



City of Cartersville

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

COUNCIL PERSONS:

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

AGENDA

Council Chamber, Third Floor of City Hall– 7:00
PM – 11/3/2011
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. October 20, 2011 (Page 3-13)

[Attachments](#)

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

1. T11-02: Text amendment application by John Lewis to eliminate article 16, section 4, subsection 2 (B) 5 regarding Special use for apartments in G-C district. (Page 14-18)

[Attachments](#)

2. SU11-04: Special use application by John Lewis for property located at 100 Cook Street (approximately 4.64 acres) (special use approval for apartments required in the G-C district) (Page 19-32)

[Attachments](#)

C. Public Hearing

1. Approval of Capital Improvements Element Annual Update and Corresponding Transmittal Resolution (Page 33-59)

[Attachments](#)

D. First Reading of Ordinances

1. Amendment to Budget Ordinance for Fiscal Year 2010-11 (Page 60-64)

[Attachments](#)

E. Contracts/Agreements

1. State of Georgia Revocable License Agreement Regarding Country Club Drive (Page 65-77)
[Attachments](#)
-

2. Retiree Insurance Renewal with United Healthcare Medicare Advantage (Page 78)
[Attachments](#)
-

F. Bid Award/Purchases

1. Construction Materials Testing for New City Buildings (Page 79-80)
[Attachments](#)
-

2. 2012 Calendar and Annual Report (Page 81-86)
[Attachments](#)
-

3. Painting of Steel Pole and Transformer Hoist Structures and Steel Light Pole Rack (Page 87)
[Attachments](#)
-

4. Roof Replacement at Water Lab (Page 88-90)
[Attachments](#)
-

5. South Erwin Street Water Main Replacement Project (Page 91-94)
[Attachments](#)
-

G. Monthly Financial Statement

1. August 2011 Financial Report (Page 95-99)
[Attachments](#)
-

H. Discussion

1. Alcohol Control Board Appeals (Page 100)
[Attachments](#)
-



City of Cartersville

City Council Meeting
11/3/2011 7:00:00 PM
October 20, 2011

SubCategory:	Council Meeting Minutes
Department Name:	Clerk
Department Summary Recommendation:	Attached are the minutes for your review and approval.
City Manager's Remarks:	The minutes from the October 20th Council meeting have been generated and reviewed by staff and are recommended for your approval.
Financial/Budget Certification:	
Legal:	
Associated Information:	

City Council Meeting
10 N. Public Square
October 20, 2011
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 Boy Scout Troop 25

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

II. Regular Agenda

A. Council Meeting Minutes

1. October 6, 2011

A motion to approve the October 6, 2011 minutes as presented was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

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

1. T11-02: Text amendment application by John Lewis to eliminate article 16, section 4, subsection 2 (B) 5 regarding Special Use for apartments in G-C District.

Randy Mannino, Planning and Development Director, stated that the Public Official Forms have been received and there are no conflicts of interest. All adjacent property owners have been notified and the required legal notices have been advertised. Mr. Mannino requested that the application and zoning ordinance be made part of the official record. Copies of the adopted procedures and zoning standards are available upon request. Mr. Mannino stated that this is one of the standards for a Special Use for Apartments above or behind commercial and office uses in the same building, which currently reads as follows: Commercial uses shall be limited to the permitted uses in the P-S District plus Retail, general (excluding retail package stores (liquor), or other businesses having primarily sales of package beer and/or wine). Mr. Mannino stated that the Planning Commission recommended approval.

Mayor Santini opened the floor for a public hearing, John Lewis, applicant came forward. 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 26 ZONING** is hereby amended as follows:

1.

The Zoning Ordinance is hereby amended by deleting the following:

2.

Article XXVI Zoning Ordinance Section 16.4.2.B.5

Commercial uses shall be limited to the permitted uses in the P-S district plus Retail, general (excluding retail package stores (liquor), or other businesses having primarily sales of package beer and/or wine).

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 20th day of October 2011.

ADOPTED this the day of 2011. Second Reading.

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

ATTEST:

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

2. SU11-04: Special use application by John Lewis for property located at 100 Cook Street (approximately 4.64 acres) (Special Use approval for apartments

required in the G-C District).

Randy Mannino, Planning and Development Director, stated that the Public Official Forms have been received and there are no conflicts of interest. All adjacent property owners have been notified and the required legal notices have been advertised. Mr. Mannino requested that the application and zoning ordinance be made part of the official record. Copies of the adopted procedures and zoning standards are available upon request. Mr. Mannino stated that the subject tract is located at 100 Cook Street, at the intersection of Cook Street and South Erwin Street. This property is approximately 4.64 acres and includes a large vacant industrial building constructed in the 1930's. This property was rezoned in 2002 from L-I (Light Industrial) to G-C (General Commercial) with conditions. The applicant seeks a special use permit to allow apartments above or behind commercial and office uses in the same building. Mr. Mannino stated that the only concern from staff was the Fire Department who asked that the owner separate the commercial and residential space with a 2 hour fire wall and total sprinkler system throughout the entire building (commercial and residential space). Planning Commission recommended approval with conditions.

Mayor Santini opened the floor for a public hearing, John Lewis; applicant came forward and stated that he has no problem with the fire departments recommendation for a two (2) hour fire wall. With no further comments Mayor Santini closed the public hearing.

No Action Required

Ordinance

of the

City of Cartersville, Georgia

Ordinance No.

Petition No.

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that all that certain tract of land owned by Arnold Tillman. Property is located 100 Cook Street. Said property contains 4.64 acres located in the 4th District, 3rd Section, Land Lot(s) 527 and 554 as shown on the attached plat Exhibit "A". Property is hereby rezoned from G-C (General Commercial) with conditions to G-C (General Commercial) with conditions and a special use permit. Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.

- 1. Allow the use of Laboratories (medical and dental) and exclude the following uses:**
 - Automotive garages**

- Automotive specialty shops
 - Automotive storage yards and wrecker service
 - Automotive Sales (unless owner separates the commercial and residential space with a 2 hour fire wall and total sprinkler system throughout the entire building (commercial and residential space).
 - Boat sales and service
 - Building supply companies
 - Bus stations
 - Car washes
 - Heavy equipment contractors (no exterior storage of equipment, materials, construction vehicles)
 - Dry cleaners
 - Kennels
 - Laboratories
 - Repair garages, automotive
 - Repair garages, heavy equipment
 - Retail package stores (liquor)
 - Truck stops
 - Wildlife conservation park
2. Allow a maximum of forty-nine percent (49%) of the building to be used for residential purposes

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 20th day of October 2011.
ADOPTED this the day of. Second Reading.

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

ATTEST:

/s/ Connie Keeling
Connie Keeling
City Clerk

C. Resolutions

1. Acceptance of Georgia Department of Natural Resources Grant

Greg Anderson, Parks and Recreation Director stated that the Georgia Department of Natural Resources grant application for the Etowah River “Blue Trail” that was submitted last year has completed the required reviews from the various state agencies and the grant has been approved. Mr. Anderson stated that the grant project is a proposed canoe/kayak launch scheduled to be constructed adjacent to the ER Bates Memorial

Bridge on State Route 113/61. The estimated project costs are \$45,474.00, with the grant award being \$32,925.00. Mr. Anderson stated that the Coosa River Basin Initiative has committed a cash donation of \$3,400.00 and Bartow County Public Works Department has committed 2-days of a track-hoe with operator for this project. Mr. Anderson stated that these donations and partners were instrumental in the City of Cartersville receiving this grant award for our community and recommended approval.

A motion to approve Acceptance of the Grant along with Resolution No. 28-11 was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

**STATE OF GEORGIA
COUNTY OF BARTOW**

Resolution No. 28-11

WHEREAS, at the regular council meeting of the City of Cartersville of Bartow County, Georgia held on October 20, 2011 a motion was made and duly seconded that City of Cartersville agree to the terms of the contract for the state grant between the Georgia Department of Natural Resources and City of Cartersville for a grant of financial assistance to design and construct a canoe/kayak launch on the Etowah River, and authorize Mayor Matthew Santini to execute said contract on behalf of the City of Cartersville, and accept the grant provided for in said contract in the amount of \$32,924.00

NOW, THEREFORE BE IT RESOLVED, by the City of Cartersville of Bartow County, Georgia that the terms and conditions of the contract between the Georgia Department of Natural Resources and the City of Cartersville are hereby agreed to, that the Mayor Matthew Santini is authorized and empowered to execute said contract in the amount of \$32,924.00 is hereby designated to assure the acquisition and/or development, operation and maintenance of the facilities and/or delivery of services as identified in said contract.

Read and unanimously adopted in the regular city council meeting of the City of Cartersville held on 20th day of October, 2011

ATTEST

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

ATTEST:

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

D. Contracts/Agreements

1. Memorandum of Understanding with GA DOT for Pettit Creek Trail

Greg Anderson, Parks and Recreation Director stated that the City of Cartersville Recreation Department has received official notification from the Georgia Department of Transportation that the City has been chosen to receive \$860,000.00 for the Federal Transportation Enhancement (TE) Funding Pettit Creek Trail Phase III Connectivity Project. Mr. Anderson stated that this proposed project includes approximately 2,400' of sidewalk that will connect the Pettit Creek Trail to downtown Cartersville and approximately 7,800' of multi-use trail that will connect most of the City of Cartersville's park system. This connectivity project was a goal established in an early 2000 Visioning Session and in 2007 in the 2030 Vision Plan. With the completion of the Pettit Creek Trail Phase III that goal will have been accomplished. Mr. Anderson stated that this will be a 20% local match required from next year's budget for this project and recommended approval of the Memorandum of Understanding and the authorization of the Mayor to sign all related documents as needed.

A motion to approve GA DOT Memorandum of Understanding for the Pettit Creek Trail was made by Council Member Pruitt and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

2. General Services Agreement with Southland Engineering

Bobby Elliott, Public Works Superintendent stated that in order to more easily do business with a local engineering firm he requested that a General Services Agreement be approved along with Task Order 001. This agreement establishes a relationship between the City and Southland Engineering whereby Southland is pre-qualified to do work for the City and task orders may be issued for projects that come up in which the City needs the assistance of an engineering consultant. Mr. Elliott stated that Task Order 001 in the amount of \$12,950.00 is for design of a sidewalk connectivity on both sides of West Avenue between the current end in the vicinity of Terrell Drive on the east end and in the vicinity of Plymouth Drive on the west end. This engineering work will be funded from the 2007 SPLOST and Mr. Elliott recommended approval of both the agreement and work order.

A motion to approve the General Service Agreement with Southland Engineering and Task Order 001 was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

E. Bid Award/Purchases

1. Dump body for One-Ton Truck

Bobby Elliott, Public Works Superintendent stated that he had solicited quotes on a dump body for a recently approved GMC One-ton truck. Solicitations were sent to four

truck body manufacturers but only received one quote from Ingram Truck Body of Ballground, Georgia in the amount of \$6,795.00. Mr. Elliott recommended approval of this bid.

A motion to approve the purchase from Ingram Truck Body was made by Council Member Pruitt and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

2. Recycling Truck

Bobby Elliott, Public Works Superintendent stated that he had solicited quotes from six solid waste equipment vendors for a top-loading recycling collection vehicle. Three proposals were received and Mr. Elliott recommended the low bid from GSP Marketing, Inc. in the amount of \$163,492.00 with delivery expected late December 2011.

A motion to approve the purchase from GSP Marketing was made by Council Member Tonsmeire and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

3. Utility Relocation for Comcast Cable on Main Street Gateway

Dan Porta, Assistant City Manager stated that he had received a quote to relocate the Cartersville Cable TV facilities on the Main Street Gateway Corridor from aerial to underground cable in the amount of \$45,858.00. The City has to pay this amount to Comcast in order for the relocation to be scheduled and will be billed for the actual amount when the project is complete. Should the amount be over or under the estimated amount Cartersville Cable will refund or bill for the difference. Mr. Porta recommended approval of this item.

A motion to approve the relocation for Comcast Cable on the Main Street Gateway was made by Council Member Pruitt and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

4. Natural Gas Main Improvement

Michael Hill, Assistant Gas Superintendent stated that he had received an estimated cost from S. J. Patterson Company to complete necessary taps and stops on the gas main located at the intersection of North Tennessee Street and Nelson Street in the amount of \$6,800.00. Mr. Hill stated that S. J. Patterson Company is a sole source provider and the fitting manufacturer's representative who provides this service for the southeast and recommended approval.

A motion to approve the Natural Gas Main Improvements by S. J. Patterson Company was made by Council Member Pruitt and seconded by Council Member

Hodge. Motion carried unanimously. Vote 6-0

(Items 5 – 8 voted as one motion)

5. Self Contained Breathing Apparatus

Scott Carter, Fire Chief stated that he had solicited bids to purchase Self Contained Breathing Apparatus, spare bottles and mask that will be placed on the new fire apparatus that council purchased in December 2010. All equipment is required by and compliant with the National Fire Protection Standards, this equipment is also calculated into the ISO rating for the city. Chief Carter stated that this is a critical piece of equipment that has a direct effect on the health and safety of our firefighters and citizens. Chief Carter recommended approval of the low bid from American Safety and Fire in the amount of \$41,080.00.

6. Firefighter Hose Equipment

Scott Carter, Fire Chief stated that he had solicited bids for the purchase of various sizes and lengths of firefighter hose that will be placed on the new fire apparatus that council purchased in December 2010. All hose is required by and compliant with the National Fire Protection Standards, and is also calculated into the ISO rating for the city. Chief Carter recommended the low bid from Georgia Fire and Rescue in the amount of \$19,683.68 which is \$5,316.32 below the budgeted amount for this item.

7. Ten 8 Nozzle and Valves

Scott Carter, Fire Chief stated that he had solicited bids for the purchase of various nozzles, valves, and adapters that will be placed on the new fire apparatus that council purchased in December of 2010. All nozzles and valves are required by and compliant with National Fire Protection Standards and is also calculated into the ISO rating for the city. Chief Carter recommended the low bid from Ten-8 Fire Equipment in the total amount of \$27,400.73.

8. Thermal Imaging Camera

Scott Carter, Fire Chief stated that he had solicited bids for the purchase of a Thermal Image System that will be placed on the new fire apparatus that council purchased in December of 2010. This is a critical piece of equipment that has a direct effect on the safety of our firefighters and citizens and aids in the reduction of fire loss. This is a specialized piece of equipment that allows firefighters to find victims along with the base of a fire during zero visibility conditions they encounter. Chief Carter stated that they have been able to utilize this equipment to also locate small hidden fires which has been very effective in reducing property loss. This equipment is required by and compliant with National Fire Protection Standards and is also calculated into the ISO rating for the city. Chief Carter recommended the low bid from Fireline in the total amount of \$16,999.00.

A motion to approve all four bids was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

F. Engineering Services

1. Etowah Drive Water Main Replacement

Ed Mullinax, Assistant Water Superintendent stated that they had requested Jordan, Jones, and Goulding to provide a proposal for Engineering Services for design, bidding and construction services for the Etowah Drive Water Main Replacement Project from Leake Street to Old Mill Road. This project will involve the replacement of approximately 4,500 feet of existing water mains consisting of 6-inch cast iron and 2-inch diameter and smaller galvanized lines. A number of fire hydrants in this area are non-functioning or have insufficient flows for fire fighting. Replacement of these mains will allow for increased flows and improved water quality. Mr. Mullinax recommended approval of the proposal from Jordan, Jones, and Goulding in an amount not to exceed \$64,700.00.

A motion to approve the engineering services with Jordan, Jones, and Goulding was made by Council Member Stepp and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

G. Public Hearing

1. Alcohol Control Board Appeal

Keith Lovell, Assistant City Attorney stated that on September 21, 2011 the Alcohol Control Board conducted hearings in regard to violators of selling alcohol to a minor. Overall, there were seven establishments who either pled guilty, no contest, or were found guilty of selling alcohol to a minor as a result of an undercover operation by the State of Georgia Department of Revenue and a second undercover operation by the City of Cartersville. As a result of these hearings seven establishments the Alcohol Control Board had imposed on each a fine of \$2,500.00 and three years probation for the violations. Three of the seven establishments have appealed the amount of the fine and length of probation, not the violation itself. The three establishments who are appealing are as follows:

1. Tarascos Taco and Wings
2. Hilton Garden Inn
3. Knights 1889 LLC

Mayor Santini opened the floor for a Public Hearing. Vanessa and George Cabanas from Tarascos Taco and Wings; Jeff Watkins, representative for Hilton Garden Inn; and Lance McCoy and Robert Knight from Knights 1889 came forward. All three groups, stating various reasons, asked that the fine and probation period be reduced on

their establishments. With no further comments Mayor Santini closed the public hearing.

Mayor Santini asked Chief Culpepper how often these stings occur. Chief Culpepper stated that they did not do them every year and tried to do them as random as possible so the establishments would not expect them to occur.

Mayor Santini stated that the Council had thirty (30) days to consider these matters and they would inform the parties as soon as a decision was made.

A motion to adjourn the meeting was made by Council Member Stepp and needing no second. Motion carried unanimously. Vote 6-0

Meeting Adjourned

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk



City of Cartersville

City Council Meeting

11/3/2011 7:00:00 PM

T11-02: Text amendment application by John Lewis to eliminate article 16, section 4, subsection 2 (B) 5 regarding Special use for apartments in G-C district.

SubCategory:	Public Hearing - 2nd Reading of Zoning/Annexation Requests
Department Name:	Planning and Development
Department Summary Recommendation:	This is one of the standards for a Special use for Apartments, above or behind commercial and office uses in the same building, which currently reads as follows: Commercial uses shall be limited to the permitted uses in the P-S district plus Retail, general (excluding retail package stores (liquor), or other businesses having primarily sales of package beer and/or wine).
City Manager's Remarks:	This text amendment is recommended for your approval.
Financial/Budget Certification:	
Legal:	
Associated Information:	



City of Cartersville

PLANNING AND DEVELOPMENT

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

MEMO

TO: Mayor & Council and Planning Commission
FROM: Randy Mannino and Richard Osborne
DATE: October 5, 2011
SUBJECT: Zoning Ordinance revision – text amendment case T11-02

Text amendment T11-02 is related to the standards for a Special Use permit to allow *Apartments, above or behind commercial and office uses in the same building.*

The applicant, John Lewis, has stated that he would like to renovate and revitalize the structure and property at 100 Cook St (corner S. Erwin St), zoned G-C with conditions, for a multi-use facility in which there could be apartments as well as one or more commercial uses. Mr. Lewis has stated that he would like to have the flexibility of having more options than just being limited to office use for commercial. Currently, standard #5 limits the uses to only those found in the P-S (Professional Services) district plus Retail, general.

Mr. Lewis, therefore, has applied for a text amendment to delete Zoning Ordinance article 16, section 4, subsection 2 (B) 5. Planning & Development staff as well as other department representatives have reviewed this request, and there are no objections to the text amendment. Planning Commission recommended approval.

Please see below for the standard proposed to be deleted.

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

A. *Allowable district:* P-S, M-U, N-C, DBD, O-C, and G-C.

B. *Standards:*

1. The dwelling unit shall comply with all applicable City of Cartersville building and fire codes.
2. Minimum floor area requirements for a dwelling unit shall be the following:
 - 3-bedroom, 900 sqft
 - 2-bedroom, 750 sqft
 - 1-bedroom, 600 sqft
 - Studio/loft (in existing buildings), 450 sqft
3. Minimum number of parking spaces: two (2) spaces for each dwelling unit plus three (3) spaces for each one thousand (1,000) square feet of commercial use
4. Parking lot outdoor lighting shall be directed away and shielded from residential above or behind commercial use and from abutting residential districts or use. Freestanding street lighting fixtures shall have a maximum height of thirty-five (35) feet.
5. ~~Commercial uses shall be limited to the permitted uses in the P-S district plus Retail, general (excluding retail package stores (liquor), or other businesses having primarily sales of package beer and/or wine).~~
6. Sound-deadening construction materials and techniques should be used and bedrooms should be oriented away from noise sources.



City of Cartersville

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APPLICATION FOR TEXT AMENDMENT OF THE CITY OF CARTERSVILLE ZONING ORDINANCE

(PLEASE PRINT OR TYPE)

Application No. T 11-02 ^{Paid \$400 Fee} ^{-RO} Date: 9-2-11

Name of the Applicant(s): John Lewis

Current Address of the Applicant(s): _____

11 E. Main St, 201 Cowan Bldg, Cartersville, GA 30120

Applicant's Telephone Number: 770-386-1978

Existing Text to be Amended:

Article 16, Section 4, Subsection 2(B)5.

Existing Text Reads as Follows: _____

Commercial uses shall be limited to the
permitted user in the P-S district plus Retail,
general (excluding retail package stores (liquor), or
other businesses having primarily sales of package beer and/or
wine)

New Text:

Proposed Text Reads as Follows: (Delete standard)



City of Cartersville

PLANNING AND DEVELOPMENT

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

Application No. T11-01 Applicant: John Lewis

Reasons for the Amendment Request: _____

Future development mix of
apartments and commercial
in same building

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

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

Application and Fee Received

By: [Signature] Date: 9-2-11

[Signature]
Signature of Applicant

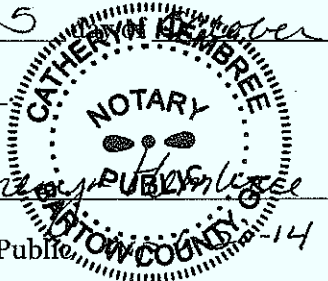
Sworn to and subscribed before me

this 5 th

20 11

Cathy H. Hester

Notary Public



Ordinance
of the
City of Cartersville, Georgia
Ordinance No.

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

1.

The Zoning Ordinance is hereby amended by deleting the following:

2.

Article XXVI Zoning Ordinance Section 16.4.2.B.5

Commercial uses shall be limited to the permitted uses in the P-S district plus Retail, general (excluding retail package stores (liquor), or other businesses having primarily sales of package beer and/or wine).

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the th day of 2011.

ADOPTED this the th day of 2011. Second Reading.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk



City of Cartersville

City Council Meeting

11/3/2011 7:00:00 PM

SU11-04: Special use application by John Lewis for property located at 100 Cook Street (approximately 4.64 acres) (special use approval for apartments required in the G-C district)

SubCategory:	Public Hearing - 2nd Reading of Zoning/Annexation Requests
Department Name:	Planning and Development
Department Summary Recommendation:	The subject tract is located at 100 Cook Street, at the intersection of Cook Street and S. Erwin Street. This property is approximately 4.64 acres and includes a large vacant industrial building constructed in the 1930s. This property was rezoned in 2002 from L-I to G-C with conditions. The applicant seeks a special use permit to allow Apartments, above or behind commercial and office uses in the same building. Planning Commission recommended approval with conditions (listed in packet write-up).
City Manager's Remarks:	This item was recommended for approval by the Planning Commission with listed conditions.
Financial/Budget Certification:	
Legal:	
Associated Information:	

SPECIAL USE APPLICATION SYNOPSIS

Petition Number(s): SU11-04

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: John Lewis

Representative: None

Property Owner: Arnold Tillman

Property Location: 100 Cook Street

Access to the Property: Cook Street and S. Erwin Street

Site Characteristics:

Tract Size: Acres: 4.64 acres District: 4th Section: 3rd LL(S): 527, 554

Ward: 2 Council Member: Jayce Stepp

LAND USE INFORMATION

Current Zoning: G-C (General Commercial) with conditions: 1) Existing fire sprinkler backflow preventer to be upgraded. 2) Existing northern entrance onto S. Erwin St to be closed. 3) Additional lane for 200 feet from corner in both directions when site is redeveloped. 4) No exterior storage of materials, equipment, or construction vehicles.

Proposed Special Use: Allow building to be renovated for use of apartments, above or behind commercial and office uses in the same building.

Current Zoning of Adjacent Property:

North: L-I (Light Industrial)

South: RA-12 (Attached and detached residential max 12 units per acre)

East: P-I (Public Institutional)

West: L-I (Light Industrial)

The Future Development Plan designates the subject property as: Workplace Center: employment centers utilizing a mixture of industry, commercial, office, and high intensity residential, recommended zoning districts H-I, L-I, and P-D.

ZONING ANALYSIS

City Departments Reviews

Water and Sewer:

No comments.

Public Works:

No comments.

Gas:

No comments.

Electric:

No comments.

Fire:

The following uses allowed in the G-C district may pose a greater than normal safety risk to residents in apartments within the same building:

- Automotive garages
- Automotive and truck sales or rental
- Automotive specialty shops
- Automotive storage yards and wrecker service
- Boat sales and service
- Building supply companies
- Bus stations
- Car washes
- Heavy equipment contractors (no exterior storage of equipment, materials, construction vehicles)
- Dry cleaners
- Kennels
- Laboratories
- Repair garages, automotive
- Repair garages, heavy equipment
- Retail package stores (liquor)
- Truck stops
- Wildlife conservation park (SU).*

Cartersville Fire recommends that the special use permit be approved if the above uses are excluded and the limited use of Laboratories as allowed in the O-C district be allowed as follows:

- Laboratories (medical and dental).

Police:

No comments.

The subject tract is located at 100 Cook Street, at the intersection of Cook Street and S. Erwin Street. This property is approximately 4.64 acres and includes a large vacant industrial building constructed in the 1930s. This property was rezoned in 2002 from L-I to G-C with conditions. The applicant seeks a special use permit to allow Apartments, above or behind commercial and office uses in the same building.

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

Sec. 16.1. Scope and intent.

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

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

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

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

Sec. 16.2. Application of regulations and approval.

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

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

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

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

Sec. 16.3. Additional restrictions.

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

Sec. 16.4. Minimum special use standards.

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

A. *Allowable district:* P-S, M-U, N-C, DBD, O-C, and G-C.

B. *Standards:*

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

Staff review: The applicant proposes to comply with this standard.

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

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

Staff review: The applicant proposes to comply with this standard.

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

Staff review: The applicant proposes to comply with this standard.

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

Staff review: The applicant proposes to comply with this standard.

5. Commercial uses shall be limited to permitted uses in the P-S district plus Retail, general (excluding retail package stores (liquor), or other businesses having primarily sales of package beer and/or wine).

Staff review: The applicant has applied for a text amendment (T11-02) to delete this standard.

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

Staff review: The applicant proposes to comply with this standard.

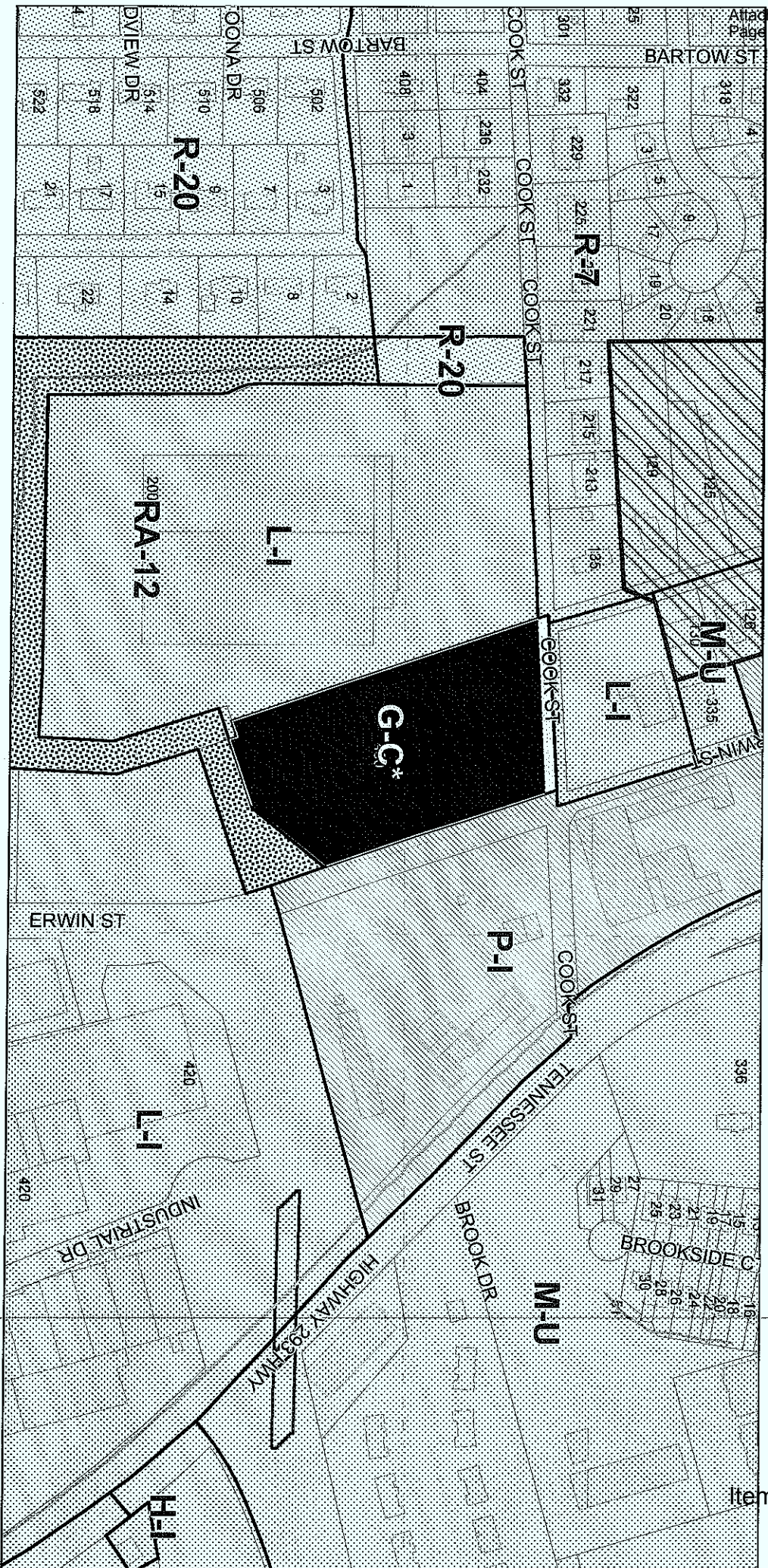
STAFF RECOMMENDATION: Planning & Development staff concurs with the recommendation of the Fire department to limit the allowed uses based on potential safety risk. Also, it may be appropriate to consider a maximum forty-nine (49) percent of the building to be used for apartments based on the underlying commercial zoning district. In general, however, staff is in favor of the building's renovation and mixed-use potential.

PLANNING COMMISSION RECOMMENDATION:

Recommend approval with the following conditions:

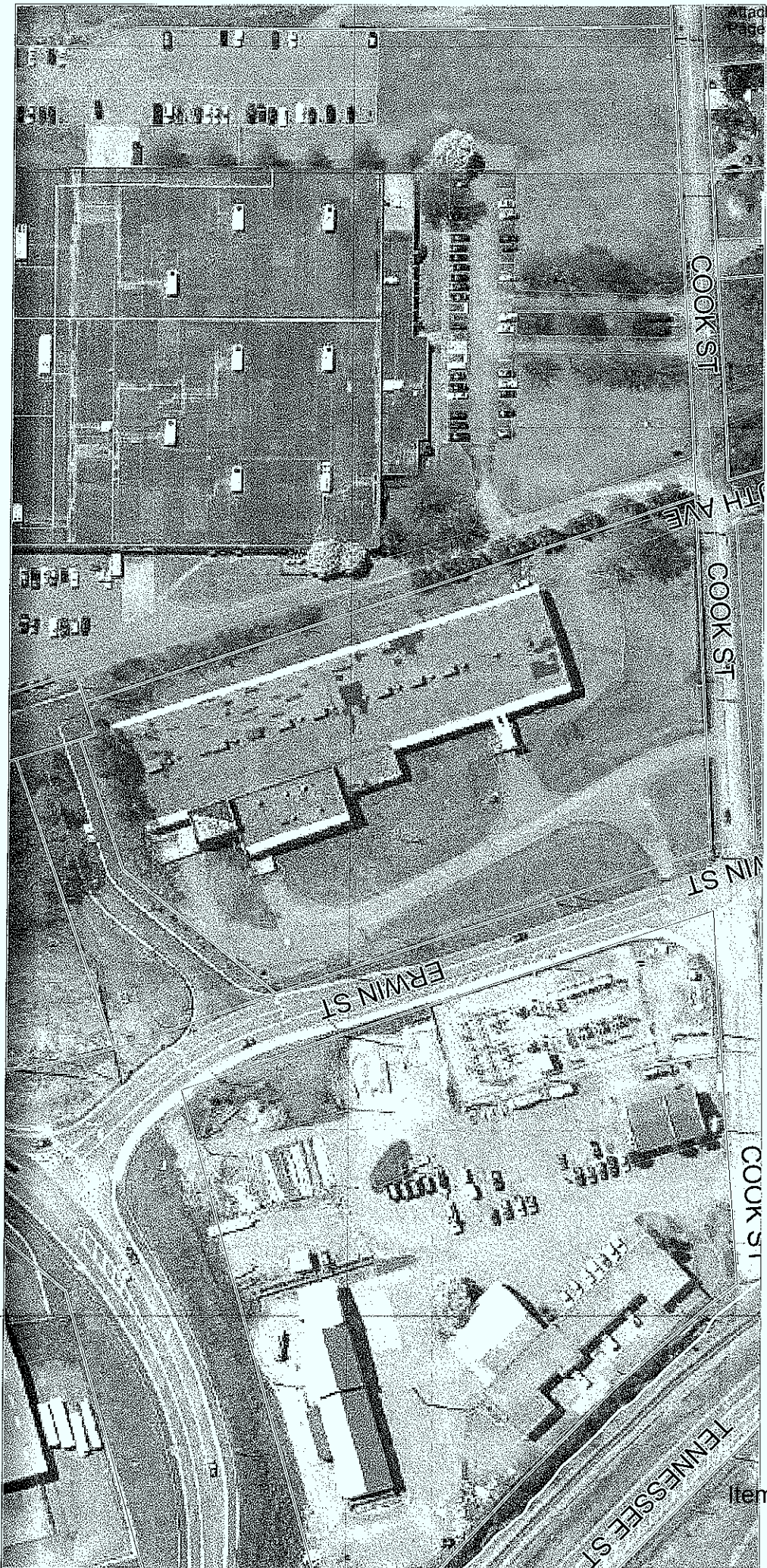
1. Allow the use of Laboratories (medical and dental) and exclude the following uses:
 - Automotive garages
 - Automotive specialty shops
 - Automotive storage yards and wrecker service
 - Boat sales and service
 - Building supply companies
 - Bus stations
 - Car washes
 - Heavy equipment contractors (no exterior storage of equipment, materials, construction vehicles)
 - Dry cleaners
 - Kennels
 - Laboratories
 - Repair garages, automotive
 - Repair garages, heavy equipment
 - Retail package stores (liquor)
 - Truck stops
 - Wildlife conservation park
2. Allow a maximum of forty-nine percent (49%) of the building to be used for residential purposes

100 Cook St - special use application SU11-04



100 Cook St - special use permit application SU11-04

Attachment number 1
Page 7 of 13



Item # 3



LEGAL DESCRIPTION

All that tract or parcel of land, with all improvements thereon, lying and being in the City of Cartersville, Bartow County, Georgia, said property being located on the Southwest corner of South Erwin Street and Cook Street and being bounded on the North by said Cook Street, on the West and South by lands known or formerly known as those of H. W. Leake, and on the East by South Erwin Street; and being the same property conveyed by Security Deed recorded in Deed Book 98, page 292, Clerk's Office Superior Court of Bartow County, Georgia, to Mrs. Dicksie B. Bandy, Mrs. Christine Bandy McCutchen and Burl J. Bandy, Jr., by second parties; first party hereby conveying to second parties all of her interest in the property described in said Security Deed, reference being hereby made to said Security Deed for a more complete description of said property.

BK: 2238 PG: 95

Exhibit "A"**TRACT ONE**

Beginning at an iron pipe at the southwest corner of South Erwin Street and Cook Street, running south 84 degrees 15 minutes west 293.0 feet along the south side of Cook Street to an iron pipe on the east side of South Avenue (Extended); thence south 20 degrees 30 minutes east 574.3 feet parallel to the west curb of South Erwin Street to a pipe in the field; thence north 69 degrees east 282.8 feet to an iron pipe 7 feet west of west curb of South Erwin Street; thence north 20 degrees 30 minutes west 500.00 feet parallel to west curb of South Erwin Street and 7 feet west thereof, to an iron pipe, point of beginning, said tract containing 3.489 acres, and bounded on the north by Cook Street, on the east by South Erwin Street, on the south by property of H. W. Leake, and on the west by property of H. W. Leake, said tract or parcel of land being the same which was conveyed by H. W. Leake to B. J. Bandy by deed recorded March 31, 1941, on pages 422 and 423 of Deed Book 77, Clerk's Office, Superior Court of Bartow County, Georgia.

Being the same property conveyed from Mrs. Dickie B. Bandy, Mrs. Christine Bandy McCutchen, and Burt J. Bandy, Jr. to Mrs. Dickie Bandy Tillman and David A. Tillman by Deed dated June 2, 1952, and recorded in Deed Book 98, pages 291 and 292, Clerk's Office, Superior Court of Bartow County, Georgia.

TRACT TWO

All that tract or parcel of land lying and being on the west side of South Erwin Street in the city of Cartersville, said county being more particularly described as follows: Beginning at a point on the west right of way line of South Erwin Street which beginning point is 506 feet south of the intersection of the west right of way line of South Erwin Street and the south right of way line of Cook Street and running thence south 18 degrees 25 minutes east along the west right of way line of South Erwin Street 75 feet to a point; thence south 70 degrees 14 minutes west 285 feet to the property known as that of Nantucket Lingerie, Inc.; thence north 19 degrees 40 minutes west 75 feet to a concrete marker; thence north 70 degrees 14 minutes east 286.6 feet to the beginning point. It being the intention of first party to convey to second party a strip of land across the north end of the property of first party 75 feet in width. Being the same property conveyed from T & L Warehouse, Inc. to David A. Tillman and Dickie B. Tillman by Deed dated June, 1971, and recorded in Deed Book 100, page 126, Clerk's Office, Superior Court of Bartow County, Georgia.

Also conveyed herewith are any and all rights David A. Tillman may have acquired by virtue of that certain deed from Mrs. Christine Bandy McCutchen to Mrs. Dickie Bandy Tillman and David A. Tillman recorded in Deed Book 100, page 388, Clerk's Office, Superior Court of Bartow County, Georgia; and any and all rights acquired in that certain deed from the City of Cartersville to David A. Tillman and Mrs. Dickie Bandy Tillman, dated December 5, 1953, and recorded in Deed book 100, page 536, Clerk's Office, Superior Court of Bartow County, Georgia.

LESS AND EXCEPT:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF CARTERSVILLE IN LAND LOT 884, OF THE 4TH DISTRICT, 3RD SECTION CONSISTING OF .534 ACRES AS SHOWN ON PLAT RECORDED IN PLAT BOOK 200, PAGE 112, OF THE BARTOW COUNTY, GEORGIA RECORDS, WHICH PLAT BY REFERENCE IS INCORPORATED HEREIN FOR A MORE COMPLETE DESCRIPTION OF THE PROPERTY.

Roadway

SPECIAL USE JUSTIFICATION

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

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

Use applied for: Apartment, above or behind commercial and office uses in same bldg

Standard #1: Dwelling unit(s) shall comply w/ all applicable City bldg and fire codes

How Standard #1 has / will be met:

Applicant will comply with standard

Standard #2:

Minimum Floor area for dwelling units: 3-bed 900 sqft, 2-bed 750 sqft, 1-bed 600 sqft, studio/loft 450 sqft

How Standard #2 has / will be met:

Applicant will comply with standards

Standard #3:

Minimum parking spaces: 2 spaces for each dwelling unit plus 3 spaces for each 1,000 sqft of commercial use

How Standard #3 has / will be met:

Applicant will comply with standards

Standard #4:

Parking lot outdoor lighting shall be directed away and shielded from residential above or behind commercial use and from abutting residential districts or use.

How Standard #4 has / will be met: Freestanding street light fixtures shall have a max height of 35 feet.

Applicant will comply with standards

Standard #5:

Commercial uses shall be limited to P-S district permitted uses plus Retail, general (excluding retail package stores (liquor) or other businesses having primarily sales of
How Standard #5 has / will be met: package beer and/or wine)

Applicant has applied for a text amendment (T11-02)
to eliminate this standard

Standard #6:

Sound-deadening construction materials and techniques should be used
and bedrooms should be oriented away from noise sources
How Standard #6 has / will be met:

Applicant will make efforts to adhere
to this guideline.

Standard #7:

How Standard #7 has / will be met:

ADDITIONAL COMMENTS BY APPLICANT:

Signed,


Applicant's or representative's name

9-15-11
Date

Ordinance
of the
City of Cartersville, Georgia

Ordinance No. 21-02

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that all that certain tract of land owned by Dicksie B. Tillman. Property is located at the southwest corner of S. Erwin Street and Cook Street. Said property contains 4.64 acres located in the 4th District, 3rd Section, Land Lots 527 and 554 as shown on the attached plat Exhibit "A". Property is hereby rezoned from L-I (Light Industrial) to G-C (General Commercial) with the following conditions. Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.

1. The existing fire sprinkler backflow preventer needs to be upgraded.
2. The existing northern entrance onto Erwin Street be closed.
3. An additional lane for 200 feet from the corner in both directions when this site is redeveloped.
4. No exterior storage of materials, equipment, or construction vehicles.

BE IT AND IT IS HEREBY ORDAINED.

ADOPTED this the 16th day of May 2002. First Reading
ADOPTED this the 6th day of June 2002. Second Reading.

/s/ _____
Michael G. Fields
Mayor

ATTEST:

/s/ _____
Sandra E. Cline
City Clerk



City of Cartersville

PLANNING AND DEVELOPMENT

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

File # **SU11-04**

DISCLOSURE OF INTERESTS BY LOCAL OFFICIAL

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

John Lewis has made a special use request on the following property: Approximately 4.64 acres located at 100 Cook Street in the 4th District, 3rd Section, Land Lots 527 and 554 to allow the the use of apartments, above or behind commercial and office uses in the same building.

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

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

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

TITLE: _____

DATE: _____



City of Cartersville

City Council Meeting

11/3/2011 7:00:00 PM

Approval of Capital Improvements Element Annual Update and Corresponding Transmittal Resolution

SubCategory:	Public Hearing
Department Name:	Planning & Development
Department Summary Recommendation:	As you are aware, Cartersville adopted Impact Fees in the last quarter of 2006. Said fees became effective starting in January of 2007. In accordance with the Development Impact Fee Regulations as outlined by the State, we are required to file an annual update to the Capital Improvements Element (CIE) of the Comprehensive Plan. The update gives the impact fee receipts and expenditures for fiscal year 2011 (July 1, 2010 through June 30, 2011). We are required to hold a public hearing regarding the update and forward it with a transmittal resolution to the Northwest Georgia Regional Commission (RC) and the Department of Community Affairs (DCA). After review from the RC and DCA, the document then needs to be adopted by the Council, and a copy sent to the RC (just like the Comp Plan process). At this time, the document is in "Draft" form and the final version will be distributed for review and comment prior to adoption.
City Manager's Remarks:	This needs to be adopted even though the fees are currently set at zero. Your approval of the update to the CIE of the Comprehensive Plan and transmittal resolution is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

Resolution No.

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

Capital Improvements Element

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

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

WHEREAS, the Capital Improvements Element Annual Update was prepared in accordance with the "Development Impact Fee Compliance Requirements" and the "Minimum Planning Standards and Procedures for Local Comprehensive Planning" adopted by the Board of Community Affairs pursuant to the Georgia Planning Act of 1989, and a duly advertised Public Hearing was held on November 3, 2011, at 7:00 P.M. in the City Council meeting room at Cartersville City Hall;

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

ADOPTED this the 3rd^h day of November 2011.

Matthew J. Santini
Mayor, City of Cartersville, Georgia

ATTEST:

Connie Keeling
City Clerk

Cartersville, GA		Annual Impact Fee Financial Report - Fiscal Year 2011							
Public Facility	Libraries	Fire Protection	Police	Parks & Recreation	Roads	Admin-istration	CIE Prep (recoupment)	TOTAL	
Impact Fee Fund Balance June 30, 2010	\$29,393.45	\$117,475.74	\$85,694.34	\$49,433.59	\$31,039.18	\$6,410.00	\$13,615.88	\$333,062.18	
Impact Fees Collected (July 1, 2010 through June 30, 2011)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Subtotal: Fee Accounts	\$29,393.45	\$117,475.74	\$85,694.34	\$49,433.59	\$31,039.18	\$6,410.00	\$13,615.88	\$333,062.18	
Interest Income July 1, 2010 through June 30, 2011	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
(Impact Fee Refunds)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
(Expenditures)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Impact Fee Fund Balance June 30, 2011	\$29,393.45	\$117,475.74	\$85,694.34	\$49,433.59	\$31,039.18	\$6,410.00	\$13,615.88	\$333,062.18	
Impact Fees Encumbered	\$0.00	\$117,475.74	\$85,694.34	\$49,433.59	\$31,039.18			\$283,642.85	

Public Facility: Library		City-wide							
Service Area:		Project Start Date	Project End Date	Local Cost of Project	Maximum Percentage of Funding from Impact Fees	Maximum Funding Possible from Impact Fees	Impact Fees Expended	Impact Fees Encumbered	Status/Remarks
Project Description									
Collection Materials		2007	2007	\$117,492.02	97.4%	\$114,429.35	\$0.00	\$0.00	Delayed from 2007
Collection Materials		2008	2008	\$69,321.54	97.4%	\$67,516.99	\$0.00	\$0.00	
Collection Materials		2009	2009	\$71,527.08	97.4%	\$69,664.32	\$0.00	\$0.00	
Collection Materials		2010	2010	\$73,485.48	97.4%	\$71,564.73	\$29,393.45	\$0.00	
Collection Materials		2011	2011	\$76,177.57	97.4%	\$74,198.35	\$0.00	\$0.00	
Collection Materials		2012	2012	\$78,377.17	97.4%	\$76,339.89	\$0.00	\$0.00	
Collection Materials		2013	2013	\$80,819.77	97.4%	\$78,724.32	\$0.00	\$0.00	
Collection Materials		2014	2014	\$83,780.63	97.4%	\$81,597.59	\$0.00	\$0.00	
Collection Materials		2015	2015	\$85,728.23	97.4%	\$83,487.48	\$0.00	\$0.00	
Collection Materials		2016	2016	\$89,175.01	97.4%	\$86,846.43	\$0.00	\$0.00	
Collection Materials		2017	2017	\$91,608.34	97.4%	\$89,221.83	\$0.00	\$0.00	
Collection Materials		2018	2018	\$94,529.75	97.4%	\$92,085.01	\$0.00	\$0.00	
Collection Materials		2019	2019	\$97,723.71	97.4%	\$95,191.53	\$0.00	\$0.00	
Collection Materials		2020	2020	\$100,669.73	97.4%	\$98,050.34	\$0.00	\$0.00	
Collection Materials		2021	2021	\$104,103.45	97.4%	\$101,396.58	\$0.00	\$0.00	
Collection Materials		2022	2022	\$106,768.72	97.4%	\$104,004.08	\$0.00	\$0.00	
				\$1,421,288.21		\$1,384,318.81	\$29,393.45	\$0.00	

Public Facility: Fire Protection		City-wide							
Service Area:		Project Start Date	Project End Date	Local Cost of Project	Maximum Percentage of Funding from Impact Fees	Maximum Funding Possible from Impact Fees	Impact Fees Expended	Impact Fees Encumbered	Status/Remarks
Project Description									
New Station 4 (7,000 sf)		2007	2008	\$1,120,000.00	97.3%	\$1,089,585.42	\$0.00	n/a	To be paid by Carter Grove through agreement
Station 1 Relocation (15,000 sf)		2010	2011	\$2,625,000.00	3.3%	\$87,500.00	\$0.00	\$117,475.74	
Station 3 Relocation (7,000 sf)		2015	2016	\$1,225,000.00	14.3%	\$175,000.00	\$0.00	\$0.00	
New Station 5 (7,000 sf)		2021	2022	\$1,365,000.00	100.0%	\$1,365,000.00	\$0.00	\$0.00	
Heavy Vehicle		2007	2007	\$275,000.00	100.0%	\$275,000.00	\$0.00	\$0.00	Delayed from 2007
Heavy Vehicle		2007	2007	\$750,000.00	100.0%	\$750,000.00	\$0.00	\$0.00	Delayed from 2007
Heavy Vehicle		2021	2021	\$275,000.00	100.0%	\$275,000.00	\$0.00	\$0.00	
				\$7,635,000.00		\$4,017,085.42	\$0.00	\$117,475.74	

Public Facility: Police Department

Service Area: City-wide								
	Project Start Date	Project End Date	Local Cost of Project	Maximum Percentage of Funding from Impact Fees	Maximum Funding Possible from Impact Fees	Impact Fees Expended	Impact Fees Encumbered	Status/Remarks
Facility Space (8,400 sf)	2018	2019	\$1,470,000.00	99.4%	\$1,460,950.20	\$0.00	\$85,694.34	
			\$1,470,000.00		\$1,460,950.20	\$0.00	\$85,694.34	

Public Facility: Parks & Recreation								
Service Area:		City-wide						
	Project Start Date	Project End Date	Local Cost of Project	Maximum Percentage of Funding from Impact Fees	Maximum Funding Possible from Impact Fees	Impact Fees Expended	Impact Fees Encumbered	Status/Remarks
Project Description								
Future Park A (50 acres)	2012	2012	\$1,500,000.00	100.0%	\$1,500,000.00	\$0.00		
Future Park B (50 acres)	2018	2018	\$1,500,000.00	100.0%	\$1,500,000.00	\$0.00		
3 Track/Trails	see	remarks	\$690,000.00	96.7%	\$667,000.00	\$0.00	\$49,433.59	start date tba
2 Tennis Courts	see	remarks	\$100,460.06	100.0%	\$100,460.06	\$0.00		start date tba
2 Playgrounds	see	remarks	\$320,000.00	100.0%	\$320,000.00	\$0.00		start date tba
			\$4,110,460.06		\$4,087,460.06	\$0.00	\$49,433.59	

Public Facility: Road Improvements								
Service Area:		City-wide						
Project Description	Project Start Date	Project End Date	Local Cost of Project	Maximum Percentage of Funding from Impact Fees	Maximum Funding Possible from Impact Fees	Impact Fees Expended	Impact Fees Encumbered	Status/Remarks
	tba	tba	\$750,000.00	100.0%	\$750,000.00	\$0.00	n/a	To be paid by Carter Grove through agreement
	tba	tba	\$166,600.00	50.0%	\$83,300.00	\$0.00	\$31,039.18	
	tba	tba	\$498,225.00	100.0%	\$498,225.00	\$0.00		
			\$1,414,825.00		\$1,331,525.00	\$0.00	\$31,039.18	

Year	Total Collection Materials Demanded	Collection Materials Purchased
2007	3,990	
2008	2,382	
2009	2,457	
2010	2,525	
2011	2,617	
2012	2,693	
2013	2,777	
2014	2,878	
2015	2,946	
2016	3,064	
2017	3,148	
2018	3,248	
2019	3,358	
2020	3,459	
2021	3,577	
2022	3,669	
Total	48,787	0

Impact Fee Surcharges								
Year of Collection	CIE Prep Collections	CIE Prep Expenditures	CIE Prep Balance	Admin Collections	Interest Accrued	Subtotal - Admin	Admin Expenditures	Admin Balance
			(\$78,060.00)					
2007	\$3,830.92	\$0.00	(\$78,060.00)	\$2,826.69	\$23.56	\$2,850.25	\$0.00	\$2,850.25
2008	\$7,788.91	\$0.00	(\$78,060.00)	\$5,696.96	\$98.02	\$5,794.98	\$0.00	\$8,645.23
2009	\$1,585.35	\$0.00	(\$78,060.00)	\$1,179.47	\$346.62	\$1,526.09	\$4,100.00	\$6,071.32
2010	\$410.70	\$0.00	(\$78,060.00)	\$305.58	\$33.30	\$338.88	\$0.00	\$6,410.20
2011	\$0.00	\$0.00	(\$78,060.00)	\$0.00	\$0.00	\$0.00	\$0.00	\$6,410.20
2012								
2013								
2014								
2015								
2016								
2017								
2018								
2019								
2020								
2021								
2022								
2023								
2024								
2025								
2026								
	\$13,615.88	\$0.00		\$10,008.70	\$501.50	\$10,510.20	\$4,100.00	

Draft

Capital Improvements Element 2012 Annual Update:

Financial Report & Short Term Work Program

City of Cartersville, GA
AS ADOPTED _____, 2012

This Capital Improvements Element Annual Update has been prepared based on the rules and regulations pertaining to impact fees in Georgia, as specified by the Development Impact Fee Act (DIFA) and the Department of Community Affairs (DCA) documents Developments Impact Fee Compliance Requirements and Standards and Procedures for Local Comprehensive Planning. These three documents dictate the essential elements of an Annual Update, specifically the inclusion of a financial report and a schedule of improvements.

According to the Compliance Requirements, the Annual Update:

“must include: 1) the Annual Report on impact fees required under O.C.G.A. 36-71-8; and 2) a new fifth year schedule of improvements, and any changes to or revisions of previously listed CIE projects, including alterations in project costs, proposed changes in funding sources, construction schedules, or project scope.” (Chapter 110-12-2-03(2)(c))

This Annual Update itself is based on the Cartersville Capital Improvements Element, as adopted by the City in October, 2006.

Financial Report

The Financial Report included in this document is based on the requirements of DIFA, specifically:

“As part of its annual audit process, a municipality or county shall prepare an annual report describing the amount of any development impact fees collected, encumbered, and used during the preceding year by category of public facility and service area.” (O.C.G.A. 36-71-8(d)(1))

The required financial information for each public facility category appears in the main financial table (page 3); service area designations appear in the project tables that follow (pages 4 through 6).

The City’s fiscal year runs from July 1 to June 30.

Schedule of Improvements

In addition to the financial report, the City has prepared a five-year schedule of improvements—a short term work program (STWP)—as specified in the Compliance

Requirements (Chapter 110-12-2-.03(2)(c)), which states that local governments that have a CIE must “update their entire Short Term Work Programs annually.”¹

According to DCA’s requirements,² the STWP must include:

- A brief description of the activity;
- Timeframe for undertaking the activity;
- Responsible party for implementing the activity;
- Estimated cost (if any) of implementing the activity; and,
- Funding source(s), if applicable.

All of this information appears in the Short Term Work Program portion of this document, beginning on page 7.

¹ Note that the Compliance Requirements specify that the short term work program is to meet the requirements of Chapter 110-12-1-.04(7)(a), which is a reference to the STWP requirements in a previous version of the Standards and Procedures for Local Comprehensive Planning. The correct current description of a STWP is found at Chapter 110-12-1-.05(2)(c)(i).

² Chapter 110-12-1-.05(2)(c)(i).

IMPACT FEES FINANCIAL REPORT – CITY OF CARTERSVILLE, GA
Fiscal Year 2011

Cartersville, GA	Annual Impact Fee Financial Report - Fiscal Year 2011							
Public Facility	Libraries	Fire Protection	Police	Parks & Recreation	Roads	Admin-istration	CIE Prep (recoupment)	TOTAL
Impact Fee Fund Balance June 30, 2010	\$29,393.45	\$117,475.74	\$85,694.34	\$49,433.59	\$31,039.18	\$6,410.00	\$13,615.88	\$333,062.18
Impact Fees Collected (July 1, 2010 through June 30, 2011)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Subtotal: Fee Accounts Interest Income July 1, 2010 through June 30, 2011	\$29,393.45	\$117,475.74	\$85,694.34	\$49,433.59	\$31,039.18	\$6,410.00	\$13,615.88	\$333,062.18
(Impact Fee Refunds)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
(Expenditures)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Impact Fee Fund Balance June 30, 2011	\$29,393.45	\$117,475.74	\$85,694.34	\$49,433.59	\$31,039.18	\$6,410.00	\$13,615.88	\$333,062.18
Impact Fees Encumbered	\$0.00	\$117,475.74	\$85,694.34	\$49,433.59	\$31,039.18			\$283,642.85

Public Facility: Library									
Service Area: City-wide									
Project Description	Units	Project Start Date	Project End Date	Local Cost of Project	Maximum Percentage of Funding from Impact Fees	Maximum Funding Possible from Impact Fees	Impact Fees Expended	Impact Fees Encumbered	Status/Remarks
Collection Materials	3,990	2007	2007	\$117,492.02	97.4%	\$114,429.35	\$0.00	\$53,611.09	Delayed from 2007
Collection Materials	2,382	2008	2008	\$69,321.54	97.4%	\$67,516.99	\$0.00		Delayed from 2008
Collection Materials	2,457	2009	2009	\$71,527.08	97.4%	\$69,664.32	\$0.00		
Collection Materials	2,525	2010	2010	\$73,485.48	97.4%	\$71,564.73	\$0.00		
Collection Materials	2,617	2011	2011	\$76,177.57	97.4%	\$74,198.35	\$0.00		
Collection Materials	2,693	2012	2012	\$78,377.17	97.4%	\$76,339.89	\$0.00		
Collection Materials	2,777	2013	2013	\$80,819.77	97.4%	\$78,724.32	\$0.00		
Collection Materials	2,878	2014	2014	\$83,780.63	97.4%	\$81,597.59	\$0.00		
Collection Materials	2,946	2015	2015	\$85,728.23	97.4%	\$83,487.48	\$0.00		
Collection Materials	3,064	2016	2016	\$89,175.01	97.4%	\$86,846.43	\$0.00		
Collection Materials	3,148	2017	2017	\$91,608.34	97.4%	\$89,221.83	\$0.00		
Collection Materials	3,248	2018	2018	\$94,529.75	97.4%	\$92,085.01	\$0.00		
Collection Materials	3,358	2019	2019	\$97,723.71	97.4%	\$95,191.53	\$0.00		
Collection Materials	3,459	2020	2020	\$100,669.73	97.4%	\$98,050.34	\$0.00		
Collection Materials	3,577	2021	2021	\$104,103.45	97.4%	\$101,396.58	\$0.00		
Collection Materials	3,669	2022	2022	\$106,768.72	97.4%	\$104,004.08	\$0.00		
	48,787			\$1,421,288.21		\$1,384,318.81	\$0.00	\$53,611.09	

Public Facility: Fire Protection									
Service Area: City-wide									
Project Description	Units	Project Start Date	Project End Date	Local Cost of Project	Maximum Percentage of Funding from Impact Fees	Maximum Funding Possible from Impact Fees	Impact Fees Expended	Impact Fees Encumbered	Status/Remarks
New Station 4 (square feet)	7,000	2008	2012	\$1,120,000.00	97.3%	\$1,089,585.42	\$0.00	n/a	To be paid by Carter Grove through agreement
Station 1 Relocation (square feet)	15,000	2010	2012	\$2,625,000.00	3.3%	\$87,500.00	\$0.00	\$87,500.00	
Station 3 Relocation (square feet)	7,000	2015	2016	\$1,225,000.00	14.3%	\$175,000.00	\$0.00	\$25,497.77	
New Station 5 (square feet)	7,000	2021	2022	\$1,365,000.00	100.0%	\$1,365,000.00	\$0.00		
Heavy Vehicle	1	2011	2012	\$275,000.00	100.0%	\$275,000.00	\$0.00		Delayed from 2007
Heavy Vehicle	1	2020	2021	\$750,000.00	100.0%	\$750,000.00	\$0.00		Delayed from 2007
Heavy Vehicle	1	2021	2021	\$275,000.00	100.0%	\$275,000.00	\$0.00		
				\$7,635,000.00		\$4,017,085.42	\$0.00	\$112,997.77	

Public Facility: Police Department									
Service Area: City-wide									
Project Description	Units	Project Start Date	Project End Date	Local Cost of Project	Maximum Percentage of Funding from Impact Fees	Maximum Funding Possible from Impact Fees	Impact Fees Expended	Impact Fees Encumbered	Status/Remarks
Facility Space (square feet)	8,400	2018	2019	\$1,470,000.00	99.4%	\$1,460,950.20	\$0.00	\$82,427.82	
				\$1,470,000.00		\$1,460,950.20	\$0.00	\$82,427.82	

Public Facility: Parks & Recreation									
Service Area: City-wide									
Project Description	Units	Project Start Date	Project End Date	Local Cost of Project	Maximum Percentage of Funding from Impact Fees	Maximum Funding Possible from Impact Fees	Impact Fees Expended	Impact Fees Encumbered	Status/Remarks
Future Park A (acres)	50	2012	2012	\$1,500,000.00	100.0%	\$1,500,000.00	\$0.00		
Future Park B (acres)	50	2018	2018	\$1,500,000.00	100.0%	\$1,500,000.00	\$0.00		
Track/Trails	3	see	remarks	\$690,000.00	96.7%	\$667,000.00	\$0.00	\$48,921.77	start date tba
Tennis Courts	2	see	remarks	\$100,460.06	100.0%	\$100,460.06	\$0.00		start date tba
Playgrounds	2	see	remarks	\$320,000.00	100.0%	\$320,000.00	\$0.00		start date tba
				\$4,110,460.06		\$4,087,460.06	\$0.00	\$48,921.77	

Public Facility: Road Improvements									
Service Area: City-wide									
Project Description	Units	Project Start Date	Project End Date	Local Cost of Project	Maximum Percentage of Funding from Impact Fees	Maximum Funding Possible from Impact Fees	Impact Fees Expended	Impact Fees Encumbered	Status/Remarks
Douthitt Ferry (widening)	n/a	tba	tba	\$750,000.00	100.0%	\$750,000.00	\$0.00	\$29,856.02	
Terrell Drive (turn lane)	n/a	tba	tba	\$166,600.00	50.0%	\$83,300.00	\$0.00		
Center Road (widening)	n/a	tba	tba	\$498,225.00	100.0%	\$498,225.00	\$0.00		
				\$1,414,825.00		\$1,331,525.00	\$0.00	\$29,856.02	

2011-2015 SHORT TERM WORK PROGRAM - CITY OF CARTERSVILLE, GA

Project Description	2012					13	14	15	16	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
Economic Development												
Continue to participate in the Bartow-Cartersville Joint Development Authority (BCJDA), and implement applicable components of the Economic Development Strategy.	X		X	X	X	X				n/a	General Fund	City Council
Support the redevelopment of industrial sites through low interest loans and investigate Brownfield redevelopment grants and programs	X		X	X	X	X				n/a	EDA Budget	BCJDA
Review and consider all available economic development programs as resources for redevelopment, housing development and economic development incentive activities. Publicize the availability of these programs to the public	X		X	X	X	X				n/a	EDA Budget	BCJDA
Promote sports and heritage-based tourism. Create an entertainment attraction such as a forum or coliseum.	X		X	X	X	X				unknown	EDA Budget, General Fund	BCJDA, City Council
Continue alliance with the County through the BCJDA, to develop the "Class A" Business/Industrial Park on the north side, called Highland 75.	X		X	X	X	X				variable	EDA Budget, General Fund	BCJDA, City Council
Adopt programs and provide services, particularly education and recreation programs, which assist the Hispanic population in participating more fully in the workforce and as active members of the community.	X		X	X	X	X				n/a	General Fund	City Council
Coordinate with Chattahoochee Technical College and Georgia Highlands College for specialized job training venues.	X		X	X	X	X				n/a	General Fund	BCJDA

Short Term Work Program

Project Description	2012	13	14	15	16	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
Continue to work with the Downtown Development Authority in the redevelopment of properties and attraction of businesses in the downtown. Retail recruitment through Cartersville Electric contracted recruitment services	X	X	X	X	X	n/a	DDA Budget, General Fund	Downtown Development Authority, City Council, Cartersville Electric
Consider the establishment of an Urban Redevelopment Agency	X					n/a	General Fund	City Council
Leake Street and S. Museum Dr. improvements: sidewalks, lighting, signage, wrought iron fencing along S. Museum Dr.			X			Unknown	SPLOST, grants	Downtown Development Authority, City Council, Public Works
Covered performance pavilion at Friendship Plaza		X	X			\$140,000	DDA Budget, General Fund, grants	Downtown Development Authority, City Council
Market downtown as a destination specialty shops, restaurants and museums to draw people downtown	X	X	X	X	X	variable	DDA Budget, General Fund	Downtown Development Authority, City Council, Cartersville Bartow CVB

Natural and Historic Resources

Develop a greenspace plan and yearly acquisition goals and establish a dedicated greenspace acquisition fund		X				n/a	General Fund	City Council, Parks Dept.
Revise the Landscape Ordinance to protect specimen trees, conserve the tree canopy, and promote urban forest practices on City owned properties.	X	X				\$8,500	General Fund	City Council, Planning
Establish a comprehensive natural resources inventory database		X				\$12,000	General Fund	GIS

Project Description	2012	13	14	15	16	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
Consider requiring an Environmental Checklist as part of the approval process. Develop an Environmental Checklist, utilizing DCA example. Develop check-off sheets that builders are to fill out on a weekly basis regarding the process of development	X					n/a	General Fund	Engineering
Continue to monitor the status of inventoried historic structures and properties located outside of the protected historic districts	X	X	X	X	X	n/a	General Fund	City Council, Planning,
Continue to support the restoration of original historic facades and buildings. Review and consider all available funding resources for historic preservation.	X	X	X	X	X	n/a	Grants, Private development	City Council, Planning
Develop standards for a variety of public civic spaces which may take the form of open/conservation areas, greenways, parks, greens, squares and plazas			X	X		unknown	General Fund	Planning, Engineering

Community Facilities

Develop a 5-Year Capital Improvements Plan, which includes a schedule and budget for new facilities, maintenance and operation expenses, and a replacement plan for aging infrastructure within the City, based on adopted population and employment forecasts, Character Areas and Levels of Service	X	X	X	X	X	n/a	General Fund	City Council
Review and develop a comprehensive Infrastructure-Financing Plan. Ensure that new development pays its fair share of infrastructure costs	X	X	X	X	X	n/a	General Fund	City Council
Develop a 5-year Service District Plan to ensure adequate personnel and maintenance funds are in place for appropriate level of service requirements	X	X				n/a	General Fund	City Council
Require a traffic impact study if the trips generated from a proposed developed will impact the adjacent road system	X	X	X	X	X	n/a	General Fund	City Council, Developer (applicant)

Project Description	2012	13	14	15	16	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties

Engineering

Develop a long-range comprehensive transportation plan, including adopting a street connectivity ordinance and a pedestrian and bikeway plan.			X			\$40,000	General Fund	City Council, Engineering, Planning
Review codes to increase pedestrian safety and accessibility by developing specific roadway types and pedestrian related facilities by Character Area. Require all new road improvements to provide sidewalks and bike lanes	X	X	X	X	X	n/a	General Fund	City Council, Engineering, Planning

Public Works

Retrofit ADA requirements on all sidewalks	X	X	X	X	X	\$20,000/year	General Fund	City Council, Public Works
Review utility location specifications and current regulations to utilize and enhance the public right of way, and to ensure spatial alignment of pedestrian areas and landscaping	X					n/a	General Fund	Public Works
City-wide road projects - milling and resurfacing	X	X	X	X	X	\$100,000/year	SPLOST	Public Works
Intersection and road safety improvements	X	X	X	X	X	\$55,000/year	SPLOST	Public Works
Mission Road widening – Apachee Trail to Charles Street					X	\$3,000,000	SPLOST	Public Works
Airport Instrument Landing System	X	X				\$1,100,000	SPLOST	CMO
Douthitt Ferry Rd. improvements – road widening from SR 61/113 to Old Alabama Rd. (4 lane with median)(Engineering & Right-of-way)	X	X	X	X	X	\$900,000	SPLOST (Const. GDOT & FHWA)	Public Works

Short Term Work Program

Project Description	2012	13	14	15	16	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
Sugar Valley Rd. at Nancy Creek – new bridge	X	X	X			\$1,025,000	SPLOST	Public Works
Sugar Valley Rd. at Burnt Hickory Rd. – intersection improvement	X	X	X		X	\$700,000	SPLOST	Public Works
Grassdale Rd. – road improvements from US 41 to SR 293				X	X	\$800,000	SPLOST, County	Public Works
Equipment replacement	X	X	X	X	X	variable	General Fund	Public Works
Various road resurfacing, sidewalk and shoulder improvements city-wide	X	X	X	X	X	variable	SPLOST	Public Works

Stormwater Division

Complete the storm drainage improvements in the North Towne Revitalization Area			X	X	X	\$20,000/year	General Fund, User Fees	Stormwater Division
Redirect stormwater flows at Woodland Dr.			X			unknown	General Fund, User Fees	Stormwater Division
Replace stormwater pipe at Terrell Heights			X			\$35,000	General Fund, User Fees	Stormwater Division
Replace multi-barrel pipes at Wansley Dr.	X					\$40,000	General Fund, User Fees	Stormwater Division
Construct concrete ditch bottom at South Erwin, north of Old Mill Rd.				X		\$62,000	General Fund, User Fees	Stormwater Division

Short Term Work Program

Project Description	2012	13	14	15	16	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
Increase stormwater capacity at Etowah Dr.				X		unknown	General Fund, User Fees	Stormwater Division
Increase stormwater capacity at Indian Tr. And Pine Grove				X		unknown	General Fund, User Fees	Stormwater Division
Replace stormwater pipe and structures at Douglas St. and M.L. King	X					\$50,000	General Fund, User Fees	Stormwater Division
Construct north side pipe and ditch at Sugar Valley Rd.				X		\$60,000	General Fund, User Fees	Stormwater Division
Bore under JFH Pkwy. for stormwater service		X				\$125,000	General Fund, User Fees	Stormwater Division
Stabilize ditch from Tennessee St. to Jones Mill Rd.			X			\$25,000	General Fund, User Fees	Stormwater Division

Fire Department

Analyze current services and locational aspects of police, fire, libraries and medical services to determine appropriate densities in appropriate locations.	X	X	X	X	X	n/a	General Fund	City Council, Fire and Police Departments
New Fire Station #4		X				\$1,120,000	Developer Agreement, General Fund	Fire Department, Developer
Fire Station #1 relocation		X				\$2,625,000	3% Impact Fees, General Fund	Fire Department

Short Term Work Program

Project Description	2012	13	14	15	16	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
Purchase 2 fire trucks (1 with Jaws of Life)			X			\$1,025,000	100% Impact Fee	Fire Department
Construct Fire Training Center	X					\$2,000,000	General Fund	Fire Department

Police Department

Replace police patrol units	X	X	X	X	X	\$180,000/year	General Fund	Police Department
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Library

Collection Materials	X	X	X	X	X	\$552,438	97% Impact Fees, General Fund	Library
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Parks & Recreation

Purchase northside park land		X				\$1,500,000	100% Impact Fees, SPLOST	Parks and Recreation
Sam Smith Park development	X	X	X	X	X	variable	General Fund	Parks and Recreation
Replace AC Unit at Dellinger Concession #1			X			\$4,500	General Fund	Parks and Recreation
Replace light poles and lighting fixtures (Dellinger Softball Field 1)		X	X			\$90,000	General Fund	Parks and Recreation
Minor renovation of Dellinger Park Pool		X	X			\$75,000	General Fund	Parks and Recreation
Renovation of Dellinger Park office		X	X			\$20,000	General Fund	Parks and Recreation

Short Term Work Program

Project Description	2012	13	14	15	16	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
Component playsystem at Dellinger Park Softball fields				X		\$24,000	70% Impact Fees, General Fund	Parks and Recreation
Trail – Pettit Creek Trail, Phase II				X		\$297,000	Ga. Trail Grant, General Fund	Parks and Recreation
Trail – Pettit Creek Trail, Phase III					X	\$350,000	Ga. Trail Grant, General Fund	Parks and Recreation
Trail – Leake Mounds / Etowah riverbank	X	X				\$900,000	TE Grant, General Fund	Parks and Recreation
Implement the Parks and Recreation Master Plan	X	X	X	X	X	n/a	Impact Fees, General Fund	Parks and Recreation

School System

Develop a school expansion plan based on adopted forecasts of population which coordinates new facilities and residential permits.	X					n/a	School Board	Cartersville School System
Identify a school site and construction funds for a new primary school to support the Carter Grove development.	X					n/a	School Board	Cartersville School System
Create increased walking, biking and school bus usage in the schools through active promotion and marketing, such as Fridays “walk to school day”, special activities and treats for bus riders, etc. Promote the GA DOT “Human Bus” program;	X	X	X	X	X	n/a	School Board, General Fund	Cartersville School System, Engineering

Electrical Utilities

Short Term Work Program

Project Description	2012	13	14	15	16	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
Require a utility capacity analysis if a proposed development will severely impact adjacent or system-wide capacity	X	X	X	X	X	n/a	General Fund	City Council, Developer (applicant)
Highland 75 Line Phase 1 – construct power line across Interstate 75 to serve new Highland 75 Industrial Park		X				\$1,000,000	Electric Revenue	Electric Utility
Highland 75 Line Phase 2 – construct power line on Cass-White Rd. to serve new Highland 75 Industrial Park			X			\$1,000,000	Electric Revenue	Electric Utility
Highland 75 Line Phase 3 – construct power line along Highland 75 Parkway (Zion Rd.) to serve new Highland 75 Industrial Park				X		\$1,000,000	Electric Revenue	Electric Utility
South Tie Line Phase 3 – construct power line on Hwy 113 from airport to Browns Farm Road substation					X	\$2,000,000	Electric Revenue	Electric Utility
Utility relocation for DOT projects	X	X	X	X	X	Variable	Electric Revenue	Electric Utility
Main Street overlay district underground project		X				\$2,000,000	SPLOST, Electric Revenue	Electric Utility
Gas Utilities								
Extend 6" gas main from SR 20 to Center Rd.	X	X				\$1,000,000	General Fund, User Fees	Gas Utility

Water & Sewer Department

Project Description	2012	13	14	15	16	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
Sewer line – 8" line replacement on Etowah Dr. to West Ave.	X					\$2,000,000	General Fund, User Fees	Water & Sewer Department
Sewer line – 30" new line on Tennessee St. to Jones Mill Rd.	X					\$2,000,000	General Fund, User Fees	Water & Sewer Department
Sewer line – upgrade sewer line and pump station along I-75 to 36" interceptor at Chemical Products	X					\$1,000,000	General Fund, User Fees	Water & Sewer Department
Replace sewer along Petit Creek	X					\$1,850,000	General Fund, User Fees	Water & Sewer Department
Sewer line – 18" line replacement Highway 41 to Pine Vista	X					\$1,000,000	General Fund, User Fees	Water & Sewer Department
Sewer line – 8" upgrade on Jones Mill	X					\$2,000,000	General Fund, User Fees	Water & Sewer Department
Continue loop of City with 36" line from Old Mill to Mission Rd.			X			\$4,000,000	General Fund, User Fees	Water & Sewer Department
Water line – 10" replacement on Cassville Rd. to Cherokee on Erwin Street	X					\$450,000	General Fund, User Fees	Water & Sewer Department
Water meter change out	X	X	X	X	X	\$600,000/year	General Fund, User Fees	Water & Sewer Department
Install sodium hypochlorite at water plant	X					\$525,000	General Fund, User Fees	Water & Sewer Department

Project Description	2012	13	14	15	16	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
Water line – Center Rd to Main Street	X					\$500,000	General Fund, User Fees	Water & Sewer Department
Nutrient removal upgrade at waste water treatment plant	X	X				\$25,000,000	General Fund, User Fees	Water & Sewer Department
Upgrade Water Treatment Plant to 33 MGD	X					\$10,000,000	General Fund, User Fees	Water & Sewer Department
Consideration of reducing water & sewer capacity fees by 50% for a portion of the current year.	X					n/a	n/a	Council, Water & Sewer Department

Housing

Actively pursue opportunities with the Etowah Area Consolidated Housing Authority as a partner in the creation of affordable housing	X	X	X	X	X	n/a	Housing Authority Budget	Housing Authority
Proactively pursue opportunities for partnerships with non-profit agencies in the creation of affordable housing opportunities	X	X	X	X	X	n/a	General Fund	City Council
Promote homeownership. Continue to pursue down payment and closing cost assistance through organization of CHIP initiatives with the assistance of the Housing and Development Authority of Bartow County and the Etowah Area Consolidated Housing Authority	X	X	X	X	X	n/a	General Fund	Planning
Continue the CHIP home buyer education program.	X	X	X	X	X	n/a	General Fund	City Council
Increase code enforcement within targeted neighborhoods of the City	X	X	X	X	X	n/a	General Fund	Planning

Project Description	2012	13	14	15	16	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
Investigate potential programs to assist with maintenance and rehabilitation and make information on these programs available to its residents	X	X	X	X	X	n/a	General Fund	Planning
Work with the Police Department to address crime concerns in selected neighborhoods	X	X	X	X	X	variable	General Fund	Police Dept
Continue to implement the mechanisms in place to foster the development of alternative forms of housing, such as mixed-use zoning, overlay districts, supplemented by the Character Area objectives and design guidelines	X	X	X	X	X	n/a	General Fund	City Council, Planning
Consider adopting density bonus provisions for residential in any Character Area promoting mixed-use structures, or a mix of uses including residential	X	X				n/a	General Fund	City Council, Planning
Support the initiatives, projects and activities developed through the Georgia Initiative for Community Housing committee.	X	X	X	X	X	n/a	General Fund	City Council
Identify sites appropriate for senior housing alternatives	X	X				n/a	General Fund	Planning, GIS

Land Use

Update land use and zoning maps	X	X	X	X	X	\$3,000/year	General Fund	Planning, GIS
Review and revise development ordinances to create new districts and adjust existing districts to support the intent and implementation of the Character Areas, and ensure that development regulations are aligned with the guiding principles and policies of the CP	X	X	X	X	X	n/a	General Fund	City Council, Planning
Revise the Future Development Map to accommodate additional mixed-use developments with residential components and areas of higher density residential.			X			\$10,000	General Fund	Planning, GIS

Short Term Work Program

Project Description	2012	13	14	15	16	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
Revise development ordinances to reflect quality growth standards such as signs, landscaping and architectural design	X					\$20,000	General Fund	City Council, Planning
Revise the sign ordinance to reduce visual clutter	X	X				\$8,000	General Fund	City Council, Planning
Develop master planning for each Character Area, and specific architectural design standards for Character Areas where appropriate			X			\$22,000	General Fund	City Council, Planning
Identify strategies and recommended improvements as outlined in portions of the draft 2007 Urban Redevelopment Plan for: North Towne and Tennessee Street Corridor; Greater Downtown; Historic Residential; North Erwin Street; ATCO-Goodyear Village		X	X	X		n/a	General Fund	City Council, Planning
Continue the efforts of the North Towne Revitalization Task Force to develop a long-range revitalization plan	X	X	X	X	X	n/a	General Fund	City Council, Planning, NTRTF
Refine, and create an Overlay District for the Tennessee Street Corridor		X				\$11,000	General Fund	City Council, Planning
Develop a corridor plan for upper US41		X	X			\$18,000	General Fund	Planning
Coordinate with the City of Emerson on annexation borders, transportation and utility provision.	X	X	X	X	X	n/a	General Fund	City Council
Review this Plan yearly during the budget/STWP update in terms of actual population, map amendments and actual development	X	X	X	X	X	n/a	General Fund	City Council
Develop a public art program, and identify streetscape, lighting and associated elements design opportunities throughout the City, for civic facilities, public spaces and into roadway design. Consider adopting regulations to require improvements.	X	X	X	X	X	variable	General Fund	City Council, DDA

Short Term Work Program

Project Description	2012	13	14	15	16	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
Create gateway features to highlight the entrances to special places and a strong identity program for unique historical resources, street signs with neighborhood names, and destination signs pointing to and from points of interest	X	X	X	X	X	variable	General Fund	City Council, DDA
Develop specific streetscape standards in appropriate Character Areas, and require for all new developments and redevelopment, and in the downtown/Main Street area;		X	X			n/a	General Fund	City Council, Planning, Engineering, DDA
Redesign where possible and incorporate the railroad into the overall downtown streetscape and continue "Quiet Zone" efforts.	X	X	X	X	X	n/a	General Fund	Engineering, DDA, Council
Adopt a Post Construction Stormwater Management Ordinance.	X					n/a	General Fund	Engineering, Stormwater



City of Cartersville

City Council Meeting
11/3/2011 7:00:00 PM
Amendment to Budget Ordinance for Fiscal Year 2010-11

SubCategory:	First Reading of Ordinances
Department Name:	Finance
Department Summary Recommendation:	After completion of the Fiscal Year 2010-11 close, the general fund and special revenue funds need to be amended. By amending these budgets, the city's general and special revenue funds will in compliance with Generally Accepted Accounting Principles. These adjustments reflect the necessary changes needed to keep the budgets of these funds at a zero based level (revenues equals expenses) for the fiscal year. The actual general fund revenues totaled \$53.6 million while actual expenses totaled \$53.4 million. I recommend approval of this ordinance.
City Manager's Remarks:	Your approval of this amendment is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

**Ordinance
of the
City of Cartersville, Georgia**

Ordinance No.

NOW BE IT HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, GEORGIA that the Annual Budget of the City of Cartersville for the fiscal year 2010-2011 be amended as follows:

2010 - 2011 Budget Summary

<u>General Fund</u>	<u>Revenues</u>	<u>Expenditures</u>
Revenues	\$53,629,265.00	
Expenditures:		
Legislative		\$34,323,160.00
Administration		\$ 985,655.00
Finance Dept.		\$ 1,015,580.00
City Clerk Dept.		\$ 720,210.00
Police		\$ 5,024,470.00
Fire		\$ 5,432,420.00
Public Works		\$ 2,541,060.00
Recreation		\$ 2,731,495.00
Planning & Development		\$ 855,215.00

Special Revenue Funds

Police Forfeiture Assets – Federal Funds

<u>Revenues</u>		
210-2110-36-1001	Interest Income	\$2,350.00
210-2110-35-1300	Confiscated/Forfeited Funds – Federal	\$364,990.00
210-2110-35-1301	Conf/Forf Funds-Dept of Treasury-IRS	\$6,215.00
210-2110-39-2100	Sale of Fixed Assets	\$8,325.00

<u>Expenditures</u>		
210-2110-53-1122	Computer Equipment	\$17,090.00
210-2110-53-1172	DEA Expenses (Federal)	\$84,890.00
210-2110-53-1181	Computer Hdwre & Sftwre (DEA-Fed)	\$3,615.00
210-2110-52-2341	Maint Bldgs & Grounds (DEA-Fed)	\$1,300.00
210-2110-52-3210	Communications – Phones & Internet	\$40,210.00
210-2110-52-3532	Employee Education-Highlands College	\$995.00
210-2110-52-2360	Maint – Vehicle & Equipment	\$5,595.00
210-2110-54-2201	Vehicles	\$185,685.00
210-2110-54-2322	Instruments & Implements	\$42,500.00

Police Forfeiture Assets – State Funds

<u>Revenues</u>		
211-2120-35-1300	State Forfeitures	\$3,000.00

Expenditures

211-2120-53-1172 State Expenses \$3,000.00

Grant Funds

Revenues

340-9200-33-4350	GDOT Grant-South Hangar Paving	\$280,640.00
340-9200-33-4413	Supplemental Disaster Recovery Grant	\$142,315.00
340-9200-33-4415	GDOT Grant-South Apron Rehabilitation	\$90,390.00
340-9200-33-4444	DNR Grant-Pettitt Creek Trail Phase II	\$35,180.00
340-9200-33-4445	Energy Efficiency Grant	\$8,690.00

Expenditures

340-9200-57-110	GDOT Grant-South Hangar Paving	\$280,490.00
340-9200-54-1307	Pettitt Creek Trail – Phase II	\$36,730.00
340-9200-54-2316	Supplemental Disaster Recovery Grant	\$142,315.00
340-9200-54-2317	GDOT Grant-South Apron Rehabilitation	\$87,790.00
340-9200-54-2318	Energy Efficiency Grant	\$8,690.00
340-9200-54-2323	Blue Trail Canoe/Kayak Launch	\$1,200.00

Development Agreement

Revenues

270-2410-37-1000	Public Safety Development Agreement	\$2,500.00
270-5110-37-1000	Recreation Development Agreement	\$2,500.00

Expenditures

270-2410-52-1316	Public Safety Development Fee Expense	\$2,500.00
270-5110-52-1316	Development Agreement-Recreation Exp	\$2,500.00

Impact Fees

Revenues

271-6120-32-2912	Impact Fees-Library	\$2,000.00
271-6120-32-2913	Impact Fees-Fire Protection	\$2,000.00
271-6120-32-2914	Impact Fees-Police	\$2,000.00
271-6120-32-2915	Impact Fees-Parks & Recreation	\$2,000.00
271-6120-32-2916	Impact Fees-Roads	\$2,000.00
271-6120-32-2917	Impact Fees-Administration	\$ 500.00
271-6120-32-2918	Impact Fees-CIE Prep	\$ 500.00

Expenditures

271-6120-57-1020	Impact Fee Exp-Library	\$2,000.00
271-6120-52-1200	Impact Fee Exp-Administration	\$ 500.00
271-6120-52-1600	Impact Fee Exp-Miscellaneous	\$ 500.00
271-6120-54-2500	Impact Fee Exp-Fire Protection	\$2,000.00
271-6120-54-2501	Impact Fee Exp-Police Protection	\$2,000.00
271-6120-54-2502	Impact Fee Exp-Parks & Recreation	\$2,000.00
271-6120-54-2503	Impact Fee Exp-Roads	\$2,000.00

Hotel/Motel Tax

Revenues

275-1140-31-4100	Hotel – Motel Tax	\$378,130.00
275-1140-31-4110	Hotel/Motel Tax Penalties	\$975.00

Expenditures

275-1140-61-1100	Transfer Out to General Fund	\$118,350.00
275-1140-57-1060	Cartersville-Bartow Tourism Council	\$210,755.00
275-1140-57-1062	CVB – Start-up Funds	\$50,000.00

Motor Vehicle Rental Tax

Revenues

280-1150-31-4400	Motor Vehicle Rental Tax	\$51,015.00
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Expenses

280-1150-57-1070	Downtown Development Authority	\$31,015.00
280-1150-52-1303	Prof Services-Econ Dev Sal & Benefits	\$20,000.00

SPLOST 2003

Revenues

321-9100-33-4432	Road Revenue-Bartow County Reimb	\$305,905.00
321-9100-36-1011	Interest-2003 SPLOST Bank Account	\$ 2,815.00
321-9100-36-1022	Interest-1 st Union Investments	\$33,435.00

Expenditures

321-9100-54-1601	Douthit Multi-Lane	\$67,980.00
321-9100-54-1603	Main Street Gateway	\$163,155.00
321-9100-54-1604	Street Milling and Resurfacing	\$4,500.00
321-9100-54-1608	Storm Water	\$42,295.00
321-9100-54-1612	GIS Installation	\$13,455.00
321-9100-54-1613	Mission Road Curve	\$2,770.00
321-9100-54-1621	Main St to Center Rd-16" Water Main	\$48,000.00

SPLOST 2007

Revenues

322-9300-36-1010	Interest Income	\$26,945.00
322-9300-33-4431	Road Revenue-DOT Reimb	\$88,035.00
322-9300-33-7100	SPLOST 2007 Revenue	\$4,103,930.00
322-9300-33-7110	GA DOT Reimbursement	\$147,050.00

Expenditures

322-9300-54-1603	Misc Intersection/Safety Improvements	\$6,005.00
322-9300-54-1604	Street Milling & Resurfacing	\$188,930.00
322-9300-54-1607	New Bridge-Nancy Creek & Sugar Valley	\$91,205.00
322-9300-54-1608	Sugar Valley & Burnt Hickory Rd	\$7,975.00
322-9300-54-1613	Industrial Park Road Improvements	\$1,336,040.00
322-9300-54-1614	Utility Relocate/Improvement-Gas	\$260.00
322-9300-54-1616	Utility Relocate/Improvement-Water/Sewer	\$309,770.00
322-9300-54-1618	Main Street Corridor-Underground Fiber	\$100,000.00
322-9300-54-1621	Public Wks New Equipment Barn	\$6,000.00
322-9300-54-1622	Stormwater Projects	\$81,465.00
322-9300-54-1625	Northside Park Land	\$1,244,265.00
322-9300-54-1627	Police/Fire Joint Station	\$537,075.00

322-9300-54-1628	Fire Station #3	\$456,910.00
322-9300-54-1630	Fire Station #2-MLK Drive	\$60.00

Cartersville Building Authority

Revenues

325-9500-37-1107	Contributed Capital-Bartow County	\$289,410.00
325-9500-37-1108	Contributed Capital-City of Cartersville	\$289,410.00
325-9500-37-1109	Contributed Capital-Other	\$395,340.00
325-9500-36-4198	Interest Revenue	\$190.00

Expenditures

325-9500-58-1111	CBA 2004 Bond Principal Expense	\$455,000.00
325-9500-58-1137	Bond Interest Expense 2004 Issue	\$335,015.00
325-9500-58-1138	Bond Interest Expense 2008 Issue	\$166,990.00
325-9500-56-2003	Issue Cost Amortization	\$17,345.00

SPECIAL REVENUE FUNDS BUDGET - \$7,070,680.00

ADOPTED, this day of November 2011. First Reading.

ADOPTED this day of November 2011. Second Reading.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk



City of Cartersville

City Council Meeting

11/3/2011 7:00:00 PM

State of Georgia Revocable License Agreement Regarding Country Club Drive

SubCategory:	Contracts/Agreements
Department Name:	
Department Summary Recommendation:	MEMO To: Mayor & City Council From: Keith Lovell, Assistant City Attorney Date: October 25, 2011 Re: Country Club Drive Attached for your approval is the revocable license for the old State Patrol property needed for improvements to Country Club Drive. Down the road, a permanent transfer of property will be accomplished. Please execute both documents and return to me. Staff recommends your approval. EKL/src
City Manager's Remarks:	This is part of the cooperative effort between the City, Georgia Power and the Country Club to improve Country Club Drive and its intersectin with US41. Your approval of this license agreement is recommended.
Financial/Budget Certification:	
Legal:	Submitted by City Attorney's office
Associated Information:	



STATE PROPERTIES COMMISSION

47 Trinity Avenue, S.W., Suite G02, Atlanta, Georgia 30334

Chairman
Nathan Deal
Governor

Executive Director
Steven L. Stancil

October 24, 2011

Re: Revocable License - SPC File # 605.87

Archer & Lovell, P.C.
Post Office Box 1024
Cartersville, Georgia 30120

To Whom It May Concern:

Enclosed is the State of Georgia's Revocable License Agreement for the purpose of making road improvements adjacent to and over State owned property in the custody of the Department of Public Safety (former State Patrol Post #3). Please have the appropriate person sign on behalf of the City and return both counterparts to my office.

Once the documents have been fully executed, an original will be forwarded to your attention. Should you have any questions, please contact Sean Griffin in my office at (404) 656-2360.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Frank Smith", written over a horizontal line.

J. Frank Smith
Deputy Executive Director

Enclosures (2)

No. _____ of 2 Executed Original Counterparts

COUNTERPART OF _____

SPC No. 605.87RLA

**STATE OF GEORGIA,
COUNTY OF FULTON:**

REVOCABLE LICENSE AGREEMENT

This **REVOCABLE LICENSE AGREEMENT**, hereinafter referred to as "Agreement", is made this _____ day of _____, 2011, date of this Agreement, by and between the **STATE PROPERTIES COMMISSION**, a public body within the Executive Branch of the State government of Georgia, whose address for purposes of this Agreement is 47 Trinity Avenue, Suite G02, Atlanta, Georgia 30334, **ATTENTION: Executive Director**, Party of the First Part, hereinafter referred to as "Licensor", and the **CITY OF CARTERSVILLE**, whose address for purposes of this Agreement is 1 North Erwin Street, Cartersville, Georgia 30120, Party of the Second Part, hereinafter referred to as "Licensee".

WITNESSETH THAT:

1.

USAGE, ABBREVIATIONS AND DEFINITIONS

1.1 As used in this Agreement, the following words, terms, and abbreviations set forth in this section numbered 1 refer to, or mean, or include in their meaning, the following:

1.1.1 The word "Licensor" means the State Properties Commission and includes in its meaning the words "its members, officers and employees".

1.1.2 The word "Licensee" includes in its meaning the words "its officers, employees, representatives and agents".

1.1.3 The words "revocable license" shall mean "the granting, subject to certain terms and conditions contained in a written Revocable License Agreement, to a named person or persons (Licensee), and to that person or persons only, of a revocable personal privilege to use a certain described parcel or tract of property to be known as the Licensed Premises for a named purpose. Regardless of any and all improvements and investments made, consideration paid, or expenses and harm incurred or encountered by the Licensee, a revocable license shall not confer upon the Licensee any right, title, interest, or estate in the Licensed Premises, nor shall a revocable license confer upon the Licensee a license coupled with an interest or an easement. A revocable license may be revoked, canceled, or terminated, with or without cause, at any time by the licensor (commission)". OCGA § 50-16-31(10).

1.1.4 The term "Revocable License Agreement" means both this Agreement and "a written instrument which embodies a revocable license and which sets forth the name of the parties thereto and the terms and conditions upon which the revocable license is granted". OCGA § 50-16-31(11).

- 1.2 All words used in this Agreement include in their meaning the masculine, feminine, and neuter gender; singular and plural number; and present, past and future tense; and all appropriate grammatical adjustments shall be assumed as though in each case fully expressed.
- 1.3 For convenience, when referring herein to either Licensor or Licensee, the third person, neuter gender "it" is used.

2.

LICENSED PREMISES

Licensor, for and in consideration of the payment by Licensee to Licensor of the sum of \$10.00 (the receipt and sufficiency of which are hereby acknowledged as Licensor has determined that the revocable license herein directly benefits the State and that the consideration set forth herein is thereby deemed adequate), hereby grants to Licensee, and Licensee hereby accepts from Licensor, a revocable license to the extent the State's title permits and subject to the terms, conditions, and provisions of this Agreement and OCGA § 50-16-42, over the following described real property, hereinafter referred to as the "Licensed Premises":

That tract, parcel or portion of State owned real property situate, lying and being in Land Lot 54 of the 4th Land District, 3rd Section of Bartow County, Georgia as shown in yellow highlighting on the Plat of Survey marked Exhibit "A", attached hereto and incorporated by reference herein.

The Licensed Premises is presently under the custody of the Georgia Department of Public Safety.

3.

USE OF LICENSED PREMISES

At its sole cost, expense, risk and responsibility, Licensee shall use the Licensed Premises only for the purpose, and for no other purpose whatsoever, of making road improvements adjacent to and upon State owned property known as the former State Patrol Post #3.

4.

DURATION

- 4.1 Licensee may use the Licensed Premises during the period beginning on the date hereof and ending at 12:00 midnight on the third anniversary of the date hereof, for so long as Licensee uses the Licensed Premises for the purposes permitted in Section 3 above and unless previously revoked pursuant to Section 5 below. If not previously revoked or terminated,

this Revocable License shall stand revoked, without the necessity of Licensor giving any notice to Licensee, at 12:00 midnight on the third anniversary of the date hereof.

5.

REVOCATION

- 5.1 This Agreement merely grants to Licensee a revocable license as set forth in Subsection 1.1.3 above. Licensee, by its acceptance and execution of this Agreement, hereby acknowledges and agrees that this Revocable License Agreement does not confer upon Licensee any right, title, interest, or estate in the Licensed Premises, nor confer upon the Licensee a license coupled with an interest nor confer upon Licensee an easement in the Licensed Premises. It is expressly understood and agreed by Licensee that this Agreement confers upon Licensee, and only Licensee, a mere personal privilege, and that regardless of any and all improvements and investments made, consideration paid, or expenses and harm incurred or encountered by Licensee, this Agreement and the privileges hereby conferred shall be subject to absolute revocation by Licensor, with or without cause, upon notice to Licensee as set forth in Section 12 below.
- 5.2 Following revocation, this Agreement and the revocable license contained herein shall become null and void, and Licensee shall have no right whatsoever to be or remain on the Licensed Premises or to receive a refund of any consideration or any other monetary payment. Licensee covenants and agrees, at its sole cost and expense to remove its facilities from the Licensed Premises and to restore the Licensed Premises to as good or better condition as when received hereunder. Any property of Licensee remaining on the Licensed Premises at the end of said License Period shall be deemed abandoned by Licensee and shall belong to and be the absolute and sole property of the State without further notice, action taken, instrument or conveyance executed or delivered, and without liability to make compensation therefore to Licensee or to any other person whomsoever, and shall be free and discharged from any and every lien, encumbrance, claim and charge of any character created, or attempted to be created, by Licensee at any time.

6.

DAMAGE TO LICENSED PREMISES AND STATE PROPERTY

Licensee hereby agrees that if any property of the State is damaged as a result of the exercise by Licensee of the revocable license herein granted, then, at the election of Licensor, Licensee either shall repair or restore the property or the Licensed Premises, or both, as the case may be, or shall pay the costs thereof, as determined by Licensor. Licensee shall pay the cost of such repair or restoration or commence in good faith the repair or restoration within ten (10) days after notice by Licensor with all repairs or restoration to be completed by Licensee within thirty (30) days thereafter. Revocation of this Agreement shall not relieve Licensee of its obligation to pay for the cost of repair or restoration of the damaged property. This general provision is cumulative of all other remedies Licensor may have, including specific provisions hereof.

7.

INDEMNIFICATION

The revocable license herein granted to Licensee is to be used and enjoyed at the sole risk of Licensee, and in consideration of the benefits to be derived here from, Licensee hereby releases, relinquishes and discharges and agrees to indemnify, protect, save, and hold harmless Licensor and Licensor's officers, members, employees, agents, and representatives (including the State Tort Claims Trust Fund, the State Broad Form Employee Liability Fund and the State Authority Operational Liability Trust Fund) from and against all liabilities, damages, costs and expenses (including all attorney's fees and expenses incurred by Licensor or any of Licensor's officers, members, employees, agents, and representatives), causes of action, suits, demands, judgments, and claims of any nature whatsoever (excluding those based upon the sole negligence of Licensor concerning any activities within the scope of O.C.G.A. § 13-8-2(b) relative to the construction, alteration, repair, or maintenance of a building structure, appurtenances, and appliances, including moving, demolition, and excavating connected therewith), arising from, by reason of, or in connection with: (a) injury to or death of any person or damage to property (1) in or on the Licensed Premises (2) in any manner arising from use, non-use or occupancy by Licensee or any of Licensee's officers, employees, agents, representatives, customers, invitees, licensees or contractors or (3) resulting from a condition of the Licensed Premises, excluding any condition of the easement for which Licensor specifically is responsible under this Revocable License Agreement, if any; (b) violation of any agreement, representation, warranty, provision, term or condition of this Revocable License Agreement by Licensee or any of Licensee's officers, employees, representatives, agents or contractors; or (c) violation of any law affecting the Licensed Premises or the occupancy or use by Licensee of the Licensed Premises. This indemnity extends to the successors and assigns of Licensee and survives the termination of this Revocable License, and to the extent allowed by law, the bankruptcy of Licensee. If and to the extent such damage or loss (including costs and expenses) as covered by this indemnification is paid by the above-referenced or other State self-insurance funds (collectively referred to as the Funds) established and maintained by the State of Georgia Department of Administrative Services Risk Management Division (DOAS), Licensee agrees to reimburse the Funds for such monies paid out by the Funds. Licensee shall, at its expense, be entitled to and shall have the duty to participate in the defense of any suit against the Indemnitees to the extent consistent with and permitted by the Georgia Tort Claims Act. The defense on behalf of Licensor or its covered officers or employees (including any settlement discussions) shall be conducted through the Attorney General of Georgia as provided by law. No settlement or compromise of any claim, loss or damage asserted against any Indemnitees shall be binding upon any Indemnitees unless expressly approved by the Indemnitees and the Attorney General of Georgia.

8.

LIABILITY INSURANCE

Licensee shall procure and maintain in full force and effect at all times during the term of this Agreement, through a self-insurance program or an insurance policy consistent with Section 7: commercial general liability insurance, on an "occurrence basis" insuring against all liability and property damage of Licensor and Licensee and their members, officers, employees and agents arising from or in connection with the use or occupancy of the Premises by Licensee, its agents,

employees, or others working at the direction of Licensee or on its behalf during the License Term, with liability limits of One Million Dollars (\$1,000,000.00) per person and of Three Million Dollars (\$3,000,000.00) per occurrence. Each policy also specifically shall insure performance of Licensee's obligation to indemnify Licensor pursuant to the Section 7 of this Agreement. A statement of policy limits herein shall not limit Licensee's liability under this Agreement.

9.

GENERAL REQUIREMENTS FOR INSURANCE POLICIES

Licensee shall pay the cost of all insurance coverage which Licensee is required to produce and maintain under this Agreement. Except where Licensee is self-insured, each insurance policy shall:

- a) be issued by an insurer authorized to transact casualty insurance in Georgia;
- b) be issued by an insurer with a current Best Policyholder's Rating of "A" or better and with a financial six rating of class "XI" or larger by A. M. Best Company, Inc.;
- c) be issued on such form of policy, authorized in Georgia, as Licensor may reasonably approve;
- d) provide that the policy cannot be canceled as to Licensor except after the insurer gives Licensor thirty (30) days prior written notice of cancellation;
- e) state that notice of any claim against Licensor shall be deemed to have occurred only when an officer of Licensor has received actual notice, and has actual knowledge of the claim;
- f) not be subject to invalidation as to Licensor by reason of any act or omission of Licensee or any of Licensee's officers, employees or agents; and
- g) not be subject to invalidation as to Licensee by reason of any act or omission of Licensor or any of Licensor's officers, employees or agents.

Each policy required by this Agreement shall also contain a provision permitting Licensee to waive all rights of recovery and claims by way of subrogation.

Licensee shall not produce or maintain in force any insurance policy which might have the effect of reducing the loss payable under any of the policies required by this Agreement. Upon the request of Licensor, Licensee shall deliver a certificate of such self-insurance or insurance policy to Licensor, together with evidence reasonably satisfactory to Licensor that the premiums, as applicable, have been paid for a period at least covering the License Period.

10.

**SUBJECT TO APPROVAL BY ANY APPROPRIATE STATE REGULATORY AGENCY,
SUBJECT TO PRIOR GRANTS, AND CONDITION OF LICENSED PREMISES**

Licensee accepts this grant of revocable license subject to approval by any appropriate State regulatory agency that the Licensee's proposed uses of the Licensed Premises meets all applicable safety and regulatory standards and requirements. Further, Licensee accepts this grant of revocable license subject to all ownership, prior permits, licenses, landlord and tenant relationships, easements, leases, and other rights or interests affecting the Licensed Premises whether the same be of record or not, and the revocable license granted herein by Licensor to Licensee must be exercised by Licensee so as to avoid interference with any of the said prior permits, licenses, landlord and tenant relationships, easements, leases, or other interests. Licensee acknowledges that it has fully inspected the Licensed Premises and accepts the same "as is". Licensor shall have no responsibility at any time to Licensee for the condition of the Licensed Premises and shall have no duty to the Licensee or to its licensees, invitees or trespassers concerning Licensee's use of the Licensed Premises or their entry on the Licensed Premises. Licensor makes no covenant of quiet enjoyment of the Licensed Premises whatsoever.

11.

ASSIGNMENT OR TRANSFER

This Revocable License Agreement and the rights herein granted may not be conveyed, assigned, transferred, managed or operated by any other entity without the express written consent of the State Properties Commission, which consent shall be given or not in the sole discretion of the State Properties Commission. Without limitation, any transfer or use of the property which may be characterized as a private activity by the Internal Revenue Service and thereby adversely affect the tax-exempt status of any public bond investment in the property is strictly prohibited. Any such use, conveyance, assignment, transfer, management or operation made without the consent of the State Properties Commission shall be void *ab initio*.

12.

NOTICES

All notices required by the provisions of this Agreement to be secured from or given by either of the parties hereto to the other shall be in writing and shall be delivered either: (a) by hand delivery to the recipient party at such party's address; or (b) sent by United States Certified Mail - Return Receipt Requested, postage prepaid, and addressed to the recipient party at such party's address. The day upon which such notice is hand delivered or so mailed shall be deemed the date of service of such notice. The parties hereto agree that, even though notices shall be addressed to the attention of a particular person, title, or entity as forth in this Agreement, it shall be a valid and perfected delivery of notice even though the said named person or the person holding said title or named entity is not the person, title or entity who accepts or receives delivery of the said notice, but is the lawful successor person, title or entity of the named person, title or entity. Any notice, hand delivered or so mailed, the text of which is reasonably calculated to apprise the recipient party of the substance thereof and the circumstances involved, shall be deemed sufficient notice under this

Agreement. Either party hereto may from time to time, by notice to the other, designate a different person or title, or both if applicable, or address to which notices to said party shall be given.

13.

GENERAL PROVISIONS OF THIS AGREEMENT

- 13.1 The brief capitalized and underlined headings or titles preceding each section herein are merely for purposes of section identification, convenience and ease of reference, and shall be completely disregarded in the construction of this Agreement.
- 13.2 All time limits stated herein are of the essence of this Agreement.
- 13.3 For the purpose of inspecting the Licensed Premises, Licensee shall permit Licensors, without giving prior notice, to enter on the Licensed Premises during either Licensors' regular business hours or Licensee's regular business hours.
- 13.4 No failure of either party hereto to exercise any right or power given to said party under this Agreement, or to insist upon strict compliance by the other party hereto with the provisions of this Agreement, and no custom or practice of either party hereto at variance with the terms and conditions of this Agreement, shall constitute a waiver of either party's right to demand exact and strict compliance by the other party hereto with the terms and conditions of this Agreement.
- 13.5 This Agreement shall be governed by, construed under, performed and enforced in accordance with the laws of Georgia.
- 13.6 Nothing contained in this Agreement shall make, or be construed to make, Licensors and Licensee partners in, of, or joint venturers with each other, nor shall anything contained in this Agreement render, or be construed to render, either Licensors or Licensee liable to a third party for the debts or obligations of the other.
- 13.7 If any provision of this Agreement, or any portion thereof, should be ruled void, invalid, unenforceable or contrary to public policy by any court of competent jurisdiction, then any remaining portion of such provision and all other provisions of this Agreement shall survive and be applied, and any invalid or unenforceable portion shall be construed or reformed to preserve as much of the original words, terms, purpose and intent as shall be permitted by law.
- 13.8 Should any provision of this Agreement require judicial interpretation, it is agreed and stipulated by and between the parties hereto that the court interpreting or construing the same shall not apply a presumption that the terms, conditions and provisions hereof shall be more strictly construed against one party by reason of the rule of construction that an instrument is to be construed more strictly against the party who prepared the same.
- 13.9 This Agreement is executed in two (2) counterparts which are separately numbered and identified (No. 1 is for Licensors and No. 2 is for Licensee) but each of which is deemed an

original of equal dignity with the other and which is deemed one and the same instrument as the other.

- 13.10 In the enjoyment of the revocable license herein granted by Licensor to Licensee and of the rights and privileges incident thereto, Licensee shall at all times comply with all applicable laws of Georgia and of the United States, all applicable rules and regulations promulgated pursuant to any and all such laws, all applicable recommended standards, and all applicable local ordinances, including, but not limited to, codes, ordinances and recommended standards now or hereafter promulgated, and all applicable local rules and regulations and recommended standards promulgated pursuant to such codes and ordinances.
- 13.11 The revocation of this Agreement shall not operate to cut off any claims or causes of action in favor of Licensor or Licensee which occurred or arose prior to the effective date of such revocation.
- 13.12 Licensee, by its acceptance and execution of this Agreement, hereby acknowledges that it has not been induced by any representations, statements, or warranties by Licensor including, but not limited to, representations or warranties with respect to title to the Licensed Premises or the condition or suitability thereof for Licensee's purpose.
- 13.13 In its occupancy and use of the premises, Licensee shall not discriminate against any person on the basis of race, gender, color, national origin, religion, age, or disability. This covenant by Licensee may be enforced by termination of this Agreement, by injunction, and by any other remedy available at law to Licensor.

14.

ENTIRE AGREEMENT

This Agreement supersedes all prior negotiations, discussions, statements, and agreements between Licensor and Licensee and constitutes the full, complete and entire agreement between Licensor and Licensee with respect to the Licensed Premises and Licensee's use and occupancy thereof. No modification of or amendment to this Agreement shall be binding on either party hereto unless such modification or amendment shall be properly authorized, in writing, properly signed by both Licensor and Licensee and incorporated in and by reference made a part hereof.

IN WITNESS WHEREOF, Licensors and Licensees, acting pursuant to and in conformity with properly considered and adopted resolutions and acting by and through their duly authorized hereinafter named representatives, have caused these presents to be executed, all as of the date hereof.

LICENSOR

STATE PROPERTIES COMMISSION

Steven L. Stancil
as Executive Director of the
State Properties Commission

Signed, sealed, and delivered
in our presence:

Unofficial Witness

Official Witness, Notary Public

My Commission expires: _____

(NOTARY SEAL)

(STATE PROPERTIES COMMISSION
SEAL AFFIXED HERE)

(Signatures continued on next page.)

(Signatures continued from previous page.)

LICENSEE

CITY OF CARTERSVILLE

By: _____ (Seal)

Name: _____

Title: _____

Signed, sealed, and delivered
in our presence:

Unofficial Witness

Attest: _____ (Seal)

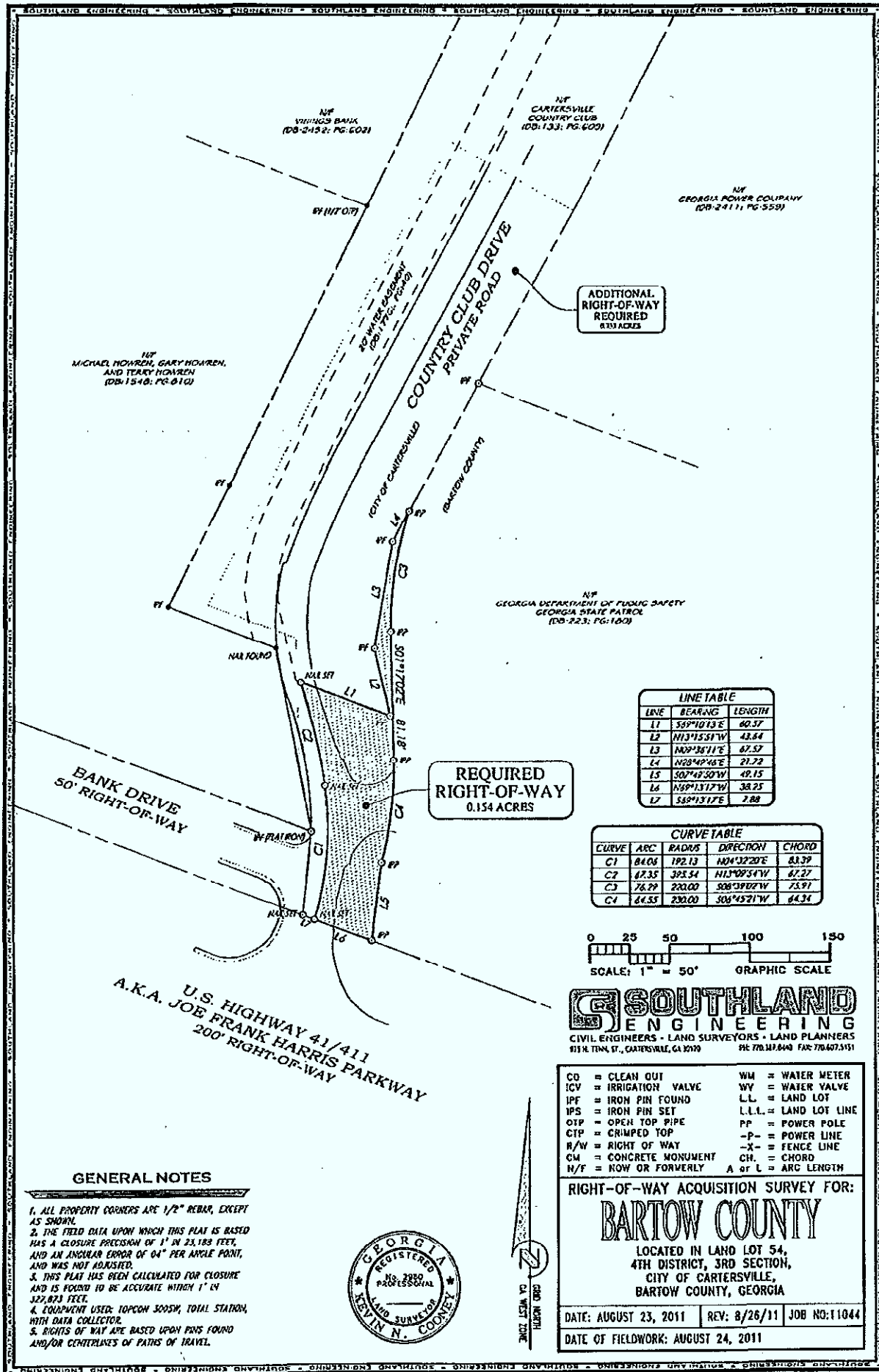
Official Witness, Notary Public

My Commission expires: _____

(NOTARY SEAL)

(SEAL AFFIXED HERE)

EXHIBIT "A"





City of Cartersville

City Council Meeting

11/3/2011 7:00:00 PM

Retiree Insurance Renewal with United Healthcare Medicare Advantage

SubCategory:	Contracts/Agreements
Department Name:	Administration
Department Summary Recommendation:	City retirees over the age of 65 or disabled are covered under a Medicare Advantage product from United Healthcare. City retirees have been pleased with this insurance product. The insurance premiums paid by city retirees will remain the same for this product for 2012, I recommend approval of the retiree insurance renewal with United Healthcare Medicare Advantage.
City Manager's Remarks:	Your approval of this item is recommended.
Financial/Budget Certification:	This is a budgeted item.
Legal:	
Associated Information:	E-verify and SAVE are on file.



City of Cartersville

City Council Meeting
11/3/2011 7:00:00 PM
Construction Materials Testing for New City Buildings

SubCategory:	Bid Award/Purchases
Department Name:	Administration
Department Summary Recommendation:	Request for proposals were issued and six firms submitted bids to supply construction materials testing and water intrusion testing on the Public Safety Headquarters and Fire Station Number 4 buildings. After reviewing all the bids and confirming bids submitted by each bidder, Professional Services Industries (PSI) provided the lowest and most complete bid with a not to exceed price of \$30,360. I recommend approval of this bid with PSI.
City Manager's Remarks:	Your approval of this bid award is recommended.
Financial/Budget Certification:	Budgeted through 2007 SPLOST Funds.
Legal:	
Associated Information:	E-verify and SAVE documents are on file.

Summary of RFP for Construction Material Testing for Public Safety Headquarters & Fire Station #4

	Contour Engineering, LLC	Professional Services Industries (PSI)	Ahlberg Engineering, Inc. (AEI)	Ahlberg Engineering, Inc. (AEI)	NOVA Engineering & Environmental	Geo-Hydro Engineers	Piedmont Geotechnical Consultants
Public Safety HQ			\$22,100	\$31,600	\$32,598	\$40,400	\$34,476
Fire Station #4			\$9,400	\$15,050	\$19,796	\$14,450	\$22,336
Combined Bid	\$18,464	\$30,360					
Total Bid for Both Buildings	\$18,464	\$30,360	\$31,500	\$46,650	\$52,394	\$54,850	\$56,812
	Bid price does not include Water Intrusion Testing as Contour does not conduct these tests.		Above price is for Periodic Grout Placement.	Above price is for Continuous Grout Placement.			Bid price does not include Water Intrusion Testing as Piedmont does not conduct these tests.



City of Cartersville

City Council Meeting
11/3/2011 7:00:00 PM
2012 Calendar and Annual Report

SubCategory:	Bid Award/Purchases
Department Name:	Administration
Department Summary Recommendation:	This is for the printing of the 2012 City Calendar/Annual Report. Bids were collected from four printers, three local and one from Marietta. Unlike prior years, all bids were pretty close. However, McStatts' Printing, Inc. came in with the lowest price of \$6,995, therefore I recommend McStatts' be selected to print the 2012 calendar.
City Manager's Remarks:	Your approval of the bid award to McStatts is recommended.
Financial/Budget Certification:	This is a budgeted item
Legal:	
Associated Information:	Everify and SAVE documents for McStatts' and their subcontractor are attached.

Calendar Printing Quotes

Printer	Location	Printing	Postage Per Piece
ARCO	Cartersville	\$ 7,165.00	\$ 0.22
H&W Printing	Marietta	\$ 7,690.70	\$ 0.25
McStatts	Cartersville	\$ 6,995.00	\$ 0.22-0.24
New Deminsions	Cartersville	\$ 8,177.03	\$ 0.35

**AFFIDAVIT VERIFYING STATUS FOR
CITY OF CARTERSVILLE BENEFIT APPLICATION**

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

Anthony McStatts

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

McStatts Printing, Inc.

[Name of business, corporation, partnership]

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

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

Anthony McStatts

Signature of Applicant:

Date

10/27/2011

Anthony McStatts

Printed Name:

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

27 DAY OF Oct, 2011

*

Alien Registration number for non-citizens

Elaine Edwards

Notary Public

My Commission Expires:

Notary Public, Bartow County, Georgia
My Commission Expires 9/18/2015

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

CONTRACTOR AFFIDAVIT AND AGREEMENT

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

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

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

457419
EEV/Basic Pilot Program* User Identification Number

Antonia McStatts
BY: Authorized Officer or Agent
(Contractor Name)

10/27/2011
Date

VP
Title of Authorized Officer or Agent of Contractor

Antonia McStatts
Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN

BEFORE ME ON THIS THE

27 DAY OF Oct, 2011

Calvin Edwards
Notary Public

My Commission Expires:

Notary Public, Bartow County, Georgia
My Commission Expires 9/18/2015

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

**AFFIDAVIT VERIFYING STATUS FOR
CITY OF CARTERSVILLE BENEFIT APPLICATION**

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

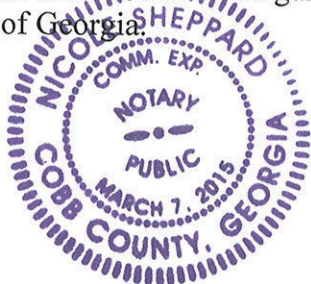
John Hale
[Name of natural person applying on behalf of individual, business, corporation, partnership, or other private entity]

QC Bindery and Mailing, Inc
[Name of business, corporation, partnership]

1) ☒ I am a United States citizen

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

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



John Hale 10-26-2011
Signature of Applicant: Date
John Hale
Printed Name:

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
26 DAY OF October, 2011

* 95201105
Alien Registration number for non-citizens

March 7, 2015
Notary Public
My Commission Expires:

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

SUBCONTRACTOR AFFIDAVIT

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

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

95201105

EEV/Basic Pilot Program* User Identification Number

John S. Hale
BY: Authorized Officer or Agent
(Subcontractor Name)

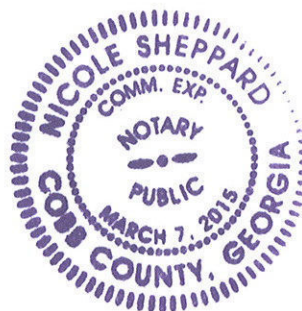
10-26-2011
Date

Sales Executive
Title of Authorized Officer or Agent of Subcontractor

John Hale
Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
26 DAY OF October, 2011

Nicole Sheppard
Notary Public
My Commission Expires:
March 7, 2015



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



City of Cartersville

City Council Meeting

11/3/2011 7:00:00 PM

Painting of Steel Pole and Transformer Hoist Structures and Steel Light Pole Rack

SubCategory:	Bid Award/Purchases
Department Name:	Electric
Department Summary Recommendation:	The City of Cartersville Electric System requested bids from three local contractors to sand, prime, and paint the steel pole hoist structure, steel transformer hoist structure, and steel light pole rack which have begun rusting at the Electric office. Two bids were returned that met all specifications and are summarized as follows: • James Carr Sandblasting & Painting, 1 year warranty, \$11,950 • Earl Hightower Construction, 2 year warranty, \$18,900 I recommend accepting the lowest bid from James Carr at \$11,950.
City Manager's Remarks:	Your approval of the bid from James Carr is recommended.
Financial/Budget Certification:	This is a budgeted item.
Legal:	N/A
Associated Information:	Employment verification documentation was received with bids.



City of Cartersville

City Council Meeting
11/3/2011 7:00:00 PM
Roof Replacement at Water Lab

SubCategory:	Bid Award/Purchases
Department Name:	Water Department
Department Summary Recommendation:	Memo To: Sam Grove From: Jim Stafford Date: 10-25-11 Subject: Re-roof Water Dept. Lab Council Approved: _____ Bids were requested from two reputable local companies to replace the roof on the Water Department laboratory building. Both contractors have experience with flat top membrane roofing and have insurance. The bids were as follows: • All Around Roofing and Gutters, Inc. \$10,701.00 • Elite Roofing of Georgia \$14,220.00 I recommend we award this contract to All Around Roofing and Gutters, Inc. in the amount of \$10,701.00. All SAVE and E-Verify documents are in hand and this will be paid out of the budget.
City Manager's Remarks:	Your approval of the low bid to All Around Roofing is recommended.
Financial/Budget Certification:	Budgeted in building maintenance.
Legal:	
Associated Information:	Everify and Save documentation attached.

**AFFIDAVIT VERIFYING STATUS FOR
CITY OF CARTERSVILLE BENEFIT APPLICATION**

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

Shayne Ray

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

All Around Roofing and Gutters, Inc.

[Name of business, corporation, partnership]

1) ☒ I am a United States citizen

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

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

Shayne Ray
Signature of Applicant:

10/24/11
Date

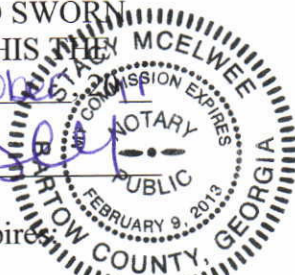
Shayne Ray
Printed Name:

SUBSCRIBED AND SWORN
BEFORE ME ON THIS

24 DAY OF October

Shayne Ray
Notary Public

My Commission Expires



* _____
Alien Registration number for non-citizens

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

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.

187381
EEV/Basic Pilot Program* User Identification Number

Shayne Ray
BY: Authorized Officer or Agent
(Contractor Name)

10/24/11
Date

Owner / President
Title of Authorized Officer or Agent of Contractor

Shayne Ray
Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN

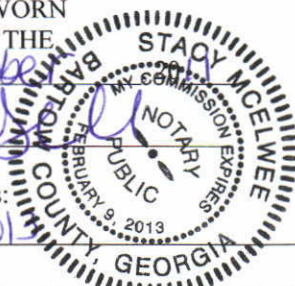
BEFORE ME ON THIS THE

24 DAY OF October

Stacy McElmree
Notary Public

My Commission Expires:

2-9-2013



* 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
11/3/2011 7:00:00 PM
South Erwin Street Water Main Replacement Project**

SubCategory:	Bid Award/Purchases
Department Name:	Water Department
Department Summary Recommendation:	MEMO TO: Sam Grove FROM: Jim Stafford DATE: October 21, 2011 SUBJECT: South Erwin Street Water Main Replacement Project The Cartersville Water Department has designed and received bids on a project to replace water mains on South Erwin Street between Main Street and Georgia Boulevard. This project will involve the replacement of approximately 4,200 feet of existing 8-inch and 12-inch diameter cast iron water mains, some of which are in excess of 100 years old. Replacement of these mains with new 12-inch diameter ductile will allow for increased flows and improved water quality. These improvements are critical for commercial/residential growth and enhanced fire fighting capabilities. The Water Department received price bids from five contractors for the project: • T. J. Lyle and Co., Inc. \$514,840.85 • Site Engineering, Inc. \$573,360.00 • Unity Construction Co., Inc. \$576,425.85 • K M Davis Contracting Co., Inc. \$664,868.00 • John H Pruett Construction Co., Inc. \$849,488.00 The Water Department recommends award of this project to T. J. Lyle and Co., Inc. of Taylorsville, Georgia in the amount of \$514,840.85. This work will be paid for with Capacity Fees. E-Verify and SAVE documentation was submitted with the bid and is on hand.
City Manager's Remarks:	Low bid to TJ Lyle is recommended for your approval.
Financial/Budget Certification:	This is a budgeted item to be paid with capacity fees. Cover Memo
	Item # 12

Legal:	
Associated Information:	Everify and Save are attached.

CONTRACTOR AFFIDAVIT AND AGREEMENT

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

The undersigned further agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to this contract with City of Cartersville, contractor will secure from such subcontractor(s) similar verification of compliance with O.C.G.A. 13-10-91 on the Subcontractor Affidavit provided in Rule 300-10-01-.03 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.

230020
EEV/Basic Pilot Program* User Identification Number

Tony Lyle
BY: Authorized Officer or Agent
(Contractor Name)

10/24/2011
Date

President
Title of Authorized Officer or Agent of Contractor
Tony Lyle
Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
24 DAY OF October, 2011

Keith Bullen
Notary Public
My Commission Expires:
OCT. 27, 2013

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

**AFFIDAVIT VERIFYING STATUS FOR
CITY OF CARTERSVILLE BENEFIT APPLICATION**

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

Tony J. Lyle

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

T.J. Lyle & Company Inc.

[Name of business, corporation, partnership]

1) ☒ I am a United States citizen

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

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

Tony Lyle
Signature of Applicant:

10/24/2011
Date

Tony Lyle
Printed Name:

10/24/2011

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

24 DAY OF OCT., 2011

Hub Lallan

Notary Public

My Commission Expires: OCT. 27, 2013

* 830020

Alien Registration number for non-citizens

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



City of Cartersville

City Council Meeting
11/3/2011 7:00:00 PM
August 2011 Financial Report

SubCategory:	Monthly Financial Statement
Department Name:	Finance
Department Summary Recommendation:	Attached is the financial report for August 2011. Also attached is the supplemental financial information along with the cash position for the same time period.
City Manager's Remarks:	Tom R. will present this information at the Council meeting.
Financial/Budget Certification:	
Legal:	
Associated Information:	

MONTHLY SUMMARY

As of August 31, 2011

<i>GENERAL FUND</i> excluding SPLOST, DDA & School System Property Tax Revenue & Expenditures	FY 2010 - 11 MONTH OF August-10	FY 2011 - 12 MONTH OF August-11	FY 2010 - 11 Year to Date August-10	FY 2011 - 12 Year to Date August-11	100.00% OF BUDGET (Year to Date)
REVENUE	\$1,518,274	\$1,428,681	\$2,947,099	\$2,825,004	11.70%
EXPENDITURE	\$1,367,448	\$1,229,450	\$3,364,743	\$2,684,247	11.12%
Gen. Fund Net Profit (Loss)	\$150,826	\$199,231	(\$417,644)	\$140,757	
<i>WATER & SEWER</i>					
REVENUE	\$1,223,101	\$1,167,614	\$2,501,380	\$2,436,671	12.79%
EXPENDITURE	\$1,135,988	\$979,535	\$2,125,558	\$1,889,305	9.92%
Wtr. & Swr. Fund Net Profit (Loss)	\$87,113	\$188,079	\$375,822	\$547,366	
<i>GAS</i>					
REVENUE	\$1,287,869	\$1,284,619	\$2,687,231	\$2,734,346	9.48%
EXPENDITURES	\$1,632,594	\$1,780,730	\$3,579,052	\$3,320,453	11.51%
Gas Fund Net Profit (Loss)	(\$344,725)	(\$496,111)	(\$891,821)	(\$586,107)	
<i>ELECTRIC</i>					
REVENUE	\$4,100,277	\$4,539,949	\$7,968,968	\$8,886,209	20.38%
EXPENDITURES	\$3,648,801	\$3,958,744	\$7,226,307	\$7,846,224	18.00%
Electric Fund Net Profit (Loss)	\$451,476	\$581,205	\$742,661	\$1,039,985	
<i>STORMWATER</i>					
REVENUE	\$98,705	\$102,507	\$197,620	\$203,309	17.21%
EXPENDITURE	\$92,136	\$90,168	\$164,600	\$146,747	12.43%
Stormwater Fund Net Profit (Loss)	\$6,569	\$12,339	\$33,020	\$56,562	
<i>SOLID WASTE</i>					
REVENUE	\$163,276	\$163,830	\$326,207	\$323,888	12.52%
EXPENDITURE	\$134,994	\$137,782	\$264,622	\$240,829	9.31%
Solid Waste Fund Net Profit (Loss)	\$28,282	\$26,048	\$61,585	\$83,059	
<i>FIBER OPTICS</i>					
REVENUE	\$135,135	\$135,554	\$267,451	\$270,910	16.74%
EXPENDITURE	\$104,566	\$78,056	\$212,232	\$163,787	10.12%
Fiber Fund Net Profit (Loss)	\$30,569	\$57,498	\$55,219	\$107,123	

				% of Monthly Totals to Budget
General Fund	Description	Through 8-31-11	FY 2012 Budget	
	Total Revenues	\$2,825,004	\$24,146,955	11.70%
	GO Bond Proceeds from School	\$0	\$2,568,890	0.00%
	Property Taxes-City Portion Only	\$16,601	\$1,289,320	1.29%
	Local Option Sales Tax (LOST)	\$755,597	\$4,818,625	15.68%
	Other Taxes	\$832,830	\$6,950,240	11.98%
	Building Permit & Inspection Fees	\$5,639	\$45,000	12.53%
	Fines and Forfeitures	\$105,315	\$590,000	17.85%
	Operating Transfers In-City Utilities	\$629,418	\$3,776,510	16.67%
	Other Revenues	\$479,604	\$4,108,370	11.67%
	Total Expenditures	\$2,684,248	\$24,146,955	11.12%
	Personnel Expenses	\$2,116,731	\$14,377,795	14.72%
	Operating Expenses	\$524,245	\$6,139,870	8.54%
	Capital Expenses	(\$105,158)	\$604,700	-17.39%
	GO Bond Proceeds from School	\$34,505	\$2,568,890	1.34%
	Debt Pymt - JDA/CBA	\$0	\$0	#DIV/0!
	Library Appropriations	\$113,925	\$455,700	25.00%
Water & Sewer Fund	Total Revenues	\$2,436,671	\$19,051,945	12.79%
	Water Sales	\$1,462,651	\$8,132,500	17.99%
	Sewer Sales	\$831,858	\$4,292,000	19.38%
	Bond Proceeds	\$0	\$5,000,000	0.00%
	Other Revenues	\$142,162	\$1,627,445	8.74%
	Total Expenditures	\$1,889,303	\$19,051,795	9.92%
	Personnel Expenses	\$443,109	\$3,067,295	14.45%
	Operating Expenses	\$373,989	\$2,897,170	12.91%
	Capital Expenses	\$15,047	\$6,816,010	0.22%
	Transfer To General Fund	\$466,960	\$2,667,940	17.50%
	Debt Payments	\$590,198	\$3,603,380	16.38%
Gas Fund	Total Revenues	\$2,734,346	\$28,845,855	9.48%
	Gas Sales	\$2,497,434	\$24,807,545	10.07%
	Gas Commodity Charge	\$184,282	\$1,245,000	14.80%
	Bond Proceeds	\$0	\$2,055,000	0.00%
	Proceeds from Capital Leases	\$0	\$32,500	0.00%
	Other Revenues	\$52,630	\$705,810	7.46%
	Total Expenses	\$3,320,453	\$28,845,855	11.51%
	Personnel Expenses	\$244,191	\$1,758,845	13.88%
	Operating Expenses	\$66,578	\$816,120	8.16%
	Purchase of Natural Gas	\$2,516,177	\$20,365,910	12.35%
	Transfer to General Fund	\$481,639	\$3,295,150	14.62%
	Capital Expenses	\$11,868	\$2,609,830	0.45%

				% of Monthly Totals to Budget
Electric Fund	Description	Through 8-31-11	FY 2012 Budget	
	Total Revenues	\$8,886,209	\$43,600,295	20.38%
	Electric Sales	\$8,594,693	\$42,254,840	20.34%
	Other Revenues	\$291,516	\$1,345,455	21.67%
	Total Expenses	\$7,846,224	\$43,600,295	18.00%
	Personnel Expenses	\$293,706	\$2,087,265	14.07%
	Operating Expenses	\$153,653	\$1,223,745	12.56%
	Purchase of Electricity	\$6,937,330	\$37,588,300	18.46%
	Capital Expenses	\$32,558	\$499,095	6.52%
	Transfer to General Fund	\$428,977	\$2,201,890	19.48%
Stormwater Fund	Total Revenues	\$203,309	\$1,181,000	17.21%
	Stormwater Revenues	\$201,426	\$1,170,000	17.22%
	Other Revenues	\$1,883	\$11,000	17.12%
	Prior Year Carryover	\$0	\$0	#DIV/0!
	Stormwater Improvement Funds	\$0	\$0	#DIV/0!
	Total Expenses	\$146,747	\$1,181,000	12.43%
	Personnel Expenses	\$59,591	\$449,680	13.25%
	Operating Expenses	\$55,635	\$519,690	10.71%
	Capital Expenses	\$31,521	\$211,630	14.89%
Solid Waste Fund	Total Revenues	\$323,888	\$2,587,900	12.52%
	Refuse Collections Revenues	\$316,762	\$2,060,290	15.37%
	Other Revenues	\$7,126	\$48,200	14.78%
	Proceeds From Capital Leases	\$0	\$479,410	0.00%
	Total Expenses	\$240,829	\$2,587,900	9.31%
	Personnel Expenses	\$140,965	\$1,059,505	13.30%
	Operating Expenses	\$99,864	\$1,048,985	9.52%
	Capital Expenses	\$0	\$479,410	0.00%
Fiber Optics Fund	Total Revenues	\$270,910	\$1,646,900	16.45%
	Fiber Optics Revenues	\$243,686	\$1,539,800	15.83%
	GIS Revenues	\$15,825	\$102,500	15.44%
	Other Revenues	\$11,399	\$4,600	
	Total Expenses	\$163,787	\$1,646,900	9.95%
	Personnel Expenses	\$80,243	\$531,810	15.09%
	Operating Expenses	\$44,057	\$675,675	6.52%
	MEAG Telecom Statewide Pymt	\$38,234	\$229,415	16.67%
	Capital Expenses	\$1,253	\$210,000	0.60%

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				
Total Restricted Cash Balance	\$54,303,771.24	\$52,874,718.85	\$51,914,429.58				
Cash Position		1/31/12	2/28/12	3/31/12	4/30/12	5/31/12	6/30/12
Total Unrestricted Cash Balance							
Total Restricted Cash Balance							



City of Cartersville

City Council Meeting
11/3/2011 7:00:00 PM
Alcohol Control Board Appeals

SubCategory:	Discussion
Department Name:	Administration
Department Summary Recommendation:	This item is placed on the Agenda to allow City Council to discuss the appeals requested from Hilton Garden Inn, Tarascos and Knights regarding the Alcohol Control Board decision related to the sale of alcohol to minors.
City Manager's Remarks:	Three establishments are appealing recent ACB actions. Keith Lovell will lead you through this process.
Financial/Budget Certification:	
Legal:	
Associated Information:	
