Smith	☐	☒

2. If the answer to any of the above is Yes, please indicate below to whom, the dollar amount, date, and description of each campaign contribution, during the past five (5) years.

 8-1-13
 Signature Date
Jeff Royal
 Print Name



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 # **Z13-04**

DISCLOSURE OF INTERESTS BY LOCAL OFFICIAL

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

Consolidated Holdings Inc. (Jeff Royal, rep.) has made a rezoning request on the following property: Approximately 33.67 acres located on Overlook Parkway near the intersection of E. Main St and Interstate 75 in Land Lots 328-330, 4th District, 3rd Section. The applicants request to rezone the property from O-C and Main St Overlay District to G-C and Main St Overlay District.

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

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

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

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

TITLE: _____

DATE: _____



City of Cartersville

City Council Meeting
10/3/2013 7:00:00 PM
Emergency Management Ordinance

SubCategory:	First 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

10/3/2013 7:00:00 PM

Historic Preservation Commission Appeal of Denial - 19 S. Public Square

SubCategory:	Other
Department Name:	Planning and Development
Department Summary Recommendation:	Tina Chung, property owner at 19 S. Public Square and the owner/operator of Locks Salon, has appealed the Historic Preservation Commission's denial of her August 20, 2013 HPC application for a Certificate of Preservation. On August 20, Ms. Chung spoke to HPC about her request to replace the wood windows with metal framed windows. Her reason for the request, as stated in the attached minutes, was that the wood windows were leaking water and rotting. HPC voted unanimously to deny the request.
City Manager's Remarks:	The window issue is one that has been discussed in the past. You can affirm the denial or modify or overturn it.
Financial/Budget Certification:	
Legal:	This has been sent to the City Attorney's Office for review
Associated Information:	



City of Cartersville

PLANNING AND DEVELOPMENT

P.O. Box 1390 • 10 North Public Square • Cartersville, Georgia 30120
Telephone: 770-387-5600 • Fax: 770-387-5605 • www.cityofcartersville.org

MEMO

To: Mayor Santini & Council
From: Randy Mannino and Richard Osborne
Date: September 26, 2013
Re: Appeal of HPC case COP13-15 (19 S. Public Sq)

Tina Chung, property owner at 19 S. Public Square and the owner/operator of Locks Salon, has appealed the Historic Preservation Commission's denial of her August 20, 2013 HPC application for a Certificate of Preservation.

On August 20, Ms. Chung spoke to HPC about her request to replace the wood windows with metal framed windows. Her reason for the request, as stated in the attached minutes, was that the wood windows were leaking water and rotting. HPC voted unanimously to deny the request.

Included in the information for Ms. Chung's appeal are the following:

- Written appeal of the denial
- Minutes of the August 20 HPC meeting
- Application for the Certificate of Preservation

Richard Osborne

From: Tina Chung <chungtina@rocketmail.com>
Sent: Friday, September 13, 2013 3:21 PM
To: Richard Osborne
Subject: HPC appeal

I would like to appeal the HPC denial of my application for 19 S Public Sq

Tina Chung
Locks Salon
Owner / operator.

Sent from my iPhone

THE CARTERSVILLE HISTORIC PRESERVATION COMMISSION

The Cartersville Historic Preservation Commission met in a regular meeting on August 20, 2013, at 5:30PM, City Hall Council Chambers, 3rd Floor, 10 North Public Square.

Present: Larry Gregory, Lelia Johnson, Daneise Archer, Susan McLeod, Valerie Holt, Catheryn Hembree, Keith Lovell, and Richard Osborne

Absent: Greg Frisbee

Guest: Tina Chung

Chairman Archer called the meeting to order. She then asked for a motion on the minutes of the July 17, 2013 meeting. Chairman Archer made a correction. A motion was made by Mr. Gregory to approve the minutes with the correction. It was seconded by Mrs. Johnson and it passed unanimously.

Chairman Archer called the first item on the agenda, COP 13-15, by Mrs. Tina Chung of Locks Salon located at 19 S. Public Square. Mrs. Chung explained that the wooden windows were leaking water and rotting. She wished to replace the wooden windows with metal framed windows. The window pattern would stay the same and she would keep the tinted glass. Chairman Archer explained the guidelines recommended replacing with like material in order to keep the original character of the building. A motion was made by Mrs. Johnson to not allow the replacement with metal frames, but the applicant could replace the windows with like material while keeping the original window layout and tinted glass. A second was made by Mrs. McLeod and the motion to use wood framed windows passed unanimously.

There being no other cases, Chairman Archer asked if there was any other business. Mrs. McLeod announced that after serving on the HPC for over 10 years, she would be resigning when her term was up in September. She is moving to Washington State to be with family. Mrs. Johnson said that she would be resigning as well but would continue attending meetings until a replacement could be found.

Mr. Gregory had other business to address. He has a customer, Jeremy North, who works with windows and could bring samples of different window types for the Commission to see in person and educate the Commission on the different types and quality of vinyl windows. A motion was made by Mr. Gregory to invite Mr. North to attend the September meeting. A second was made by Mrs. Holt and it passed unanimously. Chairman Archer brought up having someone who worked with wood windows to come as well. Mr. Osborne felt that having them at the same meeting was not a good idea due to time constraints and possible opposing views. Staff would review Mr. Alday's records to see who gave the last wood window class.

Chairman Archer had other business to address. She explained that a portion of the Downtown Master Plan being drafted by the Downtown Development Authority had a section about allowing murals on downtown buildings. She proceeded to show images of pictures on painted buildings downtown that could be considered controversial. Mr. Lovell explained that since murals were considered signs that the City could not regulate content or message. They do have to meet state

laws and not show illegal activity of sexual content. Mr. Lovell explained that if the Downtown Master Plan was adopted allowing murals, the City ordinance would have to be changed because currently they are not allowed. Mr. Osborne explained that there would be stakeholders meetings on Thursday morning and Tuesday night and the HPC was invited to attend and give their input. A draft would be ready for review in September or October for the Council to discuss and it would be adopted before the end of the year. Mr. Lovell recommended that if the Commission wanted a resolution wait until the draft is completed and see what is revised.

There being no further business the meeting adjourned at 6:20 PM.


Chairman

9/17/13
Date Approved



Paid 8-9-13
\$25 -RO

PROCEDURE

Application Requirements

All Applications must be complete and include support materials listed on the reverse of this form and a \$25 non-refundable application fee.

Application Deadlines

Applications are due by 4 PM the first Tuesday of the month in which they are to be considered, or the next business day in event of a holiday.

Application Representation

The applicant or authorized representative of the applicant should attend the public hearing to support the application.

Building Permits Requirements

In Addition to a COP application, building permits must be acquired from the Community Development Department. **Building permits will not be issued without proof of a COP.**

Deadline for Project Completion

After approval, the COP is valid for 18 months and void if construction does not begin within 6 months of approval.

Office Use Only

Case Number	13-15
Date Received	8-9-13
Contributing	Y
Zoning	DBD
Legal Advertisement	8-9-13
Notified Adjacent	
HPC Hearing	8-20-13
HPC Decision	
COP Expiration	
Project Completion	
Tax Parcel	

Cartersville Historic Preservation Commission CERTIFICATE OF PRESERVATION APPLICATION

*Applicant: Tina Chung
Mailing Address: 19 S. Public Square
Cartersville, GA 30120
Phone: 770-601-0905

*NOTE: If applicant is not the owner, as listed on the Property Deed, a letter from the owner authorizing the proposed work must be included along with owner's phone number and address.

Property Address: 19 S. Public Square
Cartersville, GA 30120

Existing Building Type:

- ☐ Residential One, Two or Multi-family _____
Garage, Storage _____
☒ Commercial _____
☐ Other _____

Brief Project Description (example: addition of sunroom, installation of fence):

① Replace existing storefront tinted windows w/ similar. ② Replace wood window frames with metal.
Type of Project (check all that apply):

- ☐ New building
☐ Addition to building
☐ Relocation of building(s)
☐ Demolition
☐ Fence(s), wall(s), landscaping
☒ Minor exterior change
☐ Major restoration, rehabilitation, or remodeling
☐ Other _____

Start Date: ASAP

Anticipated Completion: _____

Contractor/Consultant/Architect: _____

Precedence of Decisions

Each application will be considered on its own merit with reference to the Secretary of the Interior's Standards and the Commission's published guidelines. While the Historic Preservation Commission may consider past actions when making decisions on an Application for a Certificate of Preservation, it is not held by those ~~decisions~~ when considering new applications that may appear similar in character.

APPLICATION CHECKLIST

The following list includes the support material necessary for review of a particular project.

New Buildings and New Additions

- ☐ site plan
- ☐ architectural elevations
- ☐ floor plan
- ☐ landscape plan (vegetation not required)
- ☐ description of construction materials
- ☐ photographs of proposed site and adjoining properties

Major Restoration, Rehabilitation, or Remodeling

- ☐ architectural elevations or sketches
- ☐ description of proposed changes
- ☐ description of construction materials
- ☐ photographs of existing building
- ☐ documentation of earlier historic appearances (restoration only)

Minor Exterior Changes

- ☒ description of proposed changes
- ☒ description of construction materials
- ☒ photographs of existing building

Site Changes – Parking areas, Drives, Walks

- ☐ site plan or sketch of site
- ☐ description of construction materials
- ☐ photographs of site

Site Changes – Fences, Walls, Systems

- ☐ site plan or sketch of site
- ☐ architectural elevations or sketches
- ☐ description of construction materials
- ☐ photographs of site

Site Changes – Signs

- ☐ specifications
- ☐ description of construction materials and illumination

Demolition

Must include a complete plan for the new development.

- ☐ timetable
- ☐ demolition budget
- ☐ new construction budget
- ☐ evidence of adequate financing

NOTE: Only complete applications will be placed on the agenda for design review. Submit to:

City of Cartersville
Planning and Development Department
P.O. Box 1390
Cartersville, GA 30120

PROJECT DESCRIPTION

Include support materials and attach additional sheets if needed. If the proposed scope of work will involve more than one type of project, please divide the description.
[Example: (1) Addition to rear (2) New roof]

Replace storefront glass (tinted)
and wood frame
with slightly tinted glass
(same as current)
and metal frame.

AUTHORIZATION

In consideration for the City of Cartersville's review of this application for a proposed change to a locally designated property, the applicant agrees to hereby indemnify and hold harmless the City and its agents and employees from and against any and all claims, damages, and/or liability arising from or related to this application or any issuance of a permit hereunder.

DATE

8-9-13

SIGNATURE

Item # 5

X



City of Cartersville Historic Preservation Commission COP Application Staff Report

Case: COP 13-15

Application Information

Address: 19 S. Public Square

Applicant: Tina Chung

Brief Description: Change to store front windows

Applicable Guidelines to Consider

10. Store Fronts

12. Windows – Store Front

Detailed Project Description:

Downtown Business District:

1. Replace existing store front tinted windows with similar
2. Replace the wood window frames with metal

Staff Comments:

History of the Property:

There is varying history on this building. It has undergone multiple renovations over the years. In the past it has been home to Hobson Jewelry Store, Patcharee Restaurant, and Flavor Restaurant.

Analysis of the COP:

The owner is wishing to replace the wood frames with metal due to wear and tear they have gone through over the years. Many businesses in the DBD have metal framed windows. The guidelines recommend using like materials, but also anodized aluminum is an appropriate material. The owner is retaining the original size and shape as recommended in the DBD Guidelines. The guidelines recommend using clear glass, but since the building already has tinted this change could be seen as normal maintenance and repair.

Commissioners Work Sheet**Setbacks**

Front: NA

Side: NA

Rear: NA

Materials:

	Existing Materials	Materials to be Used
Roof	NA	
Siding	NA	
Windows	Wood	Aluminum
Doors	NA	
Exterior Lighting	NA	
Foundation	NA	
Decking	NA	
Steps	NA	
Porches	NA	
Ornamentation	NA	

Hardscaping

Walks: NA

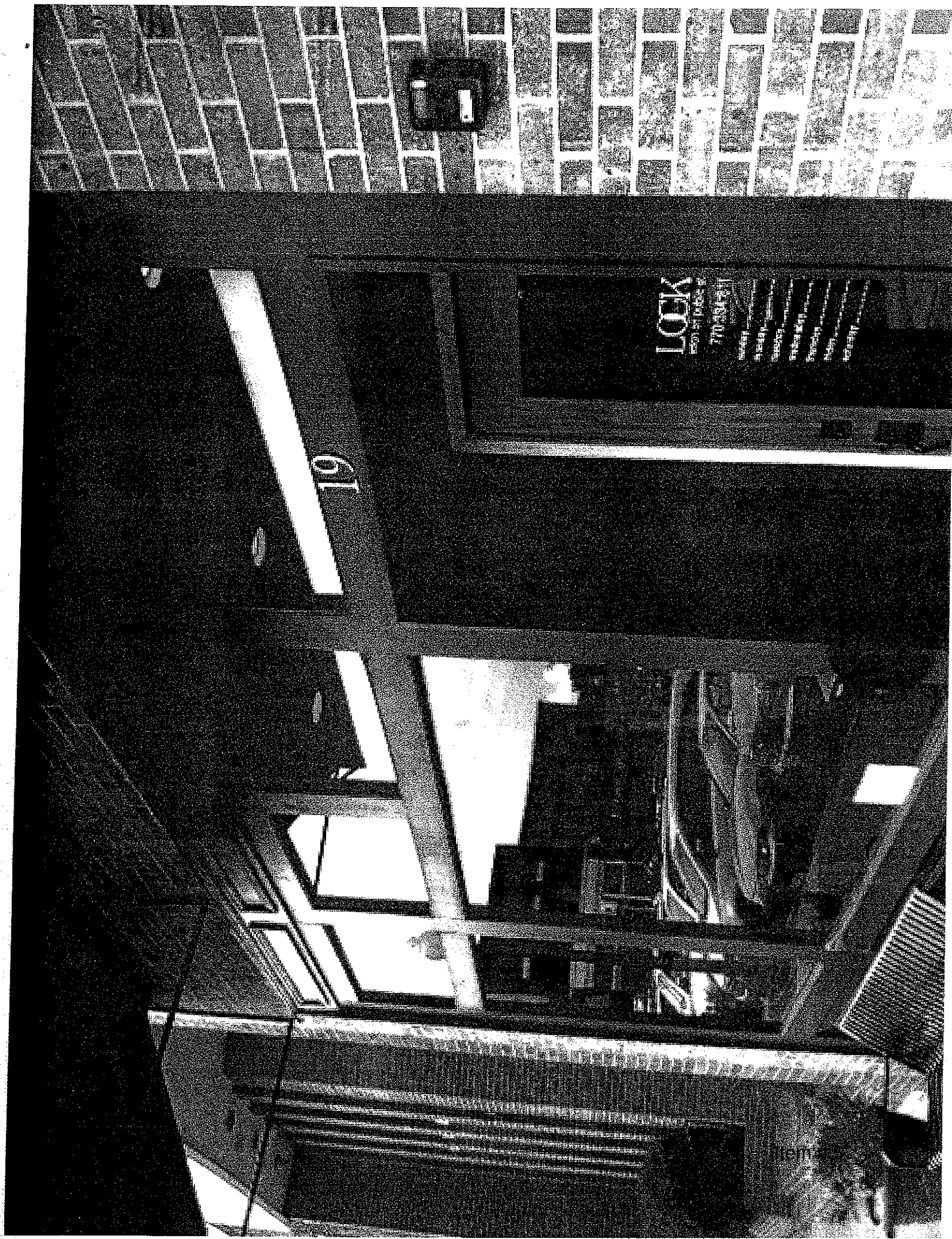
Drives: NA

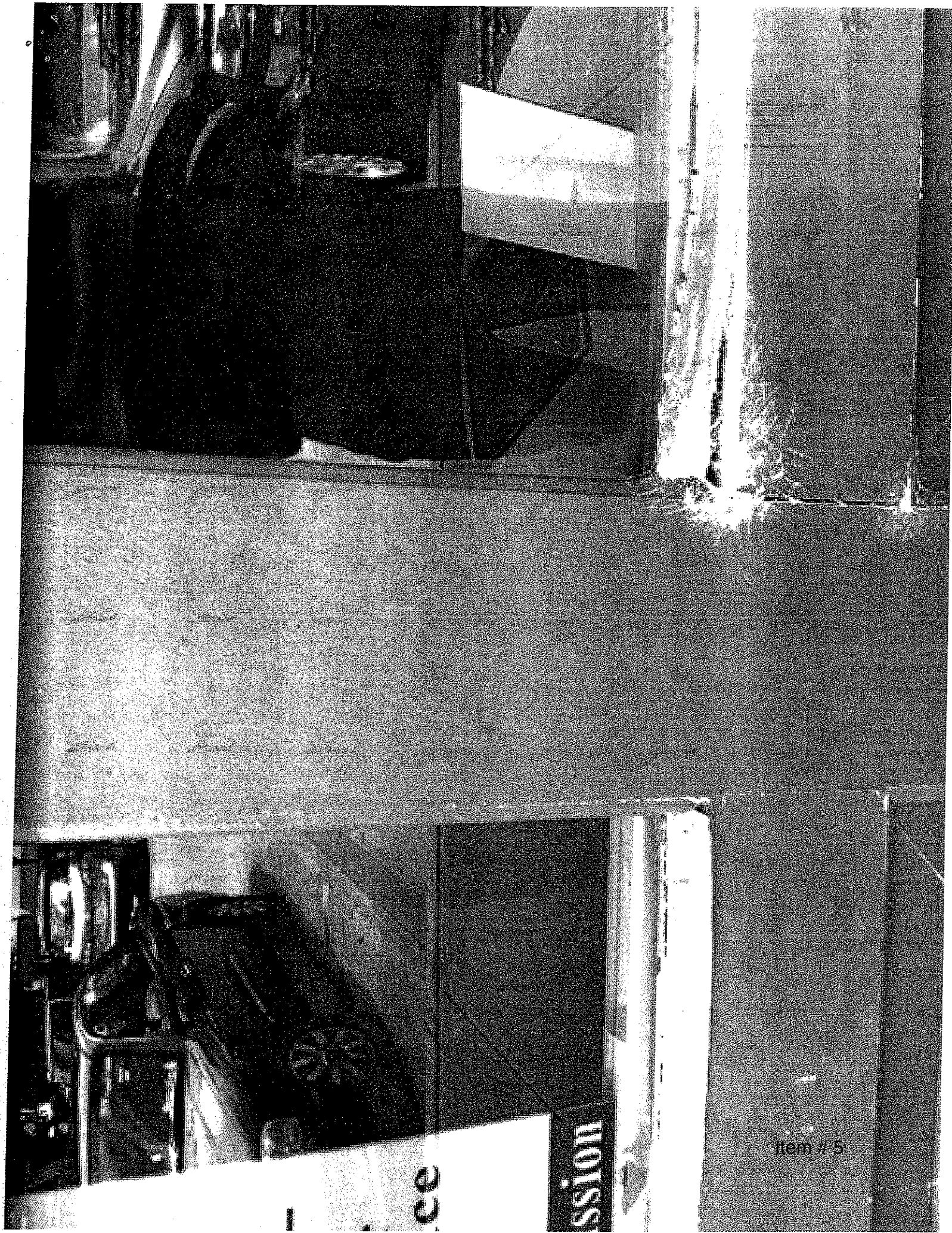
Fencing: NA

Lighting: NA

Notes:

I move to (approve, approve w/ conditions, or deny) the application for (state proposed changes) at (address) (as submitted, or with the following conditions). I find (compliance or noncompliance) with the guidelines referenced in the staff report and those brought up during discussion.







City of Cartersville

City Council Meeting

10/3/2013 7:00:00 PM

Department of Justice Equitable Sharing Annual Report

SubCategory:	Other
Department Name:	Police
Department Summary Recommendation:	TO : Sam Grove, City Manager FROM : Thomas N. Culpepper, Chief of Police DATE : September 26, 2013 SUBJECT : Department of Justice Equitable Sharing Annual Report (FY2013) Attached please find the required annual report for the Equitable Asset Sharing as mandated by DOJ. This report covers all expenses made using federally seized assets in FY 2013. This report is required in order for the Agency to be in compliance with the Equitable Sharing Program rules and to receive further seized funds. As this report was due in September and took some time to verify the expenses, your approval of the report and authorization for the Mayor to sign is urgently requested.
City Manager's Remarks:	Your approval of this report is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	



Equitable Sharing Agreement and Certification



OMB Number 1123-0011
Expires 9-30-2014

- ☒ **Police Department** ☐ **Sheriff's Office** ☐ **Task Force (Complete Table A)**
☐ **Prosecutor's Office** ☐ **National Guard Counterdrug Unit** ☐ **Other**

* Please fill each required field. Hover mouse over any fillable field for pop-up instructions.*

Agency Name: Cartersville Police Department

NCIC/ORI/Tracking Number: G A 0 0 8 0 1 0 0

Mailing Address: P.O. BOX 1390

City: CARTERSVILLE

State: GA

Zip: 30120

Finance Contact: First: Frank

Last: McCann

Phone: 770-607-6226

E-mail: flmccann@cartersvillepolice.com

Preparer:

First: Ryan

Last: Firth



Same as
Finance Contact

Phone: 678-449-4405

E-mail: rfirth@bc-dtf.org

Independent Public Accountant:

E-mail: _____

Last FY End Date: 06/30/2013

Agency Current FY Budget: _____

\$5,039,630.00

- ☐ **New Participant:** Read the Equitable Sharing Agreement and sign the Affidavit.
☒ **Existing Participant:** Complete the Annual Certification Report, read the Equitable Sharing Agreement, and sign the Affidavit.
☐ **Amended Form:** Revise the Annual Certification Report, read the Equitable Sharing Agreement, and sign the Affidavit.

Annual Certification Report

Summary of Equitable Sharing Activity		Justice Funds ¹	Treasury Funds ²
1	Beginning Equitable Sharing Fund Balance (must match Ending Equitable Sharing Fund Balance from prior FY)	\$1,140,294.74	
2	Federal Sharing Funds Received	\$122,411.20	
3	Federal Sharing Funds Received from Other Law Enforcement Agencies and Task Forces (To populate, complete Table B)		
4	Other Income		
5	Interest Income Accrued Non-Interest Bearing ☐ Interest Bearing ☒	\$17.56	
6	Total Equitable Sharing Funds (total of lines 1 - 5)	\$1,262,723.50	\$0.00
7	Federal Sharing Funds Spent (total of lines a - m below)	\$1,110,721.86	\$0.00
8	Ending Balance (difference between line 7 and line 6)	\$152,001.64	\$0.00

¹ Justice Agencies are: FBI, DEA, ATF, USPIS, USDA, DCIS, DSS, and FDA.

² Treasury Agencies are: IRS, ICE, CBP, TTB, USSS, and USCG.

Summary of Shared Funds Spent		Justice Funds	Treasury Funds
a	Total spent on salaries under permitted salary exceptions		
b	Total spent on overtime		
c	Total spent on informants, "buy money", and rewards		
d	Total spent on travel and training	\$625.00	
e	Total spent on communications and computers	\$23,952.04	
f	Total spent on weapons and protective gear	\$4,856.75	
g	Total spent on electronic surveillance equipment		
h	Total spent on buildings and improvements	\$1,000,000.00	
i	Total transfers to other participating state and local law enforcement agencies (To populate, complete Table C)		
j	Total spent on other law enforcement expenses (To populate, complete Table D)	\$81,288.07	
k	Total Expenditures in Support of Community-Based Programs (To populate, complete Table E)		
l	Total Windfall Transfers (To populate, complete Table F)		
m	Total spent on matching grants (To populate, complete Table G)		
n	Total	\$1,110,721.86	\$0.00
o	Did your agency receive non-cash assets? ☐ Yes ☒ No If yes, complete Table H.		

Please fill out the following tables, if applicable.

Table A: Members of Task Force

Agency Name	NCIC/ORI/Tracking Number

Table B: Equitable Sharing Funds Received from other Agencies

Transferring Agency Name, City, and State	Justice Funds	Treasury Funds
Agency Name:		
NCIC/ORI/Tracking Number:		

Table C: Equitable Sharing Funds Transferred to Other Agencies

Receiving Agency Name, City, and State	Justice Funds	Treasury Funds
Agency Name:		
NCIC/ORI/Tracking Number:		

Table D: Other Law Enforcement Expenses

Description of Expense	Justice Funds	Treasury Funds
Uniforms and Police related clothing and misc. Police Equipment (Flashlights, handcuffs, first aid kits, fire extinguishers, protective eye wear, office supplies etc)	\$6,953.92	
Police Vehicles and Vehicle Equipment	\$74,334.15	

Table E: Expenditures in Support of Community-Based Programs

Recipient	Justice Funds	

Table F: Windfall Transfers

Recipient	Justice Funds	Treasury Funds

Table G: Matching Grants

Matching Grant Name	Justice Funds	Treasury Funds

Table H: Other Non-Cash Assets Received

Source	Description of Asset
Justice ☐	
Treasury ☐	

Table I: Civil Rights Cases

Name of Case	Type of Discrimination Alleged			
	☐ Race	☐ Color	☐ National Origin	☐ Gender
	☐ Disability	☐ Age	☐ Other	

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Asset Forfeiture and Money Laundering Section, 1400 New York Avenue, N.W., Washington, DC 20005.

Equitable Sharing Agreement

This Federal Equitable Sharing Agreement, entered into among (1) the Federal Government, (2) the above-stated law enforcement agency ("Agency"), and (3) the governing body, sets forth the requirements for participation in the federal Equitable Sharing Program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest earned thereon, which are equitably shared with participating law enforcement agencies. By its signatures, the Agency agrees that it will be bound by the statutes and guidelines that regulate shared assets and the following requirements for participation in the federal Equitable Sharing Program. Receipt of the signed Equitable Sharing Agreement and Certification (this "Document") is a prerequisite to receiving any equitably shared cash, property, or proceeds.

1. **Submission.** This Document must be submitted to aca.submit@usdoj.gov within 60 days of the end of the Agency's fiscal year. This Document must be submitted electronically with the Affidavit/Signature submitted by fax. This will constitute submission to the Department of Justice and the Department of the Treasury.
2. **Signatories.** This agreement must be signed by the head of the Agency and the head of the governing body. Examples of Agency heads include police chief, sheriff, director, commissioner, superintendent, administrator, chairperson, secretary, city attorney, county attorney, district attorney, prosecuting attorney, state attorney, commonwealth attorney, and attorney general. The governing body's head is the person who allocates funds or approves the budget for the Agency. Examples of governing body heads include city manager, mayor, city council chairperson, county executive, county council chairperson, director, secretary, administrator, commissioner, and governor.
3. **Uses.** Any shared asset shall be used for law enforcement purposes in accordance with the statutes and guidelines that govern the federal Equitable Sharing Program as set forth in the current edition of the Department of Justice's *Guide to Equitable Sharing for State and Local Law Enforcement (Justice Guide)*, and the Department of the Treasury's *Guide to Equitable Sharing for Foreign Countries and Federal, State, and Local Law Enforcement Agencies (Treasury Guide)*.
4. **Transfers.** Before the Agency transfers cash, property, or proceeds to other state or local law enforcement agencies, it must first verify with the Department of Justice or the Department of the Treasury, depending on the source of the funds, that the receiving agency is a current and compliant Equitable Sharing Program participant.
5. **Internal Controls.** The Agency agrees to account separately for federal equitable sharing funds received from the Department of Justice and the Department of the Treasury. Funds from state and local forfeitures and other sources must not be commingled with federal equitable sharing funds. The Agency shall establish a separate revenue account or accounting code for state, local, Department of Justice, and Department of the Treasury forfeiture funds. Interest income generated must be accounted for in the appropriate federal equitable sharing account.

The Agency agrees that such accounting will be subject to the standard accounting requirements and practices employed for other public funds as supplemented by requirements set forth in the current edition of the *Justice Guide* and the *Treasury Guide*, including the requirement in the *Justice Guide* to maintain relevant documents and records for five years.

The misuse or misapplication of shared resources or the supplantation of existing resources with shared assets is prohibited. Failure to comply with any provision of this agreement shall subject the recipient agency to the sanctions stipulated in the current edition of the *Justice or Treasury Guides*, depending on the source of the funds/property.

6. **Audit Report.** Audits will be conducted as provided by the Single Audit Act Amendments of 1996 and OMB Circular A-133. The Department of Justice and Department of the Treasury reserve the right to conduct periodic random audits.

Affidavit - Existing Participant

Before you can print this form, you must correct the following errors:

Enter the e-mail address for the Independent Public Accountant on page 1.

You must enter the e-mail address of the Governing Body Head on page 6. _____

Subscribe to Equitable Sharing Wire:

The Equitable Sharing Wire is an electronic newsletter that gives you important, substantive, information regarding Equitable Sharing policies, practices, and procedures.

Final Instructions:

Step 1: Click to save for your records

Step 2: Click to save in XML format

Step 3: E-mail the XML file to aca.submit@usdoj.gov

Step 4: Fax THIS SIGNED PAGE ONLY to (202) 616-1344

FOR AGENCY USE ONLY

Entered by _____

Entered on _____

☐ FY End: 06/30/2013

Date Printed: September 27, 2013 11:16

☒ NCIC: GA0080100 Agency: Cartersville Police Department

Phone: 770-607-6226

☐ State: GA Finance Contact: Frank McCann

E-mail: flmccann@cartersvillepolice.com





City of Cartersville

**City Council Meeting
10/3/2013 7:00:00 PM
Crime Mapping Support Agreement**

SubCategory:	Contracts/Agreements
Department Name:	Police
Department Summary Recommendation:	TO : Sam Grove, City Manager FROM : T.N. Culpepper, Chief of Police DATE : September 17, 2013 SUBJECT : Crime Mapping Support Agreement The attached agreement is with USA Software for the Crime Mapping System (Crime View Dashboard) through the Omega Group. This is the second year this has been in place and is used to identify crime activity by specific areas. The support agreement is in the amount of \$7,200.00, and is a budgeted item. E-verify and SAVE are attached. I am requesting your approval of the support agreement and authorization to forward payment accordingly.
City Manager's Remarks:	Your approval of this agreement is recommended.
Financial/Budget Certification:	This is a budgeted item.
Legal:	
Associated Information:	



INVOICE

September 16, 2013

Invoice Number:

302837

CARTERSVILLE POLICE DEPARTMENT
PO BOX 1390
CARTERSVILLE GA 30120

<u>Order Date</u>	<u>Terms</u>	<u>Ordered By</u>	<u>Purchase Order#</u>
09/16/2013	NET 30	T Culpepper	Verbal

<u>DETAIL#</u>	<u>MODULE_ID</u>	<u>MODULE</u>	<u>QUANTITY</u>	<u>PRICE</u>	<u>EXTENSION</u>
1	42	CrimeView Dashboard – Annual Subscription	1	7,200.00	7,200.00
				Total	7,200.00

Please refer to the above Invoice Number to receive proper credit for payment. Remit all payments to:

USA Software, Inc.
9900 Stirling Road, Suite 302
Cooper City, Florida 33024
(954) 436-3911

SUBCONTRACTOR AFFIDAVIT

By executing this affidavit, the undersigned subcontractor verifies its compliance with O.C.G.A. 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services under a contract with USA Software, Inc. (name of contractor) on behalf of City of Cartersville has registered with and is participating in federal work authorization program being* [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 subcontractor is using and will continues to use the federal work authorization program throughout the contract period.

3023510
EEV/Basic Pilot Program* User Identification Number

x
BY: Authorized Officer or Agent
(Subcontractor Name)

President
Title of Authorized Officer or Agent of Subcontractor

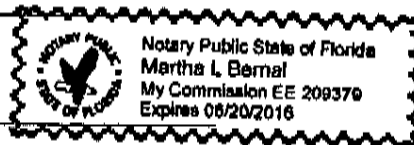
F. A. Spencer, Jr.
Printed Name of Authorized Officer or Agent

6/4/2013
Date

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

4 DAY OF June, 2013

[Signature]
Notary Public
My Commission Expires:



* 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).

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.

302356
EEV/Basic Pilot Program* User Identification Number

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

6/4/2013
Date

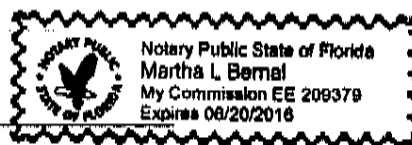
President
Title of Authorized Officer or Agent of Contractor

F.A. Spencer, Jr.
Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

4 DAY OF June, 2013

[Signature]
Notary Public
My Commission Expires:



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

AFFIDAVIT VERIFYING STATUS FOR CITY OF CARTERSVILLE BENEFIT APPLICATION

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

F. A. Spencer, Jr.

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

USA Software, Inc.

[Name of business, corporation, partnership]

1) ☒ I am a United States citizen

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

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

[Signature]
Signature of Applicant

6/5/2013
Date

F. A. Spencer, Jr.
Printed Name

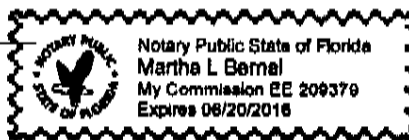
SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

5 DAY OF June, 2013

* N/A
Alien Registration number for non-citizens

[Signature]
Notary Public

My Commission Expires:



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



City of Cartersville

**City Council Meeting
10/3/2013 7:00:00 PM
Ford Street Quitclaim Deed**

SubCategory:	Contracts/Agreements
Department Name:	Public Works
Department Summary Recommendation:	This quit claim deed from the City of Cartersville to Bartow County involves an approximately 150' section of Ford Street that is located south of Johnson Street and borders the Bartow Water Department Complex on all sides. Bartow County Water Department needs this land as part of their complex. This property is not needed by the City and its highest and best use is as part of the Bartow County Water Department Complex. Public Works recommends approval of this quit claim deed and permission for Mayor to sign same.
City Manager's Remarks:	This is a platted road that was never used. It is a small but cooperative step to help out the County. Your approval is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

MEMORANDUM

From the Office of
H. BOYD PETTIT III

TO: Keith Lovell, Esq. "Hand Delivered"

FROM: H. Boyd Pettit III, P.C.

DATE: September 10, 2013

RE: Ford Street Addition QuitClaim Deed
From City of Cartersville, Georgia to
Bartow County, Georgia

I have enclosed the original QuitClaim Deed for execution by the City as we discussed. I have also included a copy of the Survey which had previously been recorded.

Let me know if you have any questions.

/ph
Enclosures

RETURN TO :
 H. BOYD PETTIT III, P.C.
 100 W. Cherokee Avenue – Suite B
 P.O. BOX 1178
 CARTERSVILLE, GEORGIA 30120
 (770) 382-9592

QuitClaim Deed

GEORGIA, BARTOW COUNTY:

THIS INDENTURE, made this _____ day of September, 2013, between CITY OF CARTERSVILLE, a Political Subdivision of the State of Georgia and Party of the first part, hereinafter called Grantor, and BARTOW COUNTY, a Political Subdivision of the State of Georgia, as parties of the second part, hereinafter called Grantees (the words "Grantor(s)" and "Grantee(s)" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH THAT: Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, conveyed and confirmed, and by these presents do grant, bargain, sell, alien, convey and confirm unto the said Grantees,

All that tract or parcel of land lying and being in Land Lot 384, 4th District, 3rd Section, Lot 23 and part of the Ford Addition in the City of Cartersville, Bartow County, Georgia, being more particularly described as follows:

BEGINNING at an iron pin located at the intersection of the South right-of-way of Johnson Street (40' ROW) and the East right-of-way of Ford Street (40' ROW) and from said iron pin running South 00 degrees 54 minutes 42 seconds West a distance of 149.98 feet to an iron pin, thence run North 89 degrees 07 minutes 13 seconds West a distance of 39.97 feet to the West right-of-way of Ford Street and other property of Grantee; thence North 00 degrees 54 minutes 01 seconds East, 150 feet to the South

right-of-way of Johnson Street, thence South 89 degrees 05 minutes 11 seconds East a distance of 40 feet to an iron pin and the true point of beginning.

Said tract constituting a portion of Ford Street as shown by plat of William C. Smith, Registered Land Surveyor No. 1803 dated July 9, 2013, and recorded in Plat Book 74, Page 84 in the records of the Clerk of Bartow County Superior Court (Grantee herein owning the property to the East, South and West of this property being conveyed).

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever.

IN WITNESS WHEREOF, Grantor has signed and sealed this deed, the day and year first above written.

GRANTOR:
CITY OF CARTERSVILLE, GEORGIA

Witness

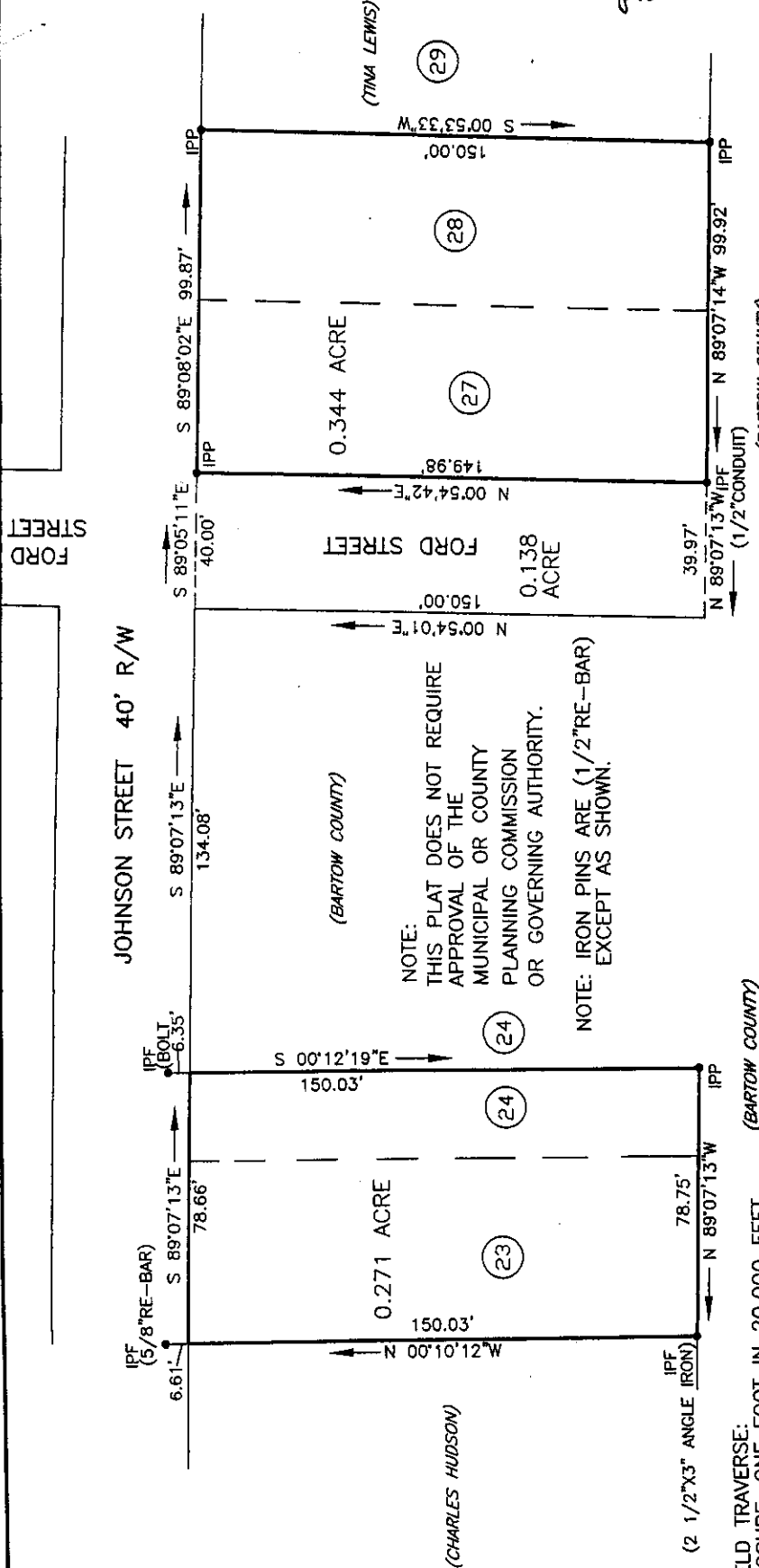
MATT SANTINI, Mayor

Notary Public

ATTEST:

[SEAL]

Connie Keeling, City Clerk



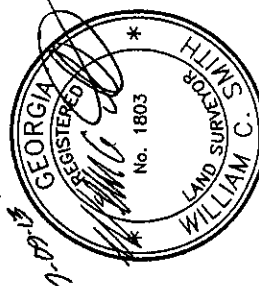
3545.CRD 3545-2.DWG

FLOOD INSURANCE RATE MAP 13015C0266 G
DATED SEPT.28,2007 SHOWS THIS PROPERTY
IS NOT IN THE 100 YEAR FLOOD ZONE.

PLAT CLOSURE;
ONE FOOT IN
104,000 FEET.

JULY 9, 2013

FILE 3545-2



**SURVEY FOR
BARTOW COUNTY
LOT 23 AND PART OF 24, BLOCK "B" AND
LOT 27 AND 28, BLOCK "C,"**

FORD ADDITION
PROPERTY IN THE CITY OF CARTERSVILLE
IN LAND LOT 384
4th DISTRICT, 3rd SECTION
BARTOW COUNTY, GEORGIA

FIELD TRAVERSE: _____ FEET IN 20,000 FEET
 (BARTOW COUNTY)

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.

SMITH & SMITH ENGINEERS
23 SOUTH AVENUE, CARTERSVILLE, GA 30120

23 SOUTH AVENUE, CARTERSVILLE,
PHONE 770-382-0457

REGISTERED LAND SURVEYOR No. 1803

W	RIGHT OF WAY	R	RADIUS	LP	LIGHT POLE
---	--------------	---	--------	----	------------

— X — X — FENCE
— — — — — IRON PIN PLACED

—B-
IRON PILE FOUND
CONCRETE MARKER
C——CENTER LINE
CROWN LINE

1. L_{chord} CHORD
FOR A LENGTH OF CURVE
C = $\frac{1}{2}$ POWER LINE
PO = POWER POLE

MAG. NORTH



City of Cartersville

**City Council Meeting
10/3/2013 7:00:00 PM
Amendment - GA Department of Natural Resources**

SubCategory:	Contracts/Agreements
Department Name:	Parks and Recreation
Department Summary Recommendation:	Etowah River “Blue Trail” at Leake Mounds – Amendment to Agreement (signed 10-20-2011), City of Cartersville entered into this agreement 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 and increases the minimum local match to \$20,000.00 for this project. The additional grant money was requested by me because when project was bid (spring 2013); the low bid came in approximately \$34,000.00 over budget. All permits have been acquired and \$9,468.16 has already been spent with Southland Engineering on the design and acquiring the permitting from US Army Corps of Engineers and Georgia EPD. I recommend acceptance of amendment to agreement with Georgia Department of Natural Resources related the Etowah River “Blue Trail” at Leake Mounds
City Manager's Remarks:	I am told by Greg that he can 'find' the money in his budget for that. With that as a condition, I recommend your approval of this.
Financial/Budget Certification:	
Legal:	
Associated Information:	

STATE OF GEORGIA
COUNTY OF ROCKDALE

AMENDMENT # 1

AMENDMENT TO ARTICLES OF AGREEMENT

THIS AMENDMENT to an Agreement for Project Grant No. NRT-10(11) dated the 31st day of October, in the year TWO THOUSAND AND ELEVEN (2011), made and entered into this ___ day of _____, 2013, by and between the Department of Natural Resources (hereinafter DEPARTMENT), whose address is 2600 Hwy. 155 SW, Suite C, Stockbridge, GA 30281, acting for and on behalf of the State of Georgia, and the City of Cartersville, (hereinafter referred to as the GRANTEE), whose address is Post Office Box 1390, Cartersville, Georgia 30120.

WITNESSETH

WHEREAS the purpose of the agreement between the parties was for the construction of a canoe/kayak launch and parking area with signage and informational kiosks; and

WHEREAS the DEPARTMENT allocated grant funds in the amount of THIRTY-TWO THOUSAND NINE HUNDRED TWENTY-FOUR DOLLARS (\$32,924) from the Georgia Recreational Trails Fund to assist the GRANTEE with the above project; and

WHEREAS the GRANTEE received bids which far exceeded the grant and the GRANTEE's match; and

WHEREAS the GRANTEE now requests an additional amount in grant funds for this project; and

WHEREAS the DEPARTMENT has concluded that the GRANTEE'S request for additional funds is feasible and beneficial to the project.

NOW, THEREFORE, in consideration of the request from the GRANTEE and the premises, conditions and covenants set forth in the original AGREEMENT, the parties agree to amend said AGREEMENT as follows:

Page 2 of 2

- 1) The grant shall be increased to EIGHTY THOUSAND DOLLARS (\$80,000), and the minimum local match shall be TWENTY THOUSAND DOLLARS (\$20,000)
- 2) Time is of the essence in the expenditure and reimbursement request for the grant funds; and
- 3) The GRANTEE and DEPARTMENT mutually agree that all other terms and conditions of the original agreement and subsequent applicable amendments shall be and remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this AMENDMENT, to be given effect as of the day and year first above written.

**GEORGIA DEPARTMENT OF
NATURAL RESOURCES**

**CITY OF CARTERSVILLE,
GEORGIA**

BY _____
BECKY KELLEY, DIRECTOR
PARKS, RECREATION & HISTORIC SITES

BY _____
MATTHEW J. SANTINI, MAYOR

WITNESS

WITNESS

DATE

DATE

(Seal)



City of Cartersville

City Council Meeting

10/3/2013 7:00:00 PM

Tennessee Street Water Main Replacement Project – Easement Acquisition Services

SubCategory:	Contracts/Agreements
Department Name:	Water Department
Department Summary Recommendation:	MEMO TO: Sam Grove FROM: Jim Stafford DATE: October 3, 2013 SUBJECT: Tennessee Street Water Main Replacement Project – Easement Acquisition Services 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. The Water Department retained the services of Satterfield & Associates, LLC for easement acquisition services at a rate of \$750 per easement. Satterfield and Associates are handling negotiations for 27 separate easements. The Water Department requests approval for services of Satterfield and Associates for easement acquisition at the rate of \$750 per easement. This project will be paid from Bond funds.
City Manager's Remarks:	This is needed for the Tennessee St. project. Your approval is recommended.
Financial/Budget Certification:	This project will be paid from Bond funds.
Legal:	
Associated Information:	



City of Cartersville

City Council Meeting

10/3/2013 7:00:00 PM

Tennessee Street Water Main Replacement Project – Easement Property Appraisals

SubCategory:	Contracts/Agreements
Department Name:	Water Department
Department Summary Recommendation:	MEMO TO: Sam Grove FROM: Jim Stafford DATE: October 3, 2013 SUBJECT: Tennessee Street Water Main Replacement Project – Easement Property Appraisals 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. The Water Department retained the services of AGW Enterprises, Inc. for property appraisals necessary for easement acquisition at the rate of \$800.00 per property. AGW Enterprises completed appraisals for 27 separate easement properties. The Water Department requests approval for services of AGW Enterprises, Inc. for easement appraisals at the rate of \$800.00 per property. This project will be paid from Bond funds.
City Manager's Remarks:	Your approval of this agreement is recommended.
Financial/Budget Certification:	This project will be paid from Bond funds.
Legal:	
Associated Information:	



City of Cartersville

City Council Meeting

10/3/2013 7:00:00 PM

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

SubCategory:	Engineering Services
Department Name:	Water Department
Department Summary Recommendation:	MEMO TO: Sam Grove FROM: Jim Stafford DATE: October 3, 2013 SUBJECT: Proposal for Construction Engineering Services for Water Main Relocation for DOT State Route 20 Widening and Relocation Project The Water Department has retained the firm of Sweitzer Engineering, Inc. to provide engineering services for the design and bidding 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. The Water Department requests approval of an amendment to their existing contract to include Construction Engineering Services for the Water Main Relocation for DOT State Route 20 Widening and Relocation Project. The proposal from Sweitzer Engineering, Inc. is for an amount not to exceed \$31,100.00. This price is considered reasonable given the scope of the project. The cost is to be paid from the budget item for capital improvements. I recommend approval of this contract.
City Manager's Remarks:	This is typically done for similar projects. This takes care of construction management and administration of the construction project.
Financial/Budget Certification:	The cost is to be paid from the budget item for capital improvements.
Legal:	
Associated Information:	



City of Cartersville

**City Council Meeting
10/3/2013 7:00:00 PM
Browns Farm Road Pump Station Rehabilitation**

SubCategory:	Bid Award/Purchases						
Department Name:	Water Department						
Department Summary Recommendation:	MEMO TO: Sam Grove FROM: Jim Stafford DATE: October 3, 2013 SUBJECT: Browns Farm Road Pump Station Rehabilitation The sewer pump station on Browns Farm Road is in need of rehabilitation and replacement of pumps with higher capacity. This pump station was originally put into service in 1989. Over the years, the area and number of customers served by this station has expanded. Quotes for rehabilitation and upgrading of the pump station, including replacement of the control panel, were requested from three specialty contractors. Prices received are as follows: <table><tr><td>Lanier Contracting Company.</td><td>\$72,395.00</td></tr><tr><td>Willow Construction, Inc.</td><td>\$79,800.00</td></tr><tr><td>Allsouth Constructors, Inc.</td><td>\$85,210.00</td></tr></table> The Water Department recommends approval of the agreement with Lanier Contracting, in the amount of \$72,395.00. This work will be paid for with the budget item for Water Pollution Control Plant Maintenance and Repairs.	Lanier Contracting Company.	\$72,395.00	Willow Construction, Inc.	\$79,800.00	Allsouth Constructors, Inc.	\$85,210.00
Lanier Contracting Company.	\$72,395.00						
Willow Construction, Inc.	\$79,800.00						
Allsouth Constructors, Inc.	\$85,210.00						
City Manager's Remarks:	I recommend your approval of this item.						
Financial/Budget Certification:	This work will be paid for with the budget item for Water Pollution Control Plant Maintenance and Repairs.						
Legal:							
Associated Information:							



City of Cartersville

City Council Meeting
10/3/2013 7:00:00 PM
Inventory Restock

SubCategory:	Bid Award/Purchases								
Department Name:	Water Department								
Department Summary Recommendation:	MEMO TO: Sam Grove FROM: Jim Stafford DATE: October 3, 2013 SUBJECT: Inventory Restock Bids were accepted for materials to restock inventory for Distribution and Collection. Bids were as follows: <table><tr><td>Kendall Municipal</td><td>\$17,816.06</td></tr><tr><td>Ferguson Waterworks</td><td>\$18,443.53</td></tr><tr><td>HD Supply</td><td>\$18,482.10</td></tr><tr><td>Fortiline</td><td>\$20,005.45</td></tr></table> I recommend purchase of materials from Kendall Municipal at a cost of \$17,816.06. This is a budget item.	Kendall Municipal	\$17,816.06	Ferguson Waterworks	\$18,443.53	HD Supply	\$18,482.10	Fortiline	\$20,005.45
Kendall Municipal	\$17,816.06								
Ferguson Waterworks	\$18,443.53								
HD Supply	\$18,482.10								
Fortiline	\$20,005.45								
City Manager's Remarks:	Your approval of the item above is recommended.								
Financial/Budget Certification:	This is a budget item.								
Legal:									
Associated Information:									



City of Cartersville

City Council Meeting

10/3/2013 7:00:00 PM

Emergency Electrical Repairs at the Water Treatment Plant

SubCategory:	Bid Award/Purchases
Department Name:	Water Department
Department Summary Recommendation:	MEMO TO: Sam Grove FROM: Jim Stafford DATE: October 3, 2013 SUBJECT: Emergency Electrical Repairs at the Water Treatment Plant 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. They have done work for the Water Department in the past and had installed this wiring and conduit during the last Plant expansion project. A quote was received for materials and labor to replace the electrical system in the amount of \$11,130.00. This price was considered to be fair and competitive. The Water Department recommends approval of payment to East Electrical Contractors in the amount of \$11,130.00. This work will be paid for with the budget item for Water Treatment Plant Maintenance and Repairs.
City Manager's Remarks:	The need for this work was uncovered when we did the water treatment plant work. Your approval of this item is recommended.
Financial/Budget Certification:	This work will be paid for with the budget item for Water Treatment Plant Maintenance and Repairs.
Legal:	
Associated Information:	



City of Cartersville

City Council Meeting

10/3/2013 7:00:00 PM

Metering Software - Annual Maintenance and Support

SubCategory:	Bid Award/Purchases
Department Name:	Electric
Department Summary Recommendation:	The Electric Department has been and is currently using ITRON MV-90 system to remotely collect, tabulate, process and provide billing data for our industrial and commercial customers. This system is used to tabulate data for our Cogsdale billing system. The cost of this software maintenance and support is \$6,969.27 which is a budgeted amount. This software package is from the manufacturer, Itron, which is a sole source supplier. The Electric department recommends the renewal of the Itron software maintenance and support.
City Manager's Remarks:	Your approval of this agreement is recommended.
Financial/Budget Certification:	This is a budgeted item.
Legal:	
Associated Information:	Keith Lovell, legal council, has reviewed the invoice and verified that E-verify and Save documents are not required because no on-sight support will be provided.



(800) 635-5461

www.itron.com

INVOICE

Terms and Conditions:

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

Invoice Number	302956
Invoice Date	11-SEP-13
Customer Number	1522
Itron Contract No.	SC00001852

TO:	City of Cartersville, Georgia Attn: Tom Woods PO Box 1390 Cartersville, GA 30120-1390 United States	SHIP TO:	City of Cartersville, Georgia PO Box 1390 Cartersville, GA 30120-1390 United States
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Terms	Customer PO	Contract Term - FROM	Contract Term - TO
Net 30		01-OCT-13	30-SEP-14

Product Description	Quantity	Taxable Amt	Ext. Amount
MVLT XI BASE	1		0.00

Serial Number	Start Date	End Date	Amt	Sub Qty
	01-OCT-13	30-SEP-14	0.00	1

Software Maintenance and Other Subtotal:

6,969.27

7-13-13
Need
Council
Approval DATE!
C/Elec

Banking Information: Please Include Your Invoice Number On Check.

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

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

Subtotal Amount	6,969.27
Tax Amount	0.00
Total Amount	6,969.27
Currency	USD



City of Cartersville

**City Council Meeting
10/3/2013 7:00:00 PM
Council Meeting Time Change for Christmas Parade**

SubCategory:	Resolutions
Department Name:	Administration
Department Summary Recommendation:	The City of Cartersville's annual Christmas Parade is on the first Thursday night in December which conflicts with the regularly scheduled City Council Meeting. Attached is a resolution to change the meeting time for the December 5, 2013 City Council Meeting to 9:00 AM
City Manager's Remarks:	Your approval of the December 5th meeting time change is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

Resolution No.

WHEREAS, The Mayor and City Council has determined that it is in the best interest of the City of Cartersville and it's 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
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk



City of Cartersville

City Council Meeting
10/3/2013 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 Public Safety.
City Manager's Remarks:	Another section of the citizens survey that I will be presenting at the meeting.
Financial/Budget Certification:	
Legal:	
Associated Information:	