



City of Cartersville

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

COUNCILPERSONS:

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

AGENDA

Council Chamber, Third Floor of City Hall– 9:00
AM – 12/6/2012
Work Session – 8:00 AM

CITY MANAGER:

Sam Grove

CITY ATTORNEY:

David Archer

CITY CLERK:

Connie Keeling

I. Opening of Meeting

- Invocation
- Pledge of Allegiance
- Roll Call

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

1. November 15, 2012 (Page 3-8)

[Attachments](#)

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

1. File #T12-02: Text Amendment application by Cliff Acuff to add Automotive and light truck rental facility as a permitted use in the M-U (Multiple Use) zoning district. (Page 9-13)

[Attachments](#)

2. File #SU12-03: Special Use application by Cliff Acuff for property located at 300 Walnut Grove Road (0.68 acres) to allow an apartment below and behind the office (Special Use required in the P-S zoning district). (Page 14-30)

[Attachments](#)

C. Resolutions

1. Application for CHIP Down Payment Assistance Grant (Page 31-32)

[Attachments](#)

D. Appointments

1. Downtown Development Authority Board (Page 33-35)

[Attachments](#)

E. Contracts/Agreements

1. Right of Entry for Legacy Sod Farm (Page 36-39)

[Attachments](#)

2. Right of Entry for Habitat for Humanity (Page 40-43)

[Attachments](#)

3. Southern Natural Gas Confidentiality Agreement (Page 44-48)

[Attachments](#)

F. Bid Award/Purchases

1. Horizontal Directional Boring Machine (Page 49-58)

[Attachments](#)

2. Patrol Vehicles (Page 59-61)

[Attachments](#)

3. Southeastern Wood Pole Inspectors (Page 62-63)

[Attachments](#)

4. Electric Office Structural Issue (Page 64-68)

[Attachments](#)

5. Trucks for Meter Readers (Page 69-80)

[Attachments](#)

6. Residential Garbage Truck (Page 81-82)

[Attachments](#)

7. Rehabilitate Grit Collector (Page 83-85)

[Attachments](#)

8. Tennessee Street-Walgreens Water Main Replacement Project (Page 86-88)

[Attachments](#)

9. Main Street to Center Road 16-Inch Water Main Connector (Page 89-90)

[Attachments](#)



City of Cartersville

City Council Meeting
12/6/2012 9:00:00 AM
November 15, 2012

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

City Council Meeting
 10 N. Public Square
 November 15, 2012
 6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Council Member McDaniel

Pledge of Allegiance led by members of Boy Scout Troop 24

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

II. Regular Agenda

A. Council Meeting Minutes

1. November 1, 2012

A motion to approve the November 1, 2012 City Council Meeting Minutes as presented was made by Council Member Stepp and seconded by Council Member McDaniel. Motion carried unanimously. Vote 5-0

B. Public Hearing – 1st Reading of Zoning/Annexation Requests

1. File T12-02: Text Amendment application by Cliff Acuff to add Automotive and light truck rental facility as a permitted use in the M-U (Multiple Use) zoning district.

Randy Mannino, Planning and Development Director stated that the Public Official Forms have been received and there are no conflicts of interest. All adjacent property owners have been notified and the required legal notices have been advertised. Mr. Mannino requested that the application and zoning ordinance be made part of the official record. Copies of the adopted procedures and zoning standards are available upon request. Mr. Mannino stated that this is a proposal by Dr. Cliff Acuff to add Automotive and Light Truck Rental Facilities to the list of allowed uses in the M-U Zoning District. Currently the only automotive-related use allowed in the M-U zoning district is Automotive Specialty Shops allowed on properties fronting an arterial or major collector street and is limited to four (4) bays. Mr. Mannino stated that the proposed text amendment is needed to allow for a national vehicle rental company to operate on Tennessee Street. Mr. Mannino stated that the Planning Commission recommended approval to add the use as follows: Automotive and Light Truck Rental Facility (allowed on properties fronting an arterial or major collector street only).

Mayor Santini opened the floor for a public hearing on the text amendment. With no comments Mayor Santini closed the public hearing.

NO ACTION REQUIRED

2. File SU12-03: Special Use application by Cliff Acuff for property located at 300 Walnut Grove Road (0.68 acres) to allow an apartment below and behind the office (Special Use required in the P-S Zoning District)

Randy Mannino, Planning and Development Director stated that the Public Official Forms have been received and there are no conflicts of interest. All adjacent property owners have been notified and the required legal notices have been advertised. Mr. Mannino requested that the application and zoning ordinance be made part of the official record. Copies of the adopted procedures and zoning standards are available upon request. Mr. Mannino stated that this tract is located at 300 Walnut Grove Road near Douthit Ferry Road. The property includes an office building with a basement built in 2004. City staff was informed in 2007 that the property owner had finished out the basement without obtaining a building permit and was living there. Mr. Mannino stated that staff had notified the owner that, for a property zoned P-S, the use of a structure for residential use was not allowed and the property owner vacated the basement. Recently staff has been informed that the owner has been renting the basement. Dr. Acuff is attempting to correct this with a Special Use Permit to allow the basement to continue to be used as a residence, while maintaining a main floor office and has agreed to meet all applicable city codes. Mr. Mannino stated that the Planning Commission has recommended denial of the application.

Mayor Santini opened the floor for a public hearing on the Special Use Application. Chief Carter came forward to explain the Fire Department concerns. With no comments Mayor Santini closed the public hearing.

NO ACTION REQUIRED

C. Resolutions

1. Approval of Home Development Resources Contract Termination

Richard Osborne, City Planner stated that in 2011 the Georgia DCA awarded the city \$199,802.00 in federal CDBG funds for an owner-occupied housing rehab project for North Towne. In January 2012 the city awarded Home Development Resources (Mary Ledbetter) as Grant Administrator for the low bid of \$34,000.00. Throughout the year Ms. Ledbetter notified City Staff and City-County grant writers that she has submitted information to Georgia DCA and that State staff are reviewing the data, however in October the DCA notified city staff that the required paperwork had not been fully completed and submitted to the state. After repeated attempts to communicate with Ms. Ledbetter the DCA staff has stated that it is possible to terminate this contract and re-bid the project. Mr. Osborne recommended termination of the contract with Home Development Resources.

A motion to approve Resolution No. 19-12 and the contract termination was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

Resolution No. 19-12

WHEREAS, on February 2, 2012 the City of Cartersville entered into a Contract for Program Administration with Home Development Resources, Inc. (“HDR”);

WHEREAS, to date HDR has not met its obligations under said Contract;

WHEREAS, on October 29, 2012, the City of Cartersville provided a notice of termination letter and chance to cure to HDR, attached hereto as Exhibit “A”;

WHEREAS, as of November 15, 2012 HDR has failed to cure its defaults as listed in said letter; and,

WHEREAS, the Staff of the City recommends termination of said Contract.

NOW THEREFORE BE IT HEREBY RESOLVED by the Mayor and City Council of the City of Cartersville that based on HDR’s failure to perform its obligations under the contract, and that effective immediately, said Contract with HDR is hereby terminated and the Mayor is directed to notify HDR of said termination.

BE IT AND IT IS HEREBY RESOLVED this 15th day of November, 2012

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

D. Contracts/Agreements

1. Subordination Agreement for 14 Dove Court

Richard Osborne, City Planner stated that one of the first time homebuyers Clara Ayers is seeking to refinance a single family home located at 14 Dove Court for which there is a \$10,000.00 Deed to Secure Debt and Promissory Note issued in 2008 to the City of Cartersville. This agreement allows the property owner to maintain the primary and secondary subordinate agreement with a new mortgage loan to serve as the primary debt, and the City will remain in the same security position as before. Mr. Osborne recommended approval.

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

2. Purchase of 242 Lee Street

Tom Quist, Assistant to the City Manager stated that this is one of three flood-prone properties the city has planned to purchase through the Pre-Disaster Mitigation Grant Program. The owner, Kathy Alexander, has agreed to sell the property for its fair market value of \$91,400.00 as well as all reasonable closing costs estimated to be below \$1,200.00. Mr. Quist recommended approval.

A motion to approve the purchase of 242 Lee Street was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

3. Employee Health Insurance Coverage through Cigna Insurance

Dan Porta, Assistant City Manager stated that since January 2011 the city employees have been covered through United Health Care (UHC). At renewal last year there was a 7% rate increase under the standard 12/12 contract. During 2012 the city has experienced higher claims cost and the original UHC renewal for 2013 was 20.0% higher than the 2012 number. In addition, there are higher specific deductibles on three covered individuals. After speaking with Shaw Hankins the two best options are from Blue Cross & Blue Shield at a 15.6% increase over the current rates or moving to Cigna with a 0.9% rate decrease. The Cigna Insurance Plan is not a self-insured product but is a minimum premium alternative. The coverage levels are the same under either company, with the same doctor co-pays and deductibles but the Cigna product has all city specific deductibles. Mr. Porta stated that as an added benefit of the Cigna Insurance product is their Wellness Fund. This is similar to the wellness product we have previously used but the program will be administered by Cigna and they will work with the employee's doctor if the employee has some risk factors that need to be improved. Mr. Porta stated that the additional cost to fund the insurance coverage for 2013 is approximately \$450,000.00 over budget, plus 2012 run out claim costs and employee deductibles that are shared. Mr. Porta recommended the change to Cigna Insurance.

A motion to approve the change to Cigna Insurance with the Bridge Plan was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

4. Termination of Prescription Drug Coverage Contract with Data Rx

Dan Porta, Assistant City Manager stated that in August 2012 the city carved out the prescription drug coverage from United Health Care to Data Rx. This contract was for three years but included an early termination clause. Due to the change to Cigna Insurance and the negotiated \$40,000.00 savings that are comparable to what the city would have received from Data Rx. Mr. Porta recommended approval of this contract termination.

A motion to approve the termination of prescription drug coverage contract with Data Rx was made by Council Member Hodge and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0

(Council Member Stepp excused himself from the meeting)

E. Bid Award/Purchases

1. Meters for Distributions and Collections

Jim Stafford, Water Superintendent stated that this is for the purchase of water meters for the next six (6) months. The sole source bid for these meters is Delta Municipal Supply Co., Inc in the amount of \$14,165.00 and recommended approval.

A motion to approve the purchase from Delta Municipal Supply Co. was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 4-0

F. Monthly Financial Statement

1. September 2012

Mr. Tom Rhinehart, Finance Director, presented the September 2012 monthly financial statement with comparisons from the previous year of September 2011, 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 September 2012.

After announcements a motion to adjourn the meeting was made by Council Member Tate 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
12/6/2012 9:00:00 AM

File #T12-02: Text Amendment application by Cliff Acuff to add Automotive and light truck rental facility as a permitted use in the M-U (Multiple Use) zoning district.

SubCategory:	Public Hearing - 2nd Reading of Zoning/Annexation Requests
Department Name:	Planning and Development
Department Summary Recommendation:	T12-02 is the proposal by Dr. Cliff Acuff to add Automotive and light truck rental facility to the list of allowed uses in the M-U zoning district. First adopted in 1996, the M-U zoning district of the Zoning Ordinance was intended at that time to serve as a transitional district that would allow for multi-family residential as well as a variety of mid-level commercial operations, but uses related to automotive were largely left out of this district. The only automotive-related use currently allowed in the M-U zoning district is Automotive specialty shops (allowed on properties fronting an arterial or major collector street only and shall be limited to four (4) bays). This use includes installation or repair of tires, car audio sales and installation, and minor tune-up shops. During the last 5 to 10 years, staff has received numerous requests to operate automotive-related businesses on Tennessee Street, a road which is mostly zoned M-U and now includes mostly commercial uses. Dr. Acuff has stated in his application that the proposed text amendment is needed to allow for a national vehicle rental company to operate on Tennessee Street. Planning Commission recommended approval to add the use as follows: Automotive and light truck rental facility (allowed on properties fronting an arterial or major collector street only).
City Manager's Remarks:	Your approval of this text amendment is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

MEMO

TO: Mayor & Council
 FROM: Randy Mannino and Richard Osborne
 DATE: November 7, 2012
 SUBJECT: M-U zoning district text amendment case T12-02

T12-02 is the proposal by Dr. Cliff Acuff to add *Automotive and light truck rental facility* to the list of allowed uses in the M-U zoning district. First adopted in 1996, the M-U zoning district of the Zoning Ordinance was intended at that time to serve as a transitional district that would allow for multi-family residential as well as a variety of mid-level commercial operations.

When drafted in the mid-1990s, uses related to automotive were largely left out of this district. The only automotive-related use currently allowed in the M-U zoning district is *Automotive specialty shops (allowed on properties fronting an arterial or major collector street only and shall be limited to four (4) bays)*. This use includes installation or repair of tires, car audio sales and installation, and minor tune-up shops.

During the last 5 to 10 years, staff has received numerous requests to operate automotive-related businesses on Tennessee Street, a road which is mostly zoned M-U and now includes mostly commercial uses. If this additional permitted use is determined to be appropriate for the M-U district, it may be consistent to add the phrase *(allowed on properties fronting an arterial or major collector street only)* since this phrase is applied to automotive specialty shops in M-U.

Dr. Acuff has stated in his application that the proposed text amendment is needed to allow for a national vehicle rental company to operate on Tennessee Street. The following change has been proposed:

Automotive and light truck rental facility

CURRENT

Most auto-related uses are currently not allowed in light- and medium-intensity commercial districts – P-S, P-D, DBD, N-C, M-U.

A wide range of auto and truck uses (sales and repair) are allowed in G-C, and repair garages (with no outdoor storage of inoperable vehicles) are allowed in L-I.

POTENTIAL

Add the following to the list of permitted uses in the M-U zoning district:

- *Automotive and light truck rental facility*

PLANNING COMMISSION RECOMMENDATION:

APPROVAL with added permitted use in M-U to be the following:

Automotive and light truck rental facility (allowed on properties fronting an arterial or major collector street only).

Ordinance
of the
City of Cartersville, Georgia
Ordinance No.

Now be it and it is hereby **ORDAINED** by the Mayor and City Council of the City of Cartersville, that the **CITY OF CARTERSVILLE CODE OF ORDINANCES CHAPTER 26 ZONING** is hereby amended as follows:

1.

The Zoning Ordinance is hereby amended by adding the following:

2.

Article XXVI Zoning Ordinance Section 9.2.2.A

Automotive and light truck rental facility (allowed on properties fronting an arterial or major collector street only).

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the day of 2012.

ADOPTED this the day of 2012. Second Reading.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk



City of Cartersville

PLANNING AND DEVELOPMENT

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

APPLICATION FOR TEXT AMENDMENT OF THE CITY OF CARTERSVILLE ZONING ORDINANCE

Paid \$425 10-10-12 -R0

(PLEASE PRINT OR TYPE)

Application No. T 12-02 Date: 10-10-12

Name of the Applicant(s): CLIFF Acuff

Current Address of the Applicant(s): 300 Walnut Grove Rd

Applicant's Telephone Number: 678-234-1364

Existing Text to be Amended:

Article 9, Section 2, Subsection 2

Existing Text Reads as Follows: _____

Use of vehicle rental Facility
not allowed in M-U

New Text:

Proposed Text Reads as Follows: Add the following as a
permitted use:

- Automotive and light truck rental Facility



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

Application No. T12-02 Applicant: CLIFF A. WIFF

Reasons for the Amendment Request: _____

Allow For national vehicle rental
company to have a facility at
708 N. Tennessee St

Public Notification in the Cartersville newspaper of the Proposed Amendment(s) shall be required per the City of Cartersville Zoning Ordinance Article XXI.

A Filing Fee of \$400 must accompany the completed application.

Application and Fee Received

By: [Signature] Date: 10-10-12

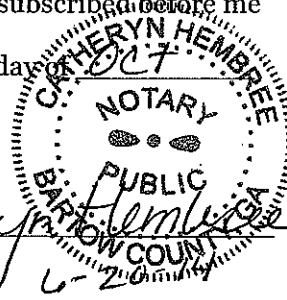
X [Signature]
Signature of Applicant

Sworn to and subscribed before me

this 10 day of OCT

20 12.

Cathryn Hembree
Notary Public 6-20-2012





City of Cartersville

City Council Meeting
12/6/2012 9:00:00 AM

File #SU12-03: Special Use application by Cliff Acuff for property located at 300 Walnut Grove Road (0.68 acres) to allow an apartment below and behind the office (Special Use required in the P-S zoning district).

SubCategory:	Public Hearing - 2nd Reading of Zoning/Annexation Requests
Department Name:	Planning and Development
Department Summary Recommendation:	The subject tract is located at 300 Walnut Grove Road, near Douthitt Ferry Road. The property includes an office building with a basement built in 2004. City staff was informed in 2007 that the property owner had finished out the basement without obtaining a building permit and was living there. Staff notified the owner that, for a property zoned P-S, the use of a structure for residential use was not allowed. After receiving this data, the property owner vacated the basement. Recently, staff has been informed that the owner has been renting the basement. Dr. Acuff proposes to correct the concern by applying for a special use to allow the basement to continue to be used as a residence, while maintaining a main floor office. The applicant has stated that he will agree to meet all applicable City codes, and other special use standards are met. Planning Commission recommended denial.
City Manager's Remarks:	Staff has no problem with this and the applicant has agreed to meet all applicable codes. Consequently, even though the Planning Commission recommends denial, I recommend your approval.
Financial/Budget Certification:	
Legal:	
Associated Information:	

SPECIAL USE APPLICATION SYNOPSIS

Petition Number(s): **SU12-03**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **Dr. Cliff Acuff**

Representative: **None**

Property Owner: **Acuff Properties Inc**

Property Location: **300 Walnut Grove Rd**

Access to the Property: **Walnut Grove Rd near intersection with Douthit Ferry Rd**

Site Characteristics:

Tract Size: Acres: **0.68 acres** District: **4th** Section: **3rd** LL(S): **777**

Ward: **3** Council Member: **Louis Tonsmeire**

LAND USE INFORMATION

Current Zoning: **P-S with condition that there be only one access location.**

Proposed Special Use: **Allow basement to be used as an apartment.**

Current Zoning of Adjacent Property:

North: **Bartow County jurisdiction**

South: **P-S with condition that there be only one access location.**

East: **P-I**

West: **P-S with condition that there be only one access location.**

The Future Development Plan designates the subject property as:

Community Village Center, with recommended zoning districts O-C, M-U, and P-S.

ZONING ANALYSIS

City Departments Reviews

Water and Sewer:

No comments.

Public Works:

No comments.

Gas:

No comments.

Electric:

No comments.

Fire:

Earl Hightower brought me [Fire Marshall Mark Hathaway] a scaled as-built drawing of the basement. He informed me that he has been hired to do the necessary changes to the basement to change it to a residential occupancy. The main change is replacing the current storefront windows to functioning windows. I also spoke with Mr. Acuff today [Nov. 5] about a concern I had about some rooms with no secondary egress possibly being used for bedrooms (they have closets in them). One of the rooms listed as a bedroom does not have a closet in it. I fear the other rooms with closets may be used as bedrooms and are not safe for such use since they are below grade without a secondary means of egress. Mr. Acuff stated that he will put a condition in any leases that these rooms (without secondary egress) are not to be used as sleeping or living areas. Mr. Acuff has agreed to install functioning windows with at least 5.7 sqft of clear space as secondary egress in the kitchen, bedrooms, and living areas that do not have secondary egress already. Once these items are satisfied, CFD will accept the change of usage of the basement space to a residential occupancy.

Smoke detection that meets the residential code must be in place (in bedrooms, outside of sleeping areas, etc).

If Council approves this case per condition that code compliance per CFD be met, CFD recommends that a timeframe of 30 days from date of approval be placed on the approval as a condition since this is a reasonable timeframe for the applicant to bring the basement residence up to code.

Police:

No comments.

The subject tract is located at 300 Walnut Grove Road, near Douthit Ferry Road. The property includes an office building with a basement built in approximately 2004. Five years ago, City staff was informed that the property owner had finished out the basement without obtaining a building permit and was living in the basement. Staff notified the owner that, for a property zoned P-S, the use of a structure for residential use was not allowed. After receiving this data, the property owner vacated the basement.

Recently, staff has been informed that the owner has been renting the basement. Staff met with Dr. Acuff to discuss the matter. Dr. Acuff proposes to correct the concern by applying for a special use to allow the basement to continue to be used as a residence, while maintaining a main floor office. The applicant has stated that he will agree to meet all applicable City codes, and other special use standards are met.

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

Sec. 16.1. Scope and intent.

This article specifies uses which are not classified as permitted uses as a matter of right in zoning districts, and are therefore only allowed through the approval of a Special use. The standards which apply to each use are enumerated and must be met in order for an application to be granted.

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

- A. The effect of the proposed activity on traffic flow along adjoining streets;
- B. The availability, number and location of off-street parking;
- C. Protective screening;
- D. Hours and manner of operation of the proposed use;
- E. Outdoor lighting;
- F. Ingress and egress to the property; and
- G. Compatibility with surrounding land use.

In granting a special use, conditions may be attached as deemed necessary in the case for the protection or benefit of neighbors to assimilate the proposed development or use into the neighborhood with minimal impact.

Sec. 16.2. Application of regulations and approval.

Uses allowable with a special use and the minimum standards for such uses are listed in section 16.4 of this article. Uses in the districts enumerated herein may be authorized by special use only. The regulations contained in this article shall not apply to any permitted use as a matter of right in any zoning district.

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

- A. The standards for the Special use as specified herein can be met;
- B. Recommendations have been received from planning and development staff and other City departments.

- C. A public hearing has been held for the special use before the Planning Commission in conformance with the advertising standards outlined in article XXIV of this chapter. The Planning Commission shall make recommendations to the Mayor and Council regarding the application for a special use;
- D. A public hearing has been held in relation to the Special use before the Mayor and Council in conformance with the advertising standards outlined in article XXIV of this chapter.

Sec. 16.3. Additional restrictions.

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

Sec. 16.4. Minimum Special use standards.

16.4.2. Apartment, above or behind commercial and office uses in the same building.

Standard #1: The dwelling unit shall comply with all applicable City of Cartersville building and fire codes.

How Standard #1 has / will be met: The applicant has stated that he will agree to meet all applicable codes.

Standard #2: Minimum floor area requirements for a dwelling unit shall be the following:

- 3-bedroom, 900 sqft
- 2-bedroom, 750 sqft
- 1-bedroom, 600 sqft
- Studio/loft (in existing buildings), 450 sqft

How Standard #2 has / will be met: The apartment is over 1,000 sqft.

Standard #3: Minimum number of parking spaces: two (2) spaces for each dwelling unit plus three (3) spaces for each one thousand (1,000) square feet of commercial use

How Standard #3 has / will be met: This standard has been met.

Standard #4: Parking lot outdoor lighting shall be directed away and shielded from residential above or behind commercial use and from abutting residential districts or use. Freestanding street lighting fixtures shall have a maximum height of thirty-five (35) feet.

How Standard #4 has / will be met: This standard has been met.

Standard #5: Sound-deadening construction materials and techniques should be used and bedrooms should be oriented away from noise sources.

How Standard #5 has / will be met: This standard has been met.

STAFF RECOMMENDATION: No objections if the property owner meets code compliance per CFD.

PLANNING COMMISSION RECOMMENDATION: **DENIAL**

Application for Special Use

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

Application Number SW12-03
11-6-12 @ 6:00 PM
Hearing Dates 11-15-12 @ 7:00 PM 12-6-12 @ 9:00 AM

*Paid \$450
application plus legal fee*

Applicant <u>CLIFF A ALUFF</u> (applicant's printed name)		Business Phone <u>770-382-8556</u>	
Address <u>300 WALNUT GROVE RD</u>		Home Phone <u>678-234-1364</u>	
City <u>CARTERSVILLE</u>	State <u>GA</u>	Zip <u>30120</u>	
Phone _____		Fax # <u>770-382-8556</u>	
(Representative's printed name (if other than applicant)) _____			
Representative's signature _____		Applicant's signature <u>Cliff Aluff</u>	
Signed, sealed and delivered in presence of: <u>Catherine Hummer</u> Notary Public			
My commission expires: _____			

Titleholder <u>ALUFF PROPERTIES, INC</u> (titleholder's printed name)	Business <u>770-382-8556</u>	Home <u>678-234-1364</u>
*attach additional notarized signatures as needed on separate application page		
Address <u>300 WALNUT GROVE RD</u>		
Signature <u>CARTERSVILLE, GA 30120</u>		
Signed, sealed, delivered in presence of: <u>Catherine Hummer</u> Notary Public		
My commission expires: <u>6-20-14</u>		

below and behind

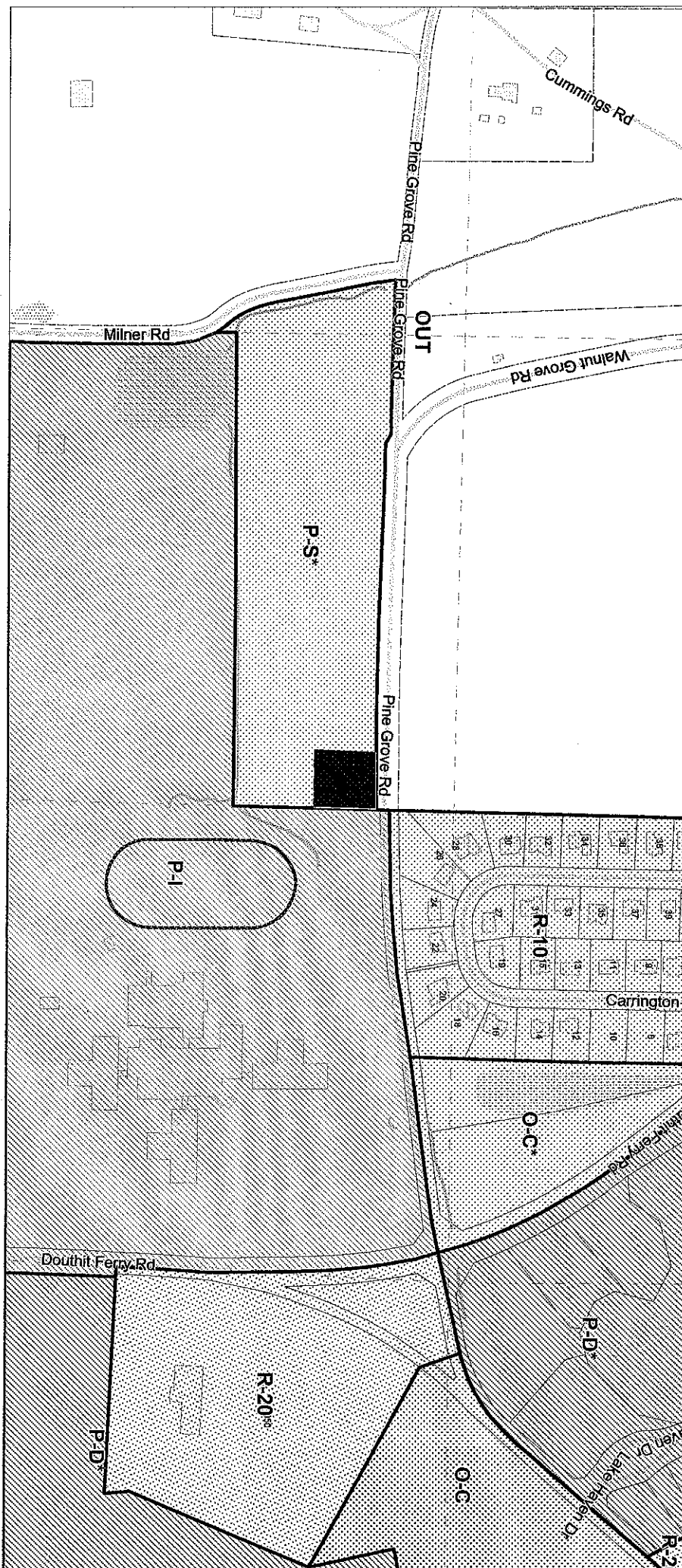
Present Zoning District(s) <u>P-S w/condition</u>	Requested Special Use <u>Apartment office use</u>
Acreage <u>0.68</u>	Land Lot(s) <u>777</u>
District(s) <u>4</u>	Section(s) <u>3</u>
Location of Property <u>300 WALNUT GROVE RD, CVILLE</u> (street address, nearest intersections, etc)	
Reason for requested Special Use: <u>TO ALLOW BASEMENT TO BE USED FOR RESIDENTIAL</u> <u>apartment</u> (attach additional statement as necessary)	

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

* P-5 condition that there be only one access location.

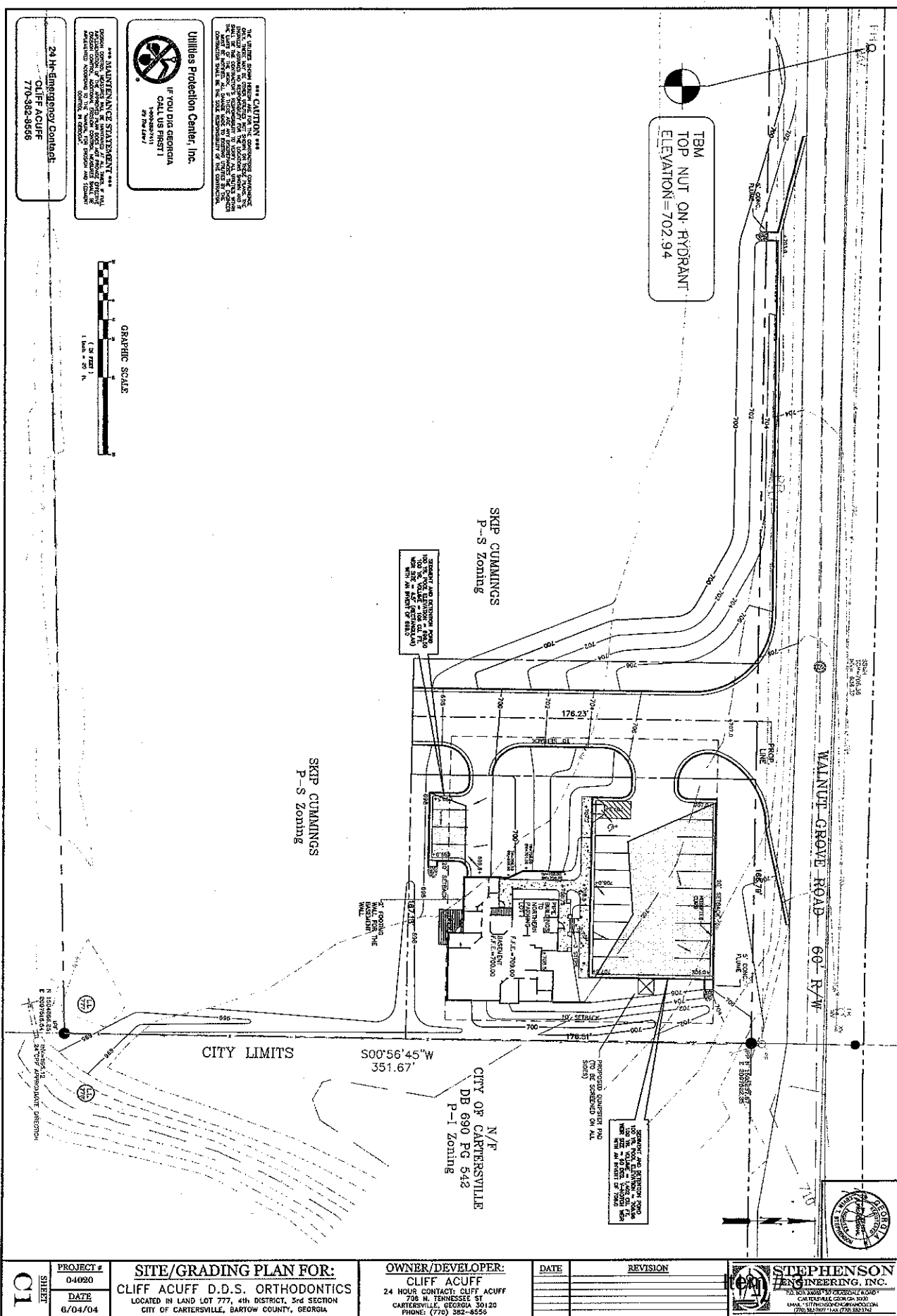
Item # 3

Special Use case - 300 Walnut Grove Rd

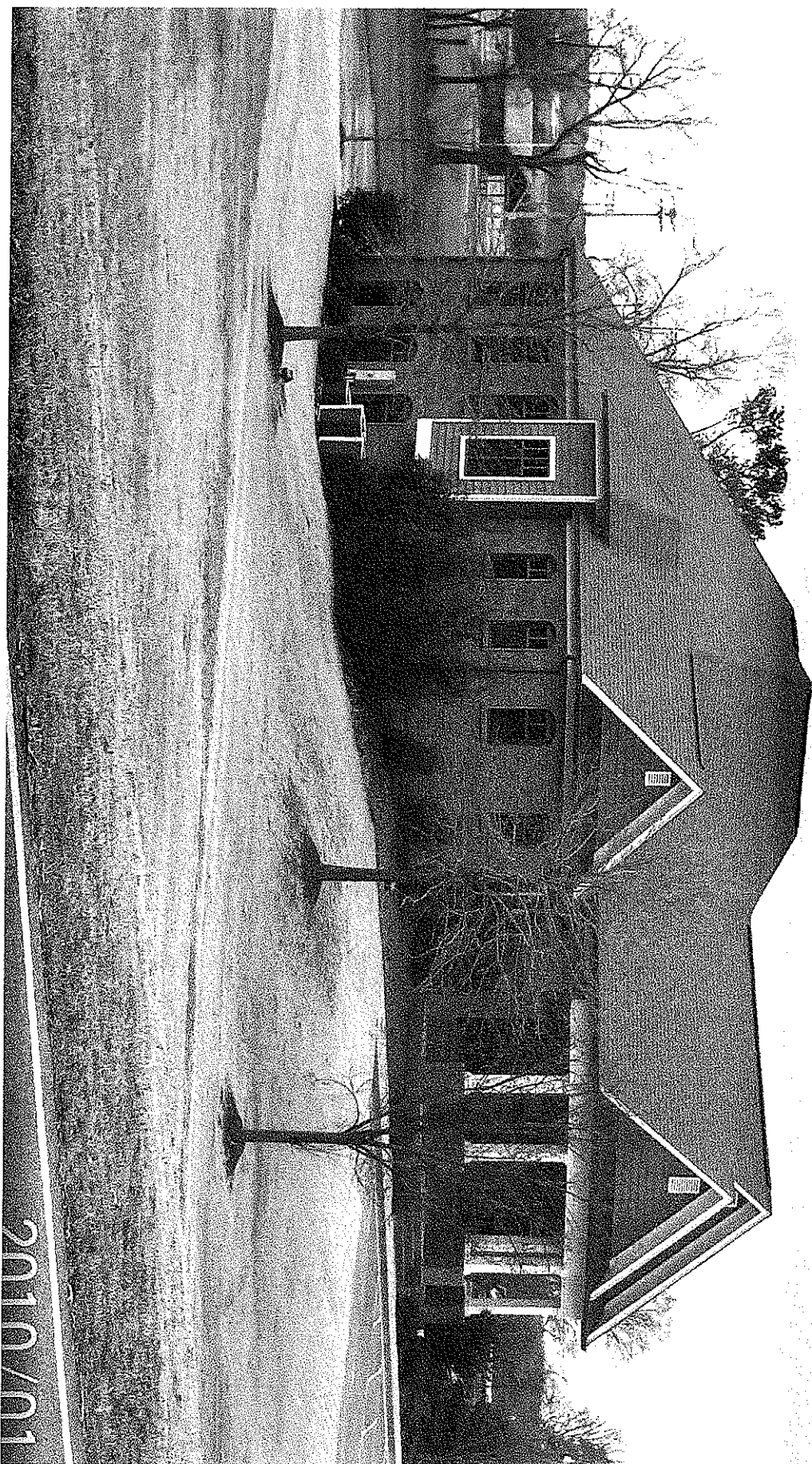


Item # 3





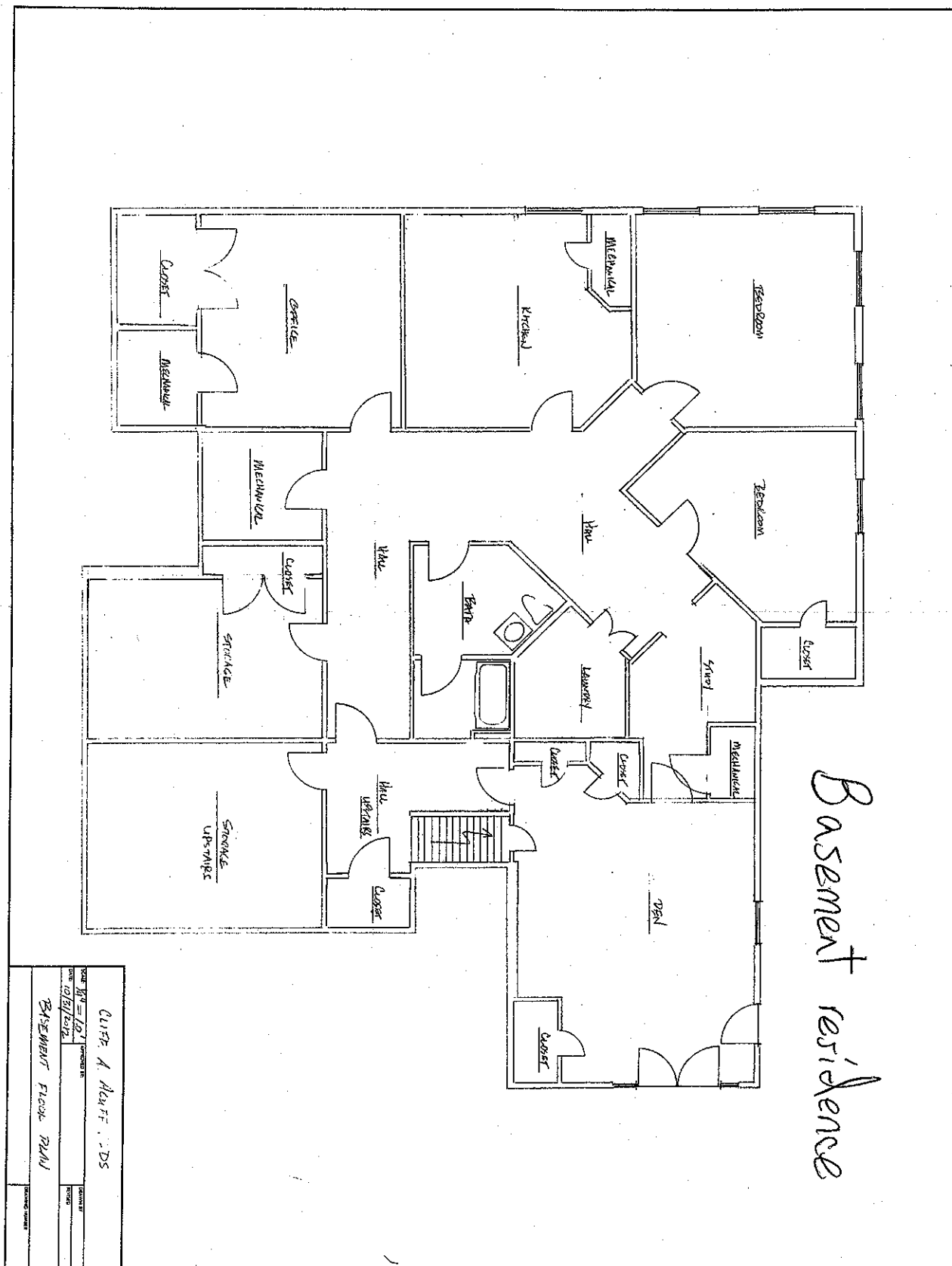
Item # 3



<http://www.bartowmaps.org/taxdata/image/36000/750001.jpg>

10/9/2012

2010/01



SPECIAL USE JUSTIFICATION

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

For review of a Special Use case, an applicant must state the use applied for and demonstrate that the standards for such use have / will be met:

Use applied for:

RESIDENTIAL apartment below and behind office

Standard #1:

Dwelling unit shall comply with applicable City building and fire codes

How Standard #1 has / will be met:

Applicant has stated that he will agree to bring apt up to all applicable City codes.

Standard #2:

2-bedroom unit must be a minimum of 750 sqft in area.

How Standard #2 has / will be met:

Unit is over 2,000 sqft in size.

Standard #3:

Minimum parking 2 spaces for each dwelling unit plus 3 spaces per 1,000 sqft commercial

How Standard #3 has / will be met:

Overly adequate parking at 23 spaces.

Standard #4:

Parking lot outdoor lighting shall be shielded from residential use and from adjacent residential districts. Maximum height 35 Ft for freestanding street light fixtures.

How Standard #4 has / will be met:

Lighting on the property meets the Standard.

Standard #5:

Sound-deadening construction techniques should be used and bedrooms should be oriented away from noise sources.

How Standard #5 has / will be met:

Property meets this standard.

Standard #6:

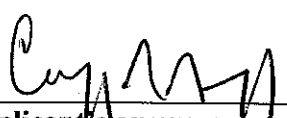
How Standard #6 has / will be met:

Standard #7:

How Standard #7 has / will be met:

ADDITIONAL COMMENTS BY APPLICANT:

Signed,


Applicant's or representative's name

10-9-12
Date

October 11, 2007

Cliff Acuff
300 Walnut Grove Road
Cartersville, Georgia 30120

Dear Mr. Acuff:

This office has received a report of a zoning violation occurring at your business located at 300 Walnut Grove Road.

The violation concerns the residential use of the building located at 300 Walnut Grove Road. The city has received a report that you are living and sleeping at this location. This property is zoned P-S Professional Services. The use of a dwelling for a residential use is not allowed in this zoning district.

I realize that you are most likely unaware of this regulation. Please comply with the City of Cartersville Zoning Ordinance by ensuring that you are not using the dwelling for a residential use. Failure to comply with the above noted ordinance could result in legal action being taken against you for a violation of the City of Cartersville Zoning Ordinance.

The City would appreciate your prompt cooperation in this matter. If you have questions about this request, please call me, at the office of Planning and Development. 770-387-5600.

Yours very truly,

Tim Jones
Code Enforcement Officer

Dr. Hinesley, the following is how we found out that a student was living at a property zoned commercial:

On Monday, October 1, 2012, Carol Clowers, CES Bookkeeper, was entering our morning tardies into the system. She noticed that a student had 9 unexcused tardies and 1 unexcused absence. She decided to look at the student's address to see why she was tardy 9 days and not riding a bus to school. She looked at the parent's proof of residency, which was a lease for 300 Walnut Grove signed by her landlord, Cliff A. Acuff, President of Acuff Properties, Inc. Mrs. Clowers picked up the phone book to look for a telephone number for Acuff Properties. She wanted to speak with Mr. Acuff regarding his tenant to confirm that she was still residing at 300 Walnut Grove.

Mrs. Clowers discovered that the address to Mr. Acuff's dentist office and the parent were both listed as 300 Walnut Grove. She then called the Cartersville City Utilities to see if 300 Walnut Grove's utilities were listed in the parent's name. She was told that 300 Walnut Grove was classified as commercial property only. Then Mrs. Clowers was transferred upstairs to speak with David Dye. Mr. Dye confirmed the property was classified as commercial and it was illegal for anyone to be living in a basement of a commercial building.

Carol Clowers then spoke with Ken Paige. He told Carol to contact the parent regarding proof of city residency and she did. The parent promised she would contact her landlord, Mr. Acuff, regarding her residency and she promptly did.

I was out of town on Monday, October 1, and upon my return on Tuesday, October 2nd, Carol informed me of the events, circumstances from Monday, October 1. I have kept you abreast of all other circumstances since October 2.

Please contact me if you need any additional details.

Ken MacKenzie
Principal, Cartersville Elementary

Dr. Hinesley, these are some details on the student's registration, dates of attendance at CES and parent's lease:

- 1) Parent enrolled her daughter on July 21, 2011. This was her first enrollment in Cartersville City Schools. She has been a student at CES for the entire 2011-12 school year (Grade 3), and all of our current year, August 8, 2012, through today, Wednesday, October 10, 2012 (Grade 4).
- 2) Parent signed a lease with Mr. Acuff on June 9, 2011, and it expired on June 9, 2011 (which is a typo and should reflect June 9, 2012, not 2011, per parent).
- 3) We found out that 300 Walnut Grove is zoned commercial not residential when researching the student's files in early October, 2012, due to an excessive number of tardies during the 2012-13 school year.
- 4) The property tax record for 300 Walnut Grove shows property being classified as medical office.
- 5) Parent has used the mailing address of her sister @ 13 Latimer Lane, not 300 Walnut Grove, since she enrolled student on July 21, 2011.
- 6) Parent's lease started on June 9, 2011 and expired on June 9, 2011 (which really meant 2012). She has been living at 300 Walnut Grove for one year, 4 months, and one day. She paid \$867.00 per month for the first 12 months (\$800.00 for Rent and \$67.00 for deposit), and \$800.00 a month for the next 4 months.
- 7) Parent's checks are still imprinted with Name, 241 Moss Creek Drive, NE, Calhoun, GA. 30701.
- 8) Parent's address still pulls up 241 Moss Creek Drive, NE on Whitepages.com.
- 9) Parent's name is still listed on property tax records for 241 Moss Creek Drive, NE. She informed me that her ex-husband still lives at 241 Moss Creek Drive, NE.

Please notify me if you need any additional information.

Ken MacKenzie
Principal, Cartersville Elementary



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 # **SU12-03**

DISCLOSURE OF INTERESTS BY LOCAL OFFICIAL

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

Cliff Acuff has made a special use request on the following property: Approximately 0.68 acres located at 300 Walnut Grove Rd in Land Lot 777, 4th District, 3rd Section.

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

12/6/2012 9:00:00 AM

Application for CHIP Down Payment Assistance Grant

SubCategory:	Resolutions
Department Name:	Planning and Development
Department Summary Recommendation:	The City of Cartersville will provide first-time home buyer down payment and closing cost assistance to 25 low-income families, as defined by State Department of Community Affairs (DCA) eligibility for Bartow County, with a maximum of up to \$10,000 in Community Home Investment Program (CHIP) funding per family. The City will partner with private financial institutions as well as with an administering agency, the Etowah Area Housing Authority's non-profit entity, the Housing and Development Corporation of Bartow County. The non-profit will provide mandatory homeownership pre-purchase counseling for each applicant for down payment assistance. The non-profit, under the direction of the City Planning & Development department, will be the lead administrative agency along with the Bartow County grantwriting department.
City Manager's Remarks:	Your approval of this item is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

Resolution No.

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS, REQUESTING UP TO \$315,000 COMMUNITY HOME INVESTMENT PROGRAM (CHIP) GRANT FOR THE DEVELOPMENT OF AFFORDABLE HOUSING OPPORTUNITIES THAT WILL BENEFIT LOW AND MODERATE INCOME FAMILIES, INCLUDING FIRST-TIME HOMEBUYER DOWN PAYMENT AND CLOSING COST ASSISTANCE TO 25 LOW INCOME FAMILIES WITH A MAXIMUM OF UP TO \$10,000 IN DIRECT CHIP FUNDING PER FAMILY.

WHEREAS, the Georgia Department of Community Affairs is Authorized to Make Grants to Non-Urbanized Areas for the Purpose of Community Improvements.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Cartersville herein referred to as the "Applicant",

- 1. That Matt Santini in his official capacity as Mayor is authorized to execute and file an application on behalf of the Applicant, a city government, with the Georgia Department of Community Affairs,**
- 2. That the Mayor is authorized to execute and file such applications and assurances or any other documents required by the Georgia Department of Community Affairs,**
- 3. That the Mayor is authorized to execute a grant contract agreement on behalf of the Applicant with the Georgia Department of Community Affairs,**
- 4. That the City of Cartersville while making application to or receiving grants from the Georgia Department of Community Affairs will comply with state and federal statutes, regulations, executive orders and administrative requirements as required by said agencies.**

Adopted this the day of December 2012.

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

ATTEST:

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



City of Cartersville

**City Council Meeting
12/6/2012 9:00:00 AM
Downtown Development Authority Board**

SubCategory:	Appointments
Department Name:	Downtown Development Authority
Department Summary Recommendation:	The Cartersville Downtown Development Board of Directors respectfully requests the appointment of Lara Jeanneret to replace Harry Finchum, who passed away in October and whose term was to expire 2/18/2015, and the appointment of Jill Mitchell to replace Susan Howard, who resigned at the October board meeting and whose term also was to expire on 2/18/2015. We would like to acknowledge the leadership of Mr. Finchum who served on the board since 2005, and had been chairman of the board for the past five years. Additional thanks to Susan Howard who has served on the board for the past 6 years. The board is excited to now welcome both Mrs. Jeanneret and Mrs. Mitchell, both of whom have businesses in the downtown district, and have already shown their eagerness to help lead the DDA into the future through support of various events and activities. Both will be excellent additions to the DDA board of directors.
City Manager's Remarks:	Your approval of the appointments listed above is recommended
Financial/Budget Certification:	
Legal:	
Associated Information:	

CITY OF CARTERSVILLE

City Board/Commission Application Form

Applicant Information

Name Mitchell Jill
 (last) (first) (middle initial)

Address 62 Farr Circle NE Rydal GA 30171
 (street)

Email Address Jill @ JohnnyMitchells.com

Home Phone 770.383.3383 Cell Phone 770.773.0352

City Resident Yes ☐ No ☒ Ward 1 2 3 4 5
 (if applicable)

Related Experience: Civic/Business/Other

Owner: Johnny Mitchell's Smokehouse in Euaharlee and
JmX in Cartersville

Board: Euaharlee Historical Society

Personal References (list at least 3)

Ava Lipscomb 678.431.3210 Gerard Verzaal 770.386.3460
Connie Mitchell-White 770.842.5704 John Lewis 770.386.1978
Ellen Archer 770.606.5763

Position Information

Board/Commission applying for: Downtown Development Authority

Reason interested in position (please explain in space provided)

My love of Cartersville, my willingness to participate in the
continued success of a vital downtown

J Mitchell
 Applicant Signature

10.18.12
 Date

Thank you for your interest in serving our community



City of Cartersville

City Council Meeting
12/6/2012 9:00:00 AM
Right of Entry for Legacy Sod Farm

SubCategory:	Contracts/Agreements
Department Name:	Public Works
Department Summary Recommendation:	This right of entry agreement is to allow our archaeologist consultant to enter onto private property for the purposes of completing the Phase II testing of mound remnants adjacent to the Douthit Ferry Road Widening Project. We anticipate having to pay for the sod that is damaged, but do not anticipate much damage due to the small size of the excavation pits. The final amount will be below our spending authorization amount, the purpose for this being on the agenda is to get permission for the Mayor to sign the agreement. Public Works recommends approval of this right of entry agreement.
City Manager's Remarks:	Your approval of this item is recommended.
Financial/Budget Certification:	
Legal:	The ROE has been reviewed by Keith Lovell.
Associated Information:	

GEORGIA DEPARTMENT OF TRANSPORTATION

TEMPORARY RIGHT OF ENTRY

STATE OF GEORGIA

COUNTY OF BARTOW

THIS TEMPORARY RIGHT OF ENTRY AGREEMENT ("Agreement") is made and entered into this ____ day of _____ 2012 by LEGACY FARMS, LLC (Property Owner) in favor of GEORGIA DEPARTMENT OF TRANSPORTATION (hereinafter together with its successors and assigns called "GDOT"), 600 West Peachtree Street, Atlanta, Georgia, 30308. For and in consideration of the agreements of GDOT set forth in this Agreement, and in order to expedite the construction of Improvements to Douthit Ferry Road/CR 343 in Cartersville [DOT Project Number CSSTP-0007-00(494), PI 0007494] in Bartow County, we, the undersigned, hereby grant to GDOT, subject to and upon the conditions set forth in this Agreement, the temporary right to enter upon that tract or parcel of land lying and being in Land Lot 919 of the Fourth Land District, Bartow County, Georgia, the right for GDOT to enter upon the right of way described as Parcel No.9A and reflected in yellow on the map and drawing hereto attached, marked Exhibit "A", for the purpose of completing archaeological investigations prior to construction of said project. The CITY OF CARTERSVILLE has agreed to compensate the Property Owner for impacts to a maximum of 0.117 acre of sod caused by the archaeological investigations in the amount of \$_____. This document in no way affects future negotiations between the Department of Transportation and the property owner and/or the property owner's legal rights to receive payment of compensation.

This__day of_____,2012.

Expires one year from date of execution.

Legacy Farms, LLC

By: _____

Title: _____

Signed, Sealed and Delivered
in the presence of:

Witness_____
Notary Public**City of Cartersville**

By: _____

Title: _____

Signed, Sealed and Delivered
in the presence of:

Witness_____
Notary Public**Georgia Department of Transportation**

By: _____

Title: _____

Signed, Sealed and Delivered
in the presence of:

Witness_____
Notary Public



Douthitt Ferry Road

Etowah Mounds

Etowah River

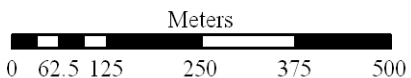


Source: NAIP Orthoimagery - 2007
Bartow County

1:10,000



 Potential Work Area





City of Cartersville

**City Council Meeting
12/6/2012 9:00:00 AM
Right of Entry for Habitat for Humanity**

SubCategory:	Contracts/Agreements
Department Name:	Administration
Department Summary Recommendation:	We recently purchased two neighboring properties for our final two Habitat homes (22 and 24 MLK). The intention is to transfer ownership of these properties to Habitat for Humanity. However, there is a fairly lengthy advertising requirement which is threatening to delay the start of construction (this is a requirement that we have only recently become aware of). Habitat has requested that we grant them early access to the property so that they can pour the foundation before it gets any colder, and so that they can begin working before Christmas. We have asked them to add the city to their insurance policy, which they have done, and now we would need to grant them "Right of Entry" before they are allowed to work on City owned property. Your approval of this agreement is recommended.
City Manager's Remarks:	Your approval of the right of entry is recommended.
Financial/Budget Certification:	
Legal:	Prepared by City Attorney
Associated Information:	

RIGHT OF ENTRY

STATE OF GEORGIA BARTOW COUNTY

THE CITY OF CARTERSVILLE, a municipal corporation of the State of Georgia, in order to facilitate the construction a new low income housing for HABITAT FOR HUMANITY at the property known as 22 and 24 MLK Drive, and in consideration of the sum of One Dollar (\$1.00) to each of us in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to HABITAT FOR HUMANITY, its agents, contractors and assigns the right to enter upon the property described on Exhibit "A" as the Property for the following purposes and subject to the following terms and conditions:

A. Property

- 1. The non-exclusive right of ingress, egress and regress over the Property for purposes of accessing the Property to exercise any right of entry granted herein with respect to the Property.**
- 2. This right of entry expires upon January 31, 2013 or once the City no longer holds the title to the property, whichever comes first.**
- 3. The right to conduct any surveys, boring or testing and site preparation including but not limited to grading, soil and erosion control, utility installations, and pre-construction activities, related to the construction of the low income housing.**

B. Grantee hereunder shall indemnify and hold harmless grantor, its members, managers, officers, agents, employees, successors and assigns, from and against all liens, claims of lien, losses, fines, penalties, liabilities, claims, demands, causes of action, costs and expenses incurred by grantor which result from injury or damage to persons or property caused by grantee's or grantee's agents, contractors or representatives exercise of the right of entry set forth herein. This indemnity shall not extend to, and grantor hereby releases grantee from liability for, any claims or actions resulting from or related to the negligence or intentional misconduct of grantor, its agents, contractors or employees

THIS AGREEMENT is made this _____ day of December, 2012.

Signed, sealed & delivered in my
Presence this _____ day of
_____, 2012.

Witness

Notary Public
My Commission Expires: _____

CITY OF CARTERSVILLE, GEORGIA
a municipal corporation of the State of
Georgia

By: _____
MATTHEW J. SANTINI
Its: Mayor

Attest: _____
Connie Keeling
Its: City Clerk

(SEAL)

Exhibit "A"**LEGAL DESCRIPTION**
for City of Cartersville

All those tracts of land lying and being in Land Lot 339, 4th District, 3rd Section, Bartow County as shown on survey by Johnny Knight, registered land surveyor, dated September 11, 2012, reference being made to said survey for a more perfect description. Said properties each containing 0.189 acres.



City of Cartersville

**City Council Meeting
12/6/2012 9:00:00 AM
Southern Natural Confidentiality Agreement**

SubCategory:	Contracts/Agreements
Department Name:	Gas Department
Department Summary Recommendation:	Southern Natural Gas is required to file a rate case by February 28, 2013. Southern would like to negotiate a settlement with its customers instead of filing the rate case. This agreement is required by Southern as part of the negotiation process. I recommend Council approval.
City Manager's Remarks:	Your approval of the agreement listed above is recommended.
Financial/Budget Certification:	N/A
Legal:	This agreement has been approved by the City Attorney's office.
Associated Information:	This agreement does not require Everify and SAVE documents per City Attorney.

**PRIVILEGED AND CONFIDENTIAL
FOR SETTLEMENT PURPOSES ONLY**

CONFIDENTIALITY AGREEMENT

This Agreement ("Agreement") is entered into by and between Southern Natural Gas Company, L.L.C. ("SNG"), and City of Cartersville ("Customer"), sometimes referred to herein individually as a "Party" or collectively as "Parties."

1. SNG is required to make a rate change filing at the Federal Energy Regulatory Commission ("Commission") under section 4 of the Natural Gas Act ("SNG's Filing") no later than February 28, 2013. Before SNG's filing with the Commission, the Parties desire to enter into discussions among themselves and other interested parties for the purpose of attempting to reach a settlement with respect to such filing ("SNG Pre-Filing Settlement Discussions"). In the course of these discussions, it may be necessary for one Party (the "Disclosing Party") to release certain Confidential Information to the other Party (the "Receiving Party"). Both Parties acknowledge the proprietary rights of documents, materials, and information provided by the other Party.

2. As used in this Agreement, the term "Confidential Information" shall mean all information, regardless of the form in which it is communicated or maintained (whether oral, written, electronic, or visual) and whether prepared by the Disclosing Party or otherwise, which is disclosed to the Receiving Party in connection with the SNG Pre-Filing Settlement Discussions, and including all reports, analyses, notes, passwords, or other information that are based on, contain, or reflect any such Confidential Information. If the Confidential Information is provided in written or electronic form, the Disclosing Party shall endeavor to mark each page of any materials provided to the Receiving Party with the following confidentiality notice; provided, however, that failure to include such a heading shall not itself exclude any information that otherwise would be considered Confidential Information from such treatment:

"Confidential Information
Pursuant to SNG Pre-Filing Settlement Discussions Confidentiality Agreement"

3. The Receiving Party acknowledges the economic value to the Disclosing Party of all Confidential Information. For all Confidential Information, the Receiving Party will:

- (a) Use the Confidential Information only for purposes of discussing and entering into a settlement regarding SNG's Filing;
- (b) Restrict disclosure of the Confidential Information solely to those employees of such Party with a "need to know" and not disclose it to any other person or entity without the prior written consent of the Disclosing Party;
- (c) Advise those employees who gain access to Confidential Information of their obligations regarding the Confidential Information;
- (d) Make only the number of copies of the Confidential Information necessary to disseminate the information to those employees who are entitled to have access to it, and ensure that all confidentiality notices set forth on the Confidential Information are reproduced in full on such copies;
- (e) Not post or reveal Confidential Information in any website or public forum on the internet or similar vehicle; and

**PRIVILEGED AND CONFIDENTIAL
FOR SETTLEMENT PURPOSES ONLY**

(f) Safeguard the Confidential Information with the same degree of care to avoid unauthorized disclosure as the Receiving Party uses to protect its own confidential and private information.

For the purposes of this Agreement only, “employees” includes third parties retained for professional advice (including, without limitation, attorneys, accountants, and consultants). “Need to know” means that the employee requires the Confidential Information in order to perform his or her responsibilities in connection with the SNG Pre-Filing Settlement Discussions.

4. The Parties agree that the Confidential Information is being provided in the context of settlement discussions. The Parties further agree that the SNG Pre-Filing Settlement Discussions are being undertaken by them as if these discussions were pursuant to Rules 601 and 602 of the Commission’s rules of practice and procedure, 18 C.F.R. §§ 385.601 and 385.602. Accordingly, if the Parties are unable to reach a settlement with respect to SNG’s Filing, the Parties agree that any offer of settlement, any discussion or comment relating to settlement, and any information provided by a Party, including Confidential Information, shall not be subject to discovery or admissible in evidence to the same extent as provided by Rules 601 and 602.

5. Confidential Information does not include information that the Receiving Party can demonstrate:

- (a) Is or becomes available to the public through no breach of this Agreement;
- (b) Was previously known by the Receiving Party without any obligation to hold it in confidence;
- (c) Is received from a third party free to disclose such information without restriction;
- (d) Is independently developed by the Receiving Party without the use of Confidential Information of the Disclosing Party;
- (e) Is approved for release by written authorization of the Disclosing Party, but only to the extent of and subject to such conditions as may be imposed in such written authorization;
- (f) Is required by law or regulation to be disclosed, but only to the extent and for the purposes of such required disclosure; or
- (g) Is disclosed in response to a valid order of a court or other governmental body of the United States or any of its political subdivisions, but only to the extent of and for the purposes of such order; provided, however, that: (i) the Receiving Party agrees that it will not, directly or indirectly, seek the issuance of an order requiring the disclosure of the Disclosing Party’s Confidential Information; and (ii) the Receiving Party will first notify the Disclosing Party of the order and permit the Disclosing Party to seek an appropriate protective order.

6. Confidential Information, including permitted copies, will be deemed the property of the Disclosing Party. The Receiving Party will, within twenty (20) days of a written request by the

Item # 8

**PRIVILEGED AND CONFIDENTIAL
FOR SETTLEMENT PURPOSES ONLY**

Disclosing Party, return all Confidential Information, including all copies, to the Disclosing Party or, if so directed by the Disclosing Party, destroy all Confidential Information. The Receiving Party will also, within ten (10) days of a written request by the Disclosing Party, certify in writing that it has satisfied its obligations under this Agreement.

7. Both Parties agree that an impending or existing violation of any provision of this Agreement would cause the Disclosing Party irreparable injury for which it would have no adequate remedy at law, and that the Disclosing Party will be entitled to seek immediate injunctive relief prohibiting such violation without the posting of a bond or other security, in addition to any other rights and remedies available to it.

8. This Agreement will be effective as of the date set out below and will continue for a period ending three (3) months after the issuance of a final and non-appealable Commission order completely disposing of SNG's Filing. All obligations undertaken respecting Confidential Information provided hereunder will survive the expiration or any termination of this Agreement.

9. This Agreement may not be assigned by either Party without the prior written consent of the other Party. Any assignment in violation of this Section will be void. This Agreement will be binding upon the Parties and their respective successors and permitted assigns.

10. If any provision of this Agreement is held invalid or unenforceable, such provision will be deemed deleted from this Agreement and replaced by a valid and enforceable provision which so far as possible achieves the Parties' intent in agreeing to the original provision. The remaining provisions of this Agreement will continue in full force and effect.

11. This Agreement represents the entire understanding between the Parties regarding the subject matter hereof and supersedes all prior communications, agreements, and understandings. The provisions of this Agreement may not be modified, amended, or waived, except by a written instrument duly executed by both Parties. This Agreement will be governed in all respects by the laws of the State of New York.

12. Each Party warrants that it has the authority to enter into this Agreement and to fulfill its obligations hereunder.

[INTENTIONALLY LEFT BLANK]

**PRIVILEGED AND CONFIDENTIAL
FOR SETTLEMENT PURPOSES ONLY**

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement and made it effective as of the ____ day of _____, 2012.

SOUTHERN NATURAL GAS COMPANY,
L.L.C.

City of Cartersville

Customer

Signature

Signature

Printed Name

Printed Name

Title

Mayor

Title

Date

Date

City Clerk



City of Cartersville

City Council Meeting
12/6/2012 9:00:00 AM
Horizontal Directional Boring Machine

SubCategory:	Bid Award/Purchases
Department Name:	Gas Department
Department Summary Recommendation:	We requested and received bids from the two major manufacturers of Horizontal Directional Drilling machines. Purchase of this equipment will reduce both the time and materials needed for installation of mains and services by our crews. We recommend the low bid of \$196,500.00 by Vermeer Southeast Sales & Service, Inc. This price is lower than our budgeted cost.
City Manager's Remarks:	Your approval of the purchase listed above is recommended.
Financial/Budget Certification:	This is a budgeted item to be charged to the machinery account #515-3600-54-2100 and will be reimbursed through the GMA lease pool.
Legal:	N/A
Associated Information:	All necessary E-Verify and SAVE documents are attached.

Memorandum

To: Gary Riggs, Gas System Director *via email*

cc: Michael Hill, Assistant Gas System Director *via email*

From: Brian Friery, Gas System Engineer

Date: November 15, 2012

RE: Recommendation of Purchase Award
Horizontal Directional Drilling (HDD) Machine
Electronic Tracking System
Drill Fluid System
Vacuum Excavation System

As you know, sealed bid proposals were received by the City on or before October 26, 2012 at 12:00 Noon for the purchase of the above referenced machine and systems. As you further know, the bid proposals were requested as a lump sum bid for a machine and systems package to include the Horizontal Directional Drilling (HDD) Machine, Electronic Tracking System, Drill Fluid System and Vacuum Excavation System and all appurtenances delivered and ready for use.

There are two major manufacturers of Horizontal Directional Drilling (HDD) machines that are considered to be the industry standard and we requested bid proposals from their local representatives. The low bid proposal was submitted by Vermeer Southeast Sales & Service, Inc. of Marietta, Georgia in the total lump sum amount of \$196,500.00 and the high bid proposal was submitted by DitchWitch of Georgia of Forest Park, Georgia in the lump sum bid amount of \$215,511.09.

As you know, the low bid proposal is well within the original budgeted amount for this purchase. We had reviewed and participated in field demonstrations of the machine and systems offered by both manufacturers prior to receiving bid proposals and we are unanimously of the opinion that the machine and systems provided by the low bidder best fit our needs and has met our bid specifications. We, furthermore, received overwhelmingly positive comments about the equipment and equipment support from the references provided by the low bidder. I, therefore, recommend the City award this purchase to Vermeer Southeast Sales & Service, Inc. of Marietta, Georgia in the total lump sum amount of \$196,500.00.

In accordance with O.C.G.A. §50-36-1 and O.C.G.A. §13-10-91 and DOL Rule 300-10-1-.02, attached are copies of the Everify and Esave documentation provided by the low bidder. Providing the machine and systems will require multiple subcontractors, therefore, an Everify and Esave affidavit has been provided by each subcontractor the low bidder intends to utilize.

Item # 9

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.

111350
EEV/Basic Pilot Program* User Identification Number

Todd Ver Steeg
BY: Authorized Officer or Agent
(Contractor Name)

10-23-12
Date

Vice President
Title of Authorized Officer or Agent of Contractor

Todd Ver Steeg
Printed Name of Authorized Officer or Agent

Personally appeared before the undersigned who after being duly sworn, deposes and says that the facts stated in the above affidavit are true.

This 23 day of Oct, 2012.

Notary Public: [Signature] SEAL

My Commission Expires: Mar 24, 2015

Cobb County, Georgia

*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

Todd VerSteeg

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

Vermeer Southeast

[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.

Todd VerSteeg
Signature of Applicant

10-23-12
Date

Todd VerSteeg
Printed Name

*

Alien Registration number for non-citizens

Personally appeared before the undersigned who after being duly sworn, deposes and says that the facts stated in the above affidavit are true.

This 23 day of Oct, 2012.

Notary Public: [Signature] SEAL

My Commission Expires: Mar 24 2015

Cobb County, Georgia

*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:

SUBCONTRACTOR AFFIDAVIT AND AGREEMENT

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 _____

Veinert Southeast (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.

557484
EEV/Basic Pilot Program* User Identification Number

Thomas J. Hall
BY: Authorized Officer or Agent
(Contractor Name)

General Counsel
Title of Authorized Officer or Agent of Contractor

Thomas J. Hall
Printed Name of Authorized Officer or Agent

10-18-2012
Date

* DLI sells equipment and does not provide services. DLI personnel is present strictly for training and product support.

Personally appeared before the undersigned who after being duly sworn, deposes and says that the facts stated in the above affidavit are true.

This 18th day of October, 2012.

Notary Public: James L. Landrum SEAL

My Commission Expires: 5-3-2016

King County, ~~Georgia~~ Washington

*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 FOR SUBCONTRACTOR *

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

Tammie Carlyle-Chin

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

Digital Capital Incorporated

[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

* DCI Sells equipment and does not provide services. DCI personnel is present strictly for training and product support.

Tammie Carlyle-Chin
Signature of Applicant

10-18-2012
Date

Tammie Carlyle-Chin
Printed Name

*
Alien Registration number for non-citizens

Personally appeared before the undersigned who after being duly sworn, deposes and says that the facts stated in the above affidavit are true.

This 18th day of October, 2012.

Notary Public: [Signature] SEAL

My Commission Expires: 5-3-2016

King County, Georgia Washington

*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:

SUBCONTRACTOR AFFIDAVIT AND AGREEMENT

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 Vermeer Southeast (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.

564846
EEV/Basic/Pilot Program* User Identification Number

Luke H. Evans
BY: Authorized Officer or Agent
(Contractor Name)

10/17/12
Date

President
Title of Authorized Officer or Agent of Contractor

Luke H. Evans
Printed Name of Authorized Officer or Agent

Personally appeared before the undersigned who after being duly sworn, deposes and says that the facts stated in the above affidavit are true.

This 17 day of October, 2012.

Notary Public Christie K. Muth SEAL

My Commission Expires: _____ Notary Public, Jones County, Georgia
My Commission Expires Aug. 9, 2015

Jones County, Georgia

*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 FOR SUBCONTRACTOR

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

Luke H. Evans

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

Lucon, 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.

Luke H. Evans
 Signature of Applicant

10/17/12
 Date

Luke H. Evans
 Printed Name

*
 Alien Registration number for non-citizens

Personally appeared before the undersigned who after being duly sworn, deposes and says that the facts stated in the above affidavit are true.

This 17 day of October, 2012

Notary Public: Christy A. Meekins SEAL

My Commission Expires: _____ Notary Public, Jones County, Georgia
 My Commission Expires Aug. 9, 2015

Jones County, Georgia

*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:

SUBCONTRACTOR AFFIDAVIT AND AGREEMENT

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 Vermeer Southeast (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.

611588

EEV/Basic Pilot Program* User Identification Number

BY: [Signature]
(Contractor Name)

10-24-2012
Date

CEO
Title of Authorized Officer or Agent of Contractor

Don Buckner
Printed Name of Authorized Officer or Agent

Personally appeared before the undersigned who after being duly sworn, deposes and says that the facts stated in the above affidavit are true.

This 24 day of October, 2012

Notary Public Nancy McMichael SEAL

My Commission Expires: Sept 10, 2016

Lake County, Georgia FL



*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 FOR SUBCONTRACTOR

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

Don Buckner

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

Vac-Tron Equipment, LLC

[Name of business, corporation, partnership]

1) ☒ I am a United States citizen

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

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

[Signature]
Signature of Applicant

10-24-2012
Date

Don Buckner
Printed Name

*

Alien Registration number for non-citizens

Personally appeared before the undersigned who after being duly sworn, deposes and says that the facts stated in the above affidavit are true.

This 24 day of October, 2012.

Notary Public: Nancy McMichael SEAL

My Commission Expires: Sept 10, 2016

Lake County, Georgia FL



*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
12/6/2012 9:00:00 AM
Patrol Vehicles

SubCategory:	Bid Award/Purchases
Department Name:	Police Department
Department Summary Recommendation:	Please see attached memo from Major DiPrima explaining this item.
City Manager's Remarks:	Your approval of the low bid on the Dodge Chargers is recommended.
Financial/Budget Certification:	These vehicles will be purchased with seized funds (DEA Account #210-2110-54-2201)
Legal:	
Associated Information:	Everify and SAVE documents have been received.



City of Cartersville

P O L I C E D E P A R T M E N T

To : Sam Grove, City Manager
From : Maj. J.M. DiPrima
Date : November 20, 2012
Ref : Purchase of patrol vehicles

The police department needs to purchase three (3) patrol vehicles to replace older units approaching excessive mileage. This is necessary to ensure that the agency has a sufficient number of patrol vehicles in proper working condition as these older units become inoperable over time. The agency recently solicited bids from various fleet dealers across the state of Georgia, to include Ford, Dodge, and Chevrolet dealers. Thirteen (13) bid requests were disseminated with a response received from six (6). The following bids were returned as of November 15, 2012:

- | | |
|-----------------------|---|
| 1. Carl Gregory Dodge | 2013 Dodge Charger @ \$69,702 (\$23,234 each) |
| 2. Clint Brannen Ford | 2013 Ford Interceptor @ \$71,364 (\$23,788 each) |
| 3. Wade Ford | 2013 Ford Interceptor @ \$70,797 (\$23,599 each) |
| 4. Hardy Chevrolet | 2013 Chevrolet Impala @ \$61,551 (\$20,517 each) |
| 5. Hardy Chevrolet | 2013 Ford Interceptor @ \$68,514 (\$22,838 each) |
| 6. City Motors | 2013 Ford Taurus @ \$72,536.70 (\$24,178.90 each) |

Of the bids provided, I am recommending the bid from Carl Gregory Dodge be accepted as the best bid. A majority of our current fleet (66%) is Dodge Chargers and would provide exchangeable parts upon reaching a mileage limit. In addition, the Dodge Charger has more interior capacity than the Ford Taurus, Interceptor or Chevrolet Impala. The Dodge Charger is also more fuel efficient than the Chevrolet Impala at 19 city mpg and has the largest engine of the models under consideration. Due to past experience with the Ford models, we have discovered excessive paint and transmission issues with three (3) current patrol vehicles that need to be repainted. Of the bids received, the Dodge Charger is the only model that is rear wheel drive which aids in vehicle manageability, an important factor considering the various situations a police vehicle will encounter throughout its life.

Although we recognize the benefits to purchase locally, City Motors presented the highest bid of all six (6) bids. In further consideration of the City Motors Ford Taurus bid, interior amendments would be necessary post-purchase to meet the agency's

specifications since this model does not contain a dash pass through for aftermarket wiring.

Staying consistent with a proven product should off-set the price differences noted above between the lowest bid (Chevrolet Impala) and the best bid (Dodge Charger).

We are asking for the Council to approve the amount, not to exceed, \$87,000 as indicated in the 2012-13 budget under DEA expenses, in order to purchase the necessary three (3) patrol vehicles and equip these vehicle for police purposes (decals and markings, lights, radios, computers, camera systems, wiring, protective barriers, etc.). In an effort to reduce costs, we intend to recycle as much of the hardware as possible.

These vehicles will be purchased with seized funds (DEA Account #210-2110-54-2201) as opposed to taxpayer funded general funds. I recommend that this bid be approved for immediate purchase to ensure the ability to purchase these vehicles at this quoted price and equip these units in a timely manner.

Current E-Verify and SAVE documents are on file with these bids.





City of Cartersville

City Council Meeting
12/6/2012 9:00:00 AM
Southeastern Wood Pole Inspectors

SubCategory:	Bid Award/Purchases
Department Name:	Electric
Department Summary Recommendation:	Maintenance item over \$5,000. The City of Cartersville Electric System is wrapping up its second year of the three-year pole treatment cycle. One of the invoices from our contractor Southeastern Wood Pole Inspectors totals \$6,145.34. This work has been completed. I recommend approval of this invoice and any remaining invoices over \$5,000 yet received from this contractor.
City Manager's Remarks:	Your approval of the item listed above is recommended.
Financial/Budget Certification:	This is a budgeted item.
Legal:	Not applicable.
Associated Information:	Employment verification documentation is on file.



SOUTHEASTERN WOOD POLE INSPECTORS, INC. INVOICE 73-12
P.O. BOX 873 - COMMERCE, GA 30529
1985 - 2012

(706) 335-7084
(706) 207-8499

DATE 11/5/2012
TERMS 10 Days

INVOICE

Work for: Cartersville Electric System
P.O. Box 1390
Cartersville, GA 30120

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
168	ea.	Treated Pole	20.12	3,380.16
6	ea.	Rejected Pole	16.13	96.78
85	ea.	Reported Pole	4.29	364.65
140	ea.	Sound and Bore	5.67	793.80
1	ea.	Internal Treatment	5.81	5.81
140	ea.	Cobra Rod Treatment	10.02	1,402.80
6	ea.	Ground Wire Repair	6.39	38.34
0	ea.	Guy Marker Installed	2.81	0.00
0	ea.	Repaired Guy Wire	16.84	0.00
126	ea.	Tag Installation	0.50	63.00
Dates of Work: 10/29/12-11/03/12 Worksheet Pages 12-31				
TOTAL				\$6,145.34

PLEASE PAY FROM THIS INVOICE

We Appreciate Your Business!

APPROVED		DATE APPROVED
ELECTRIC DEPT		DEPT HEAD:
CHARGE ACCOUNT		CITY MGR
510 - 3500 - 52 - 2380	6/45.34	AMOUNT
510 - 3500 -	-	
-	-	
-	-	
TOTAL	6/45.34	Item # 11



City of Cartersville

City Council Meeting
12/6/2012 9:00:00 AM
Electric Office Structural Issue

SubCategory:	Bid Award/Purchases
Department Name:	Electric
Department Summary Recommendation:	Maintenance invoice over \$5,000. A structural issue has been identified with the Electric System office building. A section of the roof is sagging, upon further examination it was found that inadequate support was placed in the attic floor on which the roof trusses rest when the building was constructed. To remedy the issue, a support will be constructed within a first floor wall to support a new beam in the attic which will in turn support the trusses. See photos attached. The price from Hightower Construction to make this repair is \$6,570.00. Hightower Construction is currently on site completing an insulation job. I recommend approval of this expenditure.
City Manager's Remarks:	Your approval of the work listed above is recommended.
Financial/Budget Certification:	This is not a budgeted item and will be charged to maintenance of building and grounds account #510-3500-52-2340.
Legal:	Not applicable.
Associated Information:	Employment verification documentation is on file.

Earl Hightower Construction

PO Box 200763
Cartersville, GA 30120**PROPOSAL**

Date	Estimate #
11/27/2012	56

Name / Address
City of Cartersville Electric 320 S. Erwin St. Cartersville, GA. 30120

						Project
Item	Description	Cost	Amount	Markup	Qty	Total
contract	Remove Section of plywood, review floor system, install temporary bracing and jack trusses and floor to proper location. notch vertical 2"x4" on trusses, mortise and install 2- 1 3/4" x 18"x18' LVL beams. one side installed and cemented into block wall and other side supported by 4-2"x4" studs forming a support post. Review wall underneath supported area remove drywall section and install 4-2"x4" studs to support. repair drywall in the support area and touch up paint supplied by CES. All debris removed and area cleaned upon completion of project. All material and labor included in price.	0.00	0.00	6,570.00		6,570.00
Any additional work above and beyond description of scope in price will be negotiated upon discovery						
Total						\$6,570.00

Item # 12

These should be flush





This area is sagging due to lack of support also causing roof to sag.



Should be flush

Attachment number 4 of Page 1 of 1



City of Cartersville

**City Council Meeting
12/6/2012 9:00:00 AM
Trucks for Meter Readers**

SubCategory:	Bid Award/Purchases
Department Name:	Finance
Department Summary Recommendation:	The meter readers are in need of two replacement trucks in their fleet. There have been no replacement trucks purchased in the last seven years and the existing fleet is continuing to need repairs. Last year we replaced the transmission in one truck to avoid having to purchase a new unit. Funds were budgeted for the purchase of one truck, and the remaining funds are available in the stuffing machine line item since we will not be purchasing a stuffing machine this year. You will remember that part of the stuffing machine funding was earmarked for the purchase of the meter reading handheld units that were approved several meeting ago. Bid packages were posted on the city's website and seven vendors sent bids back. All the bids submitted meet the specifications and also contained all completed documentation. The bids for two units are as follows: • Chestatee Ford \$31,432.00 • Allan Vigil Ford \$31,786.48 • City Motors \$32,052.00 • Team Ford \$32,324.00 • Wade Ford \$33,170.00 • Steve Raymond Chevrolet \$33,330.00 • Stokes Brown Toyota \$45,928.00. I recommend the purchase of the two trucks be made from City Motors, the third lowest bidder, with a bid of \$32,052.00. City Motors' bid is only \$620.00 more than the lowest bid by Chestatee Ford. City Motors is a local vendor and it will be more efficient in case of warranty work to purchase them locally. I recommend your approval of the meter reader trucks to be purchased from City Motors in the amount of \$32,052.00.
City Manager's Remarks:	Your approval of the City Motors bid as outlined is recommended.
Financial/Budget	One truck is budgeted and the other will use funds budgeted to Cover Memo Item # 13

Certification:	purchase a stuffing machine that will not be purchased. Both purchases will be reimbursed through the GMA lease pool.
Legal:	
Associated Information:	E-Verify and SAVE documents are on file.

CITY OF CARTERSVILLE
CT #SUMMARY OF VEHICLE BIDS - November 9, 2012

TOTAL PER UNIT COST OF VEHICLE

	City Motors	Wade Ford	Chestatee Ford	Team Ford	Steve Raymond Chevrolet	Allan Vigil Ford	Stokes Brown Toyota
Finance Dept							
1/2 Ton V-6 Pick-Up Truck per unit	16,026.00	16,585.00	15,716.00	16,162.00	16,665.00	15,893.24	22,964.00
Total for 2 Trucks	32,052.00	33,170.00	31,432.00	32,324.00	33,330.00	31,786.48	45,928.00
Total of all vehicle purchases	32,052.00	33,170.00	31,432.00	32,324.00	33,330.00	31,786.48	45,928.00

Vehicle Specifications

City of Cartersville
Finance Department
Contact: Tom Rhinehart 770-387-5615

Vehicle to be delivered to City of Cartersville Garage located at
500 S. Tennessee St, Cartersville, GA 30120

Contact Bill Trott 770-387-5786 at the Garage to arrange delivery

City of Cartersville reserves the right to reject any or all bids.

Half-Ton 2 Wheel Drive Pickup Truck

Model Year: 2012 or 2013

Specify what year model: 13

Quantity: 2

Item # 13

Vendor Information:

The vehicle offered shall be comparable with detailed requirements listed below (unless otherwise noted). Bidders are to indicate in the "Meets or Exceeds Specifications" column if bid specifications are met and can provide additional comments if necessary. **If the Meets or Exceeds Specifications column is not properly marked, or it is incomplete, your bid will not be considered for award.** (specifications on this sheet are a minimum specification)

Supporting Data:

Bidders must furnish catalog pages, specification sheets, or similar data to support statements made in Meets or Exceeds Specifications Column. Failure to furnish required data may be considered as a cause for rejection of bid.

Finance Dept. – Half-Ton 2 Wheel Drive Pick-up Truck	<u>Meets Specifications</u>		COMMENTS
	<u>YES</u>	<u>NO</u>	
Half-Ton 2 Wheel Drive Regular Cab /Fleetside Pick-up Truck	✓		
Minimum 6 foot bed	✓		
6 cylinder engine	✓		
Automatic Transmission with 4/5 speed	✓		6 Spd. Auto
Power Steering	✓		
Power Disc Brakes	✓		
Rear Step Bumper	✓		
Factory Air Conditioning	✓		
AM/FM Radio	✓		
HD Cloth Seats	✓		
Intermittent Wipers	✓		
Dual Side Mirrors	✓		
Interior Color - Grey	✓		
Exterior Color - Grey	✓		

Full Coverage Rubber Floor Mat	✓		
Air Bags- Driver and Passenger	✓		
Full size spare tire	✓		
4 sets of keys	✓		

Total Per Unit Price 16026.00

Anticipated number of weeks until delivery (after approval): 10 - 12

List additional options or other pertinent information:

Bid Submitted By: Vendor City Motors

Contact Person Danny Moss

Telephone Number 770 382 5780

Item # 13

All bids submitted shall be subject to acceptance or rejection and the City of Cartersville specifically reserves the right to accept or reject any and all bids, to waive any technicalities and formalities in the bidding.

The undersigned understands that any conditions stated above, clarifications made to the above or information other than that requested should be under separate cover and to be considered only at the discretion of the City of Cartersville.

DANNY MOSS
City Motors of Cartersville
 Name of Individual, Partner, or Corporation Company

Sales Mgr 352 N. W. St.
 Title Address

D. Moss Cartersville, Ga 30120
 Authorized Signature City, State, and Zip Code

7703825780
 Company Phone Number

CNGP530

VEHICLE ORDER CONFIRMATION

11/02/12 13:1

=>

Dealer: F2

2013 F-150

Page: 1

Order No: 2222 Priority: M1 Ord FIN: QD456 Order Type: 5B Price Level:

Ord Code: 100A Cust/Flt Name: CARTERSVILLE PO Number: FIN DEPT

		RETAIL	DLR INV			RETAIL	DLR I
F1C	F150 4X2 R/C	\$23670	\$21953.00		SP DLR ACCT ADJ		\$(947.
	126" WHEELBASE				SP FLT ACCT CR		(296.
UJ	STERLING GRAY				FUEL CHARGE		14.
C	CLOTH 40/20/40	NC	NC	B4A	NET INV FLT OPT	NC	7.
S	STEEL GRAY INT				DEST AND DELIV	995	995.
100A	EQUIP GRP				TOTAL BASE AND OPTIONS	24665	21726.
	.XL SERIES				TOTAL	24665	21726.
	.AM/FM RADIO				*THIS IS NOT AN INVOICE*		
	.17" GREY STEEL						
99M	3.7L V6 FFV ENG						
446	ELEC 6-SPD AUTO	NC	NC				
	.P235 BSW A-T						
X19	3.55 REG AXLE	NC	NC				
	6450# GVWR						
	26 GAL TANK						

F1=Help

F2=Return to Order

F3/F12=Veh Ord Menu

F4=Submit

F5=Add to Library

S099 - PRESS F4 TO SUBMIT

QC003

Item # 13

NON-COLLUSION AFFIDAVIT

The following affidavit is to accompany the bid:

STATE OF **GEORGIA**

COUNTY OF **BARTOW**

Owner, Partner or Officer of Firm

JANET C. THORNBROUGH

Company Name, Address, City and State

**CITY MOTORS OF CARTERSVILLE, INC.
352 N TENNESSEE ST
CARTERSVILLE, GA 30120**

Being of lawful age, being first duly sworn, on oath says that he/she is the agent authorized by the bidder to submit the attached bid. Affidavit further states as bidder, that they have not been a party to any collusion among bidders in restraint of competition by agreement to bid at a fixed price or to refrain from bidding; or with any office of the City of Cartersville or any of their employees as to quantity, quality or price in the prospective contract; or any discussion between bidders and any official of the City of Cartersville or any of their employees concerning exchange of money or other things of value for special consideration in submitting a sealed bid for:

CITY MOTORS OF CARTERSVILLE, INC.

Firm Name


Signature

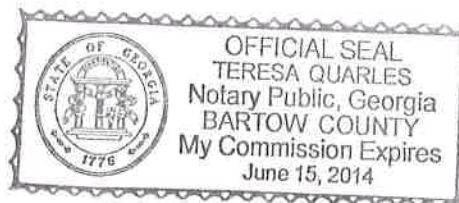
SECRETARY/TREASURER

Title

Subscribed and sworn to before me this 2nd day of November 2012


Notary Public

June 15, 2014



Item # 13

CERTIFICATE OF NON-DISCRIMINATION

In connection with the performance of work under this contract, the bidder agrees as follows:

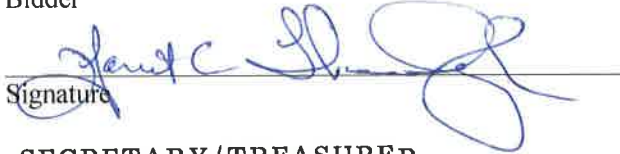
The bidder agrees not to discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, ancestry or disability. The vendor shall take affirmative action to insure that employees are treated without regard to their race, creed, color, sex, national origin, ancestry or disability. Such action shall include, but not be limited to the following: employment, upgrading, demotion, transfer, recruiting or recruitment, advertising, lay-off or termination, rates of pay or other compensation and selection for training, including apprenticeship.

In the event of the bidder's non-compliance with this non-discrimination clause, the contract may be canceled or terminated by the City of Cartersville. The bidders may be declared, by the City of Cartersville, ineligible for further contracts with the City of Cartersville until satisfactory proof of intent to comply shall be made by the vendor.

The bidder agrees to include this non-discrimination clause in any sub-contracts connected with the performance of this agreement.

CITY MOTORS OF CARTERSVILLE, INC.

Bidder

Signature 

SECRETARY/TREASURER

Title

CITY OF CARTERSVILLE
DRUG-FREE WORKPLACE CERTIFICATE

By signature on this certificate, the Bidder certifies that the provisions of O.C.G.A. Section 50-24-1 through 50-24-6 related to the "Drug-Free Workplace Act" will be complied with in full. The Bidder further certifies that:

1. A drug-free workplace will be provided for the Bidder's employees during the performance of the contract; and

2. Each contractor who hires a subcontractor to work in a drug-free workplace shall secure from that subcontractor the following written certification: "As part of the subcontracting agreement with (contractor's name), (subcontractor's name) certifies to the contractor that a drug-free workplace will be provided for the subcontractor's employees during the performance of this contract pursuant to O.C.G.A. Section 50-24-3(b)(7)."

By signature on this certificate, the Bidder further certifies that it will not engage in the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana during the performance of the contract.

CITY MOTORS OF CARTERSVILLE, INC.
Bidder


Authorized Signature

JANET C THORNBROUGH
Printed Name

SECRETARY/TREASURER
Title

NOVEMBER 2, 2012
Date

BIDDERS DECLARATION

The bidder understands, agrees and warrants:

That the bidder has carefully read and fully understands the full scope of the specifications.

That the bidder has the capability to successfully undertake and complete the responsibilities and obligations in said specifications.

That the bidder has liability insurance and a declaration of insurance form is included in the bid package

That this bid may be withdrawn by requesting such withdrawal in writing at any time prior to **August, 23, 2012 at 3:30 p.m.** but may not be withdrawn after such date and time.

That the City of Cartersville reserves the right to reject any or all bids and to accept that bid which will, in its opinion, best serve the public interest. The City of Cartersville reserves the right to waive any technicalities and formalities in the bidding.

That by submission of this bid the bidder acknowledges that the City of Cartersville has the right to make any inquiry or investigation it deems appropriate to substantiate or supplement information supplied by the bidder.

If a partnership, a general partner must sign.

If a corporation, the authorized corporate officer(s) must sign and the corporate seal must be affixed to this bid.

BIDDER:

 SECRETARY/TREASURER
Name Title

Name Title

AFFIX CORPORATE SEAL (If Applicable)

**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

MICHAEL L. FOBBUS

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

CITY MOTORS OF CARTERSVILLE, INC.

[Name of business, corporation, partnership]

- 1) XX 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.

NOVEMBER 2, 2012

Signature of Applicant: Date

MICHAEL L. FOBBUS

Printed Name:

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

2nd DAY OF November 20 12

Teresa Quarles
Notary Public

My Commission Expires:

June 15, 2014

*

Alien Registration number for non-citizens



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

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.

33258

EEV/Basic Pilot Program* User Identification Number

CITY MOTORS OF CARTERSVILLE, INC.

BY: Authorized Officer or Agent
(Contractor Name)

NOVEMBER 2, 2012

Date

COMPLIANCE CLERK

Title of Authorized Officer or Agent of Contractor

MICHAEL L. FOBBUS

Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN

BEFORE ME ON THIS THE

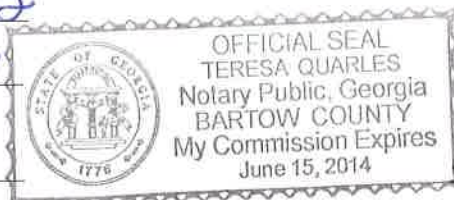
2nd DAY OF November, 2012

Teresa Quarles

Notary Public

My Commission Expires:

June 15, 2014



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



City of Cartersville

City Council Meeting
12/6/2012 9:00:00 AM
Residential Garbage Truck

SubCategory:	Bid Award/Purchases
Department Name:	Public Works Department
Department Summary Recommendation:	We have recently taken bid proposals on a new Commercial Frontloader Truck. However, due to three of our residential trucks being broken down at one time, we have been forced to switch gears and purchase a residential truck instead. Our present residential fleet consists of three trucks that range in age from 1999 to 2006. This is far too long to try to keep these trucks on the road. Our residential fleet is unique in the fact that we use trucks that require a two man operation. There is only three manufacturers in the USA that are building this type truck. Our current truck manufacturer and two others. We have stopped buying trucks like our current fleet due to the fact that parts are very hard to get, they are very pricey and our garage has a hard time working on these units considering they are built on a military chassis (low to the ground). In a panic when all three went down just prior to the Thanksgiving holiday, I began the search for a good used two-man truck or a factory Demo that could be obtained fairly quickly. When we purchased our recycling vehicle, this manufacturer wanted us to demo a two-man unit that they were offering. The truck worked great, it had a much larger capacity than our present fleet and, of course, allowed us to maintain our two-man set up. I called them and the same demo was still available. I called all other manufacturers out there and nobody had anything used or in "Factory Demo" condition to offer us. This Demo unit has full factory warranty, is a 2012 Model and we have been using it to get through the holidays courtesy of GSP Marketing. There is \$225,000 budgeted to purchase the Commercial Truck . We can purchase this demo unit for \$201,779.04. And it will also be run through the lease pool system. I do not like bringing one bid pricing to City Council, but on this occasion I have no other choice. I recommend purchasing the 2012 MP-8133D 33 Cu Yd Truck from GSP Marketing for the amount of \$201,779.04.

	We will just have to get another year out of our current flagship commercial truck.
City Manager's Remarks:	Your approval of the bid award as outlined above is recommended.
Financial/Budget Certification:	Budgeted Dollars are available for this purchase in account #540-3200-54-2200 and will be reimbursed through the GMA lease pool.
Legal:	
Associated Information:	Everify and SAVE are on file for this vendor



City of Cartersville

City Council Meeting
12/6/2012 9:00:00 AM
Rehabilitate Grit Collector

SubCategory:	Bid Award/Purchases
Department Name:	Water Department
Department Summary Recommendation:	Memo To: Sam Grove From: Jim Stafford Date: 11-27-12 Subject: Rehabilitate Grit Collector Bids were accepted to rehabilitate the #1 Grit Collector at the wastewater treatment plant. We worked on the #2 unit last year. Price includes labor and materials. Prices were as follows: • A&D Contracting - \$78,366.00 • Industrial Supply - \$79,101.00 • Southern Machine - \$78,550.00 I recommend awarding this to Southern Machine in the amount of \$78,550.00. They are second lowest bidder by \$184.00, but they are a larger company and they will not have to pull their people off of the job to do another more pressing project. All E-verify and SAVE information is attached. This will be funded from budget.
City Manager's Remarks:	Your approval of the bid award outlined above is recommended.
Financial/Budget Certification:	This will be paid from the budget.
Legal:	
Associated Information:	E-verify and Save documentation are attached.

CONTRACTOR AFFIDAVIT AND AGREEMENT

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

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

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

MSTE9684

EEV/Basic Pilot Program* User Identification Number

Michael Stephens

BY: _____
Authorized Officer or Agent
(Contractor Name)

10/29/12
Date

VICE PRESIDENT OF SOUTHERN MACHINE & FABRICATION CO.
Title of Authorized Officer or Agent of Contractor

MICHAEL STEPHENS

Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

29th DAY OF Oct, 20 12

Cynthia Farmer
Notary Public

My Commission Expires:

7-6-2015

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

AFFIDAVIT VERIFYING STATUS FOR CITY OF CARTERSVILLE BENEFIT APPLICATION

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

MICHAEL STEPHENS

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

SOUTHERN MACHINE & FABRICATION CO.

[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.

Michael Stephens
Signature of Applicant:

10/29/12
Date

MICHAEL STEPHENS
Printed Name:

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
29TH DAY OF Oct, 2012

Cynthia Farmer
Notary Public
My Commission Expires: 7-16-2015

*
Alien Registration number for non-citizens

*Note: O.C.G.A. § 50-36-1(e)(2) requires that aliens under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, provide their alien registration number. Because legal permanent residents are included in the federal definition of "alien", legal permanent residents must also provide their alien



City of Cartersville

City Council Meeting
12/6/2012 9:00:00 AM

Tennessee Street-Walgreens Water Main Replacement Project

SubCategory:	Bid Award/Purchases
Department Name:	
Department Summary Recommendation:	MEMO TO: Sam Grove FROM: Jim Stafford DATE: November 28, 2012 SUBJECT: Tennessee Street – Walgreens Water Main Replacement Project The water main on Tennessee Street in the block serving the new Walgreens store is in deteriorated condition and in need of replacement. Bids were received from three contractors to construct this project and are listed below: • C&L Contractors, Inc. \$86,510.00 • T.J. Lyle & Co., Inc. \$89,570.50 • C.H. Kirkpatrick Construction Co., Inc. \$99,388.00 The Water Department recommends award of the contract to C&L Contractors, Inc. of Dallas, Georgia in the amount of \$86,510. This project will be paid for partially from Bond funds and partially from a \$25,000 payment from Walgreens to advance this portion of the Tennessee Street Water Main replacement project. E-Verify and SAVE documentation was submitted with the bid and is on hand.
City Manager's Remarks:	Your approval of the low bid listed above is recommended.
Financial/Budget Certification:	This project will be paid for partially from Bond funds and partially from a \$25,000 payment from Walgreens to advance this portion of the Tennessee Street Water Main replacement project.
Legal:	
Associated Information:	E-Verify and SAVE documentation was submitted with the bid and is on hand.

Cover Memo

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.

322305
EEV/Basic Pilot Program* User Identification Number

Lori Corley Corley Contractors Inc
dba E+L Contractors 11-28-12
BY: Authorized Officer or Agent Date
(Contractor Name)

Vice-President
Title of Authorized Officer or Agent of Contractor

Lori Corley
Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

28 DAY OF November, 2012

Rachel Ferguson
Notary Public

My Commission Expires:

January 3, 2016



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

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

Lori Corley

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

Corley Contractors, Inc dba C+L Contractors

[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.

Lori Corley
Signature of Applicant

11-28-12
Date

Lori Corley
Printed Name:

SUBSCRIBED AND SWORN

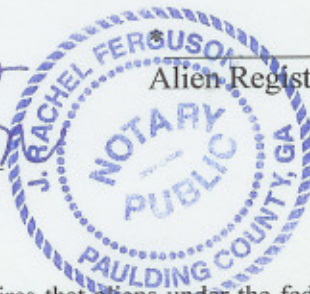
BEFORE ME ON THIS THE

28 DAY OF November, 2012

Rachel Ferguson

Notary Public

My Commission Expires:



Alien Registration number for non-citizens

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



City of Cartersville

City Council Meeting
12/6/2012 9:00:00 AM

Main Street to Center Road 16-Inch Water Main Connector

SubCategory:	Bid Award/Purchases
Department Name:	
Department Summary Recommendation:	MEMO TO: Sam Grove FROM: Jim Stafford DATE: October 21, 2011 SUBJECT: Main Street to Center Road 16-Inch Water Main Connector The Cartersville Water Department has received bids on a project to construct a 16-inch water main between Center Road and Main Street. The Water Department received price bids from seven contractors for the project: • C & L Contractors - \$489,981.91 • T.J. Lyle & Co., Inc. - \$519,027.00 • Astra Grading and Pipe, LLC. - \$600,285.00 • Strack, Inc. - \$668,020.70 • C.H. Kirkpatrick & Co., Inc. - \$698,762.05 • Site Engineering, Inc. - \$699,035.00 • John H. Pruett Construction Co. - \$799,571.10 The low bidder submitted a bid bond in the amount of 5 per cent of the bid versus the specified 10 per cent amount. Upon advisement of this issue with the City Attorney, this matter is viewed as a minor irregularity and is recommended as being waived under the stipulations included in the bid documents. The Water Department recommends award of this project to C & L Contractors of Dallas, Georgia in the amount of \$489,981.91. This work will be paid for with SPLOST funds. E-Verify and SAVE Documentation was submitted with the bid and is on hand.
City Manager's Remarks:	There is a 'minor irregularity' in the low bid as outlined above... but it is still recommended for your approval.
Financial/Budget	This work will be paid for with SPLOST funds.

Cover Memo

Item # 1

Certification:	
Legal:	
Associated Information:	E-Verify and SAVE Documentation was submitted with the bid and is on hand. Copies are attached to previous Agenda Item for the same contractor
