



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 Chambers, Third Floor of City Hall– 7:00
PM – 8/16/2012
Work Session – 6:00 PM

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. July 30, 2012 Special Called Meeting (Page 4-5)

[Attachments](#)

2. August 2, 2012 Special Called Meeting (Page 6-7)

[Attachments](#)

3. August 2, 2012 (Page 8-26)

[Attachments](#)

B. Commendation/Recognition

1. Renaming of Clearwater Street Park (Page 27-33)

[Attachments](#)

C. Second Reading of Ordinances

1. Amendment to Alcoholic Beverages Ordinance Relating to Brown Bagging (Page 34-37)

[Attachments](#)

2. Amendment to Alcoholic Beverages Ordinance Related to ID Requirements (Page 38-39)

[Attachments](#)

3. Amendment to Administration Ordinance Regarding Records Retention (Page 40-42)

[Attachments](#)

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

1. File #AZ12-05: De-annexation application by City of Cartersville for property located on State Route 293 and Paga Mine Rd (total approximately 12.1 ac) from City P-I (Public Institutional) to Bartow County jurisdiction. (Page 43-57)

[Attachments](#)

2. File #AZ12-06: Annexation and zoning application by Mark Harris for seven (7) adjoining properties located on MLK Jr Dr east of US Hwy 41 and at 519 & 521 Rowland Springs Rd (total approximately 5.095 ac) from Bartow County jurisdiction, City G-C (General Commercial), and City R-10 (Residential) to City G-C.(Page 58-80)

[Attachments](#)

E. First Reading of Ordinances

1. Amendment to Utilities Ordinance Regarding Capacity Fees (Page 81-82)

[Attachments](#)

2. Amendment to Alcohol Ordinance Regarding Pouring License Fee (Page 83-85)

[Attachments](#)

F. Resolutions

1. Adoption of APPA Safety Manual for Cartersville Electric System (Page 86-87)

[Attachments](#)

G. Contracts/Agreements

1. Georgia Department of Corrections (Page 88-95)

[Attachments](#)

2. Subordination Agreement Regarding 24 Georgia Boulevard/Chase Jones (Page 96-97)

[Attachments](#)

H. Bid Award/Purchases

1. Compact Hydraulic Excavator (Page 98-102)

[Attachments](#)

2. Boom Mowing Tractor with Mower (Page 103-105)

[Attachments](#)

3. Furniture and Equipment for New City Buildings (Page 106-108)

[Attachments](#)

4. Piping for Etowah River Emergency Pump Station (Page 109-111)

[Attachments](#)

5. Chemical Suppliers for Water Treatment Plant and Water Pollution Control Plant (Page 112-113)

[Attachments](#)

I. Monthly Financial Statement

1. June 2012 (Page 114-118)

[Attachments](#)



City of Cartersville

**City Council Meeting
8/16/2012 7:00:00 PM
July 30, 2012 Special Called Meeting**

SubCategory:	Council Meeting Minutes
Department Name:	Clerk
Department Summary Recommendation:	Attached are the minutes for the July 30, 2012 special called council meeting for your review and approval.
City Manager's Remarks:	Minutes for the special meeting for July 30, 2012 have compiled and reveiwed by staff and are recommended for your approval.
Financial/Budget Certification:	
Legal:	
Associated Information:	

Special City Council Meeting
 10 N. Public Square
 July 30, 2012
 4:30 P.M.

I. Opening Meeting

The City Council met in Regular Session with Matt Santini, Mayor presiding and the following present: 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. Kari Hodge, Council Member Ward One; Jayce Stepp, Council Member Ward Two; and Lori Pruitt, Council Member Ward Six were absent.

II. Regular Agenda

A. Public Hearing for Cartersville City School System Millage Rate

Tom Rhinehart, Finance Director stated that Georgia State law requires that a levying authority hold three public hearings when the levying authority proposes to establish a millage rate that will exceed the roll-back millage rate. The Cartersville City School System has decided to increase their millage rate from 17.23 mills to 18.23 mills. Mr. Rhinehart stated that this increase equates to a 5.80% increase over the previous year's roll-back rate, thereby requiring the city to hold three public hearings on behalf of the school system with this being the first of the hearings.

Mayor Santini opened the public hearing on the millage rate. With no comments Mayor Santini closed the public hearing. Mayor Santini informed the council that the second hearing would be Thursday, August 2, 2012 at 8:30 a.m. and the final hearing and vote would be Thursday, August 2, 2012 at 7:00 p.m.

NO ACTION REQUIRED

A motion to adjourn the meeting was made by Council Member Tonsmeire and needing no second. Motion carried unanimously. Vote 3-0

Meeting Adjourned

/s/ _____
 Matthew J. Santini
 Mayor

ATTEST:

/s/ _____
 Connie Keeling
 City Clerk



City of Cartersville

City Council Meeting
8/16/2012 7:00:00 PM
August 2, 2012 Special Called Meeting

SubCategory:	Council Meeting Minutes
Department Name:	Clerk
Department Summary Recommendation:	Attached are the minutes from the August 2, 2012 special called council meeting for your review and approval
City Manager's Remarks:	These are the minutes for the special meeting on August 2. They are recommended for your approval.
Financial/Budget Certification:	
Legal:	
Associated Information:	

Special City Council Meeting
 10 N. Public Square
 August 2, 2012
 8:30 A.M.

I. Opening Meeting

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

II. Regular Agenda

A. Public Hearing for Cartersville City School System Millage Rate

Tom Rhinehart, Finance Director stated that Georgia State law requires that a levying authority hold three public hearings when the levying authority proposes to establish a millage rate that will exceed the roll-back millage rate. The Cartersville City School System has decided to increase their millage rate from 17.23 mills to 18.23 mills. Mr. Rhinehart stated that this increase equates to a 5.80% increase over the previous year's roll-back rate, thereby requiring the city to hold three public hearings on behalf of the school system with this being the second of the hearings.

Mayor Santini opened the public hearing on the millage rate. With no comments Mayor Santini closed the public hearing. Mayor Santini informed the council that the final hearing and vote would be Thursday, August 2, 2012 at 7:00 p.m.

NO ACTION REQUIRED

A motion to adjourn the meeting was made by Council Member Tonsmeire 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
8/16/2012 7:00:00 PM
August 2, 2012

SubCategory:	Council Meeting Minutes
Department Name:	Clerk
Department Summary Recommendation:	Attached are the minutes from the August 2, 2012 regular scheduled meeting for your review and approval.
City Manager's Remarks:	Minutes for the August 2, regular meeting have been compiled and reviewed by staff and are now recommended for your approval.
Financial/Budget Certification:	
Legal:	
Associated Information:	

City Council Meeting
 10 N. Public Square
 August 2, 2012
 6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Council Member Pruitt

Pledge of Allegiance led by Council Member Igars Honeycutt, 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; Louis Tonsmeire, Sr., Council Member Ward Three; Lindsey McDaniel Council Member Ward Four; Dianne Tate, Council Member Ward Five; Lori Pruitt, Council Member Ward Six; Sam Grove, City Manager; Connie Keeling, City Clerk and Keith Lovell, Assistant City Attorney. David Archer, City Attorney and Jayce Stepp, Council Member Ward Two were absent.

II. Regular Agenda

A. Council Meeting Minutes

1. July 19, 2012

A motion to approve the July 19, 2012 minutes as presented was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

B. Public Hearing

1. Public Hearing to Set the Cartersville City School System Property Tax Millage for 18.23 for 2012.

Tom Rhinehart, Finance Director stated that this is the third and final public hearing for the increase in the Cartersville City School System millage rate. Mr. Rhinehart stated that this is the third and final public hearing concerning the increase to 18.23 mills for 2012 and recommended approval.

Mayor Santini opened the public hearing on the millage rate. With no comments Mayor Santini closed the public hearing.

A motion to approve the millage rate set forth by the Cartersville School Board of 18.23 mills was made by Council Member Tonsmeire and seconded by Council Member McDaniel. Motion carried unanimously. Vote 5-0

C. Introduction of new Downtown Development Director

Mayor Santini stated that the city had hired a new Downtown Development Director Tara Currier. Ms Currier came forward and thanked the Mayor and Council for her appointment and stated that she looked forward to working with everyone.

D. Presentation

1. Knight Family

Mayor Santini stated that this part of the agenda is normally reserved for the end of the meeting; however he was going to ask the Knight Family to come forward to address council. Margaret Barber came forward and introduced her family present. Ms. Barber handed out a letter and map to council concerning property owned by the Knight Family on North Erwin Street and asked that the city consider purchasing this property to expand the Oak Hill Cemetery.

E. Second Reading of Ordinances:

1. Amendment to Ordinance: Chapter 1. General Provisions. Section 1.6 General Penalty and Continuing Violations

Tom Rhinehart, Finance Director stated that this ordinance gives the Municipal Court the option of Community Service as a substitute for a fine with the rate of hourly work set to that of the federal minimum wage. Mr. Rhinehart stated that there have been no changes since the first reading and recommended approval.

A motion to approve Ordinance No. 33-12 as presented was made by Council Member Tonsmeire and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 33-12

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, that the Code of Ordinances, City of Cartersville, Georgia is hereby amended by making the following amendments to CHAPTER 1. GENERAL PROVISIONS. Section 1.6 General Penalty and Continuing Violations is hereby amended by adding a new paragraph (F) as follows:

1.

(F) Community service may be substituted or the fine with the rate of hourly work set to that of the federal minimum wage.

2.

It is the intention of the city council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Cartersville, Georgia

BE IT AND IT IS HEREBY ORDAINED

First Reading this the 19th day of July 2012.

ADOPTED this the 2nd day of August 2012. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

2. Amendment to Ordinance: Chapter 13. Municipal Court. Section 13-11 Corporation-Service of Process; Trial

Keith Lovell, Assistant City Attorney stated that this ordinance outlines a new municipal court fines and fees structure based on recommendations and resulting from a meeting with Judge Harry White. As a result of the meeting most of the fine amounts have increased. The fines that did not change are state mandated amounts and cannot be changed. In addition to the increase in fines an administrative fee of \$20.00 has been added to help offset the cost of a new court administrative clerk and a technology fee of \$28.00 which will help offset the cost of municipal court software and security updates. Mr. Lovell stated that there have been no changes since the first reading and recommended approval.

A motion to approve the fee schedule as submitted; Ordinance No. 34-12, was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 34-12

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, that the Code of Ordinances, City of Cartersville, Georgia is

hereby amended by making the following amendments to **CHAPTER 13. MUNICIPAL COURT. Section 13-11 Corporation-Service of Process; Trial** is hereby amended by deleting Section 13-11 in its entirety and replacing it as follow; by adding a new paragraph (5) to Section 13-14 as follows; by adding new sections 13-21, 13-22, 13-23, and 13-24 as follows; and deleting Section 13-18 in its entirety and replacing it as follows:

1.

Sec. 13-11 – Corporations-Service of process; trial.

Whenever a corporation shall violate any of the penal provisions of this Code or any ordinance of the city, a warrant shall be issued against such corporation for such violation. The clerk of the court shall issue a copy of the warrant to be served by any policeman of the city upon any officer of the corporation to be found in the city, or upon the agent, superintendent or person in charge of the business of the corporation in the city. The policeman serving such warrant shall, at the time of service, notify the person upon whom such service is made, in writing, of the time and place of trial and shall make an entry upon the warrant showing the time of service and upon whom made, and shall return the same to the court and docket the case. The case shall stand for trial in the order and manner as cases against individuals for the violation of ordinances of the city.

If on the trial, the defendant corporation fails to appear, or appearing fails to plead, the judge of the Municipal Court shall case to be entered a plea of not guilty, and trial shall proceed as though the defendant had appeared and pleaded, there shall be rendered judgment against it for the fine imposed by the judge of the Municipal Court, together with all costs of prosecution, upon which judgment the Clerk of Court shall issue an execution against the defendant, which shall be levied and collected by the Chief of Police as tax executions in favor of the City are levied and collected.

2.

Sec. 13-14(5).

(5) At the time of posting bail or bond in any case involving a violation of a criminal or traffic law of this city or state, all surcharges shall be included in the amount of said bail or bond.

3.

Sec. 13-21. - Weapons not allowed in municipal courtroom and adjacent facilities.

Firearms or other weapons, including, without limitation, any knife, razor, razor blade, ice pick or similar device having a sharp point, bat, baton, stun or tazer gun, any device capable of discharging harmful projectiles, pepper spray, and all similar items, shall not be worn or brought into the courtrooms of the municipal court or into the buildings in

which they are located, except with the specific authorization of the court or the chief of police.

The following persons or groups are exempted from this prohibition:

- (1) Law enforcement officers employed by the State of Georgia;**
- (2) Local law enforcement officers employed by the City of Cartersville and Bartow County, including sheriff's deputies;**
- (3) District attorneys, assistant district attorneys, and the Attorney General of the State of Georgia;**
- (4) Law enforcement officers of the United States of America, including federal probation officers who are authorized by law or by federal court to wear or carry firearms;**
- (5) Any person appointed by the municipal court judge as a bailiff, provided such person is licensed to carry firearms or otherwise permitted to carry a firearm under state law;**
- (6) Any person otherwise authorized by law to carry firearms or weapons within a superior courtroom of the State of Georgia."**

Any person violating this section shall be punished as provided in Section 1-6 of the City of Cartersville Code of Ordinances.

4.

Sec. 13-22. - Conduct in municipal courtroom.

(a) No person shall, while present within the courtrooms of the municipal court or in the buildings in which they are located, engage in any conduct which may reasonably disturb or interfere with any session of the municipal court or interfere with the business of any municipal court employee, including, without limitation, engaging in actions which disturb or endanger the public peace or decency by any disorderly conduct, such as the use profane or obscene language, being noisy, boisterous, or engaging in any riotous conduct, engaging in, promoting, aiding, or abetting any fight, riot, or disorderly proceeding, acting in a violent or tumultuous manner, using opprobrious or abusive words of another person in such other person's presence which by their very utterance tend to incite to an immediate breach of the peace, or recklessly or knowingly committing any act which may reasonably be expected to interfere with or disrupt proceedings before municipal court or interfere with its employees.

(b) The municipal court judge shall have the authority to preserve and enforce order in his or her immediate presence and, as near thereto as is necessary, to prevent

interruption, disturbance, or hindrance to municipal court proceedings. In addition to the penalties which may be imposed pursuant to paragraph (d) below, any person who fails to comply with an order of the judge of municipal court as to such person's conduct while within the courtrooms of the municipal court or the buildings in which they are located shall be guilty of contempt and shall be subject to the appropriate disciplinary action.

(c) The municipal court judge shall have full power and authority to make reasonable rules and regulations necessary and proper to secure the peaceful, efficient and successful administration of the business of said court, including the power to delegate authority to law enforcement personnel to achieve such purpose.

(d) Any person violating this section shall be punished as provided in Section 1-6 of the City of Cartersville Code of Ordinances.

5.

Sec. 13-23. – Processing Fees; Fines.

(a) The municipal court chief judge may recommend a schedule of fees to assist the court in its operation and budget. The council must approve any such schedule, but if the council does not act within 30 days of the court's recommendation, the fee schedule will become effective.

(b) The council may set city fines for violations of city ordinances.

6.

Sec. 13-24. – Surcharges and Court Costs.

(a) **State Surcharges.** The Municipal Court shall impose all add on fees or surcharges required by state, federal, or local law.

(b) **Interpreter Fees.** The Municipal Court shall be authorized to impose fees for providing an accused with the services of an interpreter in accordance with the rules and regulations set forth by the Georgia Supreme Court.

(c) **Administrative/Court Costs.** The Municipal Court shall impose a surcharge not to exceed twenty dollars (\$20.00) to any penalty imposed for a violation of city ordinance or codes or any other matter prosecuted in the Municipal Court to defray the costs of operation associated with the prosecution of such offense, except for O.C.G.A. § 40-8-76 and 40-8-76.1.

However, if the addition of the surcharge results in a total monetary penalty exceeding that which is allowed by law said surcharge shall be reduced to ensure compliance with applicable laws.

(d) Technology Surcharge. A technology surcharge in the amount of twenty-eight dollars (\$28.00) per offense for all offenses except O.C.G.A. § 40-8-76 and 40-8-76.1, shall be assessed. Said technology surcharge is to be in addition to all other fine and fees imposed by the Municipal Court. All revenue derived from the technology surcharge shall be utilized by the City to provide technology support for the police department and Municipal Court functions.

(e) Bail or Bond. In all cases in which bail or bond is posted, all required surcharges are to be added to same and shall be posted.

(f) All surcharges shall be paid into the City's General Fund or dedicated accounts as may be established from time to time and are to be disbursed as provided for by law.

7.

Sec. 13-18. – Judgment and Sentences.

Upon a judgment or plea of guilty the court shall impose sentence. The court may:

- (a) Impose a fine, with or without a commitment for confinement, compulsory work or both;**
- (b) Commit the defendant to confinement, compulsory work or both;**
- (c) Suspend the execution of the sentence in whole or in part;**
- (d) Defer the execution of the sentence or any portion or portions thereof to one (1) or more fixed dates in the future.**
- (e) May revoke, alter, amend or charge a sentence at any time, provided the sentence is not increased; or**
- (f) Place on probation.**
- (g) The court may punish for violations within its jurisdiction a fine not exceeding \$1,000.00 or imprisonment for six months, or both, except as otherwise provided by this Code or state law.**

8.

It is the intention of the city council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Cartersville, Georgia

BE IT AND IT IS HEREBY ORDAINED

First Reading this the 19th day of July 2012.

ADOPTED this the 2nd day of August 2012. Second Reading.

/s/ Matthew J. Santini

Matthew J. Santini

Mayor

ATTEST:

/s/ Connie Keeling

Connie Keeling

City Clerk

F. Public Hearing

1. Public Hearing to Set the City of Cartersville M&O Property Tax Millage of 1.38 Mills for 2012

Tom Rhinehart, Finance Director stated the property taxes received from the Cartersville M&O property tax millage are used for general city government purposes, which include police, fire, recreation, public works and others. The proposed millage rate of 1.38 is considered the property tax rollback rate. Mr. Rhinehart stated that homeowners will essentially be close to the same amount of M&O property taxes as 2011 and recommended approval.

Mayor Santini opened the public hearing on the millage rate. Sam Grove, City Manager stated that this millage has remained the same for several years. With no comments Mayor Santini closed the public hearing.

A motion to approve rollback rate of 1.38 mills was made by Council Member Tate and seconded by Council Member McDaniel. Motion carried unanimously. Vote 5-0

3. Public Hearing to Set the Cartersville Business Improvement District Property Tax Millage of 2.50 Mills for 2012.

Tom Rhinehart, Finance Director stated that the Business Improvement District (BID) is made up of the downtown Cartersville Business District. These business owners have been self-assessing a property tax over the past several years to raise funds for this area. The Downtown Development Authority (DDA) works with the local businesses to use these funds to improve the downtown area. DDA requests the Council approval to keep the BID Property Tax Millage at 2.50 mills for 2012 and Mr. Rhinehart recommended approval.

Mayor Santini opened the public hearing on the millage rate. With no comments Mayor Santini closed the public hearing.

A motion to approve BID Property Tax Millage Rate at 2.50 mills was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

G. First Reading of Ordinances

1. Amendment to Alcoholic Beverages Ordinance Relating to Brown Bagging

Keith Lovell, Assistant City Attorney stated that over the past few months the Alcohol Control Board has been approached by the Arts Studios in Cartersville about conducting Brown Bagging events at their establishments. After many discussions between these establishments the ACB, staff and City Attorney have drafted an ordinance. Mr. Lovell stated that the Brown Bag events would be limited to the arts and pottery studios; events must be after hours; no one under the age of 21 will be admitted during one of these events; and the alcohol must be turned over to and poured by the owner (or agent) of the studio. Mr. Lovell stated that any leftover beverages must be handled according to the laws of the State of Georgia.

Mayor Santini opened the floor for a public hearing. Samantha Center came forward and asked that the minimum age be changed from 21 years old to 18 years old with identification checked before serving. Gail Freeman came forward and asked that the fee be lowered from \$200.00. With no further comments Mayor Santini closed the public hearing.

NO ACTION REQUIRED

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 4. Alcoholic Beverages** is hereby amended as follows:

1.

That Chapter 4. Alcoholic Beverages. Article I. Division 1. General Sec. 4.1 Definitions. is hereby amended by adding the following definition for brown bagging and brown bag establishment to said **Section 4.1 Definitions** in alphabetical order, the remaining provisions of said section shall remain in full force and effect.

“Brown bag establishment: Any art studio or pottery studio which in the normal course of business in the owners or their employees or agents knowingly allow patrons to bring in and consume on the premises the patrons' own malt beverage and wine.

Brown bagging: The act of a patron or patrons entering any art studio or pottery studio which in the normal course of business in the owners or their employees or agents

knowingly allow patrons to bring in and consume on the premises the patrons' own malt beverage and wine.”

2.

That Chapter 4. Alcoholic Beverages Article II. Licensing Requirements. Division 4. Premises Restrictions. Sections 4-113 – 4-119. Reserved is hereby amended by deleting said sections in their entirety and replacing them as follows:

“Section 4-113 Requirements for brown bagging establishment

(A) Brown Bagging Establishments must meet the following requirements:

- (1) Except as specifically provided for herein brown bagging and brown bag establishments except as defined in this chapter are prohibited within the City of Cartersville.
- (2) It must not be licensed to sell or serve alcoholic beverages on the premises but only allows patrons to bring in and consume on the premises the patrons' own alcoholic beverages;
- (3) No meals with substantial entrees to be selected by the patron from a full menu are to be served; although light snacks may be served
- (4) They do not charge patrons for admission to the establishment, for mixers, and/ or glasses; except that bottled water, sodas, coffee and teas are permitted only if provided by licensee at no cost to patron as part of the class registration fee.
- (5) Must be in a zoning district that allows alcohol sales by the drink as a legal use.
- (6) No licensee shall be authorized to operate a business until the license required in this section has been approved as required pursuant to this Chapter.
- (7) It shall be unlawful for any person to sell, serve, deliver, give or dispense to anyone ice, soft drinks, mixers or beverages of any kind or to provide setups for use or consumption on the premises with or in alcoholic beverages in any brown bag establishments unless the establishment or club holds an alcoholic beverage license issued by the City
- (8) It shall be unlawful for the operator of any brown bag establishments to operate, that is, to allow anyone to bring or keep alcoholic beverages on said premises for use or consumption thereat, unless said establishment or business holds an alcoholic beverage license issued by the City.
- (9) The Licensee must take custody of the alcoholic beverage and the Licensee or its employees shall be responsible for serving.
- (10) The Licensee may only allow brown-bagging after regular hours. The business must be closed to the public, except for the scheduled brown bag event.
- (11) Brown bag events are limited to scheduled art or pottery classes, not open to the general public which meet the following requirements:

1. Must be after regular business hours.
2. The location must be closed to the general public.
3. Only allowed between 5:30 p.m. and 11:00 p.m. Monday through Saturday.
4. No one under twenty-one (21) years of age will be allowed on premises during brown bag event.
5. Only individuals pre-registered for the pottery or art class will be allowed on the premises.
6. Licensee must check all identification of all patrons who are brown bagging to ensure that they are twenty-one years of age.

Section 4-114 – 4-119 Reserved. “

3.

That Chapter 4 Alcoholic Beverages. Article II. Licensing Requirements. Division 1. Generally. Section 4-33 Classification, Fees, and Terms is hereby amended by adding a new numbered paragraph (14) as follows:

“(14) *Brown Bagging License.* A Brown Bagging License shall permit only the consumption by drink of wine or malt beverages brought by a patron of the Brown Bagging Establishment. The fee for such license shall be two hundred dollars (\$200.00). The license provided by this section shall be issued by the Director of Community Development.

Section 4-114 – 4-119 Reserved. “

4.

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

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 2nd day of August 2012.
ADOPTED this the day of. Second Reading.

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

ATTEST:

/s/ Connie Keeling

Connie Keeling
City Clerk

2. Amendment to Alcoholic Beverages Ordinance Related to ID Requirements

Keith Lovell, Assistant City Attorney stated that to receive a letter of compliance for an alcohol license three forms of identification are required. This ordinance was passed in 2004 at the request of the Police Chief McCain. After speaking with Chief Culpepper staff felt that with all of the new immigration law requirements this was redundant. Mr. Lovell stated the proposed change would eliminate the requirement for three forms of ID and instead require a State Issued Photo ID and a Social Security Number to receive this letter/background check from the Police Department and recommended approval.

NO ACTION REQUIRED

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 4. ALCOHOLIC BEVERAGES. ARTICLE I. IN GENERAL Sec. 4-14 Reserved.** is hereby amended by deleting said Sections in its entirety and replacing it with the following:

1.

Sec. 4.14 Required identification information with applications submitted pursuant to this Chapter.

(a) The following identification items shall be presented to the Cartersville Police Department prior to an application or renewal being filed for all licenses issued pursuant to this Chapter.

- 1) A picture identification being either a Naturalization documents, valid passport, valid driver's license or valid state identification card; and**
- 2) Social security number or work visa.**

(b) The Cartersville Police Department shall issue a certificate of compliance that all information is complete prior to the Department of Community Development accepting an application for review.

(c) If the Certificate of Compliance is not issued, the Department of Community Development is not authorized to accept an application or renewal.

2.

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

BE IT AND IT IS HEREBY ORDAINED

ADOPTED this the 2nd day of August 2012. First Reading.
ADOPTED this the day of . Second Reading.

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

ATTEST:

/s/ Connie Keeling
 Connie Keeling
 City Clerk

3. Amendment to Administration Ordinance Regarding Records Retention

Keith Lovell, Assistant City Attorney stated that Federal and State law requires the city to maintain various records for a length of time. The proposed Ordinance codifies the record retention and designates who will be responsible for implementation and oversight of the records. Mr. Lovell recommended approval.

NO ACTION REQUIRED

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 2. ADMINISTRATION. is hereby amended by creating a new Article IX. Records retention as follows:

1.

ARTICLE IX. RECORDS RETENTION

“Sec. 2-250. Retention schedules for local government records--Adopted.

“Retention Schedules For Local Government Records”, as promulgated by the Archives, Records and Information Management Section, Georgia Secretary of State, revised October 2010, as from time to time amended, are hereby adopted and incorporated by reference as the minimum retention schedules for public records of the city. For purposes of this section, definitions found at O.C.G.A. § 50-18-91 are hereby incorporated by reference. Municipal court records shall be maintained in accordance with those standards promulgated, from time to time, by the Georgia Administrative Office of Courts.

Notwithstanding an applicable records retention schedule to the contrary, records relevant to an actual or potential investigation, administrative proceeding, or lawsuit, shall be preserved until the city attorney or other legal representative of the city determines the records are no longer needed. This exception supersedes any previously or subsequently established retention schedule for those records.”

“Sec. 2-251. Compliance.

The city manager and each department head under the city manager will be responsible for overseeing implementation, maintenance, security and compliance with record retention requirements. The responsibility imposed by this section includes training and education of employees in the creation, storage, indexing or archival [archiving] of public records, records management and retention, compliance with open records laws, and production and disclosure of records in litigation.”

“Sec. 2-252. Records management officer.

The city manager is hereby appointed and designated as the records management officer for the city. It shall be the duty of the records management officer to promulgate policies and procedures governing public records management ("records management program") and the training, supervision and discipline of officers and employees for violations of such policies and procedures. Such policies and procedures shall include electronically stored information in addition to records created or maintained in tangible format. The records management officer may designate, in writing, such assistant or deputy officers as required to perform the duties of his office.”

“Sec. 2-253. Title vested in city.

Title to any public record created or required to be filed or recorded with the city or any department or agency thereof shall be vested in the city and no individual officer or employee shall acquire any property rights therein. Any records designated as "confidential" or "privileged" by law shall be so treated in their creation, maintenance,

storage, dissemination, and disposal. Access to such records shall be restricted in the manner provided by law and disclosure thereof shall be made available only to authorized individuals. Unauthorized disclosure or the granting of access to any restricted public record of the city, except in strict accordance with this article and any records management program adopted pursuant thereto, shall constitute grounds for disciplinary action against city officers and employees responsible for such action, including removal from office or dismissal from employment.”

“Sec. 2-254. Destruction of records.

The destruction of public records shall occur only through the application of the appropriate retention schedule and after satisfying any administrative approvals necessary to authorize destruction. Alienation, alteration, theft or unauthorized destruction of public records of the city by any person or persons in a manner not authorized by an applicable records management program or retention schedule is prohibited, and may result in such person's criminal prosecution and/or removal from public office or dismissal from public employment.”

2.

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

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 2nd day of August 2012.
ADOPTED this the day of. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

H. Contracts/Agreements

1. Southland Engineering, Inc. Etowah Riverwalk – Leake Mounds

Greg Anderson, Parks and Recreation Director stated that the city was awarded a TE Grant in 2007 for the Etowah Riverwalk – Leake Mounds Link. Pharr Engineering was originally awarded the design and engineering for the project, but after failing to meet several of

the latest deadlines for GA-DOT, the city was notified by David Bacon, Pharr Engineering, that they could no longer work on the project. Since the Park Department had just gone through the process of selecting the most qualified for Pettit Creek Trail Phase III, the GA-DOT has allowed the city to use that “Request for Qualifications” for the Etowah Riverwalk – Leake Mounds Link. Mr. Anderson stated that Southland Engineering was selected “best qualified” out of the 21 firms that submitted RFQ’s. Mr. Anderson recommended approval of the proposal from Southland Engineering in the amount of \$78,879.00.

A motion to approve the agreement with Southland Engineering was made by Council Member Tonsmeire and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

I. Change Order

1. Fire Station #4 – Change Order #1

Dan Porta, Assistant City Manager stated that the construction plans for Fire Station #4 had a kitchen exhaust hood that was not up to the building code and changes had to be made to the construction plans for the sprinkler riser room. Mr. Porta stated that the total cost for this change order is \$28,290.00 and recommended approval.

A motion to approve the Fire Station #4 - Change Order #1 was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0

2. Public Safety Headquarters – Change Order #4

Dan Porta, Assistant City Manager stated that as construction continues on the new Public Safety Headquarters, there are items in the building that need to be modified in order to serve the Police and Fire Departments for many years. Mr. Porta stated that several items have been discovered as the building is being erected, such as server room mechanical changes, 50 amp trailer outlets, and additional signal lights at apparatus bay doors. Porta recommended the approval of Change Order #4 in the amount of \$48,175.02.

A motion to approve Public Safety Headquarters – Change Order #4 was made by Council Member Tonsmeire and seconded by Council Member McDaniel. Motion carried unanimously. Vote 5-0

J. Bid Award/Purchases

1. Workers Compensation Insurance Renewal

Dan Porta, Assistant City Manager stated that since 2007 the city has been self-insured with a high deductible for workers compensation coverage. This means that the city pays the first dollar of every workers compensation claim up to \$500,000 for Police, Fire, Water, and Electric Departments and \$400,000 for all other departments. Through the promotion of a safe

work environment and city departments conducting safety training meetings, the city has had very low insurance claims. Mr. Porta stated that the third party administrator that processes the city's workers compensation claims is USIS, and the premium for this service is \$9,900. Midwest Casualty Company provides insurance coverage for any claims that may exceed the deductible and the renewal premium is \$48,017 which is \$6,846 more than the expiring premium. The increase is due to higher payroll costs and an increase from the insurance company and Mr. Porta recommended approval of the renewal with Midwest Casualty Company and USIS.

A motion to approve the Workers Compensation Insurance Renewal with Midwest Casualty Company and USIS was made by Council Member Pruitt and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

2. Janitorial Services

Dan Porta, Assistant City Manager stated that bids were sent out for janitorial services for the City Managers Building, City Hall, Gas Department, Police Department, DTF, Police Investigations and the Police Firing Range. Bids were received on time from seven companies. Mr. Porta stated that the city currently pays \$4,400.00 per month for these services and recommended approval of the low bid from ICS, Inc. in the amount of \$3,785.00.

A motion to approve the low bid from ICS, Inc. was made by Council Member Pruitt and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0

(Items 3 – 5 handled as one motion)

3. Natural Gas Main Extension: Toyo Phase III

Michael Hill, Assistant Gas Superintendent stated that bids were requested from four contractors for the natural gas main extension for Toyo Tire North America, however only one bid was returned. The bid received is within 2% of the estimated construction cost in 2010 and Mr. Hill recommended approval of the sole bid from Southeastern Natural Gas Services of Rome, Inc. in the amount of \$254,992.75.

4. Natural Gas Main Extension: Main Street

Michael Hill, Assistant Gas Superintendent stated that bids were requested from four contractors for the natural gas main extension for the natural gas system expansion I-75 West high pressure Loop Phase III on Main Street. Only one bid was received and it is within 8.5% of the 2011 estimated construction cost. Mr. Hill recommended approval of the sole bid from Southeastern Natural Gas Services of Rome, Inc. in the amount of \$121,484.40.

5. Pipe for Gas Department

Michael Hill, Assistant Gas Superintendent stated that bids were requested for 5,000 feet of 6" steel pipe for the Main Street expansion project. Mr. Hill recommended the low bid from

Edgen Murray Corporation in the amount of \$65,750.00.

A motion to approve all three items as presented was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

(Items 6 – 7 handled as one motion)

6. Bucket Truck Repair

David Myers, Electric Superintendent stated that a bucket truck required rebuilding of the bucket assembly due to normal wear and tear. The cost of the repairs is \$7,547.99 and recommended approval.

7. Transformers

David Myers, Electric Superintendent stated that the electric system requests to purchase a 150kVA padmount transformer to replace the unit used at John Lewis' renovation at Cook Street and Erwin Street. Four bids were received and Mr. Myers recommended the lowest Total Ownership Cost bid from Gresco for the ERMCO unit in the amount of \$5844.00.

A motion to approve both items as presented was made by Council Member Tonsmeire and seconded by Council Member Hodge. Motion carried unanimously. Vote 5-0

A motion to adjourn the meeting was made by Council Member Hodge and needing no second. Motion carried unanimously. Vote 5-0

Meeting Adjourned

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk



City of Cartersville

City Council Meeting
8/16/2012 7:00:00 PM
Renaming of Clearwater Street Park

SubCategory:	Commendation/Recognition
Department Name:	Parks and Recreation
Department Summary Recommendation:	After receiving two (2) letters requesting re-naming Clearwater St. Park to “Robert Ed Hicks Parks”, per the City of Cartersville’s naming policy, I placed the requests on the Cartersville Parks and Recreation Department Recreation Advisory Board agenda for the next scheduled meeting. The Recreation Advisory Board unanimously approved recommending to the Cartersville City Council that the Clearwater St. Park be re-named “Robert Ed Hicks” Park. Robert Ed was a part of the ATCO community, a vocal supporter for Cartersville Little League Baseball and the youth of our community. He was a past City Council member and a longtime member of the Cartersville Planning Commission. He has always been an advocate for the City of Cartersville Parks and Recreation and is gives me great pleasure to make this recommendation to Mayor and Council members to change the name of Clearwater St. Park to Robert Ed Hicks Park.
City Manager's Remarks:	Per naming policy approved by City Council, the Park Board recommends that Clearwater St. Park be renamed Robert Ed Hicks Park. Your approval of this is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

**City of Cartersville Parks and Recreation Department
Policy for Reviewing Requests for Naming, Renaming,
and Memorializing Parks and Facilities**

Guidelines for:

1. Naming or renaming parks
2. Naming or renaming areas in parks or facilities in parks
3. Memorials and dedications in parks, on park structures, and facilities

The Policy

City of Cartersville Parks and Recreation Department parks/facilities are generally named for a geographic area or a natural historic feature, but, as appropriate, parks and department facilities may be named to reflect significant historic, material, or financial contributions to the City, or persons of historic or outstanding civic service. Markers may be placed in parks and on recreational facilities honoring or memorializing individuals and organizations.

Procedure for Requesting Permission

Anyone wishing to name or rename a park, recreation facility, or erect a memorial in a park or within a department facility, must submit his or her request in writing to the Director with a sufficient explanation of the proposal to enable the Director to make a determination that the naming or memorial is justified. The factors to be taken into consideration by the Director will include, but not limited to the following:

1. The reason for the naming or renaming or erection of a memorial;
2. The contribution or other factors for which the person is being memorialized, or the park or facility named;
3. Whether and to what extent the facility or park has been financed by the person being honored or by the persons wishing to honor him/her;
4. Whether and to what extent the appropriate and/or impacted communities support the proposal; and
5. Any other factors, which would support the request.

Naming/Renaming

1. The Director's considerations regarding the naming or renaming of parks, and naming or renaming areas and department facilities, shall be guided by the following considerations:

- a. Recognized geographic names
- b. Natural historic features
- c. Significant historic contributions
- d. Significant material contributions
- e. Significant financial contributions
- f. Persons of historic service to the Parks and Recreation Department or the City of Cartersville
- g. Persons of outstanding civic service to the Parks and Recreation Department or the City of Cartersville.
- h. Documented community support

2. If the naming request meets the required criteria, the requesting person(s) or organization(s) must present the request to the Recreation Advisory Board at a regular scheduled meeting.

3. The Recreation Advisory Board reviews the request and makes a recommendation to the Director.

4. If approved, by the Recreation Advisory Board, the Director shall proceed to submit the Naming or Renaming request to the City Council for action.

5. The requestor will be notified via letter of the Director's decision. The letter will outline, if applicable, those areas that did not meet the criteria.

Memorials/Dedications

Memorials or dedications may consist of structures, such as buildings, or facilities, such as athletic fields, that may be named in memory of individuals and organizations as completed entities, or memorial or dedication plaques or signs on or inside structures and facilities.

1. The Director's considerations regarding memorializing or dedicating parks, park area and recreational facilities shall be guided by the following considerations:

- a. The location, design, and configuration of a proposed memorial or dedication shall be in keeping with the park purpose and usage and shall not interfere with public use of the park or recreational facility.
- b. The proximity to planned and/or existing memorials.

c. City of Cartersville Parks and Recreation Department and Community Development staff shall participate in the planning, design, and oversee construction of a memorial or dedication, if relevant.

d. Documented evidence of community support must be included with the request for memorializing or dedicating parks, park area and recreational facilities.

e. All costs associated with the proposed memorial or dedication, including planning,

design, construction, utilities, and maintenance shall be the sole responsibility of the person(s) or organization(s) requesting the memorial or dedication. Full funding for the memorial or dedication shall be paid to the Department of Parks and Recreation, prior to the start of construction, and after planning and design.

f. An escrow account must be established with the Department of Parks and Recreation to ensure the person(s), organization, and/or entity requesting the memorial or dedication of a park, park area and/or recreational facilities has the capability to perform routine maintenance of the memorial, park area, or recreational facility for the next 10 years.

g. The cost of maintenance to be put in the escrow account for the 10 year period shall be mutually agreed upon by the Requestor and the Director of Parks and Recreation.

h. In all cases involving memorials or dedications, only the memorial or dedication itself may be named. The park name shall remain unchanged, unless the park is being nominated for naming or renaming.

2. If the memorial or dedication request meets the required criteria, the requesting person(s) or organization(s) must present the request to the Recreation Advisory Board.

3. The Recreation Advisory Board reviews the request and makes a recommendation to the Director.

4. If approved, the Department shall proceed to authorize the memorial/dedication through the City Council.

5. The requestor will be notified via letter of the Director's decision. The letter will outline, if applicable, those areas that did not meet the criteria.

Dear Recreation Advisory Board,

This letter is to ask you to consider renaming the current "Clearwater Baseball Park" To the "Robert Ed "Alimony"Hicks Baseball Park".

Robert Ed was born and raised in the Atco Village. He knew just about everyone in the Community and where they lived. He graduated from Cartersville High School, from There he joined into the Navy where he was honorably discharged June 3, 1959. He Was a member of the Cartersville Merchants a semi pro baseball team that played out of Atco.

Robert Ed served on the City Council May, 1999 until Dec, 7 2010. He also was on the Board of Equalizations from Jan, 2000 until his death in May of this year, where he Served as chairman for many of these years. Robert was President of Little League For 4 years from 91-95, where he was responsible for building the Pavilion at the park.

Thank you

Curt Jolly
404-925-5346

"A hundred years from now it will not matter what my bank account was, the sort of house I lived in, or the kind of car I drove...but the world may be different because I was important in the life of a child."

- Forest E. Witcraft

Dear Board of Directors,

This letter is to ask you to consider renaming the current "Clearwater Baseball Park" to the "Robert Ed "Alimony" Hicks Baseball Park".

I know of few who gave of their time to kids, baseball, to our community as unselfishly as did Robert Ed "Alimony" Hicks.

Robert Ed was born and raised in the Atco Village. He played in the streets of Atco and knew everyone in the village. He was very well known by all of the residents as he had that personality that encouraged people and made them feel welcomed and loved. As an adult, he maintained his ties in the Atco community and visited often. It may be an urban legend that he not only knew everyone in Atco, but also where they lived, worked and whether they owned or rented their home.

One of my earliest memories of Alimony was when I was around 8 or 9 and at the Atco Ball Park watching the Cartersville Merchants. This was a local semi pro baseball team. I was attending one of their regular Sunday afternoon games. I looked up to those players. Some of the names were Bobby Wade, Cliff Martin, Moose Guyton. At those games, Alimony would talk to me as if we were long time friends and it made me feel very special. It amazed how he knew all of the kids who were at the game and how he kept up with us as we grew into young adults and even older. From those days on, Alimony was a special friend.

Alimony didn't just form friendships when he was younger, he also continued his work in the community as an adult. He served on the Cartersville City Council and many other worthwhile community activities. He served as the Cartersville Little League President for four years. Those years were during the time that my son, Ben played Little League and I served on the Board of Directors for two of those years with Alimony. During those years he made tough decisions as needed, to keep integrity in the League. He never showed favoritism, he went by the rules. One of his favorite sayings was, "If you go by the rules, then you'll have no regrets." He was fair to everyone. His love for the players, their families, baseball and Atco was obvious by the way he served the League.

After retiring from Little League, he coached, encouraged, and attended his grandchildren's games. He was a regular attendee at all of their games. He even was available for "consulting" for the league, if anyone on the Board had questions about the processes from the past.

Alimony demonstrated his love for kids, baseball, Atco, Cartersville, and Bartow County for his entire life. Renaming the field in the village where he grew up and had such an

impact on as an adult would be a great way to honor him in similar ways that Sam Smith Park and Matthew Hill Park have honored those great men.

I hope you consider this request. I am available for any other information that you might need to assist in this request.

Best Regards,

Bruce Mathison
July 12, 2012



City of Cartersville

City Council Meeting

8/16/2012 7:00:00 PM

Amendment to Alcoholic Beverages Ordinance Relating to Brown Bagging

SubCategory:	Second Reading of Ordinances
Department Name:	Planning and Development
Department Summary Recommendation:	Over the past few months the Alcohol Control Board has been approached by the Arts Studios in Cartersville about conducting Brown Bagging events at their establishments. After many discussions between these establishments, the ACB, staff and the City Attorney, the attached ordinance has been drafted for your consideration. Brown Bag events will be limited to the arts and pottery studios. Events must be after hours and no one under the age of 21 will be admitted during one of these events. The alcohol must be turned over to and poured by the owner of the studio. Any left over beverages must be handled according to the laws of the State of Georgia. The ACB has recommended approval of this ordinance.
City Manager's Remarks:	This is an item that should enhance art and pottery studios. It is recommended by the ACB. Your approval is recommended.
Financial/Budget Certification:	
Legal:	Prepared by the City Attorney's office
Associated Information:	

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 4. Alcoholic Beverages** is hereby amended as follows:

1.

That Chapter 4. Alcoholic Beverages. Article I. Division 1. General Sec. 4.1 Definitions. is hereby amended by adding the following definition for brown bagging and brown bag establishment to said **Section 4.1 Definitions** in alphabetical order, the remaining provisions of said section shall remain in full force and effect.

“Brown bag establishment: Any art studio or pottery studio which in the normal course of business in the owners or their employees or agents knowingly allow patrons to bring in and consume on the premises the patrons' own malt beverage and wine.

Brown bagging: The act of a patron or patrons entering any art studio or pottery studio which in the normal course of business in the owners or their employees or agents knowingly allow patrons to bring in and consume on the premises the patrons' own malt beverage and wine.”

2.

That Chapter 4. Alcoholic Beverages Article II. Licensing Requirements. Division 4. Premises Restrictions. Sections 4-113 – 4-119. Reserved is hereby amended by deleting said sections in their entirety and replacing them as follows:

“Section 4-113 Requirements for brown bagging establishment

(A) Brown Bagging Establishments must meet the following requirements:

- (1) Except as specifically provided for herein brown bagging and brown bag establishments except as defined in this chapter are prohibited within the City of Cartersville.**
- (2) It must not be licensed to sell or serve alcoholic beverages on the premises but only allows patrons to bring in and consume on the premises the patrons' own alcoholic beverages;**

- (3) No meals with substantial entrees to be selected by the patron from a full menu are to be served; although light snacks may be served**
- (4) They do not charge patrons for admission to the establishment, for mixers, and/ or glasses; except that bottled water, sodas, coffee and teas are permitted only if provided by licensee at no cost to patron as part of the class registration fee.**
- (5) Must be in a zoning district that allows alcohol sales by the drink as a legal use.**
- (6) No licensee shall be authorized to operate a business until the license required in this section has been approved as required pursuant to this Chapter.**
- (7) It shall be unlawful for any person to sell, serve, deliver, give or dispense to anyone ice, soft drinks, mixers or beverages of any kind or to provide setups for use or consumption on the premises with or in alcoholic beverages in any brown bag establishments unless the establishment or club holds an alcoholic beverage license issued by the City**
- (8) It shall be unlawful for the operator of any brown bag establishments to operate, that is, to allow anyone to bring or keep alcoholic beverages on said premises for use or consumption thereat, unless said establishment or business holds an alcoholic beverage license issued by the City.**
- (9) The Licensee must take custody of the alcoholic beverage and the Licensee or its employees shall be responsible for serving.**
- (10) The Licensee may only allow brown-bagging after regular hours. The business must be closed to the public, except for the scheduled brown bag event.**
- (11) Brown bag events are limited to scheduled art or pottery classes, not open to the general public which meet the following requirements:**
 - 1. Must be after regular business hours.**
 - 2. The location must be closed to the general public.**
 - 3. Only allowed between 5:30 p.m. and 11:00 p.m. Monday through Saturday.**
 - 4. No one under twenty-one (21) years of age will be allowed on premises during brown bag event.**
 - 5. Only individuals pre-registered for the pottery or art class will be allowed on the premises.**
 - 6. Licensee must check all identification of all patrons who are brown bagging to ensure that they are twenty-one years of age.**

Section 4-114 – 4-119 Reserved. “

3.

That Chapter 4 Alcoholic Beverages. Article II. Licensing Requirements. Division 1. Generally. Section 4-33 Classification, Fees, and Terms is hereby amended by adding a new numbered paragraph (14) as follows:

“(14) *Brown Bagging License.* A Brown Bagging License shall permit only the consumption by drink of wine or malt beverages brought by a patron of the Brown Bagging Establishment. The fee for such license shall be two hundred dollars (\$200.00). The license provided by this section shall be issued by the Director of Community Development.

Section 4-114 – 4-119 Reserved. “

4.

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

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____

SECOND READING: _____

**_____
MATTHEW J. SANTINI, MAYOR**

**ATTEST: _____
CONNIE KEELING , CITY CLERK**



City of Cartersville

City Council Meeting

8/16/2012 7:00:00 PM

Amendment to Alcoholic Beverages Ordinance Related to ID Requirements

SubCategory:	Second Reading of Ordinances
Department Name:	Planning and Development
Department Summary Recommendation:	We have recently discovered that to get a letter of compliance for a license to sell or pour alcohol three forms of identification are required. This was established in 2004 at the request of then Police Chief McCain. After speaking with Chief Culpepper staff felt that with all of the new immigration law requirements this was redundant. Staff is asking that a change be made to eliminate the requirements for three forms of ID and instead require a State Issued Photo ID and a Social Security Number to receive this letter/background check from the Police Department.
City Manager's Remarks:	This changes the ID requirements to sell or pour liquor so that the requirement is 'sensible'. Your approval of this item is recommended.
Financial/Budget Certification:	
Legal:	Prepared by the City Attorney's office
Associated Information:	

Ordinance
of the
City of Cartersville, Georgia

Ordinance No. 66-04

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 4. ALCOHOLIC BEVERAGES. ARTICLE I. IN GENERAL Sec. 4-14 Reserved. is hereby amended by deleting said Sections in its entirety and replacing it with the following:

1.

Sec. 4.14 Required identification information with applications submitted pursuant to this Chapter.

(a) The following identification items shall be presented to the Cartersville Police Department prior to an application or renewal being filed for all licenses issued pursuant to this Chapter.

- 1) A picture identification being either a Naturalization documents, valid passport, valid driver's license or valid state identification card; and**
- 2) Social security number or work visa.**

(b) The Cartersville Police Department shall issue a certificate of compliance that all information is complete prior to the Department of Community Development accepting an application for review.

(c) If the Certificate of Compliance is not issued, the Department of Community Development is not authorized to accept an application or renewal.

2.

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

BE IT AND IT IS HEREBY ORDAINED

ADOPTED this the 2nd day of August 2012. First Reading.
ADOPTED this the 16th day of August 2012. Second Reading.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk



City of Cartersville

City Council Meeting
8/16/2012 7:00:00 PM

Amendment to Administration Ordinance Regarding Records Retention

SubCategory:	Second Reading of Ordinances
Department Name:	
Department Summary Recommendation:	MEMO To: Mayor and City Council From: E. Keith Lovell, Assistant City Attorney Date: July 27, 2012 Re: Record Retention Federal and State law requires the City to maintain various records for a length of time. The proposed Ordinance codifies the record retention and designates who will be responsible for implementation and oversight of said records. It is recommended for your approval. EKL/src
City Manager's Remarks:	This is reflective of what we actually do records-wise. Your approval of the ordinance is recommended.
Financial/Budget Certification:	
Legal:	Prepared by the City Attorney's office
Associated Information:	

Ordinance no. _____

Now be it and it is hereby ORDAINED by the Mayor and City Council of the City of Cartersville, that the CITY OF CARTERSVILLE CODE OF ORDINANCES, CHAPTER 2. ADMINISTRATION. is hereby amended by creating a new Article IX. Records retention as follows:

1.

ARTICLE IX. RECORDS RETENTION**“Sec. 2-250. Retention schedules for local government records--Adopted.**

“Retention Schedules For Local Government Records”, as promulgated by the Archives, Records and Information Management Section, Georgia Secretary of State, revised October 2010, as from time to time amended, are hereby adopted and incorporated by reference as the minimum retention schedules for public records of the city. For purposes of this section, definitions found at O.C.G.A. § 50-18-91 are hereby incorporated by reference. Municipal court records shall be maintained in accordance with those standards promulgated, from time to time, by the Georgia Administrative Office of Courts.

Notwithstanding an applicable records retention schedule to the contrary, records relevant to an actual or potential investigation, administrative proceeding, or lawsuit, shall be preserved until the city attorney or other legal representative of the city determines the records are no longer needed. This exception supersedes any previously or subsequently established retention schedule for those records.”

“Sec. 2-251. Compliance.

The city manager and each department head under the city manager will be responsible for overseeing implementation, maintenance, security and compliance with record retention requirements. The responsibility imposed by this section includes training and education of employees in the creation, storage, indexing or archival [archiving] of public records, records management and retention, compliance with open records laws, and production and disclosure of records in litigation.”

“Sec. 2-252. Records management officer.

The city manager is hereby appointed and designated as the records management officer for the city. It shall be the duty of the records management officer to promulgate policies and procedures governing public records management ("records management program") and the training, supervision and discipline of officers and employees for violations of such policies and procedures. Such policies and procedures shall include electronically stored information in addition to records created or maintained in tangible format. The records management officer may designate, in writing, such assistant or deputy officers as required to perform the duties of his office.”

“Sec. 2-253. Title vested in city.

Title to any public record created or required to be filed or recorded with the city or any department or agency thereof shall be vested in the city and no individual officer or employee shall acquire any property rights therein. Any records designated as "confidential" or "privileged" by law shall be so treated in their creation, maintenance, storage, dissemination, and disposal. Access to such records shall be restricted in the manner provided by law and disclosure thereof shall be made available only to authorized individuals. Unauthorized disclosure or the granting of access to any restricted public record of the city, except in strict accordance with this article and any records management program adopted pursuant thereto, shall constitute grounds for disciplinary action against city officers and employees responsible for such action, including removal from office or dismissal from employment.”

“Sec. 2-254. Destruction of records.

The destruction of public records shall occur only through the application of the appropriate retention schedule and after satisfying any administrative approvals necessary to authorize destruction. Alienation, alteration, theft or unauthorized destruction of public records of the city by any person or persons in a manner not authorized by an applicable records management program or retention schedule is prohibited, and may result in such person's criminal prosecution and/or removal from public office or dismissal from public employment.”

2.

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

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____
SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
CONNIE KEELING, CITY CLERK



City of Cartersville

City Council Meeting

8/16/2012 7:00:00 PM

File #AZ12-05: De-annexation application by City of Cartersville for property located on State Route 293 and Paga Mine Rd (total approximately 12.1 ac) from City P-I (Public Institutional) to Bartow County jurisdiction.

SubCategory:	Public Hearing - 1st Reading of Zoning/Annexation Requests
Department Name:	Planning and Development
Department Summary Recommendation:	The subject tract is located on road right-of-way on State Road 293 and Paga Mine Road as well as a narrow strip of property coming off SR 293 running West-Southwest. This property is adjacent to land on Paga Mine Road that is in the incorporated area of Cartersville. This property was annexed by the City of Cartersville in 2005 (case AZ05-11). This is a request by the City of Cartersville for de-annexation. Planning Commission recommended approval.
City Manager's Remarks:	This is recommended by the Planning Commission for your approval.
Financial/Budget Certification:	
Legal:	Reviewed
Associated Information:	

ZONING & ANNEXATION SYNOPSIS

Petition Number(s): **De-annexation AZ12-05 (reference annexation AZ05-11)**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **City of Cartersville**

Representative: **None**

Property Owner: **City of Cartersville**

Property Location: **SR 293 and Paga Mine Rd**

Access to the Property: **SR 293 and Paga Mine Rd**

Site Characteristics:

Tract Size: Acres: **12.1** District: **4th** Section: **3rd** LL(S): **676, 677, 678, 747, 748, 750, 751, 762, 763, 766, and 767**

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

LAND USE INFORMATION

Current Zoning: **P-I (Public/Institutional)**

Proposed Zoning: **(County jurisdiction) M-3 & Public Road**

Proposed Use: **This property is mostly existing road right-of-way**

Current Zoning of Adjacent Property:

North: **(County jurisdiction) M-1**

South: **P-I (Public/Institutional) to SW, County M-1 to SE**

East: **(County jurisdiction) M-1**

West: **(County jurisdiction) M-1**

The Future Land Use Plan designates the subject property as: **Natural Conservation**

ZONING ANALYSIS

City Departments Reviews

Water:

No objections

Public Works:

No objections.

Gas:

No objections.

Electric:

No objections.

Fire:

No objections.

Police:

No comment.

Bartow County government has also received information regarding the annexation request and has no objection.

The subject tract is located on road right-of-way on State Road 293 and Paga Mine Road as well as a narrow strip of property coming off SR 293 running West-Southwest. This property is adjacent to land on Paga Mine Road that is in the incorporated area of Cartersville. This property was annexed by the City of Cartersville in 2005 (case AZ05-11). This is a request by the City of Cartersville for de-annexation.

RECOMMENDATION:

Based on the analysis, staff does not object to this request.

PLANNING COMMISSION RECOMMENDATION:

ANNEXATION:	APPROVAL
ZONING:	APPROVAL

NOTE: The recommendations presented in this analysis are for reference purposes, and are not final. The analysis has been written without the benefit of public hearing and any additional information that may be added. Final determination is made by the Mayor and City Council only after Planning Commission recommendation and properly advertised public meeting as set forth by the City of Cartersville.

Application for ~~Annexation~~ Zoning
Planning and Development Department
 10 North Public Square
 City of Cartersville
 (770) 387-5600

*** Deannexation case**
 Application Number AZ12-05

Hearing Date 8-7-12

Applicant City of Cartersville
 (applicant's printed name)
 Address 10 N. Public Square
 City Cartersville State GA
 Business Phone 770-387-5600
 Home Phone —
 Zip 30120
 (Representative's printed name (if other than applicant) _____ Business Phone _____ Cell or Fax # _____
 Representative's signature _____ Applicant's signature _____
 Signed, sealed and delivered in presence of: _____
 Notary Public _____ My commission expires: _____

Titleholder City of Cartersville Business Phone 770-387-5600 Home Phone —
 (titleholder's printed name)
 *attach additional notarized signatures as needed on separate application page Address 10 N. Public Square
 Signature [Signature] Cartersville, GA 30120
 Signed, sealed, delivered in presence of: _____
 Notary Public _____ My commission expires: _____

City Zoning District(s) P-I Proposed — Zoning District(s) (County jurisdiction)
 Acreage 12.1 Land Lot(s) 676-678, 691, 693, 747-748 District(s) 4 Section(s) 3
 Location of Property mostly ROW 750-751, 762-763, 766-767 SR 293 and Paga Mine Rd
 (street address, nearest intersections, etc)
 Utility Providers: Water n/a Gas n/a
 Sewer n/a Electric n/a
 Reason for de-annexation: city no longer needs the property
 (attach additional statement as necessary)

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

Planning Commission Recommendation:

Approved: _____
 Disapproved: _____

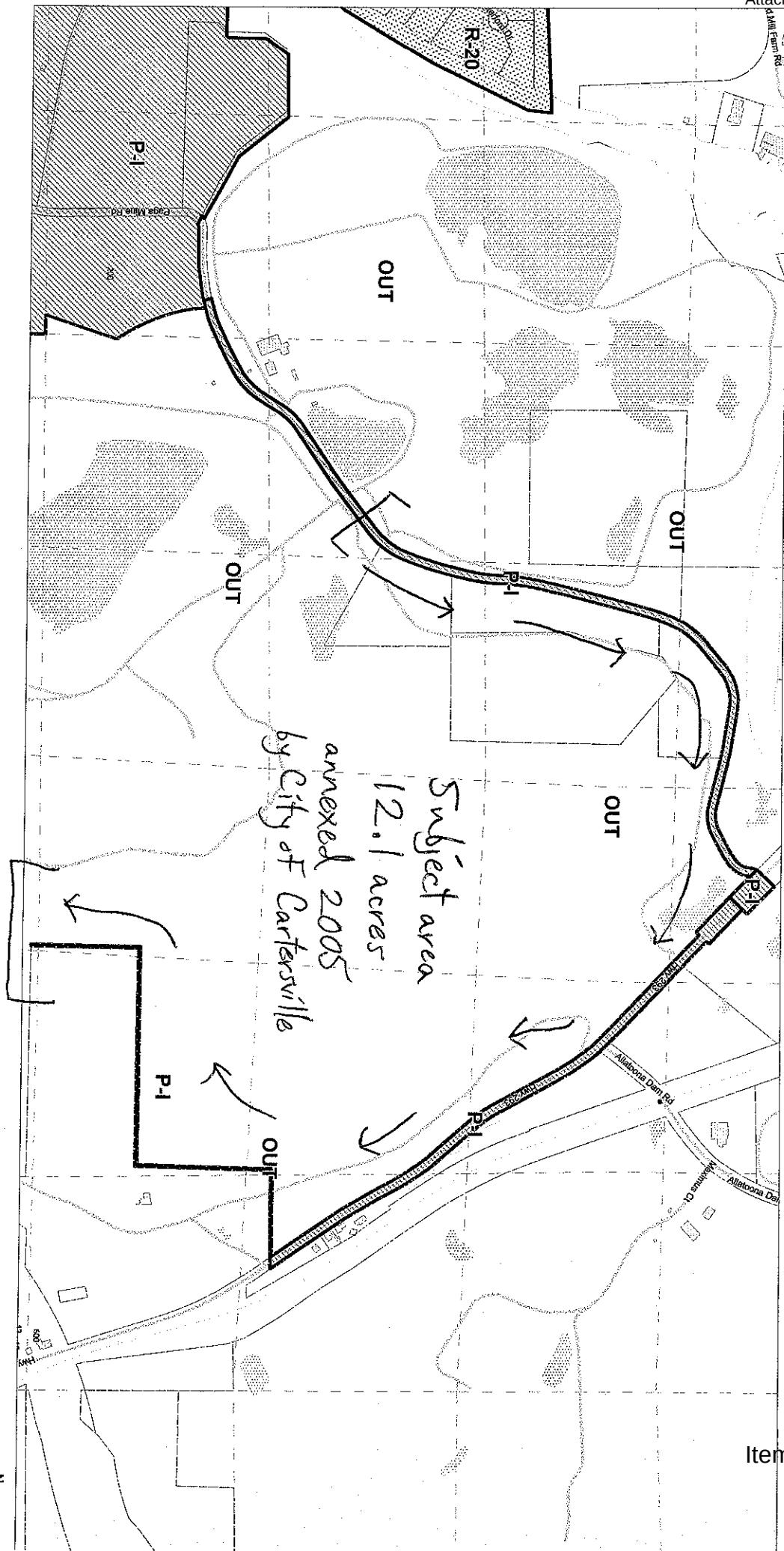
Conditions: _____
 Date: _____

City Council Decision:

Approved: _____
 Disapproved: _____

Conditions: _____
 Date: _____ Item # 8

Deannexation case AZ12-05 SR 293 & Paga Mine Rd





SR 293 and Paga Mine Rd De-annexation case AZ12-05

Item # 8





LEGAL DESCRIPTION**For****City of Cartersville**

All that tract or parcel of land lying and being in Land Lots 676, 677, 678, 691, 693, 747, 748, 750, 751, 762, 763, 766, and 767, 4th District, 3rd Section, Bartow County as shown by plat of survey by Smith & Smith Land Surveyors, P.C. dated 06-08-2005, reference being made to said plat for a more perfect description. Said property contains 12.1 acres.

DDC# 014060
FILED IN OFFICE
07/08/2005 12:00 AM
BK:1943 PG:10-11
GARY BELL
CLERK OF SUPERIOR
COURT
BARTOW COUNTY

ARCHER & LOVELL, P.C.
P. O. Box 1024
Cartersville, GA 30120
No Title Search Performed

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF BARTOW

FOR AND IN CONSIDERATION of the sum of ten dollars and 00/100 (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, the undersigned, NEW RIVERSIDE OCHRE COMPANY, INC. (hereinafter referred to as "New Riverside") does hereby grant, bargain, sell and convey unto CITY OF CARTERSVILLE, Georgia a Municipal Corporation of the State of Georgia, its heirs and assigns, the following described property, TO-WIT:

All that tract or parcel of land lying and being in Land Lots 751, 762 and 763, of the 4th District, 3rd Section, Bartow County, Georgia, being a 10 foot strip containing 0.655 acres and being more particularly described as Tract B, on a plat prepared by William C. Smith, G.R.L.S. No. 1803, prepared for Bartow County Water Department, dated June 8, 2005 and recorded in Plat Book 60, Page 270 in the Office of the Clerk of Superior Court, Bartow County, Georgia, reference to said plat is made for a more particular description of said property.

New Riverside Ochre Company, Inc. shall retain all rights of the 100' Easement for Haul Road as shown on said plat and also retain an easement to cross the property at any location.

TO HAVE AND TO HOLD said described property unto the said City of Cartersville, Georgia a Municipal Corporation of the State of Georgia, its heirs and assigns, forever in fee simple and with full warranty of title and said undersigned will forever defend the title to said property against the lawful claims of all persons whomsoever.

BK:1943 PG:11

IN WITNESS WHEREOF, said undersigned have hereunto set its hand and affixed its seal this 8th day of July, 2005.

Signed, sealed and delivered
in the presence of:

[Signature]
WITNESS

Wanda L. Smith
NOTARY PUBLIC

My Commission Expires: _____

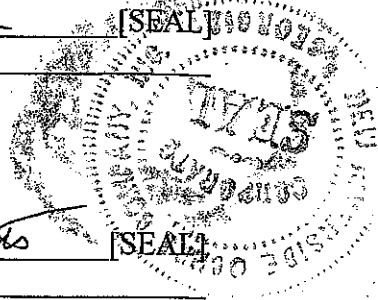
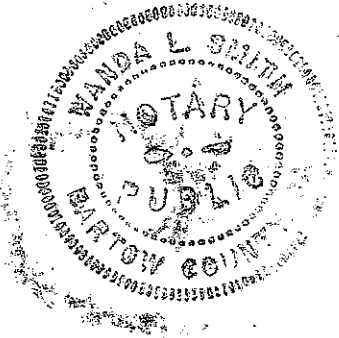
NEW RIVERSIDE OCHRE COMPANY, INC.

BY: [Signature]
ITS: President

ATTEST:

BY: [Signature]
ITS: Secretary

WANDA L. SMITH
Notary Public, Bartow Co., GA
My Commission Expires January 11, 2009



ARCHER & LOVELL, P.C.
P. O. Box 1024
Cartersville, GA 30120
No Title Search Performed

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF BARTOW

FOR AND IN CONSIDERATION of the sum of ten dollars and 00/100 (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, the undersigned, NEW RIVERSIDE OCHRE COMPANY, INC. (hereinafter referred to as "New Riverside") does hereby grant, bargain, sell and convey unto CITY OF CARTERSVILLE, Georgia a Municipal Corporation of the State of Georgia, its heirs and assigns, the following described property, TO-WIT:

All that tract or parcel of land lying and being in Land Lots 751, 762 and 763, of the 4th District, 3rd Section, Bartow County, Georgia, being a 10 foot strip containing 0.655 acres and being more particularly described as Tract B, on a plat prepared by William C. Smith, G.R.L.S. No. 1803, prepared for Bartow County Water Department, dated June 8, 2005 and recorded in Plat Book 60, Page 270 in the Office of the Clerk of Superior Court, Bartow County, Georgia, reference to said plat is made for a more particular description of said property.

New Riverside Ochre Company, Inc. shall retain all rights of the 100' Easement for Haul Road as shown on said plat and also retain an easement to cross the property at any location.

TO HAVE AND TO HOLD said described property unto the said City of Cartersville, Georgia a Municipal Corporation of the State of Georgia, its heirs and assigns, forever in fee simple and with full warranty of title and said undersigned will forever defend the title to said property against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, said undersigned have hereunto set its hand and affixed its seal this 8th day of July, 2005.

Signed, sealed and delivered
in the presence of:

[Signature]
WITNESS

NEW RIVERSIDE OCHRE COMPANY, INC.

BY: [Signature] [SEAL]
ITS: President

Wanda L. Smith
NOTARY PUBLIC

ATTEST:

BY: [Signature] [SEAL]
ITS: Secretary

My Commission Expires: _____

WANDA L. SMITH
Notary Public, Bartow Co., GA
My Commission Expires January 11, 2009

CITY OF CARTERSVILLEZONING / ANNEXATION ANALYSISPETITION NUMBER AZ12-05 (De-annexation)APPLICANT INFORMATION AND PROPERTY DESCRIPTIONPROPERTY OWNER (S) City of Cartersville PHONE NUMBER 770-387-5600PETITIONER same OWNER'S ADDRESS 10 N. Public Square
Cartersville, GA 30120PROPERTY LOCATION SR293 and Paga Mine Rd TRACT SIZE 12.1 ac
(mostly road right-of-way) 676-678, 691, 693DISTRICT 4 SECTION 3 LL(S) 747-748, 750-751TAX MAP # C1180763001 PARCEL (S) 1 WARD (S) 3
762-763, 766-767CURRENT LAND USE road right-of-way PROPOSED LAND USE sameCURRENT ZONING City P-I PROPOSED ZONING Bartow Co. jurisdictionSPECIFICS OF PROPOSED USENUMBER OF DWELLING UNITS 0 NUMBER OF OCCUPANTS 0RACIAL COMPOSITION n/aNUMBER OF SCHOOL AGED CHILDREN n/aGRADE LEVEL (S) OF SCHOOL AGE CHILDREN n/aSCHOOL SYSTEM TO BE ATTENDED n/aOWNER OCCUPIED: YES — NO —UTILITY SERVICE (CITY, COUNTY, GEORGIA POWER, ATLANTA GAS)1. WATER —2. SEWER —3. GAS —4. ELECTRICITY —



Bartow County Commissioner's Office • Clarence Brown, Commissioner

CERTIFIED MAIL # 7006 3450 0001 5974 6427

July 23, 2012

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

RE: Request to de-annex approximately 12.1 acres
located on State Route 293 and Paga Mine Road

Dear Richard:

This office has reviewed the above referenced de-annexation request and finds no objection to the application. This tract is adjacent to county property that is currently zoned M-1 (Mining) and identified on the County's Future Land Use Map as Mining.

Sincerely,



CLARENCE BROWN
Commissioner
Bartow County

CB/kg

- c. Brandon Johnson, Zoning Department
Randy Gray, Bartow County Road Department
Mary Milam, Voter Registration
Jarrod Roberts, Tax Assessor
Tim Poe, GIS Department



City of Cartersville

City Council Meeting

8/16/2012 7:00:00 PM

File #AZ12-06: Annexation and zoning application by Mark Harris (City donut hole initiative) for seven (7) adjoining properties located on MLK Jr Dr east of US Hwy 41 and at 519 & 521 Rowland Springs Rd (total approximately 5.095 ac) from Bartow County ju

SubCategory:	Public Hearing - 1st Reading of Zoning/Annexation Requests
Department Name:	Planning and Development
Department Summary Recommendation:	This is part of the City donut hole initiative. The seven (7) subject tracts are located on MLK Jr Drive and Rowland Springs Road east of JFH Parkway. The properties include older single-family residences at 519 and 521 Rowland Springs Road that are inhabited. Also included is a vacant house at 704 MLK Jr Dr. An inspection by the City Building Official of 704 MLK Jr Drive showed that the property has been classified as unsafe and unsanitary to occupy. The applicant has been notified that this building needs to be removed. The properties are part of the City Annexation Initiative to incorporate “donut hole” tracts into the City limits for improved public safety coverage. In addition, there has been potential for confusion for zoning in this area since most of these lots are shown having split zoning (in this case, not all of certain tracts are shown to be 100% zoned G-C). The applicants, working with City staff through the City Annexation Initiative, seek to be annexed and zoned G-C so that all tracts are in the same jurisdiction and zoning district. Planning Commission recommended approval.
City Manager's Remarks:	The Planning Commission recommends your approval of this item.
Financial/Budget Certification:	
Legal:	Reviewed
Associated Information:	

ZONING & ANNEXATION SYNOPSIS

Petition Number(s): **AZ12-06**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **Mark Harris (Annexation Initiative)**

Representative: **None**

Property Owner: **Annie Canty, Richard Cole, WCW**

Property Location: **7 parcels – includes 519 and 521 Rowland Springs Rd;**
704 MLK Jr Dr and four other lots on MLK Jr Dr

Access to the Property: **MLK Jr Dr and Rowland Springs Rd**

Site Characteristics:

Tract Size: Acres: **total 5.095 acres** District: **4th** Section: **3rd** LL(S): **335**

Ward: **1** Council Member: **Kari Hodge**

LAND USE INFORMATION

Current Zoning: **County R-3 (Residential mixed-use); City G-C; City R-10**

Proposed Zoning: **G-C (General Commercial)**

Proposed Use: **Annex to have all properties 100% within City limits and to all**
have G-C zoning to conform to surrounding land use

Current Zoning of Adjacent Property:

North: **County jurisdiction**

South: **G-C**

East: **G-C**

West: **G-C**

The Future Development Plan designates the subject property as: **Regional Activity Center with recommended zoning districts G-C, O-C, P-D, RA-12, MF-14.**

ZONING ANALYSIS

City Departments Reviews

Water and Sewer:

No objections.

Public Works:

No objections.

Gas:

No objections.

Electric:

No objections.

Fire:

No objections.

Police:

No comments.

Bartow County government has also received information regarding the annexation request and finds no objection to the application. The property is currently zoned R-3 (Residential mixed-use) and is identified on the County's Future Land Use Map as Residential mixed-use.

The seven (7) subject tracts are located on MLK Jr Dr and Rowland Springs Road east of JFH Parkway. The properties include older single-family residences at 519 and 521 Rowland Springs Road that are inhabited. Also included is a vacant house at 704 MLK Jr Dr. An inspection by the City Building Official of 704 MLK Jr Dr showed that the property has been classified as unsafe and unsanitary to occupy. The applicant has been notified that this building needs to be removed.

The properties are part of the City Annexation Initiative to incorporate "donut hole" tracts into the City limits for improved public safety coverage. In addition, there has been potential for confusion for zoning in this area since most of these lots are shown having split zoning (in this case, not all of certain tracts are shown to be 100% zoned G-C). The applicants, working with City staff through the City Annexation Initiative, seek to be annexed and zoned G-C so that all tracts are in the same jurisdiction and zoning district.

STANDARDS FOR EXERCISE OF ZONING POWERS.

- A. *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*
The proposed G-C zoning may permit a use that is suitable in view of the existing commercial use and development of adjacent properties.
- B. *Whether the zoning proposal will create an isolated district unrelated to adjacent and nearby districts.*
The proposed G-C zoning may not create an isolated district since there are adjacent and nearby properties that are zoned in a similar manner.
- C. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*
The G-C zoning proposal may not adversely affect the existing use of adjacent properties.
- D. *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.*
As currently zoned in unincorporated Bartow County for residential mixed-use, the property may not be appropriately zoned.
- E. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*
The zoning proposal may not cause an excessive use of existing streets and facilities. Utility, Public Works, and Planning & Development staff would review any future development based on possible use on roads, utilities, and other factors.
- F. *Whether the zoning proposal is in conformity with the adopted local Comprehensive Land Use Plan.*
The property is in conformity with the Future Development Map.

- G. Whether the zoning proposal will result in a use which will or could adversely affect the environment, including but not limited to drainage, wetlands, groundwater recharge areas, endangered wildlife habitats, soil erosion and sedimentation, floodplain, air quality, and water quality and quantity.
The G-C zoning proposal may not result in a use which could adversely affect the environment. Utility, Public Works, and Planning & Development staff would review any future development/redevelopment.
- H. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.
Annexation of the properties would fill in part of a larger donut hole of unincorporated land that extends north adjacent to Rowland Springs Rd beginning near the intersection with MLK Jr Drive. For improved public safety service, it may be appropriate for this property to be in the City, and the G-C zoning is similar to adjacent properties.

RECOMMENDATION

For the annexation and zoning, staff has no objections. However, the application includes property at 704 MLK Jr Dr, in which an inspection by the City Building Official showed that the property has been classified as unsafe and unsanitary to occupy. The applicant has been notified that this building needs to be removed, and that a written timeframe for removal must be submitted to the Planning & Development office.

PLANNING COMMISSION RECOMMENDATION:

ANNEXATION:	APPROVAL
ZONING:	APPROVAL

Application for Annexation/Zoning

Planning and Development Department

10 North Public Square

City of Cartersville

(770) 387-5600

Application Number AZ12-06Hearing Date 8-7-12City donut holes
near intersection MLK Jr Dr & US 41

Applicant Mark Harris Business Phone 770-314-3145
 (applicant's printed name)
 Address 110 Maple Dr Home Phone 770-334-8091
 City Cartersville State GA Zip 30120

(Representative's printed name (if other than applicant)) Business Phone _____ Cell or Fax # _____

Representative's signature _____

Applicant's signature _____

Signed, sealed and delivered in presence of: _____

mark@
handhrealty.net

Notary Public _____

Note: All signatures
on separate sheets

My commission expires: _____

Titleholder _____ Business Phone _____ Home Phone _____
 (titleholder's printed name)

*attach additional notarized signatures as needed on separate application page Address _____

Signature _____

Signed, sealed, delivered in presence of: _____

Info and signatures
on separate pages

Notary Public _____

My commission expires: _____

County Zoning District(s) City G-C, City R-10, Bartow Co. Proposed City Zoning District(s) City G-C

Acreage 5.095 ac Land Lot(s) 335 District(s) 4 Section(s) 3

(7 parcels)
 Location of Property parcels on MLK Jr Dr east of US 41; 519 and 521 Rowland Springs Rd
 (street address, nearest intersections, etc)

Utility Providers: Water City Gas City

Sewer City Electric City

Reason for annexation: Bring properties in conformity to surrounding land use and with City Land Use Map
 (attach additional statement as necessary)

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

Planning Commission Recommendation:

Approved: _____

Conditions: _____

Disapproved: _____

Date: _____

City Council Decision:

Approved: _____

Conditions: _____

Disapproved: _____

Date: _____

Item # 9

Application for Annexation / Zoning

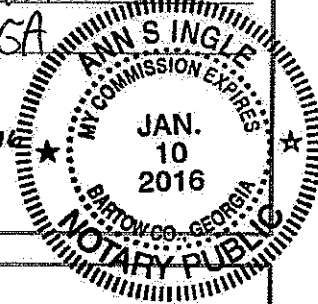
Planning and Development Department
10 North Public Square
City of Cartersville
(770) 387-5600

Application Number AZ12-06

Hearing Dates 8-7-12

Applicant <u>Mark A. Harris</u> (applicant's printed name)	Business/Cell Phone <u>770-314-3145</u>
Address <u>110 Maple Drive</u>	Home Phone <u>770-334-8091</u>
City <u>Cartersville</u> State <u>GA</u> Zip <u>30120</u> Email <u>markharris@carcity.net</u>	
(Representative's printed name (if other than applicant))	Phone _____ Fax # _____
Representative's signature _____	Applicant's signature <u>Mark A. Harris</u>
Signed, sealed and delivered in presence of: <u>[Signature]</u> Notary Public	My commission expires: Notary Public, Bartow County, Georgia My Commission Expires July 22, 2012

Titleholder <u>Annie Canty</u> (titleholder's printed name)	Business _____	Home _____
*attach additional notarized signatures as needed on separate application page		
Signature <u>Annie J. Canty</u>	Address <u>519 Rowland Springs Rd</u> <u>Cartersville, GA</u> <u>30121</u>	
Signed, sealed, delivered in presence of: <u>Ann S. Single</u> Notary Public	My commission expires: <u>1-10-16</u>	



Requested City Zoning <u>G-C</u>	
Acreage <u>2.46 ac</u> 0.50 Land Lot(s) <u>335</u>	District(s) <u>4th</u> Section(s) <u>3rd</u>
Location of Property <u>5218 519 Rowland Springs Road, Cartersville, GA 30120</u> (street address, nearest intersections, etc)	
Reason for requested Annexation / Zoning: <u>To bring property in conformity to surrounding land use</u> <u>and with the City of Cartersville Land Use Map</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.

Application for Annexation / Zoning

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

Application Number AZ12-06Hearing Dates 8-7-12

Applicant <u>MARK A. HARRIS</u> (applicant's printed name)		Business/Cell Phone <u>770-314-3145</u>	
Address <u>110 Maple Dr.</u>		Home Phone <u>770-334-8091</u>	
City <u>Cartersville</u>	State <u>GA</u>	Zip <u>30120</u>	Email <u>mark@harrisrecoy.net</u>
(Representative's printed name (if other than applicant))		Phone _____	Fax # _____
Representative's signature _____		Applicant's signature <u>Mark A. Harris</u>	
Signed, sealed and delivered in presence of: <u>William D. Harris</u>			
Notary Public		My commission expires: Notary Public, Bartow County, Georgia My Commission Expires July 22, 2012	

Titleholder <u>Richard Cole</u> (titleholder's printed name)	Business <u>770-314-3145</u>	Home <u>—</u>
*attach additional notarized signatures as needed on separate application page		Address <u>PO Box 266</u> <u>Cartersville, GA 30120</u>
Signature <u>Richard Cole</u>		
Signed, sealed, delivered in presence of: <u>Mark A. Harris</u>		
Notary Public		Mark A. Harris Notary Public State of Georgia Bartow County Commission Expires 2/13/15

Requested City Zoning <u>G-C</u>			
Acreage <u>2.635</u>	Land Lot(s) <u>335</u>	District(s) <u>4</u>	Section(s) <u>3</u>
Location of Property <u>MLK Jr Dr east of US 41</u> (street address, nearest intersections, etc)			
Reason for requested Annexation / Zoning: <u>Consistency in City jurisdiction,</u> (attach additional statement as necessary) <u>zoning, public safety service</u>			

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.

For case AZ12-06: I verify as the property owner of the three lots that include 704 MLK, Jr. Drive,
authorization for annexation and zoning.

X 

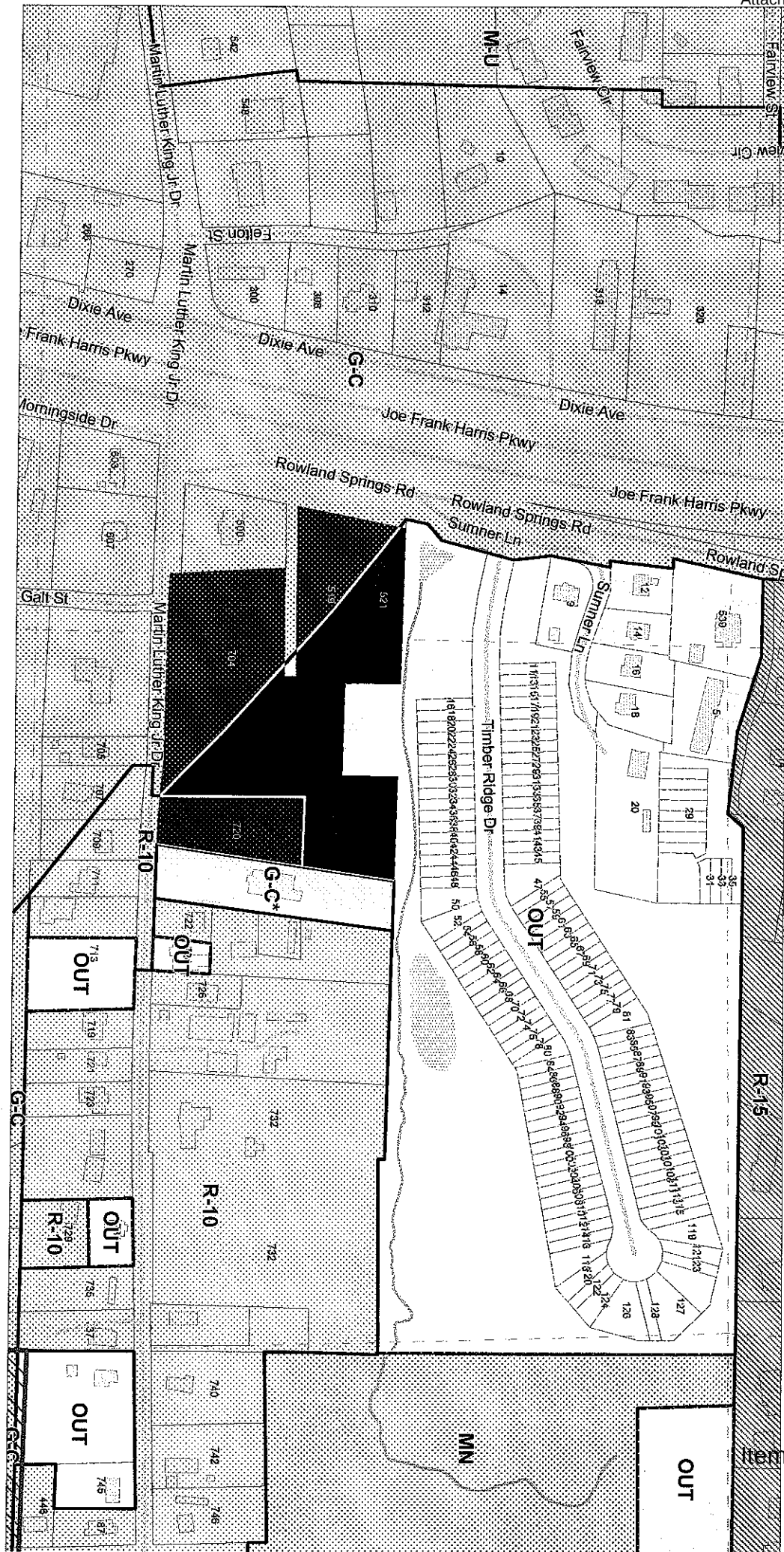
WCW Properties, LLC
Managing Member

X 

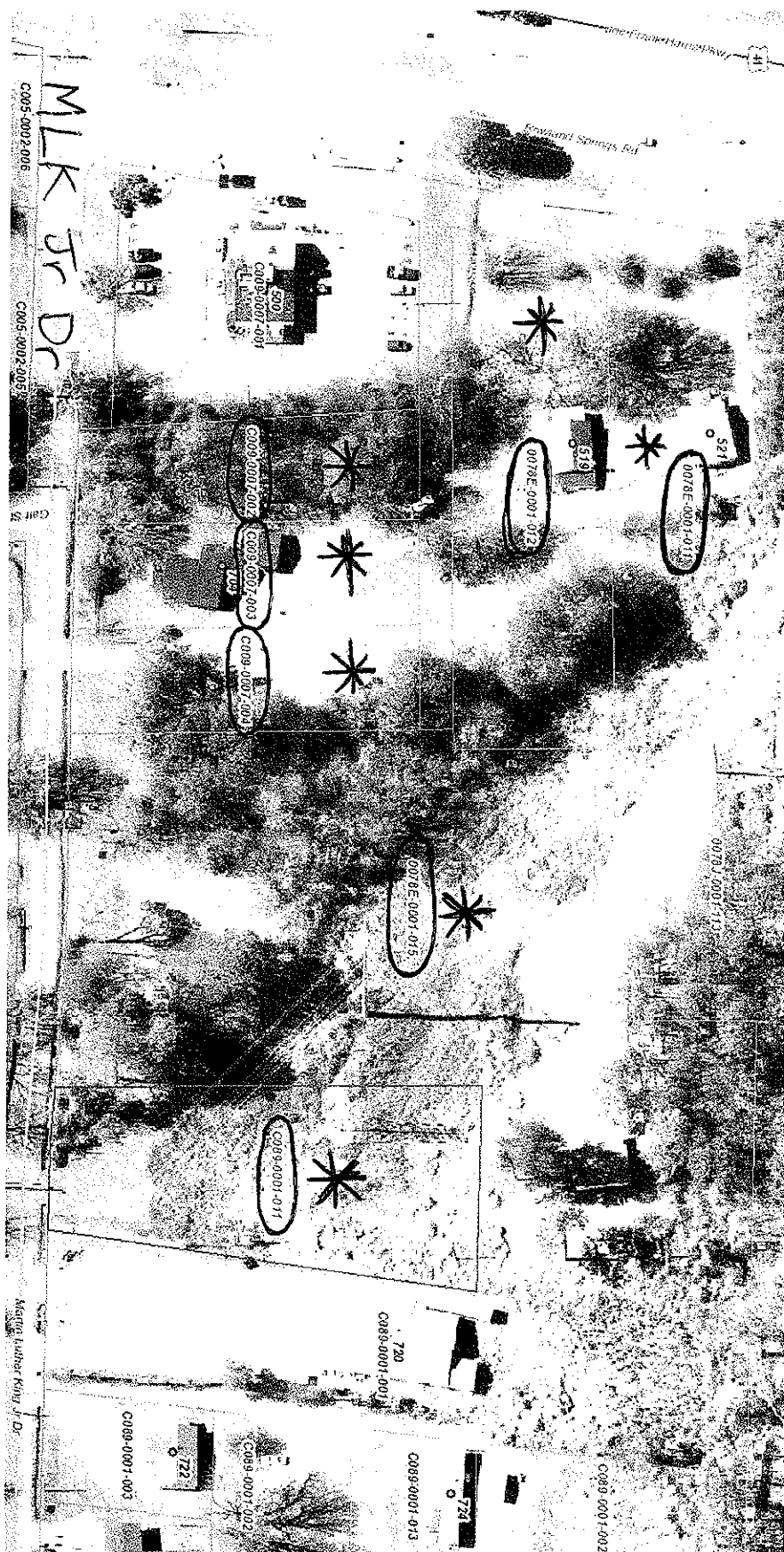
Notary Public
State of Georgia



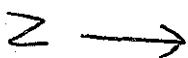
AZ12-06 - 7 parcels MLK Jr Dr and Rowland Springs Rd

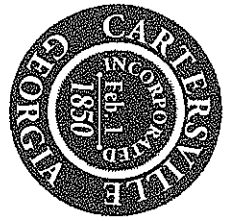


Item # 9



* Affected properties





MILK Jr Dr and Rowland Springs Rd

case AZ12-06

Item









MILK Jr Dr and Rowland Springs Rd

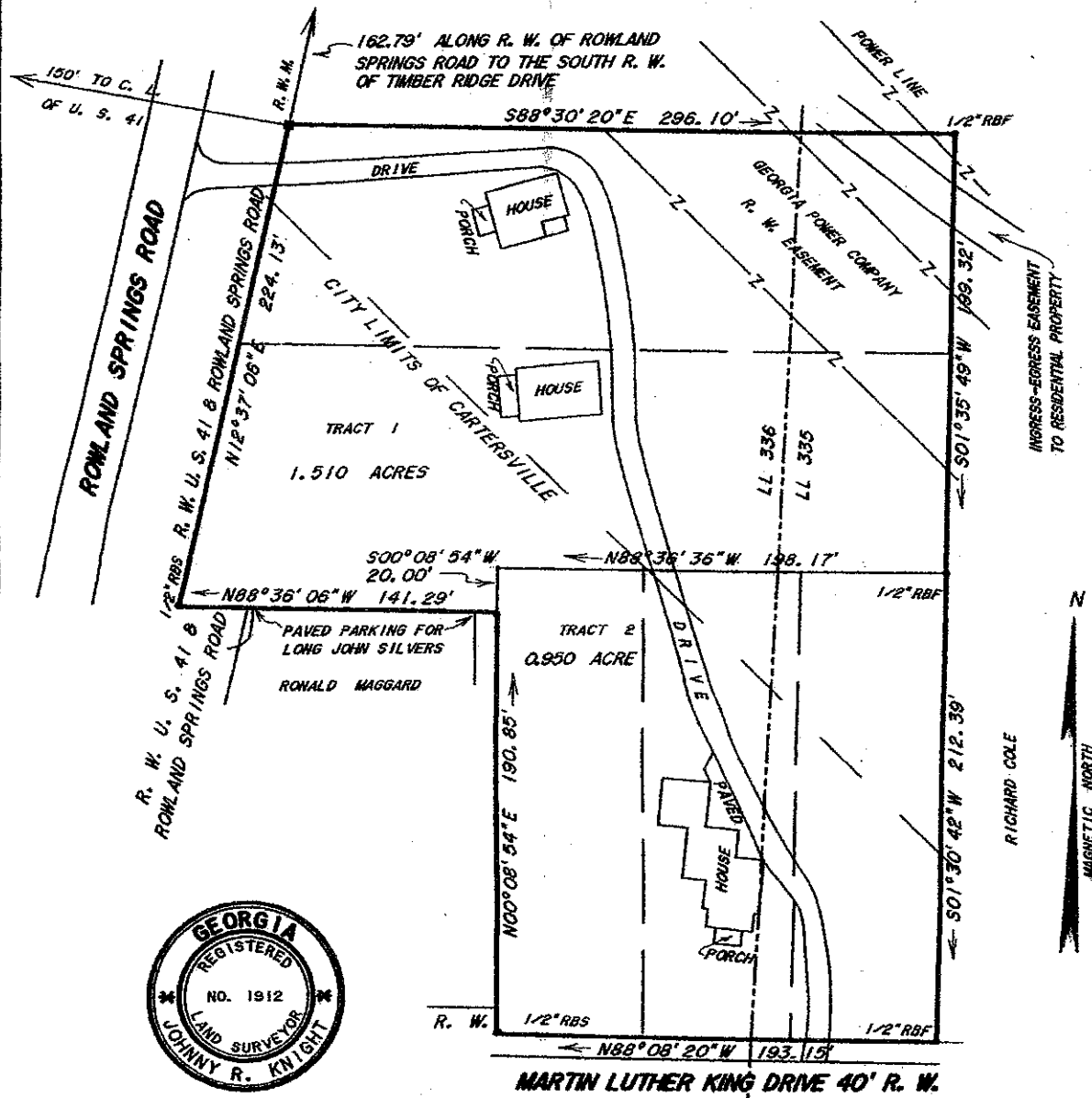
case AZ12-06

Item



SURVEYED FOR
**JOHN C. HOPKINS,
 DEVONNE HARKINS SULLINS
 & TIM W. WARREN**

2.460 ACRES OF PROPERTY IN RICHMOND VILLAGE, IN LAND LOTS
 335 & 336, 4TH. DISTRICT, 3RD. SECTION, CITY OF CARTERSVILLE,
 BARTOW COUNTY, GEORGIA
 DATE OF PLAT 3-20-2003 SCALE 1" = 50'
 DATE OF FIELD WORK 3-14-2003, 3-19-2003

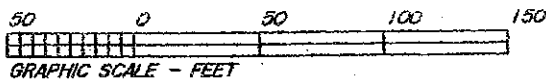


Johnny R. Knight

Knight & Knight Land Surveyors
 170 ROWLAND SPRINGS ROAD, S. E.
 CARTERSVILLE, GEORGIA 30130
 TELEPHONE (770) 333-7976
 OR (770) 333-8484

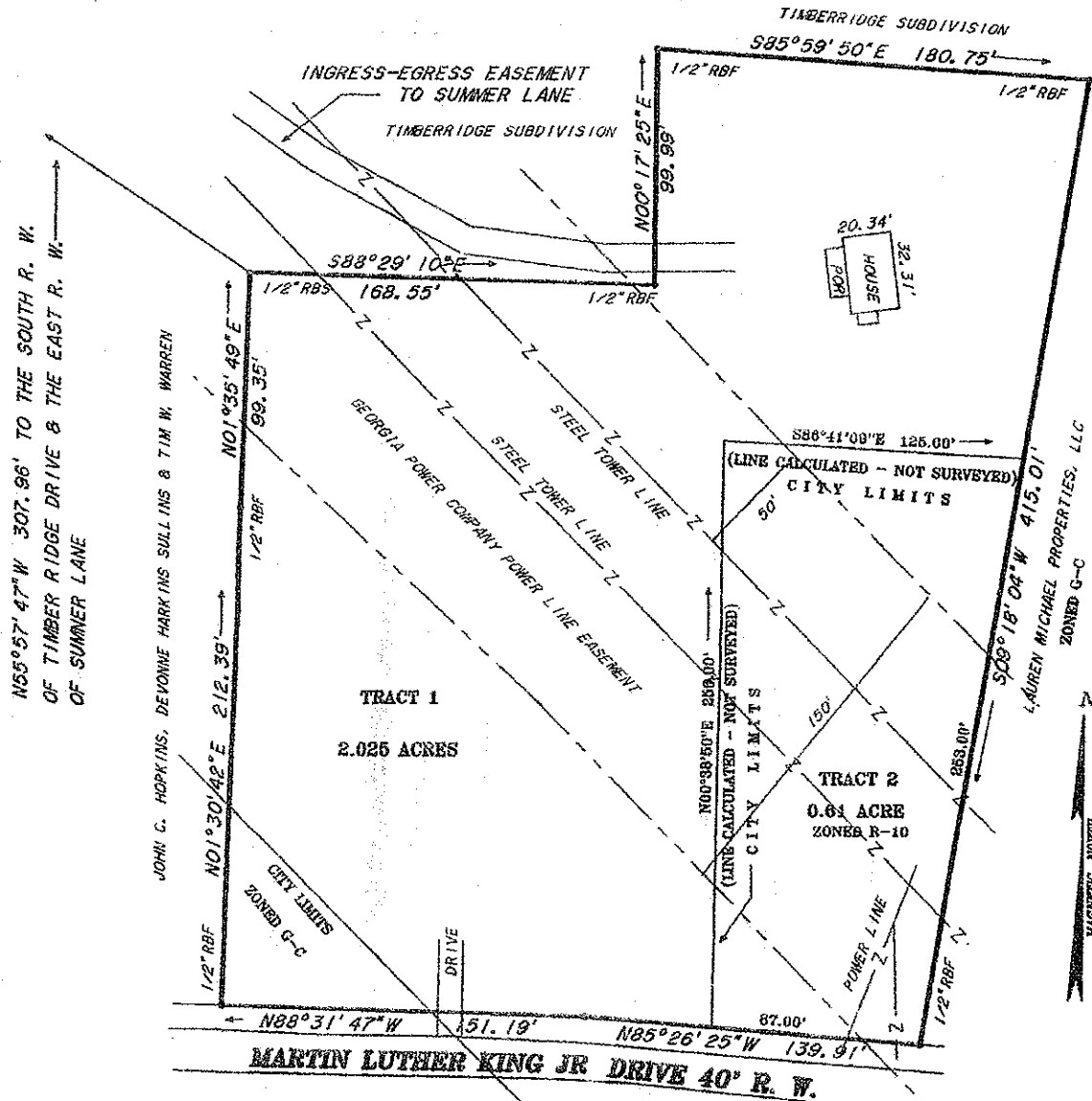
FIELD DATA:
 CLOSURE: 1" IN 26,400'
 EQUIPMENT: TOPCON GT5-303
 ANGULAR ERROR: 04" PER ANGLE POINT
 BEARINGS ARE MAG. CAL. FROM ANGLES
 TURNED
 ADJUSTED USING LEAST SQUARES
 PLAT CLOSURE 1" IN 100,000'

"FEMA FLOOD HAZARD MAP" 1301500027 F
 DATED SEPTEMBER 29, 1999, SHOWS THIS
 PROPERTY OUT OF FLOOD ZONE.



SURVEYED FOR
BARDY T. ABERNATHY, JR.
 &
RICHARD H. COLE

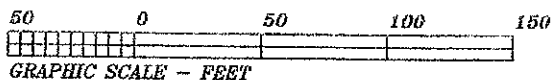
IN LAND LOT 335, 4TH. DISTRICT, 3RD. SECTION,
 CITY OF CARTERSVILLE, BARTOW COUNTY, GEORGIA
 DATE OF PLAT 8-10-2004 SCALE 1" = 50'
 DATE OF FIELD WORK 8-04-2004, 8-06-2004



FIELD DATA:
 CLOSURE: 1" IN 25,200'
 EQUIPMENT: TOPCON GTS-303
 ANGULAR ERROR .03" PER ANGLE POINT
 BEARINGS ARE MAG. CAL. FROM ANGLES
 TURNED.
 ADJUSTED USING LEAST SQUARES
 PLAT CLOSURE 1" IN 100,000'

"FEMA FLOOD HAZARD MAP" 13015C0037 F
 DATED SEPTEMBER 29, 1989, SHOWS THIS
 PROPERTY OUT OF FLOOD ZONE.

KNIGHT & KNIGHT LAND SURVEYORS
 478 MISSION ROAD
 CARTERSVILLE, GEORGIA 30120
 TELEPHONE (770) 382-7076
 OR (770) 382-6525



Item # 9

City of Cartersville Annexation / Zoning AnalysisPetition number AZ12-06

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Property Owner(s) Annie Canty Phone number 770-314-3145Petitioner MARK A. HARRIS Owner's address 519 Rowland Springs RdProperty Location 704 MLK Jr Dr and two vacant lots
519 +
521 Rowland Springs Rd Tract Size Cartersville, GA 30121
Total 2.46 ac
~~0.000000~~District 4 Section 3 LL(s) 335 + 336Tax Map # 007BE-0001-011 Parcel(s) 5 Ward(s) 1
C0090007002 C0090007003 C0090007004Current Land Use 3 residences, 2 vacant lots Proposed Land Use commercialCurrent Zoning City G-C and Bartow Co. Proposed Zoning City G-C

Specifics of Proposed Use

Number of Dwelling Units 2 Number of Occupants 2Racial Composition African AmericanNumber of school-aged children 0Grade Level(s) of school-aged children N/ASchool System to be Attended N/AOwner-Occupied: Yes No X

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

1. Water City2. Sewer City3. Gas City4. Electricity City

City of Cartersville Annexation / Zoning Analysis

Petition number AZ12-06

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Property Owner(s) Richard Cole Phone number 770-314-3145

Petitioner Mark A. Harris Owner's address PO Box 266
Cartersville, GA 30120

Property Location MLK Jr Dr east of US Hwy 41 Tract Size 2.635 ac

District 4 Section 3 LL(s) 335

Tax Map # 0078E0001015
C0890001011 Parcel(s) 2 Ward(s) 1

Current Land Use vacant residential Proposed Land Use commercial

Current Zoning some City G-C, some Bartow Proposed Zoning City G-C
County, some City R-10

Specifics of Proposed Use

Number of Dwelling Units 1 (half-burned) Number of Occupants 0

Racial Composition —

Number of school-aged children 0

Grade Level(s) of school-aged children —

School System to be Attended —

Owner-Occupied: Yes — No —

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

1. Water City

2. Sewer City

3. Gas City

4. Electricity City

APPLICANT FOR ANNEXATION ACTION CAMPAIGN DISCLOSURE REPORT

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

Date of Application: 7-6-12

Date Two Years Prior to Application: 7-6-10

Date Five Years Prior to Application: 7-6-07

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

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

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

Mark A. Harris, 7/12/12
 Signature Date
Mark A. Harris
 Print Name

APPLICANT FOR ANNEXATION ACTION CAMPAIGN DISCLOSURE REPORT

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

Date of Application: 7-6-12

Date Two Years Prior to Application: 7-6-10

Date Five Years Prior to Application: 7-6-07

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

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

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

Mark A. Harris 7/12/12
 Signature Date
MARK A. HARRIS
 Print Name



Bartow County Commissioner's Office • Clarence Brown, Commissioner

CERTIFIED MAIL # 7006 3450 0001 5974 6434

July 23, 2012

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

RE: Request to annex approximately 5.095 acres
located on MLK Jr. Drive

Dear Richard:

This office has reviewed the above referenced annexation request and finds no objection to the application. The three county parcels that are affected by this annexation are currently zoned R-3 (Residential Mixed Use) and are identified on the County's Future Land Use Map as Residential Mixed Use.

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

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

Sincerely,


CLARENCE BROWN
Commissioner
Bartow County

CB/kg

- c. Brandon Johnson, Zoning Department
Randy Gray, Bartow County Road Department
Mary Milam, Voter Registration
Jarrod Roberts, Tax Assessor
Tim Poe, GIS Department

Item # 9



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 # **AZ12-06**

DISCLOSURE OF INTERESTS BY LOCAL OFFICIAL

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

Mark Harris has made an annexation/zoning request on the following seven (7) adjoining properties: Approximately 5.095 acres located at 519 and 521 Rowland Springs Rd and on MLK Jr Dr east of US 41 in the 4th District, 3rd Section, Bartow County jurisdiction to City G-C (General Commercial).

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

1. A Property interest in any real property affected by a rezoning request.
Yes _____ No ☒ If the answer is Yes, please disclose the nature and extent of such interest.
2. A financial interest in any business entity which has a property interest in any real property affected by a rezoning action.
Yes _____ No ☒ If the answer is Yes, please disclose the nature and extent of such interest.
3. A spouse, mother, father, brother, sister, son, or daughter with either of the above interests.
Yes _____ No ☒ If the answer is Yes, please disclose the nature and extent of such interest.


TITLE: Planning Commission
DATE: 2-6-12



City of Cartersville

City Council Meeting

8/16/2012 7:00:00 PM

Amendment to Utilities Ordinance Regarding Capacity Fees

SubCategory:	First Reading of Ordinances
Department Name:	
Department Summary Recommendation:	Memo To: Sam Grove From: Jim Stafford Date: 8-3-12 Subject: Ordinance Clarification Council Approval: This ordinance change is provided to clarify the cost for capacity fees for hotels and apartment units. I recommend approval of this change.
City Manager's Remarks:	As outlined above, this cleans up language in this ordinance that differentiates between hotels and longer stay facilities. Your approval is recommended.
Financial/Budget Certification:	
Legal:	Reviewed
Associated Information:	

Ordinance no. _____

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, that the Code of Ordinances, City of Cartersville, Georgia is hereby amended by making the following amendments to **CHAPTER 24. UTILITIES. ARTICLE IV. WATER SERVICE. Section 24-64 Water and Sewage Utility Rates** subparagraph (d) is hereby amended by adding the following to the end of said paragraph and all other provisions of Section 24-64 shall remain in full force and effect as stated therein.

1.

other provisions:

Apartments and hotels per unit calculations.

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

All hotel and apartment units without refrigerator and stove are to be calculated as one-half (1/2) unit (3/4" water meter equivalent) for capacity fees. The following, if part of an apartment or hotel are to be considered a separate unit for capacity fees:

- (a) Restaurant
- (b) Lounge
- (c) Car Wash
- (d) Lobby
- (e) Full Kitchen (not part of restaurant)

2.

It is the intention of the city council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Cartersville, Georgia

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____
SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
CONNIE KEELING, CITY CLERK



City of Cartersville

City Council Meeting

8/16/2012 7:00:00 PM

Amendment to Alcohol Ordinance Regarding Pouring License Transfer Fee

SubCategory:	First Reading of Ordinances
Department Name:	Planning and Development
Department Summary Recommendation:	Currently when a business has a pouring license and a change of management occurs the company has to pay the entire fee - \$900.00 for Beer & Wine; \$1,500.00 for Distilled Spirits; and \$300.00 for Sunday Sales. This ordinance will change that to a \$100.00 transfer fee. The applicant will still have to have the background check and appear before the Alcohol Control Board just as a new applicant would but without paying the entire license fee again.
City Manager's Remarks:	This ordinance is recommended for your approval.
Financial/Budget Certification:	
Legal:	Legal has drawn up the ordinance.
Associated Information:	

ARCHER & LOVELL, P.C.
ATTORNEYS AT LAW
336 S. TENNESSEE STREET
P. O. BOX 1024
CARTERSVILLE, GEORGIA 30120

DAVID G. ARCHER
E. KEITH LOVELL

(770) 386-1116
FAX (770) 382-7484

MEMO

TO: Mayor and City Council
Alcohol Control Board

From: E. Keith Lovell, Assistant City Attorney

Date: August 10, 2012

Re: Ordinance

The proposed change to the attached Ordinance is to keep corporate establishments with a pouring license from paying for a full license upon replacing their managers.

EKL/src

Ordinance no. _____

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, that the Code of Ordinances, City of Cartersville, Georgia is hereby amended by making the following amendments to **CHAPTER 4. ALCOHOLIC BEVERAGES. ARTICLE II. LICENSING REQUIREMENTS. DIVISION 3. LICENSE. Section 4-84. Limitations on Transfer** is hereby amended by adding a new subparagraph (g) as follows:

1.

(g) For Pouring Licenses only, if there is a change of managers, the license may be transferred subject to a new licensee paying a fee of \$100.00 and completing the application for the license holder and upon approval by the Alcohol Control Board. This is not applicable to license holders who are also owners of the establishment.

2.

It is the intention of the city council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Cartersville, Georgia

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____
SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
CONNIE KEELING, CITY CLERK



City of Cartersville

City Council Meeting

8/16/2012 7:00:00 PM

Adoption of APPA Safety Manual for Cartersville Electric System

SubCategory:	Resolutions
Department Name:	Electric
Department Summary Recommendation:	Because the City of Cartersville Electric System considers safety a priority we strive to promote a safe and injury free work environment and reduce risk to employees, the public, and the City. The American Public Power Association (APPA) Safety Manual is continually evaluated and updated and meets or exceeds standards for electric utility systems and has been used as a guide by the Electric System for many years. As part of our Reliable Public Power Provider (RP3) certification, this safety manual is requested and recommended to be formally adopted by City Council via the attached Resolution for Electric System employees.
City Manager's Remarks:	We have been using this for some time. Its now recommended to be adopted formally as part of our electric operation. Your approval of this item is recommended.
Financial/Budget Certification:	N/A
Legal:	N/A
Associated Information:	N/A

Resolution No.

**A RESOLUTION
OF THE CITY OF CARTERSVILLE**

**ADOPTING THE AMERICAN PUBLIC POWER ASSOCIATION SAFETY MANUAL
FOR ELECTRIC SYSTEM EMPLOYEES**

WHEREAS, the City of Cartersville owns and operates an electric distribution utility and places safety as a priority to promote a safe and injury free work environment to reduce risk to employees, the public, and the City;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CARTERSVILLE IN A MEETING DULY ASSEMBLED, AND IT IS HEREBY RESOLVED BY AUTHORITY THEREOF, as follows:

The Electric System and its employees officially adopt the latest revision of the American Public Power Association (APPA) Safety Manual for guidance of safely completing work involving the installation, maintenance, and operation of the electric distribution system. The APPA Safety Manual has been used as a guide for many years by the Electric System and is continually evaluated and updated and meets or exceeds safety standards for electric utility systems.

ADOPTED this the _____ day of _____, 2012.

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

ATTEST:

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



City of Cartersville

City Council Meeting
8/16/2012 7:00:00 PM
Georgia Department of Corrections

SubCategory:	Contracts/Agreements
Department Name:	Parks and Recreation
Department Summary Recommendation:	I recommend these contract(s) with the Georgia Department of Corrections for furnishing four (4) work crews to the City of Cartersville: two (2) for Public Works and two (2) for Parks and Recreation. This is down one (1) crew from last year. This is the thirteenth (13) year that the City of Cartersville has contracted with the State of Georgia for work crews. The contracted price of \$39,500.00 per crew is the same as last year. This is budgeted item for Parks & Recreation and Public Works and E-verify affidavits have been received.
City Manager's Remarks:	This item approves the contracting of four (4) work crews from Georgia Department of Corrections for the year at the same cost as last year (\$39,500). Your approval of the contracts for the crews is recommended.
Financial/Budget Certification:	budgeted
Legal:	Submitted for review
Associated Information:	E-verify and SAVE affidavits have been received.

AGREEMENT

THIS AGREEMENT is entered into this 1st day of July, 2012, by and between the GEORGIA DEPARTMENT OF CORRECTIONS, an agency of the State of Georgia (hereinafter referred to as the "Department"), and CITY OF CARTERSVILLE III, a department, agency or subdivision of the State of Georgia (the "Governmental Entity"),

WITNESSETH:

WHEREAS, the Department desires to obtain appropriate work for inmates/detainees incarcerated at its HAYS STATE PRISON facility (the "Facility"); and

WHEREAS, the Governmental Entity desires to obtain the services of inmate/detainee work crews on public works projects in accordance with O.C.G.A. §42-5-60(e).

NOW, THEREFORE, in consideration of these premises and the mutual promises and agreements hereinafter set forth, the parties hereby agree as follows:

1. Scope of Services. The Department agrees to provide the Governmental Entity with one inmate/detainee work detail. Each work detail provided will have a maximum of 10 inmates/detainees as well as one full-time correctional officer. The work detail provided by the Department will perform labor on public works projects described in an attachment hereto or as communicated to the Department from time to time in the manner provided herein (the "Work"). The Governmental Entity shall have the exclusive right and responsibility to control the time and manner of executing the Work to be performed by the work detail through the correctional officer that is assigned to supervise each inmate/detainee work detail on behalf of the Governmental Entity. For purposes of this paragraph, the correctional officer assigned to supervise the inmate/detainee work detail shall be acting as an agent of the Governmental Entity. The Governmental Entity shall also have the right and responsibility to direct the correctional officer concerning the Work to be performed by inmate/detainees. The Governmental Entity acknowledges and agrees that the Work shall not include inmate/detainee labor that benefits private persons or corporations.

2. Prohibited Contact And Dealings With Inmate/detainees.

A. The Governmental Entity will take all reasonable steps to ensure that its officials, employees, students, and agents refrain from any personal dealings with the inmates/detainees working under this Agreement. Such prohibited conduct includes, but is not limited to, giving, receiving, selling, buying, trading, bartering, or exchanging anything of value with an inmate/detainee.

B. The Governmental Entity will take all reasonable steps to ensure that the inmates/detainees working under this agreement will have no contact with any unauthorized civilians.

C. In the event that the Governmental Entity is a school or school system, the Governmental Entity will take all reasonable steps to ensure that the inmates/detainees working under this Agreement will have no contact with any student of the Governmental Entity's school system.

D. The Governmental Entity will take all reasonable steps to ensure that no gun or other weapon, intoxicating liquor, any drug of any type, any cellular telephone or communications device of any type, or contraband of any type is made available by its officials, employees, students, and agents to any inmate/detainee working under this Agreement on any property under the Governmental Entity's control.

3. Workplace Safety. The Governmental Entity agrees to provide a safe workplace for inmate/detainee work details in accordance with State law. The Governmental Entity shall be responsible for the coordination between inmate/detainee work details and other workers in the workplace. The Department shall be responsible for the custody of inmates/detainees at all times, including security, meals, and medical care. Each party agrees to comply with applicable laws, rules, regulations and orders of federal, State and local governments in the performance of the Work.

4. Vehicles, Equipment and Supplies. The Governmental Entity agrees to supply vehicles suitable for transporting inmate/detainee work details to and from the location or locations of the Work. The correctional officer assigned to supervise the work detail shall be responsible for transporting the work detail to and from the location or locations of the Work in the vehicles provided by the Governmental Entity. In performing such transportation services, the correctional officer shall be acting as an agent for the Governmental Entity. The Governmental Entity shall also supply all necessary tools, equipment and supplies for the performance of the Work, including all safety gear and any necessary protective clothing. Small quantities of gasoline shall be dispensed, stored and carried only in containers approved for this purpose by the National Fire Protection Association. Each vehicle shall be equipped with a mobile radio for the exclusive use of correctional officers. The mobile radios shall be capable of communicating with law enforcement agencies and emergency medical personnel. Mobile radio equipment will be high power, with appropriate antennas for maximum output and range of coverage. On December 20, 2004, the Federal Communications Commission (FCC), issued Order No. 04-292, which requires all state and local law enforcement agencies using below 512 megahertz mobile radio equipment to begin using 12.5 kilohertz Narrowband Mobile Communications radios by January 1, 2013. If, pursuant to this agreement, the Department is required to provide mobile radio communications equipment, the Department will assure that this equipment complies with FCC Order No. 04-292. However, if the Governmental Entity is required to provide mobile radio communications equipment pursuant to this agreement, it will be the Governmental Entity's responsibility to assure that the equipment complies with the FCC requirements. It shall be the responsibility of the Governmental Entity to procure and maintain a

policy or policies of insurance protecting its interests in its vehicles and equipment provided for use by inmate/detainee work details. The Governmental Entity further agrees to assume full responsibility for the condition, maintenance, damage or loss of any tools, equipment or supplies provided hereunder.

5. Compensation. The Governmental Entity agrees to pay the Department the sum of THIRTY-NINE THOUSAND FIVE HUNDRED (\$39,500.00) per year for the duration of this Agreement. The Governmental Entity acknowledges that the foregoing sum is commensurate with labor supplied, salary, and benefits for correctional officer assigned to the inmate/detainee work detail. The foregoing sum is not inclusive of overtime provided by the correctional officer assigned to the inmate/detainee work detail. The Governmental Entity expressly agrees to pay for any overtime provided by the correctional officer assigned to the inmate/detainee work detail provided under this Agreement. The Governmental Entity will pay an overtime rate of 1½ times the correctional officer's hourly rate for all overtime hours provided. The inmate/detainee work detail will be provided four (4) days a week, ten (10) hours each day, during the term of this Agreement with the exception of all state and federal holidays. The Governmental Entity agrees to permit up to fifteen (15) additional days, exclusive of state and federal holidays, on which the inmate/detainee work detail will not be provided as scheduled due to annual leave, sick leave and mandatory training days for the correctional officer, periods of inclement weather or facility emergencies, such as inmate/detainee disturbances and medical quarantine without reduction in the compensation agreed to herein. If the inmate/detainee work detail is not provided in excess of fifteen (15) scheduled days, exclusive of all state and federal holidays, during the term of this Agreement, the Governmental Entity shall not be required to pay for those days and the Department shall credit the Governmental Entity with a pro rata share of the compensation agreed upon herein. The Department will provide the Governmental Entity with an explanation of any days in which inmate/detainee work details are not available on the Department's monthly invoice, which invoice is due and payable 30 days from receipt by the Governmental Entity. Any credits due the Governmental Entity based on the aforementioned pro rata formula shall be credited to the Governmental Entity by the Department at the end of the fiscal year.

6. Term of Agreement. This Agreement shall become effective July 1, 2012 and shall continue in force and effect until 11:59 p.m. on June 30, 2013. The parties may, by mutual agreement in writing, extend the effectiveness of this Agreement for additional time periods.

7. Termination for Convenience. This Agreement may be terminated by either party upon seven (7) calendar days written notice. The seven (7) days will commence with the receipt of the notice by the non-canceling party.

8. Notices. Any notice under this Agreement shall be deemed duly given if delivered by hand (against receipt) or if sent by registered or certified mail -- return receipt requested, to a party hereto at the address set forth below or to such other address as the parties may designate by notice from time to time in accordance with this Agreement.

If to the Governmental Entity: CITY OF CARTERSVILLE
P.O. BOX 1390
CARTERSVILLE, GA 30120

If to the Department: Commissioner
Georgia Department of Corrections
State Office South, Gibson Hall, 3rd Floor
P.O. Box 1529
Forsyth, GA 31029

With a copy to: WARDEN
HAYS STATE PRISON
P.O. BOX 668
TRION, GA 30753

9. Entire Agreement. This Agreement constitutes the entire agreement and understanding between the parties hereto and replaces, cancels and supersedes any prior agreements and understandings relating to the subject matter hereof; and all prior representations, agreements, understandings and undertakings between the parties hereto with respect to the subject matter hereof are merged herein.

10. The Agreement is for the sole benefit of the Department and the Governmental Entity. The Department and the Governmental Entity enter into this Agreement for their sole benefit. The Department and the Governmental Entity do not intend to give any rights pursuant to this Agreement to any other parties that are not signatories to this Agreement. These other parties include, but are not limited to, any inmate/detainee(s) who participate in the work detail(s) outlined in this Agreement. The Department and Governmental Entity do not intend for such inmate/detainee(s) or other parties that are not signatories to this Agreement to be third party beneficiaries to this agreement.

11. Amendment. The parties recognize and agree that it may be necessary or convenient for the parties to amend this Agreement so as to provide for the orderly implementation of all of the undertakings described herein, and the parties agree to cooperate fully in connection with such amendments if and as necessary. However, no change, modification or amendment to this Agreement

WD Agency Vehicle.doc

shall be effective unless the same is reduced to writing and signed by the parties hereto.

12. Drug-Free Workplace Act. The Governmental Entity hereby certifies that:

A. A drug-free workplace will be provided for the Governmental Entity's employees during the performance of this Agreement as required by "Drug-Free Workplace Act," O.C.G.A. 50-24-1, et seq.; and,

B. The Governmental Entity will secure from any subcontractor hired to work in a drug-free workplace the following written certification: "As part of the subcontracting agreement with (Governmental Entity's Name), (Subcontractor's Name) certifies to the Governmental Entity that a drug-free workplace will be provided for the subcontractor's employees during the performance of this Agreement pursuant to paragraph 7 of subsection B of Code Section 50-24-3."

C. The Governmental Entity may be suspended, terminated, or debarred if it is determined that:

(1) The Governmental Entity has made false certification hereinabove; or

(2) The Governmental Entity has violated such certification by failure to carry out the requirements of the "Drug-Free Workplace Act."

13. Governing Law. This Agreement is executed in the State of Georgia, and all matters pertaining to the validity, construction, interpretation and effect of this Agreement shall be governed by the laws of the State of Georgia.

14. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be an original but all of which shall constitute one agreement. No party shall be bound by this Agreement until all parties have executed it.

IN WITNESS WHEREOF, the parties have caused the authorized representatives of each to execute this Agreement on the day and year first above written.

GEORGIA DEPARTMENT OF
CORRECTIONS:

THE GOVERNMENTAL ENTITY:

WD Agency Vehicle.doc

By: _____
Robert E. Jones
General Counsel

By: _____

Print Name: _____

Title: _____

FACILITY WARDEN/SUPERINTENDENT

By: Clay Tatum

Print Name: CLAY TATUM

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.

41699

EEV/Basic Pilot Program* User Identification Number

Courtney Ware
BY: Authorized Officer or Agent
(GA Department of Corrections)

7.30.12
Date

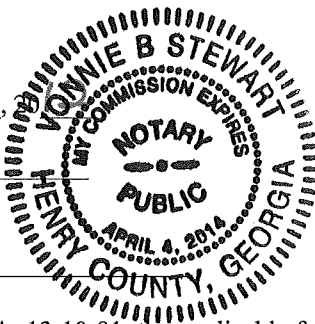
HR Compliance Mgr
Title of Authorized Officer or Agent of Contractor

Courtney Ware
Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
30th DAY OF July

Vonnie B Stewart

Notary Public
My Commission Expires:
4/4/14



* 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

8/16/2012 7:00:00 PM

Subordination Agreement Regarding 24 Georgia Boulevard/Chase Jones

SubCategory:	Contracts/Agreements
Department Name:	Planning and Development
Department Summary Recommendation:	This item is needed to allow Chase Jones to refinance a single-family house located at 24 Georgia Blvd, for which there is a \$10,000 Deed to Secure Debt and Promissory Note issued in 2008 to the City of Cartersville. Previously, the property owner had a security deed on the house that served as the primary debt and the deed to the City of Cartersville was secondary / subordinate. This agreement allows the property owner to maintain the primary and secondary / subordinate agreement with a new mortgage loan to serve as the primary debt, and the City will remain in the same security position as before the new agreement. The City Attorney's office has reviewed the document and recommended that it be forwarded to Council.
City Manager's Remarks:	This subordination agreement is recommended for your approval.
Financial/Budget Certification:	
Legal:	Reviewed
Associated Information:	

Return to:
THE LAW OFFICE OF KENNETH R. LUTHER
1825 BARRETT LAKES BLVD NW
SUITE 100
KENNESAW, GA 30144

STATE OF GEORGIA
COUNTY OF _____

Cross Reference to:
Deed Book 2333, Page 271
Records of Bartow County, GA

Attachment number 1 \nPage 1

SUBORDINATION AGREEMENT

The undersigned, CITY OF CARTERSVILLE is the holder and owner of that certain Deed to Secure Debt dated 12/5/08, by and between CHASE S. JONE(as Grantors) and CITY OF CARTERSVILLE (as Grantee), recorded 12/9/08, in Deed Book 2333, page 271, deed records of Bartow County, Georgia, in the original amount of \$10,000.00 , affecting certain real property located in Bartow County, Georgia, and being more particularly described therein.

The undersigned agrees that the Second Security Deed shall be and is hereby made subject to and subordinate to that certain Deed to Secure Debt dated 8/20/12 by and between CHASE S. JONES, (as Grantor) and UNITED WHOLESale MORTGAGE, INC. (as Grantee) in the amount of \$116,846.00 conveying the above referenced real property, hereafter to be recorded in the Deed Records of Bartow County, Georgia (hereinafter referred to as “First Security Deed”).

THEREFORE, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable considerations, the receipt and sufficiency of what is hereby acknowledged, the undersigned hereby subordinates and makes subject all right, title or interest of the undersigned under the Second Security Deed, or otherwise, in and to the real property described therein and to the indebtedness secured thereby, as against the First Security Deed. The subordination agreement shall be binding upon the successors and assigns of the undersigned and shall operate to the benefit of the holder of the First Security Deed and the successors and assigns thereof and of any purchaser at any foreclosure sale thereunder and shall apply with like force and effect to any renewal thereof. Nothing contained herein shall be construed as the undersigned waiving its position in relation to the right claimed by any other lien holder.

Witness the hand and seal of the undersigned this _____ day of _____, 2012.

Signed, sealed and delivered
In the presence of:

CITY OF CARTERSVILLE

Unofficial Witness

BY: _____(Seal)
TITLE:

Notary Public
My Commission Expires:

BY: _____(Seal)
TITLE:
(Corporate Seal, if app.)



City of Cartersville

City Council Meeting
8/16/2012 7:00:00 PM
Compact Hydraulic Excavator

SubCategory:	Bid Award/Purchases
Department Name:	Public Works Department
Department Summary Recommendation:	Bid Specifications were distributed to twelve vendors on a Compact Hydraulic Excavator for the Stormwater Division. Bid Tabulation is attached. We received ten qualified bids on this unit with the low bidder being Mason Tractor Co. of Blue Ridge Georgia for the amount of \$42,425.00. We would like to recommend this low bid purchase from Mason Tractor Co. for the amount of \$42,425.00.
City Manager's Remarks:	Low bid to Mason Tractor, as outlined above, is recommended for your approval.
Financial/Budget Certification:	This unit is well below budget.
Legal:	
Associated Information:	Everify and SAVE documentation was made part of the specification package and is on file for this vendor.

City of Cartersville Public Works Compact Hydraulic Excavator Bid Tab							
Bid Opening 3PM, Friday, July 20, 2012							
Vendor					Bid Price		Alternate Bid Price
Qualified Bids							
Flint Equipment Co		John Deere			\$53,714.00		
770-773-9857		50D					
		45 day delivery					
Yancey Bros Company		Caterpillar			\$50,155.00		
404-456-4909		305DLR					
		10 day delivery					
Franklin Tractor		Wacker Neuson			\$54,576.00		
770-382-6855		50Z3					
		30 day delivery					
Franklin Tractor Alternate Bid		GEHL				\$55,000.00	
		Z45					
		60 day delivery					
United Rentals		Takeuchi			\$53,595.00		
770-974-3500		TB250					
		60 Day delivery					
JCB of Georgia		JCB			\$48,042.89		
678-332-8246		8045ZTS					
		90 Day delivery					
		No 36" bucket and straight backfill blade					

City of Cartersville Public Works Compact Hydraulic Excavator Bid Tab							
Bid Opening 3PM, Friday, July 20, 2012							
Vendor					Bid Price		Alternate Bid Price
Disqualified Bids							
Tractor & Equipment Company		Komatsu			\$51,900.00		
770-655-5788		PC45MR-3					
		45-60 day delivery					
		Komatsu		<i>Straight Backfill Blade</i>		\$49,400.00	
		PC45MR-3					
		45-60 day delivery					
<i>Everify and SAVE documentation is Incomplete</i>							
Haney Farm & Ranch		CASE			\$51,976.00		
770-684-7277		CX50B					
		30 Day delivery					
<i>Everify and SAVE documentation is Incomplete</i>							
Vermeer Southeast		Yanmar			\$56,070.00		
404-408-4496		V1055-5B					
		30 Day delivery					
<i>Everify and SAVE documentation is Incomplete</i>							
Kubota Atlanta LLC		Kubota			\$40,241.59		
404-654-3441		KX121-3S1AT3					
		30 Day delivery					

City of Cartersville Public Works Compact Hydraulic Excavator Bid Tab								
Bid Opening 3PM, Friday, July 20, 2012								
Vendor					Bid Price		Alternate Bid Price	
Kubota Atlanta Alternate Bid #1		Kubota					\$43,434.88	
		KX121-3R1TA						
		10 Day delivery						
		6-way blade						
Kubota Atlanta Alternate Bid #2		Kubota					\$45,913.00	
		U45R1AT3						
		30 Day delivery						
		Zero Tail Swing						
Everify and SAVE documentation is Incomplete								



City of Cartersville

City Council Meeting
8/16/2012 7:00:00 PM
Boom Mowing Tractor with Mower

SubCategory:	Bid Award/Purchases
Department Name:	Public Works Department
Department Summary Recommendation:	Bid proposals were solicited from eight vendors on a Boom Mowing Tractor with Mower (Bid Tabulation Furnished). We received a total of ten bid quotations and only four quotations qualified and met all specifications. Six were disqualified due to either bid documents being incomplete or the vendor did not comply with the designated specifications. The lowest qualified bid is from Rhinehart Tractor Company of Rome Georgia who bid a Kubota Model 108SHC 2WD tractor with the specified Tiger Bengal Series Model TBF-30S mower for the amount of \$92,495.00. We recommend the purchase from Rhinehart Tractor in the amount of \$92,495.00.
City Manager's Remarks:	Low bid to Rhinehart Tractor is recommended for your approval.
Financial/Budget Certification:	This mower package is under budget and will be funded through lease pool.
Legal:	
Associated Information:	Everify and SAVE documentation is on file for this vendor.

[illegible]

	City of Cartersville Public Works Boom Mowing Tractor w/Mower Bid Tab						
	Bid Opening 2PM, Friday, July 20, 2012						
	Vendor					Bid Price	Alternate Bid Price
	Disqualified Bids						
	Haney Farm & Ranch	Case IH 105U				\$77,943.00	
	770-684-7277	Diamond DBF050-C-H					
		120 daty delivery					
	Everify and SAVE documentation Incomplete						
	Wrong Mower Quoted						
	Franklin Tractor	New Holland T5070				\$99,989.00	
	770-382-6855	Tiger Bengal Series TBF-30S					
		90-120 day delivery					
	Tiger certification is for T6020 Tractor, not T5070						
		New Holland T5070					\$85,737.00
		Chambers American Products					
		RBM-2060 FL Mower					
		90-120 day delivery					
	Tiger certification is for T6020 Tractor, not T5070						
	Wrong Mower Quoted						
	Atlanta Kubota LLC	Kubota M108SHC				\$88,623.30	
	404-654-3441	Tiger Bengal Series TBF-30S					
		60 day delivery					
	Everify and SAVE documentation not complete						
	Mason Tractor & Equipment	Kubota M108SDSC 4WD				\$104,500.00	
	706-623-3777	Terrain King KB2200 Mower					
		30 day delivery					
	Wrong Mower Quoted						
		Kubota M108SHC					\$97,300.00
		Terrain King KB2200 Mower				Item # 16	
	Wrong Mower Quoted	180 day delivery					



City of Cartersville

City Council Meeting
8/16/2012 7:00:00 PM
Furniture and Equipment for New City Buildings

SubCategory:	Bid Award/Purchases
Department Name:	Administration
Department Summary Recommendation:	The Police and Fire Chiefs and myself put together a bid package for furniture (desks, chairs, conference tables) needed at the new Public Safety Headquarters and Fire Station #4. Bids were posted on the city's website and six bids were received as follows: Veterans Furniture Services \$167,201.74 Aaron's Office Furniture \$168,283.11 Pointer Office Products \$174,084.23 Quality Office Solutions \$179,617.37 Georgia Correctional Ind. \$ 19,518.00 (partial bid) Commercial Concepts \$131,343.81 (partial bid) There were 119 different items that were on the bid list and two vendors only bid on some of the items. The bid price includes freight and installation at each facility and a number of the items have lifetime warranties on the product. I recommend to go with one vendor, so we can coordinate delivery of items and if there is a problem with an item, we have one point of contact, therefore, I recommend the Veterans Furniture Services bid of \$167,201.74. In addition to the furniture bid, the following additional items need to be purchased for these facilities: Dell Computers \$45,267 Evidence Dryer \$ 5,700 Fire Bedding & Dayroom Furniture \$26,000 These items were part of the overall budget for these buildings and I recommend approval of this furniture and equipment.
City Manager's Remarks:	Recommend the low bid on furnishings and also that Council include the additional items mentioned above for purchase.
Financial/Budget Certification:	Funded through 2007 SPLOST funds.
Legal:	
Associated Information:	E-verify and SAVE on file.

BID PRICING Received for - Furniture & Fixtures**City of Cartersville Public Safety Building and Fire Station #4**

			Veterans Furniture Services, LLC		Quality Office Solutions		Pointer Office Products		Aaron's Office Furniture		Georgia Correctional Industries		Commercial Concepts & Furnishings	
ITEM CODE	QTY		SELL EACH	EXTENDED SELL	SELL EACH	EXTENDED SELL	SELL EACH	EXTENDED SELL	SELL EACH	EXTENDED SELL	SELL EACH	EXTENDED SELL	SELL EACH	EXTENDED SELL
ACC -1	30		\$36.76	\$1,102.84	\$25.13	\$753.90	\$28.45	\$853.50	\$25.84	\$775.20	\$0.00	\$0.00	\$0.00	\$0.00
ACC -2	21		\$100.50	\$2,110.57	\$61.71	\$1,295.91	\$65.88	\$1,383.48	\$80.99	\$1,700.79	\$0.00	\$0.00	\$0.00	\$0.00
ACC -3	12		\$35.81	\$429.73	\$22.15	\$265.80	\$23.87	\$286.44	\$49.20	\$590.40	\$0.00	\$0.00	\$0.00	\$0.00
ACC -4	44		\$6.02	\$264.87	\$4.77	\$209.88	\$5.16	\$227.04	\$15.68	\$689.92	\$0.00	\$0.00	\$0.00	\$0.00
ACC -5	15		\$17.74	\$266.03	\$12.33	\$184.95	\$13.18	\$197.70	\$22.57	\$338.55	\$0.00	\$0.00	\$0.00	\$0.00
ACC -6	3		\$438.61	\$1,315.83	\$370.25	\$1,110.75	\$384.50	\$1,153.50	\$650.31	\$1,950.93	\$0.00	\$0.00	\$347.91	\$1,043.73
ACC -7	3		\$369.37	\$1,108.12	\$310.44	\$931.32	\$320.34	\$961.02	\$555.03	\$1,665.09	\$0.00	\$0.00	\$303.11	\$909.33
ACC -8	2		\$96.55	\$193.09	\$66.13	\$132.26	\$68.07	\$136.14	\$115.76	\$231.52	\$0.00	\$0.00	\$0.00	\$0.00
ACC -9	2		\$99.45	\$198.90	\$64.75	\$129.50	\$68.56	\$137.12	\$125.08	\$250.16	\$0.00	\$0.00	\$0.00	\$0.00
ACC -10	2		\$61.64	\$123.29	\$41.37	\$82.74	\$43.15	\$86.30	\$77.43	\$154.86	\$0.00	\$0.00	\$0.00	\$0.00
ACC -11	13		\$70.63	\$918.22	\$51.94	\$675.22	\$53.47	\$695.11	\$92.80	\$1,206.40	\$0.00	\$0.00	\$0.00	\$0.00
ACC -12	12		\$30.62	\$367.48	\$22.10	\$265.20	\$22.75	\$273.00	\$38.81	\$465.72	\$0.00	\$0.00	\$0.00	\$0.00
ACC -13	1		\$237.81	\$237.81	\$169.70	\$169.70	\$174.68	\$174.68	\$302.60	\$302.60	\$0.00	\$0.00	\$0.00	\$0.00
ACC -14	1		\$20.25	\$20.25	\$12.25	\$12.25	\$12.60	\$12.60	\$25.57	\$25.57	\$0.00	\$0.00	\$0.00	\$0.00
ACC -15	5		\$346.54	\$1,732.68	\$280.79	\$1,403.95	\$300.31	\$1,501.55	\$506.67	\$2,533.35	\$0.00	\$0.00	\$0.00	\$0.00
ACC -16	4		\$16.31	\$65.23	\$11.60	\$46.40	\$11.94	\$47.76	\$20.01	\$80.04	\$0.00	\$0.00	\$0.00	\$0.00
ACC -17	2		\$36.36	\$72.72	\$24.68	\$49.36	\$26.04	\$52.08	\$46.60	\$93.20	\$0.00	\$0.00	\$0.00	\$0.00
ACC -18	1		\$142.79	\$142.79	\$119.25	\$119.25	\$126.06	\$126.06	\$243.44	\$243.44	\$0.00	\$0.00	\$123.71	\$123.71
ACC -19	1		\$111.46	\$111.46	\$97.00	\$97.00	\$99.77	\$99.77	\$194.23	\$194.23	\$0.00	\$0.00	\$99.71	\$99.71
ACC -20	1		\$39.25	\$39.25	\$33.90	\$33.90	\$34.87	\$34.87	\$62.88	\$62.88	\$0.00	\$0.00	\$46.11	\$46.11
ACC -21	1		\$128.29	\$128.29	\$93.84	\$93.84	\$102.88	\$102.88	\$177.72	\$177.72	\$0.00	\$0.00	\$221.49	\$221.49
ACC -22	2		\$298.73	\$597.46	\$182.93	\$365.86	\$200.53	\$401.06	\$376.31	\$752.62	\$0.00	\$0.00	\$0.00	\$0.00
ACC -23	1		\$30.35	\$30.35	\$18.80	\$18.80	\$20.85	\$20.85	\$39.17	\$39.17	\$0.00	\$0.00	\$0.00	\$0.00
ACC -24	1		\$441.50	\$441.50	\$292.38	\$292.38	\$328.34	\$328.34	\$572.60	\$572.60	\$0.00	\$0.00	\$0.00	\$0.00
ACC -25	1		\$326.49	\$326.49	\$205.96	\$205.96	\$225.78	\$225.78	\$390.05	\$390.05	\$0.00	\$0.00	\$211.67	\$211.67
C-2	88		\$267.77	\$23,563.86	\$265.02	\$23,321.76	\$252.63	\$22,231.44	\$324.48	\$19,754.24	\$0.00	\$0.00	\$183.01	\$16,104.88
C-3	16		\$400.07	\$6,401.10	\$395.43	\$6,326.88	\$378.40	\$6,054.40	\$276.00	\$4,416.00	\$0.00	\$0.00	\$409.77	\$6,556.32
C-4	10		\$345.36	\$3,453.60	\$340.67	\$3,406.70	\$326.00	\$3,260.00	\$276.00	\$2,760.00	\$0.00	\$0.00	\$353.45	\$3,534.50
C-5	2		\$443.50	\$887.00	\$438.90	\$877.80	\$420.00	\$840.00	\$371.68	\$743.36	\$0.00	\$0.00	\$427.71	\$855.42
C-6	9		\$333.67	\$3,003.00	\$328.96	\$2,960.64	\$314.80	\$2,833.20	\$371.68	\$3,345.12	\$0.00	\$0.00	\$314.61	\$2,831.49
C-7	1		\$333.67	\$333.67	\$328.96	\$328.96	\$314.80	\$314.80	\$371.68	\$371.68	\$0.00	\$0.00	\$314.61	\$314.61
C-8	8		\$267.77	\$2,142.17	\$264.06	\$2,112.48	\$253.60	\$2,028.80	\$161.00	\$1,288.00	\$0.00	\$0.00	\$183.01	\$1,464.08
C-9	10		\$286.56	\$2,865.64	\$543.40	\$5,434.00	\$520.00	\$5,200.00	\$276.92	\$2,769.20	\$0.00	\$0.00	\$293.97	\$2,939.70
C-10	10		\$209.30	\$2,093.04	\$206.49	\$2,064.90	\$197.60	\$1,976.00	\$195.50	\$1,955.00	\$0.00	\$0.00	\$211.03	\$2,110.30
C-11	1	(carton of 4)	\$285.31	\$285.31	\$282.57	\$282.57	\$270.40	\$270.40	\$290.72	\$290.72	\$0.00	\$0.00	\$301.68	\$301.68
C-12	12		\$267.77	\$3,213.25	\$265.02	\$3,180.24	\$253.60	\$3,043.20	\$181.24	\$2,174.88	\$0.00	\$0.00	\$247.51	\$2,970.12
C-13	8		\$383.03	\$3,064.27	\$354.05	\$2,832.40	\$338.80	\$2,710.40	\$293.48	\$2,347.84	\$0.00	\$0.00	\$393.31	\$3,146.48
C-14	14		\$152.93	\$2,140.96	\$150.06	\$2,100.84	\$143.60	\$2,010.40	\$132.02	\$1,848.28	\$0.00	\$0.00	\$159.47	\$2,232.58
C-15	2		\$155.01	\$310.03	\$152.15	\$304.30	\$145.60	\$291.20	\$195.50	\$391.00	\$0.00	\$0.00	\$160.61	\$321.22
C-16	1		\$341.60	\$341.60	\$336.91	\$336.91	\$322.40	\$322.40	\$225.86	\$225.86	\$0.00	\$0.00	\$349.57	\$349.57
C-17	22		\$352.04	\$7,744.93	\$347.36	\$7,641.92	\$332.40	\$7,312.80	\$225.86	\$4,968.92	\$0.00	\$0.00	\$359.33	\$7,905.26
C-18	2		\$566.70	\$1,133.40	\$562.21	\$1,124.42	\$538.00	\$1,076.00	\$465.52	\$931.04	\$0.00	\$0.00	\$583.33	\$1,166.66
C-19	1		\$961.76	\$961.76	\$952.62	\$952.62	\$911.60	\$911.60	\$997.28	\$997.28	\$0.00	\$0.00	\$989.97	\$989.97
C-20	5		\$257.33	\$1,286.65	\$254.56	\$1,272.80	\$243.60	\$1,218.00	\$319.70	\$1,598.50	\$0.00	\$0.00	\$266.87	\$1,334.35
C-21	10		\$352.04	\$3,520.42	\$347.36	\$3,473.60	\$332.40	\$3,324.00	\$225.86	\$2,258.60	\$0.00	\$0.00	\$359.33	\$3,593.30
C-22	3		\$230.60	\$691.81	\$227.81	\$683.43	\$218.00	\$654.00	\$143.52	\$430.56	\$0.00	\$0.00	\$239.35	\$718.05
C-23	1		\$230.60	\$230.60	\$227.81	\$227.81	\$218.00	\$218.00	\$143.52	\$143.52	\$0.00	\$0.00	\$239.35	\$239.35
C-24	7		\$566.70	\$3,966.89	\$562.21	\$3,935.47	\$538.00	\$3,766.00	\$465.52	\$3,258.64	\$0.00	\$0.00	\$583.33	\$4,083.31
C-25	4		\$371.25	\$1,485.01	\$366.58	\$1,466.32	\$350.80	\$1,403.20	\$225.86	\$903.44	\$0.00	\$0.00	\$382.57	\$1,530.28
C-26	5		\$314.46	\$1,572.28	\$309.77	\$1,548.85	\$296.40	\$1,482.00	\$225.86	\$1,129.30	\$0.00	\$0.00	\$322.63	\$1,613.15
C-27	14		\$209.30	\$2,930.26	\$206.45	\$2,890.30	\$197.60	\$2,766.40	\$195.50	\$2,737.00	\$0.00	\$0.00	\$211.03	\$2,954.42
C-28	10		\$231.02	\$2,310.21	\$228.23	\$2,282.30	\$218.40	\$2,184.00	\$356.50	\$3,565.00	\$0.00	\$0.00	\$239.78	\$2,397.80
C-29	2		\$212.23	\$424.46	\$209.42	\$418.84	\$200.40	\$400.80	\$143.52	\$287.04	\$0.00	\$0.00	\$220.43	\$440.86
T-1	1	Top	\$85.27	\$85.27	\$82.35	\$82.35	\$78.80	\$78.80	\$218.96	\$218.96	\$78.00	\$78.00	\$99.11	\$99.11
T-1	1	Base	\$55.20	\$55.20	\$52.25	\$52.25	\$50.00	\$50.00	\$0.00	\$0.00	\$120.00	\$120.00	\$63.41	\$63.41
T-2	3	Top	\$110.75	\$332.24	\$107.84	\$323.52	\$103.20	\$309.60	\$253.92	\$761.76	\$100.00	\$300.00	\$124.41	\$373.23
T-2	2	Stool Base	\$233.94	\$467.89	\$231.16	\$462.32	\$221.20	\$442.40	\$0.00	\$0.00	\$125.00	\$250.00	\$246.19	\$492.38
T-2	1	Reg. Base	\$149.58	\$149.58	\$146.72	\$146.72	\$140.40	\$140.40	\$0.00	\$0.00	\$115.00	\$115.00	\$154.67	\$154.67
T-3	24	Modesty Panels	\$79.34	\$1,904.07	\$74.41	\$1,785.84	\$71.20	\$1,708.80	\$582.82	\$13,987.68	\$100.00	\$2,400.00	\$99.27	\$2,382.48
T-3	24	Bases	\$215.06	\$5,161.51	\$210.25	\$5,046.00	\$201.20	\$4,828.80	\$0.00	\$0.00	\$400.00	\$9,600.00	\$234.11	\$5,618.64
T-3	24	Tops	\$121.10	\$2,906.36	\$116.20	\$2,788.80	\$111.20	\$2,668.80	\$0.00	\$0.00	\$150.00	\$3,600.00	\$123.11	\$2,954.64
T-4	1	Top	\$161.61	\$161.61	\$156.75	\$156.75	\$150.00	\$150.00	\$269.56	\$269.56	\$145.00	\$145.00	\$175.23	\$175.23
T-4	1	Base	\$139.06	\$139.06	\$134.18	\$134.18	\$128.40	\$128.40	\$0.00	\$0.00	\$350.00	\$350.00	\$149.99	\$149.99
T-5	2	Pop up Ports	\$119.77	\$239.54	\$117.16	\$234.32	\$112.80	\$225.60	\$0.00	\$0.00	\$0.00	\$0.00	\$241.77	\$483.54
T-5	1	Top	\$453.07	\$453.07	\$433.47	\$433.47	\$414.80	\$414.80	\$882.28	\$882.28	\$695.00	\$695.00	\$445.81	\$445.81
T-5	1	Base	\$627.63	\$627.63	\$603.17	\$603.17	\$577.20	\$577.20	\$0.00	\$0.00	\$200.00	\$200.00	\$607.11	\$607.11
T-6	2	Pop up Ports	\$119.77	\$239.54	\$117.88	\$235.76	\$112.80	\$225.60	\$0.00	\$0.00	\$0.00	\$0.00	\$124.79	\$249.58

BID PRICING Received for - Furniture & Fixtures**City of Cartersville Public Safety Building and Fire Station #4**

			Veterans Furniture Services, LLC		Quality Office Solutions		Pointer Office Products		Aaron's Office Furniture		Georgia Correctional Industries		Commercial Concepts & Furnishings	
ITEM CODE	QTY		SELL EACH	EXTENDED SELL	SELL EACH	EXTENDED SELL	SELL EACH	EXTENDED SELL	SELL EACH	EXTENDED SELL	SELL EACH	EXTENDED SELL	SELL EACH	EXTENDED SELL
T-6	1	Top	\$499.43	\$499.43	\$479.86	\$479.86	\$459.20	\$459.20	\$985.32	\$985.32	\$800.00	\$800.00	\$479.11	\$479.11
T-6	1	Base	\$649.34	\$649.34	\$624.91	\$624.91	\$598.00	\$598.00	\$0.00	\$0.00	\$250.00	\$250.00	\$627.11	\$627.11
T-7	1		\$139.56	\$139.56	\$80.85	\$80.85	\$77.37	\$77.37	\$283.36	\$283.36	\$0.00	\$0.00	\$97.31	\$97.31
T-8	2		\$218.82	\$437.64	\$214.01	\$428.02	\$204.80	\$409.60	\$230.46	\$460.92	\$195.00	\$390.00	\$219.79	\$439.58
T-9	2		\$11.69	\$23.39	\$11.70	\$23.40	\$11.20	\$22.40	\$7.36	\$14.72	\$0.00	\$0.00	\$11.95	\$23.90
T-10	2		\$980.11	\$1,960.22	\$960.98	\$1,921.96	\$919.60	\$1,839.20	\$1,200.14	\$2,400.28	\$0.00	\$0.00	\$969.71	\$1,939.42
T-11	1	Top	\$127.45	\$127.45	\$124.56	\$124.56	\$119.20	\$119.20	\$161.92	\$161.92	\$100.00	\$100.00	\$509.61	\$509.61
T-11	1	Base	\$147.83	\$147.83	\$142.96	\$142.96	\$136.80	\$136.80	\$169.28	\$169.28	\$125.00	\$125.00	\$0.00	\$0.00
T-12	1		\$132.88	\$132.88	\$129.99	\$129.99	\$124.40	\$124.40	\$283.36	\$283.36	\$0.00	\$0.00	\$137.73	\$137.73
D-1	1	Transaction Top	\$342.44	\$342.44	\$337.75	\$337.75	\$323.20	\$323.20	\$718.52	\$718.52	\$0.00	\$0.00	\$367.43	\$367.43
D-1	1	Desk	\$681.10	\$681.10	\$666.71	\$666.71	\$638.00	\$638.00	\$261.74	\$261.74	\$0.00	\$0.00	\$705.83	\$705.83
D-1	1	Return	\$443.91	\$443.91	\$434.30	\$434.30	\$415.60	\$415.60	\$672.98	\$672.98	\$0.00	\$0.00	\$461.77	\$461.77
D-2	6		\$681.10	\$4,086.62	\$666.71	\$4,000.26	\$638.00	\$3,828.00	\$672.98	\$4,037.88	\$0.00	\$0.00	\$705.83	\$4,234.98
D-3	1		\$429.30	\$429.30	\$424.68	\$424.68	\$406.40	\$406.40	\$518.88	\$518.88	\$0.00	\$0.00	\$451.87	\$451.87
D-4	2		\$1,241.10	\$2,482.20	\$1,212.20	\$2,424.40	\$1,160.00	\$2,320.00	\$295.78	\$591.56	\$0.00	\$0.00	\$1,133.31	\$2,266.62
D-5	2		\$246.80	\$493.60	\$242.02	\$484.04	\$231.60	\$463.20	\$666.08	\$1,332.16	\$0.00	\$0.00	\$263.97	\$527.94
D-6	1		\$163.70	\$163.70	\$115.89	\$115.89	\$110.89	\$110.89	\$341.32	\$341.32	\$0.00	\$0.00	\$139.43	\$139.43
D-7	1		\$724.54	\$724.54	\$710.18	\$710.18	\$679.60	\$679.60	\$931.96	\$931.96	\$0.00	\$0.00	\$760.57	\$760.57
D-8	5		\$586.32	\$2,931.58	\$576.84	\$2,884.20	\$552.00	\$2,760.00	\$787.98	\$3,939.90	\$0.00	\$0.00	\$608.47	\$3,042.35
D-9	3		\$224.74	\$674.23	\$216.94	\$650.82	\$207.60	\$622.80	\$294.40	\$883.20	\$0.00	\$0.00	\$235.17	\$705.51
D-10	8		\$162.86	\$1,302.88	\$158.00	\$1,264.00	\$151.20	\$1,209.60	\$217.12	\$1,736.96	\$0.00	\$0.00	\$173.57	\$1,388.56
D-11	28		\$10.86	\$304.03	\$10.88	\$304.64	\$10.40	\$291.20	\$0.00	\$0.00	\$0.00	\$0.00	\$14.18	\$397.04
D-12	1		\$126.45	\$126.45	\$124.56	\$124.56	\$119.20	\$119.20	\$117.76	\$117.76	\$0.00	\$0.00	\$130.11	\$130.11
D-13	18		\$159.94	\$2,878.87	\$155.07	\$2,791.26	\$148.40	\$2,671.20	\$284.67	\$5,124.06	\$0.00	\$0.00	\$173.77	\$3,127.86
D-14	1		\$101.98	\$101.98	\$99.06	\$99.06	\$94.80	\$94.80	\$149.50	\$149.50	\$0.00	\$0.00	\$106.91	\$106.91
D-15	6		\$367.15	\$2,202.92	\$359.48	\$2,156.88	\$344.00	\$2,064.00	\$382.26	\$2,293.56	\$0.00	\$0.00	\$374.79	\$2,248.74
D-16	1		\$686.10	\$686.10	\$666.71	\$666.71	\$638.00	\$638.00	\$672.98	\$672.98	\$0.00	\$0.00	\$705.83	\$705.83
D-17	1		\$591.32	\$591.32	\$576.84	\$576.84	\$552.00	\$552.00	\$536.82	\$536.82	\$0.00	\$0.00	\$607.39	\$607.39
D-18	3	HPCO31D's	\$767.96	\$2,303.87	\$768.64	\$2,305.92	\$716.40	\$2,149.20	\$861.12	\$2,583.36	\$0.00	\$0.00	\$800.11	\$2,400.33
D-18	2	HPCO31L's	\$642.25	\$1,284.51	\$622.82	\$1,245.64	\$596.00	\$1,192.00	\$652.74	\$1,305.48	\$0.00	\$0.00	\$665.70	\$1,331.40
D-19	2		\$354.12	\$708.24	\$66.46	\$132.92	\$63.60	\$127.20	\$338.10	\$676.20	\$0.00	\$0.00	\$384.32	\$768.64
D-20	1		\$806.80	\$806.80	\$277.97	\$277.97	\$266.00	\$266.00	\$881.36	\$881.36	\$0.00	\$0.00	\$840.11	\$840.11
D-21	1	H105817R	\$299.41	\$299.41	\$289.68	\$289.68	\$277.20	\$277.20	\$306.36	\$306.36	\$0.00	\$0.00	\$317.91	\$317.91
D-21	1	H105810	\$268.92	\$268.92	\$235.60	\$235.60	\$248.00	\$248.00	\$317.86	\$317.86	\$0.00	\$0.00	\$286.57	\$286.57
D-21	1	H105818L	\$299.41	\$299.41	\$289.67	\$289.67	\$277.20	\$277.20	\$306.36	\$306.36	\$0.00	\$0.00	\$317.91	\$317.91
D-22	2		\$1,124.88	\$2,249.76	\$1,100.88	\$2,201.76	\$1,053.47	\$2,106.94	\$1,334.40	\$2,668.80	\$0.00	\$0.00	\$0.00	\$0.00
D-23	4		\$671.51	\$2,686.04	\$662.11	\$2,648.44	\$633.60	\$2,534.40	\$802.56	\$3,210.24	\$0.00	\$0.00	\$0.00	\$0.00
D-24	2		\$909.15	\$1,818.29	\$894.96	\$1,789.92	\$856.42	\$1,712.84	\$1,084.80	\$2,169.60	\$0.00	\$0.00	\$0.00	\$0.00
D-25	1		\$560.34	\$560.34	\$550.83	\$550.83	\$527.12	\$527.12	\$667.68	\$667.68	\$0.00	\$0.00	\$0.00	\$0.00
D-26	4		\$545.30	\$2,181.20	\$535.78	\$2,143.12	\$512.72	\$2,050.88	\$649.44	\$2,597.76	\$0.00	\$0.00	\$0.00	\$0.00
D-27	4		\$742.73	\$2,970.90	\$733.39	\$2,933.56	\$701.81	\$2,807.24	\$888.96	\$3,555.84	\$0.00	\$0.00	\$0.00	\$0.00
F1	1	Top	\$238.03	\$238.03	\$246.20	\$246.20	\$235.60	\$235.60	\$102.58	\$102.58	\$0.00	\$0.00	\$263.27	\$263.27
F1	1	File	\$465.21	\$465.21	\$455.62	\$455.62	\$436.00	\$436.00	\$345.00	\$345.00	\$0.00	\$0.00	\$488.69	\$488.69
F2	6	Tops	\$135.30	\$811.78	\$130.41	\$782.46	\$124.80	\$748.80	\$107.18	\$643.08	\$0.00	\$0.00	\$144.16	\$864.96
F2	6	Files	\$529.10	\$3,174.61	\$519.58	\$3,117.48	\$497.20	\$2,983.20	\$345.00	\$2,070.00	\$0.00	\$0.00	\$534.47	\$3,206.82
F3	1		\$262.67	\$262.67	\$270.60	\$270.60	\$259.43	\$259.43	\$191.36	\$191.36	\$0.00	\$0.00	\$277.79	\$277.79
F4	1	File	\$124.02	\$124.02	\$461.89	\$461.89	\$442.00	\$442.00	\$322.00	\$322.00	\$0.00	\$0.00	\$495.11	\$495.11
F4	1	Top	\$471.47	\$471.47	\$198.33	\$198.33	\$189.79	\$189.79	\$84.18	\$84.18	\$0.00	\$0.00	\$132.55	\$132.55
F-5	1		\$224.25	\$224.25	\$219.50	\$219.50	\$210.00	\$210.00	\$202.40	\$202.40	\$0.00	\$0.00	\$230.71	\$230.71
F-6	1		\$784.27	\$784.27	\$774.97	\$774.97	\$741.60	\$741.60	\$765.44	\$765.44	\$0.00	\$0.00	\$819.21	\$819.21
TN-1	28		\$156.57	\$4,384.05	\$131.80	\$3,690.40	\$126.13	\$3,531.64	\$235.00	\$6,580.00	\$0.00	\$0.00	\$0.00	\$0.00
TN-2	29		\$152.87	\$4,433.22	\$128.09	\$3,714.61	\$122.58	\$3,554.82	\$228.00	\$6,612.00	\$0.00	\$0.00	\$0.00	\$0.00
			Sub-total		Sub-total									
			\$161,272.37		\$155,174.23									
			Freight		\$810.00		Freight		\$810.00					
			Installation		\$17,535.00		Installation		\$18,100.00					
GRAND TOTAL			\$167,201.74		\$179,617.37		\$174,084.23		\$168,283.11		\$19,518.00		\$131,343.81	



City of Cartersville

City Council Meeting
8/16/2012 7:00:00 PM
Piping for Etowah River Emergency Pump Station

SubCategory:	Bid Award/Purchases
Department Name:	Water Department
Department Summary Recommendation:	Memo To: Sam Grove From: Jim Stafford Date: 8-4-12 Subject: Award Contract to Install Piping at Emergency Pump Station Council Approval: Bids were received for the installation of piping for the Etowah River Emergency Pump Station from four prequalified bidders. Due to the complex nature of this project the contractors were prequalified and are capable of completing this project according to specification in a timely manner. The bids were as follows: • Heavy Construction, Inc..... \$508,300.00 • Willow Construction, Inc..... \$521,900.00 • Ruby-Collins, Inc..... \$576,763.00 • Reynolds Inc..... \$760,900.00 Based on the recommendation of our engineers, I recommend the project be awarded to Heavy Construction, Inc. in the amount of \$508,300.00. All E-verify and SAVE information is attached.
City Manager's Remarks:	Approval of the bid from Heavy Construction as outlined above is recommended for your approval.
Financial/Budget Certification:	
Legal:	
Associated Information:	All Everify and SAVE documentation is attached.

Cover Memo

00 45 75 - 2

Georgia Security and Immigration Compliance Act Affidavits

CONTRACTOR AFFIDAVIT & AGREEMENT EXHIBIT A

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 the City of Cartersville, Georgia, has registered with, is authorized to use 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 affirms that it is using and will continue to use the federal work authorization program throughout the contract period.

The undersigned further agrees that should it employ or contract with any subcontractor(s) for the physical performance of services pursuant to the contract with the City of Cartersville, Georgia, the Contractor will secure from the subcontractor(s) verification of compliance with O.C.G.A. § 13-10-91 on the attached Subcontractor Affidavit. (EXHIBIT A-1). The Contractor further agrees to maintain records of such compliance and shall provide a copy of each such verification to the City of Cartersville, Georgia, at the time the subcontractor(s) is retained to perform such services.

EEV / Basic Pilot Program* User Identification Number

Date of Authorization

BY: Authorized Officer or Agent

Date Signed

[Contractor Name]

Title of Authorized Officer or Agent of Contractor

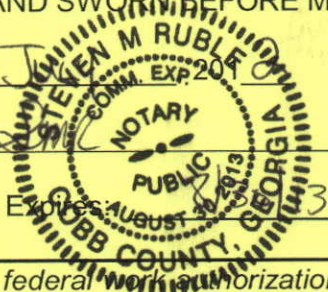
Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE

12 DAY OF JULY

Notary Public

My Commission Expires



*The applicable federal work authorization program as of the effective date of the statute is the Basic Pilot program of the Systematic Alien Verification for Entitlements (SAVE) Program Office of U.S. Citizenship and Immigration Service (USCIS).

Item # 18

Section 00 54 45

Residency Status Affidavit

**Affidavit Verifying Residency Status of an Applicant as Required by
The Georgia Security and Immigration Compliance Act**

By executing this affidavit under oath, as an applicant for the City of Cartersville or other public benefit as referenced in the Georgia Security and Immigration Compliance Act (O.C.G.A. § 50-36-1), I am stating the following with respect to my application and award for a contract with the City of Cartersville, Georgia.

X

I am a United States citizen

OR

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.*

Attach a copy of the document verifying your status (front and back) to this Affidavit.

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

Signature of Applicant

Date

Printed Name

*Alien registration number for non-citizens

HEAVY CONSTRUCTORS INC
Applying on Behalf of/Name of Associated Business

SUBSCRIBED AND SWORN BEFORE ME
ON THIS 08/06 DAY OF Aug,
2012

Notary Public

My Commission Expires

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

END OF SECTION

Item # 18



City of Cartersville

City Council Meeting

8/16/2012 7:00:00 PM

Chemical Suppliers for Water Treatment Plant and Water Pollution Control Plant

SubCategory:	Bid Award/Purchases
Department Name:	Water Department
Department Summary Recommendation:	Memo To: Sam Grove From: Jim Stafford Date: 8-07-12 Subject: Yearly Approval to Purchase Chemicals for WPCP and WTP The following chemicals are purchased for the water plant and the wastewater plant on a weekly, bi-weekly, monthly, semi-annually, or yearly basis. At times we buy a larger order which is over \$5000.00. We typically get fixed prices for a year at a time. I recommend we get council approval to purchase the following chemicals from the designated vendors until 1 July 2012. This will eliminate a number of agenda items this year and it will expedite our ability to order chemicals on an as needed basis. • General Chemical - Aluminum Sulfate • Pristine Water Solutions - Ortho-Poly Phosphate • Burnett Lime Company - Calcium Hydroxide • Brenntag Mid-South - Aluminum Sulfate and Sodium-Silica Floride • A. R. Brooks Enterprises Inc - Diesel Fuel, Gear Oil • Allied Universal - Sodium Hypochlorite • Southern Ionics, Inc - Sodium Bi-sulfite • Industrial Chemical - Polymer Attached is a listing of the current pricing. If it is necessary to rebid, the pricing will be brought forward for Council approval.
City Manager's Remarks:	This is the list of suppliers for water department chemicals. Since these in aggregate total more than \$5,000, we are asking for blanket approval of them for the year. Your approval of the list is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	Everify and SAVE documentation are on file.

Present pricing for chemicals used in WPCP and WTP

-Sodium Hypo-chlorite \$0.75/gal
Allied Universal

-Polymer \$1.80/lb
Industrial Chemicals

-Diesel Fuel \$3.17/gal
AR. Brooks Enterprise

-Sodium Bi-sulfite \$0.12/lb
Southern Ionics

-Alum \$0.13/dry lb
General Chemical

-Lime \$0.19/lb
Burnett Lime Comp.

-Chlorine \$0.19/lb
Allied Universal

-Phosphate \$1.65/lb
Pristine Water Solutions

-Dry Fluoride
Brenntag Mid-South



City of Cartersville

City Council Meeting
8/16/2012 7:00:00 PM
June 2012

SubCategory:	Monthly Financial Statement
Department Name:	Finance
Department Summary Recommendation:	Attached is the June 2012 financial report. Please keep in mind that this is based on the cash basis of accounting and will be modified as the year-end close process is completed. Also attached is the supplemental financial report along with the cash position report.
City Manager's Remarks:	Tom R. will present this information at the meeting.
Financial/Budget Certification:	
Legal:	
Associated Information:	

MONTHLY SUMMARY

As of June 30, 2012

	FY 2010 - 11 MONTH OF June-11	FY 2011 - 12 MONTH OF June-12	FY 2010 - 11 Year to Date June-11	FY 2011 - 12 Year to Date June-12	100.00% OF BUDGET (Year to Date)
<u>GENERAL FUND</u> <i>excluding SPLOST, DDA & School System Property Tax Revenue & Expenditures</i>					
REVENUE	\$1,811,129	\$2,346,809	\$22,994,539	\$23,641,414	97.91%
EXPENDITURE	\$1,666,658	\$1,745,351	\$22,900,508	\$22,805,683	94.45%
Gen. Fund Net Profit (Loss)	\$144,471	\$601,458	\$94,031	\$835,731	
<u>WATER & SEWER</u>					
REVENUE	\$1,184,917	\$1,113,109	\$12,772,190	\$19,596,191	102.86%
EXPENDITURE	\$1,298,033	\$1,554,375	\$13,046,819	\$13,419,196	70.43%
Wtr. & Swr. Fund Net Profit (Loss)	(\$113,116)	(\$441,266)	(\$274,629)	\$6,176,995	
<u>GAS</u>					
REVENUE	\$1,511,800	\$1,101,363	\$23,320,052	\$19,952,241	69.17%
EXPENDITURES	\$1,869,257	\$1,305,424	\$22,366,146	\$19,588,510	67.91%
Gas Fund Net Profit (Loss)	(\$357,457)	(\$204,061)	\$953,906	\$363,731	
<u>ELECTRIC</u>					
REVENUE	\$4,078,508	\$3,689,296	\$41,440,652	\$44,398,426	101.83%
EXPENDITURES	\$3,842,312	\$3,391,040	\$40,942,830	\$43,006,171	98.64%
Electric Fund Net Profit (Loss)	\$236,196	\$298,256	\$497,822	\$1,392,255	
<u>STORMWATER</u>					
REVENUE	\$104,361	\$102,882	\$1,188,299	\$1,226,793	103.88%
EXPENDITURE	\$70,740	\$100,092	\$1,281,740	\$1,042,390	88.26%
Stormwater Fund Net Profit (Loss)	\$33,621	\$2,790	(\$93,441)	\$184,403	
<u>SOLID WASTE</u>					
REVENUE	\$172,806	\$281,776	\$2,132,851	\$2,299,377	88.85%
EXPENDITURE	\$166,149	\$199,902	\$2,036,268	\$2,229,080	86.13%
Solid Waste Fund Net Profit (Loss)	\$6,657	\$81,874	\$96,583	\$70,297	
<u>FIBER OPTICS</u>					
REVENUE	\$111,269	\$133,679	\$1,793,144	\$1,658,717	102.51%
EXPENDITURE	\$115,159	\$166,289	\$1,370,120	\$1,354,272	83.70%
Fiber Fund Net Profit (Loss)	(\$3,890)	(\$32,610)	\$423,024	\$304,445	

				% of Monthly Totals to Budget
General Fund	Description	Through 6-30-12	FY 2012 Budget	
	Total Revenues	\$23,641,415	\$24,146,955	97.91%
	GO Bond Proceeds from School	\$2,377,677	\$2,568,890	92.56%
	Property Taxes-City Portion Only	\$1,318,466	\$1,289,320	102.26%
	Local Option Sales Tax (LOST)	\$4,403,315	\$4,818,625	91.38%
	Other Taxes	\$6,639,861	\$6,950,240	95.53%
	Building Permit & Inspection Fees	\$69,438	\$45,000	154.31%
	Fines and Forfeitures	\$660,043	\$590,000	111.87%
	Operating Transfers In-City Utilities	\$4,065,655	\$3,776,510	107.66%
	Other Revenues	\$4,106,960	\$4,108,370	99.97%
	Total Expenditures	\$22,805,682	\$24,146,955	94.45%
	Personnel Expenses	\$13,659,159	\$14,377,795	95.00%
	Operating Expenses	\$5,388,047	\$6,139,870	87.76%
	Capital Expenses	\$424,318	\$604,700	70.17%
	GO Bond Proceeds from School	\$2,412,182	\$2,568,890	93.90%
	Debt Pymt - JDA/CBA	\$466,276	\$0	#DIV/0!
	Library Appropriations	\$455,700	\$455,700	100.00%
Water & Sewer Fund	Total Revenues	\$19,596,191	\$19,051,945	102.86%
	Water Sales	\$7,802,008	\$8,132,500	95.94%
	Sewer Sales	\$4,406,983	\$4,292,000	102.68%
	Bond Proceeds	\$6,620,000	\$5,000,000	132.40%
	Other Revenues	\$767,200	\$1,627,445	47.14%
	Total Expenditures	\$13,419,196	\$19,051,795	70.44%
	Personnel Expenses	\$2,980,199	\$3,067,295	97.16%
	Operating Expenses	\$3,113,016	\$2,897,170	107.45%
	Capital Expenses	\$1,424,288	\$6,816,010	20.90%
	Transfer To General Fund	\$2,667,944	\$2,667,940	100.00%
	Debt Payments	\$3,233,749	\$3,603,380	89.74%
Gas Fund	Total Revenues	\$19,952,240	\$28,845,855	69.17%
	Gas Sales	\$18,190,680	\$24,807,545	73.33%
	Gas Commodity Charge	\$1,165,139	\$1,245,000	93.59%
	Bond Proceeds	\$0	\$2,055,000	0.00%
	Proceeds from Capital Leases	\$0	\$32,500	0.00%
	Other Revenues	\$596,421	\$705,810	84.50%
	Total Expenses	\$19,588,510	\$28,845,855	67.91%
	Personnel Expenses	\$1,669,767	\$1,758,845	94.94%
	Operating Expenses	\$587,616	\$816,120	72.00%
	Purchase of Natural Gas	\$13,842,604	\$20,365,910	67.97%
	Transfer to General Fund	\$3,295,155	\$3,295,150	100.00%
	Capital Expenses	\$193,368	\$2,609,830	7.41%

				% of Monthly Totals to Budget
Electric Fund	Description	Through 6-30-12	FY 2012 Budget	
	Total Revenues	\$44,398,426	\$43,600,295	101.83%
	Electric Sales	\$43,010,497	\$42,254,840	101.79%
	Other Revenues	\$1,387,929	\$1,345,455	103.16%
	Total Expenses	\$43,006,171	\$43,600,295	98.64%
	Personnel Expenses	\$2,028,579	\$2,087,265	97.19%
	Operating Expenses	\$1,253,916	\$1,223,745	102.47%
	Purchase of Electricity	\$37,296,865	\$37,588,300	99.22%
	Capital Expenses	\$224,919	\$499,095	45.07%
	Transfer to General Fund	\$2,201,892	\$2,201,890	100.00%
Stormwater Fund	Total Revenues	\$1,226,793	\$1,181,000	103.88%
	Stormwater Revenues	\$1,215,617	\$1,170,000	103.90%
	Other Revenues	\$11,176	\$11,000	101.60%
	Prior Year Carryover	\$0	\$0	#DIV/0!
	Stormwater Improvement Funds	\$0	\$0	#DIV/0!
	Total Expenses	\$1,042,390	\$1,181,000	88.26%
	Personnel Expenses	\$417,444	\$449,680	92.83%
	Operating Expenses	\$431,957	\$519,690	83.12%
	Capital Expenses	\$192,989	\$211,630	91.19%
Solid Waste Fund	Total Revenues	\$2,299,377	\$2,587,900	88.85%
	Refuse Collections Revenues	\$1,978,958	\$2,060,290	96.05%
	Other Revenues	\$41,160	\$48,200	85.39%
	Proceeds From Capital Leases	\$279,259	\$479,410	58.25%
	Total Expenses	\$2,229,079	\$2,587,900	86.13%
	Personnel Expenses	\$1,032,481	\$1,059,505	97.45%
	Operating Expenses	\$917,070	\$1,048,985	87.42%
	Capital Expenses	\$279,528	\$479,410	58.31%
Fiber Optics Fund	Total Revenues	\$1,658,717	\$1,646,900	100.72%
	Fiber Optics Revenues	\$1,460,637	\$1,539,800	94.86%
	GIS Revenues	\$99,275	\$102,500	96.85%
	Other Revenues	\$98,805	\$4,600	
	Total Expenses	\$1,354,272	\$1,646,900	82.23%
	Personnel Expenses	\$582,201	\$531,810	109.48%
	Operating Expenses	\$535,850	\$675,675	79.31%
	MEAG Telecom Statewide Pymt	\$228,322	\$229,415	99.52%
	Capital Expenses	\$7,899	\$210,000	3.76%

Cash Position	6/30/11	7/31/11	8/31/11	9/30/11	10/31/11	11/30/11	12/31/11
Total Unrestricted Cash Balance	\$9,926,033.63	\$10,145,726.90	\$10,173,855.99	\$10,402,752.04	\$11,490,532.04	\$10,430,103.23	\$9,790,386.70
Total Restricted Cash Balance	\$54,133,763.68	\$54,303,771.24	\$52,874,718.85	\$51,914,429.58	\$50,486,885.85	\$52,381,427.98	\$52,251,491.50
Cash Position		1/31/12	2/28/12	3/31/12	4/30/12	5/31/12	6/30/12
Total Unrestricted Cash Balance		\$9,218,208.23	\$10,335,797.03	\$11,297,434.74	\$11,877,704.40	\$10,895,661.12	\$11,034,617.89
Total Restricted Cash Balance		\$53,723,119.89	\$54,062,334.62	\$53,941,851.04	\$52,319,255.85	\$49,996,713.25	\$56,112,492.43