



**CARTERSVILLE
CITY COUNCIL MEETING**
Council Chambers, Third Floor of City Hall
Thursday, September 02, 2021 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. August 19, 2021

PUBLIC HEARING - 2ND READING OF ZONING/ANNEXATION REQUESTS

2. AZ21-06: 1405 and 1413 Hwy 113.

3. SU21-05. 323 N. Tennessee St.

SECOND READING OF ORDINANCES

4. Wholesale Distilled Spirits: Ordinance Amendment

BID AWARD/PURCHASES

5. Mimecast Renewal

6. Vehicle Purchase

7. Switching Cubicle - PMH-10 Stock Replacement

8. Paving Contract Bid Award

RESOLUTIONS

9. Tennessee Street Corridor Study

EASEMENTS

10. Mission Road Sewer – Draha Easement

OTHER

11. Federal Annual Report FY2020/2021

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:	September 2, 2021
SUBCATEGORY:	Council Meeting Minutes
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	August 19, 2021
DEPARTMENT SUMMARY RECOMMENDATION:	The minutes from the August 19, 2021 City Council Meeting are uploaded for your review and approval.
LEGAL:	N/A

City Council Meeting
10 N. Public Square
August 5, 2021
6:00 P.M. – Work Session
7:00 P.M. – Council Meeting

WORK SESSION

Mayor Matthew Santini opened Work Session at 6:05 P.M. Council Members discussed each item from the agenda with corresponding Staff Members.

Council Member Stepp made a motion to enter into Executive Session for the purpose of Personnel. Council Member Fox seconded the motion. Motion carried unanimously.
Vote: 5-0

Mayor Santini closed Work Session at 7:09 P.M.

OPENING MEETING

Mayor Santini called the Council Meeting to order at 7:13 PM.

Invocation by Council Member Roth.

Pledge of Allegiance led by Council Member Cooley.

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

Absent: Taff Wren, Council Member Ward Six

REGULAR AGENDA

COUNCIL MEETING MINUTES

- 1. August 5, 2021 - Amended**
- 2. August 12, 2021 – Special Called**
- 3. August 19, 2021 – Special Called**

A motion was made by Council Member Roth to approve the August 5, 2021 Council Minutes as amended, August 12, 2021 Special Called, and August 19, 2021 Special Called Council Meeting Minutes. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

PUBLIC HEARING

4. City M&O Millage Rate – 3rd Public Hearing

Tom Rhinehart, Finance Director, came forward to give an overview of the item stating the property taxes received from the Cartersville M&O property tax collections are used for the general city government operations, which include police, fire, recreation, public works, etc. The proposed 2021 millage rate is set at 2.910 mills and is not the rollback rate (rollback rate was 2.785 mills). As a result, the rate of 2.91 mills is considered to be a property tax increase of 4.49% over the rollback rate. The tax increase on a house that has a fair market value of \$125,000 would be approximately \$6.25.

The city is required to hold three public hearings for the citizens to voice their opinions regarding the proposed property tax increase. The first public hearing was held on August 12, 2021 at 5 PM. The second public hearing was held on August 19, 2021 at 8 AM, and this is the 3rd public hearing.

Mayor Santini opened the public hearing and with no one to come forward, the public hearing was closed.

PUBLIC HEARING - 1st READING ZONING/ANNEXATION REQUESTS

5. AZ21-06: 1405 and 1413 Hwy 113 – De-annexation

Randy Mannino, Planning and Development Director, stated this was a joint application for two properties located at 1405 and 1413 Hwy 113. The applicants are requesting that their properties be de-annexed into Bartow County. The properties are 1.89 and 1.71 acres, respectively. Planning Commission approved 4-0.

Public hearing opened. With no one to come forward to speak for or against the de-annexation, the public hearing was closed.

Mayor Santini stated that this item would be up for consideration at the next scheduled City Council Meeting on September 2, 2021 at 7:00 P.M.



6. SU 21-05: 323 N. Tennessee St.

Mr. Mannino stated the applicant wishes to expand the title pawn office to a full-service pawn shop. A Special Use permit for a title pawn only office was approved by Council on Oct. 3, 2019. Case No. SU19-06. Planning Commission approved 4-0 with conditions of no outside storage and no vehicle storage.

Public hearing opened.

Leslie Simmons, 33 Olive Vine Church Rd., came forward to answer any questions that the Council members may have.

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

Mayor Santini stated that this item would be up for consideration at the next scheduled City Council Meeting on September 2, 2021 at 7:00 P.M.



FIRST READING OF ORDINANCES

7. Wholesale Distilled Spirits: Ordinance Amendment

Mr. Mannino stated the ordinance amendment to Section 4-33 adds paragraph 7, which outlines the license fee for wholesale distilled spirits. Alcohol Control Board approved 5-0

This was a first reading. No vote was required.

BID AWARD/PURCHASES

8. WPCP Pre-Mixer Replacement

Sidney Forsyth, Water Department Director, stated one (of six) submersible Flygt mixers in the pre-mix tank at the Water Pollution Control Plant is inoperable. It is an over-sized unit for its current application.

The Water Department requested quotes from the manufacturer for both repair of this mixer and replacement. The repair quote is \$18,216.76, and the cost to replace it with a correct sized unit is \$20,840.16.

Approval was recommended to replace the mixer with an appropriately sized unit from Xylem Water Solutions USA, Inc., at a cost of \$20,840.16. This is a budgeted item and will be paid from account 505-3330-52-2361.

Council Member Fox made a motion to approve WPCP Pre-Mixer Replacement. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

9. Vehicle Bids

Freddy Morgan, Assistant City Manager, stated bids were received for vehicles needed by several City departments. It is recommended that the City award all the bids to Prater Ford.

All of the vehicles listed are budgeted. The Water and Gas Department vehicles will be purchased with operating revenue. The Parks & Recreation, Fire Department, and Planning & Zoning vehicles will be purchased through the Lease pool program.

Council Member Fox made a motion to approve the Vehicle Bids, four (4) for purchase and three (3) from the lease pool. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

CONTRACTS/AGREEMENTS

10. 324 and 326 W. Cherokee Ave. Lease Agreement

Mr. Morgan stated the lease agreement for 324 and 326 W. Cherokee Avenue has been updated. If Council approves, the lease will go into effect September 1, 2021 and end on December 31, 2026.

The lease will automatically renew for up to five (5) 1-year terms unless the Mayor and City Council act in December or January of the renewable year to terminate or not renew and the Tenant provides a notice of intent to renew by December 1st of each year.

Council Member Roth made a motion to approve the Lease Agreement. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

OTHER

11. State Highway System Revision

Tommy Sanders, Public Works Director, stated approval was recommended for the Mayor to sign the State Highway System Revision Order from GDOT. This revision is necessary due to the State Route addition of Old Alabama Road into SR 113 and resulting re-designations and removal of State Routes in Common. These changes do not affect City mileage or responsibilities. The primary impact in the city will be re-designation of Main Street (I-75 to US 41/SR 3) from designated as SR 113 to designated as SR 61 Connector.

Council Member Hodge made a motion to approve the State Highway System Revision. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

12. East End Productions Special Event Application

Dan Porta, City Manager, stated East End Productions had submitted a Special Event Application for a free concert to be hosted on Sunday, October 3, 2021. In order to provide adequate space for food trucks and attendees, David Holt is requesting the closure of E.

Cherokee Ave. between Tennessee St. and Stonewall St. from 8:00AM – 10:00PM on October 3, 2021.

In addition to the application approval, the City has been asked to pay for two of our off-duty Fire Department EMT's to be onsite for eight hours each, for a total of \$780.00. In case of an emergency, they would coordinate with an EMS service.

It has also been requested that the City provide security for the concert and pay for 7 – 10 of our off-duty Police Officers, plus a Supervisor to be onsite for 8 hours. The total cost for the Supervisor and Officers would be \$4,040.00.

If the application is approved, a traffic plan will be designed by the Cartersville Police Department. East End Productions is responsible for locating approved parking areas.

Brennan Swing, 55 Bucky St, Kingston, came forward to represent the applicant, David Holt, and to answer any questions that Council Members may have. Mr. Swing stated that clear cups with the event logo would be provided, along with crowd managers to control the entrances and crowd, and laminated maps for crowd managers and emergency personnel. These maps would show designated parking areas.

Discussions commenced.

Mayor Santini stated that the decibels of the music cannot and should not exceed the limit noted in our ordinances. Mr. Swing stated he understood and would ensure that this requirement was met.

David Archer, City Attorney, stated that the approvals must come from the property owners, and not just the tenants.

Council Member Hodge needed clarification on who was responsible for the traffic plan to which Mr. Swing stated that the Cartersville Police Department would be responsible. Chief of Police, Frank McCann, stated this would not be a problem and CPD can certainly accommodate the request.

Mayor Santini asked if 5'-6' fencing could be provided around perimeter, to which Mr. Swing stated 'yes, it could.'

Mayor Santini stated that it is Council's responsibility to treat everyone equally and fairly and ensure that all safety measures are met to create a fun, yet safe, environment for the community.

Council Member Hodge made a motion to approve the East End Productions Special Event Application pending resubmittal of the application with property owner approval letters and new boundaries of the festival zone, the cost of using off-duty city personnel must be met by the applicant, traffic plan must be coordinated with police and fire, remove 5 Tennessee St from proposed festival zone, provide fencing around the parameter of the festival zone, and coordinate with Fire Chief, Scott Carter, regarding the required training. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 5-0

13. City of Cartersville M&O Millage set at 2.910 Mills for 2021

Tom Rhinehart, Finance Director, came forward to give an overview of the item stating the property taxes received from the Cartersville M&O property tax collections are used for the general city government operations, which include police, fire, recreation, public works, etc. The proposed 2021 millage rate is set at 2.910 mills and is not the rollback rate (rollback rate was 2.785 mills). As a result, the rate of 2.91 mills is considered to be a property tax increase of 4.49% over the rollback rate. The tax increase on a house that has a fair market value of \$125,000 would be approximately \$6.25.

The city was required to hold three public hearings for the citizens to voice their opinions regarding the proposed property tax increase. The first public hearing was held on August 12, 2021 at 5 PM. The second public hearing was held on August 19, 2021 at 8 AM, and the third public hearing was held on August 19, 2021 at 7 PM.

Council Member Fox made a motion to approve the City of Cartersville M&O Millage set at 2.910 Mills for 2021. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 5-0

14. GO Parks & Recreation Property Tax Millage Rate Set at 0.713 Mills for 2021

Mr. Rhinehart stated the citizens of Cartersville approved a referendum in November 2014 authorizing the city to issue bonds used to pay for renovations and improvements to the parks and recreation buildings and properties. The bonds were issues with a ten-year payback period. In order to make the scheduled bond payments, the city is assessing a property tax millage of 0.713 mills (below the rollback rate of .737 mills) for 2021, also approved by the citizens. The millage rate for this will fluctuate over the ten years and will need to be set with a millage large enough to cover the semi-annual bond payments.

Council Member Roth made a motion to approve the GO Parks & Recreation Property Tax Millage Rate. Council Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

15. Cartersville Business Improvement District Millage Rate Set at 1.233 Mills for 2021

Mr. Rhinehart stated the Cartersville Business Improvement District (BID) is made up of the Downtown Cartersville Business District. These business owners have been self-assessing a property tax for many years to raise funds for use in the downtown area. The Downtown Development Authority (DDA) works with the local businesses to use the funds to improve the downtown area. The DDA Board requests the City Council approval of their recommended BID's property tax millage of 1.233 mills for 2020. This is the rollback rate. I recommend approval of the Cartersville Business Improvement District property tax millage of 1.233 mills for 2021.

Council Member Cooley made a motion to approve Cartersville Business Improvement District Millage Rate. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

16. Cartersville School System Millage Rate Set at 13.906 Mills for 2021

Mr. Rhinehart stated the Cartersville City School System has recommended to their Board to adopt the 2021 rollback rate of 13.906 mill. The City Council approves the School Board’s recommended tax millage rate for city residents where the Cartersville City School System uses the property taxes collected.

Council Member Hodge made a motion to approve the Cartersville School System Millage Rate. Council Member Fox seconded the motion. Motion carried unanimously. Vote: 5-0

ADDED ITEM

Council Member Stepp made a motion to add an item to the agenda. Council Member Roth seconded the motion. Motion carried unanimously. Vote: 5-0

17. Opioid Distribution Settlement Participation Agreement

Mr. Archer stated that his firm had received notification from Brinson, Askew, Berry regarding the Subdivision Settlement with regards to the Opioid Litigation. The request is to allow Mayor Santini to sign the Subdivision Settlement Participation Form.

Council Member Fox made a motion to approve the execution of the Subdivision Settlement Participation Form. Council Member Stepp seconded the motion. Motion carried unanimously. Vote: 5-0

MONTHLY FINANCIAL REPORT

18. June 2021 Financial Report

Mr. Rhinehart went over the Financial Report for June 2021 comparing the numbers to June 2020.

Council Member Stepp made a motion to adjourn.

Meeting Adjourned at 8:23 P.M.

/s/ _____
Matthew J. Santini
Mayor

ATTEST:
/s/ _____
Julia Drake
City Clerk



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	September 2, 2021
SUBCATEGORY:	Public Hearing – 2 nd Reading of Zoning/Annexation Requests
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	AZ21-06: 1405 and 1413 Hwy 113.
DEPARTMENT SUMMARY RECOMMENDATION:	Joint application for two properties located at 1405 and 1413 Hwy 113. The applicants are requesting that their properties, be de-annexed into Bartow County. The properties are 1.89 and 1.71 acres, respectively. Planning Commission approved 4-0
LEGAL:	N/A

ZONING & DE-ANNEXATION SYNOPSIS

Petition Number(s): AZ21-06

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Property #1 Address: 1405 Hwy 113
Applicant: Benedikt and Ashlee Quosigk
Representative: Same
Total Acreage: 1.89 acres

Property #2 Address: 1413 Hwy 113
Applicant: Robert Milam
Representative: Same
Total Acreage: 1.712 acres

LAND USE INFORMATION

Current Zoning: R-20 (Single Family Residential)

Proposed Zoning: County A-1

Proposed Use: Single Family Residential

Current Zoning of Adjacent Property:

North: County A-1 (Agriculture); County R-1 wC (Residential); City H-I (Heavy Industrial)
South: County A-1; County R-1 wC
East: County R-1 wC
West: County A-1; City H-I

For All Tracts:

District: 4th Section: 3rd
Land Lots: 873 and 874
Ward: 3 Council Member: Cary Roth

The Future Development Plan designates the subject properties as: Workplace Center

The Future Land Use Map designates adjacent or nearby city properties as: Low and Medium Density Residential

ANALYSIS

City Departments Reviews

Electric: *Not In Service Area*

Fibercom: *Takes no exception*

Fire: *No comments received*

Gas: *Takes no exception*

Public Works: *No comments received.*

Water and Sewer: *Takes no exception.*

This property is located in the Bartow County Water Department's water service area. Contact Bartow County Water Department on comments regarding impact of de-annexation on water service. This property is currently served by septic tank.

Cartersville School District: *Takes No Exception*

Bartow County Water Dept.: No comments received

Bartow County Administrator: No Objections

Bartow County Planning and Development: No Objections

Public comments:

None received as of 8-2-21.

REQUEST SUMMARY:

This is a joint application for two properties located at 1405 and 1413 Hwy 113 west/ southwest of the Cartersville-Bartow County airport. The applicants are requesting that their properties, be de-annexed into Bartow County. The properties are 1.89 and 1.71 acres, respectively.

The properties were originally annexed into the city in 1990 and 1991 in what appears to be for purposes of attending City schools without the added non-resident fees. School age children resided at both properties at the time of annexation and the children at the 1413 property attended city schools.

STANDARDS FOR EXERCISE OF ZONING POWERS.

- A. *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*
The request is not expected to change the residential use of the properties.

- B. *Whether the zoning proposal will create an isolated district unrelated to adjacent and nearby districts.*
The proposed application will not create an isolated district. An undeveloped R-20 lot will remain at 1410 Hwy 113. This lot was annexed when 1413 was annexed in 1990. This R-20 lot is zoning compatible with the County A-1 lots that border the 1410 lot.

- C. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*
The proposed county zoning should not adversely affect the existing use of the properties.

- D. *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.*
The properties have a reasonable economic use as zoned.

- E. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*
No change in use or burden to the infrastructure is expected.

- F. *Whether the zoning proposal is in conformity with the adopted local Comprehensive Land Use Plan.*
The de-annexation and county zoning should conform to the land use plan for the area.

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

- H. *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.*
No additional conditions are known.

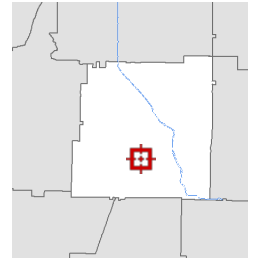
RECOMMENDATION

Staff has no objection to the de-annexation requests.


































PLANNING COMMISSION RECOMMENDATION:



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*

Brief Tax Description LL855 LD4
 (Note: Not to be used on legal documents)

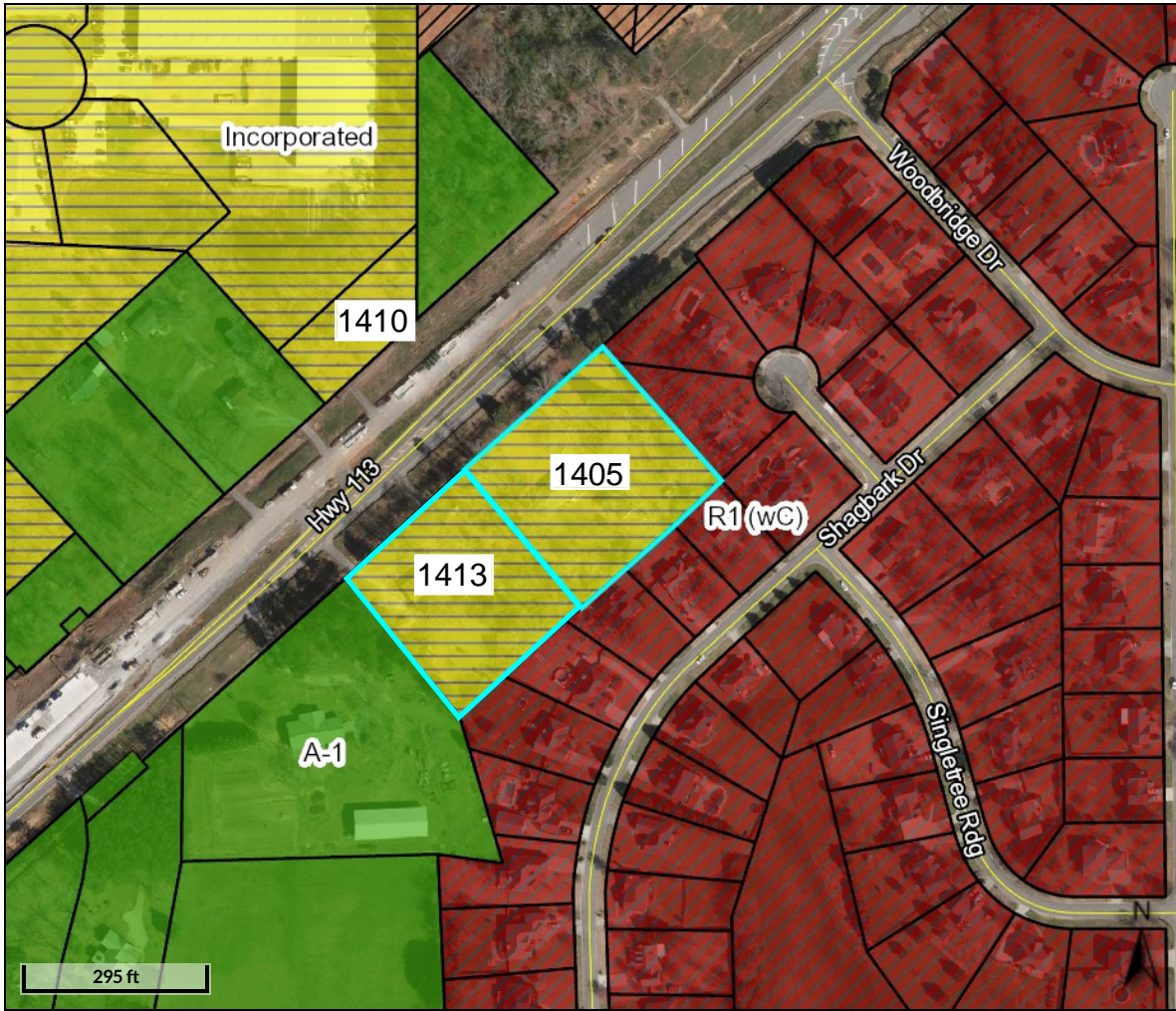
Date created: 6/14/2021
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Developed by 

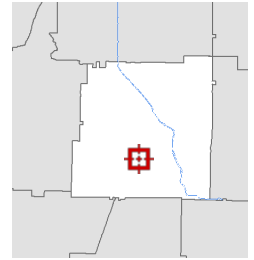
Parcel ID C056-0874-001
 Sec/Twp/Rng n/a
 Property Address 1413 HWY 113
 District Cartersville

Alternate ID 36523
 Class Residential
 Acreage 1.58

Owner Address MILAM ROBERT
 1413 HWY 113 SW
 CARTERSVILLE, GA 30120



Overview



Legend

- Parcels
- Roads
- Bartow County Zoning**
- A-1
- A1(wc)
- A1CU
- BPD
- BPD(wc)
- C-1
- C1(wc)
- C1CU
- CN
- CN(wc)
- CNCU
- I-1
- I1(wc)
- I1CU
- I2
- I2(wc)
- I2CU
- Incorporated
- M-1
- M1(wc)
- M1CU
- O/I
- OI(wc)
- OICU
- PUD
- PUD(wc)
- PUDCU
- R-1
- R-2
- R-3
- R-4
- R-7
- R-8
- R-8 w/c
- R1(wc)

Parcel ID C056-0874-002 Alternate ID 36524
 Sec/Twp/Rng n/a Class Residential
 Property Address 1405 HWY 113 Acreage 1.89

Owner Address QUOSIGK BENEDIKT &
 QUOSIGKASHLEE ROSE
 PO BOX 672
 EMERSON, GA 30137

District Cartersville
 Brief Tax Description LL 874 D4 PLAT 29-276
 (Note: Not to be used on legal documents)

Date created: 8/2/2021
 Last Data Uploaded: 7/30/2021 9:57:02 PM

Developed by Schneider
 GEOSPATIAL

- R1CU
- R2(wc)
- R2CU
- R3(wc)
- R3CU
- R4(wc)
- R4CU
- R7(wc)
- RE-1
- RE-2
- RE1(wc)
- RE1CU
- RE2(wc)
- RE2CU
- Unknown
- Zoning with Conditions


Application for Annexation/ Zoning
City of Cartersville

Case Number: AZ 21-06
Date Received: 6/29/21

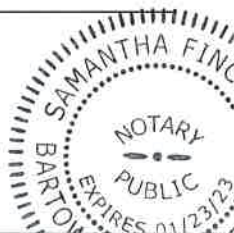
Public Hearing Dates:

Planning Commission 8/10/21 5:30pm 1st City Council 8/19/21 7:00pm 2nd City Council 9/2/21 7:00pm

Applicant Benedikt Quosigk Office Phone _____
 (printed name)
 Address 1405 Highway 113 SW Mobile/ Other Phone 404-382-0714
 City Cartersville State GA Zip 30120 Email b.quosigk@gmail.com
 Representative's printed name (if other than applicant) _____ Phone (Rep) _____
 _____ Email (Rep) _____
 Representative Signature _____ Applicant Signature [Signature]
 Signed, sealed and delivered in presence of: _____ My commission expires: 1/23/23
[Signature]
 Notary Public



* Titleholder Benedikt Quosigk Phone 404-382-0714
 (titleholder's printed name)
 Address 1405 Highway 113 SW Email b.quosigk@gmail.com
 Signature [Signature]
 Signed, sealed, delivered in presence of: _____ My commission expires: 1/23/23
[Signature]
 Notary Public



Present Zoning District R-20 Requested Zoning A-1 (C 056-0874-002)
 Acreage 1.89 Land Lot(s) 874 District(s) 4th Section(s) _____
 Location of Property: 1405 Hwy 113, south of Woodbridge Dr.
 (street address, nearest intersections, etc.)
 Reason for Rezoning Request: It would benefit me by putting me in the county service/school/tax district and it would benefit the city by not having to provide services this far out of city limits.
 (attach additional statement as necessary)

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

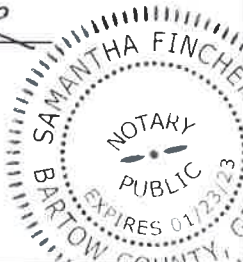
Application for Annexation/ Zoning
City of Cartersville

Case Number: AZ21-06
Date Received: 6/24/21


Public Hearing Dates:

Planning Commission 8/10/21 5:30pm 1st City Council 8/19/21 7:00pm 2nd City Council 9/2/21 7:00pm

Applicant Ashlee Quosigk Office Phone _____
(printed name)
Address 1405 Highway 113 SW Mobile/ Other Phone 770-546-4527
City Cartersville State GA Zip 30120 Email ashlee.quosigk@gmail.com
Representative's printed name (if other than applicant) _____ Phone (Rep) _____
Representative Signature _____ Email (Rep) _____
Applicant Signature Ashlee Quosigk
Signed, sealed and delivered in presence of: _____ My commission expires: 1/23/23
S. Fincher Notary Public



* Titleholder Ashlee Quosigk Phone 770-546-4527
(titleholder's printed name)
Address 1405 Highway 113 SW Email ashlee.quosigk@gmail.com
Signature Ashlee Quosigk
Signed, sealed, delivered in presence of: _____ My commission expires: 1/23/23
S. Fincher Notary Public



Present Zoning District R-20 Requested Zoning A-1 (C.056-0874-002)
Acreage 1.89 Land Lot(s) 874 District(s) 4th Section(s) _____
Location of Property: 1405 Hwy 113, south of Woodbridge Dr.
(street address, nearest intersections, etc.)
Reason for Rezoning Request: It would benefit me by putting me in the county service/school/tax district and it would benefit the city by not having to provide services this far out of city limits.
(attach additional statement as necessary)

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

Zoning Analysis for Annexation/ Zoning

Specifics of Proposed Use

Case Number: _____

Tax Map Parcel(s) # C056-0874-002 Voting Ward(s) 3 (Roth)

Current Land Use Residential Current Zoning R-20

Proposed Land Use Residential Proposed Zoning A-1

Number of Dwelling Units 2 Number of Occupants 6

Owner Occupied? Yes No

Number of School-aged Children 3 Grade Level(s) of School-aged Children K, 1, 2

School(s) to be attended: Homeschool

Current Utility Service Providers (Check Service provider or list if Other)

Water: _____ City _____ County Well/ Other

Sewer: _____ City _____ County Septic/ Other

Natural Gas: _____ City _____ Other (List) N/A

Electricity: _____ City GA Power _____ Greystone

_____ Other (List) _____

SURVEYOR'S CERTIFICATE

That the undersigned, a Georgia Registered Land Surveyor, on behalf of the above Annexation/ zoning applicant do certify the following:

- 1) That the attached survey contains no fewer than four surveyed map regulation points and recorded with the Georgia Coordinate System of 1985.
- 2) That the attached survey shows the boundaries of the area being annexed and the existing boundaries of the area being annexed and the existing boundaries of the annexing municipality between the points at which these boundaries close, if applicable.
- 3) That the attached survey meets the requirements of O.C.G.A. 15-6-67 and Section 180-7-01 Technical Standards for Property Survey, Rules and Regulations of the State of Georgia.
- 4) That the map demarcation of the map registration points are well distributed along, within, or near the boundary of the annexed area.
- 5) That at least one-eighth of the aggregate external boundary or fifty (50) feet of the area to be annexed, whichever is less, either abuts directly on the municipal boundary or would directly abut on the municipal boundary if it were not otherwise separated from the municipal boundary by other lands owned by the municipal corporation, by lands owned by this State, or by the definite width of any street or street right of way; any creek or river; any right of way of a railroad or other public service corporation, which divides the municipal boundary from any area proposed to be annexed.

Date

Georgia Registered Land Surveyor (Seal)

ZONING ADMINISTRATOR:

1. Case Number: AZ 21-06

2. Yes No

The above property complies with the City of Cartersville minimum size requirements to construct a building or structure occupiable by persons or property under the policies, ordinance, or regulations of the City of Cartersville.

3. Survey attached? 12-16-86

7/1/21
Date

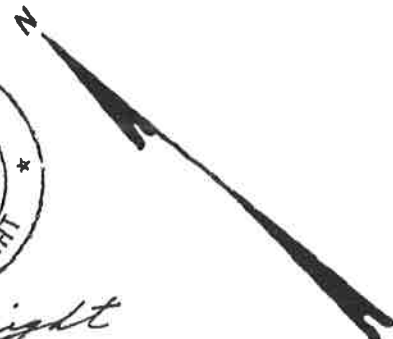

Zoning Administrator

29-276

SURVEYED FOR
LOUISE C. BROWN

1.994 ACRES IN LAND LOT 874, 4TH. DISTRICT,
3RD. SECTION, BARTOW COUNTY, GEORGIA.
DATE 11-11-86 SCALE 1"=60'
KNIGHT & KNIGHT LAND SURVEYORS.

FIELD DATA:
CLOSURE: 1 IN 58,963
EQUIPMENT: TOPCON GT3-3
ANGULAR ERROR 06" PER ANGLE POINT
BEARINGS ARE MAG. CAL. FROM ANGLES
TURNED.

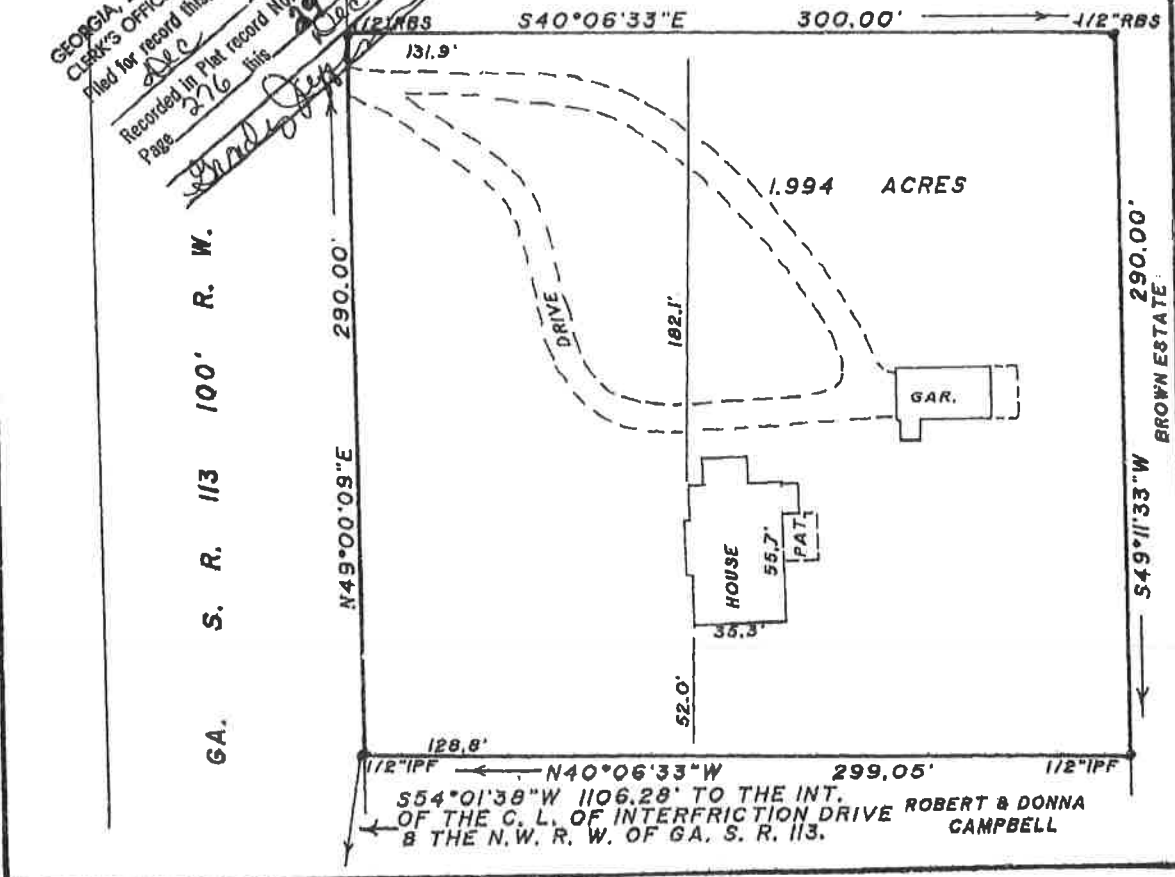


"FIA FLOOD HAZARD MAP" 0005 A
SHOWS THIS PROPERTY OUT OF
FLOOD ZONE.

Johnny R. Knight

BROWN ESTATE

GEORGIA, BARTOW COUNTY
Clerk's OFFICE SUPERIOR COURT
Filed for record this 16 day of
Dec 19 1986 at 4:45 o'clock P.M.
Recorded in Plat record No. 276
Page 276
1986
Check



11088111

CRUISE SYSTEMS

DDC# 004721
FILED IN OFFICE
5/7/2015 11:49 AM
BK: 275B PG: 827-827
MELBA SCOGGINS
CLERK OF SUPERIOR
BARTOW COUNTY
Melba Scoggins
REAL ESTATE TRANSFER T
AX
PAID: \$187.50
PT-61 008-2015-001508

Return Recorded Document to:
BENEDIKT QUOSIGK
1405 HIGHWAY 113 SW
CARTERSVILLE GA 30120

LIMITED WARRANTY DEED



STATE OF GEORGIA,
COUNTY OF BARTOW

File #: 48538LL

This Indenture made this 30th day of April, 2015 between MABEL E. BALDES, as party or parties of the first part, hereinafter called Grantor, and BENEDIKT QUOSIGK, as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipts whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 874 OF THE 4TH DISTRICT, 3RD SECTION, BARTOW COUNTY, GEORGIA, CONTAINING 1.994 ACRES, MORE OR LESS, AS SHOWN ON THAT SURVEY RECORDED IN PLAT BOOK 29, PAGE 276, BARTOW COUNTY, GEORGIA RECORDS. LESS AND EXCEPT THAT PORTION OF LAND CONTAINED IN THAT CERTAIN RIGHT OF WAY DEED DATED 10/4/2004 AND RECORDED IN DEED BOOK 1849, PAGES 721-725, AFORESAID RECORDS. BEING MORE COMMONLY KNOWN AS 1405 HIGHWAY 113 SW, CARTERSVILLE, GA 30120

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoove of the said Grantee in **FEE SIMPLE**, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons arising under Grantor only.

IN WITNESS WHEREOF, the Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

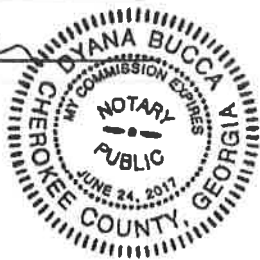
[Handwritten signature]

Mabel E. Baldes (Seal)
MABEL E. BALDES

Witness

Dyana Bucca

Notary Public



5

DOC# 021526
FILED IN OFFICE
10/14/2004 12:29 PM
BK:1849 PG:721-725
GARY BELL
CLERK OF SUPERIOR
COURT
BARTOW COUNTY

Return to:
Robert M. Dyer
291 E. Main St.
Canton, GA 30114

**GEORGIA DEPARTMENT OF TRANSPORTATION
P.O. BOX 10, CARTERSVILLE, GA. 30120
RIGHT OF WAY DEED**

GEORGIA, BARTOW COUNTY

PROJECT NO. STP-018-1(56)
P. I. NO. 621255

THIS CONVEYANCE made and executed the 4th day of October, 2004.

WITNESSETH that John Douglas Baldes and Mabel E. Baldes the undersigned (hereinafter) referred to as "Grantor"), is the owner of a tract of land in BARTOW COUNTY, through which the reconstruction of SR 113/SR 61 from CR 533 to CS 866 known as Project No. STP-018-1(56) has been laid out by the Department of Transportation being more particularly described in a map and drawing of said road in the office of the Department of Transportation, No. 2 Capitol Square, Atlanta, Georgia, to which reference is hereby made.

NOW THEREFORE, in consideration of the benefit to said property by the construction and maintenance of said road, and in consideration of ONE DOLLAR (\$1.00), in hand paid, the receipt whereof is hereby acknowledged, Grantor does hereby grant, sell and convey to said Department of Transportation, and their successors in office so much land as to make a right of way for said road as surveyed, being more particularly described as follows:

All that tract or parcel of land lying and being in the Land Lot 855 & 874 of the 4th Land District, 3rd Section of BARTOW County, Georgia, and being more particularly described on Exhibit "A" attached hereto and made a part hereof by this reference.

Said right of way is hereby conveyed, consisting of 0.100 acres, more or less, as shown colored yellow on the plat of the property prepared by the Department of Transportation, dated April 15, 2003 revised August 6, 2004 said plan attached hereto and made a part of this deed as Exhibit "B".

For the same consideration Grantor hereby conveys and relinquishes to the Department of Transportation all rights of access between the limited access highway and approaches thereto on the above numbered highway project and Grantor's remaining real property from which said right of way is taken except at such points as designated and shown on the attached plat prepared by the Department of Transportation.

TO HAVE AND TO HOLD the said conveyed premises in fee simple and any rights Grantor has or may have in and to existing public rights of way are hereby quitclaimed and conveyed unto the Department of Transportation.

Grantor hereby warrants that Grantor has the right to sell and convey said land and bind himself, his heirs, executors and administrators forever to defend by virtue of these presents.

Parcel No. 11

BK:1849 PG:722

IN WITNESSETH WHEREOF. Grantor has hereunto set his hand and seal the day above written

Signed, Sealed and Delivered this
4th day of Oct
20 21, in the presence

John Douglas Baldes (L.S.)
John Douglas Baldes

Mabel E. Baldes (L.S.)
Mabel E. Baldes

[Signature]
Witness

[Signature]
Notary Public

Notary Public, Cherokee County, Georgia
My Commission Expires May 10, 2026

Parcel No. 11

DOT 118
Revised 01/00

PARCEL
11

PROJECT
STP-018-1(56)

AREA REQUIRED
BK = 180400 AEG = 723

All that tract or parcel of land lying and being in Land Lot 855 & 874 of the 4th Land District, 3rd Section in Bartow County being more particularly described as follows:

BEGINNING at a point 85.10 feet right of and opposite centerline station 10 + 194.40 on Georgia Highway Project Number STP-018-1(56).

From the **POINT OF BEGINNING**.

Thence N 47-58'04"E for a distance of 289.90 feet to a point. Thence S 41-10'19" E for a distance of 13.37 feet to a point. Thence S 47-58'35" W for a distance of 205.71 feet to a point. Thence S 39-26'44" W for a distance of 66.35 feet to a point. Thence S 47-58'35" W for a distance of 18.75 feet to a point. Thence N 41-06'40" W for a distance of 23.17 feet to the **POINT OF BEGINNING**. Containing 0.100 acres more or less.

Also granted is the right to construct a driveway within the easement area shown colored pink on the attached plat. This driveway easement becomes effective at the beginning of construction of the above numbered project and will expire upon completion and final acceptance of said project by the Department of Transportation.

EXHIBIT "A"

Results:
Parcel ID - C056-0874-002
Alt Id - 36524
Address - 1405 HWY 113
Owner - QUOSIGK BENEDEKTI &
QUOSIGK ASHLEE ROSE
Acres - 1.89
View Report | Field Definitions



Owner Address: QUOSIGK BENEDEKTI &
QUOSIGK ASHLEE ROSE
PO BOX 672
EMERSON, GA 30137

Alternate ID: 36524
Class: Residential
Acreage: 1.89

Cartersville
LL 874 D4 PLAT 29-276
(Note: Not to be used on legal documents)

Parcel ID: C056-0874-002
Sec/Twp/Rng: n/a
Property Address: 1405 HWY 113

District:
Brief Tax Description:

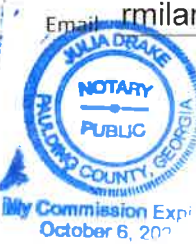
Application for Annexation/ Zoning
City of Cartersville

Meeting: September 2, 2021 Item 2.

Case Number _____
Date Received: 5/6/2021

Public Hearing Dates:
Planning Commission 7/6/21 5:30pm 1st City Council 7/15/21 7:00pm 2nd City Council 8/5/21 7:00pm

Applicant Robert R. Milam Office Phone N/A
(printed name)
 Address 1413 Highway 113 SW Mobile/ Other Phone 770-875-9661
 City Cartersville State GA Zip 30120 Email rmilam4@yahoo.com
 Representative's printed name (if other than applicant) _____
 Phone (Rep) _____
 Email (Rep) _____
 Representative Signature _____
 Applicant Signature [Signature]
 Signed, sealed and delivered in presence of: _____ My commission expires: _____
[Signature]  10/6/2021
 Notary Public

* Titleholder Robert R. Milam Phone 770-875-9661
(titleholder's printed name)
 Address 1413 Highway 113 SW, Cartersville, GA 30120
 Signature [Signature] Email rmilam4@yahoo.com
 Signed, sealed, delivered in presence of: _____ My commission expires: _____
[Signature]  10/6/2021
 Notary Public

Present Zoning District Cartersville District 1, Zoned as R-20 Requested Zoning Bartow County District 6, Zoned as A-1 or R-1
 Acreage 1.712 Land Lot(s) 873 & 874 District(s) 4th Section(s) 3rd C056-0874-001
 Location of Property: 1413 Highway 113 SW, Cartersville, GA 30120
(street address, nearest intersections, etc.)
 Reason for Rezoning Request: To be deannexed from city of Cartersville and annexed into Bartow County. This will help the city with not having to provide services this far outside of the city and will put me in a county school/service/tax district.
(attach additional statement as necessary)

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

Zoning Analysis for Annexation/ Zoning

Specifics of Proposed Use

Case Number: _____

Tax Map Parcel(s) # C056-0874-001 Voting Ward(s) 3

Current Land Use Residential Current Zoning R-20

Proposed Land Use Residential Proposed Zoning A-1 or R-1

Number of Dwelling Units 1 Number of Occupants 1

Owner Occupied? Yes No

Number of School-aged Children 0 Grade Level(s) of School-aged Children N/A

School(s) to be attended: N/A

Current Utility Service Providers (Check Service provider or list if Other)

Water: _____ City _____ County Well/ Other _____

Sewer: _____ City _____ County Septic/ Other _____

Natural Gas: _____ City _____ Other (List) Propane Tank

Electricity: _____ City GA Power _____ Greystone _____

_____ Other (List) _____

SURVEYOR'S CERTIFICATE

That the undersigned, a Georgia Registered Land Surveyor, on behalf of the above Annexation/ zoning applicant do certify the following:

- 1) That the attached survey contains no fewer than four surveyed map regulation points and recorded with the Georgia Coordinate System of 1985.
- 2) That the attached survey shows the boundaries of the area being annexed and the existing boundaries of the area being annexed and the existing boundaries of the annexing municipality between the points at which these boundaries close, if applicable.
- 3) That the attached survey meets the requirements of O.C.G.A. 15-6-67 and Section 180-7-01 Technical Standards for Property Survey, Rules and Regulations of the State of Georgia.
- 4) That the map demarcation of the map registration points are well distributed along, within, or near the boundary of the annexed area.
- 5) That at least one-eighth of the aggregate external boundary or fifty (50) feet of the area to be annexed, whichever is less, either abuts directly on the municipal boundary or would directly abut on the municipal boundary if it were not otherwise separated from the municipal boundary by other lands owned by the municipal corporation, by lands owned by this State, or by the definite width of any street or street right of way; any creek or river; any right of way of a railroad or other public service corporation, which divides the municipal boundary from any area proposed to be annexed.

5/6/21
Date

Georgia Registered Land Surveyor (Seal)

ZONING ADMINISTRATOR:

1. Case Number: AZ 21-06

2. Yes No

The above property complies with the City of Cartersville minimum size requirements to construct a building or structure occupiable by persons or property under the policies, ordinance, or regulations of the City of Cartersville.

3. Survey attached? Yes. dtd 6/30/86

5/6/21
Date

Dail Halpern
Zoning Administrator

29-69

ROBERT B. CAMPBELL
DONNA I. CAMPBELL

1.712 ACRES IN LAND LOTS 873 & 874, 4TH. DISTRICT, 3RD. SECTION, BARTOW COUNTY, GEORGIA.

DATE 6-19-96 SCALE 1" = 60'

KNIGHT & KNIGHT LAND SURVEYORS
GEORGIA, BARTOW COUNTY
CLERK'S OFFICE SUPERIOR COURT

Filed for record this 19th day of June 1996 at 10:30 o'clock A.M.

FIELD DATA:

CLOSURE: 1 IN 21,000 Recorded in Plat record No. 29

EQUIPMENT: TOPCON TS-3169 this 16 day of July 1996

ANGULAR ERROR 03" PER ANGLE

POINT

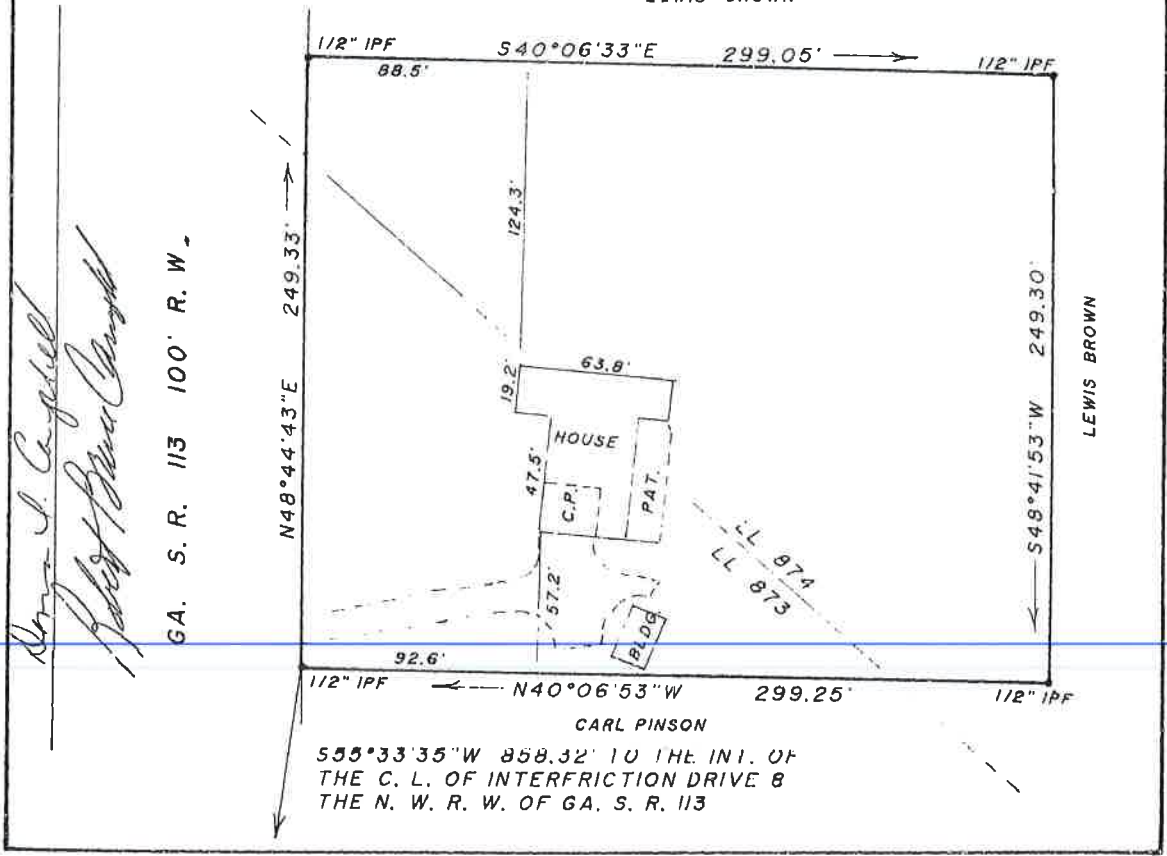
BEARINGS ARE MAG. *Wade J. Joffe* Clerk

ANGLES TURNED.



Johnny R. Knight

LEWIS BROWN



Donna I. Campbell
Robert B. Campbell

GA. S. R. 113 100' R. W.

CARL PINSON
555°33'35\"W 858.32' TO THE INT. OF
THE C. L. OF INTERFRICTION DRIVE &
THE N. W. R. W. OF GA. S. R. 113







CITY COUNCIL ITEM SUMMARY

MEETING DATE:	September 2, 2021
SUBCATEGORY:	Public Hearing – 2 nd Reading of Zoning/Annexation Requests
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	SU21-05. 323 N. Tennessee St.
DEPARTMENT SUMMARY RECOMMENDATION:	Applicant wishes to expand the title pawn office to a full service pawn shop. A Special Use permit for a title pawn only office was approved by Council on Oct. 3 rd , 2019. Case No. SU19-06. Planning Commission approve 4-0.
LEGAL:	N/A

SPECIAL USE APPLICATION SYNOPSIS

Petition Number(s): **SU21-05**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **Auto Cash – Cartersville LLC**

Representative: **Ms. Leslie Simmons**

Property Owner: **Lewis & Sons, Inc.**

Property Location: **323 N. Tennessee St. (Corner of Tenn. St. & Nelson St.)**

Access to the Property: **Tennessee St. & Nelson St.**

Site Characteristics:

Tract Size: Acres: **0.57 +/- acres** District: **4th** Section: **3rd** LL: **409**

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

1. LAND USE INFORMATION

Current Zoning: **M-U (Multiple Use)**

Proposed Zoning: **M-U (Multiple Use)**

Proposed Use: **Traditional Pawn Shop**

Current Zoning of Adjacent Property:

North: **M-U (Multiple Use)**

South: **M-U (Multiple Use)**

East: **M-U (Multiple Use)**

West: **M-U (Multiple Use)**

The Future Development Map designates the subject property as: **Tennessee Street Corridor**

The Future Land Use Map designates the subject property as: **Commercial- Mixed Use**

2. City Department Comments:

Electric: No comments received.

Fibercom: Takes no exception.

Fire: Cartersville Fire takes no exceptions to the special use request for 323 N. Tenn. St. provided all applicable adopted codes and ordinances are followed.

Gas: Takes no exception.

Public Works: No comments received.

Water and Sewer: Takes no exception.

3. Public Comments:

No public comments received by Planning and Development as of 8-2-21.

4. Special Use Review

The property is located at the SE corner of the intersection of N. Tennessee St at Nelson St. The brick building contains 3 tenant spaces addressed 319, 321 and 323. The 323 N. Tennessee St tenant space is located on the left side of the building adjacent to Nelson St. The applicant is requesting to expand the use from a title pawn shop to a full service pawn shop. A special use permit for title pawn only was approved by Council on Oct. 3rd, 2019, case no. SU19-06.

This location is in the M-U (Multiple Use) zoning district. A pawn shop or title pawn business requires a special use permit in the M-U district.

There are (3) additional Special Use permits approved for pawn shops and/ or title pawn businesses on N. Tennessee St. Per Zoning Ord. Sec. 4.25, outdoor storage is not allowed in the M-U district unless the products are landscape supplies. No outdoor storage or outdoor displays were conditions of the previous special use permits.

Case No.	Address	Approved	Conditions
SU13-03	624 N. TENNESSEE ST	7-1-13	Approved with condition that there must be no outdoor storage.
SU13-05	310 N. TENNESSEE ST	11-7-13	Approved with condition that there must be no outdoor storage.
SU14-03 (Title Pawn Only)	422 N. TENNESSEE ST	12-4-14	Approved with conditions: 1) No outside storage 2) No outside display of merchandise

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).

A) Chapter 26, Article IV. General provisions

Sec. 4.25. - Outdoor storage.

Outdoor storage shall be allowed in G-C, L-I, and H-I districts only. In G-C and L-I districts, outdoor storage must be located in a side or rear yard and screened from all rights-of-way, and residential districts that abut the outdoor storage area. Such storage shall be screened in accordance with the requirements under section 4.17 of this chapter. In G-C and L-I districts, the use of trucks, truck bodies, enclosed containers, campers, recreational vehicles, or other types of motor vehicles for storage is prohibited. This section does not apply to incidental outside storage on properties in residential districts.

In the G-C district, neither vehicles (whether operable or inoperable) nor trailers (whether on or off their axles) may be used as storage buildings. This shall apply to all vehicles and trailers, including commercial vehicles, recreational vehicles, panel vans, tractor-trailer rigs, railroad box-cars, etc. The storage of new or used tires on any G-C district property is prohibited unless the same are stored within an enclosed building or garage. It is illegal to discard or abandon tires on any property other than a lawful landfill.

In the M-U district, outdoor storage of landscape supplies and materials may be permitted per the requirements in section 9.2.3, development standards.

(Ord. No. 11-18, § 1, 5-17-18)

Sec. 4.26. - Outdoor displays and yard sales.

The displaying of goods or merchandise for sale outdoors on the property shall be allowed for goods or merchandise normally used in the outdoors. Merchandise allowed to be displayed outdoors includes, but is not limited to, lawnmowers, wheelbarrows, lawn furniture, barbecue grills, play sets, and manufactured out buildings. The keeping of goods or merchandise outdoors on the property, longer than a twenty-four-hour period shall be considered outdoor storage and shall comply with outdoor storage requirements in section 4.26 of this chapter. This section shall not apply to vehicle or manufactured housing sales lots.

Yard sales and garage sales (or carport sales) shall be permitted on any residential lot no more frequently than once per calendar quarter. Such sale may not continue for more than seventy-two (72) hours.

Yard sales shall not be permitted on any commercial or industrial use lot. Such activity shall constitute a flea market use and shall be allowed only in the Fair Ground (FG) district.

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 (Staff analysis)

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 adjoining streets.

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

How Standard #2 has / will be met: Parking will remain the same as current configuration on the lot

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: Standard office hours

Standard #5: Outdoor lighting

How Standard #5 has / will be met: Outdoor lighting will remain the same as the current configuration on the lot

Standard #6: Ingress and egress to the property.

How Standard #6 has / will be met: Via Tennessee St. & Nelson St.

Standard #7: Compatibility with surrounding land use.

How Standard #7 has / will be met: The proposed use is expected to be compatible with adjacent land uses

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

None related to Pawn shops and/or title pawn

8. **Staff Recommendation:** Staff recommends approval. If approved and for emphasis, the commission may choose to condition the permit to no outdoor storage or displays per previous special use permits and per zoning ordinance Sec. 4.25.

9. **Planning Commission Recommendation:**

Application for Special Use
City of Cartersville

Meeting: September 2, 2021 Item 3.

Case Number _____
Date Received: 6/25/21


Public Hearing Dates:

Planning Commission 8/10/21 5:30pm 1st City Council 8/19/21 7:00pm 2nd City Council 9/2/21 7:00pm

Applicant Auto Cash-Cartersville LLC Office Phone _____
(printed name)
 Address P. O. Box 2875 Mobile/ Other Phone _____
 City Cartersville State GA Zip 30120 Email _____
Leslie Vaughan Simmons Phone (Rep) 770-382-4702
 Representative's printed name (if other than applicant) Email (Rep) leslie@lesliesimmonsllaw.com
 Representative Signature _____ Applicant Signature _____
 Signed, sealed and delivered in presence of:
Nancy Alexander
 Notary Public



* Titleholder Lewis & Sons, Inc. Phone 770-382-6330
(titleholder's printed name)
 Address 321 N. Tennessee Street
Cartersville, GA 30120 Email _____
 Signature C. Paul Lewis
 Signed, sealed, delivered in presence of:
Nancy Alexander
 Notary Public



Present Zoning District M-U C 004-0004-006
 Acreage 1600 Sq Land Lot(s) 409 District(s) 4th Section(s) 3rd
 Location of Property: 323 N. Tennessee Street
Cartersville, GA 30120
(street address, nearest intersections, etc.)
 Reason for Special Use Request: traditional power

(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: 6/25/21

Date Two Years Prior to Application: 6/25/2019

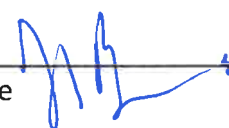
Date Five Years Prior to Application: 6/25/2016

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	_____	✓
Lamar Pinson	_____	✓
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.

6/25/2021

Signature  Date _____

Print Name J. BROWNE

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:

traditional pawn accepting firearms and jewelry

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

How Standard #1 has / will be met:

applicant does not anticipate any change to traffic to or from adjoining streets

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

How Standard #2 has / will be met:

there are approximately four parking spaces in front of the building and two behind the building. These are sufficient to service applicants use.

Standard #3: Protective screening.

How Standard #3 has / will be met:

no changes are proposed.

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

How Standard #4 has / will be met:

Standard office hours

Standard #5: Outdoor lighting.

How Standard #5 has / will be met:

location currently has sufficient outdoor lighting; no changes are proposed.

Standard #6: Ingress and egress to the property.

How Standard #6 has / will be met:

location has sufficient ingress and egress; no changes are proposed

Standard #7: Compatibility with surrounding land use.

How Standard #7 has / will be met:

proposed use is in keeping with the surrounding commercial use.

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

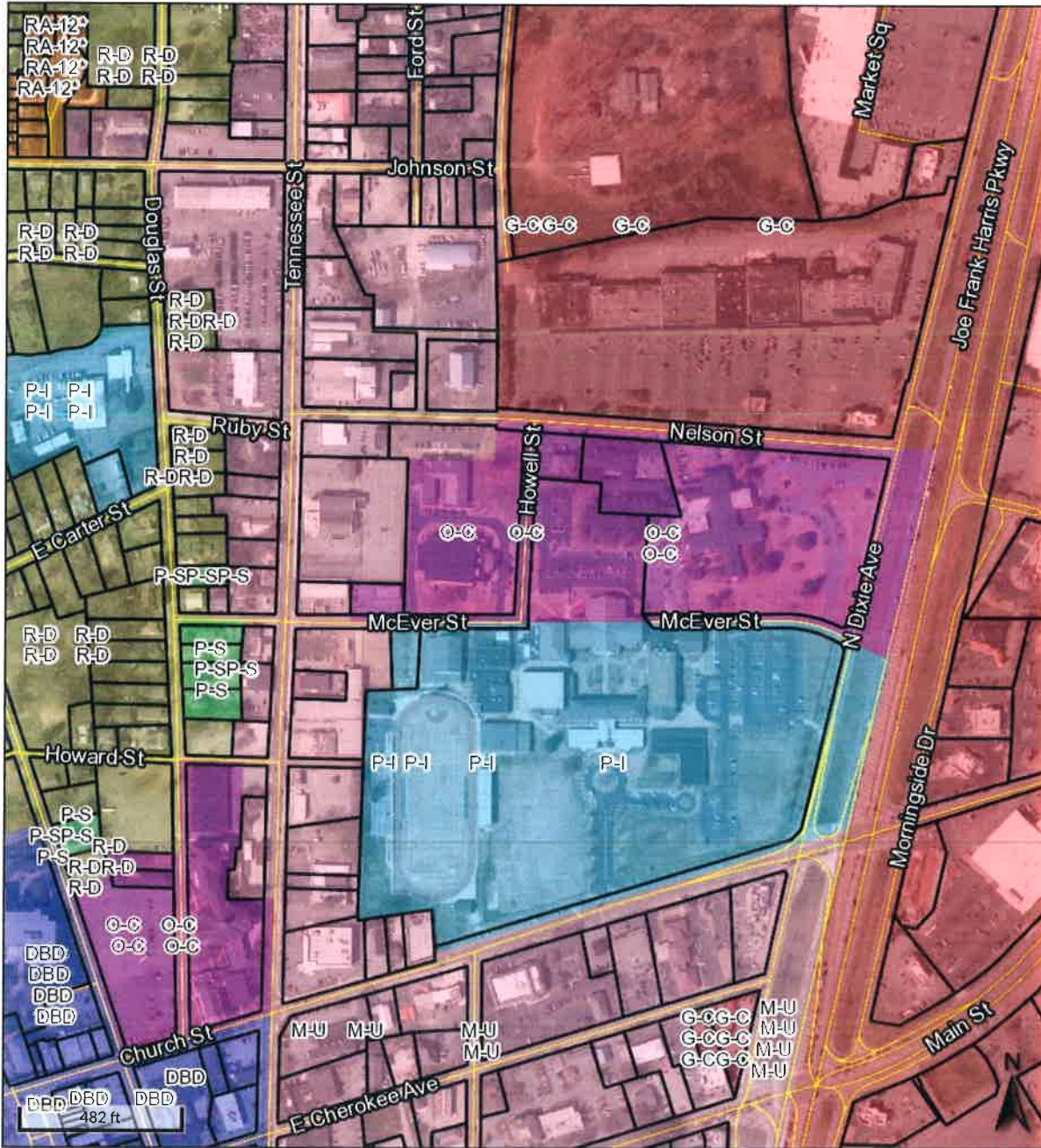
Signed,



Applicant or Representative

6.25.2021

Date



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*

Images taken 7/22/21





CITY COUNCIL ITEM SUMMARY

MEETING DATE:	September 2, 2021
SUBCATEGORY:	Second Reading of Ordinances
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	Wholesale Distilled Spirits: Ordinance Amendment
DEPARTMENT SUMMARY RECOMMENDATION:	The attached ordinance amendment to Section 4-33 adds paragraph 7, which outlines the license fee for wholesale distilled spirits. Alcohol Control Board approved 5-0.
LEGAL:	N/A

Ordinance no. 33-21

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 – ALCOHOL BEVERAGES. ARTICLE II. - LICENSING REQUIREMENTS. DIVISION 1. GENERALLY. SECTION 4-33 CLASSIFICATION, FEES AND TERMS. is amended by deleting and replacing the same as listed below.

1.

Sec. 4-33. Classification, fees, and terms.

Licenses under this division shall be classified as follows:

- (1) *Retail malt beverages package.* A retail package license shall permit only the sale of malt beverages in packages at retail, and not for consumption on the premises. The fee for such licenses shall be five hundred dollars (\$500.00).
- (2) *Retail wine package.* A retail wine package license shall permit only the sale of wine in packages at retail, and not for consumption on the premises. The fee for such license shall be four hundred dollars (\$400.00).
- (3) *Retail malt beverages and wine package.* A retail license shall permit only the sale of wine in packages and malt beverages in packages at retail, and not for consumption on the premises. The fee for such license shall be nine hundred dollars (\$900.00).
- (4) *Pouring license.* A pouring license shall permit the sale of wine or malt beverages, both by the drink for consumption on the premises of a pouring outlet. The fee for such licenses shall be nine hundred dollars (\$900.00).
- (5) *Wholesale wine.* A wholesale wine license shall permit only the sale of wine at wholesale. The fee for such licenses shall be two hundred dollars (\$200.00).
- (6) *Wholesale malt beverage.* A wholesale malt beverage license shall permit only the sale of malt beverages at wholesale. The fee for such licenses shall be one hundred dollars (\$100.00).
- (7) *Wholesale distilled spirits.* A wholesale distilled spirits license shall permit only the sale of distilled spirits at wholesale. The fee for such licenses shall be one hundred dollars (\$100.00).
- (8) *Distilled spirits package.* The annual fee for a distilled spirits package license shall be five thousand dollars (\$5,000.00) per annum and shall be paid prior to the issuance of such license.
- (9) *Distilled spirits pouring.* The annual fee for a distilled spirits pouring licenses shall be one thousand five hundred dollars (\$1,500.00) per annum and shall be paid prior to the issuance of such license. The fee shall accompany the application and shall be either in cash or check.
- (10) *Refund.* There shall be no refund of license fees to licensees who close their licensed business during a calendar year.

- (11) *Term.* Any license issued pursuant to this chapter shall be valid only for the calendar year indicated thereon and no such licenses may be renewed without the licensee filing a renewal application with the city as provided for in this chapter.
- (12) *Fees.* All fees shall accompany the application and shall be either in cash or check.
- (13) *Proration.* There shall be no proration of fees for a license.
- (14) *Sunday sales.* The annual fee for a Sunday sales license shall be three hundred dollars (\$300.00) per annum and shall be paid prior to the issuance of such license. The fee shall accompany the application and shall be either in cash or check. For any licenses issued for the calendar year of 2008, the fee shall be fifty dollars (\$50.00) as said licenses shall only be effective from until December 31, 2008.

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 and/or alphabetized accordingly to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: August 19, 2021
 SECOND READING: September 2, 2021

 MATTHEW J. SANTINI, MAYOR

ATTEST: _____
 JULIA DRAKE, CITY CLERK



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	September 2, 2021
SUBCATEGORY:	Bid Awards/Purchases
DEPARTMENT NAME:	FiberCom
AGENDA ITEM TITLE:	Mimecast Renewal
DEPARTMENT SUMMARY RECOMMENDATION:	This item is a budgeted annual support renewal for our Mimecast email security solution. This service provides cloud based email threat protection for the City of Cartersville. The total amount is \$21,305.39 from CDWG and it is recommended for your approval.
LEGAL:	N/A

QUOTE CONFIRMATION



DEAR STEVEN GRIER,

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

Thank you,



ACCOUNT MANAGER NOTES: Adam Bruno
312-705-0710
adabrun@cdwg.com

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
MHLT461	8/16/2021	9/11 MIMICAST RENEWAL	11372497	\$21,305.39

QUOTE DETAILS				
ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
<u>Mimecast M3R - subscription license (1 year) - 1 license</u> Mfg. Part#: M_M3R_250_A UNSPSC: 43233205 Mimecast M3R Email Security with Targeted Threat Protection and Remediation, Continuity, DLP, Sync and Recover and 1 year archive. Electronic distribution - NO MEDIA Contract: MARKET	300	5730158	\$60.17	\$18,051.00
<u>MIMICAST ADVANCED SUP</u> Mfg. Part#: M_ADV-SP_A Includes the same online Support Portal, the Mimecast Customer Community, Knowledgebase and Administration Console access as the Basic Support package. Also includes 24 X 7 Telephone support. Electronic distribution - NO MEDIA Contract: MARKET	1	6531299	\$3,254.39	\$3,254.39

PURCHASER BILLING INFO	SUBTOTAL	\$21,305.39
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	\$0.00
	SALES TAX	\$0.00
	GRAND TOTAL	\$21,305.39
DELIVER TO Shipping Address: CITY OF CARTERSVILLE STEVEN GRIER 1 N ERWIN ST CARTERSVILLE, GA 30120-3121 Phone: (770) 387-5621 Shipping Method: ELECTRONIC DISTRIBUTION	Please remit payments to: CDW Government 75 Remittance Drive Suite 1515 Chicago, IL 60675-1515	



Adam Bruno

(877) 325-6613

adabrun@cdwg.com

This quote is subject to CDW's Terms and Conditions of Sales and Service Projects at <http://www.cdwg.com/content/terms-conditions/product-sales.aspx>
For more information, contact a CDW account manager

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CITY COUNCIL ITEM SUMMARY

MEETING DATE:	September 2, 2021
SUBCATEGORY:	Bid Award/Purchases
DEPARTMENT NAME:	Administration
AGENDA ITEM TITLE:	Vehicle Purchase
DEPARTMENT SUMMARY RECOMMENDATION:	The attached vehicle bid is recommended for your approval and is for our FiberCom department. This is a budgeted item and will be purchased using funds from operating revenue.
LEGAL:	N/A

VEHICLE ORDER CONFIRMATION

08/28/21 11:55:22

Dealer: F21422

Page: 1 of 1

Order Type: 5B Price Level: 215

PO Number:

2022 EXPLORER 4-DOOR

Order No: 0000

Priority: L3 Ord FIN: QD456

Code: 100A Cust/Filt Name: CARTERSVILLE

RETAIL

RETAIL

K7B 4DR RWD BASE \$33100

FUEL CHARGE

B4A NET INV FLT OPT

NC

YZ OXFORD WHITE

PRICED DORA

NC

7 CLOTH SEATS

DEST AND DELIV

1245

N SANDSTONE

TOTAL BASE AND OPTIONS

34345

100A EQUIP GRP

TOTAL

34345

THIS IS NOT AN INVOICE

.18" PNTD ALUM

99H .2.3L ECOBOOST

NC

44T .10SPD AUTO TRAN

NC

.P255/65R18 A/S

NC

425 FLEET SPCL ADJ

NC

50 STATE EMISS

NC

153 FRT LICENSE BKT

NC

SP DLR ACCT ADJ

NC

SP FLT ACCT CR

F2=Return to Order

F3/F12=Veh Ord Menu

F1=Help F4=Submit F5=Add to Library

S099 - PRESS F4 TO SUBMIT

QC002571

V1DP0139

2,6



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	September 2, 2021
SUBCATEGORY:	Bid Award/Purchases
DEPARTMENT NAME:	Electric
AGENDA ITEM TITLE:	Switching Cubicle - PMH-10 Stock Replacement
DEPARTMENT SUMMARY RECOMMENDATION:	The Electric Department is requesting authorization to purchase a switching cubicle to replenish our stock. To keep in compliance with our on policy to have one of every size transformer and switching cubicle, we need to purchase an S&C PMH-10 switching cubicle for our stock. This is a sole-sourced item from Gresco, and the cost is \$24,545.00 with a delivery time of 6-8 weeks. This is a budgeted expense.
LEGAL:	N/A



Quote



Entered Date	Taken By	Customer #	Order #
8/19/21	ngis	1458	10170189-00
PO #			Page #
QUOTE			1

Bill To	Ship To	Remit To
CITY OF CARTERSVILLE Po Box 1390 Cartersville, GA 30120-1390	CITY OF CARTERSVILLE 320 S Erwin St Cartersville, GA 30120-3914	GRESKO PO BOX 932918 ATLANTA, GA 31193-2918

Instructions

Ship Point	Via	Shipped	Terms	SlsRepln/Out
Gresco-Forsyth, GA	Gresco Truck		Net 30 Days	mrob / anar

Notes

Material Handling Capabilities: LIFT ONLY

Line	Product and Description	Order Quantity	Qty UM	Unit Price	Price UM	Amount(Net)
1	5243R3-K3 SWITCHGEAR 25LV MANUAL PMH10 W/18" BASE SPACER 6-8 WEEKS DELIVERY	1.00	EA	24,545.00	EA	24,545.00
1	Lines Total	Total Order Quantity	1.00		Subtotal	24,545.00
					Taxes	0.00
					Total	24,545.00



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	September 2, 2021
SUBCATEGORY:	Bid Award/Purchases
DEPARTMENT NAME:	Public Works
AGENDA ITEM TITLE:	Paving Contract Bid Award
DEPARTMENT SUMMARY RECOMMENDATION:	<p>Public Works opened bids on 8/24/2021 for the resurfacing of 4.73 miles of city streets. The low bidder is Bartow Paving Company at \$683,294.85. We recommend the award of this project to the low bidder, Bartow Paving Company and recommend Council grant permission for the Mayor to sign all related documents.</p> <p>The grant amount this year was \$278,091.27 and the remaining balance is budgeted and will come from the 2020 SPLOST Road, Streets, Sidewalks, Bridges and Stormwater Improvements Category.</p>
LEGAL:	N/A

Bid Tabulations
CITY OF CARTERSVILLE PROJECT NO.. PW-2021- LMIG

DESCRIPTION	EST. QTY.	UNIT	Bartow Paving		Blount Construction		CW Matthews		Magnum Paving		NW GA Paving	
			UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
150-1000 Traffic Control	1	LS	\$ 42,171.55	\$42,171.55	\$ 40,114.27	\$40,114.27	\$ 119,907.90	\$119,907.90	\$ 50,000.00	\$50,000.00	\$ 135,000.00	\$135,000.00
402-1802 Recycled Asph. Patching, Incl Bitum Matl and H-Lime	200	TN	\$ 161.16	\$32,232.00	\$ 151.57	\$30,314.00	\$ 150.46	\$30,092.00	\$ 200.00	\$40,000.00	\$ 150.00	\$30,000.00
402-1812 Recycled Asph. Conc. Leveling, Incl. Bitum Material and H-Lime	140	TN	\$ 114.13	\$15,978.20	\$ 140.73	\$19,702.20	\$ 143.26	\$20,056.40	\$ 125.00	\$17,500.00	\$ 100.00	\$14,000.00
402-3101 Recycled Asph Conc. 9.5 MM Superpave, Type 1, Blend 1, incl. Bitum Mtl. And H-Lime	4235	TN	\$ 109.80	\$465,003.00	\$ 111.10	\$470,508.50	\$ 99.64	\$421,975.40	\$ 112.95	\$478,343.25	\$ 100.00	\$423,500.00
413-1000 Bitum Tack Coat	8970	GL	\$ 0.01	\$89.70	\$ 2.59	\$23,232.30	\$ 0.01	\$89.70	\$ 5.00	\$44,850.00	\$ 0.01	\$89.70
432-5010 Mill Asph Conc Variable Depth	25740	SY	\$ 1.84	\$47,361.60	\$ 2.21	\$56,885.40	\$ 4.19	\$107,850.60	\$ 4.85	\$124,839.00	\$ 5.30	\$136,422.00
653-0110 Thermoplastic Pvmt Marking, Arrow, Tp 1	2	EA	\$ 138.00	\$276.00	\$ 103.00	\$206.00	\$ 100.00	\$200.00	\$ 125.00	\$250.00	\$ 100.00	\$200.00
653-1501 Thermoplastic Solid Traffic Stripe, 5 in, White	1200	LF	\$ 0.90	\$1,080.00	\$ 1.03	\$1,236.00	\$ 1.00	\$1,200.00	\$ 1.00	\$1,200.00	\$ 1.00	\$1,200.00
653-1502 Thermoplastic Solid Traffic Stripe, 5 in, Yellow	16280	LF	\$ 0.66	\$10,744.80	\$ 1.03	\$16,768.40	\$ 1.00	\$16,280.00	\$ 0.61	\$9,930.80	\$ 1.00	\$16,280.00
653-1804 Thermoplastic Solid Traffic Stripe, 24 in, White	460	LF	\$ 8.10	\$3,726.00	\$ 8.76	\$4,029.60	\$ 8.50	\$3,910.00	\$ 10.00	\$4,600.00	\$ 8.60	\$3,956.00
653-3501 Thermoplastic Skip Traf Stripe, White	100	GLF	\$ 0.90	\$90.00	\$ 0.77	\$77.00	\$ 0.75	\$75.00	\$ 1.00	\$100.00	\$ 0.75	\$75.00
653-6006 Thermoplastic Traffic Striping, Yellow	200	SY	\$ 6.60	\$1,320.00	\$ 5.15	\$1,030.00	\$ 5.00	\$1,000.00	\$ 8.00	\$1,600.00	\$ 5.00	\$1,000.00
611-8050 Adjust Manhole to Grade	48	EA	\$ 1,104.00	\$52,992.00	\$ 746.75	\$35,844.00	\$ 920.00	\$44,160.00	\$ 400.00	\$19,200.00	\$ 950.00	\$45,600.00
611-8140 Adjust Water Valve Box to Grade	11	EA	\$ 930.00	\$10,230.00	\$ 643.75	\$7,081.25	\$ 775.00	\$8,525.00	\$ 250.00	\$2,750.00	\$ 1,200.00	\$13,200.00
				\$683,294.85		\$707,028.92		\$775,322.00		\$795,163.05		\$820,522.70

City of Cartersville

LMIG List of Streets

Road Name	Length(FT)	Begin	End	Type of Work
Clearview Drive	2000	Cul-de-sac	Cul-de-sac	Mill, Spot Level, Resurface
Cain Drive	600	Felton Road	Clearview Drive	Mill, Resurface
Briarcrest Way	160	Cain Drive	Cul-de-sac	Mill, Resurface
Hillstone Way	285	Clearview Drive	Cul-de-sac	Mill, Resurface
Overlook Way	225	Clearview Drive	Cul-de-sac	Mill, Resurface
Pickers Row	350	Parr Wade Road	Cotton Bend	Mill, Spot Level, Resurface
Cotton Bend	2990	Cul-de-sac	Parr Wade Road	Mill, Spot Level, Resurface
Mill Creek Road	1020	Jones Mill Road	Cul-de-sac	Mill, Resurface
Tellus Drive	2130	US 411/SR 61	Pvmt Joint at parking lot	Mill, Resurface
Aubrey Lake Road	660	US 411/SR 61	Gravel lot	Resurface
Pyron Court	1120	US 411/SR 61	Dead End	Resurface
Remington Drive	1030	Road No. 1 South	Cul-de-sac	Mill, Resurface
Collins Street	580	Johnson Street	MLK JR Blvd	Resurface
Johnson Street	2085	Roosevelt Street	Bruce Street	Mill, Resurface
Summitt Street	1025	MLK JR Blvd	Porter Street	Mill, Resurface
Mary Street	1300	Tennessee Street	Gilmer Street	Mill, Resurface
Lee Street	1985	West Cherokee Ave	West Ave	Mill, Resurface
Jackson Street	920	West Cherokee Ave	Lee Street	Mill, Resurface
Beauregard Street	705	Jackson Steet	Knight Street	Resurface
McElreath Street	600	Beauregard Street	Lee Street	Resurface
Moody Street	530	Beauregard Street	Lee Street	Resurface
Knight Street	1370	Lee Street	Dead End	Resurface
Oakland Street	310	Knight Street	Poplar Street	Resurface
Herring Street	995	Fite Street	Lee Street	Mill, Resurface



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	September 2, 2021
SUBCATEGORY:	Resolutions
DEPARTMENT NAME:	Public Works
AGENDA ITEM TITLE:	Tennessee Street Corridor Study
DEPARTMENT SUMMARY RECOMMENDATION:	<p>Recently, the Cartersville-Bartow County MPO approved the FY2022 CBMPO Unified Planning Work Program which included a few potential studies within the corporate limits of Cartersville. One study is of the Tennessee Street Corridor which included the portion extending from West Avenue in the south to Felton Road in the north.</p> <p>This study, performed by a transportation/planning consultant, would concentrate on traffic flows, pedestrian and bicycle access, visual aesthetics and storm drainage issues.</p> <p>The CBMPO anticipates utilizing Federal Metropolitan Planning (PL) Funds for 80% of the cost of this study. The other 20% is considered to be a match from the local municipality that is requesting the study. This study is estimated to be approximately \$200,000. Therefore, the City of Cartersville’s contribution would be approximately \$40,000.</p> <p>In order to move forward with the application of the PL funds, a resolution of support is needed by the City of Cartersville. We recommend Council approve the attached resolution and authorize the Mayor to sign the resolution on behalf of the City.</p>
LEGAL:	N/A

RESOLUTION NO. _____

RESOLUTION OF CARTERSVILLE, GEORGIA AUTHORIZING AN APPLICATION FOR PLANNING (PL) FUNDS SR 61/TENNESSEE STREET CORRIDOR SCOPING STUDY

WHEREAS, SR 61/Tennessee Street within the City of Cartersville, is a major route within the City; and

WHEREAS, the roadway experiences approximately 15,400 vehicles per day and has very limited or no pedestrian and bicycle facilities; and

WHEREAS, the area encounters, from time-to-time, stormwater runoff issues; and

WHEREAS, the corridor is a major entryway into and out of the City of Cartersville; and

WHEREAS, the City of Cartersville desires to submit to the Georgia Department of Transportation (“GDOT”), an application for SR 61/Tennessee Street Corridor Scoping Study; and

WHEREAS, the estimated cost of \$200,00.00 for the scoping study is financially feasible; and

WHEREAS, the City of Cartersville continues to be Local Administered Project (LAP) certified by the Georgia Department of Transportation (“GDOT”) to administer federal-aid projects of this nature; and

WHEREAS, the local government share of this project is twenty (20%) percent, or \$40,000.00; and

WHEREAS, the City of Cartersville believes it is in the public’s interest and promotes the public’s general health, safety, and welfare to participate in a scoping study for the SR61/ Tennessee Street Corridor.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, IN THE STATE OF GEORGIA, AS FOLLOWS:

1. That the City submit the application for PL funding for the SR 61/Tennessee Street Corridor scoping study attached here to as Exhibit “A” and incorporated herein by reference, and if awarded, the City will provide the local cash match as required in said application and by federal law.

BE IT AND IT IS HEREBY RESOLVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CARTERSVILLE, this ____ day of _____, 2021.

ATTEST:

/s/ _____

Matthew J. Santini, Mayor
City of Cartersville, Georgia

/s/ _____

Julia Drake, City Clerk
City of Cartersville, Georgia

Federal Metropolitan Planning (PL) Fund Application Form



NAME OF STUDY: Tennessee Street Corridor Special Study **PHASE:** Scoping

MPO: Cartersville Bartow MPO

CONTACT (Name, Phone, Email): Tom Sills PH 770.607.6265, Email: sillst@bartowcountygga.gov

PROJECT START DATE: January 2022 **PROJECT END DATE:** July 2022

IS PROJECT UPWP/TIP APPROVED: Yes **IF NO, AMENDMENT NEEDED?** _____

PREVIOUS WORK ON PROJECT: Discussions at local government level

DESCRIPTION OF PROJECT BACKGROUND, NEED & GOALS: Tennessee Street, also known as State Route 61, in Cartersville, Georgia has traffic volumes of approximately 15,400 vehicles per day and has very limited or no pedestrian and bicycle facilities. In addition, the corridor has encountered problems with visual aesthetics and storm drainage issues that may affect driver performance. This corridor is located along Tennessee Street from its intersection with West Avenue in the south to Felton Road in the north.

A comprehensive corridor study is desired to identify problematic areas and potential improvements that can be utilized to remedy some of the issues concerning this corridor. Improvements along this corridor would hopefully decrease traffic congestion, improve public safety and assist economic development. Funds are being requested from the PL Funds Committee with the 20% match provided by the City of Cartersville acting as project sponsor.

COST DESCRIPTION (contract, staff, purchase data costs, etc.): Contract for consulting services

PL FUNDS: \$160,000 (80%)

LOCAL MATCH (CASH): 40,000 (20%)

LOCAL MATCH (IN-KIND): _____ (0%)

TOTAL COST: \$200,000

MAPS/IMAGES OF PROJECT:



Attach scope, fee proposal, MPO Policy Board matching funds resolution, or any other information.

Tennessee Street Corridor Study of Tennessee Street extending 1.5 miles from West Avenue north to E. Felton Drive paying special attention to automotive traffic, bicycle and pedestrian access, storm drainage issues causing problematic traffic flow and aesthetics of the corridor. Items to be examined include signal timing, turn movements, bicycle and pedestrian facilities, storm drainage, floodplains and corridor image.

This corridor study is expected to include the following elements:

1. Collect data for land use, traffic counts (automotive, pedestrian and bicycle) and storm drainage issues.
2. Model traffic for existing and future conditions.
3. Coordinate stakeholder meetings.
4. Provide recommendations for improvements.
5. Develop cost estimate for improvements.



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	September 2, 2021
SUBCATEGORY:	Easements
DEPARTMENT NAME:	Water Department
AGENDA ITEM TITLE:	Mission Road Sewer – Draha Easement
DEPARTMENT SUMMARY RECOMMENDATION:	<p>The Mission Road Phase III/IV sewer replacement project requires the acquisition of several easements for construction. One of the final necessary easements is the Draha property along Mission Road. The owners have accepted the City’s offer of compensation for this easement.</p> <p>The offer is significantly less than the cost of designing and re-routing the sewer line around this property.</p> <p>I recommend approval of the attached offer of compensation. This is a revenue bond funded budgeted item in the Mission Road Sewer Replacement project, and will be paid from account 505.3320.54.1331.</p>
LEGAL:	N/A

OFFER OF COMPENSATION FOR EASEMENT ACQUISITION

Property Owner: Henryka Draha Mail to:
Bartow County Tax
Parcel Number 0072-0451-003
Address
Cartersville, GA 30120

Total Area of Permanent Easement Required: 6,858 sq. ft.

Total Area of Construction Easement Required: 3,558 sq. ft.

Proposed Compensation

Property Appraisal: \$8,500.00 /acre = \$0.20 /sq. ft. Other appraisals*
Compensation for Permanent Easement at 50% of appraised value: \$680.00
Compensation for Construction Easement at 10% of appraised value: \$68.00
\$10,000.00 H. D. (initial)
Total Proposed Compensation: \$750.00 (rd)

Notes:

* Other appraisal values from other easements obtained on adjacent street.

Owner agrees to the above amount contingent upon the attached Special Stipulations being included in the Water and Sewer Easement Agreement. H. D. initial

Compensation Offered By:

City of Cartersville
Print Name

Date: 12/15/2020

Offer Accepted By:

Date: 7/8/2021

Henryka Draha
HENRYKA DRAHA

Print Owner's Name

Print Owner's Name

SPECIAL STIPULATIONS

1. The location of the manhole for this project is located on the plans at HM3, station 105+10.27
2. This easement does not interfere with Grantor's access to the property, except during those times when there is construction, or maintenance of the utilities.
3. Grantor's property located within the easement area will be graded back to match as best is possible, the existing current topography, and shall also be re-seeded.
4. The City shall provide forty-eight (48 hours' notice if work is to be performed in the easement area, except in the event of emergencies where the City shall notify Grantor as soon as practicable.
5. The temporary construction easement shall expire on October 1, 2022.



CITY COUNCIL ITEM SUMMARY

MEETING DATE:	September 2, 2021
SUBCATEGORY:	Other
DEPARTMENT NAME:	Police Department
AGENDA ITEM TITLE:	Federal Annual Report FY2020/2021
DEPARTMENT SUMMARY RECOMMENDATION:	<p>As you know, the Cartersville Police Department has to complete the federal annual report for the U.S. Department of Justice each year to account for the federal asset forfeiture money received and spent. The report is for fiscal year starting July 1, 2020 and ending June 30, 2021. This report was prepared by the police department with the assistance of Tom Rhinehart, Finance Director. I am recommending approval of the annual report and authorization for the Mayor to sign it on behalf of the City of Cartersville.</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 : August 23, 2021
Ref : Federal annual report fiscal year 2020/2021

As you know, the Cartersville Police Department has to complete the federal annual report for the U.S. Department of Justice each year to account for the federal asset forfeiture money received and spent. The report is for fiscal year starting July 1, 2020 and ending June 30, 2021. This report was prepared by the police department with the assistance of Tom Rhinehart, Finance Director. I am requesting that this item be added to the agenda for the September 2, 2021 City Council meeting.



Equitable Sharing Agreement and Certification



NCIC/ORI/Tracking Number: GA0080100

Agency Name: Cartersville Police Department

Type: Police Department

Mailing Address: 195 Cassville Rd. / P.O. Box 1390
Cartersville, GA 30120

Agency Finance Contact

Name: McCann, Frank L.

Phone: 7703822526

Email: flmcann@cartersvillepolice.com

Jurisdiction Finance Contact

Name: Rhinehart, Tom

Phone: 770 387 5615

Email: trhinehart@cityofcartersville.org

ESAC Preparer

Name: Firth, Ryan

Phone: 678-449-4405

Email: firth46@cartersvillepolice.com

FY End Date: 06/30/2021

Agency FY 2022 Budget: \$6,923,430.00

Annual Certification Report

Summary of Equitable Sharing Activity		Justice Funds ¹	Treasury Funds ²
1	Beginning Equitable Sharing Fund Balance	\$482,395.66	\$0.00
2	Equitable Sharing Funds Received	\$131,745.18	\$0.00
3	Equitable Sharing Funds Received from Other Law Enforcement Agencies and Task Force	\$0.00	\$0.00
4	Other Income	\$45,642.30	\$0.00
5	Interest Income	\$0.00	\$0.00
6	Total Equitable Sharing Funds Received (total of lines 2-5)	\$177,387.48	\$0.00
7	Equitable Sharing Funds Spent (total of lines a - n)	\$425,683.34	\$0.00
8	Ending Equitable Sharing Funds Balance (difference between line 7 and the sum of lines 1 and 6)	\$234,099.80	\$0.00

¹Department of Justice Asset Forfeiture Program participants are: FBI, DEA, ATF, USPIS, USDA, DCIS, DSS, and FDA

²Department of the Treasury Asset Forfeiture Program participants are: IRS, ICE, CBP and USSS.

Summary of Shared Funds Spent		Justice Funds	Treasury Funds
a	Law Enforcement Operations and Investigations	\$0.00	\$0.00
b	Training and Education	\$3,375.00	\$0.00
c	Law Enforcement, Public Safety, and Detention Facilities	\$0.00	\$0.00
d	Law Enforcement Equipment	\$409,933.34	\$0.00
e	Joint Law Enforcement/Public Safety Equipment and Operations	\$0.00	\$0.00
f	Contracts for Services	\$12,375.00	\$0.00
g	Law Enforcement Travel and Per Diem	\$0.00	\$0.00
h	Law Enforcement Awards and Memorials	\$0.00	\$0.00
i	Drug, Gang, and Other Education or Awareness Programs	\$0.00	\$0.00
j	Matching Grants	\$0.00	\$0.00
k	Transfers to Other Participating Law Enforcement Agencies	\$0.00	\$0.00
l	Support of Community-Based Programs	\$0.00	\$0.00
m	Non-Categorized Expenditures	\$0.00	\$0.00
n	Salaries	\$0.00	\$0.00
	Total	\$425,683.34	\$0.00

Equitable Sharing Funds Received From Other Agencies

Meeting: September 2, 2021 Item 11.

Transferring Agency Name	Justice Funds	Treasury Funds

Other Income

Other Income Type	Justice Funds	Treasury Funds
Sale Proceeds	\$45,642.30	

Matching Grants

Matching Grant Name	Justice Funds	Treasury Funds

Transfers to Other Participating Law Enforcement Agencies

Receiving Agency Name	Justice Funds	Treasury Funds

Support of Community-Based Programs

Recipient	Justice Funds	

Non-Categorized Expenditures

Description	Justice Funds	Treasury Funds

Salaries

Salary Type	Justice Funds	Treasury Funds

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Asset Forfeiture and Money Laundering Section at 1400 New York Avenue, N.W., Washington, DC 20005.

Privacy Act Notice

The Department of Justice is collecting this information for the purpose of reviewing your equitable sharing expenditures. Providing this information is voluntary; however, the information is necessary for your agency to maintain Program compliance. Information collected is covered by Department of Justice System of Records Notice, 71 Fed. Reg. 29170 (May 19, 2006), JMD-022 Department of Justice Consolidated Asset Tracking System (CATS). This information may be disclosed to contractors when necessary to accomplish an agency function, to law enforcement when there is a violation or potential violation of law, or in accordance with other published routine uses. For a complete list of routine uses, see the System of Records Notice as amended by subsequent publications.

Single Audit Information**Independent Auditor**

Name: McKellar, Christopher
Company: Mauldin & Jenkins LLC
Phone: 770-541-5433

Email: mjconnect@mjcpa.com

Were equitable sharing expenditures included on your jurisdiction's prior fiscal year's **Schedule of Expenditures of Federal Awards (SEFA)**?

Meeting: September 2, 2021 Item 11.

YES NO

Prior year Single Audit Number Assigned by Harvester Database: 872592

Affidavit

Meeting: September 2, 2021 Item 11.

Under penalty of perjury, the undersigned officials certify that they have read and understand their obligations under the *Guide to Equitable Sharing for State, Local, and Tribal Law Enforcement Agencies (Guide)* and all subsequent updates, this Equitable Sharing Agreement, and the applicable sections of the Code of Federal Regulations. The undersigned officials certify that the information submitted on the Equitable Sharing Agreement and Certification form (ESAC) is an accurate accounting of funds received and spent by the Agency.

The undersigned certify that the Agency is in compliance with the applicable nondiscrimination requirements of the following laws and their Department of Justice implementing regulations: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and the Age Discrimination Act of 1975 (42 U.S.C. § 6101 *et seq.*), which prohibit discrimination on the basis of race, color, national origin, disability, or age in any federally assisted program or activity, or on the basis of sex in any federally assisted education program or activity. The Agency agrees that it will comply with all federal statutes and regulations permitting federal investigators access to records and any other sources of information as may be necessary to determine compliance with civil rights and other applicable statutes and regulations.

Equitable Sharing Agreement

This Federal Equitable Sharing Agreement, entered into among (1) the Federal Government, (2) the Agency, and (3) the Agency's governing body, sets forth the requirements for participation in the federal Equitable Sharing Program and the restrictions upon the use of federally forfeited funds, property, and any interest earned thereon, which are equitably shared with participating law enforcement agencies. By submitting this form, the Agency agrees that it will be bound by the *Guide* and all subsequent updates, this Equitable Sharing Agreement, and the applicable sections of the Code of Federal Regulations. Submission of the ESAC is a prerequisite to receiving any funds or property through the Equitable Sharing Program.

1. Submission. The ESAC must be signed and electronically submitted within 60 days of the end of the Agency's fiscal year. Electronic submission constitutes submission to the Department of Justice and the Department of the Treasury.

2. Signatories. The ESAC must be signed by the head of the Agency and the head of the governing body. Examples of Agency heads include police chief, sheriff, director, commissioner, superintendent, administrator, county attorney, district attorney, prosecuting attorney, state attorney, commonwealth attorney, and attorney general. The governing body head is the head of the agency that appropriates funding to the Agency. Examples of governing body heads include city manager, mayor, city council chairperson, county executive, county council chairperson, administrator, commissioner, and governor. The governing body head cannot be an official or employee of the Agency and must be from a separate entity.

3. Uses. Shared assets must be used for law enforcement purposes in accordance with the *Guide* and all subsequent updates, this Equitable Sharing Agreement, and the applicable sections of the Code of Federal Regulations.

4. Transfers. Before the Agency transfers funds to other state or local law enforcement agencies, it must obtain written approval from the Department of Justice or Department of the Treasury. Transfers of tangible property are not permitted. Agencies that transfer or receive equitable sharing funds must perform sub-recipient monitoring in accordance with the Code of Federal Regulations.

5. Internal Controls. The Agency agrees to account separately for federal equitable sharing funds received from the Department of Justice and the Department of the Treasury, funds from state and local forfeitures, joint law enforcement operations funds, and any other sources must not be commingled with federal equitable sharing funds.

The Agency certifies that equitable sharing funds are maintained by the entity that maintains the Agency's appropriated or general funds and agrees that the funds will be subject to the standard accounting requirements and practices employed by the Agency's jurisdiction in accordance with the requirements set forth in the *Guide*, any subsequent updates, and the Code of Federal Regulations, including the requirement to maintain relevant documents and records for five years.

The misuse or misapplication of equitably shared funds or assets or supplantation of existing resources with shared funds or assets is prohibited. The Agency must follow its jurisdiction's procurement policies when expending equitably shared funds. Failure to comply with any provision of the *Guide*, any subsequent updates, and the Code of Federal Regulations may subject the Agency to sanctions.

6. Single Audit Report and Other Reviews. Audits shall be conducted as provided by the Single Audit Act Amendments of 1996 and OMB Uniform Administrative Requirements, Costs Principles, and Audit Requirements for Federal Awards. The Agency must report its equitable sharing expenditures on the Schedule of Expenditures of Federal Awards (SEFA) under Catalog of Federal Domestic Assistance number 16.922 for Department of Justice and 21.016 for Department of the Treasury. The Department of Justice and the Department of the Treasury reserve the right to conduct audits or reviews.

7. Freedom of Information Act (FOIA). Information provided in this Document is subject to the Department of Justice and the Department of the Treasury. Agencies must follow local release

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8. Waste, Fraud, or Abuse. An Agency or governing body is required to immediately notify the Money Laundering and Asset Recovery Section of the Department of Justice and the Executive Office for Asset Forfeiture of the Department of the Treasury of any allegations or theft, fraud, waste, or abuse involving federal equitable sharing funds.

Civil Rights Cases

During the past fiscal year: (1) has any court or administrative agency issued any finding, judgment, or determination that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above; or (2) has the Agency entered into any settlement agreement with respect to any complaint filed with a court or administrative agency alleging that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above?

Yes No

Agency Head

Name: McCann, Frank
Title: Chief of Police
Email: flmccann@cartersvillepolice.com

Signature: _____ Date: _____

To the best of my knowledge and belief, the information provided on this ESAC is true and accurate and has been reviewed and authorized by the Law Enforcement Agency Head whose name appears above. Entry of the Agency Head name above indicates his/her agreement to abide by the Guide, any subsequent updates, and the Code of Federal Regulations, including ensuring permissibility of expenditures and following all required procurement policies and procedures.

Governing Body Head

Name: Santini, Matthew
Title: Mayor
Email: cartersvillemayor@yahoo.com

Signature: _____ Date: _____

To the best of my knowledge and belief, the Agency's current fiscal year budget reported on this ESAC is true and accurate and the Governing Body Head whose name appears above certifies that the agency's budget has not been supplanted as a result of receiving equitable sharing funds. Entry of the Governing Body Head name above indicates his/her agreement to abide by the policies and procedures set forth in the Guide, any subsequent updates, and the Code of Federal Regulations.

I certify that I have obtained approval from and I am authorized to submit this form on behalf of the Agency Head and the Governing Body Head.

FY2021 ESAC

Line #4 (Other Income):

\$45,642.30 – Proceeds from the sale of vehicles purchased with Federally seized funds.

Total = \$45,642.30

Breakdown of Expenditures under Law Enforcement Equipment

Uniform / Personal Equipment - \$5970.32

Weapons / Ammunition / Protective Equipment – \$29,974.40

Police Vehicles / Vehicle Related Equipment – \$339,758.49 (to include the purchase of 8 police vehicles)

Misc. Equipment (License Plate Readers / Body Worn Cameras etc.) - \$34,230.13

TOTAL = \$409,933.34