



# City of Cartersville

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

## COUNCILPERSONS:

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

## AGENDA

Council Chamber, Third Floor of City Hall– 7:00  
PM – 11/7/2013  
**Work Session – 6:00 P.M.**

## CITY MANAGER:

Sam Grove

## CITY ATTORNEY:

David Archer

## CITY CLERK:

Connie Keeling

### I. Opening of Meeting

- Invocation
- Pledge of Allegiance
- Roll Call

### II. Regular Agenda

#### A. Council Meeting Minutes

1. October 17, 2013 (Pages 4-26)

[Attachments](#)

---

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

1. File Z13-05: Rezoning application by John Adams for property located at 217 Cassville Road (approximately 0.43 acres) from MF-14 to O-C. (Pages 27-37)

[Attachments](#)

---

2. File AZ13-03: Annexation and zoning application by Shaw Industries Group (John Wilkinson, rep.) for property located at the southeast corner of Douthit Ferry Road and Old Mill Road (approximately 5.92 acres) from Bartow County jurisdiction to City O-C. (Pages 38-50)

[Attachments](#)

---

3. File SU13-05: Special Use application by Jay Frazier for property located at 310 N. Tennessee Street (approximately 0.46 acres) to allow a pawn and/or title pawn shop in the M-U district (Pages 51-64)

[Attachments](#)

---

#### C. Resolutions

1. Approval of Capital Improvements Element Annual Update and Corresponding Transmittal Resolution (Pages 65-85)

[Attachments](#)

---

2. Correction to 2008 Quitclaim Deed to Sandlot Development, LLC (Pages 86-90)

[Attachments](#)

---

**D. First Reading of Ordinances**

1. Text Amendment to City Ordinance 11-146 thru 11-160, Miscellaneous provisions of Code of Ordinances relating to the sale, manufacture, distribution, etc. of “so-called” synthetic marijuana (Pages 91-95)

[Attachments](#)

---

2. Amendment to Utility Fees Ordinance (96-97)

[Attachments](#)

---

**E. Contracts/Agreements**

1. 2014 Health Insurance Renewal with Cigna (Pages 98-99)

[Attachments](#)

---

2. Annual Assessment for Membership in the Northwest Georgia Regional Commission (Pages 100-101)

[Attachments](#)

---

**F. Easements**

1. Leake Mounds Trail ROW Easement - Hamilton State Bank (Pages 102-105)

[Attachments](#)

---

**G. Change Order**

1. Final Adjustment Change Order Sanitary Sewer Manhole Installation Project (Page 106)

[Attachments](#)

---

2. Final Adjustment Change Order Water Treatment Plant Valve Vault Installation Project (Page 107)

[Attachments](#)

---

**H. Other**

1. Asset Management Software Renewal and Training (Page 108)

[Attachments](#)

---

**I. Bid Award/Purchases**

1. Center Road 24-Inch Gravity Sewer Replacement Project – Construction Contract (Page 109)

[Attachments](#)

---

2. Fiber Installation for Water Tank on Center Road (Pages 110-112)

[Attachments](#)

---

3. Firefighter's Annual Clearance Physicals (Pages 113-119)

[Attachments](#)

---

4. Line Truck Rebuild (Pages 120-128)

[Attachments](#)

---

5. Compactor Cylinders for Commercial Garbage Truck (Page 129)

[Attachments](#)

---

## **J. Presentations**

1. Citizen's Survey Results (Page 130)

[Attachments](#)

---

**PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES OFFICE, ADA COORDINATOR, 48 HOURS IN ADVANCE OF THE MEETING AT 770-387-5616.**



# City of Cartersville

---

City Council Meeting  
11/7/2013 7:00:00 PM  
October 17, 2013

---

<b>SubCategory:</b>	Council Meeting Minutes
<b>Department Name:</b>	Clerk
<b>Department Summary Recommendation:</b>	Attached are the minutes for your review and approval.
<b>City Manager's Remarks:</b>	Minutes from October 17th have been compiled and reviewed by staff and are recommended for your approval.
<b>Financial/Budget Certification:</b>	
<b>Legal:</b>	
<b>Associated Information:</b>	

---

City Council Meeting  
10 N. Public Square  
October 17, 2013  
6:00 P.M. – Work Session 7:00 P.M.

## **I. Opening Meeting**

Invocation by Council Member Tate

Pledge of Allegiance led by Council Member Stepp

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

## **II. Regular Agenda**

### **A. Council Meeting Minutes**

#### **1. October 3, 2013**

A motion to approve the October 3, 2013 City Council Meeting Minutes as presented was made by Council Member Tate and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0

### **B. Proclamations**

#### **1. Anheuser Busch 20<sup>th</sup> Anniversary**

Mayor Santini read a proclamation recognizing the 20<sup>th</sup> anniversary of Anheuser Busch and the positive impact they have made to our community.

### **C. Presentations**

#### **1. Chamber of Commerce Report to Council**

Chief Executive Officer, Joe Harris and Board Chairman Wayne Moore presented an update to the Mayor and City Council on the State of the Cartersville-Bartow County Chamber of Commerce.

### **D. Second Reading of Ordinances**

#### **1. Emergency Management Ordinance**

Scott Carter, Fire Chief stated that this ordinance is to create an Emergency Management Section within the city codes. This ordinance has been recommended by GMA and works in conjunction with Bartow County Emergency Management Agency and Georgia Emergency Management Agency. Chief Carter stated that this ordinance does not replace, repeal, or conflict with any practices of Bartow County or the State of Georgia and allows the city to be more self-sufficient. This ordinance will enable the city to provide protection of public health, safety, and welfare of the citizens of Cartersville. Chief Carter stated that there have been no additions or corrections since the first reading and recommended approval.

A motion to approve Ordinance No. 22-13 was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0

## **Ordinance**

**of the**

**City of Cartersville, Georgia**

**Ordinance No. 22-13**

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

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

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

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

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

**Now be it and it is hereby ORDAINED by the Mayor and City Council of the City of Cartersville, that the CITY OF CARTERSVILLE CODE OF ORDINANCES CHAPTER by creating a new CHAPTER 8.5. EMERGENCY MANAGEMENT to read as follows:**

**1.**

## Chapter 8.5 Emergency Management

### Sec. 8.5-1. Regulations continued in effect.

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

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

#### *(A) Declaration of local emergency.*

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

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

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

#### 4. *Effect of declaration of local emergency.*

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

*(B) Form of declaration.*

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

**“DECLARATION OF LOCAL EMERGENCY”**

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

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

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

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

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

**WHEREFORE, IT IS ORDERED:**

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

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

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

**ENTERED at [TIME] on [DATE].**

**[Signed]**

**Mayor, City of Cartersville.”**

**(C) *Contracts with local governments.***

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

**Sec. 8-5.3. Enforcement and remedies.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (1)** Name of applicant;
- (2)** Permanent address and phone number of applicant;

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

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

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

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

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

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

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

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

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

## 2.

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

**BE IT AND IT IS HEREBY ORDAINED**

First Reading this the 3<sup>rd</sup> day of October 2013.

ADOPTED this the 17<sup>th</sup> day of October 2013. Second Reading.

/s/ Matthew J. Santini  
Matthew J. Santini

**Mayor**

**ATTEST:**

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

**E. Public Hearing – 1<sup>st</sup> Reading of Zoning/Annexation Requests**

**1. File SU13-05: Special Use application by Jay Frazier for property located at 310 N. Tennessee Street (approximately 0.46 acres) to allow a pawn and/or title pawn shop in the M-U District.**

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 lot is located at 310 North Tennessee Street and includes a multi-tenant office, retail and service use building. The applicant has operated a gun store in one of the tenant spaces for the last few years, and now proposes to expand his business to include pawn and/or title pawn. Mr. Mannino stated that all City Departments have reviewed the application and the Cartersville Police Department stated that it would be a concern if there would be outside storage. Mr. Mannino stated that the Planning Commission recommended approval with the condition that there shall be no outside storage on the property.

Mayor Santini opened the floor for a public hearing. Mrs. Frazier came forward to address the concerns of the council. With no further comments Mayor Santini closed the public hearing.

**NO ACTION REQUIRED**

**Ordinance**

**of the**

**City of Cartersville, Georgia**

**Ordinance No.**

**Petition No. SU13-05**

**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 Jerry Williams. Property is located at 310 North Tennessee Street. Said property contains 0.46 acres located in the 4<sup>th</sup> District, 3<sup>rd</sup> Section, Land Lot(s) 410 as shown on the attached plat

**Exhibit “A”. Property is hereby rezoned to M-U (Multiple Use) Special Use to allow pawn and/or title pawn shop as part of existing business with the following conditions. Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.**

- a. **There will be no outside storage on property.**

**BE IT AND IT IS HEREBY ORDAINED.**

**First Reading this the 17<sup>th</sup> day of October 2013.**

**ADOPTED this the day of. Second Reading.**

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

**ATTEST:**

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

**2. File AZ13-03: Annexation and zoning application by Shaw Industries Group (John Wilkinson, representative) for property located at the southeast corner of Douthit Ferry Road and Old Mill Road (approximately 5.92 acres) from Bartow County jurisdiction to City O-C (Office Commercial)**

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 these tracts are located at the southeast intersection of Douthit Ferry Road and Old Mill Road. The properties include a bank built in approximately 2004. Although these properties are not donut holes all lots to the north, east, and west are in the city limits. The applicant has stated that he would like the green field lot of nearly five acres to be annexed and combined with adjoining Shaw property. The bank on the corner would need to be annexed at the same time since future annexations cannot create new donut holes. Mr. Mannino stated if annexed the properties would be zoned O-C (Office Commercial) and the Planning Commission had recommended approval.

Mayor Santini opened the floor for a public hearing for the zoning and annexation. John Wilkinson came forward and with no further comments Mayor Santini closed the public hearing.

**NO ACTION REQUIRED**

**Ordinance**

**of the**



**City of Cartersville, Georgia**

**Ordinance No.**

**Petition No. AZ13-03**

**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 Shaw Industries Group, Inc. Property is located Douthit Ferry Road and Old Mill Road. Said property contains 5.92 acres located in the 4<sup>th</sup> District, 3<sup>rd</sup> Section, Land Lot(s) 632 as shown on the attached plat Exhibit "A". Annexation will be duly noted on the official zoning map of the City of Cartersville, Georgia.

**BE IT AND IT IS HEREBY ORDAINED.**

**First Reading this the 17<sup>th</sup> day of October 2013.**

**ADOPTED this the day of. Second Reading.**

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

**ATTEST:**

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

**Ordinance**

**of the**

**City of Cartersville, Georgia**

**Ordinance No.**

**Petition No. AZ13-03**

**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 Shaw Industries Group Inc. Property is located Douthit Ferry Road and Old Mill Road. Said property contains 5.92 acres located in the 4<sup>th</sup> District, 3<sup>rd</sup> Section, Land Lot(s) 632 as shown on the attached plat Exhibit "A". Property is hereby rezoned from County C-!(Commercial) and A-1 (Agricultural) to O-C (Office Commercial). Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.

**BE IT AND IT IS HEREBY ORDAINED.**

**First Reading this the 17<sup>th</sup> day of October 2013.**

**ADOPTED this the day of. Second Reading.**

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

**ATTEST:**

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

**3. File Z13-05 Rezoning application by John Adams for property located at 217 Cassville Road (approximately 0.43 acres) from MF-14 (Multi Family) to O-C (Office Commercial)**

Randy Mannino, Planning and Development Director, stated that the Public Official Forms have been received and there are no conflicts of interest. All adjacent property owners have been notified and the required legal notices have been advertised. Mr. Mannino requested that the application and zoning ordinance be made part of the official record. Copies of the adopted procedures and zoning standards are available upon request. Mr. Mannino stated that this tract is located at 217 Cassville Road, near the Cartersville Public Safety Headquarters. The property includes a house built in approximately 1945. In early 2013, City staff discovered that a Halfway House was operating in this residence. Since this use is not allowed at the property's current zoning the property owner has chosen to apply to rezone the property. Mr. Mannino stated that the Cartersville Fire Department officials have conducted a site visit, viewing the interior and exterior of the house. CFD staff has stated that they do not have objections to the application as long as the persons responsible for this use follow all adopted fire codes relating to the type of occupancy that exists at the location. Mr. Mannino stated that the Planning Commission had recommended approval.

Mayor Santini opened the floor for a public hearing. John Adams came forward and reassured Council that he is making changes to meet the fire codes. With no further comments Mayor Santini closed the public hearing.

**NO ACTION REQUIRED**

**Ordinance**

**of the**

**City of Cartersville, Georgia**

**Ordinance No.**

**Petition No. Z13-05**

**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 John Adams. Property is located 217 Cassville Road. Said property contains .043 acres located in the 4<sup>th</sup> District, 3<sup>rd</sup> Section, Land Lot(s) 342 as shown on the attached plat Exhibit "A". Property is hereby rezoned from MF-14 (Multi Family) to O-C (Office Commercial). Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.

**BE IT AND IT IS HEREBY ORDAINED.**

**First Reading this the 17<sup>th</sup> day of October 2013.  
ADOPTED this the day of. Second Reading.**

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

**ATTEST:**

/s/ Connie Keeling  
Connie Keeling  
City Clerk

**F. Resolutions**

**1. Urban Redevelopment Plan**

Richard Osborne, City Planner stated that the City Staff has been working on a revision to the Urban Redevelopment Plan (URP), adopted on September 2, 2010 and amended on May 19, 2011. The revision would add a new boundary area of 36 parcels adjacent to Cassville White Road, one of which would be in the city limits. If council approves the amendment to the URP, staff would work cooperatively with Bartow County representatives to apply for a joint City – County Opportunity Zone. Mr. Osborne recommended approval of this resolution.

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

A motion to approve Resolution No. 19-13 was made by Council Member McDaniel and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

**Resolution No. 19-13**

**A RESOLUTION AMENDING THE ADOPTED URBAN REDEVELOPMENT PLAN**

**CITY OF CARTERSVILLE, GEORGIA**

WHEREAS, the City of Cartersville has prepared an amendment to the adopted Urban Redevelopment Plan in accordance with Official Code of Georgia Annotated Section 36-61-1 et. seq. to rehabilitate, conserve, or redevelop the Cassville-White Road area; and

WHEREAS, the Urban Redevelopment Act can be used alone, or in combination with many of Georgia's other legislative redevelopment tools to support local comprehensive planning, revitalize faltering commercial corridors, recruit and nurture small businesses, rehabilitate older homes and neighborhoods, ensure architecturally compatible infill development, and generate new adaptive reuse for old industrial facilities; and

WHEREAS, the City of Cartersville has identified the geographic Cassville-White Road area boundary that contains slum, which constitutes one of the Urban Redevelopment Areas, and can be described as:

That certain area lying within the corporate limits of the City of Cartersville and being enclosed by the boundary identified in Exhibit "E", City of Cartersville, Georgia Urban Redevelopment Area.

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

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

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

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

This Resolution is adopted this 17<sup>th</sup> day of October, 2013.

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

ATTEST:

/s/ Connie Keeling  
Connie Keeling

City Clerk

**2. Cartersville Bartow County Metropolitan Planning Organization**

Mr. Mannino stated that this resolution sets the members of the policy committee for the new Metropolitan Planning Organization to include the Mayor, Director of Planning and Development and the City Manager. Mr. Mannino recommended approval.

A motion to approve Resolution No. 20-13 was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

**Resolution No. 20-13**

**A RESOLUTION OF THE CITY OF CARTERSVILLE, GEORGIA ADOPTED BY THE CITY COUNCIL FOR THE PURPOSES OF APPOINTING A POLICY COMMITTEE MEMBER TO THE CARTERSVILLE-BARTOW COUNTY METROPOLITAN PLANNING ORGANIZATION (CB-MPO); AND FOR OTHER PURPOSES, ADOPTED THIS THE 17<sup>TH</sup> DAY OF OCTOBER, 2013.**

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

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

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

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

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

**ADOPTED this the 17<sup>th</sup> day of October 2013.**

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

**ATTEST:**

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

**G. Contracts/Agreements**

**1. Subordination Agreement 19 Roving Road**

Richard Osborne, City Planner stated that this item is needed to allow the owners at 19 Roving Road to refinance a single-family home. This property is part of the CHIP five year forgivable first time homebuyers program. Previously the property owner had a security deed on the house that served as the primary debt and the deed to the City of Cartersville was secondary. This agreement allows the property owner to maintain the primary and secondary agreement with a new mortgage to serve as the primary debt and the City will remain in the same security position as before. Mr. Osborne recommended approval of this subordination agreement.

A motion to approve the subordination agreement for 19 Roving Road was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0

**H. Certification**

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

Wade Wilson, City Engineer/Storm water Program Manager stated that the National Flood Insurance Program's (NFIP) Community Rating System (CRS) is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. As a result, flood insurance premium rates are discounted to reflect the reduced flood risk resulting from the community actions. Mr. Wilson stated that in order to participate in this program the City is required annually to complete a recertification form that the Mayor has to sign. Mr. Wilson recommended approval.

A motion to authorize the Mayor's signature for the recertification was made by Council Member Hodge and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

**I. Change Order**

**1. 6" Drill Pipe**

Michael Hill, Assistant Gas Superintendent stated that at the August 1, 2013 council meeting the purchase of a 6” drill pipe from Consolidated Pipe was approved for a total of \$7,011.90 with a three week delivery. The pipe was ordered on August 2, 2013 is part of the material for the relocation of the facilities on SR 20. As of October 8, 2013 the pipe had not been delivered. Mr. Hill stated that new prices were requested and recommended that the original order with Consolidated Pipe be cancelled and the approval of the purchase from CAVCO, Inc for a total of \$8,236.62.

A motion to approve the cancellation of the order from Consolidated Pipe and approve the purchase from CAVCO, Inc. was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

## **J. Bid Award/Purchases**

### **1. Purchase and Installation of Cameras and Cabling at Conference Center**

Lamar Greeson, Telecommunications Manager stated that the Convention and Visitor’s Bureau (CVB) requested that additional cameras be installed at the Clarence Brown Conference Center. Since the Fiber Department maintains this equipment at this facility they have met with the CVB staff and determined the type of equipment needed. Mr. Greeson recommended approval for the purchase and installation of the cameras and cabling from Telenet Systems in the amount of \$11,590.80.

A motion to approve the agreement with Telenet Systems was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0

### **2. Retiree Medicare Insurance Supplement Renewal**

Dwight Hale, Human Resources Director stated that City Staff has met with ShawHankins and reviewed the Medicare insurance renewal options for city retirees over the age of 65. Currently the retirees are covered by a Medicare Supplement from United Healthcare (UHC). ShawHankins presented the renewal without any benefit changes and it had a 5.9% rate increase. Also, retirees will begin to pay the increased cost in dental insurance which is \$2.50 more per month for single coverage and for family coverage. After reviewing all options, Mr. Hale recommended approval to renew the coverage with UHC with no benefit plan changes and a 5.9% increase.

A motion to approve the Insurance Supplement Agreement with UHC with no benefit plan changes and a 5.9% increase was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

### **3. Bartow – Cartersville Second Joint Development Authority Payment**

Tom Rhinehart, Finance Director stated that in 2011 the Bartow-Cartersville Second Joint Development Authority was created by the City and County to act as a conduit for the land debt

service of the industrial park. The Second JDA allows the debt on the park to be paid off by the bond call date in 2015 or as soon thereafter as possible, saving an estimated \$5,000,000.00 in interest alone. Mr. Rhinehart recommended approval of the payment of \$7,000.00 to the Second JDA for the purpose of being used to pay its operating expenses for the calendar year 2013. Calendar year 2012 expenses were absorbed by the first JDA and the city/county attorneys have the legal opinion that the expenses from each authority should be maintained separately.

A motion to approve the city's portion of the JDA Payment was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

#### **4. Heating and Air Unit Replacement for Finance Department**

Tom Rhinehart, Finance Director stated that the heating and air conditioning unit in the Finance Department is in need of replacement. The current unit is approaching 30 Years of age. Five local vendors and building code staff were walked through the scope of work to be performed. Staff made recommendations on the needs of the replacement and the duct work associated with the work. After reviewing the tabulation it was recommended that Pendley Heating and Air be awarded the replacement based on the materials to be used and past experience dealing with this unit. Mr. Rhinehart stated that Pendley's quote is not the lowest nor is it the highest but staff feels that this is the best bid. Mr. Rhinehart recommended approval of the bid from Pendley Heating and Air in the amount of \$19,734.55 for a Trane 10 ton unit and new metal duct system.

A motion to approve the bid from Pendley Heating and Air was made by Council Member Hodge and seconded by Council Member Stepp. Motion carried unanimously. Vote 5-0

Mayor Santini stated that there were two items to be added to the agenda. A motion to add two items to the agenda was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 5-0

### **K. Added Items**

#### **1. National Register of Historic Places Designation – Downtown**

Richard Osborne, City Planner stated that staff has been working to nominate the Downtown Business District to the National Register of Historic Places. This nomination application needs to be sent to the State Department of Natural Resources, Georgia Historic Preservation Division by October 31, 2013 to be in the review time frame for a possible 2014 designation and recommended approval for the Mayor to sign a letter of support to accompany the application.

A motion to authorize the Mayor to sign a letter of support for the DBA application was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 5-0



## 2. Anti Litem Notice

David Archer, City Attorney stated that the city had received an ante litem notice from Dexter Elroy Flemming from an arrest on February 27, 2013. Mr. Archer recommended approval of this Ante Litem Resolution to deny the claims and to direct the City Attorney's Office to inform Mr. Flemming of the denial.

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

### Resolution No. 21-13

#### RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, GEORGIA

WHEREAS, on or about October 11, 2013, the City of Cartersville received an Ante Litem Notice from Dexter Elroy Flemming concerning an arrest on February 27, 2013 and other matters.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Mayor and City Council that the City of Cartersville denies the Ante Litem Notice claim submitted as referenced above based on the information currently available to it, and directs the City Attorney's Office to inform Dexter Elroy Flemming of said denial.

BE IT AND IT IS HEREBY RESOLVED this 17<sup>th</sup> day of October, 2013.

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

ATTEST:

/s/ Connie Keeling  
Connie Keeling  
City Clerk

## L. Monthly Financial Statement

### 1. August 2013

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

**M. Presentations**

**1. Citizen's Survey Results**

Sam Grove, City Manager presented a portion of the results from the recently completed Citizens Survey pertaining to Cultural Arts and Education.

After announcements a motion to adjourn the meeting was made by Council Member Stepp and needing no second. Motion carried unanimously. Vote 5-0

**Meeting Adjourned**

/s/ \_\_\_\_\_  
Matthew J. Santini  
Mayor

ATTEST:

/s/ \_\_\_\_\_  
Connie Keeling  
City Clerk



# City of Cartersville

City Council Meeting  
11/7/2013 7:00:00 PM

File #Z13-05: Rezoning application by John Adams for property located at 217 Cassville Road (approximately 0.43 acres) from MF-14 to O-C.

<b>SubCategory:</b>	Public Hearing - 2nd Reading of Zoning/Annexation Requests
<b>Department Name:</b>	
<b>Department Summary Recommendation:</b>	<p>The subject tract is located at 217 Cassville Road, near the Cartersville Public Safety Headquarters. The property includes a house built in approximately 1945. In early 2013, City staff discovered that a Halfway house was operating in this residence. Since this use is not allowed in the property's current zoning (MF-14), the property owner has chosen to apply to rezone the property to O-C so that the use can operate by-right. Cartersville Fire Department officials have conducted a site visit, viewing the interior and exterior of the house. CFD staff has stated that they do not have objections to the application as long as the persons responsible for this use follow all adopted fire codes relating to the type of occupancy that exists at the location. Planning Commission recommended approval.</p>
<b>City Manager's Remarks:</b>	Your approval of this item is recommended by the Planning Commission.
<b>Financial/Budget Certification:</b>	
<b>Legal:</b>	
<b>Associated Information:</b>	

## **ZONING SYNOPSIS**

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

### **APPLICANT INFORMATION AND PROPERTY DESCRIPTION**

Applicant: **John Adams**

Representative: **none**

Property Owner: **John & Harriet Adams**

Property Location: **217 Cassville Road**

Access to the Property: **Cassville Road**

#### **Site Characteristics:**

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

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

### **LAND USE INFORMATION**

Current Zoning: **MF-14**

Proposed Zoning: **O-C**

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

Current Zoning of Adjacent Property:

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

South: **MF-14**

East: **MF-14**

West: **Bartow County jurisdiction**

The Future Development Plan designates the subject property as:

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

## **ZONING ANALYSIS**

### **City Departments Reviews**

#### **Water and Sewer:**

No objections.

#### **Public Works:**

No comments.

#### **Gas:**

No objections.

#### **Electric:**

No objection.

#### **Fire:**

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

#### **Police:**

No comments.

*The subject tract is located at 217 Cassville Road, near the Cartersville Public Safety Headquarters. The property includes a house built in approximately 1945. In early 2013, City staff discovered that a Halfway house was operating in this residence. Since this use is not allowed in the property's current zoning (MF-14), the property owner has chosen to apply to rezone the property to O-C so that the use can operate by-right. Cartersville Fire Department officials have conducted a site visit, viewing the interior and exterior of the house. CFD staff has stated that they do not have objections to the application as long as the persons responsible for this use follow all adopted fire codes relating to the type of occupancy that exists at the location. Planning Commission recommended approval.*

### **STANDARDS FOR EXERCISE OF ZONING POWERS.**

- A. *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*  
**The O-C zoning proposal may permit a use that is suitable in view of the mixture of uses and development of nearby properties on this stretch of Cassville Road (institutional, commercial, residential).**
- B. *Whether the zoning proposal will create an isolated district unrelated to adjacent and nearby districts.*  
**The O-C zoning proposal may not create an isolated zoning district since there are commercial zoned properties nearby to the north (entrance to ATCO) and south (intersection with N. Erwin St).**
- C. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*  
**The O-C zoning proposal may not adversely affect the existing use of adjacent properties.**
- D. *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.*  
**As currently zoned for MF-14, the property may have a reasonable economic use.**
- E. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*  
**The proposal may not cause an excessive use of existing streets and facilities. Utility, Public Works, and Planning & Development staff would review any future development based on possible use on roads, utilities, and other factors.**
- F. *Whether the zoning proposal is in conformity with the adopted local Comprehensive Land Use Plan.*  
**The zoning proposal is not in conformity with the Future Development Map of the comprehensive plan. However, it is noted that M-U is one of the recommended zoning districts for this lot, which allows for many of the same commercial uses as O-C.**

- G. Whether the zoning proposal will result in a use which will or could adversely affect the environment, including but not limited to drainage, wetlands, groundwater recharge areas, endangered wildlife habitats, soil erosion and sedimentation, floodplain, air quality, and water quality and quantity.  
**The proposal may not result in a use which could adversely affect the environment. Utility, Public Works, and Planning & Development staff would review any future development/redevelopment.**
- H. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.  
**During the last ten years, the commercial development at the entrance to ATCO and the construction of the Public Safety Headquarters have added to the mixture of uses and zoning districts found on this section of Cassville Road. O-C may be an appropriate zoning district for this area.**

STAFF RECOMMENDATION:

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

**PLANNING COMMISSION RECOMMENDATION**

**Approval**

### Application for Rezoning

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

*paid \$450  
8-19-13-R0*

Application Number 213-05  
October 8 @ 5:30 PM  
Hearing Dates October 17 @ 7:00 PM  
November 7 @ 7:00 PM

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

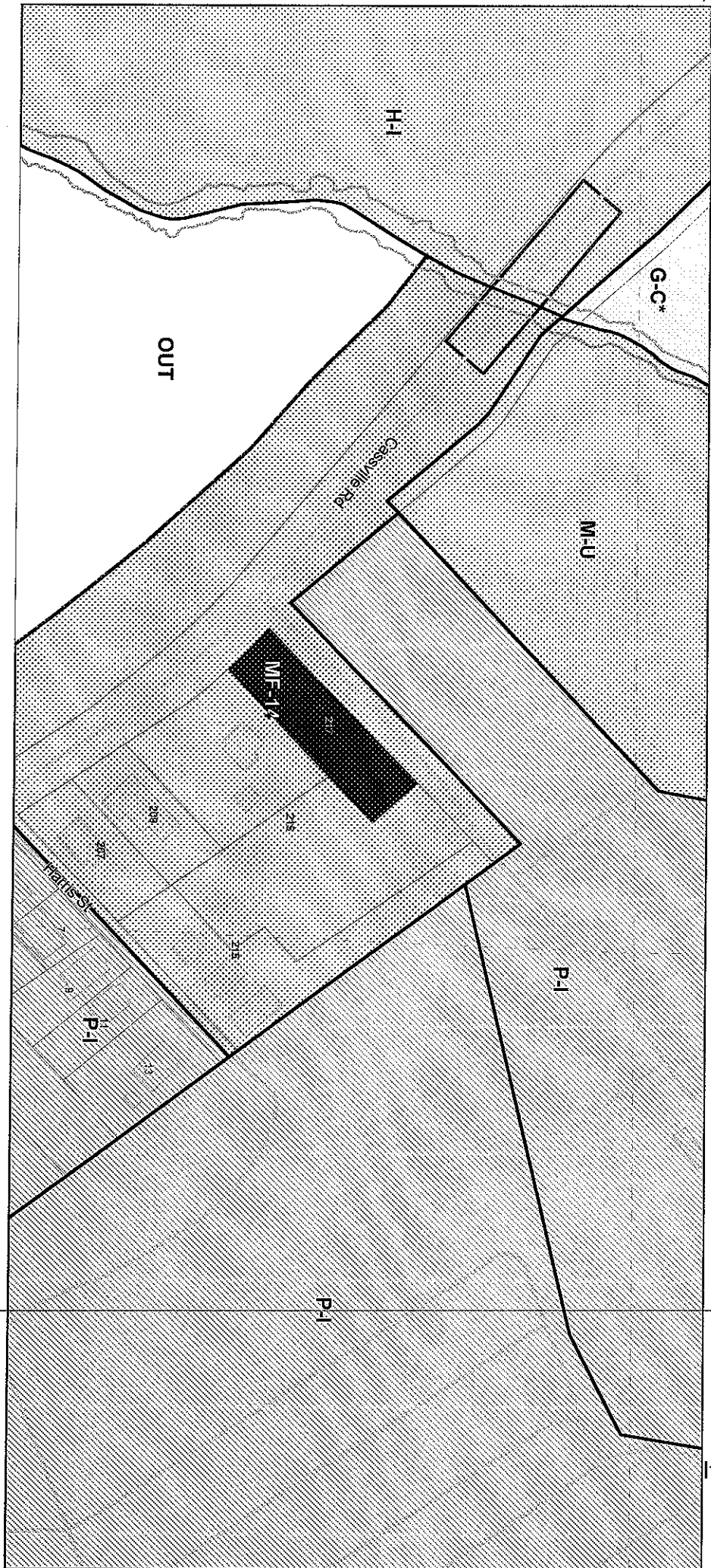
Titleholder John and Harriet Adams Business above Home above  
 (titleholder's printed name)  
 \*attach additional notarized signatures as needed on separate application page Address same as above  
 Signature John C. Adams  
 Signed, sealed, delivered in presence of: \_\_\_\_\_  
 My commission expires: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

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

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



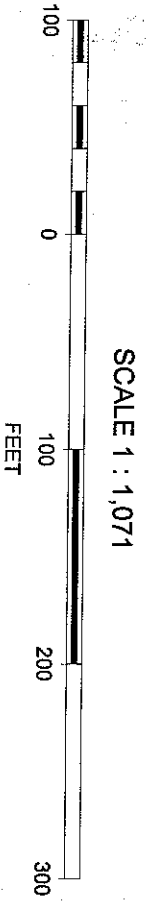
# 217 Cassville Rd - rezoning case Z13-05



SCALE 1 : 2,142



# 217 Cassville Rd - rezoning case Z13-05





217 Cassville Rd  
Z13-05



217 Cassville Rd

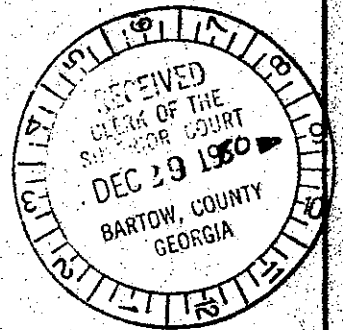
Recorded 12-29-80 Trudy Jefferson Reg

23-424

BOOK 117  
PAGE 126 5-26-59

PROPERTY OF  
**WILLIAM H. JOHNSON**

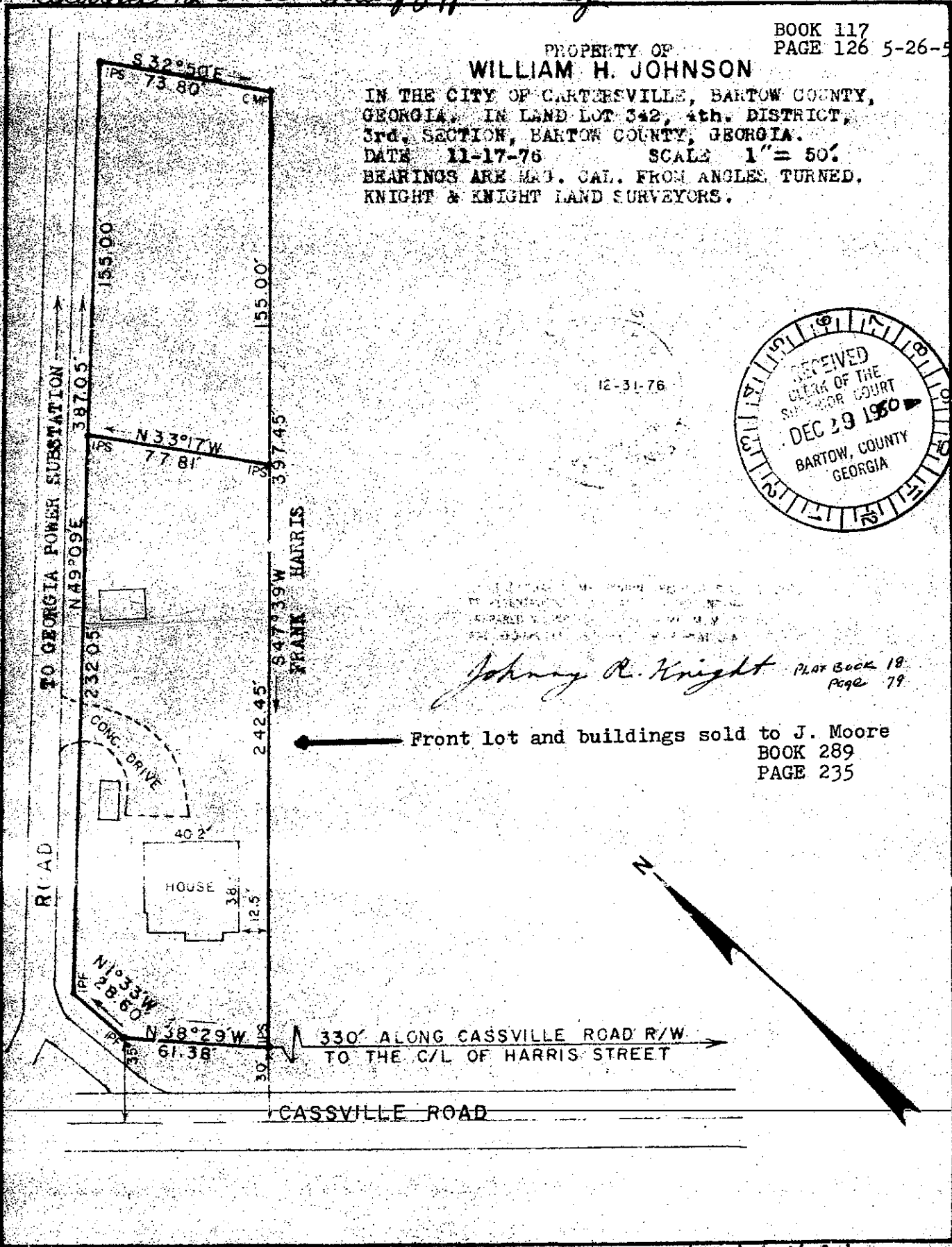
IN THE CITY OF CARTERSVILLE, BARTOW COUNTY,  
GEORGIA, IN LAND LOT 342, 4th. DISTRICT,  
3rd. SECTION, BARTOW COUNTY, GEORGIA.  
DATE 11-17-76 SCALE 1" = 50'  
BEARINGS ARE MAG. CAL. FROM ANGLES TURNED.  
KNIGHT & KNIGHT LAND SURVEYORS.



12-31-76

*Johnny R. Knight* PLAT BOOK 18  
PAGE 79

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



217 Cassville Rd.

John C. Adams & Harriet H. Adams #2



# City of Cartersville

PLANNING AND DEVELOPMENT

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

File # **Z13-05**

## **DISCLOSURE OF INTERESTS BY LOCAL OFFICIAL**

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

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

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

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

\_\_\_\_\_  
 TITLE: \_\_\_\_\_

\_\_\_\_\_  
 DATE: \_\_\_\_\_



# City of Cartersville

City Council Meeting  
11/7/2013 7:00:00 PM

**File AZ13-03: Annexation and zoning application by Shaw Industries Group (John Wilkinson, rep.) for property located at the southeast corner of Douthit Ferry Road and Old Mill Road (approximately 5.92 acres) from Bartow County jurisdiction to City O-C.**

<b>SubCategory:</b>	Public Hearing - 2nd Reading of Zoning/Annexation Requests
<b>Department Name:</b>	Planning and Development
<b>Department Summary Recommendation:</b>	The subject tracts are located at the southeast intersection of Douthit Ferry Road and Old Mill Road. The properties include a bank built in approximately 2004. Although these properties are not donut holes (completely surrounded by incorporated properties), all lots to the north, east, and west of this area are in the City limits. The applicant's representative has stated that he would like the greenfield lot of nearly five acres to be annexed to be combined with adjoining Shaw property on Old Mill Road. The bank on the corner, which is approximately one acre, needs to be annexed at the same time since the City Attorney's office has stated that future annexations cannot create new donut holes. The properties would, if annexed, be zoned O-C (Office Commercial). Planning Commission recommended approval
<b>City Manager's Remarks:</b>	Your approval of this annexation and rezone is recommended for approval by the Planning Commission.
<b>Financial/Budget Certification:</b>	
<b>Legal:</b>	
<b>Associated Information:</b>	

## **ZONING & ANNEXATION SYNOPSIS**

Petition Number(s): AZ13-03

### **APPLICANT INFORMATION AND PROPERTY DESCRIPTION**

Applicant: Shaw Industries Group, Inc.

Representative: John Wilkinson

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

Property Location: Douthit Ferry Road and Old Mill Road

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

#### *Site Characteristics:*

Tract Size: Acres: 5.92 acres District: 4<sup>th</sup> Section: 3<sup>rd</sup> LL(S): 632

Ward: 3 Council Member: Louis Tonsmeire, Sr.

### **LAND USE INFORMATION**

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

Proposed Zoning: O-C (Office Commercial)

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

Current Zoning of Adjacent Property:

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

South: Bartow County jurisdiction

East: L-I (Light Industrial)

West: O-C

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

## **ZONING ANALYSIS**

### **City Departments Reviews**

#### **Water and Sewer:**

No objections.

#### **Public Works:**

No objections.

#### **Gas:**

No objections.

#### **Electric:**

No objections.

#### **Fire:**

No objections.

#### **Police:**

No comments.

*Bartow County government has also received information regarding the annexation request and finds no objection to the application. The properties are currently zoned C-1 (Commercial) and A-1 (Agricultural) and are identified on the County's Future Land Use Map as Commercial / Mixed-use.*



*The subject tracts are located at the southeast intersection of Douthit Ferry Road and Old Mill Road. The properties include a bank built in approximately 2004. Although these properties are not donut holes (completely surrounded by incorporated properties), all lots to the north, east, and west of this area are in the City limits. The applicant's representative has stated that he would like the greenfield lot of nearly five acres to be annexed to be combined with adjoining Shaw property on Old Mill Road. The bank on the corner, which is approximately one acre, needs to be annexed at the same time since the City Attorney's office has stated that future annexations cannot create new donut holes. The properties would, if annexed, be zoned O-C (Office Commercial). Planning Commission recommended approval.*

### **STANDARDS FOR EXERCISE OF ZONING POWERS.**

- A. *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*  
**The proposed O-C zoning may permit a use that is suitable in view of the existing commercial and industrial development of adjacent properties.**
- B. *Whether the zoning proposal will create an isolated district unrelated to adjacent and nearby districts.*  
**The proposed O-C zoning may not create an isolated district since there are adjacent and nearby properties that are zoned O-C.**
- C. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*  
**The O-C zoning proposal may not adversely affect the existing use of adjacent properties.**
- D. *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.*  
**As currently zoned Commercial (C-1) in unincorporated Bartow County, the bank property may have a reasonable economic use. As currently zoned Agricultural (A-1) in unincorporated Bartow County, the greenfield lot may not have a reasonable economic use since there are few agricultural use lots in this part of Cartersville.**
- E. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*  
**The zoning proposal may not cause an excessive use of existing streets and facilities. Utility, Public Works, and Planning & Development staff would review any future development based on possible use on roads, utilities, and other factors.**
- F. *Whether the zoning proposal is in conformity with the adopted local Comprehensive Land Use Plan.*  
**The proposal is in conformity with the Future Development Map.**

- G. Whether the zoning proposal will result in a use which will or could adversely affect the environment, including but not limited to drainage, wetlands, groundwater recharge areas, endangered wildlife habitats, soil erosion and sedimentation, floodplain, air quality, and water quality and quantity.

**The O-C zoning proposal may not result in a use which could adversely affect the environment. Utility, Public Works, and Planning & Development staff would review any future development based on possible environmental factors related to use.**

- H. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

**Although these properties are not donut holes (completely surrounded by incorporated properties), all lots to the north, east, and west of this area are in the City limits. In the last ten years, the adjacent section of West Avenue (SR 61/113) has been widened and new commercial developments such as CVS, Arby's, and Zaxby's have been built. It may be appropriate for these properties to be in the City limits for consistency in services, and to be zoned O-C (Office Commercial).**

#### STAFF RECOMMENDATION

Staff has no objections.

#### PLANNING COMMISSION RECOMMENDATION

**Approval**

### Application for Annexation / Zoning

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

*Paid \$450  
-BO*

Application Number AZ13-03  
10-8 @ 5:30  
Hearing Dates 10-17 @ 7:00  
11-7 @ 7:00

Applicant Shaw Industries Group, Inc. Business/Cell Phone 706-275-4624  
(applicant's printed name)  
Address 616 E. Walnut Avenue Home Phone \_\_\_\_\_  
City Dalton State GA Zip 30722 Email john.wilkinson@shawinc.com

John H. Wilkinson Phone 706 275-4624 Fax # 706-275-4754  
(Representative's printed name (if other than applicant))  
SHAW INDUSTRIES GROUP, INC.,  
Representative's signature *John H. Wilkinson*  
By: *John H. Wilkinson*  
Applicant's signature  
Print Name: John H. Wilkinson  
Title: Director of Real Estate

Signed, sealed and delivered in presence of:  
*Karen Metcalf*  
Notary Public  
OFFICIAL SEAL  
KAREN METCALF My commission expires:  
NOTARY PUBLIC GEORGIA john.parks@bryanceave.com  
WHITFIELD COUNTY  
My Commission Expires May 3, 2016

Titleholder Walnut Grove Plantation, Inc. Business 770-382-6807 Home \_\_\_\_\_  
(titleholder's printed name)  
\*attach additional notarized signatures as needed on separate application page Address 84 Cummings Road, S.E.  
WALNUT GROVE PLANTATION, INC.  
Signature By: *Ann O. Cummings* Cartersville, GA 30120  
Signed, sealed, delivered in presence of: Ann O. Cummings, President

*Mark A. Harris*  
Notary Public  
State of Georgia  
Bartow County  
Commission Expires 2/13/18  
My commission expires: \_\_\_\_\_

*Mark A. Harris*  
Notary Public  
State of Georgia  
Bartow County  
Commission Expires 2/13/18

SEE ATTACHMENT

Requested City Zoning O-C  
Acreage 5.92 Land Lot(s) 632 District(s) 4th Section(s) 3rd

Location of Property  
Southeast corner of Douthit Ferry Road and Old Mill Road  
(street address, nearest intersections, etc)

Reason for requested Annexation / Zoning:  
1. Combine with adjoining Shaw tract in City limits  
2. Avoidance of island as to adjoining Renasant Bank tract  
(attach additional statement as necessary)

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

ATTACHMENT

Additional Titleholder: Renasant Bank

Address: 190 Village Centre East  
Woodstock, Georgia 30188

Contact: Kenneth E. Davis  
Georgia Division President

Telephone: 678-388-5358

Email: kdavis@renasant.com

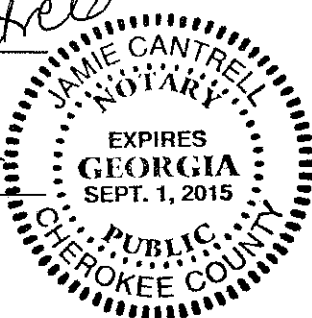
Signature: RENASANT BANK

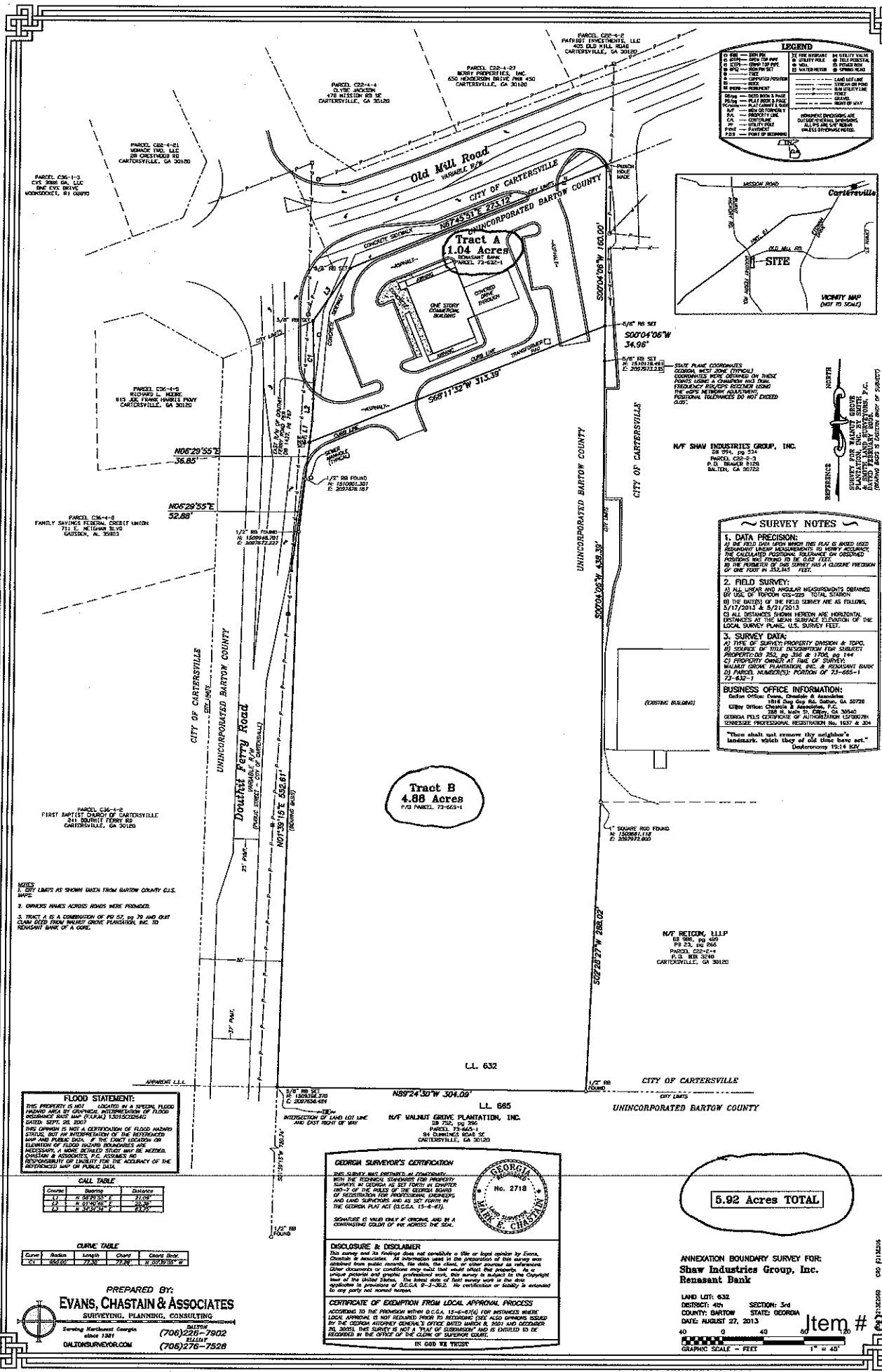
By: *Kenneth Davis*  
 Print Name: KENNETH DAVIS  
 Title: GEORGIA DIV. PRESIDENT

Signed, sealed and delivered in the presence of:

*Jamie Cantrell*  
 \_\_\_\_\_  
 Notary Public

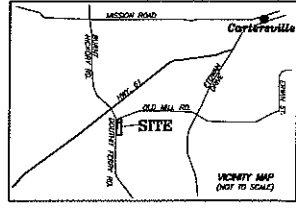
My commission expires: Sept 1, 2015





**LEGEND**

- 1/2" RB SET
- 3/4" RB SET
- 1" RB SET
- 1 1/2" RB SET
- 2" RB SET
- 3" RB SET
- 4" RB SET
- 5" RB SET
- 6" RB SET
- 7" RB SET
- 8" RB SET
- 9" RB SET
- 10" RB SET
- 11" RB SET
- 12" RB SET
- 13" RB SET
- 14" RB SET
- 15" RB SET
- 16" RB SET
- 17" RB SET
- 18" RB SET
- 19" RB SET
- 20" RB SET
- 21" RB SET
- 22" RB SET
- 23" RB SET
- 24" RB SET
- 25" RB SET
- 26" RB SET
- 27" RB SET
- 28" RB SET
- 29" RB SET
- 30" RB SET
- 31" RB SET
- 32" RB SET
- 33" RB SET
- 34" RB SET
- 35" RB SET
- 36" RB SET
- 37" RB SET
- 38" RB SET
- 39" RB SET
- 40" RB SET
- 41" RB SET
- 42" RB SET
- 43" RB SET
- 44" RB SET
- 45" RB SET
- 46" RB SET
- 47" RB SET
- 48" RB SET
- 49" RB SET
- 50" RB SET
- 51" RB SET
- 52" RB SET
- 53" RB SET
- 54" RB SET
- 55" RB SET
- 56" RB SET
- 57" RB SET
- 58" RB SET
- 59" RB SET
- 60" RB SET
- 61" RB SET
- 62" RB SET
- 63" RB SET
- 64" RB SET
- 65" RB SET
- 66" RB SET
- 67" RB SET
- 68" RB SET
- 69" RB SET
- 70" RB SET
- 71" RB SET
- 72" RB SET
- 73" RB SET
- 74" RB SET
- 75" RB SET
- 76" RB SET
- 77" RB SET
- 78" RB SET
- 79" RB SET
- 80" RB SET
- 81" RB SET
- 82" RB SET
- 83" RB SET
- 84" RB SET
- 85" RB SET
- 86" RB SET
- 87" RB SET
- 88" RB SET
- 89" RB SET
- 90" RB SET
- 91" RB SET
- 92" RB SET
- 93" RB SET
- 94" RB SET
- 95" RB SET
- 96" RB SET
- 97" RB SET
- 98" RB SET
- 99" RB SET
- 100" RB SET



**STATE PLANE COORDINATES**  
 GEORGIA WEST ZONE (TYPICAL)  
 COORDINATES WERE OBTAINED ON THESE  
 COORDINATES FROM A CHARTER AND THE  
 FREQUENCY POLYGRAPH SYSTEM USING  
 THE GPS NETWORK AGREEMENT.  
 POSITIONAL TOLERANCES DO NOT EXCEED  
 0.02'.

**SHAW INDUSTRIES GROUP, INC.**  
 28 094, PG 314  
 PARCEL 020-0-2  
 P.O. BOX 8128  
 MOUNTAIN, GA 30702

**SURVEY FOR WALNUT GROVE PLANTATION, INC.**  
 A SURVEY FOR WALNUT GROVE PLANTATION, INC.  
 (PARTIAL) AND A SURVEY FOR SHAW INDUSTRIES GROUP, INC.

**SURVEY NOTES**

- 1. DATA PRECISION:**  
 ALL FIELD DATA FROM WHICH THIS PLAN IS BASED WERE OBTAINED BY MEASUREMENTS MADE WITH A TOTAL STATION. THE CALCULATED POSITIONS, DISTANCES AND ANGLES WERE OBTAINED ON OBSERVED POSITIONS AND FOUND TO BE AS FOLLOWS:  
 (A) DISTANCES: 1/100,000  
 (B) ANGLES: 1/100,000  
 (C) POSITIONS: 1/100,000
- 2. FIELD SURVEY:**  
 (A) ALL ANGLES AND ANGULAR MEASUREMENTS OBTAINED BY USE OF TOTAL STATION.  
 (B) THE DATES OF THE FIELD SURVEY ARE AS FOLLOWS: 5/17/2013 & 5/21/2013.  
 (C) ALL DISTANCES GIVEN HEREON ARE HORIZONTAL DISTANCES AT THE MEAN SURFACE ELEVATION OF THE LOCAL SURVEY PLANE, I.E., SURVEY FEET.
- 3. SURVEY DATA:**  
 (A) TYPE OF SURVEY: PROPERTY DIVISION & TOPOG.  
 (B) SOURCE OF TITLE INFORMATION FOR SUBJECT PROPERTY: 03 752, PG 312 & 1700, PG 144  
 (C) PROPERTY OWNER AT TIME OF SURVEY: WALNUT GROVE PLANTATION, INC. & RENASANT BANK (2) PARCELS (MEMBERSHIP: PARCELS OF 73-055-1 73-832-1)

**BUSINESS OFFICE INFORMATION:**  
 Dallas Office: Texas, Oklahoma & Arkansas  
 1818 Dwyer Ave. Dallas, TX 75202  
 Dallas Office: Charles & Anderson, P.C.  
 288 N. Main St., El Paso, TX 79901  
 GEORGIA FIELD OFFICE OF AUTHORIZATION (CERTIFIED)  
 TENNESSEE PROFESSIONAL REGISTRATION NO. 1837 & 204

"Then shall not remove thy neighbor's landmark; which they of old time have set."  
 Deuteronomy 19:14 KJV

**NOTES**  
 1. CITY LIMITS AS SHOWN OBTAIN FROM BARTON COUNTY GIS MAPS.  
 2. OWNERS' NAMES ACROSS BOUNDARIES WERE PRODUCED.  
 3. TRACT A IS A COMBINATION OF PD 57, PG 70 AND ONE CLAIM DEED FROM WALNUT GROVE PLANTATION, INC. TO RENASANT BANK OF A LOG.

**FLOOD STATEMENT:**  
 THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) 1/30/2010. THE FLOOD HAZARD MAP (FEMA) 1/30/2010 IS AVAILABLE AT: [www.fema.gov](http://www.fema.gov).  
 THIS SURVEY IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS. FOR AN INTERPRETATION OF THE INTERESTED MAP AND FLOOD DATA, A FIELD VISIT TO THE LOCATION OF INTEREST IS NECESSARY. THE INTERESTED MAP IS AVAILABLE AT: [www.fema.gov](http://www.fema.gov).  
 NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. CONSULT A GEOTECHNICAL ENGINEER FOR THE RESPONSIBILITY OF LIABILITY FOR THE ACCURACY OF THE INTERESTED MAP OR PUBLIC DATA.

**CALL TABLE**

Course	Bearing	Distance
1-1	N 89°24'30" W	304.09'
1-2	S 72°00'00" E	255.00'
1-3	S 72°00'00" E	255.00'
1-4	N 89°24'30" W	304.09'

**CURVE TABLE**

Curve	Radius	Length	Chord	Chord Bear.
1-1	3550.0'	77.80'	77.80'	N 89°24'30" W

**PREPARED BY:**  
**EVANS, CHASTAIN & ASSOCIATES**  
 SURVEYING, PLANNING, CONSULTING  
 1000 North Main Street  
 Dalton, Georgia 30702  
 (706) 276-7902  
 DALTON@EVANSCHASTAIN.COM (706) 276-7528

**GEORGIA SURVEYOR'S CERTIFICATION**  
 THIS SURVEY WAS PERFORMED IN CONFORMANCE WITH THE TECHNICAL STANDARDS FOR PROFESSIONAL SURVEYING IN GEORGIA AS SET FORTH IN CHAPTER 100-2 OF THE RULES OF THE GEORGIA BOARD OF SURVEYING AND MAPPING. THIS SURVEY IS A FIELD SURVEY AND IS SUBJECT TO THE GEORGIA PRACTICE ACT (G.C.G.A. 15-4-41).  
 SIGNATURE: [Signature] VALID ONLY IF ORIGINAL AND IN A CONTRASTING COLOR OF INK ACROSS THE SEAL.

**DISCLOSURE & DISCLAIMER**  
 This survey and its findings do not constitute a title or legal opinion by Evans, Chastain & Associates. All information used in the preparation of this survey was obtained from public records, the data, the client, or other sources as referenced. Other documents or conditions may exist that would affect this property. As a licensed professional and graphic professional, this survey is subject to the Chapter 100-2 of the Rules of the Georgia Board of Surveying and Mapping. The final plat of this survey work is the only one that is valid. This survey is not a title of survey and is entitled to be recorded in the office of the county clerk.

**CERTIFICATE OF EXEMPTION FROM LOCAL APPROVAL PROCESS**  
 ACCORDING TO THE PROVISION WITHIN O.C.G.A. 15-4-41(d) FOR SURVEYS WHERE LOCAL APPROVAL IS NOT REQUIRED PRIOR TO RECORDING (SEE ALSO OPINIONS ISSUED BY THE GEORGIA ATTORNEY GENERAL'S OFFICE DATED MARCH 8, 2001 AND SEPTEMBER 26, 2002), THIS SURVEY IS NOT A TITLE OF SURVEY AND IS ENTITLED TO BE RECORDED IN THE OFFICE OF THE COUNTY CLERK.

IN GOD WE TRUST



**5.92 Acres TOTAL**

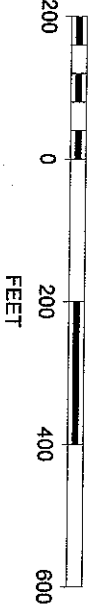
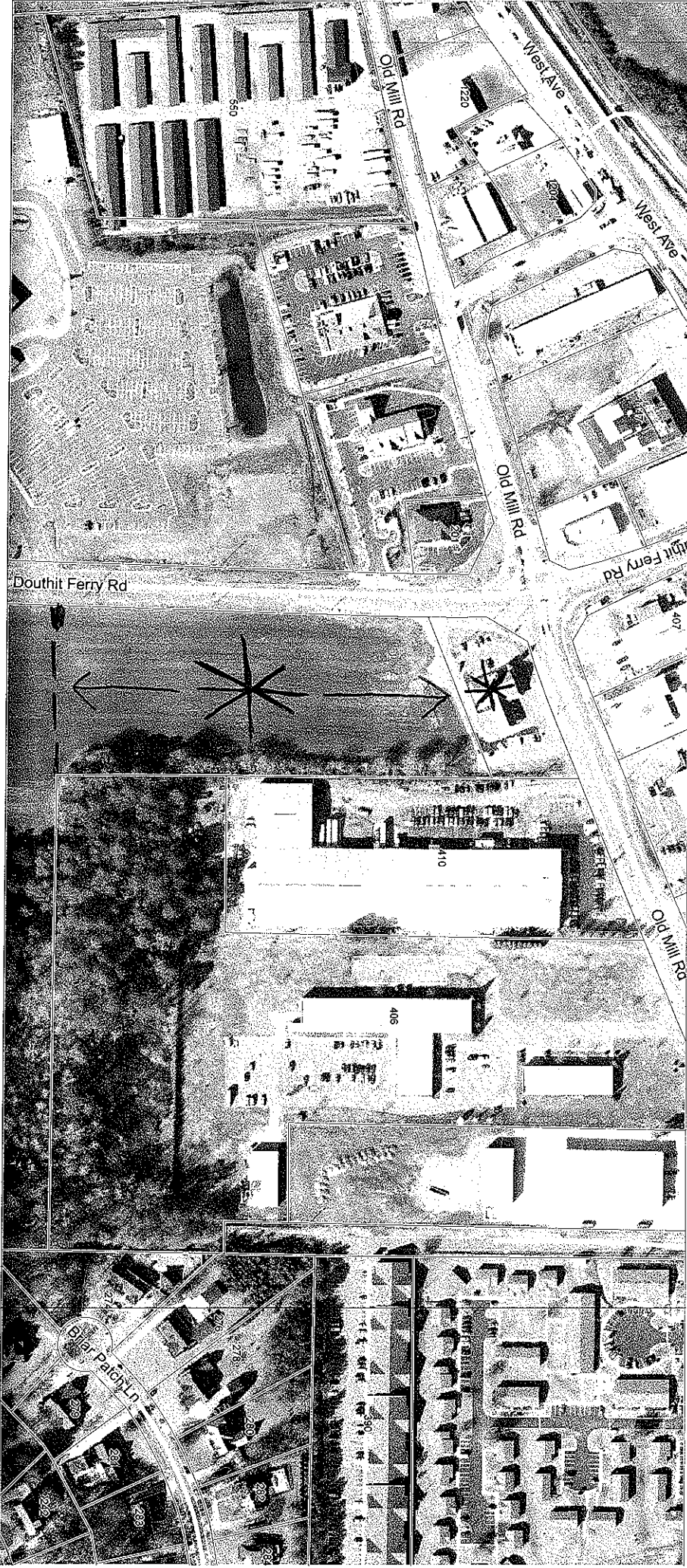
**ANNEXATION BOUNDARY SURVEY FOR:**  
**Shaw Industries Group, Inc.**  
**Renasant Bank**

LAND LOT: 632 SECTION: 3rd  
 DISTRICT: 4th COUNTY: BARTON STATE: GEORGIA  
 DATE: AUGUST 27, 2013

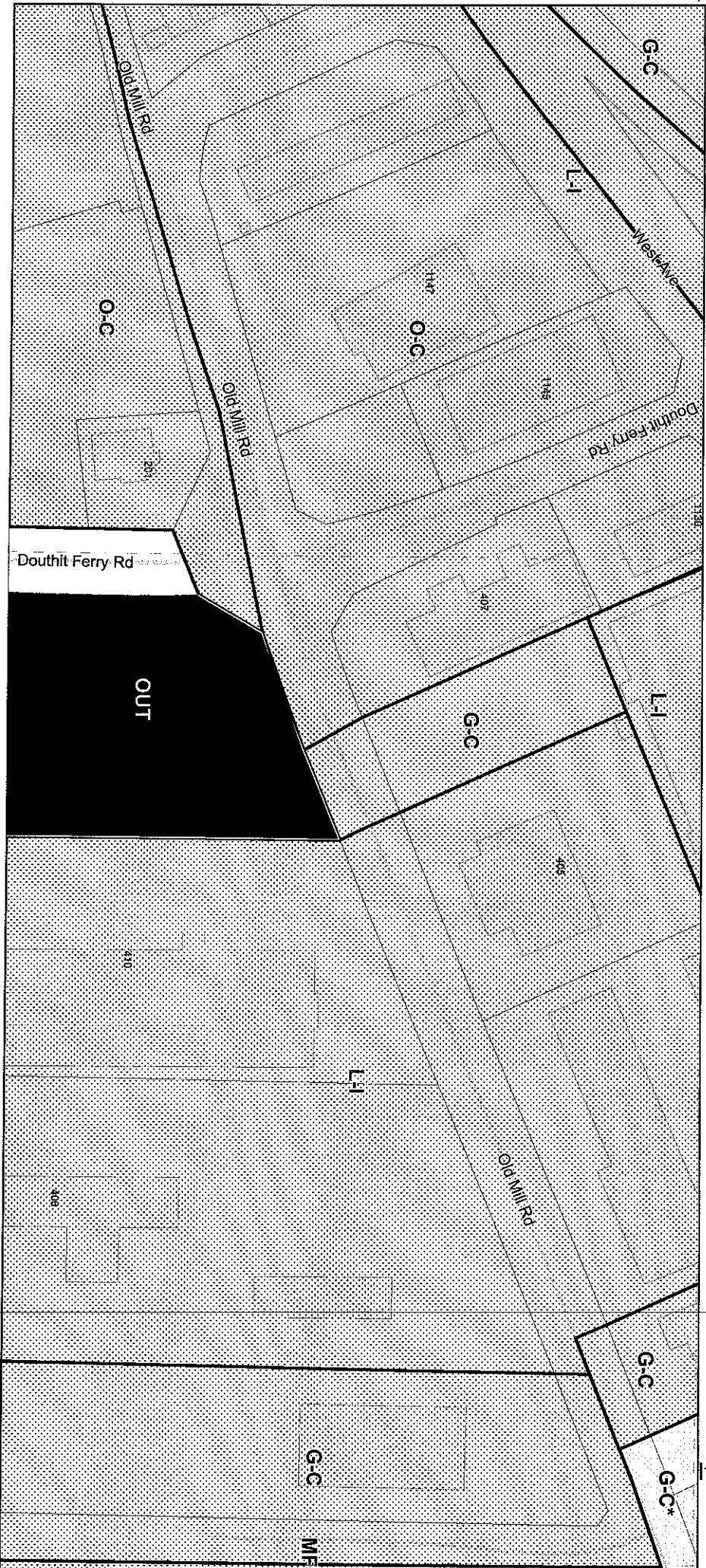
**Item #**

GRAPHIC SCALE - FEET 1" = 40'

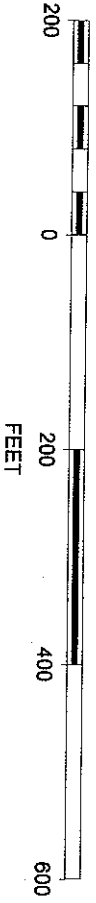
# Douthit Ferry Rd & Old Mill Rd - annexation AZ13-03



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



SCALE 1 : 2,142



Item # 3



# Douthit Ferry Rd & Old Mill Rd

AZ13-03

Item # 3







Bartow County Commissioner's Office • Steve Taylor, Commissioner

**CERTIFIED MAIL # 7006 3450 0001 5974 6489**

September 17, 2013

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

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

Dear Richard:

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

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

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

Sincerely,

A handwritten signature in black ink that reads "Steve Taylor". The signature is fluid and cursive, with the first letters of "Steve" and "Taylor" being capitalized and prominent.

**STEVE TAYLOR**  
Commissioner  
Bartow County

CB/kg

- c. Zoning Department
- Bartow County Road Department
- Voter Registration
- Tax Assessor
- GIS Department

Item # 3



# City of Cartersville

PLANNING AND DEVELOPMENT

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

File # **AZ13-03**

## DISCLOSURE OF INTERESTS BY LOCAL OFFICIAL

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

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

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

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

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_



# City of Cartersville

City Council Meeting  
11/7/2013 7:00:00 PM

File SU13-05: Special Use application by Jay Frazier for property located at 310 N. Tennessee Street (approximately 0.46 acres) to allow a pawn and/or title pawn shop in the M-U district

<b>SubCategory:</b>	Public Hearing - 2nd Reading of Zoning/Annexation Requests
<b>Department Name:</b>	
<b>Department Summary Recommendation:</b>	The subject lot is 310 N. Tennessee Street, near the intersection with McEver St. The property includes a multi-tenant office, retail, and service use building constructed in approximately 1988. The applicant has operated a gun store in one of the tenant spaces for the last few years, and now proposes to expand his business to include pawn and/or title pawn. All City departments have reviewed this Special Use application. Cartersville Police Department asked whether or not there would be vehicle storage on the property, and stated that it would be a concern if there would be proposed outside storage. Planning Commission recommended approval with the condition that there shall be no outside storage on the property.
<b>City Manager's Remarks:</b>	Your approval of this item is recommended by the Planning Commission.
<b>Financial/Budget Certification:</b>	
<b>Legal:</b>	
<b>Associated Information:</b>	

***SPECIAL USE APPLICATION SYNOPSIS***Petition Number(s): SU13-04***APPLICANT INFORMATION AND PROPERTY DESCRIPTION***Applicant: Randy WimpyRepresentative: Shep HeltonProperty Owner: Dad & His Daughter LLCProperty Location: 416 and 420 N. Tennessee StreetAccess to the Property: Tennessee Street***Site Characteristics:***Tract Size: Acres: 0.38 acres District: 4<sup>th</sup> Section: 3<sup>rd</sup> LL(S): 383Ward: 1 Council Member: Kari Hodge***LAND USE INFORMATION***Current Zoning: M-U (Multiple Use)Proposed Special Use: Expand the adjacent auto lot north onto these M-U lots.

Current Zoning of Adjacent Property:

North: M-USouth: M-UEast: M-UWest: R-D (Residential single-family and duplex)

The Future Development Plan designates the subject property as:

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

## **ZONING ANALYSIS**

### **City Departments Reviews**

#### **Water and Sewer:**

No objections.

#### **Public Works:**

No comments.

#### **Gas:**

No objections.

#### **Electric:**

No objections.

#### **Fire:**

No objections.

#### **Police:**

No comments.

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

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

## **ARTICLE XVI. SPECIAL USES**

### **Sec. 16.1. Scope and intent.**

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

### **Sec. 16.2. Application of regulations and approval.**

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

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

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

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

### **Sec. 16.3. Additional restrictions.**

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

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

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

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

**Sec.16.4. Minimum Special use standards.**

None related to expansion of used automotive businesses.

**HOW GENERAL AND SPECIFIC STANDARDS ARE MET**

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

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

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

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

**General Standard #3:** Protective screening.

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

**General Standard #4:** Hours and manner of operation:

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

### Application for Special Use

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

Application Number 5U13-04  
Hearing Dates July 9 @ 5:30 PM  
July 18 @ 7:00 PM  
August 1, 2013 @ 7:00 PM

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

Applicant RANDY WIMPY Business Phone (770) 382-6144  
 (applicant's printed name)  
 Address 414 North Tennessee Street Home Phone \_\_\_\_\_  
 City Cartersville State GA Zip 30120  
Shepard Helton Phone 770-382-6144 Fax # 770-382-1085  
 (Representative's printed name (if other than applicant))  
 Representative's signature [Signature] Applicant's signature [Signature]  
 Signed, sealed and delivered in presence of:  
[Signature] My commission expires:  
 Notary Public **DONNA BARRETT**  
 Bartow County  
 State of Georgia  
 My Comm. Expires March 19, 2017

Titleholder Dad & His Daughter, LLC Business 770-382-6144 Home \_\_\_\_\_  
 (titleholder's printed name)  
 \*attach additional notarized signatures as needed on separate application page  
 Address 422 N, TN Street, 30120  
 Signature [Signature] for DAD & HIS DAUGHTER LLC  
 Signed, sealed, delivered in presence of SHEPARD HELTON  
[Signature] My commission expires:  
 Notary Public **SHEPARD HELTON**  
 Bartow County  
 State of Georgia  
 My Comm. Expires November 6, 2015

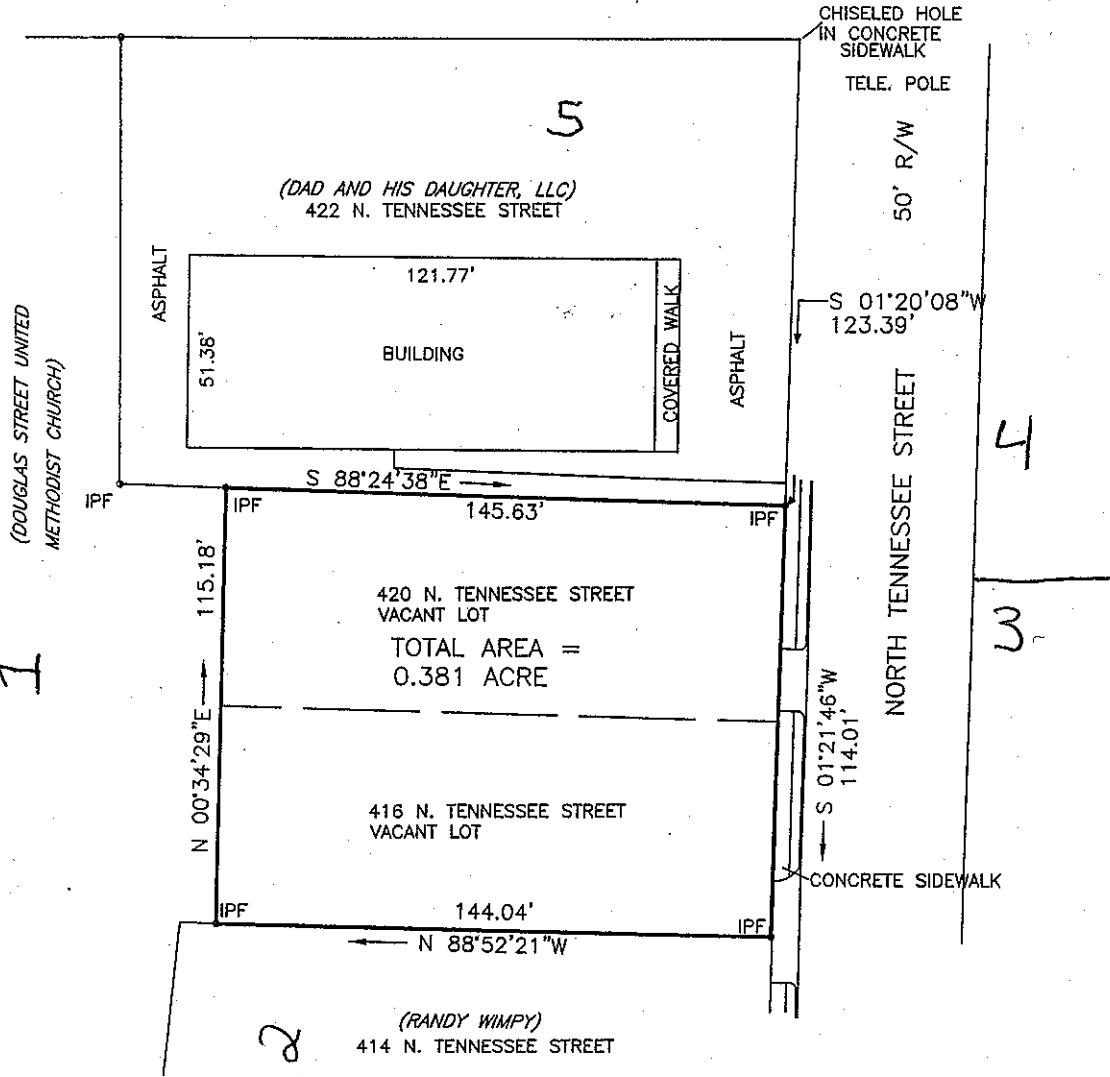
Present Zoning District(s) M-U Requested Special Use Automobile and Truck Sales  
 Acreage .381 Land Lot(s) 383 District(s) 4 Section(s) 3  
 Location of Property 416 & 420 North Tennessee Street, Cartersville, 30120  
 (street address, nearest intersections, etc)  
 Reason for requested Special Use: Expand current car lot to better accomodate current  
customers and traffic flow. (attach additional statement as necessary)

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



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

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

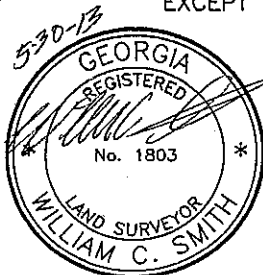


FIELD TRAVERSE:  
CLOSURE; ONE FOOT IN 20,000 FEET  
USING A LIETZ SET 3.  
ANGULAR ERROR; 0°00'06"PER ANGLE  
POINT USING A LIETZ SET 3.  
ADJUSTED; USING THE COMPASS RULE.

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

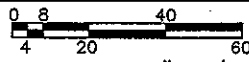
NOTE: IRON PINS ARE (1/2"RE-BAR)  
EXCEPT AS SHOWN.

SMITH & SMITH LAND SURVEYORS, P.C.  
2 SOUTH AVENUE, CARTERSVILLE, GA. 30120  
PHONE 770-382-0457  
REGISTERED LAND SURVEYOR No. 1803



PLAT CLOSURE;  
ONE FOOT IN  
50,000 FEET.  
MAY 30, 2013

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



FILE 2623-5

Item # 4

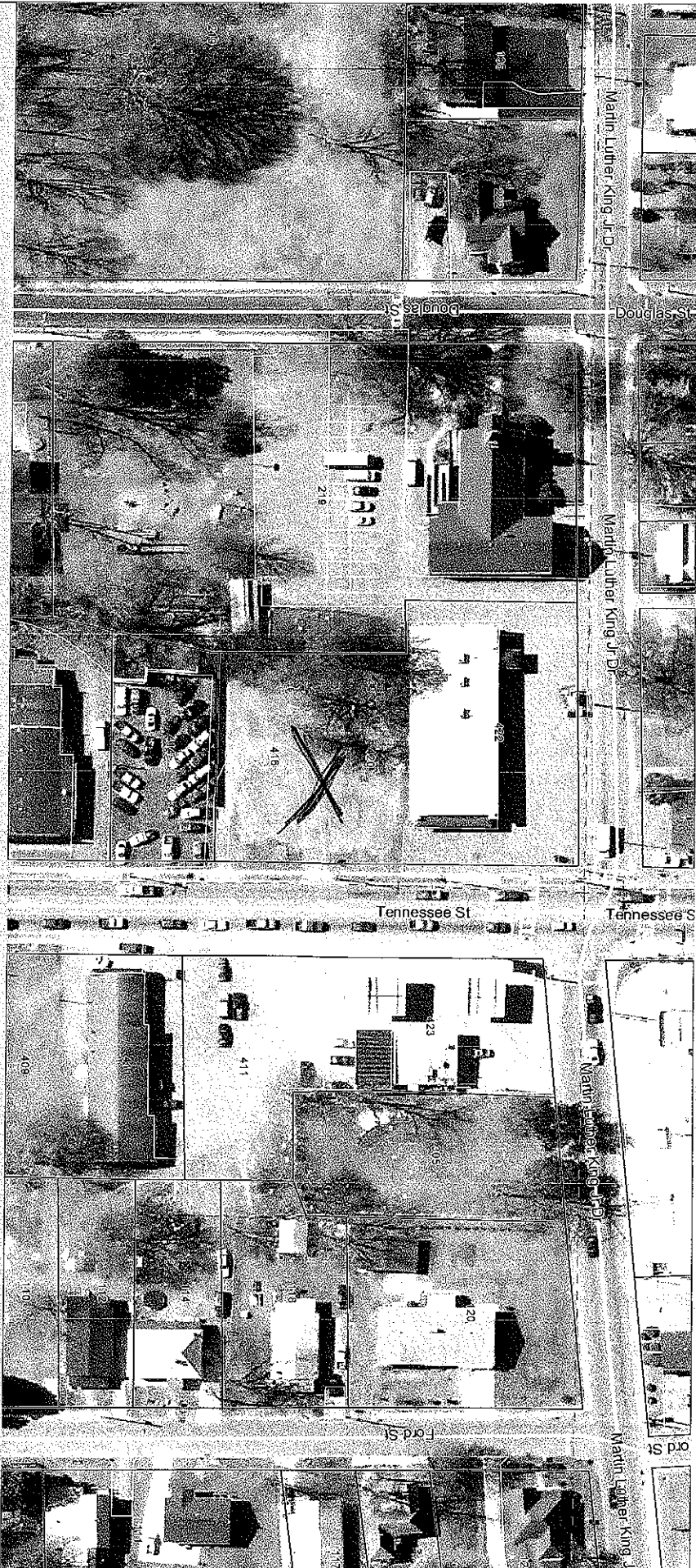
MAG. NORTH





# 416 and 420 N. Tennessee St SU13-04

Item # 4





07/18/2015

Item # 4



# SPECIAL USE JUSTIFICATION

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

Zoning Ordinance section 16.3.A

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

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

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

**Use applied for:** Automobile and Truck Sales

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

**How Standard #1 has / will be met:**

If there is any impact, it should be a positive one, in that customers will have more

room to negotiate entry to and exit from the property.

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

**How Standard #2 has / will be met:**

Applicant does not anticipate that this expansion will result in the need for more parking.

However, by adding this property, applicant will have more room for parking.

**Standard #3:** Protective screening.

**How Standard #3 has / will be met:**

Applicant does not anticipate the need for any protective screening.

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

**How Standard #4 has / will be met:**

Applicant anticipates maintaining the same hours of operation currently used on  
Applicant's adjacent property. Approximately 10 A.M. - 7 P.M.

**Standard #5: Outdoor lighting.**

**How Standard #5 has / will be met:**

Applicant intends to erect security lights on the property. However, the lights will  
be directed away from any residences and away from any street.

**Standard #6: Ingress and egress to the property.**

**How Standard #6 has / will be met:**

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

**Standard #7: Compatibility with surrounding land use.**

**How Standard #7 has / will be met:**

Applicant currently operates a car lot immediately adjacent to the subject property and  
has operated it continuously for many years. This use is compatible with surrounding uses.

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

N/A

Signed,



Applicant's or representative's name

6/7/13

Date



# City of Cartersville

PLANNING AND DEVELOPMENT

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

File # **SU13-04**

**DISCLOSURE OF INTERESTS BY LOCAL OFFICIAL**

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

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

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

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

\_\_\_\_\_  
TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_





# City of Cartersville

City Council Meeting  
11/7/2013 7:00:00 PM

## Approval of Capital Improvements Element Annual Update and Corresponding Transmittal Resolution

<b>SubCategory:</b>	Resolutions
<b>Department Name:</b>	Planning and Development
<b>Department Summary Recommendation:</b>	<p>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 2013 (July 1, 2012 through June 30, 2013). 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.</p> <p>RECOMMENDATION: Staff recommends that Council approve this resolution to allow us to forward the update to the RC and DCA for their review.</p>
<b>City Manager's Remarks:</b>	This is the required agenda item including a public hearing for the Capital Improvement element of the comprehensive plan. It will then be forwarded to the RDC and DCA as required by law.
<b>Financial/Budget Certification:</b>	
<b>Legal:</b>	
<b>Associated Information:</b>	

DRAFT

# **Capital Improvements Element 2014 Annual Update:**

## **Financial Report & Short Term Work Program**

City of Cartersville, GA  
AS ADOPTED 00/00/2014

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 Development 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.”<sup>1</sup>

According to DCA’s requirements,<sup>2</sup> 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.

<sup>1</sup> 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).

<sup>2</sup> Chapter 110-12-1-.05(2)(c)(i).

**IMPACT FEES FINANCIAL REPORT – CITY OF CARTERSVILLE, GA  
Fiscal Year 2013**

Cartersville, GA	Annual Impact Fee Financial Report - Fiscal Year 2013							
Public Facility	Libraries	Fire Protection	Police	Parks & Recreation	Roads	Administration	CIE Prep (recoupment)	TOTAL
Impact Fee Fund Balance June 30, 2012	\$0.00	\$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, 2012 through June 30, 2013)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Subtotal: Fee Accounts</b>	<b>\$0.00</b>	<b>\$117,475.74</b>	<b>\$85,694.34</b>	<b>\$49,433.59</b>	<b>\$31,039.18</b>	<b>\$6,410.00</b>	<b>\$13,615.88</b>	<b>\$303,668.73</b>
Interest Income July 1, 2012 through June 30, 2013	\$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	(\$117,475.74)	(\$85,694.34)	(\$49,433.59)	(\$31,039.18)	(\$6,410.00)	(\$13,615.88)	(\$303,668.73)
Impact Fee Fund Balance June 30, 2013	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Impact Fees Encumbered	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

<b>Public Facility:</b>		<b>Library</b>								
<b>Service Area:</b>		<b>City-wide</b>								
<b>Project Description</b>	<b>Units</b>	<b>Project Start Date</b>	<b>Project End Date</b>	<b>Local Cost of Project</b>	<b>Maximum Percentage of Funding from Impact Fees</b>	<b>Maximum Funding Possible from Impact Fees</b>	<b>Impact Fees Expended</b>	<b>Impact Fees Encumbered</b>	<b>Status/Remarks</b>	
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			
	<b>48,787</b>			<b>\$1,421,288.21</b>		<b>\$1,384,318.81</b>	<b>\$0.00</b>	<b>\$53,611.09</b>		

<b>Public Facility: Fire Protection</b>									
<b>Service Area: City-wide</b>									
<b>Project Description</b>	<b>Units</b>	<b>Project Start Date</b>	<b>Project End Date</b>	<b>Local Cost of Project</b>	<b>Maximum Percentage of Funding from Impact Fees</b>	<b>Maximum Funding Possible from Impact Fees</b>	<b>Impact Fees Expended</b>	<b>Impact Fees Encumbered</b>	<b>Status/Remarks</b>
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		
				<b>\$7,635,000.00</b>		<b>\$4,017,085.42</b>	<b>\$0.00</b>	<b>\$112,997.77</b>	

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

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
				<b>\$4,110,460.06</b>		<b>\$4,087,460.06</b>	<b>\$0.00</b>	<b>\$48,921.77</b>	

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
Douthit 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		
				<b>\$1,414,825.00</b>		<b>\$1,331,525.00</b>	<b>\$0.00</b>	<b>\$29,856.02</b>	

**2013-2017 SHORT TERM WORK PROGRAM  
CITY OF CARTERSVILLE, GA**

Project Description	2014	15	16	17	18	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
<b>Economic Development</b>								
Continue to participate in the Bartow-Cartersville Joint Development Authority (BCJDA), equally with the County, and implement applicable components of the Economic Development Strategy.	X	X	X	X	X	n/a	General Fund	BCJDA, City Council, Commissioner
Support the redevelopment of industrial sites through Brownfield redevelopment grants and programs, Less Developed Census Tracts Opportunity Zones or other programs as appropriate.	X	X	X	X	X	n/a	JDA Budget	BCJDA, Planning
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	JDA Budget	BCJDA, Planning
Promote sports and heritage-based tourism. Create an entertainment attraction such as a forum or coliseum.	X	X	X	X	X	variable	CVB, General Fund	CVB, BCJDA, City Council
Continue alliance with the County through the BCJDA and the Bartow-Cartersville Second Joint Development Authority (BC2JDA), to develop the "Class A" Business/Industrial Park on the north side, called Highland75.	X	X	X	X	X	variable	JDA Budget, General Fund	BCJDA, BC2JDA, City Council, Commissioner
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

Item # 5



Project Description	2014	15	16	17	18	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
Support collaboration among secondary and post-secondary education partners with each other and with employers, in regard to specialized job training programs and venues.	X	X	X	X	X	n/a	General Fund	BCJDA, Chamber
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, BCJDA
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**

Consider tree 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
Consider applying for Tree City USA designation	X					\$5,000	General Fund	City Council, Planning
Establish a comprehensive natural resources inventory database		X				\$12,000	General Fund	GIS

Project Description	2014	15	16	17	18	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
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

**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	Public Works, City Council, Developer (applicant)

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
---	--	--	---	--	--	----------	--------------	-------------------------------------

Project Description	2014	15	16	17	18	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
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 possible 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
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
Airport Instrument Landing System	X	X				\$1,100,000	SPLOST	CMO
Douthit Ferry Rd. improvements – road widening from SR 61/113 to Old Alabama Rd. (4 lane with median)(Engineering Only)	X	X	X	X	X	\$900,000	SPLOST (Const. GDOT & FHWA)	Public Works
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			\$700,000	SPLOST	Public Works
Grassdale Rd. – road improvements from US 41 to SR 293				X	X	\$5.9 mill 1.4 mill (City)	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

Project Description	2014	15	16	17	18	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
---------------------	------	----	----	----	----	----------------	-------------------------------	------------------------------

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					\$100,000	General Fund, User Fees	Stormwater Division
MS4 Compliance	X	X	X	X	X	\$20,000/yr	General Fund, Users 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
Purchase 2 fire trucks (1 with Jaws of Life)			X			\$1,025,000	100% Impact Fee	Fire Department
Relocation/construction of FD Station #3			X			\$1.5 mill	2014 SPLOST	Fire Department

Police Department

Replace police patrol units	X	X	X	X	X	\$180,000/yr	General Fund	Police Department
Continue Crime Mapping	X	X	X	X	X	\$29,000/yr	General Fund	Police Department

Item # 5

Project Description	2014	15	16	17	18	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
Replace ALL Protective vests		X	X	X	X	\$10,000/yr	General Fund	Police Department

Library

Collection Materials	X	X	X	X	X	\$552,438	97% Impact Fees, General Fund	Library
----------------------	---	---	---	---	---	-----------	-------------------------------	---------

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
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

Project Description	2014	15	16	17	18	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
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

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				\$500,000	Electric Revenue	Electric Utility

Project Description	2014	15	16	17	18	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
Highland 75 Line Phase 2 – construct power line on Cass-White Rd. to serve new Highland 75 Industrial Park			X			\$500,000	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		\$500,000	Electric Revenue	Electric Utility
South Tie Line Phase 3 – construct power line on Hwy 113 from airport to Browns Farm Road substation					X	\$500,000	Electric Revenue	Electric Utility
Utility relocation for DOT projects	X	X	X	X	X	Variable	Electric Revenue	Electric Utility
Distribution Automation			X		X	\$240,000	Electric Revenue	Electric Utility
Main Street overlay district underground project	X	X				\$1,250,150	SPLOST,	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

Sewer line – 8" line replacement on Etowah Dr. to West Ave.	X					\$2,000,000	General Fund, User Fees	Water & Sewer Department
---	---	--	--	--	--	-------------	-------------------------	--------------------------

<b>Project Description</b>	<b>2014</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>Estimated Cost</b>	<b>Anticipated Funding Source(s)</b>	<b>Responsible Party or Parties</b>
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
Water line – Center Rd to Main Street	X					\$500,000	General Fund, User Fees	Water & Sewer Department



Project Description	2014	15	16	17	18	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
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	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
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

Project Description	2014	15	16	17	18	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
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
Revise development ordinances to reflect quality growth standards such as signs, landscaping and architectural design	X					\$20,000	General Fund	City Council, Planning

Item # 5

Project Description	2014	15	16	17	18	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
Revise the sign ordinance to modernize document and reduce visual clutter (Completed)						\$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	X	X			\$22,000	General Fund	City Council, Planning
Identify strategies and recommended improvements as outlined in the adopted 2010 Urban Redevelopment Plan for North Towne, North west Industrial and South Industrial areas	X	X	X	X		n/a	General Fund	City Council, Planning
Refine, and create an Overlay District for the Tennessee Street Corridor		X				\$11,000	General Fund	City Council, 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
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

Item # 5

Project Description	2014	15	16	17	18	Estimated Cost	Anticipated Funding Source(s)	Responsible Party or Parties
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
Adopt Low Impact Development Ordinance	X					n/a	General Fund	Engineering, Stormwater

**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 7, 2013, 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 7th day of November 2013.**

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

**ATTEST:**

/s/ \_\_\_\_\_  
**Connie Keeling**  
**City Clerk**



# City of Cartersville

---

City Council Meeting  
11/7/2013 7:00:00 PM

Correction to 2008 Quitclaim Deed to Sandlot Development, LLC

---

<b>SubCategory:</b>	Resolutions
<b>Department Name:</b>	
<b>Department Summary Recommendation:</b>	This Resolution is to correct the wrong parcel number referenced in the deed for property the City transferred to Sandlot Dev., LLC in November of 2008.
<b>City Manager's Remarks:</b>	Your approval of this item is recommended.
<b>Financial/Budget Certification:</b>	
<b>Legal:</b>	
<b>Associated Information:</b>	

---

[Space above this line for recording data.]

---

Please Record and Return To:

J. Tom Minor, IV  
 Minor, Bell & Neal  
 P.O. Box 2586  
 Dalton, GA 30722-2586

## QUIT CLAIM DEED

**Georgia, Whitfield County**

**THIS INDENTURE** made this \_\_\_\_ day of November, 2013, between the **City of Cartersville, a municipal corporation of the State of Georgia** Grantor, and **Hamilton State Bank**, Grantee.

The words “Grantor” and “Grantee” whenever used herein shall include all individuals, corporations and any other persons or entities, and all the respective heirs, executors, administrators, legal representatives, successors and assigns of the parties hereto, and all those holding under either of them, and the pronouns used herein shall include, when appropriate, either gender and both singular and plural, and the grammatical construction of sentences shall conform thereto. If more than one party shall execute this deed each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein.

**WITNESSETH:** That the Grantor, for and in consideration of the sum of One Dollar and other valuable considerations, in hand paid at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has bargained and sold, and by these presents does grant, bargain, sell, convey, remise, release and forever quit claim unto the said Grantee, all the right, title, interest, claim or demand which the Grantor may have in and to the land as more particularly described in Exhibit “A” attached hereto, reference to which is hereby made and incorporated herein by reference.

**THERE IS HEREBY RESERVED TO GRANTOR** those certain easements as shown and depicted on that certain plat of survey prepared as the Final Plat of Walnut Grove Subdivision Commercial Development, by Joe M. Hart, Georgia Registered Land Surveyor No.

2884, dated October 14, 2008 and recorded in Plat Book 69 Page 165, Barlow County, Georgia Land Records.

**TO HAVE AND TO HOLD** the said tract of land, with all and singular the rights, members, and appurtenances thereof, to the same being, belonging, or in any wise appertaining, to the only proper use, benefit and behoof of the said Grantee so that neither Grantor nor any other person claiming under him shall at any time, claim or demand any right, title or interest to the said tract of land, or its appurtenances.

**IN WITNESS WHEREOF**, this deed has been duly executed and sealed by Grantor the day and year first above written.

Signed, sealed and delivered  
In the presence of:

**City of Cartersville**

\_\_\_\_\_  
Unofficial Witness

By: \_\_\_\_\_  
Mayor

\_\_\_\_\_  
Notary Public

Attest: \_\_\_\_\_  
Clerk

My commission expires:

[Notarial Seal]

[Seal]

File No. 20130879



**EXHIBIT "A"**

All that tractor parcel of land lying and being in Land Lot Nos. 633 and 634 of the 4th District and 3rd Section of Bartow County, Georgia, and being more particularly described as Tract Nos. 4, 5 and 6 according to a plat of survey prepared as the Final Plat of Walnut Grove Subdivision Commercial Development, by Joe M. Hart, Georgia Registered Land Surveyor No. 2884, dated October 14, 2008 and recorded in Plat Book 69 Page 165, Barlow County, Georgia Land Records, reference to which plat is hereby made and incorporated herein by reference.

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, on November 6, 2008 Mayor and City Clerk executed a deed to transfer acreage to Sandlot Development, LLC as part of a property transfer;

**WHEREAS**, when said Deed was recorded, it referenced the wrong parcel number;

**WHEREAS**, the proposed Deed corrects this error;

**NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED** by the Mayor and City Council that the City of Cartersville is hereby authorized to execute said Quitclaim Deed, attached as Exhibit "A" and authorizes the City Attorney to attend the closing on its behalf and authorizes the Mayor and City Clerk to execute any and all documents pertaining to said purchase on behalf of the City of Cartersville.

**BE IT AND IT IS HEREBY RESOLVED** this \_\_\_\_\_ day of November, 2013.

/s/ \_\_\_\_\_  
Matthew J. Santini, Mayor  
City of Cartersville, Georgia

ATTEST:

/s/ \_\_\_\_\_  
Connie Keeling, City Clerk  
City of Cartersville, Georgia



# City of Cartersville

City Council Meeting  
11/7/2013 7:00:00 PM

Text Amendment to City Ordinance 11-146 thru 11-160, Miscellaneous provisions of Code of Ordinances relating to the sale, manufacture, distribution, etc. of "so-called" synthetic marijuana

<b>SubCategory:</b>	First Reading of Ordinances
<b>Department Name:</b>	Police
<b>Department Summary Recommendation:</b>	<p>The Cartersville Police Department is requesting the attached amendment to the Code of Ordinances relating to Miscellaneous Offenses; particularly to that of "so-called" synthetic marijuana. As this type of social blight continues to spread and affect many of our young people, and since Bartow County has recently enacted a similar ordinance, it seems prudent that the City of Cartersville enact this ordinance in order that we do not become a synthetic marijuana island, where persons desiring to purchase such products come to support their dangerous habit.</p> <p>This ordinance amendment would aid in the equitable enforcement of these products throughout the county and city providing a greater quality of life to our citizens. It is with great concern that I submit this to you for your consideration and approval.</p>
<b>City Manager's Remarks:</b>	Your approval of the text amendment outlined above is recommended.
<b>Financial/Budget Certification:</b>	
<b>Legal:</b>	This amendment was drafted by the City Attorney's office.
<b>Associated Information:</b>	

**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 11. MISCELLANEOUS PROVISIONS AND OFFENSES. ARTICLE IV. OFFENSES INVOLVING PUBLIC SAFETY. Sec. 11-146 – 11-160. Reserved. is hereby amended:**

1.

WHEREAS, the City of Cartersville has been informed through reports from local law enforcement of the continuing manufacture, sale, distribution, delivery and/or use throughout the State of Georgia of certain dangerous substances defined under this Ordinance as “Unregulated Marijuana Substitutes” that mimic the effects of marijuana or “synthetic cannabinoids” (or “synthetic marijuana”, “K2” or “Spice”) despite the efforts of the Georgia General Assembly to regulate “synthetic cannabinoids” (or “synthetic marijuana”, “K2” or “Spice”) as a Schedule 1 controlled substance under Code Section 16-13-25 of the Official Code of Georgia and the 2012 Act of the General Assembly known as “Chase’s Law”; and

WHEREAS, in particular, the City of Cartersville is aware of the growing movement among manufacturers of synthetic cannabinoids to circumvent the laws of the State of Georgia (and the laws of other states regulating “synthetic cannabinoids”, “synthetic marijuana”, “K2” or Spice) and frustrated enforcement efforts by manufacturing “Unregulated Marijuana Substitutes” by altering the chemical formula, molecular structure and/or composition of “synthetic cannabinoids” so as to make said substances undetectable or unidentifiable as banned Schedule 1 controlled substances under Georgia law; and

WHEREAS, like “synthetic cannabinoids”, these Unregulated Marijuana Substitutes are commonly packaged and marketed as “potpourri”, “bath salts”, “plant food”, “herbal smoking blends”, “incense” and/or “herbal incense” to disguise their dangerous nature, but are commonly being used as an alternative to marijuana or “synthetic cannabinoids”, have been typically sold online, in head shops, tobacco shops, various retail outlets and at some gas stations, and may be sold and marketed under a variety of names including but not limited to “K-2”, “K-2 SUMMIT”, “GENIE”, “DASCENTS”, “ZOHAI”, “SAGE”, “SPICE”, “KO KNOCKOUT 2”, “SPICE GOLD”, “SPICE DIAMOND”, “SPICE SILVER”, “YUCATAN FIRE”, “SOLAR FLARE”, “PEP SPICE”, “FIRE N’ ICE”, “BLACK MAGIC SMOKE”, “SALVIA DIVINORUM”, “EXTREME POTPOURRI”, “HAYZE TRAINWRECK”, “SKUNK”, “FAKE WEED”, “MOON ROCKS”, “MR. SMILEY”, “RED X DAWN”, “BLAZE”, “BLACK MAMBA”, “BOMBAY BLUE” and “BLISS”; and  
WHEREAS, like “synthetic cannabinoids”, these Unregulated Marijuana Substitutes are reported by the medical community to produce a very potent, intoxicating effect ranging from three to one hundred times greater and more potent than Tetrahydrocannabinol (“THC”), the active ingredient in marijuana; and

WHEREAS, these Unregulated Marijuana Substitutes manifest all of the demonstrated attributes of substances that deprive persons of judgment, coordination and the ability to conduct themselves in a safe and appropriate manner in modern society, and are reported to cause hallucinations, vomiting, agitation, panic attacks, tachycardia, elevated blood pressure, pallor, numbness and tingling, disorientation, loss of time awareness, and in some cases, tremors, seizures, kidney failure and loss of consciousness; and

WHEREAS, due to the proliferation of Unregulated Marijuana Substitutes in the retail marketplace and the continued sale and use of Unregulated Marijuana Substitutes following the passage of amendments to Code Section 16-13-25 of the Official Code of Georgia including the 2012 enactment of “Chase’s Law”, the Georgia State Board of Pharmacy recently enacted an emergency rule on June 12, 2012 to specifically classify five additional compounds as “synthetic cannabinoids” that are banned from over-the-counter sales; however the recently enacted emergency rule of the Georgia State Board of Pharmacy does not allow for arrests or criminal prosecution until further action by the Georgia Legislature, and the current Georgia law regulating “synthetic cannabinoids” still allows for the very real threat of manufacturers continuing to alter the chemical formula, molecular structure and/or composition of “synthetic cannabinoids” so as to make said substances undetectable or unidentifiable as banned Schedule 1 controlled substances under Georgia law; and

WHEREAS, the continuing efforts of manufacturers of “synthetic cannabinoids” to circumvent the laws of the State of Georgia and prevent enforcement efforts by constantly altering the chemical formula, molecular structure and/or composition of these dangerous substances poses a serious and imminent threat to the public health, safety and welfare of the citizens of Bartow County, particularly the youth of the City of Cartersville; and

WHEREAS, the Mayor and City Council of the City of Cartersville desires to broaden or strengthen current Georgia law prohibiting the purchase, possession, manufacture, distribution, sale, delivery or use of “synthetic cannabinoids” by regulating the purchase, possession, manufacture, distribution, sale, delivery or use of Unregulated Marijuana Substitutes; and operation throughout this state and no local or special law shall be enacted in any case for which provision has been made by an existing general law, except that the General Assembly may by general

WHEREAS, the Georgia Constitution provides that “[l]aws of a general nature shall have uniform law authorize local governments by local ordinance or resolution to exercise police powers which do not conflict with general laws.” Ga. Const. 1983, Art. III, Sec. VI, Par. IV(a).

WHEREAS, Courts have repeatedly held that the above constitutional provision prevents local governments from duplicating state regulatory requirements or criminalizing an activity that is already criminalized under state law. *Jenkins v. Jones*, 209 Ga. 758, 762 (1953) (city cannot make it a crime to drive while intoxicated because the exact same activity is already a crime under state law); *City of Atlanta v. S.W.A.N. Consulting & Sec. Services, Inc.*, 274 Ga. 277, 280 (2001) (city cannot regulate private detective agency serving as bouncers at strip clubs when the agency is already regulated by the state); *City of Buford v. Georgia Power Co.*, 276 Ga. 590, 590 (2003) (city cannot regulate electrical power substations because the Public Services Commission has the authority to regulate those substations).

WHEREAS, while the City of Cartersville may not duplicate regulatory requirements set forth in the general law of the state or criminalize an activity that is already criminalized under general law (See *Jenkins v. Jones*, 209 Ga. 758, 762, 75 S.E.2d 815 (1953)), it may enact a special law regulating an activity so long as that special law does not conflict with a general law, that is, so long as the special law does not detract from or hinder the operation of the existing general law, but rather augments and strengthens it. *Grovenstein v. Effingham County*, 262 Ga. 45, 47, 414 S.E.2d 207, 210 (1992) (citing *City of Atlanta v. Associated Builders & Contractors of Ga.*, 240 Ga. 655, 657, 242 S.E.2d 139 (1978)); see also *Bd. of Com'rs of Miller County v. Callan*, 290 Ga. 327, 333, 720 S.E.2d 608, 613 (2012); *Pawnmart, Inc. v. Gwinnett County*, 279 Ga. 19, 21, 608 S.E.2d 639, 641 (2005).

WHEREAS, the City of Cartersville may also enact regulations to protect the health, safety, and general welfare of the public under its police powers. Ga. Const. of 1983, Art. IX, § 2, ¶ III; Ga. Const. of 1983, Art. III, § 6, ¶ IV(a); O.C.G.A. § 36-35-3; and

WHEREAS, the regulation of the purchase, possession, manufacture, distribution, sale, delivery or use of Unregulated Marijuana Substitutes does not detract or hinder the operation of the existing Georgia law, but rather, is filling a gap in the existing general law to account for a chemical compound or substance that is ever changing, and this regulation is designed with the specific intent to augment and strengthen the existing general law as opposed to regulating an activity that is already regulated by state law.

**Sec. 11-146**

Prohibition on the Sale, Manufacture, Use, Delivery, Purchase, Possession or Distribution of Unregulated Marijuana Substitutes.

(a) Definitions. The following words as used in this section shall have the following prescribed meaning:

(1) Unregulated Marijuana Substitutes shall mean and refer to any compounds or substances, whether described as tobacco herbs, incense spice, aromatherapy incense, bath salts, potpourri, herbal smoking blends, plant food, aromatic substance that may cause a sense of euphoria, novelty aromatic, or any blend thereof, regardless of whether the compound or substance is marketed for the purpose of being smoked, injected, inhaled or ingested by humans or for human consumption, that

(a) is not currently or hereinafter regulated as a Schedule 1 controlled substance under Georgia law (including the following Georgia law: Code Section 16-13-25 of the Official Code of Georgia, any amendments to Code Section 16-13-25 of the Official Code of Georgia including the 2012 Act of the Georgia General Assembly known as "Chase's Law", and the emergency rule of the Georgia State Board of Pharmacy enacted on June 12, 2012 declaring five specific additional compounds as "synthetic cannabinoids" that are Schedule 1 controlled substances under Georgia law),

(b) is privately compounded, with the specific intent to circumvent the criminal penalties for synthetic cannabinoids under Georgia law, and

(c) Emulate, simulate or mimic the effects of marijuana or synthetic cannabinoids through chemical changes such as the addition, subtraction or rearranging of a radical or the addition, subtraction or rearranging of a substituent.

(2) Synthetic cannabinoids shall mean and refer to those certain compounds or substances (also commonly known or referred to in general as "Spice" or "K2") that mimic, emulate or simulate the effects of marijuana or the active ingredient in marijuana (Tetrahydrocannabinol) that are specifically listed and identified as Schedule 1 controlled substances under Code Sections 16-13-25(3) and 16-13-25(12) of the Official Code of Georgia, any amendments thereto, or any other Code Section of the Official Code of Georgia.

(3) Substituent shall mean an atom or group that replaces another atom or group in a molecule.

(4) Radical shall mean and refer to a group of atoms that enters into and goes out of chemical combination without change and that forms one of the fundamental constituents of a molecule.

(5) Person shall mean and refer to any individual, natural person, partnership, firm, corporation, joint venture, proprietorship, business entity, association, agency, group, organization or group of persons or any other entity.

(b) It shall be unlawful for any person to use, sell, give, manufacture with intent to sell, possess, purchase, deliver, transport or distribute any Unregulated Marijuana Substitutes within the limits of City of Cartersville.

(c) Any person violating this section as it exists or may be amended, upon conviction, shall be punished by the imposition of a fine not to exceed \$1,000.00, by

imprisonment in the county jail for a period of time not to exceed sixty (60) days, or by both such fine and imprisonment. Each day any violation of this section shall continue shall constitute a separate offense.

(d) Conviction for a violation of this section may also result in the county revoking any person's privilege of operating a business within the limits of the county.

**Sec. 11-147**

Repealer.

All ordinances or resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

**Sec. 11-148**

Severability.

The sections, paragraphs, sentences, clauses and phrases of this ordinance are severable. Should any section, paragraph, sentence, clause or phrase of this ordinance be rendered invalid by any court of law, the remaining sections, paragraphs, sentences, clauses or phrases shall not be affected but shall continue in effect until amended or repealed by action of the governing authority of the City of Cartersville.

2.

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

**BE IT AND IT IS HEREBY ORDAINED**

**ADOPTED this the \_\_\_\_ day of \_\_\_\_\_ 2013. First Reading.**  
**ADOPTED this the \_\_\_\_ day of \_\_\_\_\_ 2013. Second Reading.**

/s/ \_\_\_\_\_  
 Matthew Santini  
 Mayor

ATTEST:

/s/ \_\_\_\_\_  
 Connie Keeling  
 City Clerk



# City of Cartersville

**City Council Meeting**  
**11/7/2013 7:00:00 PM**  
**Amendment to Utility Fees Ordinance**

<b>SubCategory:</b>	First Reading of Ordinances
<b>Department Name:</b>	Administration
<b>Department Summary Recommendation:</b>	As part of this fiscal year's budget city customers who pay utility bills, permits, invoices, etc. to the city with credit or debit cards were to begin paying a convenience fee to offset the credit card processing fees that have been paid by the city. The attached ordinance sets this fee at 2.5% and I recommend approval of this ordinance amendment.
<b>City Manager's Remarks:</b>	Your approval of this ordinance is recommended.
<b>Financial/Budget Certification:</b>	
<b>Legal:</b>	
<b>Associated Information:</b>	



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

**NOW BE IT AND IT IS HEREBY ORDAINED** by the Mayor and City Council of the City of Cartersville, Georgia, that the Code of Ordinances City of Cartersville, Georgia CHAPTER 24. UTILITIES, Sec. 24-21. Schedule of Charges, etc., (12) i. Additional charges is hereby amended by deleting said section in its entirety and replacing as follows:

**Section 24-21. Schedule of Charges, etc.**

**“(12) Additional charges.**

- i. City customers who pay for utility bills and other city invoices with a credit or debit card will be charged a 2.5% convenience fee.**

**BE IT AND IT IS HEREBY ORDAINED.**

**ADOPTED this the 7th day of November 2013. First Reading**

**ADOPTED this the day of . Second Reading.**

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

**ATTEST:**

/s/ \_\_\_\_\_  
**Connie Keeling**  
**City Clerk**



# City of Cartersville

**City Council Meeting  
11/7/2013 7:00:00 PM  
2014 Health Insurance Renewal with Cigna**

<b>SubCategory:</b>	Contracts/Agreements
<b>Department Name:</b>	Administration
<b>Department Summary Recommendation:</b>	<p>As of January 2013, the city is currently fully insured with Cigna Insurance and ShawHankins obtained several competitive quotes from other insurance carriers, like Blue Cross and Blue Shield, Aetna, Coventry and Humana for us to review for the 2014 insurance renewal. After reviewing the renewal proposals, it was determined that our best option is to stay with Cigna Insurance. The initial renewal proposal from Cigna with no benefit plan changes was with a 6.91% rate increase. After meeting with ShawHankins, I requested that Cigna re-look at their renewal proposal based on the competitive quotes that were received. Cigna did review their proposal and reduced their renewal to a 4.60% rate increase with no benefit plan changes.</p> <p>The next decision in the renewal was to make a change in the total out of pocket maximum that employees are subject to. Due to the new Affordable Care Act (ACA), out of pocket maximums in 2014 and future years will include co-pays that employees have already been paying to doctors and pharmacists for prescriptions. The ACA requires that co-pays, calendar year deductibles and co-insurance amounts be counted towards the out of pocket maximum. The existing calendar year deductible is \$3,000 single; \$6,000 family; and co-insurance is \$1,500 single; \$3,000 family. After reviewing a report from Cigna it was determined that a \$500 co-pay amount was sufficient. Based on this, the renewal option recommended from the attached is column three which is a 3.97% rate increase over the current year's rate.</p> <p>I recommend approval of the health insurance renewal with Cigna.</p>
<b>City Manager's Remarks:</b>	Your approval to renew this with Cigna as outlined above with deductibles remaining the same and co-pay at \$500 is recommended.
<b>Financial/Budget Certification:</b>	
<b>Legal:</b>	
<b>Associated Information:</b>	



**City of Cartersville**  
 Minimum Premium Alternative  
 Cigna Healthcare  
 January 1, 2014

	Cigna Healthcare Current	Cigna Healthcare Renewal PPACA Adjusted - \$4,500 OOP	Cigna Healthcare Renewal PPACA Adjusted - \$5,000 OOP	Cigna Healthcare Renewal PPACA Adjusted - \$5,500 OOP
Network	Open Access Plus	Open Access Plus	Open Access Plus	Open Access Plus
Plan Design	Current	Current	Current	Current
Pooling Level	\$100,000	\$100,000	\$100,000	\$100,000
<b>FIXED COSTS</b>				
<b>Fixed Expenses &amp; Network Access Fee</b>				
Single	\$71.33	\$74.80	\$74.80	\$74.80
Family	\$158.69	\$167.30	\$167.30	\$167.30
Total Monthly	\$37,157	\$39,091	\$39,091	\$39,091
Total Annual	\$445,880	\$469,087	\$469,087	\$469,087
<b>Percentage Increase from Current (Admin Fees)</b>		<b>5.20%</b>	<b>5.20%</b>	<b>5.20%</b>
<b>Stop Loss Premium</b>				
Single	\$86.17	\$90.48	\$90.48	\$90.48
Family	\$224.64	\$235.87	\$235.87	\$235.87
Total Monthly	\$49,564	\$52,042	\$52,042	\$52,042
Total Annual	\$594,765	\$624,503	\$624,503	\$624,503
<b>Percentage Increase from Current (Stoploss Premium)</b>		<b>5.00%</b>	<b>5.00%</b>	<b>5.00%</b>
<b>VARIABLE COSTS</b>				
<b>Claims Liability</b>				
Single	\$457.28	\$477.53	\$473.71	\$472.52
Family	\$1,136.33	\$1,186.66	\$1,177.17	\$1,174.20
Total Monthly	\$255,101	\$266,399	\$264,269	\$263,603
Total Annual	\$3,061,215	\$3,196,792	\$3,171,224	\$3,163,236
<b>Percentage Increase from Current (Liability Factors)</b>		<b>4.43%</b>	<b>3.59%</b>	<b>3.33%</b>
<b>TOTAL FIXED AND VARIABLE COSTS</b>				
Medical Administration	\$445,880	\$469,087	\$469,087	\$469,087
Stop Loss Premium	\$594,765	\$624,503	\$624,503	\$624,503
Claims Liability	\$3,061,215	\$3,196,792	\$3,171,224	\$3,163,236
<b>Total Fixed &amp; Variable Costs</b>	<b>\$4,101,859</b>	<b>\$4,290,383</b>	<b>\$4,264,815</b>	<b>\$4,256,826</b>
<b>Percentage Increase from Current (Total Cost)</b>		<b>4.60%</b>	<b>3.97%</b>	<b>3.78%</b>

Item # 9



# City of Cartersville

City Council Meeting  
11/7/2013 7:00:00 PM

## Annual Assessment for Membership in the Northwest Georgia Regional Commission

<b>SubCategory:</b>	Contracts/Agreements
<b>Department Name:</b>	City Manager
<b>Department Summary Recommendation:</b>	This is the request for the annual dues for membership and participation in the Northwest Georgia Regional Commission. This is for fiscal year July 1, 2013 through June 30, 2014.
<b>City Manager's Remarks:</b>	This is our share of payment toward the RDC. This invoice is above \$5,000 and therefore requires Council authorization.
<b>Financial/Budget Certification:</b>	This is a budgeted item.
<b>Legal:</b>	
<b>Associated Information:</b>	

# NWGRC

NORTHWEST GEORGIA REGIONAL COMMISSION

*A Region With A Bright Future*

**Rome Office:** P.O. Box 1798, Rome, Georgia 30162-1798 Phone (706) 295-6485 www.nwgrc.org  
RC Fax (706) 295-6665 AAA Fax (706) 802-5508 WIA Fax (706) 802-5567

**Dalton Office:** 503 West Waugh Street, Dalton, Georgia 30720 Phone (706) 272-2300 Fax (706) 272-2253

STATEMENT OF DUES  
PAYMENT REQUEST

**TO:** CITY OF CARTERSVILLE  
**FOR:** Membership and participation in the Northwest Georgia Regional Commission  
**AMOUNT:** Annual assessment for the Fiscal Year July 1, 2013 through June 30, 2014

Population x Dues Rate  
19,810 x \$1.00 = **\$19,810.00**

Source: U. S. Census Bureau, Population Division  
Population Estimates as of July 1, 2012

**Please make payment to:** Northwest Georgia Regional Commission  
P. O. Box 1798  
Rome, GA 30162-1798

Item # 10

**Regional Planning Economic Development Area Agency on Aging Workforce Investment Program**

*An Equal Opportunity Employer / Programs  
Auxiliary Aids / Services Available Upon Request to Individuals with Disabilities*



# City of Cartersville

City Council Meeting  
11/7/2013 7:00:00 PM

## Leake Mounds Trail ROW Easement - Hamilton State Bank

<b>SubCategory:</b>	Easements
<b>Department Name:</b>	Parks and Recreation
<b>Department Summary Recommendation:</b>	I recommend the purchase of "Right of Way" easement from Hamilton State Bank, in the appraised amount of \$6,100.00. Right of Way is located adjacent to Water Department on Walnut Grove Road. This is the final parcel acquisition of right of way for the Leake Mounds-Etowah RiverWalk Link.
<b>City Manager's Remarks:</b>	This has been previously discussed with City Council and is now recommended for your approval.
<b>Financial/Budget Certification:</b>	This was not a budgeted item, but will be paid for as part of the trail expense budgeted this year.
<b>Legal:</b>	
<b>Associated Information:</b>	

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

DAVID G. ARCHER  
E. KEITH LOVELL

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

MEMO

To: Mayor and City Council

From: E. Keith Lovell

Date: October 31, 2013

Re: Resolution for Leake Trail

This is to acquire some land in easement that is needed for the Trail, it is recommended by Greg Anderson.

EKL/src

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, on August 15, 2013 Mayor and City Council made an offer to purchase containing 1,598.06 and 2,369.82 square feet of temporary and permanent easement respectively in Land Lot 663, 4<sup>th</sup> District, 3<sup>rd</sup> Section part of Bartow County Tax Parcel C074-0001-006, Cartersville, Georgia in the amount of \$6,100.00 plus reasonable closing costs;

**WHEREAS**, The City of Cartersville needs to acquire the property, as shown on the attached plat attached hereto and incorporated herein as Exhibit "A" as a part of its Leake Mounds Trail;

**WHEREAS**, This property is being purchased through a Department of Transportation, State of Georgia Grant;

**NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED** by the Mayor and City Council that the City of Cartersville is hereby authorized to purchase said property and authorizes the City Attorney to attend the closing on its behalf and authorizes the Mayor and City Clerk to execute any and all documents pertaining to said purchase on behalf of the City of Cartersville.

**BE IT AND IT IS HEREBY RESOLVED** this \_\_\_\_\_ day of October, 2013.

/s/ \_\_\_\_\_  
Matthew J. Santini, Mayor  
City of Cartersville, Georgia

ATTEST:

/s/ \_\_\_\_\_  
Connie Keeling, City Clerk  
City of Cartersville, Georgia







# City of Cartersville

City Council Meeting  
11/7/2013 7:00:00 PM

## Final Adjustment Change Order Sanitary Sewer Manhole Installation Project

<b>SubCategory:</b>	Change Order
<b>Department Name:</b>	Water Department
<b>Department Summary Recommendation:</b>	<p>MEMO TO: Sam Grove FROM: Edmund Mullinax DATE: November 7, 2013 SUBJECT: Final Adjustment Change Order Sanitary Sewer Manhole Installation Project</p> <p>The Council approved the agreement Hill City Utilities for Sanitary Sewer Manhole Installations for an amount of \$28,600.00. Unforeseen conditions and corrections to pipe and manhole defects encountered resulted in a \$12,500.00 increase to the project. The Final Adjusted cost amount for the project is \$41,100.00 with this increase. These repairs and improvements are expected to significantly reduce storm water infiltration into the sanitary sewer system.</p> <p>The Water Department recommends approval of the Final Adjustment Change Order in the amount of \$12,500. This work will be paid from the Water Department's budget item for Maintenance and Repair of Sewers.</p>
<b>City Manager's Remarks:</b>	Your approval of this item is recommended.
<b>Financial/Budget Certification:</b>	This work will be paid from the Water Department's budget item for Maintenance and Repair of Sewers.
<b>Legal:</b>	
<b>Associated Information:</b>	



# City of Cartersville

City Council Meeting  
11/7/2013 7:00:00 PM

## Final Adjustment Change Order Water Treatment Plant Valve Vault Installation Project

<b>SubCategory:</b>	Change Order
<b>Department Name:</b>	Water Department
<b>Department Summary Recommendation:</b>	<p>MEMO TO: Sam Grove FROM: Edmund Mullinax DATE: November 7, 2013 SUBJECT: Final Adjustment Change Order Water Treatment Plant Valve Vault Installation Project</p> <p>The Council approved the original contract for the Water Treatment Plant Valve Vault Installation Project with C and L Contractors for an amount of \$76,067.50. Additional work performed to repair valves and relocated existing utilities in the area resulted in an increase of \$58,100.00 to the originally approved contract. The Final Adjusted contract amount for labor and installation on this project is \$134,167.50 with this change order.</p> <p>The Water Department recommends approval of the Final Adjustment Change Order in the amount of \$58,100.00. This project will be paid for from the budget item for maintenance to the Water Treatment Plant.</p>
<b>City Manager's Remarks:</b>	Your approval of the change order as outlined above is recommended.
<b>Financial/Budget Certification:</b>	This project will be paid for from the budget item for maintenance to the Water Treatment Plant.
<b>Legal:</b>	
<b>Associated Information:</b>	



# City of Cartersville

**City Council Meeting  
11/7/2013 7:00:00 PM  
Asset Management Software Renewal and Training**

<b>SubCategory:</b>	Other
<b>Department Name:</b>	Water Department
<b>Department Summary Recommendation:</b>	<p>MEMO TO: Sam Grove FROM: Edmund Mullinax DATE: November 7, 2013 SUBJECT: Asset Management Software Renewal and Training</p> <p>The Water Department uses a software system from SEMS Technologies for asset management and work orders. The annual software user license renewal and annual Webinar Training subscription is due. The total annual fee is \$7,545.00.</p> <p>The Water Department recommends approval of the payment of \$7,545.00 to SEMS Technologies. This item will be paid for from the budget.</p>
<b>City Manager's Remarks:</b>	This is renewal of the Water Department's asset management software. The invoice amount is above \$5,000 is therefore recommended for your approval.
<b>Financial/Budget Certification:</b>	This item will be paid for from the budget.
<b>Legal:</b>	
<b>Associated Information:</b>	



# City of Cartersville

City Council Meeting  
11/7/2013 7:00:00 PM

## Center Road 24-Inch Gravity Sewer Replacement Project – Construction Contract

<b>SubCategory:</b>	Bid Award/Purchases								
<b>Department Name:</b>	Water Department								
<b>Department Summary Recommendation:</b>	<p>MEMO            TO: Sam Grove            FROM: Edmund L. Mullinax            DATE: November 7, 2013            SUBJECT: Center Road 24-Inch Gravity Sewer Replacement Project – Construction Contract</p> <p>The sewer line paralleling Center Road between Rowland Springs Road and the entrance to Hamilton Township is undersized and in need of replacement. A design for the replacement was prepared and bids received on construction of this project. Bids were submitted by four contractors and are listed as follows:</p> <table border="0"> <tr> <td>T.J. Lyle and Co., Inc.</td> <td>\$418,255.61</td> </tr> <tr> <td>Corley Contractors, Inc.</td> <td>\$533,525.30</td> </tr> <tr> <td>Site Engineering, Inc.</td> <td>\$598,130.00</td> </tr> <tr> <td>Gordy Construction, Co.</td> <td>\$697,610.00</td> </tr> </table> <p>Jacobs Engineering Group, the Engineers of Record for this project, has provided a Recommendation of Award of this contract to T.J. Lyle and Company, Inc. of Taylorsville, Georgia in the amount of \$418,255.61. The Water Department concurs with this recommendation. This project will be paid for with capacity fees.</p>	T.J. Lyle and Co., Inc.	\$418,255.61	Corley Contractors, Inc.	\$533,525.30	Site Engineering, Inc.	\$598,130.00	Gordy Construction, Co.	\$697,610.00
T.J. Lyle and Co., Inc.	\$418,255.61								
Corley Contractors, Inc.	\$533,525.30								
Site Engineering, Inc.	\$598,130.00								
Gordy Construction, Co.	\$697,610.00								
<b>City Manager's Remarks:</b>	Your approval of the low bid from TJ Lyle on this sewer project is recommended.								
<b>Financial/Budget Certification:</b>	This project will be paid for with capacity fees.								
<b>Legal:</b>									
<b>Associated Information:</b>									



# City of Cartersville

**City Council Meeting  
11/7/2013 7:00:00 PM  
Fiber Installation for Water Tank on Center Road**

<b>SubCategory:</b>	Bid Award/Purchases
<b>Department Name:</b>	Administration
<b>Department Summary Recommendation:</b>	As part of the work on the city's water tank on Center Road, fiber cable was installed to service the telemetry equipment at this location. This project was completed by Parker Systems at a cost of \$65,106.50 and funded with 2003 SPLOST. I recommend approval of this payment.
<b>City Manager's Remarks:</b>	Your approval of this work and payment is recommended.
<b>Financial/Budget Certification:</b>	Funded by 2003 SPLOST.
<b>Legal:</b>	
<b>Associated Information:</b>	E-verify and Save documents are attached.

**CONTRACTOR AFFIDAVIT AND AGREEMENT**

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

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

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

**47603**  
EEV/Basic Pilot Program\* User Identification Number

Kristy Parker  
BY: Authorized Officer or Agent  
(Contractor Name)

**10/31/2013**  
Date

**Parker Systems, LLC**  
Contractor/Entity Name

**Manager, Administrative Services**  
Title of Authorized Officer or Agent of Contractor

**P O Box 688, Summerville GA 30747**  
Contractor Address

**Kristy Parker**  
Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN  
BEFORE ME ON THIS THE  
31 DAY OF October, 2013  
Kathy Simpson  
Notary Public  
My Commission Expires:  
03-31-2014



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

**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

David Parker

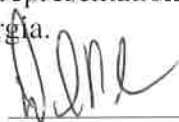
[Name of natural person applying on behalf of individual, business, corporation, partnership, or other private entity]

Parker Systems, LLC

[Name of business, corporation, partnership]

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

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

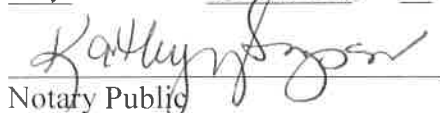


Signature of Applicant:

10/31/2013  
Date

David Parker  
Printed Name:

SUBSCRIBED AND SWORN  
BEFORE ME ON THIS THE  
31 DAY OF October, 2013

  
Notary Public

My Commission Expires:  
03-31-2014

\* \_\_\_\_\_  
Alien Registration number for non-citizens

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







# City of Cartersville

**City Council Meeting  
11/7/2013 7:00:00 PM  
Firefighter's Annual Clearance Physicals**

<b>SubCategory:</b>	Bid Award/Purchases
<b>Department Name:</b>	Fire Department
<b>Department Summary Recommendation:</b>	<p>This is the contract for the annual Firefighters clearance physicals per NFPA 1582 and OSHA 1910.156. The firm is SiteMed from Marietta GA who specialized in Firefighter physicals and fitness management. They have conducted the department's physicals for the last four years and have developed a departmental profile and standard. Beyond the annual physical they are involved the specialized clearance of all haz mat team members and any firefighters who sustain significant injury or illness to assist in returning them back to duty. It provides a departmental physician per the requirements of NFPA 1500 We request an approval of an amount up to and not exceed \$19,750.00. This includes \$18,460.00 for all base line physicals and the remainder is additional lab work as required for haz mat team members and additional testing that may be required after baselines are complete. This is a budgeted item and all E-verify and save documents are on file.</p>
<b>City Manager's Remarks:</b>	Your approval of the fire physicals as outlined above is recommended.
<b>Financial/Budget Certification:</b>	This is a budgeted item.
<b>Legal:</b>	E-Verify Documents on file
<b>Associated Information:</b>	



Chief Scott Carter  
 Cartersville Fire Department  
 195 Cassville Rd.  
 Cartersville, GA 30120

October 7, 2013

**Re: Firefighter Medical Clearance Program**

Dear Chief Carter,

Please find the attached proposal for your Firefighter Medical Clearance Program. I have listed several key factors that differentiate us from the competition.

**1. Our examination meets and exceeds the NFPA 1582 standard.**

Other companies only perform an OSHA 1910.156 exam that does not meet the requirements for NFPA 1582. OSHA 1910.156 is commonly referred to as the Fire Brigade Standard, and is meant for companies that have Fire Brigades manned by their employees, not for Fire Departments. Components that we include that are typically missing from other programs include:

- Comprehensive head to toe physical exam
- Option for Audiometer hearing testing
- C.2.1.3 Submaximal Graded Treadmill Evaluation (WFI Treadmill Protocol)
- C.2.1.5 Hand grip strength evaluation
- C.2.1.6 Leg Strength Evaluation or C.2.1.8 Optional Vertical Jump Assessment
- C.2.1.7 Arm Strength Evaluation
- C.2.1.9 Push-up muscle endurance evaluation
- C.2.1.11 Prone Static Plank Core Stabilization Assessment
- C.2.1.12 Sit and reach flexibility evaluation

All of our testing equipment meets the stringent standards in NFPA 1582. In addition, we can exceed the NFPA Standard by offering optional advanced genetic testing for heart disease and other services to help keep your firefighters healthy.

**2. We are doctor owned and operated.**

We own our clinic and Dr. Fernandez and Dr. Walker are licensed to practice medicine in 8 states throughout the Southeast. What does this mean for you? **Consistency, Reliability, & Dependability.**

Other companies owned by non-physicians hire outside doctors who may not have experience with firefighter physicals. We specialize in Occupational Medicine and firefighter exams. This is what we do all day every day. Let us put our experience to work for you. Have medical questions about your firefighters but don't know who to ask? Don't worry; with SiteMed you have year-round access to our physicians.

**ON-SITE FIREFIGHTER PHYSICALS**

1810 White Circle · Suite 155  
 Marietta, GA 30066  
 SiteMedFire.com

112 E. Courthouse  
 Garner, NC 27529  
 Phone/Fax 888-837-4819



### 3. We use a unique Two Phase Process

Phase I – Techs gather all blood work and administer testing.

Phase II – Medical Provider on-site for physical exam and one on one consultation.

How does this benefit you? By having the test results available prior to the consultation, we are able to customize a treatment plan to meet your specific needs. This allows for a much more productive and valuable consultation. This time with your medical provider is what matters and where you see results.

### 4. Post-Event Management

As physicians, we will coordinate follow up clearances and mitigate medical clearance issues for you. What does this mean to you? We are with you every step of the way and sweat the small stuff so you don't have to.

Once you have had a chance to review our proposal, please feel free to contact me with any questions you may have. Thanks for giving us the opportunity to bid on this proposal. We look forward to working with you in the near future.

Sincerely,

Lance Walker, D.O.  
Medical Director

This proposal is valid for 90 days from date above. If you are outside this time frame,  
please call our office for an updated proposal.

#### ON-SITE FIREFIGHTER PHYSICALS

1810 White Circle · Suite 155  
Marietta, GA 30066  
SiteMedFire.com

112 Item # 17  
Court  
Garner, NC 27529  
Phone/Fax 888-837-4819



SiteMed will provide the following firefighter physicals based on a **minimum** of 71 exams. The firefighter physical program includes the services listed below, technician(s) and medical provider:

- **\$260 per firefighter** includes services listed below and an audiogram using our Benson audiometer equipment in a quiet room at your facility to check hearing. **Total cost, excluding any additional services is \$18,460.**

If you do not have a quiet room at your facility, we can also perform audio testing with our Benson audiometer equipment in our 40' Mobile Medical Van. **An additional mobilization fee will apply based on mileage and job length.**

SiteMed will come on-site once per year. Each on-site visit will consist of 3 Phase I day, up to 4 hours each day, and 3 Phase II days, up to 8 hours each day, for a total of 6 days each year. Additional hours or days will be invoiced separately.

Additional fees of \$7.50 per person will apply for labs collected at LabCorp facility due to missed appointments or absenteeism during Phase I.

**Firefighter Program meets OSHA 29 CFR 1910.95, 1910.134, 1910.120, 1910.1030, NFPA 1582 and includes:**

- Comprehensive Medical History – All necessary forms will be provided
- Medical Examination - *Comprehensive physical exam includes: head, eyes, ears, nose, throat, neck, heart, lungs, gastrointestinal, genitourinary, lymph nodes, musculoskeletal, skin, neurological and hernia check.*
- Vitals – Height, Weight and Blood Pressure
- Advanced Cholesterol Testing (NMR)
- Body Composition – Bio Impedance Analysis (BIA)
- Pulmonary Function Testing (PFT)
- Vision – Snellen (distance) screening
- EKG – 12-lead resting electrocardiogram
- WFI Submaximal Graded Treadmill Evaluation - to evaluate aerobic capacity (*per NFPA 1582 C.2.1.3*)
- Jackson System Strength Testing – Muscular Strength: includes grip, leg and arm strength (*per NFPA 1582 C.2.1.5, C2.1.6 & C 2.1.7*)
- Flexibility: sit & reach (*per NFPA 1582 C.2.1.12*)
- Muscular Endurance: push-up & static plank (*per NFPA 1582 C.2.1.9 & C.2.1.11*)
- One-on-one consultation with licensed medical provider
- Copy of results and interpretations provided to each firefighter in sealed envelope
- Clearance letters will be provided within 5 days of the physical examination if there are no medical issues requiring follow up
- Department Summary Report including relevant averages, ranges, and annual comparison statistics

**Program will be broken down as follows:**

**Phase 1:** Laboratory specimen collection at your facility at least 2 weeks prior to Phase 2

**Phase 2:** All other services including physical exam

**Scheduling of services is as follows:** To be determined

**ON-SITE FIREFIGHTER PHYSICALS**

1810 White Circle · Suite 155  
Marietta, GA 30066  
SiteMedFire.com

112 E. Courthouse  
Garner, NC 27529  
Phone/Fax 888-837-4819

Item # 17



**Billing of services is as follows: 25% to be invoiced after Phase I is completed**

**75% to be invoiced after Phase II is completed**

**Additional Services** - Fees are in addition to the above basic program cost. If you would like to offer your firefighters additional services *at their expense*, please have them visit our website at [www.sitemedfire.com](http://www.sitemedfire.com) during phase I and click on the "store" tab in the navigation menu for more information.

Chest X-Ray – minimum required	\$110 per person
Vision – Titmus color blindness, visual acuity and depth perception	\$15 per person
Hepatitis B Injections Price is per person, per vaccine with a series of 3 shots – includes cost of the vaccines	\$75 per vaccine
Tuberculosis Screening (minimum number required)	\$15 per person
Influenza Vaccination – Flu – must be scheduled in advance; minimum number required	\$25 per person
Fecal Occult Blood Screening (>40 y.o.)	\$15 per person
Blood typing (ABO grouping & Rho-D)	\$17 per person
Hepatitis B Antibody Screening (Titer Test)	\$27 per person
Hepatitis C Screening	\$27 per person
HIV – Screening	\$25 per person
CRP (C-Reactive Protein)	\$15 per person
Hemoglobin A1C	\$40 per person
Ovarian Cancer Screening (CA-125) – female	\$30 per person
PSA screening – male	\$22 per person
Cholinesterase, RBC – blood test (Haz-Mat teams)	\$42 per person
Heavy Metals (Haz-Mat teams)	Per request
DOT Medical Cards	\$20 per card
Blood and Urine Collection at LabCorp Facility	\$7.50 per person

This agreement made and entered this date \_\_\_\_\_ of \_\_\_\_\_, 2013 between **SiteMed** and **Cartersville Fire Department**. This agreement shall exist for an initial period of two (2) years with annual scheduling on the below listed date for the above listed services and will automatically renew for successive scheduling annually thereafter unless otherwise notified by either party 60 days prior to scheduled testing.

Any cancellations made less than 30 days prior to scheduled dates will incur charges of 50% of the Minimum Charge for time scheduled if not rescheduled for a later date. Cancellations made more than 30 days prior to scheduled dates will incur charges of 25% of the Minimum Charge if not rescheduled for a later date. Rescheduling of services will not incur cancellation fee. The below listed pricing will only be guaranteed for the initial period of one (1) year and only while below listed volume of testing remains the same or greater. Invoices are "Due upon Receipt". Increase in employee numbers may require additional testing dates.

We, the undersigned, duly authorized representatives of the above parties do hereby agree to the statement and conditions outlined above.

\_\_\_\_\_  
**Cartersville Fire Department – Representative**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**SiteMed – Representative**

\_\_\_\_\_  
**Date**

**ON-SITE FIREFIGHTER PHYSICALS**

1810 White Circle · Suite 155  
Marietta, GA 30066  
SiteMedFire.com

11210 Court  
Garner, NC 27529  
Phone/Fax 888-837-4819



## SiteMed Lab Analysis

### Chemistry Screen:

Glucose	Total Protein
Sodium	Albumin
Potassium	Globulin
Chloride	Albumin/Globulin Ratio
Urea Nitrogen (BUN)	Total Bilirubin – Liver Function
eGFR	Direct Bilirubin
Creatinine	Alkaline Phosphatase – Liver Function
BUN/Creatinine ratio	Gamma-GT
Uric Acid	AST (SGOT)
Inorganic Phosphorus	ALT (SGPT)
Calcium	LDH – Heart Enzyme
Iron (TIBC)	

### Lipids:

Triglycerides
Cholesterol, Total
HDL-High Density Lipoprotein Cholesterol
LDL-Low Density Lipoprotein Cholesterol
VLDL-Very Low Density Lipoprotein Cholesterol
Cholesterol / HDL-Cholesterol
Estimated Coronary Heart Disease Risk

### Urinalysis:

Color	Ketones
Appearance	Occult blood
Specific gravity	Leukocyte esterase
pH	Nitrite
Protein	Bilirubin
Glucose	Urobilinogen
Microscopic examination of urine sediment	

### Thyroid:

Thyroid-stimulating Hormone (TSH)
Thyroxine (T4)
T3 Uptake
Free Thyroxine Index

### Complete Blood Count (CBC):

White Blood Count (WBC)	
Red Blood Count (RBC)	Hemoglobin
Hematocrit	Mean Corpuscular Volume (MCV)
Platelets	Mean Corpuscular Hemoglobin (MCH)
Lymphs	Mean Corpuscular Hemoglobin Concentration (MCHC)
Monocytes	Polymorphonuclear Neutrophils (Polys)
Eos	Basos

*The information contained in this proposal is confidential information intended only for the use of the individual or entity named above. If the reader of this proposal is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this proposal in error, please immediately notify us by telephone at 888-837-4819. Thank you.*

#### ON-SITE FIREFIGHTER PHYSICALS

1810 White Circle · Suite 155  
Marietta, GA 30066  
SiteMedFire.com

112 Doremus Court  
Garner, NC 27529  
Phone/Fax 888-837-4819



## RERERENCES:

The following is a list of some of our most recent public safety jobs. I encourage you to contact our clients listed to discuss the key differences in our services vs. our competitor's.

- **Atlanta Fire Rescue Department (GA)** - Jerry Solamon, Project Manager – 404-546-2601  
[jsolamon@atlantaga.gov](mailto:jsolamon@atlantaga.gov)
- **Marietta Fire Department (GA)** – Asst. Chief Chris Whitmire – 770-794-5470  
[cwhitmire@mariettaga.gov](mailto:cwhitmire@mariettaga.gov)
- **City of Smyrna (GA)**– Chief Roy Acree - 770-434-6667  
[racree@ci.smyrna.ga.us](mailto:racree@ci.smyrna.ga.us)
- **Cartersville Fire Department (GA)** – Chief Scott Carter - 770-387-5635  
[scarter@cityofcartersville.org](mailto:scarter@cityofcartersville.org)
- **Cherokee Fire and Emergency Services (GA)** – Chief Eddie Robinson – 770-889-4451  
[erobinson@cherokeega.com](mailto:erobinson@cherokeega.com)
- **Paulding County Fire/Rescue (GA)** – Chief Joey Pelfrey – 404-867-2881  
[jpelfrey@paulding.gov](mailto:jpelfrey@paulding.gov)
- **Hoover Fire Department (AL)** – Chief Rick Patterson – 205-229-9381  
[pattersr@ci.hoover.al.us](mailto:pattersr@ci.hoover.al.us)
- **Wake Forest Fire Department (NC)** – Chief Ron Early – 919-556-1966  
[rearly@wakeforestfire.com](mailto:rearly@wakeforestfire.com)
- **Cornelius Fire Department (NC)** – Chief Jim Barbee – 704-892-1544  
[jbarbee@corneliusfd.org](mailto:jbarbee@corneliusfd.org)
- **Western Wake Fire Rescue (NC)** – Assistant Chief Ed Brantley – 919-836-1900  
[ebrantleywwfr@yahoo.com](mailto:ebrantleywwfr@yahoo.com)
- **Roanoke Rapids Fire Department (NC)** – Chief Gary Corbet – 252-533-2880  
[gcorbet@roanokerapidsnc.com](mailto:gcorbet@roanokerapidsnc.com)
- **Davidson Fire Department (NC)** - Assistant Chief Frank Molinek – 704-577-0632  
[fmolinek@townofdavidson.org](mailto:fmolinek@townofdavidson.org)
- **City of Asheville (NC)** – Fire Chief Barry Hendren – 828-259-5646  
[bhendren@ashevillenc.gov](mailto:bhendren@ashevillenc.gov)

### ON-SITE FIREFIGHTER PHYSICALS



# City of Cartersville

**City Council Meeting  
11/7/2013 7:00:00 PM  
Line Truck Rebuild**

<b>SubCategory:</b>	Bid Award/Purchases
<b>Department Name:</b>	Electric Department
<b>Department Summary Recommendation:</b>	<p>We have a 2001 vintage truck that needs a complete rebuild on the boom. Our practice is to do a complete rebuild in 10 years and retire the truck after 20 years. We have found that a complete rebuild after 10 years allows us to get the ultimate usage out of our trucks. In our industry there are only two major manufacturers that build and maintain the upper boom portion of the truck. These two manufacturers are Terex and Altec. Over the years we have found that we get the best quality of workmanship and performance by letting the manufacturer of the truck do the maintenance and repairs to their trucks. Since this truck was manufactured by Terex, we are recommending that we accept Terex's proposal of \$ 47,978.31 to rebuild this 12 year old truck. This is a budgeted item.</p>
<b>City Manager's Remarks:</b>	This item is budgeted and is part of our ongoing maintenance of existing equipment. Your approval of Terex's bid is recommended.
<b>Financial/Budget Certification:</b>	
<b>Legal:</b>	
<b>Associated Information:</b>	The detailed proposal from Terex and E-verify/Save documents are 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

SCOTT ASHLEY

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

TEREX SERVICES

[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.

Scott Ashley                      11/1/13  
Signature of Applicant:                      Date

Scott Ashley                      \_\_\_\_\_  
Printed Name:                                      \_\_\_\_\_

SUBSCRIBED AND SWORN  
BEFORE ME ON THIS THE  
1<sup>ST</sup> DAY OF NOVEMBER, 2013

Meredith Roseworth

Notary Public  
My Commission Expires: 2-25-17

\* \_\_\_\_\_  
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.

159994  
EEV/Basic Pilot Program\* User Identification Number

Scott Ashley  
BY: Authorized Officer or Agent

11/1/13  
Date

Terex Services  
Contractor/Entity Name

Branch Manager  
Title of Authorized Officer or Agent of Contractor

4120 Lewisburg Road Birmingham, AL 35207  
Contractor/Entity Address

Scott Ashley  
Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN  
BEFORE ME ON THIS THE  
1<sup>ST</sup> DAY OF NOVEMBER, 2013

Masha S. Terenish  
Notary Public  
My Commission Expires:  
2-25-17

\* 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).



October 25, 2013

City of Cartersville  
320 S. Erwin Street  
Cartersville, GA. 30120

Phone: 770-387-7400  
Fax: 770-387-5630  
Email: [dhassebrock@cityofcartersville.org](mailto:dhassebrock@cityofcartersville.org)

Attention: Don Hassebrock

Proposal: 8950-1

This is an estimate to perform a 5yr. Rebuild of your unit Model: Terex Telelect Model C6051sn.  
DK16027per attached specifications as outlined within this proposal.

---

#### 5 Yr. Rebuild

- **Electrical**
  - Check operation of emergency power. (If applicable)
  - Check emergency power. (If applicable)
  - Check operation of start/stop. (If applicable)
  - Check operation of throttle.
  - Check operation of strobe lights.
  - Check operation of running, marker, tail, and back up lights.
- **PTO/Pump**
  - Check PTO for proper operation.
  - Replace pump and check for proper operation.
- **Hoses**
  - Replace all hoses above rotation. (OEM. Parker hose)
  - Replace hoses in pedestal.
  - Replace hoses from pump, reservoir and outriggers.
- **Hydraulic reservoir.**
  - Drain, clean and refill with new hydraulic oil.
  - Replace seals on tank.
  - Replace seals on hydraulic filter(s).
  - Replace hydraulic filter(s).
  - Clean suction strainer.
  - Replace breather cap.
- **Controls.**
  - Remove and reseal unit control valve(s).
  - Replace boot on "T" handle control. (if applicable)
  - Remove and reseal CTI control valve (If applicable)
  - Remove and reseal digger/winch control valve.
  - Inspect outrigger control valves.
  - Inspect mounting and weldment pieces for damages.
  - Inspect welds on all mounting weldments and attachments.

Terex Equipment Services 4120 Lewisburg Road Birmingham, AL 35207 TEL (800) 800-6411 FAX (205) 841-6077

[www.terex.com](http://www.terex.com)

Page 1 of 6

Item # 18



**Proposal: 8950-1**

- **Wear pads.**
  - Replace all wear pads as necessary.
  - Replace side rollers on 3<sup>rd</sup> stage.
  - Inspect mounting of wear pads for tightness.
  - Inspect rollers for wear.
- **Fiberglass.**
  - Inspect fiberglass boom for cracks and bruises.
  - Inspect platform mounting and locking.
  - Inspect platform for cracks, bruises and crazing.
- **Winch.**
  - Inspect structural welds.
  - Reseal winch gear reducer .
  - Inspect all fasteners.
  - Inspect TM winch rope.
  - Lubricate winch gearbox.
  - Inspect for smooth operation.
  - Inspect orbit motor for leaks.
  - Torque all fasteners as required.
- **Rotation gearbox.**
  - Disassemble, inspect and reseal.
  - Set preloads.
  - Inspect internal gears and bearings for wear.
  - Inspect all fasteners.
  - Lubricate rotation gearbox.
  - Inspect for smooth operation.
  - Inspect orbit motor for leaks.
  - Torque all fasteners as required.
- **Digger head gear box.**
  - Reseal digger head and check for leaks
  - Inspect all fasteners.
  - Lubricate digger gearbox.
  - Inspect for smooth operation.
  - Inspect hydraulic motor for leaks
- **Auger assembly.**
  - Inspect hanger weldments.
  - Inspect transfer lock.
  - Inspect auger storage bracket welds.
  - Inspect auger storage release.
  - Check all fasteners.
  - Replace auger wind up cable



**Proposal: 8950-1**

- **Turntable and pedestal.**
  - Supply and install new rotation bearing.
  - Supply and install new rotation bearing bolts & washers.
  - Inspect structural welds.
  - Clean properly and primer paint exposed metal.
  - Inspect hydraulic swivel mounting hardware.
- **Hydraulic cylinders.**
  - Reseal boom lift cylinders.
  - Reseal front outrigger cylinders.
  - Reseal rear outrigger cylinders.
  - Reseal teleport/shift tubes for digger.
  - Reseal teleport tubes for winch.
  - Reseal extension cylinders.
  - Inspect TPP cylinders.
  - Inspect cylinder rods for cracks and damaged chrome plating.
  - Inspect fasteners and fittings.
  - Properly clean and primer paint exposed metal.
  - Torque fasteners as required.
- **Swivel.**
  - Reseal hydraulic swivel.
  - Reseal piggy back.
  - Clean electrical swivel.
- **Pins and bushings.**
  - Inspect all pins and bushings for excessive wear.
  - Furnish and install new main boom pin.
  - Furnish and install new lift cylinder pin.
  - Clean bushings of old grease.
  - Lubricate points with new grease.
- **Product advisory updates per PA 1020A-10**
  - Install level indicators.
  - Install horn at operator control.
  - Install hand signal charts.
- **Operations.**
  - Set derrick operation pressure.
  - Check sequence of booms from upper controls and adjust as needed.
  - Set Digger/winch operation pressure.
  - Set HOP settings.
  - Set tool pressure to 2000 PSI.
  - Load test.
  - Document all operations and provide copy.
- **Paint**
  - Repaint unit complete.
  - Repair any **minor** body damage.
  - Repaint body complete.
  - Repaint inside compartments.
  - Paint all walking surfaces with non-skid paint.

Terex Equipment Services 4120 Lewisburg Road Birmingham, AL 35207 TEL (800) 800-6411 FAX (205) 841-6077

[www.terex.com](http://www.terex.com)

Page 3 of 6

Item # 18



Proposal: 8950-1

- Replace unit danger, caution, warning and operational decals as required by ANSI.
- Lubricate all points per lube chart.
- Perform dielectric test per ANSI guidelines and provide copy.
- Fill out annual test form and provide copy.

---

Estimated Rebuild Cost:----- \$47,978.31

---

**Above estimate is for stated repairs only. If during the repair cycle other items are found needing Attention, the customer will be advised of costs BEFORE ADDITIONAL WORK IS PERFORMED. Above estimated prices are good for thirty (30) days from the date of this proposal.**

Price does not include any FET charges, environmental fees, shop supplies, applicable taxes, shipping and handling charges.

**SPECIAL NOTE: All replacement parts supplied are the original manufacturer's approved replacement parts. \*\* All work performed will be completed in house by Terex factory trained technicians.\*\***

#### TERMS AND CONDITIONS

Customer hereby authorizes Terex Equipment Services ("Seller") to perform the disassembly and inspection of the equipment described herein, and any repair work indicated herein (including provision of all necessary parts and labor) and agrees that Seller is not responsible for any damage or loss to the equipment or any personal property left in the equipment in the case of fire, theft, or any other cause beyond Seller's control, nor for any delays caused by unavailability of parts or other causes. Customer hereby authorizes Seller and its employees to operate the equipment on streets, highways or elsewhere for the purpose of testing and/or inspection. Customer will be subject to a storage fee of \$20 per day for any equipment left on Seller's premises more than 15 days after completion of repairs. Customer grants Seller a security interest and lien in the equipment and any parts supplied until payment in full of any amounts owed by Customer to Seller. Seller is entitled to all remedies of a secured party after default under the Delaware Uniform Commercial Code in addition to all other rights provided by contract and by operation of law. Customer agrees to pay to Seller, in addition to interest at the rate of 18% annually on overdue sums (or the maximum rate permitted by law), reasonable attorney fees, court costs and other expenses of Seller incurred in enforcing Seller's rights. Customer agrees to execute any instrument or document considered necessary by Seller to perfect its security interest in the equipment. In the event Customer fails to retrieve its equipment within 90 days of the completion of repairs, Customer grants Seller a power of attorney to sell, or otherwise dispose of, such equipment and to convey title to a purchaser of such equipment, and to apply the proceeds against any amount owed by Customer to Seller. In the event of default by Customer, all unpaid sums owed to Seller shall, at the Seller's sole option, become immediately due and payable without notice of any kind to Customer.

Terex Equipment Services 4120 Lewisburg Road Birmingham, AL 35207 TEL (800) 800-6411 FAX (205) 841-6077

www.terex.com

Page 4 of 6

Item # 18



**Proposal: 8950-1**

Customer hereby agrees to indemnify Seller, its directors, officers, employees, agents, representatives, successors, and assigns against any and all claims, demands, suits, actions, expenses or liabilities, to any person whatsoever, or damage to any property, arising out of or related to Customer's negligence or willful misconduct. This agreement constitutes the entire agreement between the parties regarding the subject matter hereto and shall be construed and enforced in accordance with the laws of the State of Delaware. The parties agree that the proper and exclusive forum and venue in all legal actions brought to enforce or construe any of the provisions of this agreement shall be in the state and federal courts of the State of Delaware.

**PARTS AND SERVICE WARRANTY:** Seller warrants its new parts to be free of defects in materials or workmanship for a period of 12 months after purchase by Customer. Seller will repair or replace, at its sole option, any parts which shall, within 12 months after purchase by Customer, appear to Seller after inspection to be defective. If requested by Seller, Customer must return the defective parts to Seller for inspection. Seller warrants, for a period of 30 days, that repairs performed by its employees shall be of good workmanship. Any repairs required within 30 days after completion of the original repairs performed by Seller that are due to poor workmanship shall be provided at no charge to Customer. This Warranty is extended only to the original Customer identified herein and is not transferable.

This Warranty shall be null and void if the defect or need for repair results from: (1) the intentional or negligent action or inaction by Customer, its agents or employees; or (2) improper maintenance, improper use, abuse, improper storage, operation beyond rated capacity, operation after discovery of defective or worn parts, accident, sabotage or alteration or repair of the equipment by persons not authorized by Seller. Wear parts and maintenance services including, but not limited to: lamps, lenses, seals, gaskets, hoses, filters, breathers, belts, nozzles, friction plates, glass, clutch and brake linings, wire rope, nuts and fittings, exterior coatings, proper tightening of bolts, adding or replacing of fluids, adjustments of any kind, services, inspections, diagnostic time, travel time and supplies such as hand cleaners, towels and lubricants are not covered under this Warranty.

**THIS WARRANTY IS EXPRESSLY IN LIEU OF AND EXCLUDES ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING WITHOUT LIMITATION ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND ALL OTHER STATUTORY, CONTRACTUAL, TORTIOUS AND COMMON LAW OBLIGATIONS OR LIABILITY ON SELLER'S PART ARE HEREBY EXPRESSLY EXCLUDED TO THE MAXIMUM EXTENT PERMITTED BY LAW. THERE ARE NO WARRANTIES THAT EXTEND BEYOND THE LIMITED WARRANTY CONTAINED HEREIN. IN NO EVENT SHALL SELLER, OR ANY AFFILIATE, SUBSIDIARY OR DIVISION THEREOF BE LIABLE FOR INDIRECT, INCIDENTAL OR CONSEQUENTIAL DAMAGES OR LOSSES RESULTING**

**FROM ANY BREACH OF WARRANTY, REPRESENTATION OR CONDITION, EXPRESS OR IMPLIED, OR ANY TERMS OF THIS WARRANTY, OR ANY BREACH OF ANY DUTY OR OBLIGATION IMPOSED BY STATUTE, CONTRACT, TORT, COMMON LAW OR OTHERWISE (WHETHER OR NOT CAUSED BY THE NEGLIGENCE OF THE SELLER, ITS EMPLOYEES, AGENTS OR OTHERWISE), INCLUDING, WITHOUT LIMITATION, LOSS OF USE, LOST PROFITS OR REVENUES, LABOR OR EMPLOYMENT COSTS, LOSS OF USE OF OTHER EQUIPMENT, DOWNTIME OR HIRE CHARGES, THIRD PARTY REPAIRS, IMPROPER PERFORMANCE OR WORK, LOSS OF SERVICE OF PERSONNEL, LOSS OF CONTRACTOR OPPORTUNITY AND PENALTIES OF ANY KIND, PERSONAL INJURY, EMOTIONAL OR MENTAL DISTRESS, OR FAILURE OF EQUIPMENT TO COMPLY WITH ANY APPLICABLE LAWS;**

Terex Equipment Services 4120 Lewisburg Road Birmingham, AL 35207 TEL (800) 800-6411 FAX (205) 841-6077

[www.terex.com](http://www.terex.com)

Page 5 of 6

Item # 18



Proposal: 8950-1

---

**Offer made by Terex Equipment Services:**

Sign: *Bill Kugler*

Print: Bill Kugler

Date: October 25, 2013

**Accepted by:**

PO No.: \_\_\_\_\_

Sign: \_\_\_\_\_

Print: \_\_\_\_\_





# City of Cartersville

City Council Meeting  
11/7/2013 7:00:00 PM

## Compactor Cylinders for Commercial Garbage Truck

<b>SubCategory:</b>	Bid Award/Purchases
<b>Department Name:</b>	Public Works
<b>Department Summary Recommendation:</b>	<p>Public Works request approval to purchase the compactor cylinders necessary to repair one of our commercial front loader garbage trucks in order to put the truck back in service. The equipment is sole source from the truck body manufacturer and the total for this purchase is \$6,788.22.</p> <p>The funding for this purchase comes from the equipment repair line item in the solid waste budget.</p>
<b>City Manager's Remarks:</b>	Your approval of this work is recommended.
<b>Financial/Budget Certification:</b>	There are funds budgeted and available in the vehicle maintenance line for this repair.
<b>Legal:</b>	
<b>Associated Information:</b>	



# City of Cartersville

---

**City Council Meeting  
11/7/2013 7:00:00 PM  
Citizen's Survey Results**

---

<b>SubCategory:</b>	Presentations
<b>Department Name:</b>	City Manager's Office
<b>Department Summary Recommendation:</b>	Staff will be presenting a portion of the results from the recently completed Citizen Survey. Today's presentation will address Parks & Recreation, Health and Wellness.
<b>City Manager's Remarks:</b>	Another section of the citizens survey that I will be presenting at the meeting.
<b>Financial/Budget Certification:</b>	
<b>Legal:</b>	
<b>Associated Information:</b>	

---