



City Council Regular Meeting

Monday, November 06, 2023

5:15 PM

City Hall, 129 E Memorial Dr, Dallas GA 30132

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of a meeting or the facilities, are required to promptly contact the City's ADA Coordinator at 770-443-8110 ext. 1604 to allow the city to make reasonable accommodations for those persons.

MINUTES

PUBLIC HEARING

Mayor Kelly opened the public hearing.

Zoning Application Z-2023-08 Kerley Family Homes, LLC have applied to zone/rezone a portion of Land Lot(s) 273 in the 2nd District, 3rd Section of Paulding County, located at 260 Merchants Drive, within City of Dallas, Georgia, from a Zoning District of C-2 Commercial to a Zoning District of R-4 Residential and C-2 Commercial, in the City of Dallas.

Zoning Application Z-2023-09 Kerley Family Homes, LLC have applied to zone/rezone a portion of Land Lot(s) 273 in the 2nd District, 3rd Section of Paulding County, located at 200 Clay Drive, within City of Dallas, Georgia, from a zoning of R-1 Residential District to a Zoning District of R-4 Residential and C-2 Commercial, in the City of Dallas.

Kevin Moore, spoke on the applications. Richard Davis, Sam Braly & James Brooks spoke in opposition. David Austin spoke in favor. Mayor Kelly closed the public hearing.

Mayor Kelly opened the public hearing.

Ordinance Amendment No. OA-2023-15; Chapter 44 – Zoning; Article II – Administration and Enforcement; Division 1 – Generally; Sections 44-23 through 44-33; Division 2; Sections 44-53, 44-56, 44-57; Article III – District Regulations; Division 2 – Residential Districts; Sections 44-138 through 44-141

Mayor Kelly closed the public hearing.

CALL TO ORDER

PRESENT

Mayor L. James Kelly
Councilmember Leah Alls
Councilmember Nancy Arnold
Councilmember Christopher Carter
Councilmember Michael Cason
Councilmember James Henson
Councilmember Cooper Cochran

INVOCATION AND PLEDGE

Councilmember Cason led the Invocation and Pledge.

RECOGNITION OF VISITORS AND COMMENTS

Sherea Robinson & Paige Rinehart, Local Government Risk Management; Wellness Grant Check

Jim Butler, Richard Davis, Diane Walraven & Candace Callaway; Property Taxes

MINUTES APPROVAL

1. Motion to adopt the Monday, October 09, 2023, Regular Meeting Minutes.

Motion made by Councilmember Henson, Seconded by Councilmember Cochran.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

2. Motion to adopt the Friday, October 27, 2023, Special Called Executive Session Minutes.

Motion made by Councilmember Cason, Seconded by Councilmember Carter.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

CONSENT AGENDA

None

OLD BUSINESS

3. Motion to adopt Ordinance Amendment OA-2023-10; Create Office of Municipal Solicitor.

Motion made by Councilmember Arnold, Seconded by Councilmember Alls.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

4. Motion to adopt Ordinance Amendment OA-2023-11; Chapter 30 – Solid Waste; Sections 30-1 through 30-21.

Motion made by Councilmember Carter, Seconded by Councilmember Alls.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

5. Motion to adopt Ordinance Amendment OA-2023-12; Regulation of Heavy Vehicles.

Motion made by Councilmember Cason, Seconded by Councilmember Henson.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

6. Motion to table Ordinance Amendment OA-2023-13; Chapter 2 – Administration; Article II – Legislative Body; Sections 2-37 through 2-70.

Motion made by Councilmember Henson, Seconded by Councilmember Carter.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

7. Motion to adopt Ordinance Amendment OA-2023-14; Alcohol - Hours of Sale (Distilled Spirits).

Motion made by Councilmember Cason, Seconded by Councilmember Arnold.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

8. Motion to adopt Resolution RES-2023-16; Moratorium on Applications for Permits and/or Occupational/Business Licenses for New or Expanded Used Car Sales Lots, Tire Retailer, and Used/Scrap Tire Storage in The City of Dallas, Georgia until May 6, 2024.

Motion made by Councilmember Alls, Seconded by Councilmember Cochran.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

NEW BUSINESS

9. PROC 2023-09: Harper's Day

10. Motion to approve the 2024 Regular Council Meeting Schedule.

Motion made by Councilmember Arnold, Seconded by Councilmember Alls.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

11. Motion to appoint Lexi Stephen to the Downtown Development Authority for a term beginning 11/6/23-12/31/2026 to fill the unexpired term of Tyler Newsome; Sammy Callahan and Garland Self to the Urban Redevelopment Authority for a term beginning 01/1/2024-12/31/2026; Sammy Callahan as the city representative to the Paulding County Planning Commission Board.

Motion made by Councilmember Henson, Seconded by Councilmember Arnold.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

12. Motion to appoint Erica Summerour as Commissioner to the Dallas Housing Authority for a term beginning December 6, 2023, and ending May 4, 2027, to fill the unexpired term of Danita Elrod.

Motion made by Councilmember Cochran, Seconded by Councilmember Cason.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

13. Motion to approve purchase of Tactical Vests from Dana Safety Supply in the amount of \$14,971.10 to be paid from Asset Forfeiture funds.

Motion made by Councilmember Arnold, Seconded by Councilmember Henson.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

14. Motion to approve Zoning Application Z-2023-08 Kerley Family Homes, LLC with 12 stipulations.

Motion made by Councilmember Henson, Seconded by Councilmember Carter.

Voting Yea: Councilmember Alls, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

Voting Abstaining: Councilmember Arnold

15. Motion to approve Zoning of Application Z-2023-09 Kerley Family Homes, LLC with 12 stipulations.

Motion made by Councilmember Alls, Seconded by Councilmember Henson.

Voting Yea: Councilmember Alls, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

Voting Abstaining: Councilmember Arnold

16. Motion to approve Crestview at Osborne Farm Subdivision, Release of Warranty Bond No. #2021-02.

Motion made by Councilmember Cochran, Seconded by Councilmember Arnold.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

17. Motion to approve 2023-2024 Sewer Lift Station Generator Maintenance; Yancey Power Systems yearly maintenance agreement in the amount of \$63,998.

Motion made by Councilmember Cason, Seconded by Councilmember Alls.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

18. Motion to approve the West Dallas Collector Sewer Extension Project – Phase I; Change Order #1.

Motion made by Councilmember Henson, Seconded by Councilmember Carter.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

19. Motion to approve the Bolton Stormwater Repair Project – Bid No. 2023-03; Award Eidson Underground the Bolton Stormwater Repair Project – Bid No. 2023-03 in the amount of \$76,480.00.

Motion made by Councilmember Arnold, Seconded by Councilmember Alls.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

- 20. Motion to adopt Ordinance Amendment No. OA-2023-15; Chapter 44 – Zoning; Article II – Administration and Enforcement; Division 1 – Generally; Sections 44-23 through 44-33; Division 2; Sections 44-53, 44-56, 44-57; Article III – District Regulations; Division 2 – Residential Districts; Sections 44-138 through 44-141.

Motion made by Councilmember Cochran, Seconded by Councilmember Alls.
 Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

- 21. **First Read:** Ordinance Amendment OA-2023-09; Chapter 32 – Streets, Sidewalks and Other Public Places; Article IV. – Required Minimum Standards; Sections 32-89 through 32-119.
- 22. **First Read:** ORD-2023-03, An ordinance to amend the Charter of the City of Dallas, to amend Chapter 2, Article II Sections 2-37 through 2-70 to repeal conflicting ordinances and for other purposes.

ADDITIONAL/COMMENTS

None

ADJOURNMENT

Motion to adjourn.

Motion made by Councilmember Arnold, Seconded by Councilmember Alls.
 Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson, Councilmember Cochran

Mayor, L. James Kelly _____
Date

City Clerk, Tina Clark _____
Date