



CARTERSVILLE
CITY COUNCIL MEETING
Council Chambers, Third Floor of City Hall
Thursday, November 03, 2022 at 7:00 PM

AGENDA

COUNCILPERSONS:

Matt Santini – Mayor
Calvin Cooley – Mayor Pro Tem
Gary Fox
Kari Hodge
Cary Roth
Jayce Stepp
Taff Wren

CITY MANAGER:

Dan Porta

CITY ATTORNEY:

David Archer

CITY CLERK:

Julia Drake

Work Session - 6:00 PM

Regular Meeting - 7:00 PM

OPENING OF MEETING

Invocation

Pledge of Allegiance

Roll Call

COUNCIL MEETING MINUTES

1. October 20, 2022

SECOND READING OF ORDINANCES

2. T22-04. Applicant: Tillman Family LLLP

PUBLIC HEARING - 2ND READING OF ZONING/ANNEXATION REQUESTS

3. SU22-04. Applicant: Tillman Family LLLP

4. SU22-03. 315 Industrial Park Rd. Applicant: Cash Environmental Resources, LLC.

BID AWARD/PURCHASES

5. 2023 GA UPC Annual Membership Fee

6. Easement Acquisition Services

7. Health and Vision Insurance Renewal

- [8.](#) Directional Bore - Aquafil
- [9.](#) Power Quality Monitor
- [10.](#) Panasonic Toughbooks
- [11.](#) Withdraw Approved Training Maintenance Project
- [12.](#) PSHQ Annual HVAC Maintenance Agreement
- [13.](#) Cargo Van
- [14.](#) Water Department Administrative Complex Generator

CONTRACTS/AGREEMENTS

- [15.](#) Contract Amendment to Municipal Judge Services

FIRST READING OF ORDINANCES

- [16.](#) Pension Ordinance
- [17.](#) FY2022 Budget Ordinance Amendment

GRANT APPLICATION/ACCEPTANCE

- [18.](#) School Safety and ALICE Training
- [19.](#) Governor’s Office of Planning and Budget Grant

OTHER

- [20.](#) Speed Detection Permit Renewal
- [21.](#) Seized Vehicle

ADJOURNMENT

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.

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



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	Council Meeting Minutes
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	October 20, 2022
DEPARTMENT SUMMARY RECOMMENDATION:	The Council Minutes from October 20, 2022 are uploaded for your review and approval.
LEGAL:	NA

City Council Meeting
10 N. Public Square
October 20, 2022
6:00 P.M. – Work Session
7:00 P.M. – Council Meeting

WORK SESSION

Mayor Pro Tem Calvin Cooley opened Work Session at 6:01 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Council Member Roth made a motion to enter into Closed Session for the purpose of Property. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 6-0

Mayor Pro Tem Cooley closed Work Session at 6:47 P.M.

OPENING MEETING

Mayor Santini called the Council Meeting to order at 7:03 P.M.

Invocation by Council Member Roth.

Pledge of Allegiance led by Council Member Wren.

The City Council met in Regular Session with Matthew Santini, Mayor presiding, and the following present: Kari Hodge, Council Member Ward One; Cary Roth, Council Member Ward Three; Calvin Cooley, Council Member Ward Four; Taff Wren, Council Member Ward Six; Dan Porta, City Manager; Julia Drake, City Clerk; and David Archer, City Attorney.

Via Phone: Jayce Stepp*, Council Member Ward Two; Gary Fox, Council Member Ward Five

REGULAR AGENDA

COUNCIL MEETING MINUTES

1. October 6, 2022 Council Meeting Minutes

Council Member Roth made a motion to approve the October 6, 2022 Meeting Minutes. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 6-0

SECOND READING OF ORDINANCES

2. Annual Leave Amendment

Dan Porta, City Manager, stated after reviewing our current employee leave accruals compared to other adjacent municipalities and counties. Approval was recommended that employee annual leave accruals be modified to allow employee to earn 3, 4- and 5-week

vacation accruals sooner than under our current annual leave ordinance. This change will make us more competitive, help us retain our current talent and recruit new employees.

Council Member Hodge made a motion to approve the Annual Leave Amendment. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 6-0

**Ordinance
of the
City of Cartersville, Georgia
Ordinance No. 24-22**

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 16 PERSONNEL. ARTICLE II. Employee Benefits. Section 16.29 Annual Leave is hereby amended by deleting said section in its entirety and replacing it as follows:

1.

Section 16-29. Annual Leave.

- (a.) Regular full-time employees shall accrue annual leave based on actual hours worked beginning on the first day of employment. Note that new full-time employees accrue annual leave from their first date of employment but are not eligible for annual leave until they have completed their new hire probationary period of ninety (90) days. Actual hours worked is defined as vacation and sick time hours previously earned and taken by the employee and regular hours worked up to the normal 40 hour work week for a 2080 employee and adjusted accordingly for police and fire personnel annual hours.
- (b.) All regular full-time employees shall accrue annual leave based on the following schedule:

Annual Hours Earned based on Hours Worked				
Annual Hours Worked	Beginning On Date Of Hire	Beginning with Sixth Year Of Employment	Beginning with Eleventh Year Of Employment	Beginning with Fifteenth Year Of Employment
2,080	80	120	160	200
2,223	94.05	136.8	179.55	222.3
2,912	123.2	179.2	235.2	291.2

- (c.) Employees are urged to take annual leave within the calendar year in which they are earned; however, to allow for adequate staffing during the change in annual leave accrual, employees are allowed to carry over up to up to five (5) weeks of annual leave into the next calendar year.
- (d.) No employee shall receive pay in lieu of annual leave, unless approved by the city manager.
- (e.) When an employee is separated from their city employment, such employee shall be paid for all unused annual leave (maximum of 5 weeks) at their current hourly rate of pay.

2.


The effective date for this ordinance is October 29, 2022.

BE IT AND IT IS HEREBY ORDAINED.

ADOPTED this the 6th day of October 2022. First Reading.
ADOPTED this the 20th day of October 2022. Second Reading.

/s/ 
Matthew J. Santini
Mayor

ATTEST:

/s/ 
Julia Drake
City Clerk



3. Parental Leave

Mr. Porta stated in reviewing employee benefit packages for other adjacent municipalities and counties, parental leave is an area that we can add without much cost and will make Cartersville a more attractive employer. Approval was recommended of the parental leave ordinance which will allow female employees up to four weeks of paid leave and male employees up to two weeks of paid leave upon the birth or adoption of their child.

Council Member Roth made a motion to approve the Parental Leave. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 6-0

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

Ordinance No. 25-22

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 16 PERSONNEL. ARTICLE II. Employee Benefits. Section 16-38 Parental Leave is hereby added in its entirety as follows:

1.

Section 16-38. Parental Leave.

- (a.) Regular full-time female employees who have been employed full-time with the City for at least one year and give birth to a child/children or adopt a child age 17 or younger shall be entitled to paid maternity leave at 100 percent of the employee's regular, straight-time weekly pay, to be paid on City of Cartersville's regularly scheduled pay dates for up to four weeks.
- (b.) Regular full-time male employees who have been employed full-time with the City for at least one year and their spouse gives birth to a child/children or adopt a child age 17 or younger shall be entitled to paid paternity leave at 100 percent of the employee's regular, straight-time weekly pay, to be paid on City of Cartersville's regularly scheduled pay dates for up to two weeks.
- (c.) Employees shall provide documentation of the basis for any leave requested under this section.
- (d.) Parental leave provided in this section shall run concurrently with the Family and Medical Leave Act and must be concluded within 6 months of the birth or placement of a child.

2.

The effective date for this ordinance is October 29, 2022.

BE IT AND IT IS HEREBY ORDAINED.

ADOPTED this the 6th day of October 2022. **First Reading.**

ADOPTED this the 20th day of October 2022. **Second Reading.**

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

ATTEST:

/s/ Julia Drake
Julia Drake
City Clerk



4. Education Assistance Program

Mr. Porta stated this ordinance will give our employees an opportunity to take classes to improve their skills and allow them to grow and hopefully advance within our organization. The benefit of adding this ordinance shows our employees we are invested in their educational growth as they seek to advance their career with Cartersville.

Council Member Wren made a motion to deny the Education Assistance Program. With no second, the motion failed.

Council Member Cooley made a motion to approve the Education Assistance Program. Council Member Roth seconded the motion. Vote: 5-1 with Council Member Wren in opposition.

**Ordinance
of the
City of Cartersville, Georgia
Ordinance No. 26-22**

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 16 PERSONNEL. ARTICLE II. Employee Benefits. Section 16-39 Education Assistance Program is hereby added in its entirety as follows:

1.

Section 16-39. Educational Assistance Program.

- (a.) To develop a better educated and more highly skilled city workforce employees who have been employed in a regular full-time capacity for at least 12 consecutive months are eligible to receive tuition assistance benefits to help employees pay for the cost of courses related to the employee's current job or future advancement opportunities within the city upon the availability of annually budgeted funds. Executive MBA and PHD programs are not covered under this policy.
- (b.) The following courses are reimbursable depending upon the availability of city funds and approval by the respective department head and city manager:
 - a. Courses that are part of a structured program to assist the employee in attaining his or her high school diploma or equivalent (GED);
 - b. Technical or skills courses offered through accredited technical schools if an employee's department head and the city manager determine that the courses relate to the employee's current work assignment or potential promotional opportunities;
 - c. Undergraduate and graduate courses offered through accredited colleges or universities approved by the city if an employee's department head and the city manager determine that the courses relate to the employee's current work assignments or potential promotional opportunities;
 - d. Courses that are part of an approved degree-related program which is related to the employee's current job or future advancement opportunities within the city.
- (c.) Tuition reimbursement will be provided for no more than two courses per academic term per eligible employee and tuition, registration fees and required lab fees will be reimbursed according to the following schedule:

Grade Received	Reimbursement Percentage
A or P (for "Pass/Fail" courses)	100%

B	80%
C	60%
D, F, W (withdraw), W/F (withdraw failing) or Incomplete	0%

The city will not reimburse employees for books, activity fees, parking, meals or other related expenses. Employees who receive other forms of financial aid, such as private scholarships or grants, assistance from a government agency, and/or veterans' benefits will be reimbursed only for the difference between reimbursable expenses and the aid received from elsewhere (times the applicable percentage above).

- (d) If an employee who has received funds through the city's educational assistance program for tuition reimbursement leaves the city's employ within two years of receiving these funds, he/she will be required to reimburse the entire amount to the city. The city will be authorized by the employee to collect from him or her, either directly or by payroll deduction, the amount received within the previous two years by the employee for educational assistance.

2.

The effective date for this ordinance is October 29, 2022.

BE IT AND IT IS HEREBY ORDAINED.

ADOPTED this the 6th day of October 2022. First Reading.

ADOPTED this the 20th day of October 2022. Second Reading.

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

ATTEST:

Julia Drake
 /s/ Julia Drake
 City Clerk



5. Distilled Spirits: Specialty Shop

Randy Mannino, Planning and Development Director, stated this was a customer driven proposal for distilled spirits in a specialty shop. The previous request was to also change the percentage requirements for alcohol sales. Alcohol Control Board denied recommendation 4-1.

Council Member Stepp joined the meeting in person at 7:17pm.

Jayson and Buddy Frederick, 39 S. Public Square, came forward to answer any questions from the Council Members.

Mayor Santini inquired about proposing a percentage change for Specialty Shops that opt to offer distilled spirits. The proposed percentage change would require those establishments that choose to offer distilled spirits would need to adhere to 75% retail sales and 25% alcohol sales. However, if a specialty shop establishment decides to not offer distilled spirits, they would remain at the current percentage requirement of 65% retail sales and 35% alcohol sales.

Mr. Buddy Frederick stated that they are currently at 12% alcohol sales and could adhere to the proposal.

Council Member Stepp made a motion to approve the Distilled Spirits: Specialty Shop Ordinance Amendment with the proposal of percentage change for those establishments that choose to offer distilled spirits. Council Member Fox seconded the motion. Vote: 4-2 with Council Member Hodge and Council Member Roth in opposition.

Ordinance no. 27-22

Now be it and it is hereby ordained by the Mayor and City Council of the City of Cartersville, that the CITY OF CARTERSVILLE CODE OF ORDINANCES. CHAPTER 4 – ALCOHOLIC BEVERAGES. ARTICLE II. – LICENSING REQUIREMENTS. DIVISION 2. – APPLICATION AND ISSUANCE. SECTION 4-59. – POURING LICENSES LIMITED TO CERTAIN ESTABLISHMENTS. paragraph (a)(7) and (a)(7)a. are hereby amended by deleting said paragraphs in their entirety and replacing them as listed below, and that paragraph (a)(7)b. is hereby added:

1.

Sec. 4-59. - Pouring licenses limited to certain establishments.

- (7) *Specialty shop* as defined in the Code, may be issued an on-premises consumption license for sales of malt beverages, wine and distilled spirits, and package license for the sale of malt beverages, wine and distilled spirits without meeting the requirements that forty-five (45%) percent of its gross annual sales be derived from the sale of prepared meals or food, pursuant to the following:
 - a. If an establishment only sells malt beverage and/or wine, no less than fifty-one (51%) percent of the annual gross revenue shall be derived from the sale of non-alcoholic retail goods and merchandise, and no more than forty-nine (49%) percent of its annual gross revenues shall be derived from the sale of malt beverage and wine on-premises consumption and off-premises package sales.
 - b. If an establishment wishes to sell distilled spirits only, or in addition to malt beverage and/or wine, then no less than seventy-five (75%) percent of the annual gross revenue shall be derived from the sale of non-alcoholic retail goods and merchandise, and no more than twenty-five (25%) percent of its annual gross revenues shall be derived from the sale of malt beverage, wine and distilled spirits on-premises consumption and off-premises package sales

2.


All other existing provisions of Sec. 4-59 not changed herein, shall remain as is.

3.


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 and/or alphabetized accordingly to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: October 6, 2022
SECOND READING: October 20, 2022

/s/ 
Matthew J. Santini
Mayor

ATTEST:

/s/ 
Julia Drake
City Clerk



FIRST READING OF ORDINANCES

6. T22-04: West Ave.

Applicant: Tillman Family LLLP

Randy Mannino, Planning and Development Director, stated this was a text amendment to Chapter 26, Zoning, Article IX, Office-Commercial Zoning District, Sec. 9.5.2 (A), Permitted Uses, to allow private parks as an allowed use with a Special Use permit.

This amendment is to allow the applicant to construct a private ballfield or ballfields on their property. Special Use permit application SU22-04 is also submitted for consideration.

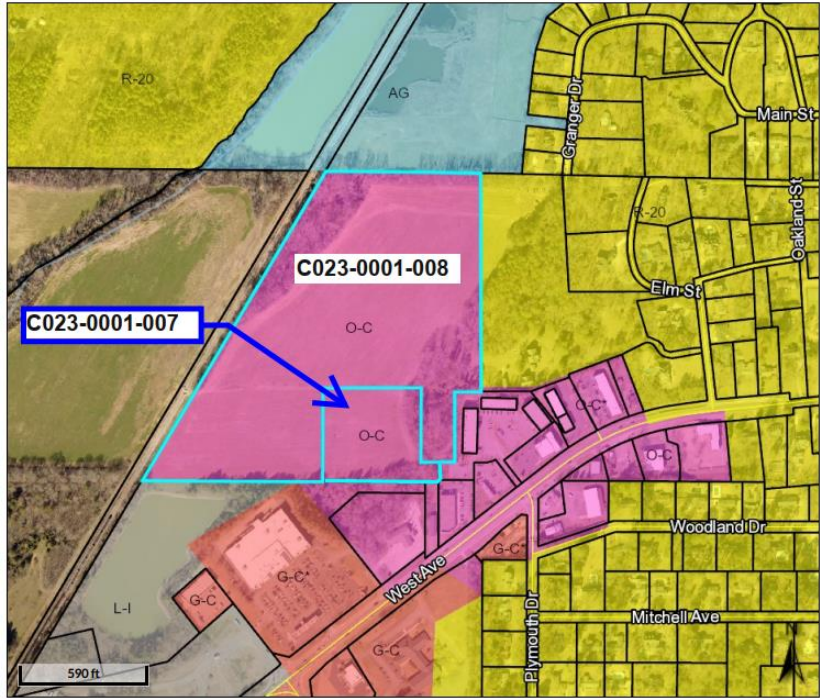
Planning Commission recommends approval, 5-0.

Public hearing was opened.

Lauren Noll, 114 Old Mill Rd., came forward to represent the application and to answer any questions from Council.

With no one else to come forward, the public hearing was closed.

This was a first reading and would be voted on at the next City Council meeting scheduled for November 3, 2022.



PUBLIC HEARING – 2ND READING OF ZONING/ANNEXATION REQUESTS

7. Z22-03: Carter Grove Blvd.

Applicant: The Wasserman Group, LLC

Mr. Mannino stated this Zoning application is to rezone, 48.124 +/- acres from Carter Grove P-D (Planned Development) to P-D (Planned-Development) for the construction of an age targeted, rental community. The rezoning removes the Carter Grove P-D zoning conditions and implements zoning conditions specific to the proposed development.

The proposed development would construct (165) duplex and triplex homes with two and three bedroom configurations.

Planning Commission recommended denial with a vote 5-1.

Staff does not oppose the zoning proposal with conditions.

Conditions will be per submitted data within the application, as well as the added condition by Council that “the entire project will be age-targeted to occupants 55 and above, and at least 50% of the units will have an occupant 55 or older, pursuant to federal fair housing rules.

Public hearing was opened.

Brandon Bowen, 15 S. Public Sq., came forward to represent the applicant to answer any questions from Council.

Council Member Stepp made a motion to approve Z22-03 with additional condition added.
Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 6-0

Ordinance
of the
City of Cartersville, Georgia
Ordinance No. 21-22
Petition No. Z22-03

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 Carter Grove (Atlanta) ASLI VI. Property is located at Carter Grove Blvd. @ Old Alabama Rd. Tax ID C107-0001-015. Said property contains 48.124 acres located in the 4th District, 3rd Section, Land Lots 953, 954, 991, and 992 as shown on the attached plat Exhibit "A". Property is hereby rezoned from P-D (Carter Grove P-D per Z06-07) to P-D (Planned Development). 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 6th day of October, 2022.
ADOPTED this the 20th day of October, 2022. Second Reading.

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

ATTEST:

/s/ Julia Drake
Julia Drake
City Clerk



PUBLIC HEARING – 1ST READING OF ZONING/ANNEXATION REQUESTS

8. SU22-03: 315 Industrial Park Rd. Applicant: Cash Environmental

Mr. Mannino stated this Special Use permit request is to allow a Waste Transfer Station at 315 Industrial Park Rd for municipal waste and construction debris. Zoning is Heavy Industrial. The applicant, Cash Environmental, was also a partner with Envicare, LLC who were approved for a similar special use permit on adjacent property at 375 Industrial Park Rd in 2019, SU19-07.

Planning Commission recommends approval (4-1) with the following conditions:

1. No bare permeable ground conditions on the Premises. All grounds on the premises shall be covered with asphalt, concrete or crusher run base.
2. All buildings shall be 3-sided metal buildings with walls that extend from the ceiling to the floor. Buildings shall have opening facing away from Goolsby property (C061-0001-005).
3. All buildings must have concrete floors that can easily be drained and cleaned.
4. Wash water shall be collected in detention pond before entering undisturbed area behind facility.
5. All structures will be constructed with an overhead vapor ducting system to spray odor eliminators (ecosorbindustrial.com) that shall spray continuously while the facility is open and operating.
6. Ten foot (10') undisturbed buffer along east property line with Goolsby property (C061-0001-005).

Public hearing opened.

Brandon Bowen returned to the podium to represent the applicant.

Kevin Cash, 558 Faith St., Marietta, applicant, came forward to review the Notice of Violations.

David Hardegree, Planning and Development Assistant Director, came forward and stated that he had spoken with the Environment Protection Division (EPD) regarding the Notices of Violations and explained that all violations had been resolved and the cases had been closed for the exception of the violation in Cherokee County, to which there were some discrepancies that were being worked through and would soon be able to close that violation.

Howard Smith, 25 Stonewall St., property owner came forward to speak for the application and presented a Power Point presentation to address comments and concerns from adjacent property owners.

Gregg Goolsby, Seattle, Washington, came forward and stated that while he does not reside in Georgia, he and his wife own a building on the adjoining property of 329 Industrial Park Rd., and spoke against the application.

With no one else to come forward to speak for or against the application, the public hearing was closed.

This was a first reading and will be voted on at the next City Council Meeting scheduled for November 3, 2023.

9. SU22-04: West Ave.

Applicant: Tillman Family LLLP

Mr. Hardegree stated this Special Use permit is to allow a private park to be developed on (2) Tillman Family properties identified as Tax ID C023-0001-007 and C023-0001-008. Total property area is approximately 34 acres.

The private park will be for the development of a youth baseball practice field or fields on a Pay-Per-Use model for teams needing practice facilities. Under the current O-C zoning, private parks are not an allowed use. Private parks are an allowed use in the adjacent R-20 (Residential) zoning district.

Text amendment, T22-04, is the amendment to add private parks to the O-C zoning district permitted uses.

Planning Commission recommends approval, 5-0.

Public hearing opened.

Lauren Noll returned to the podium to represent the application.

Council Member Cooley inquired of the use of the proposed park to which Ms. Noll stated that it would be a private park for rent for little league use.

With no one else to come forward to speak for or against the application, the public hearing was closed.

This was a first reading and will be voted on at the next City Council Meeting scheduled for November 3, 2023.

CONTRACTS/AGREEMENTS

10. Agreement with Freeman Mathis and Gary, LLP

Mr. Porta stated he would like to enter into an agreement with Freeman Mathis and Gary, LLP to assist the city with updating our reasonable accommodation policy and recommend approval of this item.

Council Member Stepp made a motion to approve the Agreement with Freeman Mathis and Gary, LLP. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 6-0

Council Member Hodge made a motion to add two (2) items to the agenda. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 6-0

11. TK Elevator Service Agreement

Freddy Morgan, Assistant City Manager, stated TK Elevator has approved a discounted rate on the annual service agreement for the elevators located in City Hall, the History Museum, the Water Treatment Plant and PSHQ.

Council Member Stepp made a motion to approve the TK Elevator Service Agreement and allow the Mayor to sign the agreement once it was received. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 6-0

12. LIHEAP/LIHWAP Agreements

Mr. Morgan stated the Low-Income Home Energy Assistance Program (LIHEAP) is a grant program provided to assist low income families with assistance on their utilities. The Low-Income Household Water Assistance Program (LIHWAP) is a federal grant program that will assist low-income households pay for drinking water and wastewater for their homes.

Council Member Hodge made a motion to approve the LIHEAP/LIHWAP Agreements. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 6-0

Council Member Fox left the meeting (via phone) at 8:11pm.

PRESENTATIONS

13. 178 W. Main St. Proposal

Mr. Morgan stated that the previous proposal for the old police station at 178 W. Main St. had fallen through and Womack Custom Homes and JB Henderson Properties, Inc. would be presenting their proposal for the property.

Matt Womack, 716 West Ave., came forward to present their proposal.

Barry Henderson came forward to state that both he and Mr. Womack were lifelong Cartersville residents and took great pride in Cartersville and fully understands that this development would be a centerpiece to the city and only want to provide the best for our city.

Council Member Wren made a motion to allow staff to enter into negotiations with Womack Custom Homes and JB Henderson Properties regarding the proposal for 178 W. Main St. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0

BID AWARD/PURCHASES

14. Badger Daylighting

Sidney Forsyth, Water Department Director, stated Bioreactor #2 and pre-mix basin #1 were taken out of service for scheduled maintenance. The floor of both basins was covered in approximately two feet of grit and sludge. In order to return the basins to service in a timely manner, we determined the most expedient solution was to hire a large vacuum truck to remove the solids so that City forces could perform inspections and maintenance on the diffused air and mixer systems.

Badger Daylighting performed this service over two days, which would have taken the City approximately two weeks to complete the task with our own equipment. Approval was recommended to pay Badger Daylighting invoice #2412779 for \$8,804.04. This is a budgeted maintenance item to be paid from account 505.3330.52.23601.

Council Member Roth made a motion to approve the Badger Daylighting. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

15. Grit Chambers Repair Parts

Mr. Forsyth stated both grit chambers in the Water Pollution Control Plant require a complete rebuild every 4-5 years. #2 grit chamber is currently in need of such a rebuild.

All repair and replacement parts for the Envirex Grit Collector System are provided by a sole source vendor, WSG & Solutions, Inc. Approval was recommended to purchase the components in the attached quote from WSG & Solutions, Inc. for \$49,059.00. The delivery time is currently 18-20 weeks.

This is a budgeted maintenance expense to be paid from account 505.3330.52.2361.

Council Member Cooley made a motion to approve the Grit Chambers Repair Parts. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

16. Atlanta Regional Commission Payment

Mr. Forsyth stated on August 2, 2018, the City entered into a Memorandum of Agreement (MOA) with the Atlanta Regional Commission (ARC) in order to be included in attorney client privileged meetings and discussions regarding water supply allocation by the Corps of Engineers in Lake Allatoona. The City’s portion of the 2022 invoice is \$50,000.

Approval was recommended to pay invoice #7506 to the Atlanta Regional Commission in the amount of \$50,000. This is a budgeted item and will be paid from account 505-3310-54-2336.

Council Member Hodge made a motion to approve the Atlanta Regional Commission Payment. Council Member Wren seconded the motion. Motion carried unanimously. Vote: 5-0

17. Switching Cubicle – PMH-11

Derek Hampton, Electric Department Director, stated the Electric Department was requesting authorization to purchase two switching cubicles in order to serve power to the Northwest Logistics Park. This is a sole-sourced item from Whitehead & Associates Inc, and the cost is a total of \$55,734.00 with a delivery time of 30 weeks. This is a budgeted expense.

Council Member Roth made a motion to approve the Switching Cubicle – PMH-11. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

18. Transformers for 175 E. Main Apartments

Mr. Hampton stated the Electric Department is requesting authorization to purchase the (6) 300kVA transformers to serve power to the 175 E. Main Apartments project. Three bids were received and are requesting to go with the lowest bid from Trans Net Inc. for \$86,100. This is a budgeted expense.

Council Member Hodge made a motion to approve the Transformers for 175 E. Main Apartments. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

19. 750kVA Transformer Purchases

Mr. Hampton stated the Electric Department needs to purchase (2) 750kVA Transformers for an industrial customer’s expansion. Five bids were received and deemed the bid from Trans Net Inc. to be the best bid based on price and delivery time. Authorization was requested to purchase the two units from TNI for a total of \$44,900. This is a budgeted expense.

Council Member Roth made a motion to approve the 750kVA Transformer Purchase. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0

20. Transformers for Logistics Park

Mr. Hampton stated the Electric Department needs to purchase (2) 150kVA Transformers to serve power to the new logistics park on Hwy 293. We received five bids and deemed the bid from Trans Net Inc. to be the best bid based on price and delivery time. We are requesting authorization to purchase the two units from TNI for a total of \$23,740. This is a budgeted expense.

Council Member Roth made a motion to approve the Transformers for Logistics Park. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

ADDED ITEMS

21. Jackson Farm – Right of Way Deed of Dedication

Mr. Porta stated this was a Right of Way Deed of Dedication for Jackson Farm Phase 1, Units 2 & 3. He recommended approval.

Council Member Stepp made a motion to approve Jackson Farm – Right of Way Deed of Dedication. Council Member Hodge seconded the motion. Motion carried unanimously. Vote: 5-0

22. Everton Estates – Certificate of Dedication

Mr. Porta stated this was a Certificate of Dedication and Maintenance Agreement for water and sewer lines for Everton Estates, Phase 1. He recommended approval.

Council Member Cooley made a motion to approve Everton Estates Certificate of Dedication. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

MONTHLY FINANCIAL STATEMENT

23. August 2022 Financial Report

Tom Rinehart, Finance Department Director, reviewed the August 2022 Financial Report and compared it to August 2021.

FINAL COMMENTS

Mr. Porta stated the Georgia Airport Association named Cartersville Airport 2022 Project of the Year.

Continuing, he congratulated Freddy Morgan for being chosen as the GCCMA District 1 Director, which is over 15 counties in Northwest Georgia.

In closing, Mr. Porta stated that on October 21, 2022, at Pine Mountain, the trail renaming ceremony will take place to rename it to Greg Anderson Trail System.

ADJOURNMENT

With no other business to discuss, Council Member Cooley made a motion to adjourn.

Meeting Adjourned at 8:21 P.M.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:
/s/ _____
Julia Drake
City Clerk



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	Second Reading of Ordinances
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	T22-04. Applicant: Tillman Family LLLP.
DEPARTMENT SUMMARY RECOMMENDATION:	<p>Text Amendment to Chapter 26, Zoning, Article IX, Office-Commercial Zoning District, Sec. 9.5.2 (A), Permitted Uses, to allow private parks as an allowed use with a Special Use permit.</p> <p>This amendment is to allow the applicant to construct a private ballfield or ballfields on their property. Special Use permit application SU22-04 is also submitted for consideration.</p> <p>Planning Commission recommends approval, 5-0.</p>
LEGAL:	N/A

MEMO

To: Planning Commission, Mayor Santini & City Council

From: Randy Mannino and David Hardegree

Date: October 4, 2022

Re: *Text Amendment T22-04. To allow Private Parks as an allowed use with a Special Use permit in the Office-Commercial Zoning District.*

Tillman Family LLLP owns undeveloped property zoned Office-Commercial (O-C) near West Ave. and north of the Ingles grocery store property. The Tillman O-C properties are identified as Tax ID C023-0001-007 and C023-0001-008. Total property area is approximately 34 acres.

The Tillman Family has agreed to allow a practice youth baseball field to be constructed on the property. The field or fields would be a Pay-Per-Use for teams needing practice facilities. Under the current O-C zoning, private parks are not an allowed use. Private parks are an allowed use in the adjacent R-20 (Residential) zoning district.

The applicant has filed for the text amendment to add Private Parks to the list of allowed uses in the O-C zoning district with a Special Use Permit. The Special Use permit application, SU22-04, has been filed and is intended to be considered concurrently with this text amendment.

**Application for Text Amendment(s)
To Zoning Ordinance
City of Cartersville**


Case No. Meeting: November 3, 2022 Item 2.
Date Received: 8-18-2022

Public Hearing Dates:

Planning Commission 10-11-2022 5:30pm 1st City Council 10-20-2022 7:00pm 2nd City Council 11-3-2022 7:00pm

APPLICANT INFORMATION

Applicant <u>Tillman Family LLP</u> <small>(printed name)</small>	Office Phone <u>770.475.3006</u>
Address <u>PO Box 1341</u>	Mobile/ Other Phone <u>770.815.8599</u>
City <u>Cartersville</u> State <u>GA</u> Zip <u>30120</u>	Email <u>rich@prefsales.com</u>
<u>Southland Engineering</u> Representative's printed name (if other than applicant)	Phone (Rep) <u>(770) 307-0440</u>
<u>[Signature]</u> Representative Signature	Email (Rep) <u>lsimonson@southlandengineers.com</u>
Signed, sealed and delivered in presence of <u>[Signature]</u> Notary Public	Applicant Signature <u>[Signature]</u> My commission expires: <u>10/11/2025</u>



1. Existing Text to be Amended:

Article IX, Section 9.5.2, Subsection A

Existing Text Reads as Follows: Permitted Uses

2. Proposed Text:

Proposed Text Reads as Follows: Special Use - Parks, Private

(Continue on additional sheets as needed)

**Application for Text Amendment(s)
To Zoning Ordinance
City of Cartersville**

Case Number: Meeting: November 3, 2022 Item 2.
Date Received: _____

3. Reason(s) for the Amendment Request: The permitted uses for
O-C zoning districts do not include private
parks. We are requesting to amend Article IX,
Section 9.5.2, Subsection A to include this use
in order to keep current zoning.

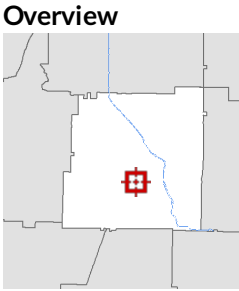
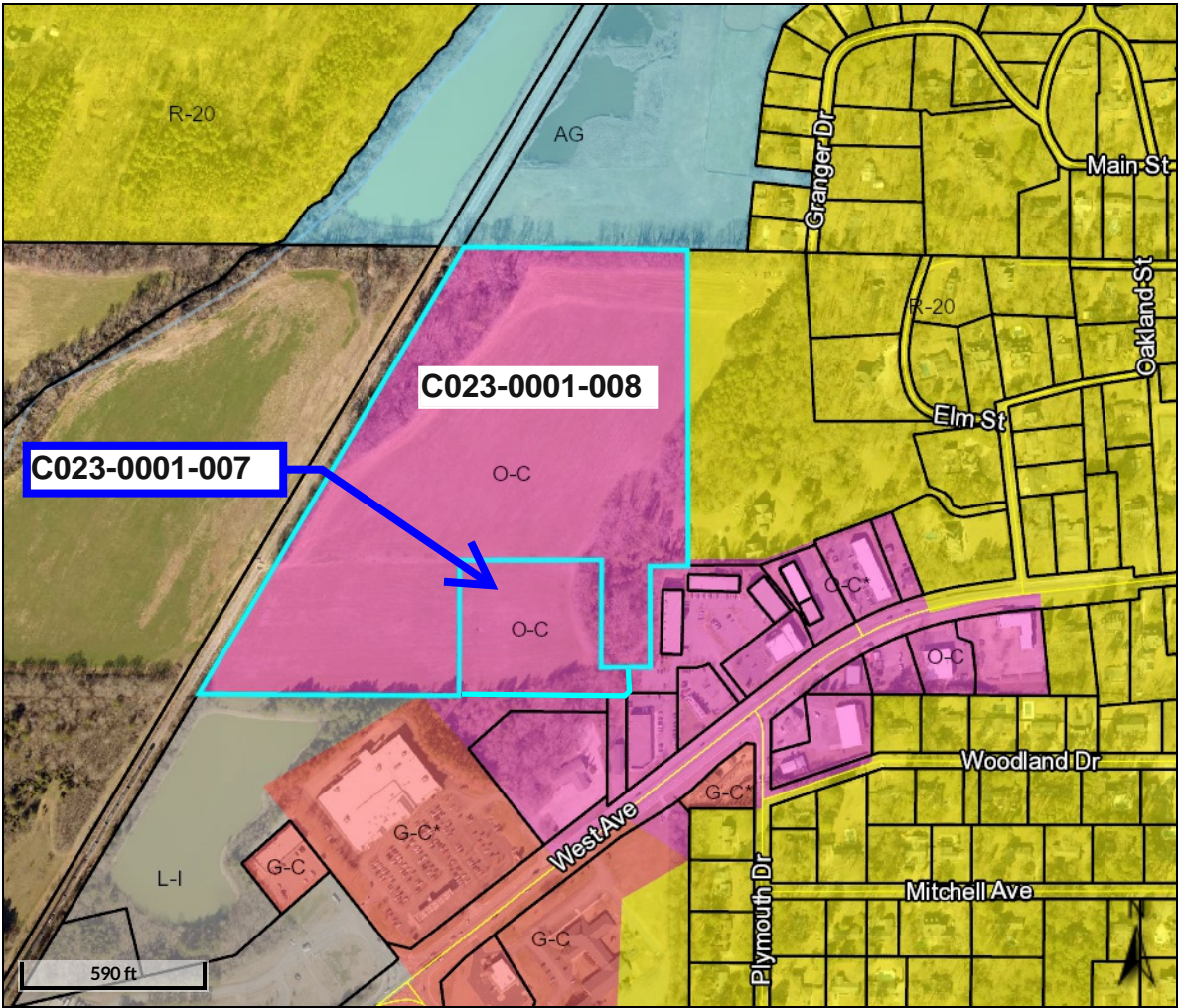
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**REQUIREMENTS FOR FILING
AN APPLICATION FOR TEXT AMENDMENT(S)
CITY OF CARTERSVILLE, GA**

Completed applications must be submitted to the City of Cartersville Planning & Development Department, located at 10 N. Public Square, 2nd Floor. Cartersville, GA 30120.

Requirements

- 1. Completed Application:** Include all signatures. Complete items 1, 2 and 3.
- 2. Filing Fee:** A non-refundable filing fee of \$400.00 must accompany the completed application.
- 3. Public Notice Fee (Optional):** The applicant may choose to have city staff prepare and manage the public notification process outlined in **Requirement 4** below. If this option is requested, there is an additional, non-refundable fee of \$30.00 which covers the cost of the newspaper ad.
- 4. Public Notification:** The applicant is responsible for the following **public notification** process unless the applicant has requested that staff manage this process as outlined in **item 4** above:
 - a. Not less than fifteen (15) days and not more than forty-five (45) days prior to the scheduled date of the public hearing being the final action by the City Council and not less than ten (10) days prior to the Planning Commission meeting, a **notice of public hearing** shall be published in the legal notice section of the Daily Tribune newspaper within the City of Cartersville. Such notice shall state the application file number, and shall contain the location of the property, its area, owner, current zoning classification, and the proposed zoning classification. Such notice shall include both the Planning Commission and the City Council meeting dates. (See attached Notice of Public Hearing).



- Legend**
- Parcels
 - Roads
- Cartersville Zoning**
- AG
 - DBD
 - G-C
 - G-C*
 - H-I
 - H-I*
 - L-I
 - L-I*
 - M-U
 - M-U*
 - MF-14
 - MF-14*
 - MN
 - O-C
 - O-C*
 - P-D
 - P-D*
 - P-I
 - P-S
 - P-S*
 - R-10
 - R-10*
 - R-15
 - R-15*
 - R-20
 - R-20*
 - R-7
 - R-7*
 - R-D
 - RA-12
 - RA-12*
 - RSL

Parcel ID	C023-0001-008	Alternate ID	44092	Owner Address	TILLMAN FAMILY LLLP
Sec/Twp/Rng	n/a	Class	Consrv Use		PO BOX 1341
Property Address	WEST AVE	Acreage	29.66		CARTERSVILLE, GA 30120-1341
District	Cartersville				
Brief Tax Description	LL521, 522 D4				

(Note: Not to be used on legal documents)

Date created: 10/5/2022
 Last Data Uploaded: 10/4/2022 10:39:43 PM

Developed by Schneider
 GEOSPATIAL

Sec. 9.5. O-C Office/commercial district.

9.5.1. *O-C district scope and intent.* Regulations in this section are the O-C district regulations. The O-C district is intended to provide land areas for office and community oriented retail and service activities which compliment a transition into more intense activity areas as further described in section 3.1.18 of this chapter.

9.5.2. *Use regulations.* Within the O-C district, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section shall be prohibited.

- A. *Permitted uses.* Structures and land may be used for only the following purposes:
- Adolescent treatment facilities.
 - Amateur radio transmitter.
 - Amenities (as defined by this chapter).
 - Amusement, indoor.
 - Apartments and condominiums, above, below, or behind commercial and office uses in the same building (SU).*
 - Art galleries.
 - Assembly halls.
 - Automotive and truck sales or rental (properties fronting an arterial or major collector street only) (SU).*
 - Automotive specialty shops.
 - Barber shops.
 - Beauty salons.
 - Brewpub.
 - Catering, carry-out and delivery.
 - Clinics (excludes veterinary clinic).
 - Clubs or lodges (noncommercial) (SU).*
 - Construction contractors:
 - ▲ General building contractors (provided there is no exterior storage of equipment, materials, and construction vehicles).
 - ▲ Heavy equipment contractors (provided there is no exterior storage of equipment, materials, and construction vehicles).
 - ▲ Special trade contractors; including, but not limited to, construction subcontractors, engineers, architects, and land surveyors (provided there is no exterior storage of equipment, materials, or construction vehicles).
 - Colleges and universities.
 - Convenience stores.
 - Dancing schools.
 - Day care facilities.

- Delicatessens.
- Distillery (SU).*
- Financial establishments.
- Funeral homes (crematories may be allowed in conjunction with a funeral home with approval of a special use).*
- Group homes (SU).*
- Gymnasiums/health clubs.
- Halfway houses.
- Homeless shelters (SU).*
- Hospices.
- Hospitals.
- Hotels.
- Institutions of higher learning, business colleges, music conservatories, and similar institutions.
- Laboratories (medical and dental).
- Laundromats.
- Laundry/dry cleaning pick-up stations.
- Libraries.
- Medical offices (excludes veterinary).
- Microbreweries (SU).*
- Museums.
- Nursing home facilities.
- Offices, general.
- Office parks.
- Outdoor golf driving ranges.
- Parking garages.
- Parking lots.
- **Parks, private (SU)*** ←
- Pet grooming.
- Personal care homes (SU).*
- Places of assembly (SU).*
- Plant nurseries.
- Printing establishments.
- Public utility facilities.
- Pubs or taverns.

**Add Private
Parks as
permitted use
with Special
Use Permit**

- Radio and television broadcast stations.
- Radio, television, or other communication towers.
- Religious institutions (SU).*
- Research laboratories.
- Restaurants.
- Retail, general.
- Retail package stores (including liquor and malt beverages and/or wine sales) only in a multi-tenant shopping center development consisting of a minimum of five (5) business suites and additionally, that detached, stand alone, retail package stores shall not be permitted.
- Retirement centers (SU).*
- Reupholstery shop.
- Schools, private (SU).*
- Service stations.
- Stadiums.
- Theaters.
- Wholesale sales office.

* Special use approval required.

B. *Accessory uses.* Structures and land may be used for uses customarily incidental to any permitted use.

9.5.3. *Development standards.*

- A. *Height regulations.* Buildings shall not exceed a height of forty-five (45) feet or three and one-half (3½) stories, whichever is higher.
- B. *Front yard setback:* Twenty (20) feet.
- C. *Side yard setback:* Ten (10) feet.
- D. *Rear yard setback:* Twenty (20) feet.
- E. *Minimum lot frontage:* One hundred ten (110) feet adjoining a street.
- F. *Minimum lot width at the building line:* One hundred ten (110) feet.
- G. *Minimum heated floor area per dwelling unit.*
 - *3-bedroom:* Nine hundred (900) square feet.
 - *2-bedroom:* Seven hundred fifty (750) square feet.
 - *1-bedroom:* Six hundred (600) square feet.
 - *Studio/loft (in existing buildings):* Four hundred fifty (450) square feet.
- H. *Minimum buffer requirements.* In addition to required setbacks, a minimum twenty-foot wide buffer, five (5) feet of which can be within required setback, shall be required along all property lines which abut a residential district or use to provide a visual screen in accordance with section 4.17 of this chapter.
- I. *Accessory structure requirements.* See section 4.9 of this chapter.

- J. *[Metal panel exterior.]* A metal panel exterior finish product shall not be allowed on metal buildings exceeding one hundred fifty (150) square feet in gross floor area constructed or placed on lots within the O-C district with the exception that such materials may be used if finished with a product consisting of brick, stone, or hard-coat stucco.
- K. *[Air conditioning units and HVAC systems.]* Air conditioning units and HVAC systems shall be thoroughly screened from view from the public right-of-way and from adjacent properties by using walls, fencing, roof elements, or landscaping on multifamily and nonresidential properties.
- L. *[Gable or hip roofs.]* Gable or hip roofs shall have a minimum roof pitch of 6/12. Both gable and hip roofs shall provide overhanging eaves on all sides that extend a minimum of one (1) foot beyond the building wall.
- M. *[Front building facade.]* The front building facade of all principal buildings shall be oriented toward street fronts or adjacent arterial street fronts.

9.5.4. *Other regulations.* The headings below contain additional, but not necessarily all, provisions applicable to the O-C district.

- City of Cartersville Landscaping Ordinance.
- City of Cartersville Sign Ordinance.

(Ord. No. 01-13, § 10, 1-3-13; Ord. No. 02-18, § 4, 1-18-18; Ord. No. 34A-18, § 4, 12-6-18)

6.1.1. *R-20 district scope and intent.* Regulations set forth in this section are the R-20 district regulations. The R-20 district encompasses lands devoted to low density residential areas and closely related uses as further described in section 3.1.2 of this chapter.

6.1.2. *Use regulations.* Within the R-20 district, land and structures shall be used in accordance with standards herein. Any use not specifically designated as permitted shall be prohibited.

A. *Permitted uses.* Structures and land may be used for only the following purposes:

- Accessory buildings or uses.
- Accessory apartments (SU).*
- Amateur radio transmitter.
- Amenities (as defined by this chapter).
- Bed and breakfast inn (SU).*
- Clubs or lodges (noncommercial) (SU).*
- College and universities.
- Day care facilities (SU).*
- Family day care.
- Golf courses.
- Group homes (SU).*
- Guest house.
- Home occupations.
- Parks, private.
- Personal care homes (SU).*
- Places of assembly (SU).*
- Public utility facilities.
- Religious institutions (SU).*
- Schools, private (SU).*
- Single-family detached dwellings.

Permitted in adjacent R-20 zoning district

* Special use approval required.

6.1.3. *Development standards.*

A. *Height regulations.* Buildings shall not exceed a height of thirty-five (35) feet or two and one-half (2½) stories, whichever is higher.

B. *Front yard setback:* Twenty (20) feet.

- C. *Side yard setback*: Ten (10) feet.
- D. *Rear yard setback*: Twenty (20) feet.
- E. *Minimum lot area*: Twenty thousand (20,000) square feet.
- F. *Minimum lot width at the building line on noncul-de-sac lots*: One hundred (100) feet.
- G. *Minimum lot frontage*: Thirty-five (35) feet adjoining a street.
- H. *Minimum heated floor area*: One thousand three hundred (1,300) square feet.
- I. *Metal building exterior finish materials*. A metal panel exterior finish product shall not be allowed on metal buildings exceeding one hundred fifty (150) square feet in gross floor area constructed or placed on lots within the R-20 district.
- J. *Accessory use, building, and structure requirements*. [See [section 4.9](#) of this chapter.]
- K. *Optional density bonus*. Proposed developments may contain lots with minimum areas of seventeen thousand (17,000) square feet if one (1) of the following items is met:
 - 1. Submittal of an affidavit certifying that all units will meet certification standards of the EarthCraft House certification program or will be LEED certified homes.
 - 2. Submittal of an affidavit certifying that all units will be clad with exterior finishes of brick, stone, or hard-coat stucco on sixty-seven (67) percent or more of wall surfaces and one hundred (100) percent architectural roofing shingles.
 - 3. A donation of land to the City of Cartersville for one (1) of the following: community greenway facility including surface trails if directly accessible from the development, or a neighborhood park with public access. In either case, the minimum total area to be donated shall be ten (10) percent of the total acreage of the property. All legally necessary documents, including, but not limited to, a property deed to convey land to the City of Cartersville, shall be completed at time of approval of any final plats.
- [L. *Reserved*.]
- M. *Guest house*. In addition to standards required in this chapter, the following standards shall be met for a guest house:
 - 1. No more than one (1) guest house structure per lot.
 - 2. A minimum lot size of fifteen thousand (15,000) square feet shall be required.
 - 3. A guest house shall be occupied by relatives, employees that work on the property, or guests only.
 - 4. Heated floor area shall not exceed fifty (50) percent of the heated floor area of the principal building.
 - 5. A guest house structure shall comply with the principal setbacks of the district.
 - 6. A guest house shall not be allowed in the front yard.

7. A guest house shall not exceed the height of the principal building

Meeting: November 3, 2022 Item 2.

8. Requires owner-occupancy of the principal building on the lot.

6.1.4. *Other regulations.* The headings below contains additional, but not necessarily all, provisions applicable to uses allowed in the R-20 district.

- City of Cartersville Landscaping Ordinance.
- City of Cartersville Sign Ordinance.

Now be it and it is hereby ordained by the Mayor and City Council of the City of Cartersville, that the CITY OF CARTERSVILLE CODE OF ORDINANCES. CHAPTER 26, ZONING, ARTICLE IX-OFFICE-COMMERCIAL ZONING DISTRICT, SECTION 9.5.2 (A), PERMITTED USES, is hereby amended by deleting section (A) in its entirety and replacing it as follows:

- Adolescent treatment facilities.
- Amateur radio transmitter.
- Amenities (as defined by this chapter).
- Amusement, indoor.
- Apartments and condominiums, above, below, or behind commercial and office uses in the same building (SU).*
- Art galleries.
- Assembly halls.
- Automotive and truck sales or rental (properties fronting an arterial or major collector street only) (SU).*
- Automotive specialty shops.
- Barber shops.
- Beauty salons.
- Brewpub.
- Catering, carry-out and delivery.
- Clinics (excludes veterinary clinic).
- Clubs or lodges (noncommercial) (SU).*
- Construction contractors:
 - ▲ General building contractors (provided there is no exterior storage of equipment, materials, and construction vehicles).
 - ▲ Heavy equipment contractors (provided there is no exterior storage of equipment, materials, and construction vehicles).
 - ▲ Special trade contractors; including, but not limited to, construction subcontractors, engineers, architects, and land surveyors (provided there is no exterior storage of equipment, materials, or construction vehicles).
- Colleges and universities.
- Convenience stores.
- Dancing schools.
- Day care facilities.
- Delicatessens.
- Distillery (SU).*
- Financial establishments.
- Funeral homes (crematories may be allowed in conjunction with a funeral home with approval of a special use).*
- Group homes (SU).*
- Gymnasiums/health clubs.
- Halfway houses.

- Homeless shelters (SU).*
- Hospices.
- Hospitals.
- Hotels.
- Institutions of higher learning, business colleges, music conservatories, and similar institutions.
- Laboratories (medical and dental).
- Laundromats.
- Laundry/dry cleaning pick-up stations.
- Libraries.
- Medical offices (excludes veterinary).
- Microbreweries (SU).*
- Museums.
- Nursing home facilities.
- Offices, general.
- Office parks.
- Outdoor golf driving ranges.
- Parking garages.
- Parking lots.
- **Parks, private (SU)***
- Pet grooming.
- Personal care homes (SU).*
- Places of assembly (SU).*
- Plant nurseries.
- Printing establishments.
- Public utility facilities.
- Pubs or taverns.
- Radio and television broadcast stations.
- Radio, television, or other communication towers.
- Religious institutions (SU).*
- Research laboratories.
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- Retail, general.
- Retail package stores (including liquor and malt beverages and/or wine sales) only in a multi-tenant shopping center development consisting of a minimum of five (5) business suites and additionally, that detached, stand alone, retail package stores shall not be permitted.
- Retirement centers (SU).*
- Reupholstery shop.
- Schools, private (SU).*
- Service stations.
- Stadiums.
- Theaters.

- Wholesale sales office.
- * Special use approval required.

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: October 20, 2022
SECOND READING: November 3, 2022

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
 JULIA DRAKE, CITY CLERK



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	Public Hearing – 2 nd Reading of Zoning/Annexation Requests
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	SU22-04. Applicant: Tillman Family LLLP
DEPARTMENT SUMMARY RECOMMENDATION:	<p>Special Use permit to allow a private park to be developed on (2) Tillman Family properties identified as Tax ID C023-0001-007 and C023-0001-008. Total property area is approximately 34 acres.</p> <p>The private park will be for the development of a youth baseball practice field or fields on a Pay-Per-Use model for teams needing practice facilities. Under the current O-C zoning, private parks are not an allowed use. Private parks are an allowed use in the adjacent R-20 (Residential) zoning district.</p> <p>Text amendment, T22-04, is the amendment to add private parks to the O-C zoning district permitted uses.</p> <p>Planning Commission recommends approval, 5-0.</p>
LEGAL:	N/A

SPECIAL USE APPLICATION SYNOPSIS

Petition Number(s): **SU22-04**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **Tillman Family, LLLP**

Representative: **Lauren Knoll, Southland Engineering.**

Property Owner: **Tillman Family, LLLP**

Property Location: **Tax ID C023-0001-007 & C023-0001-008**

Access to the Property: **From West Ave via an access easement on the Ingles grocery store property.**

Site Characteristics:

Tract Size: **34 +/- ac.** District: **4th** Section: **3rd** LL(S): **522 & 559**

Ward:**5** Council Member: **Gary Fox**

LAND USE INFORMATION

Current Zoning: **O-C (Office-Commercial)**

Proposed Zoning: **No change**

Proposed Use: **Private park (pay-per-use baseball field or fields)**

Current Zoning of Adjacent Property:

North: **AG (Agriculture) and County A-1 (Agriculture)**

South: **O-C, G-C (General Commercial) and L-I (Light Industrial)**

East: **O-C & R-20 (Residential)**

West: **County A-1**

The Future Development Map designates the subject property as: **Highway Commercial and Community Village Center.**

The Future Land Use Map designates the subject property as: **Commercial and Community Parks/ Recreation/ Conservation.**

2. City Department Comments:

Electric: Takes no exception

Fibercom: Has no comment

Fire: No comments received.

Gas: The Gas System takes no exception to the following text amendment case T22-04. The Gas System, furthermore, takes no exception to the request for the Tillman Ballfield as attached provided the improvements do not conflict with the existing natural gas facilities.

Public Works: Public Works has no objection.

Water and Sewer: No objection. Service not impacted.

3. Public Comments:

No comments as of 10-5-22.

4. Special Use Review

Tillman Family LLLP owns undeveloped property zoned Office-Commercial (O-C) near West Ave. and north of the Ingles grocery store property. The Tillman properties are identified as Tax ID C023-0001-007 and C023-0001-008. Total property area is approximately 34 acres.

The Tillman Family has agreed to allow a practice youth baseball field to be constructed on the property. The field or fields would be a Pay-Per-Use for teams needing practice facilities. Under the current O-C zoning, private parks are not an allowed use. Private parks are an allowed use in the adjacent R-20 (Residential) zoning district.

Currently, one field is proposed. If the pay-per-use model is successful, additional ballfields or multi-purpose fields could be added in the future.

A conservation easement exists on each of the identified properties. If the SUP is approved, the conservation easement will have to be dissolved, and back taxes, penalties, and/or interest will have to be paid to the County by the applicant.

The applicant has filed for the text amendment, T22-04, to add Private Parks to the list of allowed uses in the O-C zoning district with a Special Use Permit. The text amendment is intended to be considered concurrently with this special use permit.

No additional special use requirements for private parks are suggested at this time. If the text amendment and special use permit are approved, the applicant and their design consultant are responsible for getting approved site plans before ball field construction begins. Site plans have been

submitted for review, but are on hold pending approval of the text amendment and special use permit.

5. Zoning Ordinance Findings

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

B) 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 permit:
 - 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.

6. How General Standards Are Met:

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

How Standard #1 has / will be met: No negative effect to traffic along West Avenue is anticipated. There may be short periods of increased traffic through the Ingles property to access the ballfield.

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

How Standard #2 has / will be met: Parking will be added on private property for the ballfield.

Standard #3: Protective screening.

How Standard #3 has / will be met: Buffer required along the R-20 zoning district which is, currently, property belonging to the applicant.

Standard #4: Hours and manner of operation:

How Standard #4 has / will be met: Information not provided by applicant, but likely limited to after-school hours, school breaks, holidays and weekends.

Standard #5: Outdoor lighting

How Standard #5 has / will be met: Information not provided by applicant, but no lights are currently planned per the submitted site plans.

Standard #6: Ingress and egress to the property.

How Standard #6 has / will be met: Access easement provided through Ingles grocery store property.

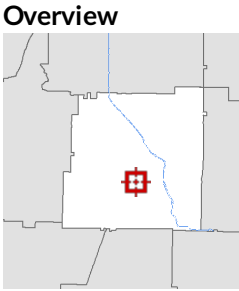
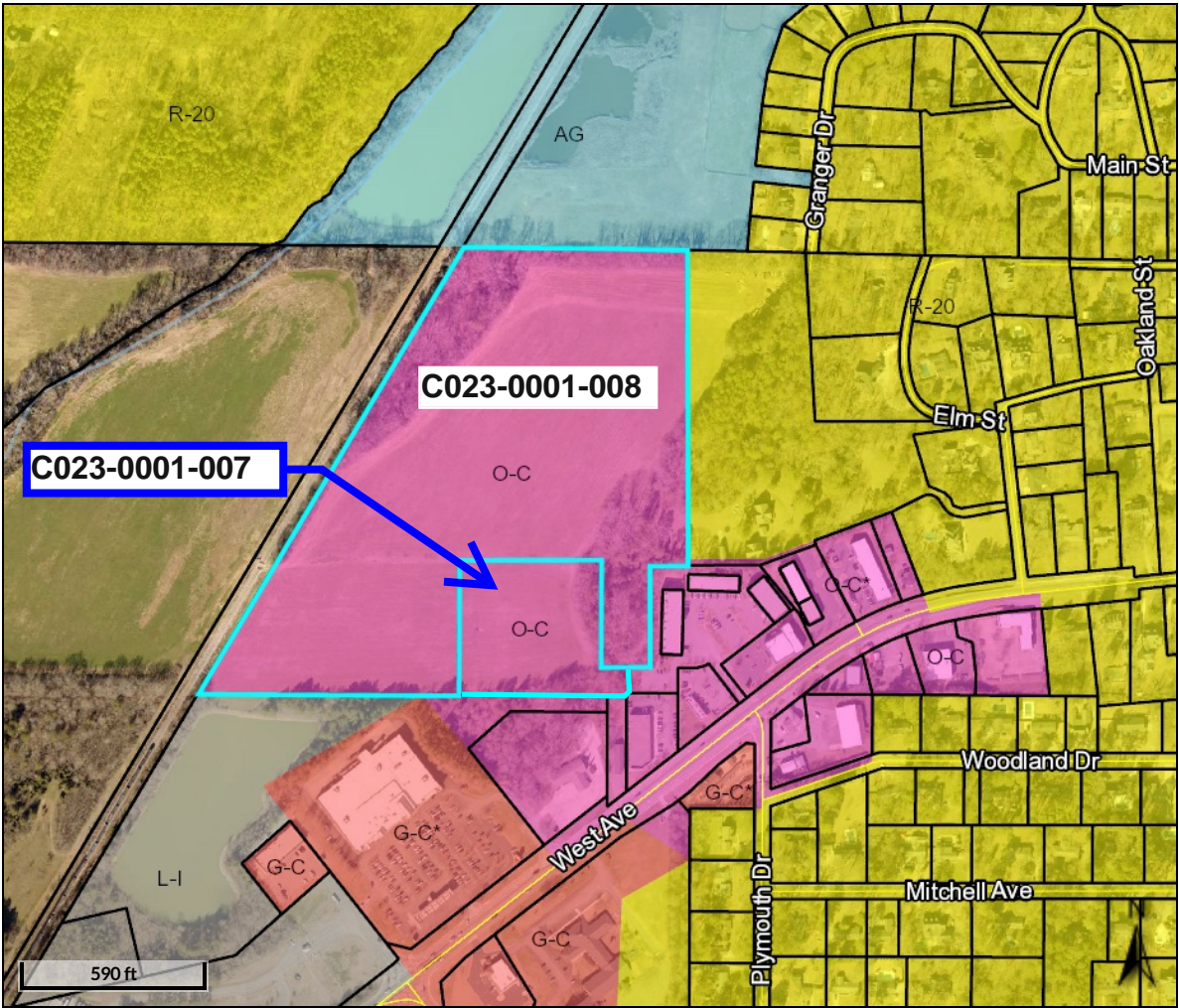
Standard #7: Compatibility with surrounding land use.

How Standard #7 has / will be met: No compatibility conflicts have been identified except where the O-C zoned parcels abut R-20 zoned parcels.

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

N/A

8. Staff Recommendation: Staff does not oppose the application.



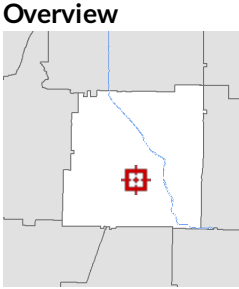
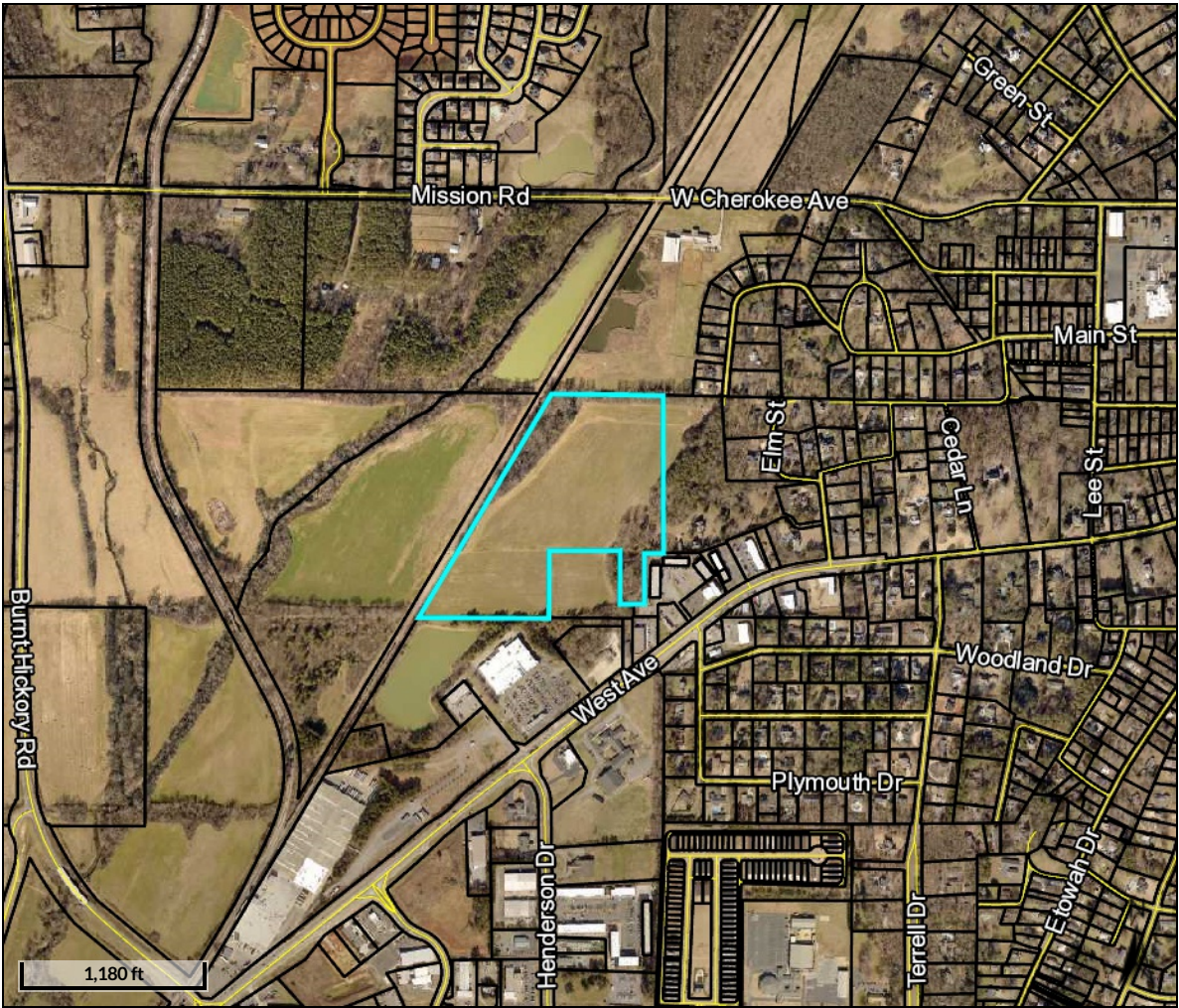
- Legend**
- Parcels
 - Roads
- Cartersville Zoning**
- AG
 - DBD
 - G-C
 - G-C*
 - H-I
 - H-I*
 - L-I
 - L-I*
 - M-U
 - M-U*
 - MF-14
 - MF-14*
 - MN
 - O-C
 - O-C*
 - P-D
 - P-D*
 - P-I
 - P-S
 - P-S*
 - R-10
 - R-10*
 - R-15
 - R-15*
 - R-20
 - R-20*
 - R-7
 - R-7*
 - R-D
 - RA-12
 - RA-12*
 - RSL

Parcel ID	C023-0001-008	Alternate ID	44092	Owner Address	TILLMAN FAMILY LLLP
Sec/Twp/Rng	n/a	Class	Consrv Use		PO BOX 1341
Property Address	WEST AVE	Acreage	29.66		CARTERSVILLE, GA 30120-1341
District	Cartersville				
Brief Tax Description	LL521, 522 D4				

(Note: Not to be used on legal documents)

Date created: 10/5/2022
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Legend
 □ Parcels
 — Roads

Parcel ID	C023-0001-008	Alternate ID	44092	Owner Address	TILLMAN FAMILY LLLP
Sec/Twp/Rng	n/a	Class	Consv Use		PO BOX 1341
Property Address	WEST AVE	Acreage	29.66		CARTERSVILLE, GA 30120-1341
District	Cartersville				
Brief Tax Description	LL521, 522 D4				

(Note: Not to be used on legal documents)

Date created: 9/21/2022
 Last Data Uploaded: 9/20/2022 10:57:45 PM

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Application for Special Use
City of Cartersville

Case Number: 5022-04
Date Received: 8-31-2022

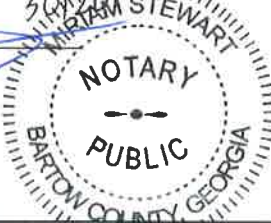
Public Hearing Dates:

Planning Commission 10-11-2022 5:30pm 1st City Council 10-20-2022 7:00pm 2nd City Council 11-3-2022 7:00pm

Applicant Tillman Family LLLP Office Phone 770-475-3006
(printed name)
 Address P.O. Box 1341 Mobile/ Other Phone 770-815-8599
 City Cartersville State GA Zip 30120 Email rich@prefsales.com
 Representative's printed name (if other than applicant) Lauren Noll Phone (Rep) 770-387-0440
 Email (Rep) simonson@southlandengineers.com
 Representative's Signature [Signature] Applicant Signature [Signature]
 Signed, sealed and delivered in presence of: [Signature] My commission expires: 10/11/2025
 Notary Public [Signature]



* Titleholder Tillman Family LLLP Phone 770-475-3006
(titleholder's printed name)
 Address P.O. Box 1341 Cartersville Email rich@prefsales.com
 Signature [Signature]
 Signed, sealed, delivered in presence of: [Signature] My commission expires: 10/11/2025
 Notary Public [Signature]



Present Zoning District O-C
 Acreage 45.387 Land Lot(s) 522 & 559 District(s) 4th Section(s) 3rd
 Location of Property: West Avenue
(street address, nearest intersections, etc.)
 Reason for Special Use Request: To allow private parks under the current zoning district
(attach additional statement as necessary)

* Attach additional notarized signatures as needed on separate application pages.

CAMPAIGN DISCLOSURE REPORT
FOR REZONING ACTIONS

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

Date of Application: _____


Date Two Years Prior to Application: _____

Date Five Years Prior to Application: _____

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

	YES	NO
Mayor: Matt Santini	_____	_____ ✓
Council Member:		
Ward 1- Kari Hodge	_____	_____ ✓
Ward 2- Jayce Stepp	_____	_____ ✓
Ward 3- Cary Roth	_____	_____ ✓
Ward 4- Calvin Cooley	_____	_____ ✓
Ward 5- Gary Fox	_____	_____ ✓
Ward 6- Taff Wren	_____	_____ ✓
Planning Commission		
Greg Culverhouse	_____	_____ ✓
Harrison Dean	_____	_____ ✓
Lamar Pendley	_____	_____ ✓
Open		
Travis Popham	_____	_____ ✓
Jeffery Ross	_____	_____ ✓
Stephen Smith	_____	_____ ✓

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


8-29-2022

Signature Date



Print Name

SPECIAL USE JUSTIFICATION

The Mayor and City Council, upon review, may authorize a Special Use which is not classified as a permitted use by 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:

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

How Standard #1 has / will be met:

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

How Standard #2 has / will be met:

Standard #3: Protective screening.

How Standard #3 has / will be met:

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

How Standard #4 has / will be met:

Standard #5: Outdoor lighting.

How Standard #5 has / will be met:

Standard #6: Ingress and egress to the property.

How Standard #6 has / will be met:

Standard #7: Compatibility with surrounding land use.

How Standard #7 has / will be met:

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

Signed,

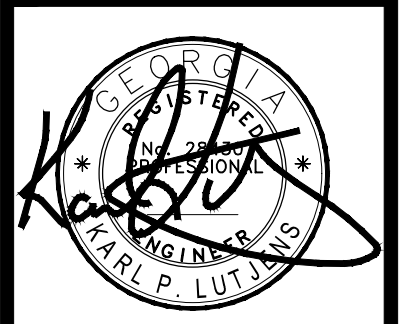
Applicant or Representative

Date

REVISIONS:	DATE	DESCRIPTION
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2		
3		
4		
5		
6		

SOUTHLAND ENGINEERING
 CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS
 114 OLD MILL ROAD., CARTERSVILLE, GA 30120 PH: 770.387.0440 FAX: 770.607.5151

TILLMAN FIELD
 PRACTICE BALLFIELD
 LOCATED IN LAND LOTS 522 & 559
 4TH DISTRICT, 3RD SECTION
 CITY OF CARTERSVILLE, GEORGIA

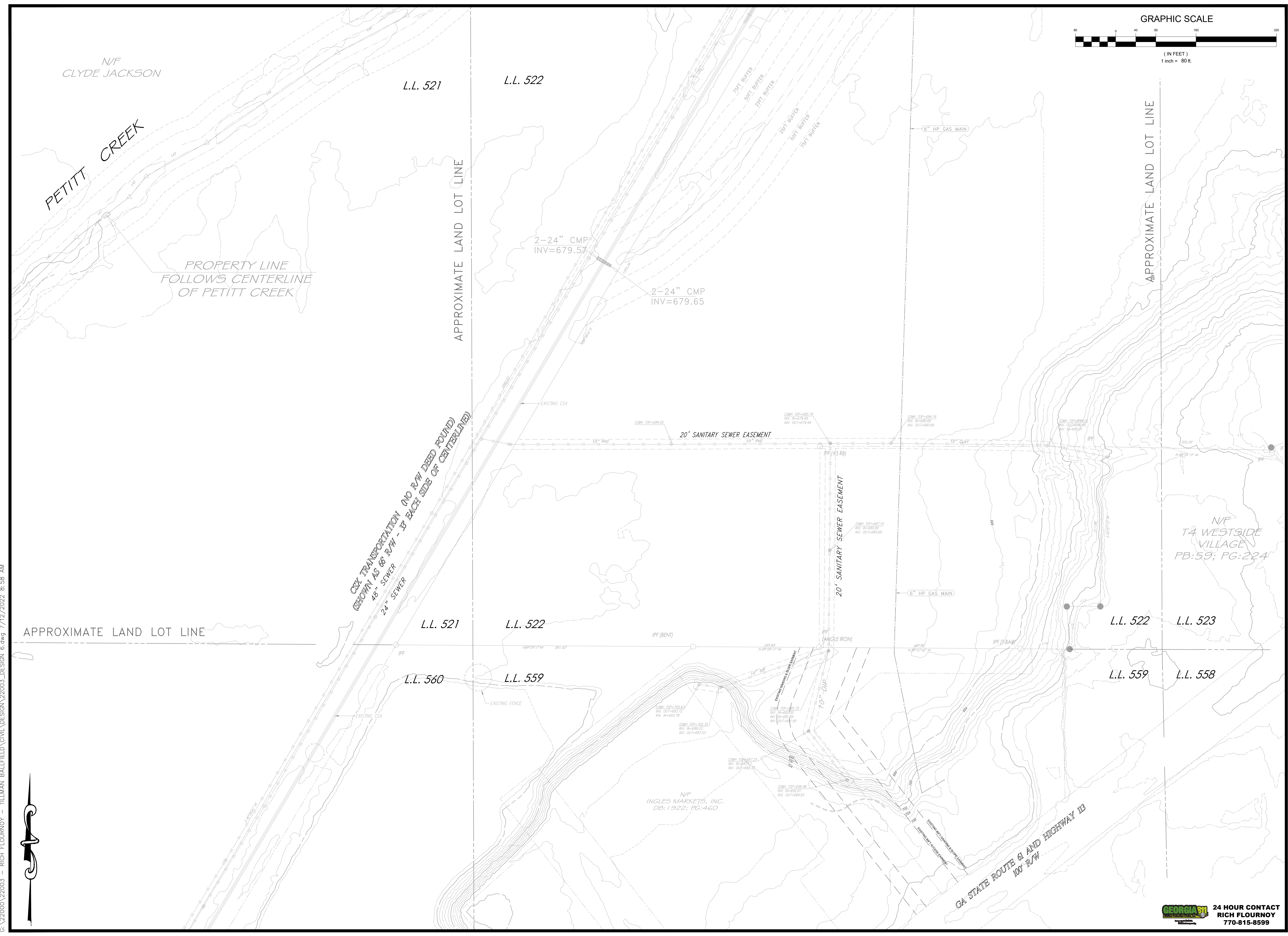
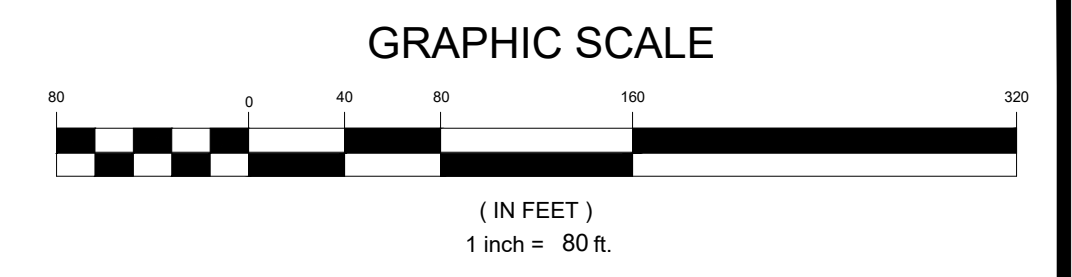


SHEET TITLE:

EXISTING CONDITIONS PLAN

SHEET NO.:

C101



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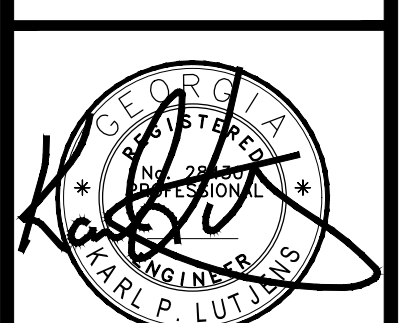


GEORGIA 24 HOUR CONTACT
RICH FLOURNOY
 770-815-8599

REVISIONS:	DATE	DESCRIPTION
1		
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SOUTHLAND ENGINEERING
 CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS
 114 OLD MILL ROAD, CARTERSVILLE, GA 30120 PH: 770.387.0440 FAX: 770.607.5151

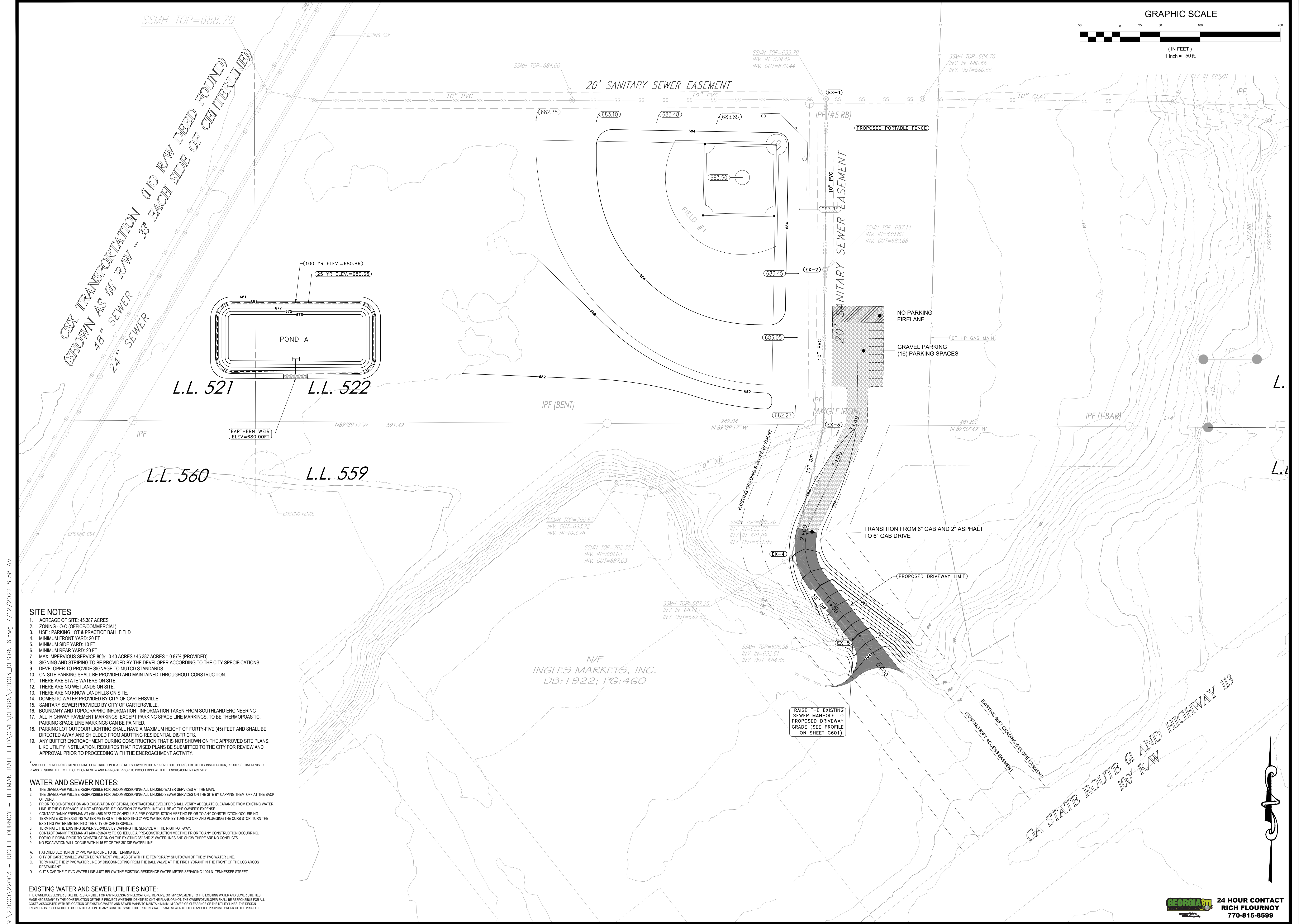
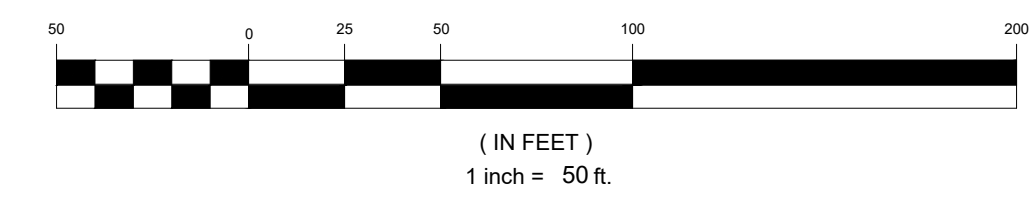
TILLMAN FIELD PRACTICE BALLFIELD
 LOCATED IN LAND LOTS 522 & 559
 4TH DISTRICT, 3RD SECTION
 CITY OF CARTERSVILLE, GEORGIA



SHEET TITLE:
 SITE, UTILITIES, GRADING & EROSION PLAN

SHEET NO.:
 C201

GRAPHIC SCALE



- SITE NOTES**
1. ACREAGE OF SITE: 45.387 ACRES
 2. ZONING - O-C (OFFICE/COMMERCIAL)
 3. USE - PARKING LOT & PRACTICE BALL FIELD
 4. MINIMUM FRONT YARD: 20 FT
 5. MINIMUM SIDE YARD: 10 FT
 6. MINIMUM REAR YARD: 20 FT
 7. MAX IMPERVIOUS SERVICE 80%: 0.40 ACRES / 45.387 ACRES = 0.87% (PROVIDED)
 8. SIGNING AND STRIPING TO BE PROVIDED BY THE DEVELOPER ACCORDING TO THE CITY SPECIFICATIONS.
 9. DEVELOPER TO PROVIDE SIGNAGE TO MUTCD STANDARDS.
 10. ON-SITE PARKING SHALL BE PROVIDED AND MAINTAINED THROUGHOUT CONSTRUCTION.
 11. THERE ARE STATE WATERS ON SITE.
 12. THERE ARE NO WETLANDS ON SITE.
 13. THERE ARE NO KNOW LANDFILLS ON SITE.
 14. DOMESTIC WATER PROVIDED BY CITY OF CARTERSVILLE.
 15. SANITARY SEWER PROVIDED BY CITY OF CARTERSVILLE.
 16. BOUNDARY AND TOPOGRAPHIC INFORMATION: INFORMATION TAKEN FROM SOUTHLAND ENGINEERING
 17. ALL HIGHWAY PAVEMENT MARKINGS, EXCEPT PARKING SPACE LINE MARKINGS, TO BE THERMOPLASTIC. PARKING SPACE LINE MARKINGS CAN BE PAINTED.
 18. PARKING LOT OUTDOOR LIGHTING SHALL HAVE A MAXIMUM HEIGHT OF FORTY-FIVE (45) FEET AND SHALL BE DIRECTED AWAY AND SHIELDED FROM ABUTTING RESIDENTIAL DISTRICTS.
 19. ANY BUFFER ENCROACHMENT DURING CONSTRUCTION THAT IS NOT SHOWN ON THE APPROVED SITE PLANS, LIKE UTILITY INSTALLATION, REQUIRES THAT REVISED PLANS BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL PRIOR TO PROCEEDING WITH THE ENCROACHMENT ACTIVITY.
- * ANY BUFFER ENCROACHMENT DURING CONSTRUCTION THAT IS NOT SHOWN ON THE APPROVED SITE PLANS, LIKE UTILITY INSTALLATION, REQUIRES THAT REVISED PLANS BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL PRIOR TO PROCEEDING WITH THE ENCROACHMENT ACTIVITY.

- WATER AND SEWER NOTES:**
1. THE DEVELOPER WILL BE RESPONSIBLE FOR DECOMMISSIONING ALL UNUSED WATER SERVICES AT THE MAIN.
 2. THE DEVELOPER WILL BE RESPONSIBLE FOR DECOMMISSIONING ALL UNUSED SEWER SERVICES ON THE SITE BY CAPPING THEM OFF AT THE BACK OF CURB.
 3. PRIOR TO CONSTRUCTION AND EXCAVATION OF STORM, CONTRACTOR/DEVELOPER SHALL VERIFY ADEQUATE CLEARANCE FROM EXISTING WATER LINE. IF THE CLEARANCE IS NOT ADEQUATE, RELOCATION OF WATER LINE WILL BE AT THE OWNER'S EXPENSE.
 4. CONTACT DANNY FREEMAN AT (404) 868-9472 TO SCHEDULE A PRE-CONSTRUCTION MEETING PRIOR TO ANY CONSTRUCTION OCCURRING.
 5. TERMINATE BOTH EXISTING WATER METERS AT THE EXISTING 2" PVC WATER MAIN BY TURNING OFF AND PLUGGING THE CURB STOP. TURN THE EXISTING WATER METER INTO THE CITY OF CARTERSVILLE.
 6. TERMINATE THE EXISTING SEWER SERVICES BY CAPPING THE SERVICE AT THE RIGHT-OF-WAY.
 7. CONTACT DANNY FREEMAN AT (404) 868-9472 TO SCHEDULE A PRE-CONSTRUCTION MEETING PRIOR TO ANY CONSTRUCTION OCCURRING.
 8. POT HOLE DOWN PRIOR TO CONSTRUCTION ON THE EXISTING 36" AND 2" WATER LINES AND SHOW THERE ARE NO CONFLICTS.
 9. NO EXCAVATION WILL OCCUR WITHIN 15 FT OF THE 36" DIP WATER LINE.
- A. HATCHED SECTION OF 2" PVC WATER LINE TO BE TERMINATED.
 B. CITY OF CARTERSVILLE WATER DEPARTMENT WILL ASSIST WITH THE TEMPORARY SHUTDOWN OF THE 2" PVC WATER LINE.
 C. TERMINATE THE 2" PVC WATER LINE BY DISCONNECTING FROM THE BALL VALVE AT THE FIRE HYDRANT IN THE FRONT OF THE LOS ARCOS RESTAURANT.
 D. OUT & CAP THE 2" PVC WATER LINE JUST BELOW THE EXISTING RESIDENCE WATER METER SERVICING 1004 N. TENNESSEE STREET.

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REVISIONS:	DATE	DESCRIPTION
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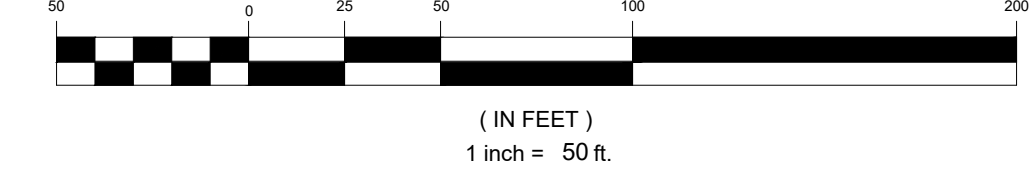
SOUTHLAND ENGINEERING
 CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS
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TILLMAN FIELD PRACTICE BALLFIELD
 LOCATED IN LAND LOTS 522 & 559
 4TH DISTRICT, 3RD SECTION
 CITY OF CARTERSVILLE, GEORGIA



SHEET TITLE:
SITE PLAN
 SHEET NO.:
CZ-1

GRAPHIC SCALE



SSMH TOP=688.70

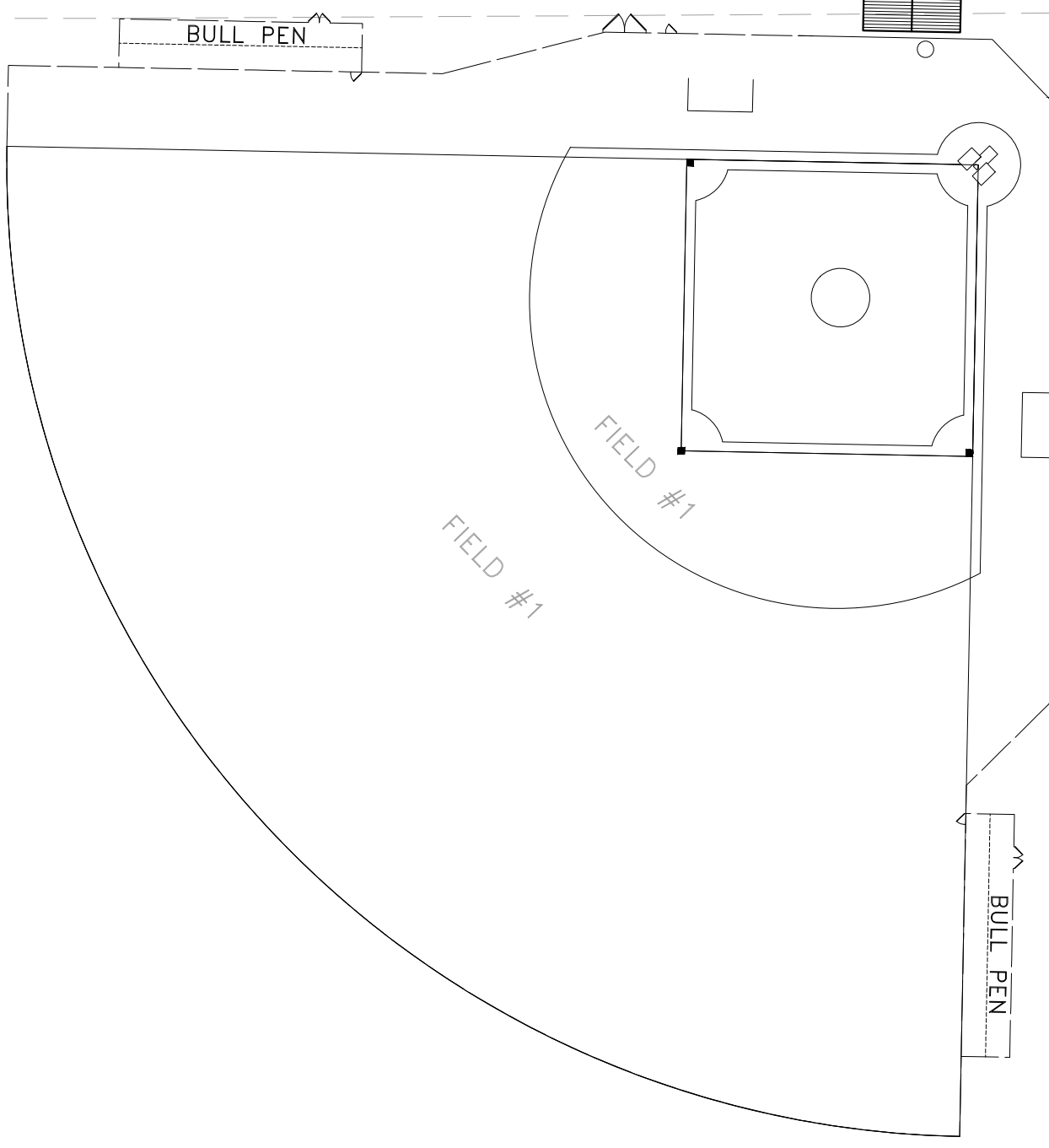
CSX TRANSPORTATION (NO R/W DEED FOUND)
 SHOWN AS 66' R/W - 33' EACH SIDE OF CENTERLINE
 48" SEWER
 24" SEWER

TOTAL
 29.66 ACRES
 N/F
 TILLMAN FAMILY LLLP
 DB:3008; PG:394
 TAX PARCEL:CO23-0001-008

TOTAL
 4.37 ACRES
 N/F
 TILLMAN FAMILY LLLP
 DB:3008; PG:428
 TAX PARCEL:CO23-0001-007

20' SANITARY SEWER EASEMENT

20' SANITARY SEWER EASEMENT



NO PARKING FIRELANE
 GRAVEL PARKING (16) PARKING SPACES
 6" HP GAS MAIN

L.L. 521

L.L. 522

L.L. 560

L.L. 559

IPF (BENT)

IPF (ANGLE IR)

IPF (T-BAR)

SSMH TOP=700.63
 INV. OUT=693.72
 INV. IN=693.78

SSMH TOP=702.35
 INV. IN=689.03
 INV. OUT=687.03

SSMH TOP=685.70
 INV. IN=682.10
 INV. IN=681.89
 INV. OUT=681.95

SSMH TOP=687.25
 INV. IN=683.13
 INV. OUT=682.33

SSMH TOP=696.96
 INV. IN=692.61
 INV. OUT=684.65

N/F
 INGLES MARKETS, INC.
 DB:1922; PG:460

RAISE THE EXISTING SEWER MANHOLE TO PROPOSED DRIVEWAY GRADE (SEE PROFILE ON SHEET C601).

GA STATE ROUTE 61 AND HIGHWAY 113
 100' R/W

GEORGIA 24 HOUR CONTACT
RICH FLOURNOY
 770-815-8599

Images taken 9-27-22





CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	Public Hearing – 2nd Reading of Zoning/Annexation Requests
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	SU22-03. 315 Industrial Park Rd. Applicant: Cash Environmental Resources, LLC.
DEPARTMENT SUMMARY RECOMMENDATION:	<p>Special Use permit request to allow a Waste Transfer Station at 315 Industrial Park Rd for municipal waste and construction debris. Zoning is Heavy Industrial. The applicant, Cash Environmental, was also a partner with Envicare, LLC who were approved for a similar special use permit on adjacent property at 375 Industrial Park Rd in 2019, SU19-07.</p> <p>Planning Commission recommends approval (4-1) with the following conditions:</p> <ol style="list-style-type: none"> 1. No bare permeable ground conditions on the Premises. All grounds on the premises shall be covered with asphalt, concrete or crusher run base. 2. All buildings shall be 3-sided metal buildings with walls that extend from the ceiling to the floor. Buildings shall have opening facing away from Goolsby property (C061-0001-005). 3. All buildings must have concrete floors that can easily be drained and cleaned. 4. Wash water shall be collected in detention pond before entering undisturbed area behind facility. 5. All structures will be constructed with an overhead vapor ducting system to spray odor eliminators (ecosorbindustrial.com) that shall spray continuously while the facility is open and operating. 6. Ten foot (10’) undisturbed buffer along east property line with Goolsby property (C061-0001-005).
LEGAL:	N/A

SPECIAL USE APPLICATION SYNOPSIS

Petition Number(s): **SU22-03**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **Cash Environmental Resources LLC (Kevin Cash)**

Representative: **Brandon Bowen, Esq.**

Property Owner: **3S Investments, LLC**

Property Location: **315 Industrial Park Rd.**

Access to the Property: **Industrial Park Rd.**

Site Characteristics:

Tract Size: Acres:**5** District: **5th** Section: **3rd** LL(S): **201**

Ward:**6** Council Member: **Taff Wren**

LAND USE INFORMATION

Current Zoning: **H-I (Heavy Industrial)**

Proposed Zoning: **H-I (Heavy Industrial)**

Proposed Use: **Trash Transfer Station**

Current Zoning of Adjacent Property:

North: **H-I (Heavy Industrial)**

South: **County A1 (Agriculture) & County I-2 (Heavy Industrial)**

East: **H-I (Heavy Industrial)**

West: **H-I (Heavy Industrial)**

The Future Development Map designates the subject property as: **Workplace Center.**

The Future Land Use Map designates the subject property as: **Industrial.**

2. City Department Comments:

Electric: Takes no exception

Fibercom: Takes no exception

Fire: Cartersville Fire Department takes no exceptions to the special use request for property located at 315 Industrial Park Rd provided all adopted codes and ordinances of the city of Cartersville are followed.

Gas: Takes no exception

Public Works: Public Works does not oppose the special use permit.

Water and Sewer: Bartow County Water & Sewer service area.

3. Public Comments:

8/24: Brenda Goolsby, owner, 329 Industrial park Rd. General Questions. Application provided. SU19-07 application and supporting documents also provided via email.

4. Special Use Review

The applicant, Cash Environmental Resources LLC, is requesting a Special Use permit for property identified as 315 Industrial Park Rd (315) in compliance with the zoning requirements for a Waste Transfer Station in the H-I (Heavy Industrial) zoning district. The applicant is proposing a municipal and construction/ demolition waste transfer facility.

In 2019, the applicant in partnership with Regulated Services, LLC, received a special use permit to operate a municipal waste, construction waste and pharmaceutical waste processing and transfer station on the adjacent property at 375 Industrial Park Rd (375). After the permit approval and in consideration of their business needs, the parties agreed that more space should be given to the municipal waste and construction debris operations. The applicant is planning to relocate the municipal and construction waste operations approved with SU19-07 from the 375 site to the 315 site.

Currently, the site is undeveloped and wooded. There is floodplain present on the southern half of the property and the flood ordinance requirements will have to be met.

Per the conceptual site plan, two new structures, 9,600sf. each, are proposed. No encroachment of the floodplain on the southern half of the property is expected. Site development will be addressed during plan review.

GA EPD also has regulatory oversight over this type of operation.

There are no additional Special Use Standards for a Waste Transfer Station beyond the basic standards addressed in the application.

The operation seems appropriate for the H-I zoning district and location.

5. Zoning Ordinance Findings

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

B) 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 permit:
 - 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.

6. How General Standards Are Met:

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

How Standard #1 has / will be met: No negative effect to traffic along Industrial Park Rd. is expected. There will be an increase truck traffic once the facility is operational.

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

How Standard #2 has / will be met: Sufficient space exists on site for employee/ client parking.

Standard #3: Protective screening.

How Standard #3 has / will be met: Not required.

Standard #4: Hours and manner of operation:

How Standard #4 has / will be met: The business would operate (2) overlapping shifts, Mon. – Fri., 6am – 8pm.

Standard #5: Outdoor lighting

How Standard #5 has / will be met: No changes to existing conditions required. New lights may be needed for new buildings and will be addressed during plan review.

Standard #6: Ingress and egress to the property.

How Standard #6 has / will be met: Primary access is via Industrial Park Rd.

Standard #7: Compatibility with surrounding land use.

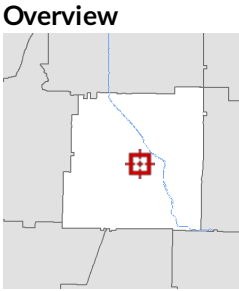
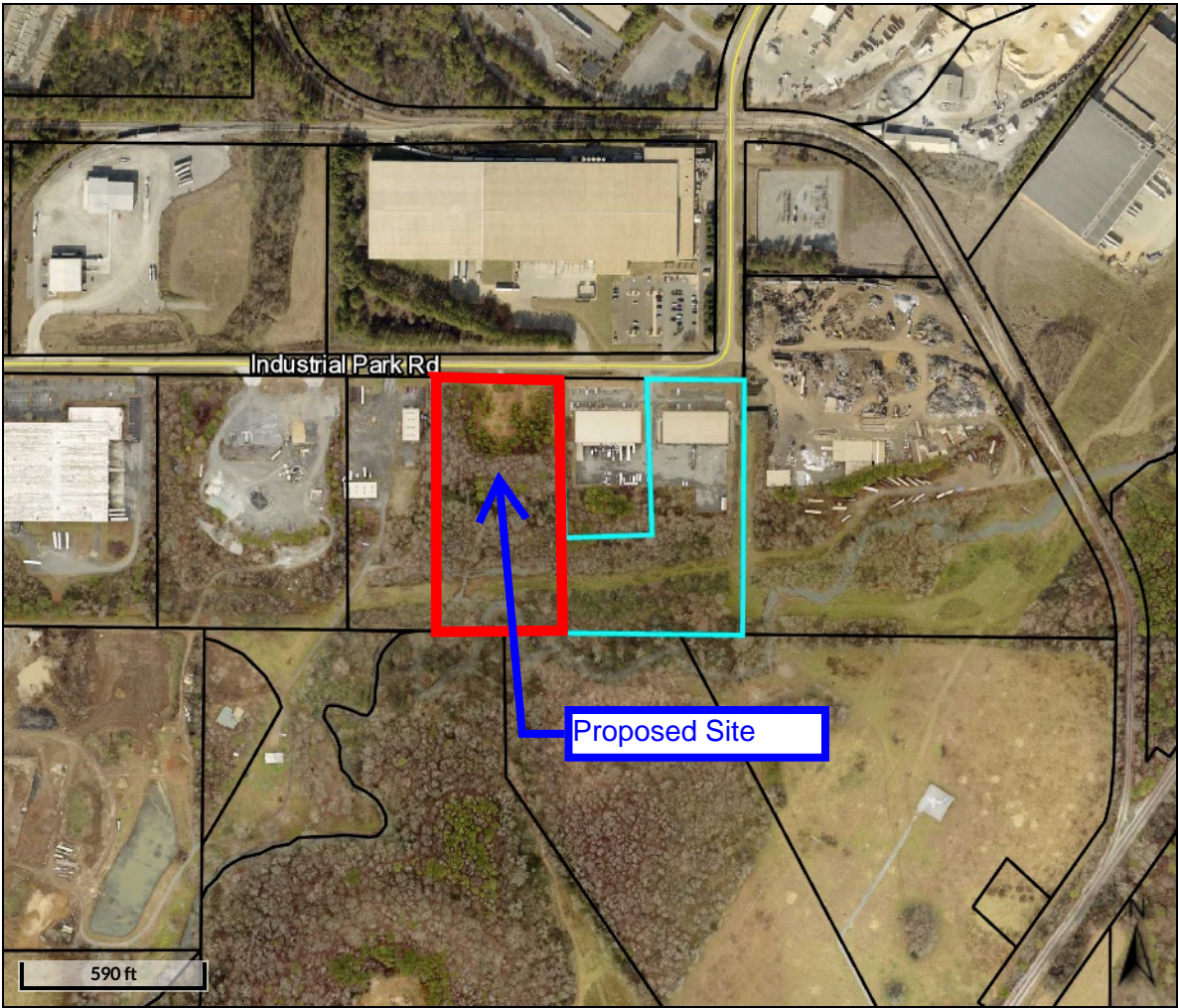
How Standard #7 has / will be met: No negative impact to adjacent properties is expected. Brenda Goolsby, owner, 329 Industrial park Rd. did call the P&D office to request information on the application. The application was provided. Two office/warehouse buildings exist on this property with direct driveway access to Industrial Park Rd.

The properties to the south will be buffered approx. 300ft by the flood plain area.

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

N/A

8. Staff Recommendation: Staff does not oppose the application.



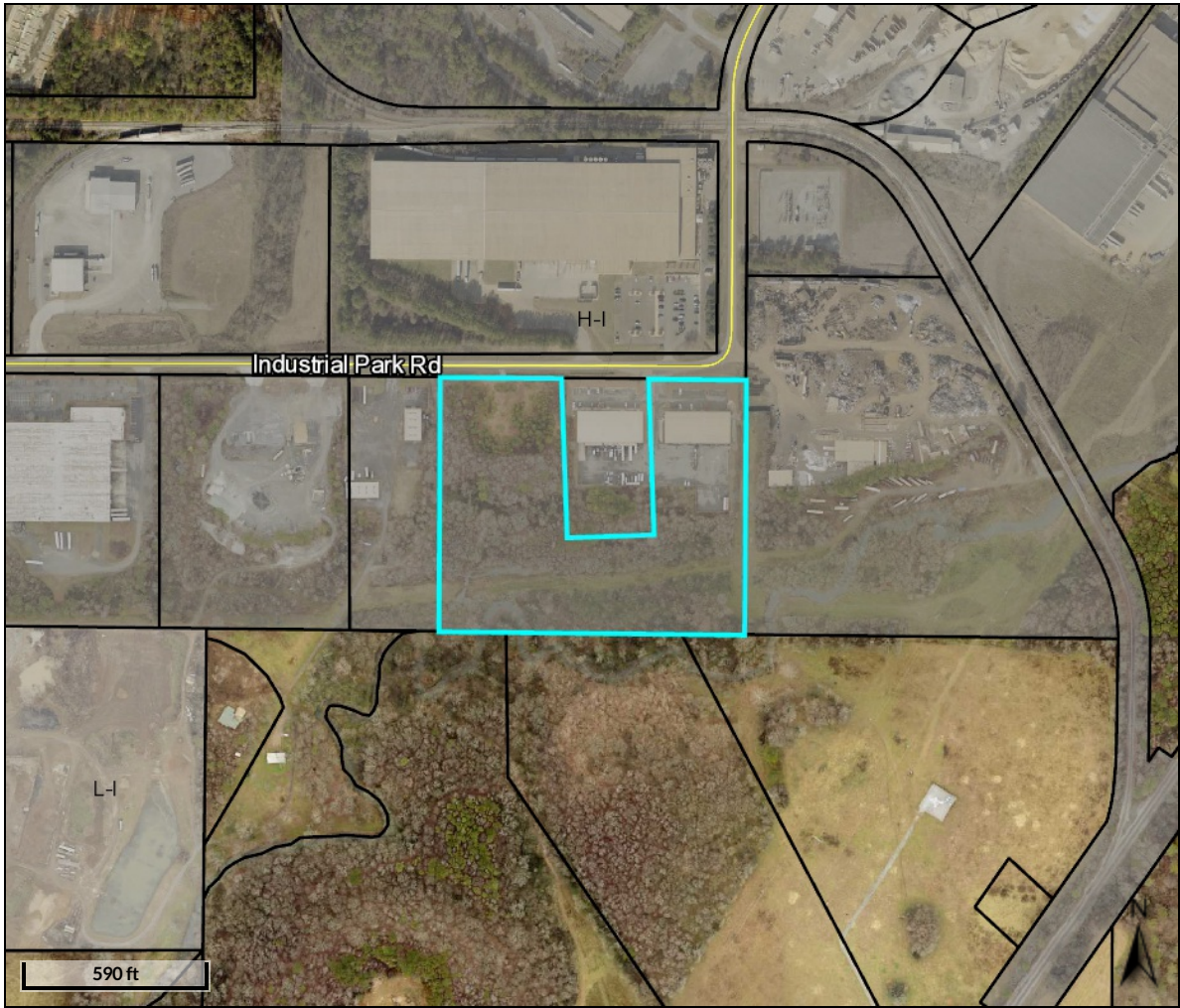
Legend
 □ Parcels
 — Roads

Parcel ID	C061-0001-004	Alternate ID	36680	Owner Address	3S INVESTMENTS
Sec/Twp/Rng	n/a	Class	Industrial		PO BOX 4087
Property Address	315 INDUSTRIAL PARK RD	Acreeage	14.28		CARTERSVILLE, GA 30120
District	Cartersville				
Brief Tax Description	LL 201 D 5				

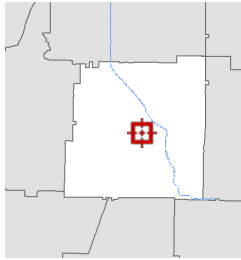
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Date created: 7/27/2022
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 GEOSPATIAL



Overview



Legend

- Parcels
- Roads
- Cartersville Zoning**
- AG
- DBD
- G-C
- G-C*
- H-I
- H-I*
- L-I
- L-I*
- M-U
- M-U*
- MF-14
- MF-14*
- MN
- O-C
- O-C*
- P-D
- P-D*
- P-I
- P-S
- P-S*
- R-10
- R-10*
- R-15
- R-15*
- R-20
- R-20*
- R-7
- R-7*
- R-D
- RA-12
- RA-12*
- RSL

Parcel ID C061-0001-004
Sec/Twp/Rng n/a

Alternate ID 36680
Class Industrial

Owner Address 3S INVESTMENTS
PO BOX 4087

Property Address 315 INDUSTRIAL PARK RD **Acreage** 14.28
District Cartersville
Brief Tax Description LL 201 D 5
(Note: Not to be used on legal documents)

CA Meeting: November 3, 2022 Item 4.

Date created: 7/27/2022
Last Data Uploaded: 7/26/2022 10:21:31 PM

Developed by  Schneider
GEO SPATIAL

Application for Special Use
City of Cartersville

Case Number: 5022-03
Date Received: 7/20/22

Public Hearing Dates:

Planning Commission 9/6/22 5:30pm 1st City Council 9/15/22 7:00pm 2nd City Council 10/6/22 7:00pm

Applicant Cash Environmental Resources LLC Office Phone (770) 656-4031
(printed name)

Address 2859 Paces Ferry Rd., Suite 1150 Mobile/ Other Phone _____

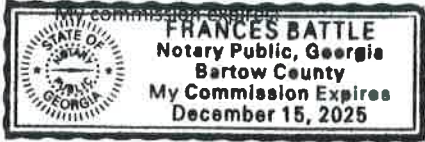
City Atlanta State GA Zip 30339 Email kcash@cashenvironmental.com

Brandon Bowen Phone (Rep) (770) 387-1373
 Representative's printed name (if other than applicant) Email (Rep) bbowen@jbwpc.com

[Signature] Representative Signature _____ Applicant Signature

Signed, sealed and delivered in presence of:

Francis Battle Notary Public



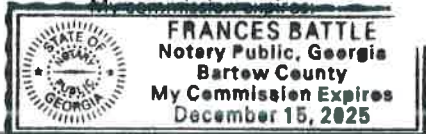
* Titleholder 3S Investments, LLC Phone _____
(titleholder's printed name)

Address 315 Industrial Park Rd. Email _____

Signature [Signature]

Signed, sealed, delivered in presence of:

Francis Battle Notary Public



Present Zoning District H-1

Acreage 14.28 +/- Land Lot(s) 201 District(s) 5 Section(s) 3

Location of Property: 315 Industrial Park Rd.
(street address, nearest intersections, etc.)

Reason for Special Use Request: Transfer Station

(attach additional statement as necessary)

* Attach additional notarized signatures as needed on separate application pages.

2/2

Application for Special Use
City of Cartersville

Meeting: November 3, 2022 Item 4.

Case Number _____
Date Received: 7/20/22

Public Hearing Dates:

Planning Commission _____ 1st City Council _____ 2nd City Council _____
5:30pm 7:00pm 7:00pm

Applicant Cash Environmental Resources LLC Office Phone (770) 656-4031
(printed name)

Address 2859 Paces Ferry Rd., Suite 1150 Mobile/ Other Phone _____

City Atlanta State GA Zip 30339 Email kcash@cashenvironmental.com

Brandon Bowen Phone (Rep) (770) 387-1373
 Representative's printed name (if other than applicant) Email (Rep) bbowen@jwpc.com

 Representative Signature Applicant Signature

Signed, sealed and delivered in presence of: _____ My commission expires: _____

 Notary Public

* Titleholder 35 Investments Phone _____
(titleholder's printed name)

Address 315 Industrial Park Rd. Email _____

Signature _____

Signed, sealed, delivered in presence of: _____ My commission expires: _____

 Notary Public

Present Zoning District H-I

Acreage 14.28 +/- Land Lot(s) 201 District(s) 5 Section(s) 3

Location of Property: 315 Industrial Park Rd.
(street address, nearest intersections, etc.)

Reason for Special Use Request: Transfer Station

(attach additional statement as necessary)

*** Attach additional notarized signatures as needed on separate application pages.**

FRANK E. JENKINS, III
BRANDON L. BOWEN
ROBERT L. WALKER
ERIK J. PIROZZI
ELLIOT T. NOLL
C. KIMBERLY PRINE

15 SOUTH PUBLIC SQUARE
CARTERSVILLE, GEORGIA 30120-3350

TELEPHONE
(770) 387-1373

FACSIMILE
(770) 387-2396

www.jbwpc.com

July 20, 2022

Mr. David Hardegree
City Planner
City of Cartersville

Re: Special Use Permit application for Cash Environmental Resources, LLC

Dear David,

I am writing this letter in support of Cash Environmental Resources' application for a special use permit for a municipal solid waste and construction and demolition debris transfer station. This application is related to application SU19-07, in which the Mayor and Council approved the special use permit for the transfer station and a medical waste facility at 375 Industrial Park Road. Cash Environmental Resources was to operate the transfer station component of that project, while Regulated Services LLC was to operate the medical waste component. This application does not affect the Regulated Services' operation; however, Cash Environmental believes that its transfer station would be better operated on the neighboring property – 315 Industrial Drive. Thus, the purpose of this application is not to create a new transfer station, but rather to allow a previously-approved transfer station to be operated on a different property. I am enclosing both the original site plan that the parties contemplated, and also our current proposed site plan, which shows the transfer station to be located on the 315 Industrial Park Road property if the special use permit is approved. Note that all of this property is in the industrial park and is already zoned H-I, so it is well suited for the operation. I will now address the City's special use permit criteria:

Standard # 1 The Effect of the proposed activity on traffic flow along adjoining streets.

Since this special use permit seeks a relocation of a transfer station that was previously approved for the adjacent site, we do not see that there will be any change in the traffic flow along the adjoining streets. The property fronts on Industrial Park Road, which was designed and built for industrial traffic.

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

A proposed site plan is attached; the property will be designed so that the anticipated industrial traffic parks and can queue on-site.

Standard # 3 Protective screening.

Since this property is located in the Industrial Park, protective screening is not appropriate. Note too that the rear half of the property has a flood plain approximately 300 feet wide and is expected to remain undisturbed.

Standard # 4 Hours and manner of operation.

This facility will be operated with 2 overlapping shifts, between 6:00 am and 8:00 pm, Monday through Friday, just as proposed with the original special use permit which was approved. It is anticipated that garbage trucks and construction vehicles will bring waste to the transfer station, where it will be sorted and loaded upon tractor trailers to take for disposal. Waste will not remain uncovered or be allowed to be stored on site. All operations will be in compliance with applicable EPD regulations.

Standard # 5: Outdoor lighting.

Security lighting for employee safety only and will not exceed any limits of the Industrial Park.

Standard # 6 Ingress and egress to the property.

The property fronts on Industrial Park Road is readily accessible by Highway 411 / 61 to Interstate 75.

Standard # 7 Compatibility with surrounding uses.

This is a use suitable for an industrial area, and it is compliant with the surrounding industrial uses.

If you have any further questions, I will be happy to get them answered for you.

Very truly yours,

JENKINS, BOWEN & WALKER, P.C.



Brandon L. Bowen

Proposed New site plan for Cash Environmental Resources, LLC

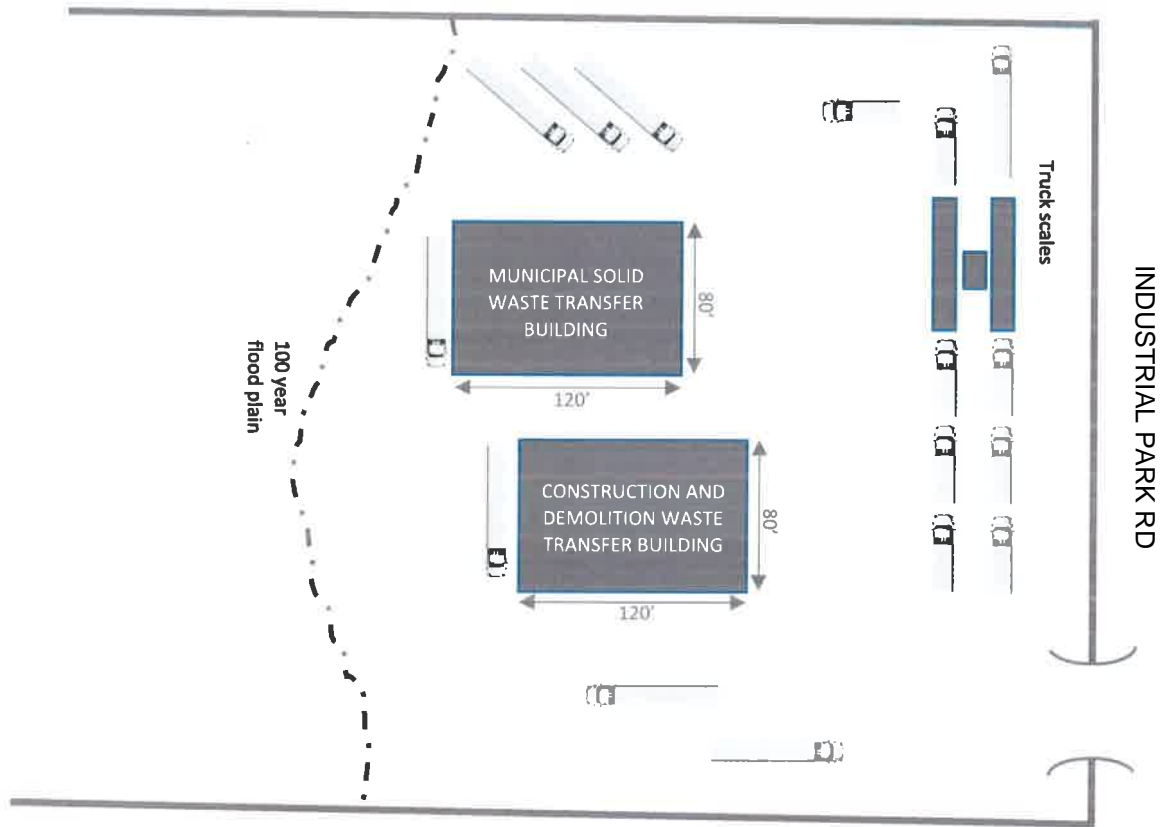


Exhibit "A"

To Limited Warranty Deed

Legal Description of the Land

All that certain tract or parcel of land situate, lying and being at Cartersville, County of Bartow, State of Georgia, and being more particularly described as follows:

All that tract or parcel of land lying and being in Land Lots 196 and 201, Fifth District, Third Section, Bartow County, Georgia, being Lots 13, 14 and 15 of Cartersville Industrial Park, and being more particularly described as follows: Begin at an IPF at the intersection of the eastern right-of-way of Peebles Valley Road (80 foot right-of-way) and the southern right-of-way of Industrial Park Road (80 foot right-of-way); thence N 87°48'54" E 990.00 feet to the true point of beginning, said point being the northeast corner of a conveyance dated December 21, 1985, recorded in Volume 500, Page 273, Public Records of Bartow County, Georgia; thence along the southern right-of-way of Industrial Park Road N 88°00'28" E 1,815.44 feet to an IPF; thence S 01°47'42" E 787.03 feet to an IPS on the land lot line dividing Land Lots 200 and 201; thence along the land lot line S 88°45'22" W 1,672.96 feet to an IPF at the land lot corner of Land Lots 196, 197, 200 and 201; thence continuing along land lot line S 88°13'00" W 139.25 feet to an IPF; thence N 02°02'11" W 764.67 feet along the eastern property line of lot 12 to the point of beginning, said property consisting of 32.28 acres; and being a part of the same property conveyed by deed dated May 20, 1971, recorded in Deed Book 193, Page 441, all instruments filed in the Superior Court Clerk's Office, Bartow County, Georgia.

0017710033



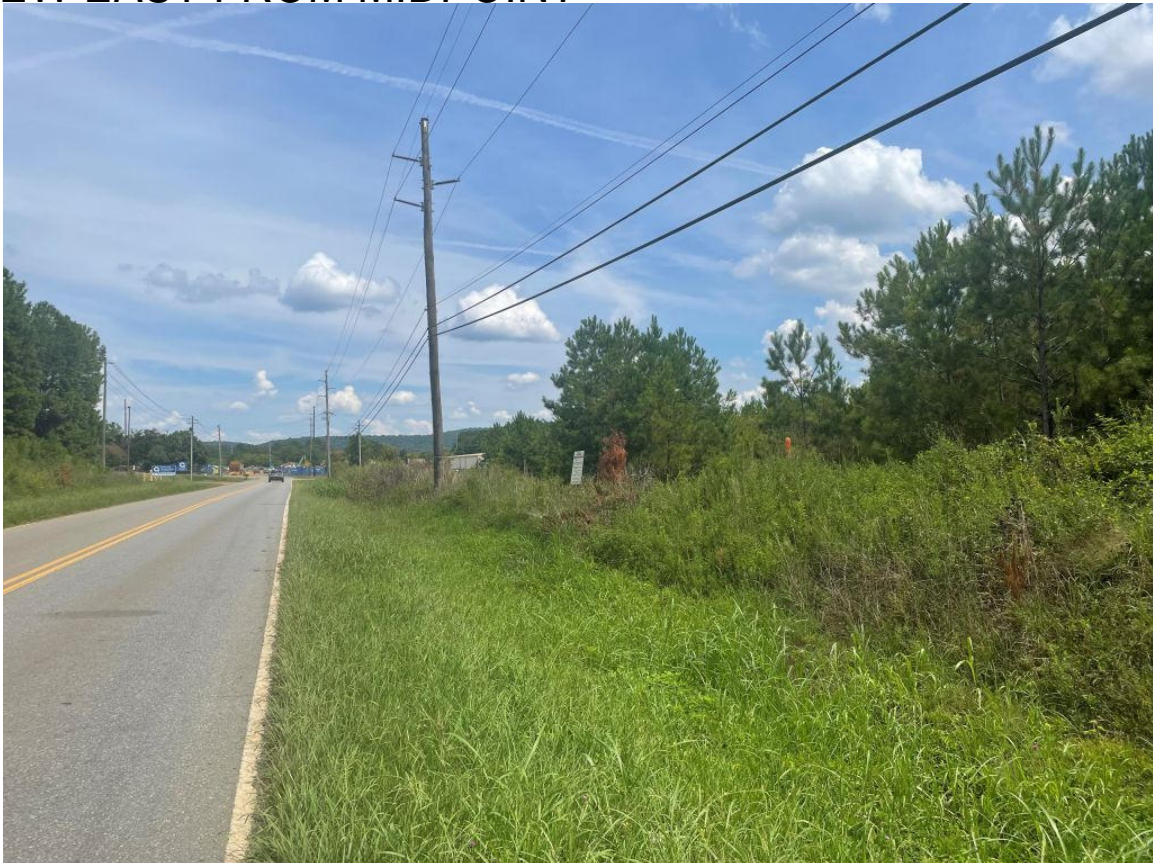
Overview

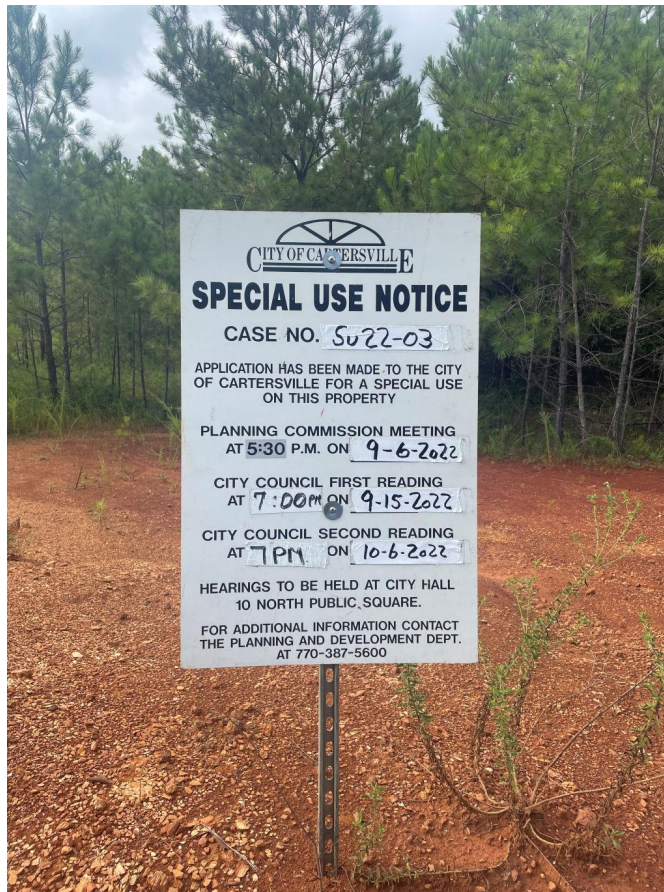


VIEW WEST FROM MIDPOINT



VIEW EAST FROM MIDPOINT





**ADDITIONAL DOCUMENTATION PRESENTED AT
PLANNING COMMISSION MEETING ON 10-11-2022.**



BARTOW COUNTY
Solid Waste

Steve Taylor, Sole Commissioner
Rip Conner, P.G., Director

October 10, 2022

Mr. David Hardegree
City Planner
City of Cartersville

Re: Cash Environmental Resources special use permit application

Dear Mr. Hardegree,

I am writing you in my capacity as the Director, Solid Waste for Bartow County, Georgia. Part of my duties include the management of the Bartow County landfill. I understand that concern has been raised in regard to the capacity of the County landfill, particular in regards to the impact that the Cash Environmental Resources transfer station may have on it. The County landfill has adequate and permitted capacity for decades into the future. If anything, the proposed transfer station will lead to more waste going to C&D and MSW landfills outside of the County, thus extending the life and capacity of the County's landfill.

Respectfully,

A handwritten signature in blue ink, appearing to read "Rip Conner", is written over a light blue horizontal line.

Rip Conner, P.G
Director, Solid Waste

David Hardegree

From: b goolsby <brenda_goolsby@hotmail.com>
Sent: Thursday, September 22, 2022 12:07 PM
To: Matt Santini; Kari Hodge; Jayce Stepp - Forward; Cary Roth; cco4702115@aol.com; Gary Fox; Taff Wren - Forward
Cc: gregg goolsby; b goolsby; David Hardegree
Subject: [EXTERNAL] Opposition to SU22-03 Application by Goolsby Industrial Properties, LLC
Attachments: FA NOV Pickens Co. K&M Landfill dba Whitestone Valley Landfill 112-008D(C&D) FY2020 (2).pdf; NOV_Dixie Speedway Transfer Station_Cherokee + Photos_pdf.pdf; NOV_Regional Energy C&D Waste Transfer Station_Union + Photos_pdf.pdf; NOV_Sugar Creek C&D Transfer Station_Fannin + photos.pdf; 09.06.2022 PC Minutes.docx.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION! : This email originated from outside the City of Cartersville network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sender: brenda_goolsby@hotmail.com

Thank you in advance for reviewing the full communication

Dear Mayor Santini and City of Cartersville City Council Members,

For context, we are property owners of 329 Industrial Park Road, Cartersville, GA having purchased the property in May 2021. When considering our investment, we factored in the progressive planning and development presently underway in Cartersville. We evaluated the current zoning of our property and the property immediately surrounding our location. We presently have two long term tenants in our commercial warehouse who have established their base of business in Cartersville for 15+ years. Additionally, we are looking to invest further in the area, as one of our tenants needs more space, and we would like to find an additional warehouse space to purchase to lease back to them.

We are drafting this communication in response to SU22-03 application for 315 Industrial Park Road submitted by Cash Environmental Resources, LLC. SU22-03 was reviewed by the City of Cartersville Planning Commission on the September 06, 2022 agenda. A copy of the 09/6th City of Cartersville Planning Commission meeting minutes are attached for your reference. We were notified in writing approximately 7 days in advance of the 9/6th community forum. Due to the short notice and personal conflicts, we were unable to attend in person the 09/06th Planning Commission meeting. The City of Cartersville Planning Commission will be reviewing SU22-03 again on the October 11th agenda, which at this time is not open for public comments.

We have expressed our serious concerns about the SU22-03 application in writing to the City of Cartersville Planning Commission. While landfills are essential and must exist somewhere, we feel the specific application

by Cash Environmental Resources, LLC for the specific Cartersville location should reasons:

1. **Cash Environmental Resources, LLC track record of non-compliance at Georgia operated facilities**

The transport and management of waste is a dirty business, which is why partnering with a reputable operator in good standing and with good business practices is critical. Cash Environmental Resources, LLC operates Three transfer stations and a full-scale waste landfill in Georgia. They have a consistent track record of non-compliance to state Environmental Protection Division and country guidelines and laws. Outlined below are the non-compliance notices that have been drafted in 2022 by the Georgia Environmental Protection Division for the Cash Environmental Resources, LLC operated waste facilities. This is not a case of one bad apple, but rather a systematic practice of sloppy operations across all four sites operated in Georgia.

We requested all public records for the past 3- months from the Georgia Department of Environmental Protection Division. We received a tremendous number of documents from the Solid Waste Management program division. There is a clear historical practice of facility non-compliance and financial delinquency at all four waste management facilities operated in Georgia. The most recent 2022 non-compliant infractions are noted below and the official EPD non-compliance documents also attached to this email communication. I urge you to review the actual non-compliance violations and associated photo documentation provided by the Georgia Department of EPD. A photo is worth a thousand words in this example, and I encourage you to imagine this type of operation within your jurisdiction.

- 1. Whitestone Valley C&D Landfill – Pickens County
 - a. Notice of Non-compliance for Delinquent Financial Assurance dated 12/21/2021
 - b. Pickens County Commissions closed the landfill in January 2022 due to an out-of-control fire at the landfill due to non-compliance in facility management. <https://pickensprogress.com/strong-county-response-to-landfill-right-on-target/>
 - c. This closure raised alarm bells in the Georgia State Assembly, local officials and Georgia EPD.
- 2. Sugar Creek C&D Transfer Station – Fannin County
 - a. Notice of non-compliance and violation of Rule 391-3-4-06 dated February 22, 2022.
 - b. The EPD determined that Cash Environmental Resources, LLC was operating an unpermitted landfill.
- 3. Regional Energy C&D Waste Transfer Station - Union County
 - a. Notice of non-compliance and violation of Rule 391-3-4-06 dated February 22, 2022.
- 4. Dixie Speedway Transfer Station – Cherokee County
 - a. Notice of non-compliance for violations of solid waste rules, Rule 391-3-4-06 regarding the Transportation, Processing and Disposal Sites dated May 18, 2022.

The other concern and relevant information regarding Cash Environmental Resources, LLC is their filing for **financial bankruptcy on August 28, 2022**. It is quite concerning that the infractions and potential mitigation of issues in the future will be severely impacted by the financial solvency of this organization.

One final point to clarify, Cash Environmental Resources, LLC received **approval in 2019 for SU19-07 permit in 2019 for these exact services and have not engaged their Cartersville operation as of September 2022 based on poor site planning and execution (in their own words)**. I suggest the Planning Commission reconsider and rescind permit SU19-07.

2. **Health and Wellness of Cartersville citizens and business resulting for air, land and water hazards**

Waste transfer stations can be sources of air pollution and other threats to public health as well as noise, odors, vermin, and excessive truck traffic on local roads. Transfer stations emit dangerous fumes from the combustion of the wide range of materials managed through a Construction and Municipal waste transfer station. Of highest concern are carbon monoxide, hydrogen sulphide, volatile chemicals, dioxins, furans, lead and asbestos. These chemicals are released into the air and create a toxic cocktail of particulates that can lead to catastrophic health impacts.

NOTE: There is no way to control toxic materials such as lead and asbestos from projects from co-mingling in a transfer station. I was informed by Mr. Cash, President of Cash Environmental Resources, LLC, that the air quality is not monitored at Cash Environmental Services Waste Transfer Sites, nor at Waste Landfill sites. Past violations for this company show that they were not providing a covering for the waste, which obviously subjects it to rain, and runoff into the watershed. Question? Where does the toxic air chemicals and dust particles go, and how are they measured? What are the potential negative health impacts to our community?

The primary health and wellness concern with solid waste transfer facilities is typically related to water runoff mingling with waste material. I was informed by Mr. Cash personally that the 'dust' is managed through a continual spraying of water on the gravel drive, and water is used to clean the storage receptacles used to capture the waste contents. We can reasonably assume that water is also used to clean the truck beds of the waste trucks. The resulting liquid (leachate) is not captured or contained in this setting. It is important to note, the 14 acres parcel identified in the SU22-03 application contains a large section of wetlands on the rear portion of the parcel. The contamination of these wetlands will certainly result in unexpected negative consequences, impacting the wetlands that border on our property and the property of surrounding owners with toxic wastewater bleeding from the transfer site. Of course, any storm-water runoff will also drain the materials on the surface into the wetlands area. The unmanaged water flow creates a high potential for toxic waste capture and build up, impacting the neighboring properties, both commercial and residential.

NOTE: I was informed by Mr. Cash, President of Cash Environmental Resources, LLC, that the water used in transfer stations is not captured, and the water truck is operating continuously to reduce dust. Question? Where does all that wastewater filled with chemicals and debris go? What are the potential negative health impacts to our community?

3. The final point of consideration is the negative impact that approval of SU22-03 will have on our property value and the negative impact on the business operations of our long-term tenants. Given the proposed transfer station location based on the land contours and rear wetlands, the transfer station will be positioned very close to our shared property line. The negative impact to property values bordering a waste management facility is well documented as large-scale industry surveys. The documented impact to neighboring properties with 1500 feet is a reduction between 6%-10%. Our property was purchased in 2021 for \$1,400,000 plus \$100k in capital improvements. You get a sense of the top-line negative financial impact we will be facing. In addition, we have two long term lease tenants, and one business is a distributor of sophisticated electrical components (McNaughton & McKay) for over 15-years in Cartersville. Dust and air particulates will certainly negatively impact their business operations, and we could potentially be facing an early lease termination by our current tenants. We abide by all City and County laws, ordinances, and property tax payments – in other words, we comply with the laws and play by the rules. It is concerning to think that our business standing in Cartersville is considered 'less important' to protect versus a new enterprise with a marginal operations track record and history of non-compliance to local, state, and federal guidelines and policies. We hope that our business interest and investment, both present and future, will be weighed properly against an operator that may not play by the rules, negatively impact the surrounding properties, water and air quality.

NOTE: While our primary residence is in Washington, our roots are from Cobb County and our family presently resides in Cherokee, Paulding and Cobb Counties. We own residential property in Cobb and commercial property in Bartow County. In short, we are not absentee or non-attentive owners, and invested in Bartow County because of the impressive recent growth in Cartersville, GA.

Question? How will we seek restitution for the potential negative fiscal impact to our business operations? Also, how will this impact the business operations of our 2x long term tenants of the City of Cartersville?

We support and understand the interest in expanding the commercial enterprises located in Cartersville, GA, BUT, the growth of one business should not be at the expense of another long-standing business.

We have presented a compelling argument in opposition to SU22-03 application. We agree with our position and take the appropriate steps to halt approval of this special use permit. Thank you for taking our position into consideration. If you look carefully at the numerous violations for which they were cited, their bankruptcy protection, and their tendency to target smaller towns with their non-compliant operations and then move on to another location once opposition heats up should really make the decision clear...**not to approve this permit.**

We welcome your comments and feedback to this communication either in written reply or via conference call.

Sincerely,

**Gregg & Brenda Goolsby / Co-owners
Goolsby Industrial Properties, LLC**

Brenda Goolsby / brenda_goolsby@hotmail.com / 201.314.8041

**MINUTES OF THE
CARTERSVILLE PLANNING COMMISSION**

The Cartersville Planning Commission met in a regularly scheduled meeting on Tuesday, September 6, 2022 at 5:30 p.m. in the City Hall Council Chambers.

- Present: Lamar Pendley, Jeffery Ross, Greg Culverhouse, Steven Smith, Travis Popham, and Fritz Dent
- Absent: Anissa Cooley*
- Staff Members: Randy Mannino, Julia Drake, David Hardegree, Zack Arnold, and Keith Lovell

CALL TO ORDER: 5:30 PM

ROLL CALL

Chairman Lamar Pendley stated to the audience that the Planning Commission is a recommending body only and that for all cases heard, recommendations would be forwarded to City Council for consideration. Furthermore, the case heard would be heard before Council at the September 15, 2022 and October 6, 2022 Council Meeting.

APPROVAL OF MINUTES

1. August 9, 2022 Meeting Minutes

Chairman Pendley called for a motion on the May 12, 2022 meeting minutes. Board Member Culverhouse stated under 'Zoning' his name was misspelled.

Julia Drake, City Clerk, stated it would be corrected.

Board Member Popham made a motion to approve the minutes. Board Member Dent seconded the motion. Motion carried unanimously. Vote: 5-0.

SPECIAL USE PERMIT

2. SU22-03: 315 Industrial Park Rd.

Applicant: Cash Environmental

David Hardegree, Planning and Development Assistant Director, stated that the property had been properly posted and advertised and gave an overview of the application stating the applicant, Cash Environmental Resources LLC, is requesting a Special Use permit for property identified as 315 Industrial Park Rd (315) in compliance with the zoning requirements for a Waste Transfer Station in the H-I (Heavy Industrial) zoning district. The applicant is proposing a municipal and construction/ demolition waste transfer facility.

In 2019, the applicant in partnership with Regulated Services, LLC, received a special use permit to operate a municipal waste, construction waste and pharmaceutical waste processing and transfer station on the adjacent property at 375 Industrial Park Rd (375). After the permit approval and in consideration of their business needs, the parties agreed that more space should be given to the municipal waste and construction debris operations. The applicant is planning to

relocate the municipal and construction waste operations approved with SU19-07 from the 375 site to the 315 site.

Currently, the site is undeveloped and wooded. There is floodplain present on the southern half of the property and the flood ordinance requirements will have to be met. Per the conceptual site plan, two new structures, 9,600sf. each, are proposed. No encroachment of the floodplain on the southern half of the property is expected. Site development will be addressed during plan review.

GA EPD also has regulatory oversight over this type of operation.

There are no additional Special Use Standards for a Waste Transfer Station beyond the basic standards addressed in the application.

The operation seems appropriate for the H-I zoning district and location.

In addition, Mr. Hardegree stated that he had received one piece of correspondence in opposition from Mrs. Goolsby and would be added to the file. See Exhibit A.

Board Member Cooley joined the meeting at 5:34 PM.

Staff takes no exception.

Chairman Pendley opened the public hearing.

Board Member Popham recused himself from the case.

Brandon Bowen, 15 S. Public Sq., came forward to represent the applicant, provide an overview of the proposed site plan, and answer any questions from the Board Members.

Kevin Cash, 558 Faith St., business owner, came forward to address the issues ongoing in Pickens County.

Board Member Smith expressed concerns with trash coming from other counties to Bartow landfill and allowed Mr. Cash to address. Mr. Cash stated that this proposed facility would be a transfer station only and they would be moving out what comes in within 24 hours.

Discussion commenced among Board Members.

Chairman Pendley asked questions of Mr. Cash regarding hours of operation, amount of trash coming in, traffic flow, security, etc.

Justin Rice, 73 Guyton Industrial Dr., came forward to speak against the application and also stated that records show that on August 26, 2022, Cash Environmental filed for bankruptcy.

Boad Member Smith asked David Archer, City Attorney, who would clean up the mess if this company has filed for bankruptcy to which Mr. Archer stated that the applicant would need to address that question.

Jimmy Crane, 374 Peeples Valley Rd., came forward to speak against the application.

Together, Mr. Bowen and Mr. Cash addressed the bankruptcy filing and stated that it was a Chapter 11 filing and was done to restructure with no losses and would have no impact on the ability to operate the business.

With no one else to come forward to speak for or against the Special Use Permit Application, the public hearing was closed.

Board Member Smith made a motion to table the item in order to receive more information on the violations in Pickens County. With no second, motion fails.

Howard Smith, 150 Cherokee Cir., property owner, came forward to address the neighbors concerns.

With no further motion, the case was closed.

TEXT AMENDMENT

3. T22-02: Mt. Zion Mission Baptist Church Sign Amendment

Mr. Hardegree stated that the property had been properly posted and gave an overview of the request stating Mt. Zion Mission Baptist Church, 167 Jones St., proposes a revision to the Sign Ordinance, *Section 20-25(2)(b), Electronic Freestanding Signs*, to add “Jones St. (within 320ft. of the intersection with Aubrey St.)” as an allowed street for electronic freestanding signs on non-residential use properties. The proposed distance is the approximate distance from Aubrey St. to the southern-most property line. The approx. distance from Aubrey St. to the existing sign is 229ft.

Mt. Zion Mission Baptist Church is proposing this change in order to allow for an updated and more visible sign for their property. The church intends to utilize the existing sign footprint to house the electronic sign. The electronic sign dimensions are proposed at 2ft. x 4ft.

The current sign requirements for a non-residential sign on Jones St. are: a maximum height of 10ft, a maximum total sign area of 32 sq. ft., and a maximum electronic sign area of 50% of the total sign area.

The proposed electronic sign is also required to be at least 100ft. from a residential dwelling. The distance from the existing sign to the closest house on Jones St. is approx. 105 ft.

Chairman Pendley opened the public hearing.

John Lampley, 148 Jones St., and Erin Lazaro, 3175 US 411, White, Ga., came forward to speak for the text amendment and to answer any questions from the Board Members. In addition, Mr. Lampley stated that the sign was only for church use and no advertising would be done.

Chairman Pendley inquired about the brightness of the sign to which Ms. Lazaro stated that the brightness could be adjusted automatically with a sensor as well as manually.

With no one else to come forward to speak for or against the text amendment, the public hearing was closed.

Board Member Culverhouse made a motion to approve T22-03. Board Member Popham seconded the motion. Motion carried unanimously. Vote: 6-0

4. T22-03: Electronic Billboard Amendment **Applicant: Tilley Holdings, LLC**

Mr. Hardegree stated that the property had been properly posted and gave an overview of the request stating Tilley Properties, Inc. (Applicant), 917 N. Tennessee St, proposes a revision to the Sign Ordinance, *Section 20-29 (A) Billboards*, to allow billboards on State Route 113 beginning at the centerline of the I-75 Right of Way and continuing west along State Route 113 a distance of 2,700 linear feet.

This text amendment is requested in order to convert an existing billboard on State Route 113/Main Street to a digital billboard. Because the text amendment justification is the conversion of a static billboard to an LED billboard, an additional change to Section 20-29 (B)(2) will also be required to allow LED billboards on the same section of Hwy 113.

The billboard to be converted is located in the G-C (General Commercial) district and in the Main Street Overlay District. Revisions to the Main Street Overlay District are not required.

A MF-14 (Multifamily dwelling district) is approximately 795 ft. from the edge of the 2700ft. delineation. A minimum of 500ft is the required distance from a billboard to a residential zoning district.

The existing billboard also received a variance in 2012 per V12-05, for the following:

1. Reduce setback from 100 ft to 20 ft from E. Main St right-of-way for installation of a billboard (Application based on previous sign ordinance standards effective before May 4, 2012).
2. Increase allowable size of a billboard from 300 sqft to 400 sqft.

Chairman Pendley opened the public hearing.

Bobby Walker, 15 Public Sq., came forward to represent the applicant and to share a photo presentation of the proposed.

Board Member Dent inquired about the brightness of the sign.

Beth Tilley, 49 Cassville Rd., came forward and stated that the brightness could be adjusted both automatically and manually.

With no one else to come forward to speak for or against the text amendment, the public hearing was closed.

Board Member Ross made a motion to approve T22-03. Board Member Dent seconded the motion. Motion carried unanimously. Vote: 5-0-1 with Board Member Culverhouse abstaining from voting.

ZONINGS

5. Z22-03: Carter Grove Blvd.

Applicant: The Wasserman Group, LLC

Chairman Pendley began by stating to everyone that he did not want repeated comments and that each individual who wished to speak regarding Z22-03 would be given five (5) minutes. This limit was provided so that each individual would have an opportunity to speak.

Mr. Hardegree stated that the property had been properly posted and advertised and all adjacent property owners had been notified. Continuing, Mr. Hardegree gave an overview of the case stating the Zoning application by The Wasserman Group was to rezone, 48.124 +/- acres from Carter Grove P-D (Planned Development) to a new P-D (Planned-Development) for the construction of a senior age targeted, rental community. The community will be a condominium. The rezoning removes the Carter Grove P-D zoning conditions and implements zoning conditions specific to the proposed development.

The proposed development would construct (167) duplex and triplex homes with two and three bedroom configurations. Single home units and one (1) bedroom options are proposed due to the topographic challenges of the site, but are not reflected on the concept site plan. An amenities package will be included. No commercial lots or units are proposed.

The residential units are planned to be rental units under the condominium regulations (verbal confirmation only).

All streets will be private.

In 2006, zoning case Z06-07, approved 5-4-06, introduced a mixed-use planned development concept for the site that proposed as many as 220 residential units to include townhomes-over-retail and traditional townhomes. Seven (7) commercial outlots were proposed along the northern and western boundaries. Currently, the location of Outlots 1-3 on the 2006 plan have been encroached upon by the Old Alabama widening project and slope easements for the road project. These outlots are likely no longer developable as well as a portion of the townhomes-over-retail location.

The 2006 zoning conditions required fee simple ownership of the townhome units under the condominium regulations.

The unit density of this proposal is 3.42 un/ ac. The density of the 2006 zoning was 2.8 un/ac (145 units) up to 4.57 un/ac (220 units).

Chairman Pendley opened the public hearing.

Steve Wasserman, 4770 S. Atlanta Rd., came forward to represent the application and to answer any questions from the board.

Several questions were proposed from the board in regards to water run off, traffic problems, etc to which Mr. Wasserman addressed and proceeded to state the Condo Association would be created immediately and would be ran by property owner, not the tenants in the units.

Chairman Pendley inquired about the dynamics of the units to which Mr. Wasserman replied that there would be proposed (140) 2 bedroom/1 story units that would have approximately 1400 square foot and (20) 3 bedroom/1.5 story units that would have approximately 1800 square foot of heated space and all units would have adequate parking available. The propose price point would be \$2,000-\$2,500 monthly rent.

Chris Easterwood, 121 White Spruce Ct., came forward to speak for Z22-03.

Rick Early, 13 Greystone Way, came forward to speak against Z22-03.

Harry Vernon, 17 Greywood Ln., came forward to speak against Z22-03.

David Peyton, 7 Greywood Ln., came forward to speak against Z22-03.

Nicole Breton, 5 Greywood Ln., came forward to speak against Z22-03.

Beverly Peyton, 7 Greywood Ln., came forward to speak against Z22-03.

Mr. Wasserman came forward to address the comments made and stated this would be a gated community with high end condominiums, not apartments.

With no one else to come forward to speak for or against the case, the public hearing was closed.

After the public hearing was closed, another resident wanted to come forward to speak. Chairman Pendley re-opened the pubic hearing.

Edwin Hamilton, 6 Autumn Wood Dr., came forward to speak against Z22-03.

Public hearing was re-closed.

Board Member Smith made a motion to deny Z22-03. Board Member Popham seconded the motion. Vote: 5-1 with Board Member Culverhouse in opposition of the denial.

6. Z22-04: Bates Rd

Applicant: Highlands Park of GA, LLC

Mr. Hardegree stated that the property had been properly posted and advertised and all adjacent property owners had been notified. Continuing, Mr. Hardegree gave an overview of the case stating the applicant is requesting the rezoning of four (4) properties located on Bates Rd near Greenridge Rd from P-D (Carter Grove Planned Development) to R-20 (Single Family Residential) in order to remove the Carter Grove P-D development conditions and insure limited access to Bates Rd. This was a request from the Planning and Development staff in order to subdivide the property for the construction of large estate lots.

The development intent of the zoning application is to subdivide the largest remaining parcel, 33.71 acres, into nine (9) lots. The (9) lots will share one private street connection to Bates Rd

per the “Bartow County letter”. Three tracts of the 50 acre tract were previously subdivided and sold- C120-0001-007(Berry), C120-0001-008(Arveson) and C120-0001-009(Kent)

The (3) remaining lots with P-D zoning will be addressed at a later date.

Access to Bates Rd was approved with conditions by the County Commissioner, Steve Taylor, in 2019 and in conjunction with the 2020 de-annexation of 50+/- acres of the 100 acre Al Meek property (AZ20-02). The driveway cuts specified in the Letter applied to the entire 100ac. tract regardless if any portion of the 100 acres is de-annexed or subdivided. See attached “Bartow County Letter” and AZ20-02 approval letter. The remaining 50 +/- acre tract that was not de-annexed was sold to the applicant for development.

Per the Carter Grove Development Agreement, Bates Rd access from Carter Grove required City and County approval. No access points were ever identified. The rezoning and the Bartow County letter help insure that no access will occur to Carter Grove.

Per the Carter Grove Development Agreement, item 1(c):

- (c) The Developer agrees not to utilize Bates Road as an access point to the Project without prior approval of the City and Bartow County.

The private street serving the proposed nine (9) lot subdivision, the (3) driveways planned for the de-annexed Meek property, and the (3) driveways serving or planned to serve properties C120-0001-007(Berry), C120-0001-008(Arveson) and C120-0001-009(Kent) will exhaust all but one driveway cut allowed per the Bartow County Letter.

Bill Byrnes wuth Byrne Design Group, came forward and stated the minimum lot size would be 3 acres with a price point of \$1 million - \$1.2 million.

Board Member Cooley made a motion to approve Z22-04. Board Member Popham seconded the motion. Motion carried unanimously. Vote: 6-0

Board Member Ross made a motion to adjourn.

The meeting adjourned at 8:03 PM.

Date Approved: October 11, 2022

/s/ _____
Lamar Pendley, Chairman



Richard E. Dunn, Director

Land Protection Branch

4244 International Parkway
Suite 104
Atlanta, Georgia 30354
404-362-2537

December 21, 2021

CERTIFIED MAIL
7019-2970-0001-2204-7450

John Murchie, Operations Officer
Cash Environmental Resources
2859 Paces Ferry Rd., Suite 1150
Atlanta, Georgia 30339

**SUBJECT: Pickens Co. - K&M Landfill dba Whitestone Valley C&D Landfill
Permit No: 112-008D(C&D)
Notice of Violation – Delinquent Financial Assurance**

Dear Mr. Murchie,

The Georgia Environmental Protection Division (EPD) has not received the annually, updated financial assurance demonstration as required by the Comprehensive Rules and Regulations of the State of Georgia 391-3-4-.13 (Rule) and by reference, 40 CFR 258, Subpart G. Consequently, the subject solid waste handling facility is not in compliance with the aforementioned Rule.

Additionally, EPD is suspending review of the Solid Waste Handling Permit Application (GEOS ID 537459) until the applicant demonstrates that surface and subsurface fires at the facility are extinguished. The demonstration should include site specific information including, but not limited to, observations of flames; smoldering; smoke; and elevated surface or subsurface temperatures. The demonstration shall be provided by, and bear the seal of, a Professional Engineer registered in the state of Georgia and experienced in landfills.

To avoid further enforcement action, please submit an updated financial assurance demonstration on or before February 7, 2021.

Should you have any questions please contact me at (470) 604-9370.

Sincerely,

Serena A. Broska, E.I.T.
Environmental Engineer III
Solid Waste Management Program

Cc: Keith Stevens; William Cook; EPD (via email)
Mick Smith, Mountain District; GA EPD (via email)
Daniel Cheek, P.E.; HHNT, Inc. (via email)

File: 112-008D(C&D), Pickens Co. – K&M Landfill dba Whitestone Valley C&D Landfill (FA), (PERMIT)

S:\Land\DATA\Financial Assurance\Pickens Co\K&M dba Whitestone Valley\FA NOV Pickens Co. K&M Landfill dba Whitestone Valley Landfill 112-008D(C&D) FY2020.docx



ENVIRONMENTAL PROTECTION DIVISION

Richard E. Dunn, Director

Mountain District Office

16 Center Road
Cartersville, Georgia 30121
770-387-4900

Correspondence:
Post Office Box 3250
Cartersville, Georgia 30120

Josh Bennett
Vice President of Business Operations
Cash Environmental Resources, LLC
2859 Paces Ferry Road Suite 1150
Atlanta, GA 30339

RE: **NOTICE OF VIOLATION**
Regional Energy C&D Waste Transfer Station
Union County

Dear Mr. Bennett:

On February 22, 2022, a representative of the Georgia Department of Natural Resources, Environmental Protection Division (EPD) conducted an inspection at Regional Energy C&D Waste Transfer Station, 220 Standard Dr, Blairsville, GA 30512, in Union County, GA (Site). The Site was formerly permitted by Permit-By-Rule #144-08TS (Transfer Station), but EPD has not received an updated PBR notification for the current ownership.

While conducting the inspection, EPD documented violations of the Georgia Comprehensive Solid Waste Management Act of 1990 (Solid Waste Act) and Georgia Rules for Solid Waste Management (Solid Waste Rules).

Rule 391-3-4-.06. Permit by Rule for Collection, Transportation, Processing, and Disposal states:

(1) Permit-by-Rule. Notwithstanding any other provision of these Rules, collection operations, transfer station operations, inert waste landfill operations, waste processing and thermal treatment operations, wastewater treatment and pretreatment plant sludge disposal operations, and yard trimmings waste landfill operations shall be deemed to have a solid waste handling permit if the conditions in paragraph (2) are met and the conditions in paragraph (3), for that particular category of operation are met.

(2) Notification. Within 30 days of commencing solid waste handling activities which are covered under a permit-by-Rule, notification must be made to the Director of such activity. Notification shall be made on such forms as are provided by the Director. Persons failing to notify the Director of such activities shall be deemed to be operating without a permit.

(3) Categories of Operations:

(b) Transfer Station operations:

1. Solid Waste shall be confined to the interior of transfer station buildings, and not allowed to scatter to the outside. Waste shall not be allowed to accumulate, and floors shall be kept clean and well drained.

The following violations of the Solid Waste Act and Rules are specifically limited to:

- Failure to submit an updated PBR notification to EPD Land Protection.
- Failure to confine solid waste to the interior of transfer station buildings.

In light of the above continued infractions, EPD has determined that the transfer station is operating out of compliance with Permit-By-Rule regulations, and is operating, in effect, as an unpermitted landfill. EPD is now documenting violations of the Georgia Rules for Solid Waste Management (Rules), specifically described as the open dumping of C&D waste on the property. The acceptance of prohibited waste is a violation of the following rule sections:

Section 391-3-4-.04(4-c) of the Georgia Rules for Solid Waste Management Act states: "No solid waste may be disposed of by any person in an open dump, nor may the person cause, suffer, allow, or permit open dumping on his property."

Code Section 12-8-30.7, of the Act, makes it unlawful for any person to engage in solid waste handling except in such a manner as to conform and comply with all applicable rules, regulations, and orders established under the provisions of the Act.

You are now required to perform the following actions within the listed time frames:

1. Upon receipt of this letter, you must contact the EPD Solid Waste Management Program—Solid Waste Permitting Unit at 470-251-2515 to obtain coverage under PBR Rules.
2. Within sixty (60) days of the receipt of this letter, you shall bring the Site into full permit by rule compliance by constructing a roofed enclosure to ensure that solid waste is confined to the interior of transfer station buildings, and not allowed to scatter to the outside.

We look forward to your cooperation to resolve this matter. Please contact Mr. Jason Rogers at (678) 767-9441 to discuss any questions that you may have.

Sincerely,

Kevin Dallmier
Program Manager
Mountain District Office

Cc: EPD Solid Waste Unit

Type of Inspection: Solid Waste – Complaint Inspection
 Inspector Names: Jason Rogers
 Facility Name: Regional Energy C&D Waste Transfer Station
 Location (Adjacent): 220 Standard Dr, Blairsville, GA 30512(Union County)
 Facility Contact: Josh Bennett, Vice President of Business Operations, Cash Environmental Resources, LLC, 2859 Paces Ferry Road Suite 1150, Atlanta, GA 30339
 Contact Phone No.: 706-851-6046 Email: jrbennett@cashenvironmental.com

 <p style="text-align: right; font-size: small;">February 22, 2022 +34.859623, -84.029832 ±30.00m Union County</p>	 <p style="text-align: right; font-size: small;">February 22, 2022 +34.858992, -84.029892 ±30.00m Union County</p>
<p>Photo Number: 1 of 4 Date: 2/22/2022 Time: 10:00 AM Weather: overcast Location: Regional Energy C&D Waste Transfer Station County: Union Photographer: Jason Rogers Observations: Transfer station operating without a roofed enclosure</p>	<p>Photo Number: 2 of 4 Date: 2/22/2022 Time: 10:00 AM Weather: overcast Location: Regional Energy C&D Waste Transfer Station County: Union Photographer: Jason Rogers Observations: Transfer station operating without a roofed enclosure</p>
 <p style="text-align: right; font-size: small;">February 22, 2022 +34.859242, -84.030707 ±5.00m Union County</p>	 <p style="text-align: right; font-size: small;">February 22, 2022 +34.859108, -84.030626 ±5.00m Union County</p>
<p>Photo Number: 3 of 4 Date: 2/22/2022 Time: 10:00 AM Weather: overcast Location: Regional Energy C&D Waste Transfer Station County: Union Photographer: Jason Rogers Observations: Transfer station operating without a roofed enclosure</p>	<p>Photo Number: 4 of 4 Date: 2/22/2022 Time: 10:00 AM Weather: overcast Location: Regional Energy C&D Waste Transfer Station County: Union Photographer: Jason Rogers Observations: Transfer station operating without a roofed enclosure</p>



ENVIRONMENTAL PROTECTION DIVISION

Meeting: November 3, 2022 Item 4.

Richard E. Dunn, Director

Mountain District Office

16 Center Road
Cartersville, Georgia 30121
770-387-4900

Correspondence:
Post Office Box 3250
Cartersville, Georgia 30120

Josh Bennett
Vice President of Business Operations
Cash Environmental Resources, LLC
2859 Paces Ferry Road Suite 1150
Atlanta, GA 30339

RE: NOTICE OF VIOLATION
Sugar Creek C&D Transfer Station
Fannin County

Dear Mr. Bennett:

On February 22, 2022, a representative of the Georgia Department of Natural Resources, Environmental Protection Division (EPD) conducted an inspection at Sugar Creek C&D Transfer Station, 79 Jeffs Way, Blue Ridge, GA 30513, in Fannin County, GA (Site). The Site was formerly permitted by Permit-By-Rule #055-14TS (Transfer Station), but EPD has not received an updated PBR notification for the current ownership.

While conducting the inspection, EPD documented violations of the Georgia Comprehensive Solid Waste Management Act of 1990 (Solid Waste Act) and Georgia Rules for Solid Waste Management (Solid Waste Rules).

Rule 391-3-4-.06. Permit by Rule for Collection, Transportation, Processing, and Disposal states:

(1) Permit-by-Rule. Notwithstanding any other provision of these Rules, collection operations, transfer station operations, inert waste landfill operations, waste processing and thermal treatment operations, wastewater treatment and pretreatment plant sludge disposal operations, and yard trimmings waste landfill operations shall be deemed to have a solid waste handling permit if the conditions in paragraph (2) are met and the conditions in paragraph (3), for that particular category of operation are met.

(2) Notification. Within 30 days of commencing solid waste handling activities which are covered under a permit-by-Rule, notification must be made to the Director of such activity. Notification shall be made on such forms as are provided by the Director. Persons failing to notify the Director of such activities shall be deemed to be operating without a permit.

(3) Categories of Operations:

(b) Transfer Station operations:

1. Solid Waste shall be confined to the interior of transfer station buildings, and not allowed to scatter to the outside. Waste shall not be allowed to accumulate, and floors shall be kept clean and well drained.

5. Any contaminated runoff from washwater shall be discharged to a wastewater treatment system and, before final release, shall be treated in a manner approved by the Division.

The following violations of the Solid Waste Act and Rules are specifically described but not limited to:

- Failure to submit an updated PBR notification to EPD Land Protection.
- Failure to partition municipal (MSW) from C&D waste in interior of transfer station.
- Failure to manage wastewater and wash water from MSW waste in interior of transfer station.

In light of the above continued infractions, EPD has determined that the transfer station is operating out of compliance with Permit-By-Rule regulations, and is operating, in effect, as an unpermitted landfill. EPD is now documenting violations of the Georgia Rules for Solid Waste Management (Rules), specifically described as the open dumping of C&D waste on the property. The acceptance of prohibited waste is a violation of the following rule sections:

Section 391-3-4-.04(4-c) of the Georgia Rules for Solid Waste Management Act states: "No solid waste may be disposed of by any person in an open dump, nor may the person cause, suffer, allow, or permit open dumping on his property."

Code Section 12-8-30.7, of the Act, makes it unlawful for any person to engage in solid waste handling except in such a manner as to conform and comply with all applicable rules, regulations, and orders established under the provisions of the Act.

You are now required to perform the following actions within the listed time frames:

1. Upon receipt of this letter, you must contact the EPD Solid Waste Management Program–Solid Waste Permitting Unit at 470-251-2515 to obtain coverage under PBR Rules.
- Within sixty (60) days of the receipt of this letter, you shall bring the Site into full permit by rule compliance by constructing a barrier to ensure that municipal solid waste (MSW) is partitioned from C&D waste in interior of transfer station in order to prevent commingling of MSW and C&D waste, and by submitting proof of proper handling of wastewater and wash water from MSW waste in interior of transfer station. A possible alternative is to cease accepting any MSW waste at this transfer station location.

We look forward to your cooperation to resolve this matter. Please contact Mr. Jason Rogers at (678) 767-9441 to discuss any questions that you may have.

Sincerely,

Kevin Dallmier
Program Manager
Mountain District Office

Cc: EPD Solid Waste Unit

Type of Inspection: Solid Waste – Complaint Inspection
 Inspector Names: Jason Rogers
 Facility Name: Sugar Creek C&D Transfer Station
 Location (Adjacent): 79 Jeffs Way, Blue Ridge, GA 30513(Fannin County)
 Facility Contact: Josh Bennett, Vice President of Business Operations, Cash Environmental Resources, LLC, 2859 Paces Ferry Road Suite 1150, Atlanta, GA 30339
 Contact Phone No.: 706-851-6046 Email:jbennett@cashenvironmental.com

<p>Photo Number: 1 of 4 Date:2/22/2022Time:11:00 AMWeather:overcast Location:Sugar Creek C&D Transfer Station County:FanninPhotographer:Jason Rogers Observations:Front view of transfer station</p>	<p>Photo Number:2 of 4 Date:2/22/2022Time:11:00 AMWeather:overcast Location:Sugar Creek C&D Transfer Station County:Fannin Photographer:Jason Rogers Observations:Front view of transfer station, showing no partitioning between municipal waste (left side) and C&D waste (right side)</p>
<p>Photo Number:3 of 4 Date:2/22/2022Time:11:00 AMWeather:overcast Location:Sugar Creek C&D Transfer Station County:Fannin Photographer:Jason Rogers Observations:No partitioning between municipal waste (left side) and C&D waste (right side)</p>	<p>Photo Number:4 of 4 Date:2/22/2022Time:11:00 AMWeather:overcast Location:Sugar Creek C&D Transfer Station County:Fannin Photographer:Jason Rogers Observations:C&D waste on right side with no portioning from municipal waste to the left</p>



ENVIRONMENTAL PROTECTION DIVISION

Richard E. Dunn, Director

Mountain District Office

16 Center Road
Cartersville, Georgia 30121
770-387-4900

Correspondence:
Post Office Box 3250
Cartersville, Georgia 30120

Josh Bennett
Vice President of Business Operations
Cash Environmental Resources, LLC
2859 Paces Ferry Road Suite 1150
Atlanta, GA 30339

RE: **NOTICE OF VIOLATION**
Dixie Speedway Transfer Station
PBR-028-150TS
Cherokee County

Dear Mr. Bennett:

On May 18, 2022, representatives of the Georgia Department of Natural Resources, Environmental Protection Division (EPD) conducted an inspection at Dixie Speedway Transfer Station (PBR-028-150TS), 150 Dixie Drive, Woodstock, GA 30189 in Cherokee County, GA (Site).

While conducting the inspection, EPD documented violations of the Georgia Comprehensive Solid Waste Management Act of 1990 (Solid Waste Act) and Georgia Rules for Solid Waste Management (Solid Waste Rules).

Rule 391-3-4-.06. Permit by Rule for Collection, Transportation, Processing, and Disposal states:

(1) Permit-by-Rule. Notwithstanding any other provision of these Rules, collection operations, transfer station operations, inert waste landfill operations, waste processing and thermal treatment operations, wastewater treatment and pretreatment plant sludge disposal operations, and yard trimmings waste landfill operations shall be deemed to have a solid waste handling permit if the conditions in paragraph (2) are met and the conditions in paragraph (3), for that particular category of operation are met.

(2) Notification. Within 30 days of commencing solid waste handling activities which are covered under a permit-by-Rule, notification must be made to the Director of such activity. Notification shall be made on such forms as are provided by the Director. Persons failing to notify the Director of such activities shall be deemed to be operating without a permit.

(3) Categories of Operations:

(b) Transfer Station operations:

1. Solid Waste shall be confined to the interior of transfer station buildings, and not allowed to scatter to the outside. Waste shall not be allowed to accumulate, and floors shall be kept clean and well drained.

The following violations of the Solid Waste Act and Rules are specifically limited to:

- Failure to confine solid waste to the interior of transfer station buildings.
- Failure to have a floor for interior of transfer station in order to ensure that facility is clean and well drained.

In light of the above continued infractions, EPD has determined that the transfer station is operating out of compliance with Permit-By-Rule regulations, and is operating, in effect, as an unpermitted landfill. EPD is now documenting violations of the Georgia Rules for Solid Waste Management (Rules), specifically described as the open dumping of C&D waste on the property. The acceptance of prohibited waste is a violation of the following rule sections:

Section 391-3-4-.04(4-c) of the Georgia Rules for Solid Waste Management Act states: "No solid waste may be disposed of by any person in an open dump, nor may the person cause, suffer, allow, or permit open dumping on his property."

Code Section 12-8-30.7, of the Act, makes it unlawful for any person to engage in solid waste handling except in such a manner as to conform and comply with all applicable rules, regulations, and orders established under the provisions of the Act.

You are now required to perform the following actions within the listed time frames in order to maintain Permit coverage:

1. Upon receipt of this letter, you must clean all waste that has accumulated outside of the interior of the transfer station.
2. Within ninety (90) days of the receipt of this letter, you shall bring the Site into full permit by rule compliance by constructing a concrete floor for the station interior and for the truck pickup drive behind the station, along with suitable draining design, to ensure that waste does not drain into the soil at the facility.

We look forward to your cooperation to resolve this matter. Please contact Mr. Jason Rogers at (678) 767-9441 to discuss any questions that you may have.

Sincerely,

Kevin Dallmier
Program Manager
Mountain District Office

Cc: EPD Solid Waste Unit

Type of Inspection: Solid Waste – Complaint Inspection
 Inspector Names: Jason Rogers
 Facility Name: Dixie Speedway Transfer Station (PBR-028-150TS)
 Location (Adjacent): 150 Dixie Drive, Woodstock , Georgia 30189(Cherokee County)
 Facility Contact: Josh Bennett, Vice President of Business Operations, Cash Environmental Resources, LLC, 2859 Paces Ferry Road Suite 1150, Atlanta, GA 30339
 Contact Phone No.: 706-851-6046 Email:jbennett@cashenvironmental.com



May 18, 2022
 +34.091447, -84.558872 ±5.00m
 Cherokee County



May 18, 2022
 +34.091296, -84.559529 ±30.00m
 Cherokee County

Photo Number: 1 of 4
Date:5/18/2022**Time:**9:00 AM**Weather:**sunny
Location:Dixie Speedway Transfer Station
County:Cherokee**Photographer:**Jason Rogers
Observations:Transfer station operating without confining waste to interior. Station has no floor, only soil beneath the roof.

Photo Number:2 of 4
Date:5/18/2022**Time:**9:00 AM**Weather:**sunny
Location:Dixie Speedway Transfer Station
County:Cherokee **Photographer:**Jason Rogers
Observations:Transfer station operating without confining waste to interior. Station has no floor, only soil beneath the roof



May 18, 2022
 +34.091831, -84.559206 ±5.00m
 Cherokee County



May 18, 2022
 +34.091529, -84.559510 ±5.00m
 Cherokee County

Photo Number:3 of 4
Date:5/18/2022**Time:**9:00 AM**Weather:**sunny
Location:Dixie Speedway Transfer Station
County:Cherokee **Photographer:**Jason Rogers
Observations:Waste spilling out the back barrier behind transfer station. Only soil ground for truck pickup driveway

Photo Number:4 of 4
Date:5/18/2022**Time:**9:00 AM**Weather:**sunny
Location:Dixie Speedway Transfer Station
County:Cherokee **Photographer:**Jason Rogers
Observations:Waste spilling out the back barrier behind transfer station. Only soil ground for truck pickup driveway



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	Bid Award/Purchases
DEPARTMENT NAME:	Gas
AGENDA ITEM TITLE:	2023 GA UPC Annual Membership Fee
DEPARTMENT SUMMARY RECOMMENDATION:	We are required by state law to be a member of the Georgia Utilities Protection Center. This is our annual membership fee invoice in the amount of \$14,572.80 and is split between all of the City utilities. It is a budgeted item and Council's approval of this invoice is recommended.
LEGAL:	N/A



PO BOX 536434
 ATLANTA, GA 30353-6434
 770-623-4332, Option #4

Meeting: November 3, 2022 Item 5.

INVOICE

Date	Invoice #
1/1/2023	A23134

Member Code
CTV

Bill To
CITY OF CARTERSVILLE (CTV) P.O. Box 1390 Cartersville, GA 30120

- Monthly
- Quarterly
- Annual

P.O. No.	Terms
	Due on Receipt

Item	Description	Quantity	Rate	Amount
Annual	2023 Annual Membership Fee		14,572.80	14,572.80

Gas
 OCT 7 8 2022

Total	\$14,572.80
Payments/Credits	\$0.00
Balance Due	\$14,572.80

If paying by check, please include your invoice number and member code to ensure payment is applied correctly.

Thank you!

Please note Georgia 811 is a 501(c)(6) organization. Contributions or gifts to us are not deductible as charitable contributions for federal income tax purposes.



2023 Annual Membership Fee Calculation

Member Code:

CTV		
Tickets Fee (A times B for Standard Membership)	\$	14,327.48
Late Notice Fee (Sep 2021 - Dec 2021)	\$	1.32
Late Notice Fee (Jan 2022 - Aug 2022)	\$	44.00
Membership Fee	\$	200.00
Total Annual Bill	\$	14,572.80

Ticket Data*

Billable Tickets	11,448
Total Billable Tickets (All Members)	7,934,231
A % Use of Center	0.144286%
B Budget Allocated to Tickets	\$9,929,900.46

Late Notice Data*

Billable Late Notices (Sep 2021 - Dec 2021)	6
Price per Late Notice (Sep 2021 - Dec 2021)	\$0.22
Billable Late Notices (Jan 2022 - Aug 2022)	40
Price per Late Notice (Jan 2022 - Aug 2022)	\$1.10

*Ticket data is based on our billing period which runs from September 2021 through August 2022

Billable Ticket:

A member's original notification with a unique identifier (ticket number). A member is only billed for that one instance of an original ticket notification regardless of how many of their service area codes or delivery destinations are associated with that one ticket. Ticket numbers generated from cancels are excluded.

Billable Late Notice:

Your total number of late notices automatically generated by our system and sent to you, precipitated by one or more of your service areas not responding to PRIS by the Response Due Date on a ticket. Each service area code linked to a member code on a ticket can be billed for a late notice since each service area code requires a response to PRIS by law.

Utilities Protection Center, Inc d/b/a
Georgia 811
3400 Summit Ridge Pkwy
Duluth, GA 30096



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	Bid Award/Purchases
DEPARTMENT NAME:	Water
AGENDA ITEM TITLE:	Easement Acquisition Services
DEPARTMENT SUMMARY RECOMMENDATION:	<p>Currently, the Water Department has three (3) pipeline projects in various stages of design. The projects are:</p> <p>Waterford 36” sewer main relocation Atco-Pettit Creek aerial sewer crossing relocation Grassdale Road water main relocation</p> <p>We have received pricing for easement acquisition services from BM&K Construction and Engineering and have previously utilized this firm for these services and were satisfied with the results. We request approval for BM&K Construction and Engineering to negotiate and acquire both permanent and temporary construction easement property, in accordance with approved easement drawings for each respective project.</p> <p>These are budgeted projects, and fees will be paid from the appropriate expense account for each project.</p>
LEGAL:	N/A



October 17, 2022

Brent Beck
City of Cartersville
Water Department
148 Walnut Grove Road
Cartersville, Ga. 30120

RE: Land Acquisition Services – City of Cartersville Water Department

Dear Mr. Beck:

This is to advise that we will conduct R/W services for the City of Cartersville Water Department as outlined on the attached Rate Schedule.

Please contact me at 404-291-9577 if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Mickie McJunkin /s/". The signature is written in a cursive, flowing style.

Mickie McJunkin
R/W Director-BM&K

City of Cartersville
Bartow County
Water Department

BM&K, P.C.

HOURLY RATES 2022-2023

Right of Way Manager	\$ 106.00
Right of Way Agent- Sr.	\$ 90.00
Right of Way Agent	\$ 69.00

Right of Way and Appraisal Fee Schedule

PRE-ACQUISITION

Detailed cost estimate to negotiate from cost estimate 0-30 Parcels	\$4,000.00
Property Owners Meeting (Only if required)	\$4,000.00

ACQUISITION

Owner offer	\$1400.00/parcel
Other interest	\$1200.00/parcel
Drive easement	\$1200.00/parcel
Revised offers	\$450.00/parcel
Administrative Appeals	\$1700.00/parcel

CLOSINGS

Prepare closing documents (If required)	\$350/parcel
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APPRAISAL SERVICES

Level 1 (Strip Take -388 C)	\$2,000.00
Appraisal Review	
Level 1 (Strip Take-388 C)	\$1,000.00

Rate Sheet

Project Inspection Checklist
(If appraisals required determines scope of assignments)

0-30 Parcels \$1,800.00

Escalator: Fees Increase January 1, 2024 by 3%/YR

EASEMENT ACQUISITION SUMMARY

Street Address

1	18 Buckingham Drive	WATERFORD 36-INCH SEWER RELOCATION
2	16 Buckingham Drive	WATERFORD 36-INCH SEWER RELOCATION
3	14 Buckingham Drive	WATERFORD 36-INCH SEWER RELOCATION
4	471 WaterFord Drive	WATERFORD 36-INCH SEWER RELOCATION
5	473 Waterford Drive	WATERFORD 36-INCH SEWER RELOCATION
6	475 Waterford Drive	WATERFORD 36-INCH SEWER RELOCATION
7	477 Waterford Drive	WATERFORD 36-INCH SEWER RELOCATION
8	8 Goodyear Avenue	ATCO - PETTIT CREEK AERIAL SEWER ELIMINATION
9	261 Cassville Road	ATCO - PETTIT CREEK AERIAL SEWER ELIMINATION
10	1 Grassdale Road	GRASSDALE ROAD WATER MAIN RELOCATION
11	Contingency	Contingency
12	Contingency	Contingency

PRE-ACQUISITION FEE (0-30 PARCELS)		\$4,000.00
OWNER OFFER	12 parcels	\$1,400.00 / parcel
REVISED OFFERS	12 parcels	\$450.00 / parcel
CLOSINGS	12 parcels	\$350.00 / parcel
APPRAISAL SERVICES	2 parcels	\$2,000.00 / parcel
		TOTAL
		\$30,400.00



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	Bid Award/Purchases
DEPARTMENT NAME:	Administration
AGENDA ITEM TITLE:	Health and Vision Insurance Renewal
DEPARTMENT SUMMARY RECOMMENDATION:	<p>City staff met with One Digital, our health insurance agent, to review the health insurance proposals for 2023. Currently, city employees are covered through Anthem (BC/BS) Insurance with the option of Point of Service (POS) or a Health Savings Account (HSA) insurance plan. Anthem first proposed a 14.6% rate increase on our account for 2023 and we had One Digital go out to the market to obtain proposals from other companies. A few proposals were received with United Healthcare offering a 3.2% discount over expiring rates and due to this Anthem reduced their renewal increase to a 4% rate increase. Based on previous experience with UHC and the fact that Anthem discounts for medical services are typically greater than other carriers, I recommend staying with Anthem with a 4% rate increase for 2023.</p> <p>Also, One Digital has provided the Vision Insurance renewal from Anthem which is a voluntary insurance (employee pays 100% of premium) at the same premium. These are budgeted items. I recommend approval of the renewal of health and vision insurance coverage with Anthem Insurance for 2023.</p>
LEGAL:	N/A



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 03, 2022
SUBCATEGORY:	Bid Award/Purchases
DEPARTMENT NAME:	Electric
AGENDA ITEM TITLE:	Directional Bore - Aquafil
DEPARTMENT SUMMARY RECOMMENDATION:	The Electric Department is requesting authorization to hire our contractor, Southern Utility Group, to perform a directional bore across the parking lot at Aquafil to serve power to their expansion. The bid amount is \$21, 410. We are requesting a cost not to exceed \$24,000. This is a budgeted expense.
LEGAL:	N/A



QUOTE

Date: 9/1/2022
 Good for 14 Days

To: **CES**
 From: Elite Utility Solutions
 471 Meadow Lake Terrace
 Hoschton, GA 30548
 678-316-2786

Job Contact	Job	Payment Terms	Due Date
Chad Prater	Aqua fill	Net 30	After Completion

Qty	Description	Unit Price	Line Total
280	1-6 Inch Red (We Provide)	13	3,640
280	Bore	24	6,720
280	Ream and Retrieve	16	4,480
280	Pull 3-1000 MCM Wire	5	1,400
1	Boot And 1 Stick Riser Guard	60	60
1	Vault and Switching Cabinet Place (Excluding Terminations)	4560	4,560
2	Hauling Dirt Vault	275	550
280	Rock Clause*	182	50,960*
Total			21,410

*If after 2 attempts with dirt drill and the shot cannot be completed due to rock, shot will have to be classified as a rock bore. All other unit pricing will be voided, and the rock clause pricing will be the price per foot for the Bore, Ream and Retrieve.



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	Bid Award/Purchases
DEPARTMENT NAME:	Electric
AGENDA ITEM TITLE:	Power Quality Monitor
DEPARTMENT SUMMARY RECOMMENDATION:	The Electric Department needs to purchase a new Power Quality Monitor. We received a quote from PMI for \$12,080.68 and are requesting authorization to purchase the monitor from PMI for that price. This is a budgeted expense.
LEGAL:	N/A



Quote
#28043
2/7/2022

Bill To

Accounts Payable
City Of Cartersville
P.O. Box 1390
Cartersville GA 30120
United States

Ship To

Justin Whitener
Cartersville Electric System
320 South Erwin Street
Cartersville GA 30120
United States

Expires	Sales Rep	Shipping Method	FOB
11/22/2022	Kristina E Moffitt	UPS Ground	Origin

Quantity	Description	Unit Price	Amount
1	Revolution PQ Recorder - 1024MB, Transient, Bluetooth	\$9,780.00	\$9,780.00
1	Ultra Slim Flexible CT, 4 CHANNEL, 5000A, 24"	\$1,780.00	\$1,780.00
1	Set of Voltage Leads w/ internal fuses. BLK, BLU, YEL, RED and GRY.	\$385.00	\$385.00
1	Clip, Revolution Mounting Clip	\$58.00	\$58.00
1	Packaging & Handling Charges	\$60.10	\$60.10

Subtotal	\$12,063.10
Transaction Discount	
Shipping Cost	\$17.58
Tax (%)	\$0.00
Total	\$12,080.68

Payment Options: 2% 15, 1% 30, Net 45. Discounts are to be taken on the product subtotal, not to include sales tax or shipping. Discounts are to be calculated based on invoice date only, and payment is expected within the term in order to qualify for a discount. Payment via credit card disqualifies the order for an early payment discount.

***If you are interested in obtaining information to pay via ACH, please email ar@powermonitors.com. Paying via ACH will speed up your payment to ensure that it arrives in time to qualify for the discount.

Interest/Finance Charges: Finance charges will be assessed at 1.5% per month, 18% per annum on all amounts over 31 days.

Returns: If the product you purchased is returned beyond 30 days, a 15% restocking fee will be charged. All returns require a Return Authorization number. Please contact your Account Executive at 1-800-296-4120 before shipping.

PLEASE NOTE:



Quote
#28043
2/7/2022

Total customer satisfaction is the primary goal of Power Monitors, Inc.! Our tech support group is available 24/7 to assist our customers with questions they may have regarding our products or software, and it comes at no extra cost!

Shipments are shipped one-two weeks ARO. Partial shipments will be made if items are on backorder, unless otherwise specified by customer.

Freight is prepaid and billed to the customer. All shipments are sent via UPS Ground unless otherwise specified by customer.

PMI's Terms are FOB Mt. Crawford, VA. If FOB terms are changed, additional costs may be incurred and billed to customer. If shipping on your account, FOB terms must be FOB Mt. Crawford, VA. Packaging and Handling is calculated at 0.5% of product total. Please indicate if you prefer Packaging and Handling be included in the price of the unit.

Based on the requirements in your state, we may be required to charge your organization sales tax on your purchase. Please provide us with a sales tax exemption certificate or a written statement that you are exempt from sales tax, if sales tax does not apply to your organization. All tax exemption certificates and statements should be emailed to: salestax@powermonitors.com.

Prices and terms quoted are in effect for 30 days. All products have a one year warranty, during which software upgrades are free. PMI provides a 24 hour, 7 days a week toll-free number for product support. In the unlikely event that you should encounter problems with your product during the warranty period, please have the recorder shipped back to us where it will be repaired within 3 business days. It will then be shipped back to you, all at our expense. We believe you deserve only the best service possible.

Power Monitors, Inc is the sole source provider for all PMI brand equipment. All of the equipment in the quote you were issued is proprietary property of PMI only available through direct factory sales, and not available through other outlets such as distribution. All sales or quotes can be issued by contacting PMI directly at (800)296-4120. PMI equipment and software are only compatible with PMI products and will not be compatible with other brands or devices.



Power Monitors, Inc. Terms and Conditions

IMPORTANT: Please read these Terms and Conditions (these “Terms”) carefully.

The terms and conditions of sale of any equipment or software (“Products”) by Power Monitors, Inc. (“PMI”) are limited to those contained herein. Any additional or different terms or conditions in any form delivered by the customer (the “Customer”) are hereby deemed to be material alterations and notice of objection to them and rejection of them is hereby given. By accepting delivery of the Products described in the applicable PMI invoice, the Customer agrees to be bound by and accepts these Terms unless the Customer and PMI have signed a separate agreement, in which case the separate agreement will govern.

These Terms constitute a binding contract between the Customer and PMI. The Customer acknowledges agreement and acceptance of these Terms by making a purchase of Products. These Terms are subject to change without prior notice, except that the Terms posted on PMI’s website or provided to the Customer at the time the Customer initially places or modifies an order will govern the order in question.

Shipment, Delivery, Inspection and Acceptance:

Prices

The prices for the Products are listed in PMI’s catalogs and website and are subject to change at any time without notice. Prices for certain government, corporate and institutional customers may be set forth in a bid or other written agreement between the parties.

Equipment Limited Warranty

PMI warrants that, for a period of one (1) year after shipment (the “Equipment Warranty Period”), each new piece of equipment manufactured and sold is free of defects in material, workmanship, and construction and, when used in accordance with the operation manual, will perform to applicable specifications.

Equipment Extended Limited Warranty

PMI warrants that, for an additional 36 months beyond the original one (1) year limited warranty (listed above), each new piece of equipment manufactured and sold is free of defects in material, workmanship, and construction and, when used in accordance with the operation manual, will perform to applicable specifications.

Software Limited Warranty

PMI warrants that, for a period of one (1) year after shipment or download (the “Software Warranty Period”), the software will perform substantially in accordance with the accompanying written material. Some states do not allow limitations on duration of an implied warranty, so the above indication may not apply to each state.

Exclusions from Warranty

PMI is not responsible for and PMI’s warranty obligations shall not apply to any Products that (a) have been subjected by person or entity other than PMI or its authorized representatives to abuse, misuse, neglect, negligence, accident, improper testing, improper installation, improper storage, improper handling, abnormal physical stress, abnormal environmental conditions or use contrary to any instructions issued by PMI; (b) has been reconstructed, repaired or altered by persons or entities other than PMI or its authorized representatives; or (c) has been used with any products manufactured by a third party, or hardware, software or other products that have not been previously approved in writing by PMI.

Disclaimer of Other Warranties: Except as expressly otherwise provided herein, PMI makes no warranties concerning the Products and/or the Intellectual Property Rights (as defined below) in and to the Products and PMI hereby disclaims all other warranties of any kind, whether express, implied, statutory or arising by custom or trade usage, including without limitation, the implied warranties of



merchantability and fitness for a particular purpose relating to the Products. The parties acknowledge that the preceding disclaimer represents bargained-for allocation of risk, and that the consideration received by PMI from the Customer represents such allocation of risk.

Customer's Exclusive Remedy for Defective Products

This Section contains the Customer's sole and exclusive remedy for defective Products. The Customer's remedy under this Section is conditioned upon compliance with its obligations set forth in Subsections (a) and (b) of this Section. During the applicable Warranty Period, with respect to any allegedly defective Products: (a) the Customer shall notify PMI in writing of any alleged claim or defect within ten (10) business days after the date the Customer discovers, or upon reasonable inspection should have discovered, such alleged claim or defect (but in any event before the expiration of the applicable Warranty Period); (b) the Customer shall ship such allegedly defective Products to PMI for inspection and testing by PMI in accordance with the section below entitled "Return Procedure;" (c) if PMI's inspection and testing reveals, to PMI's reasonable satisfaction, that such Products are defective and any such defect has not been caused or contributed to by any of the factors described in the section above entitled "Exclusions from Warranty," then PMI shall, in its sole discretion and at its expense, repairs or replace such defective Products; and (d) PMI shall ship to the Customer, at PMI's expense and risk of loss, the repaired or replaced Products. PMI will warrant replacement Products for the remainder of the original, applicable Warranty Period or for thirty (30) days after shipment of such replacement Products, whichever is longer.

Return Procedure

If any Product is allegedly defective, and as a condition to PMI's repair or replacement obligations above, the Customer must call PMI at 1-800-296-4120 before shipping the allegedly defective Products to PMI. If the alleged defect cannot be resolved over the phone through PMI Customer Support, PMI will issue a Return Authorization ("RA") number. For prompt service, all shipments of allegedly defective products to PMI must include:

- The billing and shipping address for return of equipment
- The name and telephone number of contact for further information regarding the unit
- The description of the problem or work required
- The list of the enclosed items and their respective serial numbers
- The RA number given to the Customer by the responsible PMI Account Executive

Products returned to PMI must be shipped with freight charges prepaid. After repair or replacement, if necessary, PMI will return the Products FOB (freight on board) from Mt. Crawford, VA. If the Products are repaired under warranty obligation, freight charges (excluding air freight or premium services) will be refunded or credited to the Customer's account. Return equipment to: Power Monitors, Inc., 800 North Main Street, Mt. Crawford, VA 22841, Attention: Repair Department.

Payment

Payment will be made for Products purchased in the amount and pursuant to the terms set forth in the applicable invoice. If the Customer defaults in paying in full when due, then the total outstanding balance of all invoices on the Customer's account, together with the interest and collection costs, will be due immediately.

Current Terms Offered: Payment Options: 2% 15, 1% 30, Net 45. Discounts are to be taken on the Product subtotal, not to include sales tax or shipping. Discounts are to be calculated based on invoice date only, and payment is expected within the term in order to qualify for a discount. Payment via credit card disqualifies the order for an early payment discount. PMI retains a security interest in the Products until payment in full is received.

Late Payments

The Customer shall pay interest in the lesser amount of 1.5% per month or the highest rate permitted by law on any past due amount. The Customer shall pay PMI all costs and expenses incurred in exercising its rights to collect amounts due, including but not limited to reasonable attorneys' fees and court costs. In addition to all other remedies available under these Terms or at law or in equity, if the



Customer fails to pay any amounts when due under these Terms, PMI may suspend the delivery of any Products, reject the Customer's purchase orders or cancel accepted purchase orders. PMI's rights hereunder, at law and in equity shall be cumulative.

Invoice Disputes

The Customer shall notify PMI in writing of any dispute with any invoice (along with substantiating documentation) within three (3) business days from the Customer's receipt of such invoice. The Customer will be deemed to have accepted all invoices for which PMI does not receive timely notification of dispute, and the Customer shall timely pay all undisputed amounts due under such invoices.

Freight: All shipments are sent FOB, Mt. Crawford, VA, via UPS ground. If the Customer prefers other shipping arrangements, the Customer must notify PMI at time the order is placed. If FOB Destination is preferred, additional fees will apply.

Handling

All orders are charged a handling fee of .5% of the Product total as shown on the applicable PMI invoice(s).

Shipping Discrepancies

Please verify receipt of all Products listed on the "Packing List" upon receipt of order. Please notify Power Monitors, Inc. within three (3) business days of any shipping discrepancies.

Freight Damage: If you receive a package that is damaged in transit please advise the carrier and refuse/return the shipment to Power Monitors, Inc. Freight damage that remains unreported beyond three (3) business days after receipt is the responsibility of the recipient.

Demo Units

If PMI supplies a demo unit to the Customer, then the Customer is responsible for returning the unit within three (3) weeks of receipt of the unit. If the unit has not been returned to PMI within three (3) weeks after receipt, and no request has been made by the Customer for an extension, then the Customer will be billed for the unit.

Return Privileges

All non-defective returns authorized by PMI, whether opened or unopened, will be assessed a 25% restocking fee and must be authorized for return within thirty (30) days after receipt. No refunds will be issued after such 30-day period. All returns require an RA number before shipping. The Customer may obtain an RA by contacting its Account Executive at 1-800-296-4120. RA numbers will be valid for ten (10) days. Failure to return Products within such 10-day authorization period will be deemed to be an acceptance of the Products.

Repair Service

In the event that a Product requires repairs that are not covered by PMI's warranties above, the Customer shall contact an Account Executive at 1-800-296-4120 to request a RA number and return the Product pursuant to the Account Executive's directions. PMI will test the returned Products and will provide an estimate for the cost of repairs. The Customer's approval will be obtained before proceeding with repairs.

Services Offered: PMI may offer services under a separate PMI Master Service Agreement that renew, and as part of acceptance of the Products that such services are attached to, it is implied that such services will automatically renew for the same term originally purchased, unless the Customer notifies PMI at least 60 days in advance of the renewal that the Customer intends to cancel such services. (Services include: Canvass, DNP3, and Cellular Data Plans)

Ownership and Proprietary Rights

As between PMI and the customer, PMI does and shall exclusively own all right, title, and interest in and to all Intellectual Property (as defined below) that is disclosed to the Customer or incorporated in the Products, including without limitation, all versions and

derivative works of the Products, and all modifications, enhancements, versions, corrections or improvements to the Products that are created or developed by, or on behalf of, PMI or as a result of the use of the Products by the Customer. In the event that the Customer acquires any Intellectual Property in or to any Products, the Customer agrees to, and does hereby, irrevocably assign all such right, title, and interest to PMI. The Customer hereby assigns and agrees to assign to PMI all ideas, information, data, concepts, know-how and methods relating to the operation, improvement and/or enhancement of the Products, and the Customer acknowledges and agrees that PMI shall be free to use all of the foregoing in connection with its development and use of the Products without any obligation to the Customer. As used in this Agreement, "Intellectual Property" means all worldwide patent, copyright, trademark, and trade secret rights, including (i) all applications and registrations relating thereto; (ii) all statutory protection obtained or obtainable thereon; and (iii) all claims or causes of action relating to, or arising out of, any of the foregoing, including without limitation, the right to sue for past, present and future infringements of any such rights. The breach of the Customer of its obligations under this Section would give rise to irreparable harm to PMI for which monetary damages would not be an adequate remedy. In the event of such breach, PMI shall, in addition to any and all other rights and remedies that may be available to PMI, be entitled to seek equitable relief, including but not limited a restraining order, injunction, specific performance and any other relief available at law or in equity, without the requirement to prove actual damages or post bond or other security.

Limitation of Liability

IN NO EVENT WILL (A) PMI'S AGGREGATE LIABILITY, WHETHER IN CONTRACT, TORT OR OTHERWISE, ARISING OUT OF OR IN CONNECTION WITH THESE TERMS EXCEED THE TOTAL AMOUNT PAID OR TO BE PAID UNDER THE INVOICE FROM WHICH SUCH LIABILITY AROSE, OR (B) PMI BE LIABLE FOR SPECIAL, PUNITIVE, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, INCLUDING WITHOUT LIMITATION, ANY DAMAGES RESULTING FROM INTERRUPTION OF BUSINESS, LOSS OF USE, LOSS OF PROFITS OR LOSS OF BUSINESS, ARISING OUT OF OR IN CONNECTION WITH THESE TERMS OR THE PRODUCTS, WHETHER OR NOT PMI HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

Force Majeure

PMI will not be responsible for any delays in delivery which result from any circumstances beyond PMI's reasonable control, including without limitation, product unavailability, carrier delays, delays due to fire, severe weather conditions, failure or power, labor problems, acts of war, terrorism, general insurrection, acts of God or acts of any government or agency.

Miscellaneous

All notices provided in connection with these Terms will be in writing and delivered to the parties at the addresses set forth on the applicable PMI invoice. These Terms will be construed in accordance with, and governed by, the laws of the Commonwealth of Virginia, without regard to the conflict of law and choice of law rules of any jurisdiction. Any and all claims and disputes arising out of, or relating to, these Terms, or the performance or non-performance by either party of any of its obligations hereunder will be commenced and maintained only in a state or federal court of competent subject matter jurisdiction situated or located in Harrisonburg, Virginia. Each party consents to the exclusive personal jurisdiction of and venue in any such court. If any ambiguity or question of intent or interpretation arises, this Agreement will be construed as if drafted jointly by the parties and no presumptions or burden of proof will arise favoring or disfavoring any party by virtue of authorship of any of the provisions of this Agreement. No waiver or failure by either party to exercise any option, right or privilege under these Terms on any occasion or occasions will be construed to be a waiver of the same on any other occasion or of any other option, right, or privilege. These Terms will be binding upon and inure to the benefit of the parties and their respective successors and assigns. Nothing in these Terms is intended, nor will be deemed, to confer any rights or remedies upon any entity or person not a party to this Agreement. These Terms and the applicable PMI invoice contain the entire agreement and understanding of the parties to this Agreement with respect to the transactions contemplated hereby; and these Terms and the applicable PMI invoice supersede all prior understandings and agreements of the parties with respect to the subject matter hereof. These Terms shall prevail over any of Customer's general terms and conditions, regardless of whether or when Customer has submitted such terms. In the event of a conflict between the these Terms and any provisions contained in any Customer purchase order, confirmation, or other document issued by Customer, these Terms shall prevail. Fulfillment of Customer's order does not constitute acceptance of any of Customer's terms and conditions and does not serve to modify or amend these Terms. These Terms can be amended or modified only by a written instrument signed by the parties or their successors in interest. Any



Quote
#28043
2/7/2022

termination, cancellation, or expiration these Terms notwithstanding, provisions which are by their terms intended to survive and continue will so survive and continue, including without limitation the Sections entitled “Ownership and Proprietary Rights,” “Disclaimer of Warranties,” “Limitation of Liability” and “Governing Law.”

Revised July 29, 2016

Power Monitors, Inc. 800 North Main St., Mt. Crawford, VA 22841 (800) 296-4120 Fax (540) 432-9430

Power Quality Monitor

The Electric Department currently has two Power Quality Monitors from Power Monitors, Inc (PMI). One of the monitors needs to be replaced due to its limited features and monitoring time. These recorders are used to monitor various power quality metrics such as voltage, current, harmonics and etc.

The electric department is asking for authorization to purchase the Revolution Power Quality Recorder and needed accessories from Power Monitors, INC for \$12,080.68 so we can have more than one functional Power Quality Monitor. We would like to order from PMI due to our department's familiarity with the product and the software. The required software is already installed and used by the electric department.

This is a budgeted expense.



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	Bid Award/Purchases
DEPARTMENT NAME:	Fire
AGENDA ITEM TITLE:	Panasonic Toughbooks
DEPARTMENT SUMMARY RECOMMENDATION:	Respectfully request permission to purchase five (5) Panasonic Toughbook computers and assorted mounting hardware for fire department apparatus. These computers are utilized in the field to provide a direct connection between responders and Bartow 911, pre-incident plans and full digital access while responding to and mitigating emergencies. Cartersville IT staff obtained two quotes for this project, Prologic ITS in the amount of \$23,605.51 and CDW-G in the amount of \$18,777.99. We request permission to purchase from our low bid source, CDW-G, in the amount of \$18,777.99. This is a 2020 SPLOST project through Cartersville Fibercom.
LEGAL:	N/A



Thank you for choosing CDW. We have received your quote.

Hardware Software Services IT Solutions Brands Research Hub

QUOTE CONFIRMATION

JEREMY MAXWELL,

Thank you for considering CDW•G for your computing needs. The details of your quote are below. [Click here](#) to convert your quote to an order.

Convert Quote to Order

 Thank you for your interest.
 As you review the pricing information on this document, please do not hesitate to contact me with and questions or concerns.
ACCOUNT MANAGER NOTES:
 Adam Bruno
 312-705-0710
 adabrun@cdwg.com

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
MZMC769	9/21/2022	9/21 PANASONIC UPDT	11372497	\$18,777.99

QUOTE DETAILS

ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
<u>PAN TB FZ-55 I5-1145G7 512 16 W10P</u> Mfg. Part#: FZ-55FZ004KM Contract: National IPA Technology Solutions (2018011-01)	5	7080025	\$2,586.51	\$12,932.55
<u>Havis C-MD 204 - mounting component</u> Mfg. Part#: C-MD-204 UNSPSC: 31162313 Contract: National IPA Technology Solutions (2018011-01)	5	2592849	\$57.46	\$287.30
<u>Havis power supply bracket</u> Mfg. Part#: LPS-211 UNSPSC: 31162313 Contract: National IPA Technology Solutions (2018011-01)	5	4927959	\$28.69	\$143.45
<u>Havis DS-PAN-431 - docking station - VGA, HDMI</u> Mfg. Part#: DS-PAN-431 Contract: National IPA Technology Solutions (2018011-01)	7	5845186	\$628.73	\$4,401.11
<u>Lind Automobile Bare Wire Leads Power Adapter - car power adapter - 120 Wat</u> Mfg. Part#: 7300-0461 Contract: National IPA Technology Solutions (2018011-01)	6	6136312	\$168.93	\$1,013.58

SUBTOTAL	\$18,777.99
SHIPPING	\$0.00
SALES TAX	\$0.00
GRAND TOTAL	\$18,777.99

PURCHASER BILLING INFO	DELIVER TO
Billing Address: CITY OF CARTERSVILLE ACCTS PAYABLE 1 N ERWIN ST CARTERSVILLE, GA 30120-3121 Phone: (770) 387-5621 Payment Terms: Net 30 Days-Govt State/Local	Shipping Address: CITY OF CARTERSVILLE FIRE DEPARTMEN 195 CASSVILLE RD CARTERSVILLE, GA 30120-2643 Shipping Method: DROP SHIP-GROUND
	Please remit payments to: CDW Government 75 Remittance Drive Suite 1515 Chicago, IL 60675-1515



Sales Contact Info

Adam Bruno | (877) 325-6613 | adabrun@cdwg.com

Need Help?



My Account



Support



Call 800.800.4239

[About Us](#) | [Privacy Policy](#) | [Terms and Conditions](#)

This order is subject to CDW's Terms and Conditions of Sales and Service Projects at

<http://www.cdwg.com/content/terms-conditions/product-sale1.aspx>

For more information, contact a CDW account manager

© 2022 CDW+G LLC, 200 N. Milwaukee Avenue, Vernon Hills, IL 60061 | 800.808.4239

Products

Manufacturer Part Number	Description	Price	Qty	Ext. Price
C-MD-204	Low Profile Tilt Swivel Motion Device	\$63.85	5	\$319.25
LPS-211	Multipurpose Bracket Secures Power Supplies On Havis Docking Stations Or Cradles	\$29.51	5	\$147.55
DS-PAN-431	Docking Station For The Panasonic TOUGHBOOK 55 Laptop With Advanced Port Replication & Dual Pass-Through Antenna Connections	\$723.64	7	\$5,065.48
7300-0461	Lind 120W Automobile Bare Wire Leads Power Adapter for Panasonic	\$146.43	6	\$878.58
FZ-55FZ004KM	PANASONIC : Win10 Pro(Win11 DG),i5-1145G7 vPro(up to 4.4GHz),AMT,14.0IN FHD 1000 nit Gloved Multi Touch,16GB,512GB OPAL SSD,Intel Wi-Fi 6,BT,4G LTE Band 14 (EM7511),Dual Pass(Ch1:WWAN-GPS/Ch2:WWAN),Infrared Webcam,NO USB-C	\$2,669.85	5	\$13,349.25
HA-55LVDO	PANASONIC : Havis Premium Vehicle Dock (no pass) for Panasonic TOUGHBOOK 55 & 54. USB-A (2), Serial, LAN, HDMI, VGA.	\$581.17	5	\$2,905.85
CF-LNDDC120	PANASONIC : Lind 120 Watt 12-32 Volt Input Car Charger	\$124.63	5	\$623.15
CF-LNDLPT	PANASONIC : Lind Low Profile Shutdown Timer to Protect Vehicle Battery From Over Discharge for for all Toughbook. Turns Off Electrical Loads at a Preset Time After Car Engine is Shut Down.	\$63.28	5	\$316.40

Subtotal: **\$23,605.51**

City of Cartersville Government-GA-Panasonic

Prepared for:	Bill To:	Ship To:	Quote Information:
City of Cartersville Government-GA	City of Cartersville Government-GA	City of Cartersville Government-GA	Quote #: 002895
Suite 200	Jeremy Maxwell	Jeremy Maxwell	Version: 1
Jeremy Maxwell	Suite 200	Suite 200	Delivery Date: 09/21/2022
(404) 617-7675			Expiration Date: 10/14/2022
jmaxwell@cartersvillega.gov			

Quote Summary

Description	Amount
Products	\$23,605.51
Subtotal:	\$23,605.51
Shipping:	\$50.00
Total:	\$23,655.51

*** Due to current supply chain constraints, ProLogic will invoice for all parts and or hardware upon receipt and in advance of scheduling services.

Taxes/Labor/ Shop Supplies, will be invoiced upon completion***

Payment Terms: Net 30 Days. After 30 days, unpaid balances are subject to a 1.5% handling fee per month (18% annual). Warranty covers manufacturer defects only, excluding battery defects, unless explicitly stated herein. Dual-signed Scope of Work will be required prior to placing initial order.

Prices and tax rates are valid in the U.S only and are subject to change. Taxes represented in quotes are estimates and may vary from taxes reflected on invoice (based on physical ship-to address).

Sales/Use tax is a destination charge (i.e., based on physical ship-to address on purchase order). Please indicate your taxability status on your PO. If you are tax exempt, please include proper documentation. If you are not tax exempt, please calculate and include all applicable tax on your PO. Hardware cancelations may be subject to up to a 50% restocking fee.

See Terms and Conditions at www.prologicits.com/terms-conditions/

Quotes are valid for 30 days only and are subject to change without notice due to the imposition of new trade tariffs



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	Bid Award/Purchases
DEPARTMENT NAME:	Fire
AGENDA ITEM TITLE:	Withdraw Approved Training Maintenance Project
DEPARTMENT SUMMARY RECOMMENDATION:	<p>During the regular Council Meeting on October 10, 2022 Mayor and Council approved an Inspection and Certification of our Class B Fuel Training System located at the Joint Training Facility on Paga Mine Rd. The Approval of this project was in the amount of \$21,094.24 and was to be paid for by a 50/50 split between Bartow County and the City of Cartersville.</p> <p>Since October 6th, there have been significant changes that may cause a massive increase to the project. Once we have a better understanding of the true scope, we will return with a proposal that we feel is more sound and efficient use of our funds. We ask that Mayor and Council repeal their approval of the Inspection and Certification of our Class B training systems as presented during the regular session on October 6, 2022.</p>
LEGAL:	N/A



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	Bid Award/Purchases
DEPARTMENT NAME:	Fire
AGENDA ITEM TITLE:	PSHQ Annual HVAC Maintenance Agreement
DEPARTMENT SUMMARY RECOMMENDATION:	<p>Respectfully request approval of our annual HVAC maintenance agreement for Cartersville Public Safety Headquarters. There are two proposals. Georgia Mechanical of Suwanee, Georgia for an annual fee of \$15,324.84 and Maxair Mechanical of Marietta for an annual fee of \$15,909.00. There is a difference between the two for \$584.16.</p> <p>We are recommending Maxair due to the past performance of Georgia Mechanical who held the contract over the last year. This is a budgeted item and within budget. We request approval of the bid from Maxair Mechanical for the HVAC Maintenance in the amount of \$15,909.00</p>
LEGAL:	N/A



814 Livingston Court
Marietta, GA 30067
770.956.1200

Ga. Reg. #CN210671

October 27, 2022

CPT Mitchell Bagley
Administrative Captain
(mbagley@cityofcartersville.org)
195 Cassville Road
Cartersville, GA 30120

Re: HVAC Preventive Maintenance Maintenance Contract

Dear CPT Bagley,

Maxair is pleased to honor our proposal dated February 18, 2021 at a total cost of \$15,909.00 to be paid quarterly at \$3,977.25 each. We will make the agreement effective 11/1/2022. A copy of an updated agreement is attached.

Because inflation has been running so high this year, we were asking for a 10% increase for contract renewals. We have decided to waive this increase for the first year of this new contract while we get to know one another. We will be asking for this increase in November 2023 at renewal.

Once we have executed the agreement, we will schedule a turnover meeting with you and any other interested parties from the City of Cartersville. The purpose of this meeting is to be sure that we are on the same page regarding facility, safety, administrative, emergency, operational and authorization issues. It should take between 30 minutes to 1 hour.

At this meeting we will be introducing you to your lead technician, service manager, dispatcher, service project manager and any other Maxair employees who you may wish to meet. We have Direct for Owner and CMS Controls departments available.

As you wished, I have included a signature block on this letter for contract and terms and conditions acceptance but would appreciate your signing the actual contract document as well.

Thanks very much and we are all looking forward to working with you.

Most sincerely,

MAXAIR MECHANICAL LLC.

GEORGIA MECHANICAL, INC. PREVENTATIVE MAINTENANCE PROPOSAL

Equipment to be serviced:

- 1 - McQuay 80 Ton Chiller
- 1 - Marley Single Cell Cooling Tower
- 3 - Bell & Gossett Pumps
- 3 - Lochinvar Boilers
- 1 - Lochinvar Expansion Tank
- 3 - Greenheck Exhaust Fans
- 3 - Reznor Electric Unit Heaters
- 4 - Reznor Gas Unit Heaters
- 1 - Data Aire Humidifier
- 2 - Daikin Mini Splits
- 1 - McQuay Air Handler (ERV) w/Heat Wheel
- 64 - Daikin Fan Coil Units

3 Quarterly Service Visits and 1 Annual Service Visit for all equipment indicated above. (4 times a year)

Start Date for first Full Maintenance visit: To be determined based on awarding of approved contract.

Plan Cost: \$15,324.84

The above agreement shall commence upon the accepted date or agreed date and run for a period of 1 year with automatic renewal on the anniversary date. The Preventive Maintenance/Service Agreement shall be billed at **\$3,831.21 quarterly**; Annual total cost of this agreement is **\$15,324.84**. No repairs will be made without the consent and authorization of the owner. Repairs required and not covered under this agreement shall be billed at the labor rate of **\$89.00** per hour during regular business hours and **\$133.50** per hour during nights, weekends, and holidays. A **\$35.00** trip charge will be charged for service calls. Either party may terminate this agreement at any time by providing a 60-day written notice.

Agreement:

I agree with the above terms and conditions and have read Attachment A of the Planned Maintenance/Service Agreement. Credit approval for all new accounts will be needed prior to work beginning. Work to be performed at owner's convenience and be as non-intrusive to the tenant or owner as possible.

Signed: _____ Date: _____

Georgia Mechanical, Inc. 4189 Capital View Dr Suwanee, GA 30024
Phone 770-614-9214 Fax 770-614-4389





CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	Bid Award/Purchases
DEPARTMENT NAME:	FiberCom
AGENDA ITEM TITLE:	Cargo Van
DEPARTMENT SUMMARY RECOMMENDATION:	The FiberCom Department is requesting authorization to replace vehicle #140 (2001 Honda Passport) with a cargo van. We received three bids for the cargo van: Calmes Holdings submitted a bid of \$66,000 and Prater Ford submitted two bids- (a) Ford Transit cargo van with the Adrian steel package \$35,991.88 and (b) Ford Transit cargo van with the Ranger design \$36,440.88. FiberCom has chosen the Ford Transit cargo van with the Adrian steel package for \$35,991.88 for submittal.
LEGAL:	N/A

City of Cartersville			
FIBERCOM			
JEREMY MAXWELL 770-387-5608			
Two-Wheel Drive Transit Cargo van			Quantity: 1
Model Year Current			
Specify Year 2022			
Vehicle to be delivered to City of Cartersville Garage located at 500 S. Tennessee St,			
Cartersville, GA 30120			
Contact Bill Trott 770-387-5786 at the Garage to arrange delivery			
Vendor Information:			
The vehicle offered shall be comparable with detailed requirements listed below (unless otherwise noted). Bidders are to indicate in the "Meets Specifications" column if bid specifications are met and can provide additional comments if necessary. If the Meets Specification column is not marked, or it is incomplete, your bid will not be considered for award.			
Until all the information is furnished. Do not use "comply", "yes", "OK", "Same", an "X" , a "V", checkmark, or a (") Ditto mark.			
City of Cartersville reserves the right to reject any or all bids.			
(all bid specifications are minium specifications)			
Supporting Data:			
Bidders must furnish catalog pages, specification sheets, or similar data to support statements made in Meets Specifications Column. Failure to furnish required data may be considered as a cause for rejection of bid.			
	Meets Specifications		
Fibercom Vehicle	<u>YES</u>	<u>NO</u>	COMMENTS
Wheel Base 120"	X		
Rear Cargo Area	X		
Min 120 HP Gas Engine	X		
front Wheel Drive	X		
Tinted Rear Windows	X		
Automatic Transmission	X		
Power Steering	X		
Air Conditioning	X		
Cloth Seats	X		
AM/FM Stereo with Bluetooth	X		
3 sets keys	X		
Vynal Flooring	X		
Power Windows/Locks	X		
Intermittent Windshield Wipers	X		
Exterior Color - White	X		

Tire Jack and Tools	X			
16"Wheels w/ All Season Tires	X			
Tilt Steering	X			
DC Power Source Front	X			
Duel Sliding doors	X			
Rear Symmetrical Doors	X			
Rear Storage Package Telecom/Electrical	X			
Total Unit Price	\$66,000			
Anticipated number of weeks until delivery (after approval): <u>3 Weeks</u>				
List additional options or other pertinent information.				

BIDDERS DECLARATION

The bidder understands, agrees and warrants:

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

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

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

That this bid may be withdrawn by requesting such withdrawal in writing at any time prior to **October 7, 2022 @ 10:00am** but may not be withdrawn after such date and time.

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

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

If a partnership, a general partner must sign.

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

BIDDER: Calmes Holdings LLC

Denae Calmes Owner

Name Title

Name Title

AFFIX CORPORATE SEAL (If Applicable)

CERTIFICATE OF NON-DISCRIMINATION

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

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

In the event of the bidder's non-compliance with this non-discrimination clause, the contract may be canceled or terminated by the City of Cartersville. The bidders may be declared, by the City of

Cartersville, ineligible for further contracts with the City of Cartersville until satisfactory proof of intent to comply shall be made by the vendor.

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

Calmes Holdings LLC

Bidder



Signature

Dena Calmes, Owner

Title

NON-COLLUSION AFFIDAVIT

The following affidavit is to accompany the bid:

STATE OF GEORGIA

COUNTY OF GWINNETT

Owner, Partner or Officer of Firm Denae Calmes, Owner

Company Name, Address, City and State 2330 Scenic Highway South, Snellville, GA 30078

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

Calmes Holdings LLC

Firm Name

[Handwritten Signature]

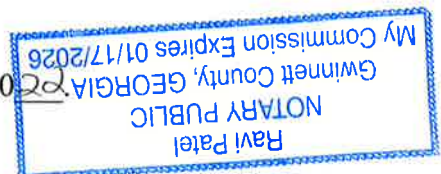
Signature

Denae Calmes, Owner

Title

Subscribed and sworn to before me this 3 day of OCT 2022

[Handwritten Signature]



Notary Public

**CITY OF CARTERSVILLE
DRUG-FREE WORKPLACE CERTIFICATE**

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

- 1. A drug-free workplace will be provided for the Bidder’s employees during the performance of the contract; and
- 2. Each contractor who hires a subcontractor to work in a drug-free workplace shall secure from that subcontractor the following written certification: “As part of the subcontracting agreement with (contractor’s name), (subcontractor’s name) certifies to the contractor that a drug-free workplace will be provided for the subcontractor’s employees during the performance of this contract pursuant to O.C.G.A.

Section 50-24-3(b)(7).”

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

Calmes Holdings LLC

Bidder



Authorized Signature

Denae Calmes
Printed Name

Owner _____

Title _____

10/3/2022

Date



City of Cartersville
P.O. Box 1390
1 North Erwin Street
Cartersville, GA 30120

DATE: September 19, 2022
TO: Automobile /Truck Dealers
Fleet Sales Personnel
FROM: Bill Trott, Garage Supervisor
RE: Vehicle Bids

Enclosed is the bid request sheet along with the other documents for the vehicle that the **City of Cartersville FIBERCOM Department** will be purchasing. If you have any questions on the vehicle, please contact the individual listed on the top of the vehicle specifications page.

Bids must be submitted in the same format as the attached sheets, prices must be good for 60 days from date of bid deadline, and bidders must furnish specification sheets to support submitted bids. Bid prices must include all costs including delivery charges.

Deadline for submission of vehicle bids is, October 10, 2022 at 10:00 A.M. EST at the City Manager's office 1 North Erwin Street, Cartersville, Georgia. ALL DOCUMENTATION INCLUDED IN THE BID PACKAGE MUST BE COMPLETED AND SUBMITTED WITH THE QUOTES TO BE CONSIDERED FOR AWARD

A summary of the vehicle to be purchased:

<u>Department</u>	<u>Type of Vehicle</u>	<u>Quantity</u>
Fibercom Department	Transit Cargo Van	1

The following documents have been included in this bid package and all of these documents should be included in your return bid to the City:

- 1) Vehicle Specifications
- 2) Non-Collusion Affidavit
- 3) Bidders Declaration
- 4) Certificate of Non-Discrimination
- 5) Drug-Free Work Place Certificate

Send or deliver your bid in a sealed envelope marked " Transit Cargo Van " to my attention at:
City of Cartersville
P.O. Box 1390
Cartersville, GA 30120

The City reserves the right to reject any or all bids or to accept only that bid which the City deems is in their best interest.

BIDDERS DECLARATION

The bidder understands, agrees and warrants:

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

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

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

That this bid may be withdrawn by requesting such withdrawal in writing at any time prior to **October 7, 2022 @ 10:00am** but may not be withdrawn after such date and time.

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

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

If a partnership, a general partner must sign.

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

BIDDER:

Charles D. Prater VP

Name Title

Name Title

AFFIX CORPORATE SEAL (If Applicable)

CERTIFICATE OF NON-DISCRIMINATION

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

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

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

Prater Ford Inc.

Bidder
Charonl. Brown

Signature
VP

Title

NON-COLLUSION AFFIDAVIT

The following affidavit is to accompany the bid:

STATE OF Georgia
COUNTY OF Gordon

Owner, Partner or Officer of Firm Charles D. Prater
Company Name, Address, City and State Prater Ford, Inc
705 South Wall Street Calhoun, Ga. 30701

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

Prater Ford, Inc

Firm Name
Charles D. Prater

Signature
CP

Title

Subscribed and sworn to before me this ____ day of _____ 20__.

Notary Public

**CITY OF CARTERSVILLE
DRUG-FREE WORKPLACE CERTIFICATE**

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

- 1. A drug-free workplace will be provided for the Bidder’s employees during the performance of the contract; and
- 2. Each contractor who hires a subcontractor to work in a drug-free workplace shall secure from that subcontractor the following written certification: “As part of the subcontracting agreement with (contractor’s name), (subcontractor’s name) certifies to the contractor that a drug-free workplace will be provided for the subcontractor’s employees during the performance of this contract pursuant to O.C.G.A.

Section 50-24-3(b)(7).”

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

Prater Ford

Bidder
Charles D. Prater

Authorized Signature
Charles D. Prater
Printed Name

VP
Title

9-17-22
Date

City of Cartersville			
FIBERCOM			
JEREMY MAXWELL 770-387-5608			
Two-Wheel Drive Transit Cargo van		Quantity: 1	
Model Year Current			
Specify Year			
Vehicle to be delivered to City of Cartersville Garage located at 500 S. Tennessee St,			
Cartersville, GA 30120			
Contact Bill Trott 770-387-5786 at the Garage to arrange delivery			
Vendor Information:			
The vehicle offered shall be comparable with detailed requirements listed below (unless otherwise noted). Bidders are to indicate in the "Meets Specifications" column if bid specifications are met and can provide additional comments if necessary. If the Meets Specification column is not marked, or it is incomplete, your bid will not be considered for award.			
Until all the information is furnished. Do not use "comply", "yes", "OK", "Same", an "X" , a "V", checkmark, or a ("") Ditto mark.			
City of Cartersville reserves the right to reject any or all bids.			
(all bid specifications are minium specifications)			
Supporting Data:			
Bidders must furnish catalog pages, specification sheets, or similar data to support statements made in Meets Specifications Column. Failure to furnish required data may be considered as a cause for rejection of bid.			
Fibercom Vehicle	Meets Specifications		COMMENTS
	YES	NO	
Wheel Base 120"	X		121" Wheelbase
Rear Cargo Area	X		
Min 120 HP Gas Engine	X		
front Wheel Drive	X		
Tinted Rear Windows	X		Privacy Glass in Rear Doors
Automatic Transmission	X		
Power Steering	X		
Air Conditioning	X		
Cloth Seats	X		
AM/FM Stereo with Bluetooth	X		
3 sets keys	X		2 Additional Included
Vynal Flooring	X		
Power Windows/Locks	X		
Intermittent Windshield Wipers	X		
Exterior Color - White	X		

Tire Jack and Tools	X			
16"Wheels w/ All Season Tires	X			
Tilt Steering	X			
DC Power Source Front	X			
Duel Sliding doors	X			
Rear Symmetrical Doors	X			
Rear Storage Package Telecom/Electrical	X			
Total Unit Price				
Anticipated number of weeks until delivery (after approval): <u>16-18 weeks</u>				
List additional options or other pertinent information.				

Adrian Steel
(LWB) w/ Starter Electrical Pkg \$ 35,991.88 / RH

Ranger Design
(LWB) Pkg \$ 36,440.88

VEHICLE ORDER CONFIRMATION

09/17/22 09:49:03

Dealer: F21422

Page: 1 of 1

Order No: 0000 Priority: M1 Ord FIN: QD456 Order Type: 5B Price Level: 315

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

2023 TRAN CONNECT VAN

RETAIL

924 PRIVACY GLASS \$190

SP DLR ACCT ADJ

SP FLT ACCT CR

FUEL CHARGE

B4A NET INV FLT OPT NC

PRICED DORA NC

DEST AND DELIV 1695

TOTAL BASE AND OPTIONS 34515

TOTAL 34515

THIS IS NOT AN INVOICE

RETAIL

S7S TRAN CON-VAN-XL \$32290

.121" WHEELBASE

Z2 FROZEN WHITE

C CLOTH SEATS

B EBONY

100A ORDER CODE

992 .2.0L ENGINE NC

448 .8 SPD AUTO TRAN NC

T55 .P215/55R16 BSW NC

19Z FLEET SPCL ADJ NC (20)

20V WIFI 4G DELETE

425 5302# GVWR

55A 50 STATE EMISS NC

87R FIXED RR GLASS 295

F1=Help 65

F4=Submit F2=Return to Order

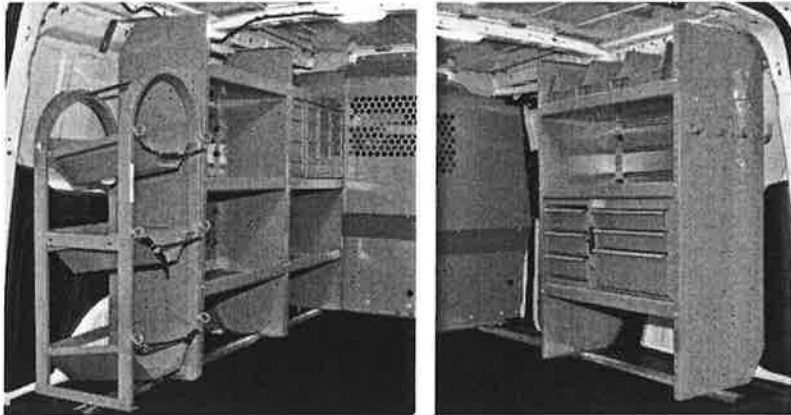
S099 - PRESS F4 TO SUBMIT F5=Add to Library

F3/F12=Veh Ord Menu

QC00257

V1DP0002

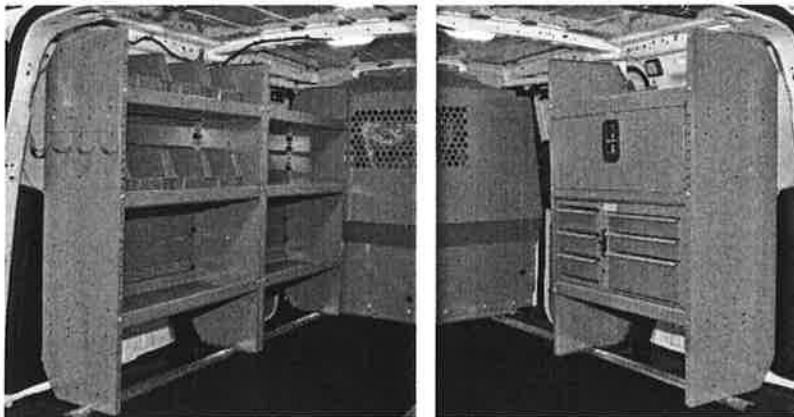
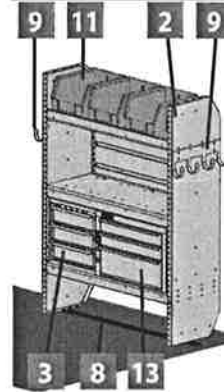
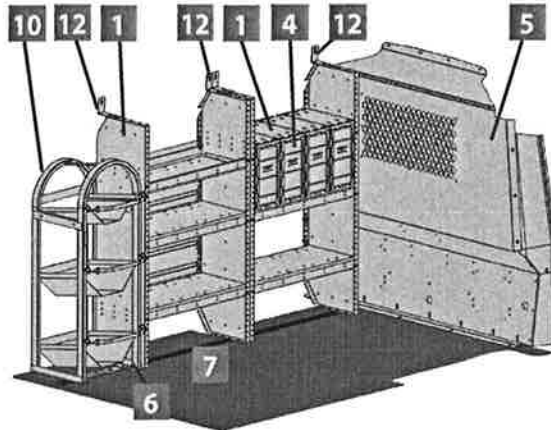
TRANSIT CONNECT



**5217
HVAC STARTER PACKAGE**

2014-on Transit Connect LWB

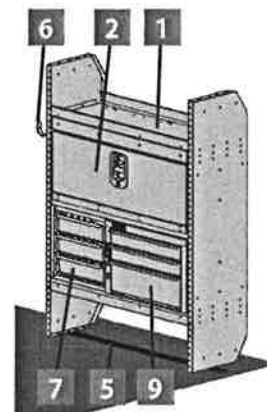
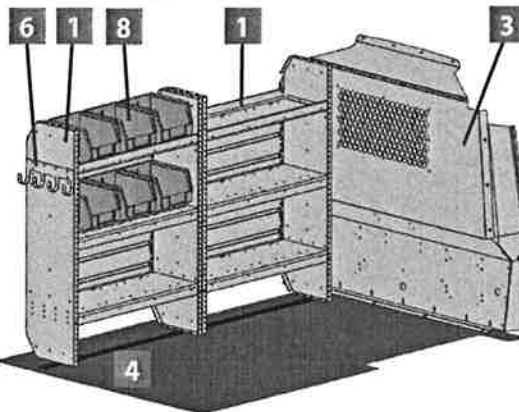
ITEM	MODEL	DESCRIPTION	QTY
1	AD1226TC14	Adjustable 3-Shelf Unit	2
2	AD1232TC14	Adjustable 3-Shelf Unit	1
3	DC12	3-Drawer Unit	1
4	DC6	3-Drawer Unit	4
5	P2TCS14	Steel Partition w/ Visibility	1
6	RKAWTR	Welded Tank Rack Rail Adapter	1
7	RKDTC14	Mounting Rail Kit	1
8	RKTC14	Mounting Rail Kit	1
9	TA1	4-Hook Bar	2
10	WTR130250	Welded Tank Rack	1
11	28	Parts Bin	3
12	46361-G	Mounting Bracket	3
13	919	3-Drawer Unit w/ Lock	1



**5220
ELECTRICAL STARTER PACKAGE**

2014-on Transit Connect LWB

ITEM	MODEL	DESCRIPTION	QTY
1	AD1232TC14	Adjustable 3-Shelf Unit	3
2	DK32TC	Door Kit	1
3	P2TCS14	Steel Partition w/ Visibility	1
4	RKDTC14	Mounting Rail Kit	1
5	RKTC14	Mounting Rail Kit	1
6	TA1	4-Hook Bar	2
7	DC12	3-Drawer Unit	1
8	28	Parts Bin	6
9	919	3-Drawer Unit w/ Lock	1



Upfit Summary

You're almost done!

Review your summary and request a local quoteto receive the best offers and pricing available.



Long 120" Wheelbase

**Electrician Van Shelving Package, Ford Transit
Connect Long WB - TCL-11**



1 x T4 Series Cargo Van Shelving, 60" Wide, 3 Trays - T4-RS60-3



1 x T4 Series Cargo Van Shelving, 36" Wide, 3 Trays - T4-RS36-3



1 x Transit Connect Partition, Contoured, Perf Window - C10-E



1 x 6 Inch Hook, Cargo Van Accessory - 6070



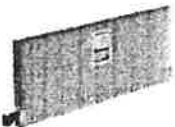
2 x Steel Van Drawer Cabinet with 9 Divided Drawers - X51-F

9/19/22, 10:37 AM

Configuration Summary - Ranger Design Configurator



5 x Van Shelving Bin, 14" Deep - 62-U1114

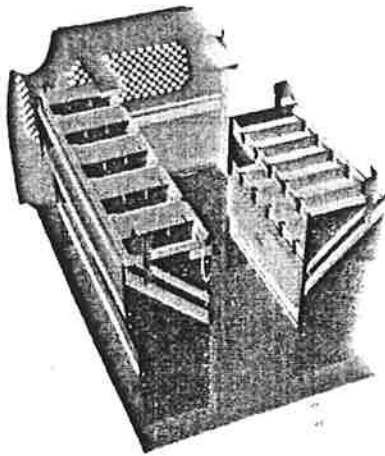


1 x 77 Series, Aluminum Shelving Door for 36" Openings - 77-U1036



2 x Van Shelving Set of 5 Dividers with Clips, 14" depth - 62-UDR14







CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	Bid Award/Purchases
DEPARTMENT NAME:	Water
AGENDA ITEM TITLE:	Water Department Administrative Complex Generator
DEPARTMENT SUMMARY RECOMMENDATION:	<p>An RFP was issued for a Kohler natural gas generator, (2) two automatic transfer switches, and the installation of the bid equipment that closed on 10-31-2022. Nixon Power Services was the only bidder and provided a qualified total bid of \$170,660.00.</p> <p>We are asking for approval to award the bid to Nixon Power Services because of the estimated generator delivery time of 54 weeks. This is a budgeted item and I recommend awarding this bid to Nixon Power Services in the amount up to \$170,660.00.</p>
LEGAL:	N/A



Re: City of Cartersville Bid KG200 Generator

Please see the attached proposal for the Generator and associated equipment from ATS Electrical and Nixon Power Services

Thanks

Chad Brooks

Kevin Squires

City of Cartersville, Georgia Invitation to Bid

Sealed bids for one generator and two Automatic Transfer Switches (ATS) for the City of Cartersville Water Department Administrative complex to be located on Douthit Ferry Road in Cartersville will be received at the City of Cartersville City Manager’s Office at 1 North Erwin Street until 11:00 AM on Monday October 31, 2022.

The work will consist of the delivery of the following:

Quantity	Make & Model	Location	Est. Delivery Time	Bid Price
One	Kohler Model: KG200 KG200 Generator Set	Douthit Ferry Rd, Cartersville	54 weeks	\$66,550.00
One	200A Rotary Docking Station	Douthit Ferry Rd, Cartersville	24 weeks	\$7,346.00
One	Kohler Model: ATS KEP Transfer Switch System KEP-DCTC-0100S-MK	Douthit Ferry Rd, Cartersville	20 Weeks	\$5,717.00
One	Kohler Model: ATS KEP Transfer Switch System KEP-DCTC-0400S-NK	Douthit Ferry Rd, Cartersville	20 Weeks	\$8,229.00
One	Installation of the generator and (2) ATS	Douthit Ferry Rd, Cartersville	N/A	\$82,818.00

Please include guaranteed delivery date (from bid award) for each item and install date, detailed manufacturer’s warranty information, any additional warranty information, and recommended scheduled maintenance pricing.

The bid specifications may be obtained and/or examined at the following location:

City of Cartersville City Manager’s Office
1 North Erwin Street
Cartersville, Georgia 30120 (Owner)

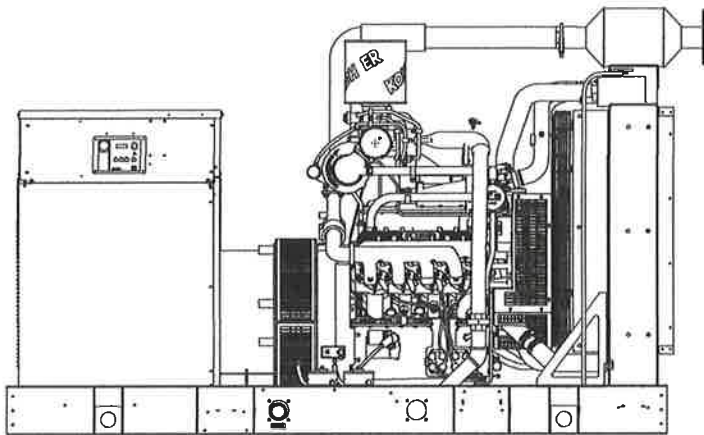
Bidders must comply with all provisions of the “Georgia Security and Immigration Compliance Act” of 2007 and must complete the attached form with their bid submittal.



EPA-Certified for Stationary Emergency Applications

Ratings Range

Standby:	kW kVA	50Hz	60 Hz
		120-160 150-200	150-200 150-250

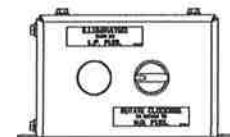


Standard Features

- Kohler Co. provides one-source responsibility for the generating system and accessories.
- The generator set and its components are prototype-tested, factory-built, and production-tested.
- The 60 Hz generator set offers a UL 2200 listing.
- The generator set accepts rated load in one step.
- The 60 Hz generator set meets NFPA 110, Level 1, when equipped with the necessary accessories and installed per NFPA standards.
- A one-year limited warranty covers all generator set systems and components. Two- and five-year extended limited warranties are also available.
- Alternator features:
 - The unique Fast-Response® X excitation system delivers excellent voltage response and short-circuit capability using a rare-earth, permanent magnet (PM)-excited alternator. (For 4S13X Alternator)
 - The unique Fast-Response® II excitation system delivers excellent voltage response and short-circuit capability using a permanent magnet (PM)-excited alternator. (For 4UA13 and 4UA9 Alternators)
 - The brushless, rotating-field alternator has broadrange reconnectability.
- Natural gas, LP gas, and dual fuel models are available.
- Dual fuel model features:
 - Natural gas is the primary fuel. Automatically transfers back to primary fuel when LPG fuel becomes low or generator stops and restarts.
 - The patent pending reset box on the generator provides the ability to manually transfer back to natural gas.
 - The natural gas rating is available when running on natural gas.
 - APM603 controller provides load shed for automatic derate to LPG ratings to prevent an overload condition.

Generator Set Ratings

Alternator	Voltage	Ph	Hz	Natural Gas 130°C Rise		LP Gas 130°C Rise	
				Standby Rating kW/kVA	Amps	Standby Rating kW/kVA	Amps
4S13X	120/208	3	60	180/225	625	150/188	522
	127/220	3	60	190/238	625	150/188	494
	120/240	3	60	180/225	542	150/188	453
	220/380	3	60	165/206	313	150/188	286
	254/440	3	60	190/238	313	150/188	247
	277/480	3	60	200/250	301	150/188	227
	347/600	3	60	180/225	217	150/188	181
	115/200	3	50	160/200	578	120/150	434
	110/220	3	50	156/195	512	120/150	394
	220/380	3	50	156/195	297	120/150	228
4UA9	230/400	3	50	160/200	289	120/150	217
	240/416	3	50	160/200	278	120/150	209
	120/208	3	60	200/250	694	150/188	522
	127/220	3	60	200/250	657	150/188	494
	120/240	3	60	200/250	602	150/188	453
	220/380	3	60	200/250	380	150/188	286
	254/440	3	60	200/250	329	150/188	247
	277/480	3	60	200/250	301	150/188	227
	347/600	3	60	200/250	241	150/188	181
	115/200	3	50	160/200	577	120/150	434
110/220	3	50	160/200	525	120/150	394	
220/380	3	50	160/200	304	120/150	228	
230/400	3	50	160/200	289	120/150	217	
240/416	3	50	160/200	278	120/150	208	



Generator Set Ratings, continued

Meeting: November 3, 2022 Item 14.

Alternator	Voltage	Ph	Hz	Natural Gas 130°C Rise		LP Gas 130°C Rise	
				Standby Rating kW/kVA	Amps	Standby Rating kW/kVA	Amps
4UA13	120/208	3	60	200/250	694	150/188	522
	127/220	3	60	200/250	657	150/188	494
	120/240	1	60	190/190	792	150/150	625
	120/240	3	60	200/250	602	150/188	453
	220/380	3	60	200/250	380	150/188	286
	254/440	3	60	200/250	329	150/188	247
	277/480	3	60	200/250	301	150/188	227
	347/600	3	60	200/250	241	150/188	181
	115/200	3	50	160/200	578	120/150	434
	110/220	3	50	160/200	525	120/150	394
	220/380	3	50	160/200	304	120/150	228
	230/400	3	50	160/200	289	120/150	217
	240/416	3	50	160/200	278	120/150	209

RATINGS: All three-phase units are rated at 0.8 power factor. All single-phase units are rated at 1.0 power factor. Standby Ratings: The standby rating is applicable to varying loads for the duration of a power outage. There is no overload capability for this rating. Ratings are in accordance with ISO-8528-1 and ISO-3046-1. Obtain technical information bulletin (TIB-101) for ratings guidelines, complete ratings definitions, and site condition details. The generator set manufacturer reserves the right to change the design or specifications without notice and without any obligation or liability whatsoever.

Alternator Specifications

Specifications	Alternator
Manufacturer	Kohler
Type	4-Pole, Rotating-Field
Exciter type	Brushless, Rare-Earth Permanent Magnet
Leads: quantity, type	
4SX, 4UA	12, Reconnectable
Voltage regulator	Solid State, Volts/Hz
Insulation:	NEMA MG1
Material	Class H
Temperature rise	130°C, Standby
Bearing: quantity, type	1, Sealed
Coupling	Flexible Disc
Amortisseur windings	Full
Voltage regulation, no-load to full-load	Controller Dependent
One-step load acceptance	100% of Rating
Unbalanced load capability	100% of Rated Standby Current
Peak motor starting kVA:	(35% dip for voltages below)
480 V	4UA9 (12 lead) 700 (60 Hz)
480 V	4S13X (12 lead) 570 (60 Hz)
480 V	4UA13 (12 lead) 960 (60 Hz)

- NEMA MG1, IEEE, and ANSI standards compliance for temperature rise and motor starting.
- Sustained short-circuit current of up to 300% of the rated current for up to 10 seconds.
- Sustained short-circuit current enabling downstream circuit breakers to trip without collapsing the alternator field.
- Self-ventilated and dripproof construction.
- Windings are vacuum-impregnated with epoxy varnish for dependability and long life.
- Superior voltage waveform from a two-thirds pitch stator and skewed rotor.

Application Data

Engine

Engine Specifications	60Hz	50Hz
Manufacturer	Kohler	
Engine: model, type	KG10V08T-6DGS, 10.3 L, 4-Cycle, Turbocharged and Aftercooled	
Cylinder arrangement	V-8	
Displacement, L (cu. in.)	10.3 (632)	
Bore and stroke, mm (in.)	116.8 x 120.6 (4.6 x 4.7)	
Compression ratio	9.3:1	
Piston speed, m/min. (ft./min.)	434.3 (1425)	
Main bearings: quantity, type	5, Tri-Metal	
Rated rpm	1800	1500
Max. power at rated rpm (NG), kW (HP)	245 (330)	196 (263)
Max. power at rated rpm (LPG), kW (HP)	195 (262)	156 (209)
Cylinder head material	Cast Iron	
Piston type and material	Dished Top Forged Aluminum	
Crankshaft material	Forged Steel	
Valve (exhaust) material	Inconel	
Governor type	Electronic	
Frequency regulation, no-load to full-load	Isochronous	
Frequency regulation, steady state	±0.75%	
Frequency	Fixed	
Air cleaner type, all models	Dry	

Exhaust

Exhaust System	60Hz	50Hz
Exhaust manifold type	Dry	
Exhaust flow at rated kW, m ³ /min. (cfm)	41.6 (1469)	32.9 (1162)
Exhaust temperature at rated kW, dry exhaust, °C (°F)	764 (1407)	704 (1300)
Maximum allowable overall back pressure, kPa (in. Hg)	19.8 (5.87)	5.85 (1.74)
Maximum allowable back pressure after catalyst, kPa (in. Hg)	14.3 (4.24)	4.2 (1.25)
Exhaust outlet size at engine hookup, mm (in.)	Flanged Outlet at Catalyst see ADV drawing	

Engine Electrical

Engine Electrical System	60Hz	50Hz
Ignition system	Coil Pack	
Battery charging alternator:		
Ground (negative/positive)	Negative	
Volts (DC)	12	
Ampere rating	130	
Starter motor rated voltage (DC)	12	
Battery, recommended cold cranking amps (CCA):		
Qty., rating for -18°C (0°F)	one, 925	
Battery voltage (DC)	12	

Fuel

Fuel System	60Hz	50Hz
Fuel type	Natural Gas, LP Gas, or Dual Fuel	
Fuel supply line inlet	2 NPT	
Natural gas, LPG, and Dual fuel supply pressure, kPa (in. H ₂ O)	1.74-2.74 (7-11)	
Fuel Composition Limits *	Nat. Gas	LP Gas
Methane, % by volume	90 min.	-
Ethane, % by volume	4.0 max.	-
Propane, % by volume	1.0 max.	85 min.
Propene, % by volume	0.1 max.	5.0 max.
C ₄ and higher, % by volume	0.3 max.	2.5 max.
Sulfur, ppm mass	25 max.	
Lower heating value, MJ/m ³ (Btu/ft ³), min.	33.2 (890)	84.2 (2260)

* Fuels with other compositions may be acceptable. If your fuel is outside the listed specifications, contact your local distributor for further analysis and advice.

Lubrication

Lubricating System	60Hz	50Hz
Type	Full Pressure	
Oil pan capacity, L (qt.) §	11.3 (12)	
Oil pan capacity with filter, L (qt.) §	15.1 (16)	
Oil filter: quantity, type §	1, Cartridge	
§ Kohler recommends the use of Kohler Genuine oil and filters.		

Cooling

Radiator System	60Hz	50Hz
Ambient temperature, °C (°F) *	50 (122)	
Engine jacket water capacity, L (gal.)	11 (2.9)	
Radiator system capacity, including engine, L (gal.)	34 (9)	
Engine jacket water flow, Lpm (gpm)	219 (58)	182 (48)
Heat rejected to cooling water at rated kW, dry exhaust, kW (Btu/min.)	102 (5800)	104 (5914)
Heat rejected to charge cooling air at rated kW, dry exhaust, kW (Btu/min.)	20.1 (1143)	23.5 (1336)
Heat rejected to engine oil at rated kW, dry exhaust, kW (Btu/min.)	20.5 (1165)	20 (1137)
Water pump type	Centrifugal	
Fan diameter, including blades, mm (in.)	900 (35.4)	
Fan, kWm (HP)	15 (20.1)	9 (12)
Max. restriction of cooling air, intake and discharge side of radiator, kPa (in. H ₂ O)	0.125 (0.5)	

* Enclosure with enclosed silencer reduces ambient temperature capability by 5°C (9°F).

Operation Requirements

Air Requirements	60Hz	50Hz
Radiator-cooled cooling air, m ³ /min. (scfm) †	331 (11700)	275 (9700)
Combustion air, m ³ /min. (cfm)	11.33 (400)	9.77 (345)
Heat rejected to ambient air:		
Engine, kW (Btu/min.)	58.2 (3309)	40 (2275)
Alternator, kW (Btu/min.)	16 (910)	13.8 (784)

† Air density = 1.20 kg/m³ (0.075 lbm/ft³)

Fuel Consumption ‡	60Hz	50Hz
Natural Gas, m ³ /hr. (cfh) at % load		
100%	Meeting: November 3, 2022 Item 14.	
75%	33.1 (1674)	40.7 (1436)
50%	38.2 (1350)	29.4 (1040)
25%	23.4 (828)	18.2 (644)
0%	8.5 (302)	7.0 (248)

LP Gas, m ³ /hr. (cfh) at % load	Standby Ratings	
100%	23.5 (829)	18.9 (669)
75%	18.5 (654)	12.6 (443)
50%	13.6 (479)	9.3 (327)
25%	8.6 (304)	6.8 (239)
0%	3.7 (129)	2.8 (100)

‡ Nominal fuel rating: Natural gas, 37 MJ/m³ (1000 Btu/ft.³)
LP vapor, 93 MJ/m³ (2500 Btu/ft.³)

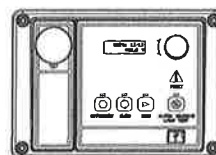
LP vapor conversion factors:

8.58 ft.³ = 1 lb.

0.535 m³ = 1 kg.

36.39 ft.³ = 1 gal.

Controllers



APM402 Controller

Provides advanced control, system monitoring, and system diagnostics for optimum performance and compatibility.

- Digital display and menu control provide easy local data access
- Measurements are selectable in metric or English units
- Remote communication thru a PC via network or serial configuration
- Controller supports Modbus® protocol
- Integrated hybrid voltage regulator with ±0.5% regulation
- Built-in alternator thermal overload protection
- NFPA 110 Level 1 capability

Refer to G6-161 for additional controller features and accessories.



APM603 Controller

Provides advanced control, system monitoring, and system diagnostics for optimum performance and compatibility.

- 7-inch graphic display with touch screen and menu control provides easy local data access
- Measurements are selectable in metric or English units
- Load management to connect and disconnect loads as required
- Controller supports Modbus® RTU, Modbus® TCP, SNMP and BACnet®
- Integrated voltage regulator with ±0.25% regulation
- Built-in alternator thermal overload protection
- UL-listed overcurrent protective device
- NFPA 110 Level 1 capability

Refer to G6-162 for additional controller features and accessories.

Modbus® is a registered trademark of Schneider Electric.

Standard Features

- Air Restriction indicator
- Alternator Protection
- Battery Rack and Cables
- Closed Crankcase Ventilation (CCV) Filter
- Dual Fuel Reset Box (standard on dual fuel models)
- Gas Fuel System (includes fuel mixer, electronic secondary gas regulator, gas solenoid valve, and flexible fuel line between the engine and the skid-mounted fuel system components)
- Integral Vibration Isolation
- Local Emergency Stop Switch
- Oil Drain Extension
- Operation and Installation Literature
- Open Unit Accessory Kit (Duct Flange, Stone Guard, and Three-Way Exhaust Catalyst)

Available Options

Circuit Breakers

- | Type | Rating |
|---|--|
| <input type="checkbox"/> Magnetic Trip | <input type="checkbox"/> 80% |
| <input type="checkbox"/> Thermal Magnetic Trip | <input type="checkbox"/> 100% |
| <input type="checkbox"/> Electronic Trip (LI) | Operation |
| <input type="checkbox"/> Electronic Trip with Short Time (LSI) | <input type="checkbox"/> Manual |
| <input type="checkbox"/> Electronic Trip with Ground Fault (LSIG) | <input type="checkbox"/> Electrically Operated (for paralleling) |

Circuit Breaker Mounting

- Generator Mounted
- Remote Mounted
- Bus Bar (for remote mounted breakers)

Enclosures for Remote Mounted Circuit Breakers

- NEMA 1
- NEMA 3R

Approvals and Listings

- CSA Approval
- IBC Seismic Certification
- UL 2200 Listing / cUL Genset Listing
- Hurricane Rated Enclosure (Available with Premium Aluminum Sound Enclosure Only)

Enclosed Unit

- Sound Enclosure (with enclosed critical silencer)
- Weather Enclosure (with enclosed critical silencer)

Open Unit

- Exhaust Silencer, Critical

Fuel System

- Dual Fuel NG/LPG (automatic changeover)
- Flexible Fuel Line
- Fuel Filter Kit
- Secondary Gas Solenoid Valve (UL Fuel System)

Controller

- Failure Relay w/Harness, 1 Fault (APM603 controller only)
- Four Input/Fifteen Output Module
- Lockable Emergency Stop
- Manual Speed Adjust (APM402 controller only)
- Manual Key Switch (APM603 controller only)
- Paralleling, Gen Mounted EOB (APM603 controller only)
- Paralleling, Remote Mounted EOB (APM603 controller only)
- Remote Annunciator Panel
- Remote Emergency Stop Switch
- Run Relay, 12 V
- Two Input/Five Output Module (APM402 controller only)

Cooling System

- Block Heater, 1500 W, 120 V
 - Block Heater, 1500 W, 240 V
- Required for ambient temperatures below 10°C (50°F)

Electrical System

- Battery
- Battery Charger (6A or 10A)
- Temperature Compensation for 10A Battery Charger
- Battery Heater, 120V
- Alternator Strip Heater
- Basic Electrical package (Includes 30 A terminal strip, DC light switch, 20 A, 240 VAC receptacle, and 20 A, 120 VAC GFI receptacles.)

Miscellaneous

- Certified Test Report
- Engine Fluids (oil and coolant) Added
- Rodent Guards
- Skid End Caps

Literature

- General Maintenance
- NFPA 110
- Overhaul
- Production

Warranty

- 2-Year Basic Limited Warranty
- 5-Year Basic Limited Warranty
- 5-Year Comprehensive Limited Warranty
- 10-Year Extended Warranty

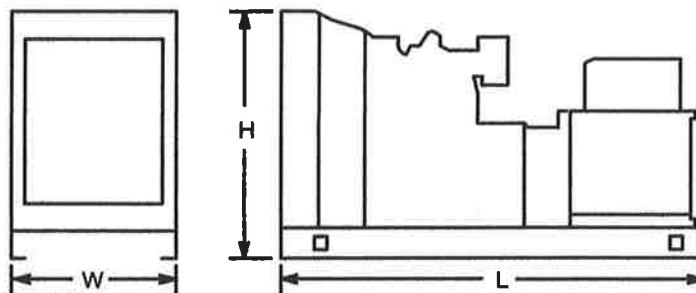
Other Options

- _____
- _____
- _____

Dimensions and Weights

Overall Size, L x W x H, mm (in.): 2800 x 1340 x 1809
 (110.2 x 52.8 x 71.2)

Weight (radiator model), wet, kg (lb.): 2030 (4480)



NOTE: This drawing is provided for reference only and should not be used for planning installation. Contact your local distributor for more detailed information.

DISTRIBUTED BY:



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	Contracts/Agreements
DEPARTMENT NAME:	Administration
AGENDA ITEM TITLE:	Contract Amendment to Municipal Judge Services
DEPARTMENT SUMMARY RECOMMENDATION:	The initial contract from January 2022 for Municipal Judge Services did not include compensation for jail visits and warrant requests. The attached amendment includes the compensation for these duties and it is presented for approval.
LEGAL:	Reviewed by Archer & Lovell.

CARTERSVILLE MUNICIPAL COURT
TICKET LISTING

2018-20
2019-20

03/10/2022

INTERNAL USE ONLY

Meeting: November 3, 2022 Item 15.

Nbr	Case-Nbr	Name	Race/Sex	Officer	Violation	Viol. Date	Court Date	Court Time	Fines	Amt Paid	Balance
ST1											
737	2018002003	Caldwell, Aaron David	/M	Hooton, P	13-10: FAILURE TO APPEAR	10/11/2018	10/18/2018	1500	50.00	6.00	44.00
3315	2018002363	Waller, Stormie Rechelle	/F	Randall, C	13-10: CONTEMPT OF COURT	11/25/2018	11/29/2018	1500	0.00	0.00	0.00
00462	2019000037	Callahan, Adam Josh	/M	Clanton, N	13-10: FAILURE TO APPEAR	01/09/2019	01/10/2019	1500	0.00	0.00	0.00
00613	2019000080	Smith, Martin Evans	/M	Logue, K	13-10: FAILURE TO APPEAR	01/11/2019	01/28/2019	1500	0.00	0.00	0.00
01860	2019000160	Fletcher, Lonnie Charles	/M	Herron, D	13-10: FAILURE TO APPEAR	01/31/2019	02/07/2019	1500	0.00	0.00	0.00
M201902465	2019000225	Ricks, Joe Currie	/M	Herron, D	13-10: FAILURE TO APPEAR	02/09/2019	02/12/2019	1500	0.00	0.00	0.00
M201905023	2019000047	Garcia, Kathy	/F	Barnes, S	13-10: FAILURE TO APPEAR	03/21/2019	04/04/2019	1500	50.00	50.00	0.00
M201905933	2019000528	Ashworth, Chase Agee	/M	McFadden, W	13-10: FAILURE TO APPEAR	04/04/2019	04/18/2019	1500	0.00	0.00	0.00
M201909189	2019000784	Boston, Natqija Monia	/F	Hobbs, A	13-10: FAILURE TO APPEAR	05/24/2019	05/30/2019	1500	0.00	0.00	0.00
M201909293	2019000785	Anderson, Jessie Rochalee	/M	Reed, W	13-10: FAILURE TO APPEAR	05/25/2019	05/30/2019	1500	50.00	50.00	0.00
M201909887	2019000825	Marfin, Daniel Richard	/M	Brott, II, B	13-10: FAILURE TO APPEAR	06/03/2019	06/13/2019	1500	0.00	0.00	0.00
M201910664	2019000898	Stewart, Alexander	/M	Missap, Z	13-10: FAILURE TO APPEAR	06/15/2019	07/15/2019	1500	0.00	0.00	0.00
M201911463	2019000951	Dean, Michael Todd	/M	Huberty, S	13-10: CONTEMPT OF COURT	06/27/2019	07/01/2019	1500	50.00	50.00	0.00
M201913386	2019001104	J. Holloway Derrick	/M	Lusian, J	13-10: FAILURE TO APPEAR	07/26/2019	10/07/2019	1500	0.00	0.00	0.00
M201913721	2019001109	Bowen, Catrina Mairre	/F	Grey, A	13-10: FAILURE TO APPEAR	08/01/2019	10/07/2019	1500	0.00	0.00	0.00
M201915355	2019001213	Roby, Jeremy Jervante	/M	Cooney, G	13-10: CONTEMPT OF COURT	08/24/2019	09/05/2019	1500	50.00	50.00	0.00
M201915692	2019001227	Miree, Joseph Allen	/M	Herron, D	13-10: FAILURE TO APPEAR	08/29/2019	09/05/2019	1500	50.00	50.00	0.00
M201915969	2019001243	Wofford, Rebecca Laura	/F	Brott, II, B	13-10: FAILURE TO APPEAR	08/03/2019	09/05/2019	1500	0.00	0.00	0.00
M201916634	2019001278	Fletcher, Lonnie Charles	/M	Cooney, G	13-10: FAILURE TO APPEAR	09/13/2019	09/19/2019	1500	0.00	0.00	0.00
M201916875	2019001289	Simmons, David Franklin	/M	Lingereit, Z	13-10: CONTEMPT OF COURT	09/17/2019	09/19/2019	1500	150.00	150.00	0.00
M201916876	2019001288	Almond, Deryan Tyrek	/M	Lingereit, Z	13-10: FAILURE TO APPEAR	09/17/2019	09/19/2019	1500	0.00	0.00	0.00
M20191825	2019001340	Mealor, Kelley Amber	/W/F	Grey, A	13-10: FAILURE TO APPEAR	10/01/2019	10/03/2019	1500	0.00	0.00	0.00
M201918385	2019001364	Brown, Jennifer Avery	/B/F	Huberty, S	13-10: FAILURE TO APPEAR	10/09/2019	10/17/2019	1500	100.00	100.00	0.00
M201920565	2019001477	Daniels, Adonis Quinta	/	Cole, B	13-10: FAILURE TO APPEAR	11/11/2019	01/02/2020	1500	50.00	50.00	0.00
M201920726	2019001480	Rosch, Randal David	/M	Thrash, K	13-10: FAILURE TO APPEAR	11/14/2019	11/27/2019	1500	0.00	0.00	0.00
M201921899	2019001550	Morgan, Patricia Ann	/F	Thrash, K	13-10: FAILURE TO APPEAR	12/04/2019	12/12/2019	1500	50.00	50.00	0.00
M202218004	2018000300	Mays, Stephen Michael	/M	Combs, J	13-10: FAILURE TO APPEAR	02/17/2018	02/22/2018	1500	0.00	0.00	0.00
M202218008	2018000571	Gaddis, Misty Dawn	/F	Combs, J	13-10: FAILURE TO APPEAR	03/22/2018	05/14/2018	1500	0.00	0.00	0.00
M202218010	2018000965	Draper, Randall Lee	/M	Combs, J	13-10: FAILURE TO APPEAR	05/17/2018	05/31/2018	1500	50.00	50.00	0.00
M202218013	2018001936	Peace, Chad Eugene	/M	Huberty, S	13-10: FAILURE TO APPEAR	09/30/2018	10/18/2018	1500	50.00	50.00	0.00
M202218001	2018000012	Mitchell, Misty Sharice	/W/F	Downer, J	13-10: FAILURE TO APPEAR	01/02/2018	01/11/2018	1500	50.00	50.00	0.00
M202218003	2018001763	Dayvuis, James D	/M	Downer, J	13-10: FAILURE TO APPEAR	09/06/2018	09/20/2018	1500	0.00	0.00	0.00
M202218005	2018001307	Battle, Elijah Ray	/M	Turner, G	13-10: FAILURE TO APPEAR	07/06/2018	12/10/2018	1500	0.00	0.00	0.00
M202218006	2018002591	Aker, Ambreyra Dominique	/B/F	Turner, G	13-10: FAILURE TO APPEAR	12/30/2018	01/10/2019	1500	150.00	150.00	0.00
M202218001	2018000060	Reynolds, Jennifer Lynn	/W/F	Pulliam, L	13-10: FAILURE TO APPEAR	01/13/2018	01/25/2018	1500	50.00	50.00	0.00

**FIRST AMENDMENT TO CONTRACT
TO PROVIDE MUNICIPAL JUDGE SERVICES**

This First Amendment Contract to Provide Municipal Judge Services (hereinafter the “FIRST AMENDMENT”) is made and entered into effective as of April 7, 2022, between the CITY OF CARTERSVILLE, GEORGIA, a municipal corporation of the State of Georgia, (hereinafter referred to as “CITY”) and HARRY B. WHITE, Attorney at Law, and Harold J. Choate, III, Attorney at Law.

WITNESSETH:

WHEREAS, the CITY and JUDGES entered into a Contract to Provide Judge Services as of January 6, 2022 (the “AGREEMENT”) pursuant to Section 6.02(a) of the City Charter; and

WHEREAS, the CITY and JUDGES recognize that, with a return to normal court operations by the Municipal Court of Cartersville, an increase in jail visitations by the JUDGES has occurred; and

WHEREAS, the AGREEMENT did not provide a compensation methodology for jail visits and warrant requests; and

WHEREAS, the parties hereto desire to include compensation for jail visits, and the AGREEMENT is updated as listed out below.

NOW THEREFORE, in consideration of the mutual promises contained herein, it is hereby agreed as follows:

- 1. That the paragraph numbered 5. Compensation is hereby amended by adding a new subparagraph h. as follows:
 - h. The Judges shall be compensated Fifty and No/100 (\$50.00) Dollars per jail visitation, warrant request, or probable cause hearing, held at the Bartow County Jail. Payment shall be made within thirty (30) days of receipt of an invoice from the JUDGES.
- 2. All other provisions of the AGREEMENT, not changed herein, shall remain in full force and effect.

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY
DOCUMENT AND SIGNATURES ON NEXT PAGE

IN WITNESS WHEREOF, the parties hereto have set their hands and seals to this **FIRST AMENDMENT**, as of the date and year so listed above.

CITY OF CARTERSVILLE:

JUDGES:

By: _____
Matthew J. Santini, Mayor

Harry B. White

Attested to:
by: _____
Julia Drake, City Clerk

Harold J. Choate, III

[AFFIX CITY SEAL]

APPROVED AS TO FORM:

E. Keith Lovell, Assistant City Attorney
City of Cartersville, Georgia



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	First Reading of Ordinances
DEPARTMENT NAME:	Administration
AGENDA ITEM TITLE:	Pension Ordinance
DEPARTMENT SUMMARY RECOMMENDATION:	An RFP was issued for a consultant/investment advisor for the Pension Board that closed on 6-23-2022. After receiving (14) fourteen qualified proposals, the Pension Board narrowed down the list and selected (4) four finalist. After interviewing the finalist, the Pension Board voted and selected Segal Marco Advisors to replace our current consultant/investment advisor.
LEGAL:	Reviewed by Archer & Lovell

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 16 – PERSONNEL. ARTICLE II. – EMPLOYEE BENEFITS. DIVISION 2. RETIREMENT PLAN. SEC 16-51. – ADOPTED; SHORT TITLE; DEFINITIONS, subsection (a), is hereby deleted in its entirety and replaced as follows:

1.

Sec. 16-51. Adopted; short title; definition.

(a) The Cartersville Retirement Plan was created on April 15, 1973 with Lincoln National Life Insurance Company, Fort Wayne, Indiana, and in 2011 the plan’s assets were transferred over to Benefit Trust Company, a Kansas company, a copy of which is on file in the Office of the City Manager. The retirement plan and all of its business shall be transacted and all of its funds shall be invested by Segal Marco Advisors; and, all of its cash, securities and other property, shall be held in trust by Benefit Trust Company, for the purposes set forth in this plan.

2.

All other existing provisions of Sec. 16-51 not changed herein, shall remain as is.

3.

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 and any ordinance or part thereof not amended shall remain in effect and be unchanged.

BE IT AND IT IS HEREBY ORDAINED.

FIRST READING: _____
SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
JULIA DRAKE, CITY CLERK



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	First Reading of Ordinances
DEPARTMENT NAME:	Finance
AGENDA ITEM TITLE:	FY2022 Budget Ordinance Amendment
DEPARTMENT SUMMARY RECOMMENDATION:	<p>After Completion of the Fiscal Year 2021-22 close, the General Fund, Special Revenue funds, and the SPLOST Fund’s budgets need to be amended. The process of amending these budgets is done annually before the year-end close and will bring the city General Fund, Special Revenue Funds, and SPLOST Funds into compliance with Generally Accepted Accounting Principles (GAAP) standards. These adjustments reflect the necessary changes needed to bring the budgets back into balance where the revenues equal expenses and mirror the actual year-to-date revenues and expenses in each of the funds. I recommend your approval of the attached ordinance amendment.</p>
LEGAL:	None

Ordinance
of the
City of Cartersville, Georgia
Ordinance No. _____

NOW BE IT HEREBY ORDAINED by the Mayor and City Council that pursuant to the City of Cartersville Charter; the City of Cartersville Fiscal Year 2021 – 2022 budget.

2021 - 2022 Budget Summary

<u>General Fund</u>	<u>Revenues</u>	<u>Expenditures</u>
Revenues	\$31,771,430	
Expenditures:		
Legislative		\$ 3,310,960
Administration		\$ 1,302,885
Finance Dept.		\$ 1,492,445
Customer Service Dept.		\$ 733,225
Police		\$ 7,453,875
Fire		\$ 9,142,450
Municipal Court		\$ 320,255
Public Works		\$ 2,820,030
Recreation		\$ 3,815,590
Planning & Development		\$ 1,379,715
 <u>Special Revenue Funds</u>		
GO Park Bonds Series 2014	\$ 1,070,680	\$ 1,070,680
SPLOST – 2003	\$ 31,375	\$ 31,375
SPLOST – 2014	\$ 50,000	\$ 50,000
SPLOST - 2020	\$ 4,646,300	\$ 4,646,300
DEA	\$ 317,250	\$ 317,250
State Forfeiture	\$ 3,000	\$ 3,000
Hotel/Motel Tax	\$ 1,367,275	\$ 1,367,275
Motor Vehicle Rental Tax	\$ 93,845	\$ 93,845
Grant Funds	\$ 4,476,870	\$ 4,476,870
Development Fees	\$ 14,780	\$ 14,780
Tax Allocation District	\$ 293,505	\$ 293,505
American Rescue Plan Act 2021	\$ 113,655	\$ 113,655
Cartersville Building Authority	\$ 845,825	\$ 845,825
Supplemental Disaster Recovery	\$ 14,065	\$ 14,065

Special Revenue Funds Continued

Tourism Product Development \$ 286,310 \$ 286,310

Enterprise Funds

Fiber Optics \$ 2,414,200 \$ 2,414,200

Electric \$52,501,920 \$52,501,920

Gas \$29,346,250 \$29,346,250

Solid Waste \$ 3,075,000 \$ 3,075,000

Stormwater \$ 1,541,000 \$ 1,541,000

Water & Sewer \$33,575,495 \$20,978,995

Water Pollution Control Plant \$ 5,579,875

Water Treatment Plant \$ 7,016,625

Internal Service Fund

Garage \$ 1,458,085 \$ 1,458,085

BE IT AND IT IS HEREBY ORDAINED.

ADOPTED, this ____ day of November 2022. First Reading.

ADOPTED this ____ day of November 2022. Second Reading.

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

ATTEST:

**/s/ _____
Julia Drake
City Clerk**



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	Grant Application/Acceptance
DEPARTMENT NAME:	Police Department
AGENDA ITEM TITLE:	School Safety and ALICE Training
DEPARTMENT SUMMARY RECOMMENDATION:	<p>The P.D. applied for a grant from the Georgia Criminal Justice Coordinating Council for school safety and Alert, Lockdown, Inform, Counter, Evacuate (ALICE) active shooter response for law enforcement training, ten Daniel Defense MK-18 rifles, and ten defensive shields on August 15, 2022. The grant was recently approved in the amount of \$123,881.00 with a local match of \$23,881.00 (federal asset forfeiture funds). I am requesting approval to move forward with the grant and pay the local match \$23,881.00 (federal asset forfeiture funds). This is not a budgeted amount, but funds are available.</p> <p>I am requesting your support and recommendation for this grant.</p>
LEGAL:	N/A



City of Cartersville

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

Memorandum

To : Dan Porta, City Manager
From : Chief Frank L. McCann
Date : October 24, 2022
Ref : School safety and ALICE training.

The P.D. applied for a grant from the Georgia Criminal Justice Coordinating Council for school safety and Alert, Lockdown, Inform, Counter, Evacuate (ALICE) active shooter response for law enforcement training, ten Daniel Defense MK-18 rifles, and ten defensive shields on August 15, 2022. The grant was recently approved in the amount of \$123,881.00 with a local match of \$23,881.00 (federal asset forfeiture funds). I am requesting approval to move forward with the grant and pay the local match \$23,881.00 (federal asset forfeiture funds).

I am requesting your support and recommendation for this grant.



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	Grant Application/Acceptance
DEPARTMENT NAME:	Police Department
AGENDA ITEM TITLE:	Governor’s Office of Planning and Budget Grant
DEPARTMENT SUMMARY RECOMMENDATION:	I am requesting approval to apply for a Governor’s Office of Planning and Budget Grant (FY 2022) to purchase 56 Tasers. The cost of the 56 tasers is \$201,600.00 and I will be requesting the entire cost of the tasers. Your support and consideration are requested in reference to this grant application.
LEGAL:	N/A



City of Cartersville

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

Memorandum

To : Dan Porta, City Manager
From : Chief Frank L. McCann
Date : October 25, 2022
Ref : Request to apply for Governor’s Office of Planning and Budget Grant

I am requesting approval to apply for a Governor’s Office of Planning and Budget Grant (FY 2022) to purchase 56 Tasers. The cost of the 56 Tasers is \$201,600.00 and I will be requesting the entire cost of the Tasers. Your support and consideration are requested in reference to this grant application.

RESOLUTION _____

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE FOR THE PURPOSE OF FILING AN APPLICATION WITH THE GEORGIA GOVERNOR’S OFFICE OF PLANNING AND BUDGET THROUGH THE CORONAVIRUS STATE FISCAL RECOVERY FUND PROGRAM PUBLIC SAFETY AND COMMUNITY VIOLENCE REDUCTION TO RECEIVE FUNDING IN ORDER TO PURCHASE TASERS FOR CARTERSVILLE POLICE DEPARTMENT AND FOR OTHER PURPOSES AT THE REGULAR MEETING OF THE CITY COUNCIL HELD ON NOVEMBER 3, 2022.

WHEREAS; the U.S. Department of the Treasury is authorized under the American Recovery Plan Act to provide funding to assist eligible states, local units of government, and tribes in responding to the coronavirus pandemic;

WHEREAS: The purpose of this funding is to address violent gun crime and community violence that have increased as a result of COVID-19, or to address a decrease in public sector law enforcement staffing as a result of COVID-19;

WHEREAS: Investments in technology and equipment allow law enforcement to more efficiently and effectively respond to the rise in gun violence resulting from the pandemic;

WHEREAS; The Governor’s Office of Planning and Budget is the prime recipient of the State and Local Fiscal Relief Funds from the U.S. Department of the Treasury;

WHEREAS; City of Cartersville is eligible to receive grant funding to make investments to purchase necessary equipment;

WHEREAS; the Mayor of the City of Cartersville, being the governing authority of the City Council, possesses the legal authority to apply for said grant and deems it to be in the interest of the citizens of Cartersville to apply for said grant funding;

NOW THEREFORE BE IT RESOLVED AND IT IS HEREBY RESOLVED that the Mayor of Cartersville acting in his official capacity and on behalf of the Cartersville City Council is hereby authorized to apply for funding from the Governor’s Office of Planning and Budget through the Coronavirus State Fiscal Recovery Fund Program Improving Public Safety and Community Violence Reduction Grant Program;

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign any and all documents necessary for said application, and to give all understandings and assurances required for said grant application and to provide such additional information, on behalf of the City of Cartersville, as may be required.

BE IT AND IT IS HEREBY RESOLVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, this 3rd day of November, 2022.

ATTEST:

/s/ _____
Julia Drake, City Clerk
City of Cartersville, Georgia

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

**Governor’s Office of Planning and Budget
Public Safety and Community Violence Reduction (PSCVRG) Grant Program
CFDA 210.27 Coronavirus State Fiscal Recovery Funds
Notice of Funding Opportunity
August 24, 2022**

DISCLAIMER

This Notice of Funding Opportunity (“NOFO”) is intended to be a guide to the application process for perspective applicants applying for consideration of funding through the Public Safety and Community Violence Reduction Grant Program. This guidance is not exhaustive, binding, or final.

I. OVERVIEW

The purpose of this funding is to address violent gun crime and community violence that have increased as a result of COVID-19, or to address a decrease in public sector law enforcement staffing as a result of COVID-19.

II. APPLICATION ASSISTANCE

The primary program specialist for the Public Safety and Community Violence Reduction Grant Program is Amanda Hawkins (Amanda.Hawkins@opb.georgia.gov). For general questions on our grant programs, applicants may also reach out to grants@opb.georgia.gov.

III. FUNDING AVAILABLE FOR AWARD

OPB anticipates that approximately \$100,000,000 million may be available under this NOFO, which may be increased or decreased at OPB’s discretion. Awards may be made up to Up to \$1,500,000 per entity. OPB reserves the right to fund, in whole or in part, any, all, or none of the applications submitted in response to this NOFO.

IV. ELIGIBLE ACTIVITY

Note: State agencies are not eligible to apply for program category 1 below.

1. Law Enforcement Staffing (Hiring law enforcement officials)¹:

- Hire Public Safety employees for the same positions that existed on January 27, 2020 but that were unfilled or eliminated as of March 3, 2021.
- Hiring above pre-pandemic baseline, by adjusting the pre-pandemic baseline for historical growth in the public sector employment over time. If choosing this option, the formula prescribed in Treasury’s final rule that must be completed to determine eligibility

2. Violent Crime Reduction Programs²: Evidence-based practices like focused deterrence, street outreach, violence interrupters, and hospital-based violence intervention models, complete

¹ State Agencies are not eligible to apply for Program Category 1, Law Enforcement Staffing

² Many communities are using SLFRF funds to invest in holistic approaches in violence prevention that are rooted in targeted outreach and addressing root causes. For example, the City of St. Louis is planning to invest in expanding a “community responder” model designed to provide clinical help and to divert non-violent calls away from the police department. Additionally, the city will expand access to mental health services, allowing residents

with wraparound services such as behavioral therapy, trauma recovery, job training, education, housing and relocation services, and financial assistance

3. **Equipment and Technology:** Investments in technology and equipment to allow law enforcement to more efficiently and effectively respond to the rise in gun violence resulting from the pandemic, for example technology to assist in the identification of guns whose serial numbers have been damaged.
4. **Community Violence Intervention Programs³:** Funding more intervention workers, increasing their pay, providing training and professional development for intervention workers, and hiring and training workers to administer the programs.

V. ELIGIBLE APPLICANTS

All ARPA applicants must have an organization, or subrecipient, that will serve as the fiduciary agent and assume overall responsibility for the grant. As this is a law enforcement grant, the implementing agency must be a law enforcement agency and the affiliated unit of government will be either the municipal or county governance of the law enforcement agency. Eligible ARPA applicants include:

- Law enforcement agencies
- A unit of local government
- State agencies

VI. SCORING CRITERIA

The following criteria will be used by the committee to score applications for this Grant Program:

- Description of the Issue (30%)
- Project Design and Implementation (30%)
- Capabilities and Competencies (15%)
- Performance Measures (10%)
- Budget (15%)

VII. MATCHING FUNDS

Match funding is not required or scored in this application.

VIII. PERIOD OF PERFORMANCE

All funds must be expended by October 31, 2026, which is the end of the period of performance. The awardee may use PSCVRG funds to cover costs incurred beginning from the date of award approval by OPB through October 31, 2026.⁴

to seek support at city recreation centers, libraries, and other public spaces.⁵⁷ Similarly, Los Angeles County will further invest in its “Care First, Jails Last” program which seeks to replace “arrest and incarceration” responses with health interventions. Los Angeles County, CA Recovery Plan

<http://file.lacounty.gov/SDSInter/bos/supdocs/160391.pdf>. (Department of U.S. Treasury’s Final Rule)

³ The White House, FACT SHEET: More Details on the Biden-Harris Administration’s Investments in Community Violence Interventions (April 7, 2021), <https://www.whitehouse.gov/briefing-room/statementsreleases/2021/04/07/fact-sheet-more-details-on-the-biden-harris-administrations-investments-in-communityviolence-interventions/>.(Department of U.S. Treasury’s Final Rule)

⁴ Award approval requires an executed Terms and Conditions agreement, active UEI, vendor location on file, and approved budget. The award status will move from ‘awarded’ to ‘approved’ when the requirements are met.

Only new projects that have not started at the time of the release of this NOFO are eligible for the PSCVRG Program.

IX. ELIGIBLE PROJECT COSTS

Allowable costs are determined in accordance with the cost principles identified in 2 C.F.R. Part 200, Subpart E. Federal funds committed to an award may only be used to cover allowable costs incurred during the period of performance for eligible activity outlined by the program category allowable activity.

X. PAYMENT REQUESTS

All payment requests for allowable activity will be paid using a reimbursement method.

XI. GRANT PROGRAM TIMELINE

August 24, 2022: NOFO Release

September 1, 2022: Application Period Begins

September 6, 2022: Virtual Applicant Workshop

November 18, 2022: Application Window Closes. Applications due by 11:59 PM EST (OPB Staff will be available until 5pm for technical assistance)

November 19-December 19, 2022: Application Review

January 2023: Final Recommendations and Preliminary Awards Announced (Date is dependent upon the volume of applications received)

****OPB will hold an in-person training(s) and technical assistance for this program. Dates, times, and location for in-person training are forthcoming.***

XII. APPLICATION REVIEW PROCESS

All applications will be reviewed for eligibility and completeness, and then evaluated based on the priorities and criteria identified herein. Recommendations will be made to the governor for final selection.

XIII. APPLICATION AWARD AND NOTIFICATION

All applications will be reviewed and evaluated according to the scoring criteria, priorities, and preferences outlined in this NOFO. All award results will be posted on OPB's website and applicants notified in writing.

XIV. GRANT AGREEMENT AND TERMS AND CONDITIONS

An applicant selected for funding through the Public Safety Community Violence Reduction Strategies Grant Program that wishes to accept this award must execute the Grant Program Terms and Conditions within 60 days of award announcements. The State will not accept proposed changes or amendments to the Terms and Conditions. Failure or refusal to comply with this requirement will result in award funds being rescinded.

XV. COMPLIANCE WITH OTHER REQUIREMENTS

Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, including 2 C.F.R. Part 200 apply to awarded projects, except for any provisions the Treasury may determine are inapplicable to an award. Each award is further subject to such exceptions as may be

otherwise provided by Treasury. More information on applicable policy requirement can be found under the [21.027 assistance listing](#) for Coronavirus State and Local Fiscal Recovery Funds (CSLFRF), Coronavirus State Fiscal Recovery Fund (CSFRF) and Coronavirus Local Fiscal Recovery Fund (CLFRF).

XVI. REPORTING

Subrecipients awarded funding through the PSCVRS Grant Program will be subject to all reporting requirements as set forth by the State and Treasury.

XVII. OVERSIGHT

Subrecipients awarded funding through the PSCVRS Grant Program will be subject to audit or review by the Treasury Inspector General and Government Accountability Office. Additionally, all subrecipients will undergo a subrecipient monitoring program.



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	Other
DEPARTMENT NAME:	Police Department
AGENDA ITEM TITLE:	Speed Detection Permit Renewal
DEPARTMENT SUMMARY RECOMMENDATION:	The speed detection permit for the City of Cartersville will expire on December 31, 2022. This Memorandum is a request that the City Council authorize the Mayor to sign all necessary letters and forms relating to the renewal of our permit.
LEGAL:	N/A



City of Cartersville

O F F I C E O F T H E M A Y O R

Meeting: November 3, 2022 Item 20.

October 24, 2022

Georgia Department of Public Safety
Special Investigation Division
P.O. Box 1456
Atlanta, Georgia 30371

To Whom It May Concern:

As the governing authority for the City of Cartersville, I am requesting that the Georgia Department of Public Safety renew the speed detection permit for the City of Cartersville. Please direct any inquires and correspondence to Chief Frank L. McCann, fmccann@cartersvillepolice.com or 770-607-6226. Your kind attention to this matter is appreciated.

Sincerely,

Matthew J. Santini
City of Cartersville



"Providing dependable service while preserving an exceptional quality of life."

P.O. Box 1390 • One North Erwin Street • Cartersville, Georgia 30120
Telephone: 770-387-5684 • Fax: 770-386-5841 • www.cityofcartersville.org





City of Cartersville

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

Memorandum

To : Dan porta, City Manager
From : Chief Frank L. McCann
Date : October 24, 2022
Ref : Speed detection permit renewal.

The speed detection permit for the City of Cartersville will expire on December 31, 2022. This Memorandum is a request that the City Council authorize the Mayor to sign all necessary letters and forms relating to the renewal of our permit.



Federal Communications Commission
Public Safety and Homeland Security Bureau

Meeting: November 3, 2022 Item 20.

RADIO STATION AUTHORIZATION

LICENSEE: CITY OF CARTERSVILLE

ATTN: LAMAR GREESON
CITY OF CARTERSVILLE
1 NORTH ERWIN STREET
PO BOX 1390
CARTERSVILLE, GA 30120

Call Sign WNWT700	File Number 0006457112
Radio Service PW - Public Safety Pool, Conventional	
Regulatory Status PMRS	
Frequency Coordination Number PS20140201271	

FCC Registration Number (FRN): 0001825041

Grant Date 09-05-2014	Effective Date 10-30-2014	Expiration Date 10-08-2024	Print Date 10-31-2014
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STATION TECHNICAL SPECIFICATIONS

Fixed Location Address or Mobile Area of Operation

- Loc. 1** Address: 520 MORNINGSIDE DRIVE
City: CARTERSVILLE County: BARTOW State: GA
Lat (NAD83): 34-09-39.0 N Long (NAD83): 084-47-07.6 W ASR No.: N/A Ground Elev: 296.3
- Loc. 2** Area of Operation
Operating within a 25.0 km radius around fixed location 1
- Loc. 3** Address: 951 PEEPLES VALLEY RD
City: CARTERSVILLE County: BARTOW State: GA
Lat (NAD83): 34-15-49.1 N Long (NAD83): 084-48-32.3 W ASR No.: Ground Elev: 300.5

Antennas

Loc. No.	Ant. No.	Frequencies (MHz)	Sta. Cls.	No. Units	No. Pagers	Emission Designator	Output Power (watts)	ERP (watts)	Ant. Ht./Tp meters	Ant. AAT meters	Construct Deadline Date
1	1	000151.49750000	FB2	1		11K0F3E	110.000	160.000	59.4	95.1	
2	1	000153.87500000	MO	70		11K0F3E	110.000	110.000			
2	1	000155.66250000	MO	20		11K0F3E	45.000	45.000			
3	1	000151.49750000	FB2	1		11K2F3E	50.000	130.000	59.4	91.5	10-30-2015

Control Points

Control Pt. No. 2
Address: 1 North Erwin St

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.



Federal Communications Commission
Public Safety and Homeland Security Bureau

Meeting: November 3, 2022 Item 20.

RADIO STATION AUTHORIZATION

LICENSEE: CITY OF CARTERSVILLE

ATTN: LAMAR GREESON
CITY OF CARTERSVILLE
1 NORTH ERWIN STREET
PO BOX 1390
CARTERSVILLE, GA 30120

Call Sign WNWT700	File Number 0006372785
Radio Service PW - Public Safety Pool, Conventional	
Regulatory Status PMRS	
Frequency Coordination Number	

FCC Registration Number (FRN): 0001825041

Grant Date 09-05-2014	Effective Date 09-05-2014	Expiration Date 10-08-2024	Print Date 09-06-2014
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STATION TECHNICAL SPECIFICATIONS

Fixed Location Address or Mobile Area of Operation

Loc. 1 Address: 27 AUBREY ST
City: CARTERSVILLE **County:** BARTOW **State:** GA
Lat (NAD83): 34-14-20.3 N **Long (NAD83):** 084-42-16.8 W **ASR No.:** N/A **Ground Elev:** 250.0

Loc. 2 Area of Operation
 Operating within a 25.0 km radius around fixed location 1

Antennas

Loc. No.	Ant. No.	Frequencies (MHz)	Sta. Cls.	No. Units	No. Pagers	Emission Designator	Output Power (watts)	ERP (watts)	Ant. Ht./Tp meters	Ant. AAT meters	Construct Deadline Date
1	1	000151.2650000	FB2	1		11K0F3E	110.000	160.000	34.0	0.0	
2	1	000153.8750000	MO	50		11K0F3E	110.000				
2	1	000155.6625000	MO	20		11K0F3E	45.000				

Control Points

Control Pt. No. 2
Address: 195 Cassville Rd
City: Cartersville **County:** BARTOW **State:** GA **Telephone Number:** (770)382-6112

Waivers/Conditions:

Grant of the request to update licensee name is conditioned on it not reflecting an assignment or transfer of control (see Rule 1.948); if an assignment or transfer occurred without proper notification or FCC approval, the grant is void and the station is licensed under the prior name.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

Agency Speed Detection Report

Agency **G1209 CARTERSVILLE POLICE DEPARTMENT**
Address **P.O. BOX 1390
CARTERSVILLE, GA 30120**
CEO **CHIEF Frank McCann**
Phone **(770) 382-2526**
Fax **(770) 387-5651**
County **Bartow**
Region **District #1**
Status **Active**
Type **City Police Dept.**
Level **L**
Contact **Captain Sarah Sullivan (404) 695-9606 sullivan116@cartersvillepolice.com**
Employees Certified in Speed Detection **32**

O218038 ALBRIGHT, RYAN DARRELL
PS1620170278S LIDAR (LASER) OPERATOR May 16, 2017

O138993 BELCHER, ADAM L
PS0920130297S RADAR OPERATOR May 24, 2013

O158363 BENTLEY, DEREK C
PS1620130127S LIDAR (LASER) OPERATOR February 7, 2013

O010232 CLONINGER, CHARLES K
PS0990R497S RADAR OPERATOR November 23, 1994

O222358 COLE, BRANDON YOUNGER
PS1620180224S LIDAR (LASER) OPERATOR April 27, 2018

O095160 COLE, DUSTIN R
PS09000586S RADAR OPERATOR August 7, 2000
PS1620130101S LIDAR (LASER) OPERATOR January 31, 2013

O071247 DIPRIMA, JASON
PS16000300S LIDAR (LASER) OPERATOR October 11, 2000
PS0996R812S RADAR OPERATOR August 16, 1996

O205949 DOWNER, JOSHUA DAVID
PS1620140220S LIDAR (LASER) OPERATOR April 17, 2014
PS0920140458S RADAR OPERATOR September 18, 2014

O038615 ELLIS, TERRY E
PS0996R960N RADAR OPERATOR October 19, 2005

O094520 FIRTH, RYAN
PS16070185S LIDAR (LASER) OPERATOR May 8, 2007
PS09010371S RADAR OPERATOR October 15, 2003

O239166 GRAY, ANDREW JOSEPH
PS1620220123S LIDAR (LASER) OPERATOR May 31, 2022

O225368 HICHEZ, OMAR ALEXIS
PS1620190184S LIDAR (LASER) OPERATOR June 27, 2019

O090651 HUBERTY, SUSAN J
PS16060439S LIDAR (LASER) OPERATOR September 19, 2006
PS09010120S RADAR OPERATOR November 17, 2003

O162920 IBARRA, JOSE A JR
PS1620120565S LIDAR (LASER) OPERATOR October 9, 2012

O013125 KNOWLES, CHARLES DANIEL
PS09940618S RADAR OPERATOR November 13, 2000

O248881 LARA, MARCO ANTONIO
PS1620220138S LIDAR (LASER) OPERATOR July 5, 2022

O222355 LOGUE, KEVIN WILLIAM
PS1620190183S LIDAR (LASER) OPERATOR June 27, 2019

O027579 MCCANN, FRANK L
PS0986R633S RADAR OPERATOR October 15, 2003

O157819 OURS, LARRY JESSE
PS1620140531S LIDAR (LASER) OPERATOR October 10, 2014

O154192 PAYNE, ASHLEY D
PS1620140533S LIDAR (LASER) OPERATOR October 10, 2014

O147789 REED, WILLIAM M JR
PS16110351S LIDAR (LASER) OPERATOR July 15, 2011

O155528 SPARACIO, GREGORY P
PS16110018S LIDAR (LASER) OPERATOR January 21, 2011

O246424 STARNES, JORDAN TREY
PS1620220119S LIDAR (LASER) OPERATOR May 16, 2022

O154648 SULLIVAN, SARAH
PS1620120229S LIDAR (LASER) OPERATOR April 6, 2012

O152645 WILLIAMS, ERIC S
PS16100369S LIDAR (LASER) OPERATOR June 14, 2010

O106849 WINDSOR, MARK A
PS16040509S LIDAR (LASER) OPERATOR October 18, 2004
PS09020667S RADAR OPERATOR July 5, 2002



**Federal Communications Commission
Public Safety and Homeland Security Bureau**

RADIO STATION AUTHORIZATION

LICENSEE: BARTOW, COUNTY OF

ATTN: BARTOW COUNTY ADMINISTRATOR
BARTOW, COUNTY OF
135 W. CHEROKEE AVE, SUITE 251
CARTERSVILLE, GA 30120

Call Sign WRCP238	File Number 0008421274
Radio Service SG - Conventional Public Safety 700 MHz	
Regulatory Status PMRS	
Frequency Coordination Number 17SGAP98025015	

FCC Registration Number (FRN): 0004578860

Grant Date 11-26-2018	Effective Date 11-26-2018	Expiration Date 11-26-2028	Print Date 11-27-2018
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STATION TECHNICAL SPECIFICATIONS

Fixed Location Address or Mobile Area of Operation

Loc. 1 Address: 640 GRIFFIN ROAD
City: CARTERSVILLE County: BARTOW State: GA
Lat (NAD83): 34-17-11.6 N Long (NAD83): 084-55-17.4 W ASR No.: 1303264 Ground Elev: 329.2

Antennas

Loc No.	Ant No.	Frequencies (MHz)	Sta. Cls.	No. Units	No. Pagers	Emission Designator	Output Power (watts)	ERP (watts)	Ant. Ht./Tp meters	Ant. AAT meters	Construct Deadline Date
1	1	000769.24375000	FB2	1		8K10F1E	60,300	100,000	103.2	180.9	11-26-2019
Frequency 000769.24375000 Special Condition This interoperability frequency is dedicated for the express purpose of nationwide interoperability calling.											

Control Points

Control Pt. No. 1
Address: 104 ZENA DRIVE
City: CARTERSVILLE County: BARTOW State: GA Telephone Number: (770)382-5050

Associated Call Signs

Conditions:
Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

Licensee Name: BARTOW, COUNTY OF

Call Sign: WRCP238

File Number: 0008421274

Print Date: 11-27-2018

<NA>

Waivers/Conditions:

NONE

Official Copy



Federal Communications Commission
Public Safety and Homeland Security Bureau

RADIO STATION AUTHORIZATION

LICENSEE: BARTOW, COUNTY OF

ATTN: BARTOW COUNTY ADMINISTRATOR
 BARTOW, COUNTY OF
 135 W. CHEROKEE AVE, SUITE 251
 CARTERSVILLE, GA 30120

Call Sign WRCP240	File Number 0008421450
Radio Service SY - Trunked Public Safety 700 MHz	
Regulatory Status PMRS	
Frequency Coordination Number 17SYAP98025017	

FCC Registration Number (FRN): 0004578860

Grant Date 11-26-2018	Effective Date 11-26-2018	Expiration Date 11-26-2028	Print Date 11-27-2018
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STATION TECHNICAL SPECIFICATIONS

Fixed Location Address or Mobile Area of Operation

- Loc. 1** Address: 1212 EUHARLEE ROAD
 City: EUHARLEE County: BARTOW State: GA
 Lat (NAD83): 34-09-09.7 N Long (NAD83): 084-56-12.8 W ASR No.: 1307195 Ground Elev: 217.0
- Loc. 2** Address: 332 JOHNSON MOUNTAIN ROAD
 City: RYDAL County: BARTOW State: GA
 Lat (NAD83): 34-22-37.6 N Long (NAD83): 084-41-22.2 W ASR No.: 1307874 Ground Elev: 395.0
- Loc. 3** Area of operation
 Land Mobile Control Station meeting the 6.1 Meter Rule: BARTOW county, GA
- Loc. 4** Area of operation
 Countywide: BARTOW, GA

Antennas

Loc No.	Ant No.	Frequencies (MHz)	Sta. Cls.	No. Units	No. Pagers	Emission Designator	Output Power (watts)	ERP (watts)	Ant. Ht./Tp meters	Ant. AAT meters	Construct Deadline Date
1	1	000771.70625000	FB2	1		8K70D1W 9K80D7W	75,900	100,000	103.5	80.2	11-26-2019
1	1	000772.05625000	FB2	1		8K70D1W 9K80D7W	75,900	100,000	103.5	80.2	11-26-2019

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

Licensee Name: BARTOW, COUNTY OF

Call Sign: WRCP240

File Number: 0008421450

Print Date: 11-27-2018

Antennas

Loc No.	Ant No.	Frequencies (MHz)	Sta. Cls.	No. Units	No. Pagers	Emission Designator	Output Power (watts)	ERP (watts)	Ant. Ht./Tp meters	Ant. AAT meters	Construct Deadline Date
1	1	000772.53125000	FB2	1		8K70D1W 9K80D7W	75.900	100.000	103.5	80.2	11-26-2019
1	1	000773.70625000	FB2	1		8K70D1W 9K80D7W	75.900	100.000	103.5	80.2	11-26-2019
1	1	000774.13125000	FB2	1		8K70D1W 9K80D7W	75.900	100.000	103.5	80.2	11-26-2019
1	1	000774.88125000	FB2	1		8K70D1W 9K80D7W	75.900	100.000	103.5	80.2	11-26-2019
2	1	000771.70625000	FB2	1		8K70D1W 9K80D7W	40.000	63.000	73.3	158.0	11-26-2019
2	1	000772.05625000	FB2	1		8K70D1W 9K80D7W	40.000	63.000	73.3	158.0	11-26-2019
2	1	000772.53125000	FB2	1		8K70D1W 9K80D7W	40.000	63.000	73.3	158.0	11-26-2019
2	1	000773.70625000	FB2	1		8K70D1W 9K80D7W	40.000	63.000	73.3	158.0	11-26-2019
2	1	000774.13125000	FB2	1		8K70D1W 9K80D7W	40.000	63.000	73.3	158.0	11-26-2019
2	1	000774.88125000	FB2	1		8K70D1W 9K80D7W	40.000	63.000	73.3	158.0	11-26-2019
3	1	000801.70625000	FX1	60		8K70D1W 9K80D7W	30.000	30.000			
3	1	000802.05625000	FX1	60		8K70D1W 9K80D7W	30.000	30.000			
3	1	000802.53125000	FX1	60		8K70D1W 9K80D7W	30.000	30.000			
3	1	000803.70625000	FX1	60		8K70D1W 9K80D7W	30.000	30.000			
3	1	000804.13125000	FX1	60		8K70D1W 9K80D7W	30.000	30.000			

Licensee Name: BARTOW, COUNTY OF

Call Sign: WRCP240

File Number: 0008421450

Print Date: 11-27-2018

Antennas

Loc No.	Ant No.	Frequencies (MHz)	Sta. Cls.	No. Units	No. Pagers	Emission Designator	Output Power (watts)	ERP (watts)	Ant. Ht./Tp meters	Ant. AAT meters	Construct Deadline Date
3	1	000804.88125000	FX1	60		8K70D1W 9K80D7W	30.000	30.000			
4	1	000801.70625000	MO	1000		8K70D1W 9K80D7W	30.000	30.000			11-26-2019
4	1	000803.70625000	MO	1000		8K70D1W 9K80D7W	30.000	30.000			11-26-2019
4	1	000804.13125000	MO	1000		8K70D1W 9K80D7W	30.000	30.000			11-26-2019
4	1	000804.88125000	MO	1000		8K70D1W 9K80D7W	30.000	30.000			11-26-2019
4	1	000802.05625000	MO	1000		8K70D1W 9K80D7W	30.000	30.000			11-26-2019
4	1	000802.53125000	MO	1000		8K70D1W 9K80D7W	30.000	30.000			11-26-2019

Control Points

Control Pt. No. 1

Address: 104 ZENA DRIVE

City: CARTERSVILLE County: BARTOW State: GA Telephone Number: (770)382-5050

Associated Call Signs

<NA>

Waivers/Conditions:

NONE



DIVERSIFIED ELECTRONICS, INC.

1290 Field Parkway Marietta, GA 30066 (770) 427-8181

Certificate of Calibration

This is to certify that Kustom Signals ProLaser III Speed Detection instrument serial number PL12512 meets or exceeds all manufacturer's specifications for velocity and range measurements.

Itemized calibration check list below.

LARRY DOYLE *Larry Doyle*
Quality Assurance Technician
January 28, 2022
Certification Date

- LASER wavelength: [904nm (+/- 10 nm)]
- LASER beam width: [3ft. at 1,000ft. (3m at 1,000m)]
- Oscillator Frequency measured 20.000082 MHz
- Range Accuracy [+/-6" (+/- 15cm)]
- Speed Accuracy [+/- 1mph (+/- 2km/h)]
- Scope Alignment check

Testing Equipment:

Hewlett Packard frequency counter: Model #5352B SN# 3049A01373 Exp. Date 4/2022

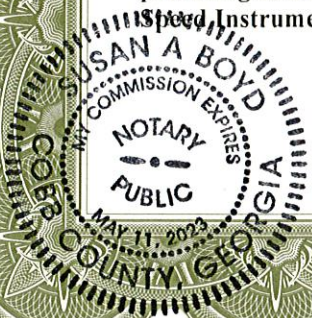
Ophir Power Meter: Model #NOVA SN#47557 Exp. Date 4/2022

This instrument has been thoroughly tested and meets or exceeds all manufacturers' specifications providing safe and accurate ranging and speed detection.

This instrument certification good for one year from Certification Date on this document.

Subscribed and sworn to me this 28TH day of JANUARY, 2022

Susan A Boyd NOTARY PUBLIC





DIVERSIFIED ELECTRONICS, INC.

1290 Field Parkway Marietta, GA 30066 (770) 427-8181

Certificate of Calibration

This is to certify that Kustom Signals ProLaser III Speed Detection instrument serial number PL12605 meets or exceeds all manufacturer's specifications for velocity and range measurements.

Itemized calibration check list below.

LARRY DOYLE *Larry Doyle*
Quality Assurance Technician
January 28, 2022
Certification Date

- LASER wavelength: [904nm (+/- 10 nm)]
- LASER beam width: [3ft. at 1,000ft. (3m at 1,000m)]
- Oscillator Frequency measured 20.000059 MHz
- Range Accuracy [+/-6" (+/- 15cm)]
- Speed Accuracy [+/- 1mph (+/- 2km/h)]
- Scope Alignment check

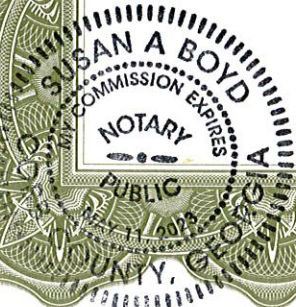
Testing Equipment:

Hewlett Packard frequency counter: Model #5352B SN# 3049A01373 Exp. Date 4/2022
Ophir Power Meter: Model #NOVA SN#47557 Exp. Date 4/2022

This instrument has been thoroughly tested and meets or exceeds all manufacturers' specifications providing safe and accurate ranging and speed detection.
Speed Instrument certification good for one year from Certification Date on this document.

Subscribed and sworn to me this 28TH day of JANUARY, 2022

Susan A Boyd NOTARY PUBLIC



LIDAR CERTIFICATE OF ACCURACY

I hereby certify the following STALKER® LIDAR Speed Measuring Device Serial # LF002646

Under my supervision, this Speed Measuring Device has been checked for accuracy and correct operation to the manufacturer's specifications. All tests performed per the IACP LIDAR Performance Standards Vol. 1, Oct. 15, 2006.

This STALKER® LIDAR Speed Measuring Device is certified accurate within +1 mph, -2 mph (+2 km/h, -3 km/h) for speed measurements and to within ±1 foot (±1 meter) for distance measurements.

The Laser wavelength of this Speed Measuring Device has been tested and found to be within the specified limits of 905 ±10 nanometers.

The Laser pulse repetition rate of this Speed Measuring Device has been measured and found to be within the specified limits of 130 ±0.1% pulses per second.

The transmitted power of this Speed Measuring Device has been tested and found to be within the F.D.A. (Food and Drug Administration) standard for a Class 1 Laser device and is determined to be EYESAFE.

All test instruments are traceable to NIST.

Technician (signature) *Jeff Demmin*

Date: 10/21/2021

Technician: Jeff Demmin

Tested at approximately 23°C

Technician overseen by: Roland Rickard

Applied Concepts, Inc. | Plano, Texas 75074

011-0002-00 Rev F
118352



DIVERSIFIED ELECTRONICS, INC.

1290 Field Parkway Marietta, GA 30066 (770) 427-8181

Certificate of Calibration

This is to certify that Stalker Lidar XLR Speed Detection instrument serial number LF002122 meets or exceeds all manufacturer specifications for velocity and range measurements. Itemized calibration check list below.

LARRY DOYLE *Larry Doyle*
Quality Assurance Technician
April 11, 2022
Certification Date

- LASER wavelength: [904nm (+/- 10 nm)]
- LASER beam divergence: [<3 +/- 0.5 mrad]
- LASER pulse repetition rate: [130 Hz (+/- 0.1% at 8.40 VDC)]
- Range Accuracy: [< 1ft]
- Speed Accuracy: [+/- 1mph (+/- 2km/h)]
- Scope Alignment check

Testing Equipment:

Hewlett Packard frequency counter: Model #5352B SN# 3049A01373 Exp. Date 4/2022

Ophir Power Meter: Model #NOVA SN#47557 Exp. Date 4/2022

This instrument has been thoroughly tested and meets or exceeds all manufacturers' specifications providing safe and accurate ranging and speed detection.
Speed Instrument certification good for one year from Certification Date on this document.

Subscribed and sworn to me this 11TH day of APRIL, 2022

Ann Purn

NOTARY PUBLIC





DIVERSIFIED ELECTRONICS, INC.

1290 Field Parkway Marietta, GA 30066 (770) 427-8181

Certificate of Calibration

This is to certify that Kustom Signals ProLaser III Speed Detection instrument serial number PL28919 meets or exceeds all manufacturer's specifications for velocity and range measurements.

Itemized calibration check list below.

LARRY DOYLE *Larry Doyle*
Quality Assurance Technician
January 28, 2022
Certification Date

- LASER wavelength: [904nm (+/- 10 nm)]
- LASER beam width: [3ft. at 1,000ft. (3m at 1,000m)]
- Oscillator Frequency measured 19.999953 MHz
- Range Accuracy [+/-6" (+/- 15cm)]
- Speed Accuracy [+/- 1mph (+/- 2km/h)]
- Scope Alignment check

Testing Equipment:

Hewlett Packard frequency counter: Model #5352B SN# 3049A01373 Exp. Date 4/2022
Ophir Power Meter: Model #NOVA SN#47557 Exp. Date 4/2022

This instrument has been thoroughly tested and meets or exceeds all manufacturers' specifications providing safe and accurate ranging and speed detection.

Speed Instrument certification good for one year from Certification Date on this document.



Subscribed and sworn to me this 28TH day of JANUARY, 2022

Susan A. Boyd
NOTARY PUBLIC



DIVERSIFIED ELECTRONICS, INC.

1290 Field Parkway Marietta, GA 30066 (770) 427-8181

Certificate of Calibration

This is to certify that Kustom Signals ProLaser III Speed Detection instrument serial number PL20864 meets or exceeds all manufacturer's specifications for velocity and range measurements.

Itemized calibration check list below.

LARRY DOYLE *Larry Doyle*
Quality Assurance Technician
January 28, 2022
Certification Date

- LASER wavelength: [904nm (+/- 10 nm)]
- LASER beam width: [3ft. at 1,000ft. (3m at 1,000m)]
- Oscillator Frequency measured 20.000084 MHz
- Range Accuracy [+/-6" (+/- 15cm)]
- Speed Accuracy [+/- 1mph (+/- 2km/h)]
- Scope Alignment check

Testing Equipment:

Hewlett Packard frequency counter: Model #5352B SN# 3049A01373 Exp. Date 4/2022

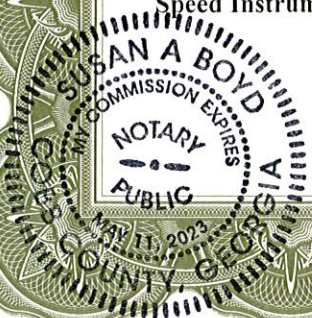
Ophir Power Meter: Model #NOVA SN#47557 Exp. Date 4/2022

This instrument has been thoroughly tested and meets or exceeds all manufacturers' specifications providing safe and accurate ranging and speed detection.

Speed Instrument certification good for one year from Certification Date on this document.

Subscribed and sworn to me this 28TH day of JANUARY, 2022

Susan A Boyd NOTARY PUBLIC





DIVERSIFIED ELECTRONICS, INC.

1290 Field Parkway, Marietta, Ga. 30066 770-427-8181

CERTIFICATE OF CALIBRATION

This is to certify that on the 25TH day of APRIL, 2022, the instrument below was tested and meets the manufacturer's specifications.

Manufacturer: KUSTOM SIGNALS

Model: RAPTOR RP-1

Frequency band: KA

Serial Number:

Indicator RP04681 Passed

Antenna 1 RN01448 (F) Passed

Antenna 2 RN01449 (R) Passed

MPH XX KM/H _____ KNOTS _____

CALIBRATION SPEED

SPEED REGISTERED

<u>35</u>
<u>50</u>
<u>65</u>

<u>35</u>
<u>50</u>
<u>65</u>

Calibration Technician 1084 (Tech#)

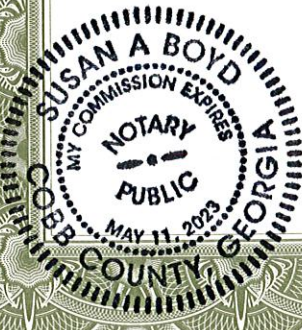
FCC LICENSEE: JOE ROBINSON *J. Robinson*

FCC license number: PG00006048 (signature)

FCC License does not expire

Subscribed and sworn to me this 25TH day of APRIL, 2022

Susan A Boyd
NOTARY PUBLIC





DIVERSIFIED ELECTRONICS, INC

CERTIFICATE OF CALIBRATION

This is to certify that on the 25TH day of APRIL, 2022 the tuning fork(s) listed below was(were) tested and meets(meet) the manufacturer's specifications.

Manufacturer: KUSTOM SIGNALS

- 1. Serial Number: 51140
- 1. Speed marked: 30 MPH Radar Band: KA
- 1. Frequency calculated: 3216 HZ. Measured: 3219 HZ.
- 2. Serial Number: 50581
- 2. Speed marked: 55 MPH Radar Band: KA
- 2. Frequency calculated: 5896 Hz. Measured: 5894 Hz.

Calibration performed by Technician: 1084
(Tech#)

FCC LICENSEE : JOE ROBINSON J. Roberson
(Signature)

Whose FCC license number is: PG00006048 and does not expire.

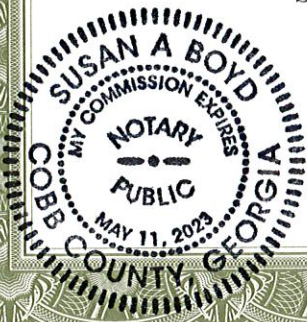
WAVETEK FREQUENCY COUNTER

FREQUENCIES	MODEL NO.	FG-3B
CHECKED USING	SERIAL NO.	712050

The instrument used to certify the accuracy of the above device has been calibrated within the previous year and is traceable to the National Institute of Standards and Technology.

Subscribed and sworn to me this 25TH day of APRIL, 2022.

Susan A Boyd
NOTARY PUBLIC





Federal Communications Commission Public Safety and Homeland Security Bureau

RADIO STATION AUTHORIZATION

LICENSEE: BARTOW, COUNTY OF

ATTN: BARTOW COUNTY ADMINISTRATOR
BARTOW, COUNTY OF
135 W. CHEROKEE AVE, SUITE 251
CARTERSVILLE, GA 30120

Call Sign WRCP239	File Number 0008421277
Radio Service SY - Trunked Public Safety 700 MHz	
Regulatory Status PMRS	
Frequency Coordination Number 17SYAP98025016	

FCC Registration Number (FRN): 0004578860

Grant Date 11-26-2018	Effective Date 11-26-2018	Expiration Date 11-26-2028	Print Date 11-27-2018
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STATION TECHNICAL SPECIFICATIONS

Fixed Location Address or Mobile Area of Operation

- Loc. 1 Address: 949 PEEPLES VALLEY RD.
City: CARTERSVILLE County: BARTOW State: GA
Lat (NAD83): 34-15-50.1 N Long (NAD83): 084-48-31.9 W ASR No.: 1307196 Ground Elev: 297.8
- Loc. 2 Address: 269 SANDTOWN ROAD
City: CARTERSVILLE County: BARTOW State: GA
Lat (NAD83): 34-05-46.7 N Long (NAD83): 084-43-25.9 W ASR No.: 1303919 Ground Elev: 296.9
- Loc. 3 Address: 137 BOYD MOUNTAIN ROAD
City: ADAIRSVILLE County: BARTOW State: GA
Lat (NAD83): 34-20-49.3 N Long (NAD83): 084-58-24.5 W ASR No.: 1307198 Ground Elev: 290.5
- Loc. 4 Address: VINEYARD MOUNTAIN, SOMERSET LANE
City: CARTERSVILLE County: BARTOW State: GA
Lat (NAD83): 34-09-32.5 N Long (NAD83): 084-43-43.1 W ASR No.: Ground Elev: 404.0
- Loc. 5 Address: 1300 JFH PARKWAY
City: CARTERSVILLE County: BARTOW State: GA
Lat (NAD83): 34-12-22.9 N Long (NAD83): 084-48-47.6 W ASR No.: 1307197 Ground Elev: 225.2
- Loc. 6 Address: 640 GRIFFIN ROAD
City: CARTERSVILLE County: BARTOW State: GA
Lat (NAD83): 34-17-11.6 N Long (NAD83): 084-55-17.4 W ASR No.: 1303264 Ground Elev: 329.2

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

Licensee Name: BARTOW, COUNTY OF

Call Sign: WRCP239

File Number: 0008421277

Print Date: 11-27-2018

Antennas

Loc No.	Ant No.	Frequencies (MHz)	Sta. Cls.	No. Units	No. Pagers	Emission Designator	Output Power (watts)	ERP (watts)	Ant. Ht./Tp meters	Ant. AAT meters	Construct Deadline Date
1	1	000771.70625000	FB2	1		8K70D1W 9K80D7W	100.000	187.100	103.5	129.3	11-26-2019
1	1	000772.05625000	FB2	1		8K70D1W 9K80D7W	100.000	187.100	103.5	129.3	11-26-2019
1	1	000772.53125000	FB2	1		8K70D1W 9K80D7W	100.000	187.100	103.5	129.3	11-26-2019
1	1	000773.70625000	FB2	1		8K70D1W 9K80D7W	100.000	187.100	103.5	129.3	11-26-2019
1	1	000774.13125000	FB2	1		8K70D1W 9K80D7W	100.000	187.100	103.5	129.3	11-26-2019
1	1	000774.88125000	FB2	1		8K70D1W 9K80D7W	100.000	187.100	103.5	129.3	11-26-2019
2	1	000771.70625000	FB2	1		8K70D1W 9K80D7W	44.700	45.200	80.0	101.5	11-26-2019
2	1	000772.05625000	FB2	1		8K70D1W 9K80D7W	44.700	45.200	80.0	101.5	11-26-2019
2	1	000772.53125000	FB2	1		8K70D1W 9K80D7W	44.700	45.200	80.0	101.5	11-26-2019
2	1	000773.70625000	FB2	1		8K70D1W 9K80D7W	44.700	45.200	80.0	101.5	11-26-2019
2	1	000774.13125000	FB2	1		8K70D1W 9K80D7W	44.700	45.200	80.0	101.5	11-26-2019
2	1	000774.88125000	FB2	1		8K70D1W 9K80D7W	44.700	45.200	80.0	101.5	11-26-2019
3	1	000771.70625000	FB2	1		8K70D1W 9K80D7W	42.200	42.700	80.0	130.5	11-26-2019
3	1	000772.53125000	FB2	1		8K70D1W 9K80D7W	42.200	42.700	80.0	130.5	11-26-2019
3	1	000773.70625000	FB2	1		8K70D1W 9K80D7W	42.200	42.700	80.0	130.5	11-26-2019

Licensee Name: BARTOW, COUNTY OF

Call Sign: WRCP239

File Number: 0008421277

Print Date: 11-27-2018

Antennas

Loc No.	Ant No.	Frequencies (MHz)	Sta. Cls.	No. Units	No. Pagers	Emission Designator	Output Power (watts)	ERP (watts)	Ant. Ht./Tp meters	Ant. AAT meters	Construct Deadline Date
3	1	000774.13125000	FB2	1		8K70D1W 9K80D7W	42.200	42.700	80.0	130.5	11-26-2019
3	1	000774.88125000	FB2	1		8K70D1W 9K80D7W	42.200	42.700	80.0	130.5	11-26-2019
3	1	000772.05625000	FB2	1		8K70D1W 9K80D7W	42.200	42.700	80.0	130.5	11-26-2019
4	1	000771.70625000	FB2	1		8K70D1W 9K80D7W	50.000	105.000	53.2	177.5	11-26-2019
4	1	000772.05625000	FB2	1		8K70D1W 9K80D7W	50.000	105.000	53.2	177.5	11-26-2019
4	1	000772.53125000	FB2	1		8K70D1W 9K80D7W	50.000	105.000	53.2	177.5	11-26-2019
4	1	000773.70625000	FB2	1		8K70D1W 9K80D7W	50.000	105.000	53.2	177.5	11-26-2019
4	1	000774.13125000	FB2	1		8K70D1W 9K80D7W	50.000	105.000	53.2	177.5	11-26-2019
4	1	000774.88125000	FB2	1		8K70D1W 9K80D7W	50.000	105.000	53.2	177.5	11-26-2019
5	1	000771.70625000	FB2	1		8K70D1W 9K80D7W	100.000	214.800	118.8	84.0	11-26-2019
5	1	000772.05625000	FB2	1		8K70D1W 9K80D7W	100.000	214.800	118.8	84.0	11-26-2019
5	1	000772.53125000	FB2	1		8K70D1W 9K80D7W	100.000	214.800	118.8	84.0	11-26-2019
5	1	000773.70625000	FB2	1		8K70D1W 9K80D7W	100.000	214.800	118.8	84.0	11-26-2019
5	1	000774.13125000	FB2	1		8K70D1W 9K80D7W	100.000	214.800	118.8	84.0	11-26-2019
5	1	000774.88125000	FB2	1		8K70D1W 9K80D7W	100.000	214.800	118.8	84.0	11-26-2019

Licensee Name: BARTOW, COUNTY OF

Call Sign: WRCP239

File Number: 0008421277

Print Date: 11-27-2018

Antennas

Loc No.	Ant No.	Frequencies (MHz)	Sta. Cls.	No. Units	No. Pagers	Emission Designator	Output Power (watts)	ERP (watts)	Ant. Ht./Tp meters	Ant. AAT meters	Construct Deadline Date
6	1	000774.13125000	FB2	1		8K70D1W 9K80D7W	60.300	100.000	103.2	180.9	11-26-2019
6	1	000774.88125000	FB2	1		8K70D1W 9K80D7W	60.300	100.000	103.2	180.9	11-26-2019
6	1	000771.70625000	FB2	1		8K70D1W 9K80D7W	60.300	100.000	103.2	180.9	11-26-2019
6	1	000772.05625000	FB2	1		8K70D1W 9K80D7W	60.300	100.000	103.2	180.9	11-26-2019
6	1	000772.53125000	FB2	1		8K70D1W 9K80D7W	60.300	100.000	103.2	180.9	11-26-2019
6	1	000773.70625000	FB2	1		8K70D1W 9K80D7W	60.300	100.000	103.2	180.9	11-26-2019

Control Points

Control Pt. No. 1

Address: 104 ZENA DRIVE

City: CARTERSVILLE County: BARTOW State: GA Telephone Number: (770)382-5050

Associated Call Signs

<NA>

Waivers/Conditions:

NONE



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	November 3, 2022
SUBCATEGORY:	Other
DEPARTMENT NAME:	Police Department
AGENDA ITEM TITLE:	Seized Vehicle
DEPARTMENT SUMMARY RECOMMENDATION:	On 09-15-2022, one of our officers assigned to the DEA Task Force seized a 2016 Nissan Sentra valued at \$16,000.00. The Department of Justice (DOJ) requires the PD to get approval from the Mayor, City Council, and City Manager to receive this vehicle. This vehicle will be put into our fleet for undercover purposes. Once this vehicle is forfeited we will be required to pay 20 percent of the value to DOJ which will be paid for out of federal asset forfeiture funds. This is not a budgeted amount, but funds are available. We will also be required to keep this vehicle for two years.
LEGAL:	N/A



City of Cartersville

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

Memorandum

To : Dan Porta, City Manager
From : Chief Frank L. McCann
Date : October 24, 2022
Ref : Seized vehicle.

On 09-15-2022 one of our officers assigned to the DEA Task Force seized a 2016 Nissan Sentra valued at \$16,000.00. The Department of Justice (DOJ) requires the PD to get approval from the Mayor, City Council, and City Manager to receive this vehicle. This vehicle will be put into our fleet for undercover purposes. Once this vehicle is forfeited we will be required to pay 20 percent of the value to DOJ which will be paid for out of federal asset forfeiture funds. We will also be required to keep this vehicle for two years.