

THE CITY OF DALTON
MAYOR AND COUNCIL MINUTES
APRIL 4, 2022

The Mayor and Council held a meeting this evening at 6:00 p.m. in the Council Chambers of City Hall. Present were Mayor David Pennington, Council members Dennis Mock, Annalee Harlan, Tyree Goodlett and Steve Farrow, City Administrator Andrew Parker and City Attorney Terry Miller.

CALL TO ORDER

Mayor Pennington called the meeting of the Mayor and Council to order.

APPROVAL OF AGENDA

On the motion of Council member Harlan, second Council member Farrow, the Agenda dated April 4, 2022 was approved. The vote was unanimous in favor.

PUBLIC COMMENTARY

Jason Mock, President and CEO of the Greater Dalton Chamber of Commerce, introduced himself to the Mayor and Council.

MINUTES

The Mayor and Council reviewed the Regular Meeting Minutes of March 21, 2022. On the motion of Council member Goodlett, second Council member Mock, the minutes were approved. The vote was unanimous in favor.

SECOND READING – ORDINANCE 22-05 UNOPEN ROAD MORNINGSIDE DRIVE

City Administrator Andrew Parker presented Ordinance 22-05 to the Mayor and Council, outlining that this Ordinance is to Make Findings Of Fact Concerning the Public Use And Necessity Of An Unopened Section Of Morningside Drive, As Shown On Plat Of Frazier Acres; To Consider Vacating And Abandonment Of The Public Interest In And To The Said Section Of Platted And Unopened Street For Public Street And Transportation Purposes; To Declare The Closing Of Such Section Of Platted But Unopened Street, For Public Use And Transportation; To Authorize Delivery Of A Quitclaim Deed Of Any Interest Of The City Of Dalton Reserving All Utility Easements To Adjacent Property Owners; To Establish An Effective Date; And For Other Purposes. On the motion of Council member Mock, second Council member Farrow, the Ordinance was approved. The vote was unanimous in favor.

SECOND READING – ORDINANCE 22-06 – CODE ENFORCEMENT

City Administrator Andrew Parker presented Ordinance 22-06 to the Mayor and Council, outlining that this Ordinance is to Make Findings Of Fact Concerning the Public Use And - An Ordinance Of The City Of Dalton To Amend Chapter 22 Captioned “Buildings And Building Regulations” Providing For Delegation Of Powers And Authority For the Administration And Enforcement Of The Provisions Of Chapter 22 And The Powers Of “Building Inspector” Under Section 5-23 Of The Charter (Ga. L. 1908, P. 579, Section 8) And Sections 22-501 et. seq. Of the Revised Code Of 2001, As Amended; To Establish an Effective Date; To Provide for Severance; To Repeal Conflicting Local Laws; And for Other Purposes. On the motion of Council member Harlan, second Council member Goodlett, the Ordinance was approved. The vote was unanimous in favor.

NEW 2022 ALCOHOL BEVERAGE APPLICATIONS

Council member Annalee Harlan presented the following New 2022 Alcohol Beverage Applications:

(2) 2022 ALCOHOL APPLICATIONS

1. Business Owner: Antojo Cocina y Cantina, LLC
d/b/a: Antojo Cocina y Cantina
Applicant: Karina Silva Perez
Business Address: 116 W. King St
License Type: Pouring Beer, Pouring Wine, Pouring Liquor (Restaurant)
Disposition: **New**

2. Business Owner: W K McKinney, LLC
d/b/a: Baja Coop
Applicant: John McKinney
Business Address: 222 N. Hamilton St.
License Type: Pouring Beer, Pouring Wine (Restaurant)
Disposition: **New**

On the motion of Council member Harlan, second Council member Mock, the Mayor and Council approved the applications. The vote was unanimous in favor.

RENEWAL OF HVAC MAINTENANCE AGREEMENT WITH EMCOR FOR OLD POST OFFICE BUILDING

Human Resources Director Greg Batts presented the Renewal of HVAC Maintenance Agreement with EMCOR for Old Post Office Building. Batts stated the Agreement has a 5% increase from the previous year. On the motion of Council member Mock, second Council member Harlan, the Renewal Agreement was approved. The vote was unanimous in favor.

RESOLUTION 22-02 ETHICS IN GOVERNMENT

City Administrator Andrew Parker presented Resolution 22-02 regarding Ethics in Government to the Mayor and Council. Parker stated that Georgia Municipal Association requires re-certification every 4 years to continue to participate in the program by adopting the 5 ethics principles as outlined below:

1. Serve others, not ourselves
2. Use resources with efficiency and economy
3. Treat all people fairly
4. Use the power of our position for the well-being of our constituents
5. Create an environment of honesty, openness and integrity

On the motion of Council member Mock, second Council member Harlan, the Mayor and Council approved the applications. The vote was unanimous in favor.

CHANGE ORDER REQUEST - SP210 HERITAGE POINT SOCCER COMPLEX PROJECT - NWGP INC.

Public Works Director Chad Townsend presented a Change Order Request for SP210 Heritage Point Soccer Complex Project - NWGP Inc. Townsend stated that Northwest Georgia Paving and the City of Dalton mutually agree to expedite the acquisition of RCP at an additional cost to reduce the impact toward delaying the completion time for the SP 210 Heritage Point Soccer Complex Project at a lump sum of \$6130.00.

- Request for additional cost of turndown sidewalk total nail face of 6-inch-thick as per Advanced Sports Group along the field edge to secure the turf to sidewalk face at a sum of \$236,829.68
- Request for Time Request due to Material delays (2 months)

On the motion of Council member Mock, second Council member Goodlett, the Change Order Request was approved.

GDOT CONTRACT TO ACQUIRE LAND/EASEMENT RWY 32 RPZ; DBE UPDATE FY21-23; REPLACE AWOS AT THE DALTON MUNICIPAL AIRPORT

Airport Director Andrew Wiersma presented to the Mayor and Council the GDOT Contract to Acquire Land/Easement RWY 32 RPZ; DBE Update FY21-23; Replace AWOS At the Dalton Municipal Airport. Wiersma stated the contract with GDOT to receive federal/state grant in the amount of \$737,274.36 for land and easement acquisition, replacement of the Automated weather observation system (AWOS) and profession services to update to airport's DBE plan. Wiersma stated the bundle of grants total \$63,349.05 and requested \$30,849.05 for the local match funds. Wiersma recapped that the Mayor and Council previously approved the local match for the AWOS replacement in the amount of \$32,500.00. On the motion of Council member Harlan, second Council member Goodlett, the Contract was approved. The vote was unanimous in favor.

CONTRACT WITH THRIVE OUTDOOR, INC. FOR GRADING SERVICES AT DALTON MUNICIPAL AIRPORT

Airport Director Andrew Wiersma presented the Contract with Thrive Outdoor, Inc. for Grading Services at Dalton Municipal Airport in the amount of \$18,017.00 for grading a roughly half an acre area for the purpose of new hangar construction. On the motion of Council member Mock, second Council member Harlan, the Contract was approved. Note: 95% reimbursement of project will come from the FY23 Bipartisan Infrastructure Law (BIL) Funds.

FIRST READING - ORDINANCE 22-08 – OCCUPATION TAX PRORATION

The Mayor and Council held a first reading of Ordinance 22-08 to Repeal Subsection (d) of Section 26-34 of The Revised Code of 2001 in Order to Eliminate the Percentage Discount in Occupational Tax Due the City When A Business Commences in The City on Or After July 1 In Any Year; To Establish an Effective Date; To Provide for Severability; To Repeal Conflicting Law and Ordinances; And for Other Purposes.

FIRST READING - ORDINANCE 22-09 – HOME RULE/CITY’S REAL & PERSONAL PROPERTY

The Mayor and Council held a first reading of Ordinance 22-09 to amend Pursuant to Home Rule (O.C.G.A. Section 36-35-3(b)(1)) The Charter of The City of Dalton (Ga. L. 1974, P.181, As Amended, Particularly by Ordinance No. 05-03, Section 2 And 3, To Provide Regulation of Leasing of The City’s Real and Personal Property; To Specify an Effective Date; To Provide for Severance; And for Other Purposes. On the motion of Council member Mock, second Council member Farrow, the first reading of this Ordinance was read. The vote was unanimous in favor.

ORDINANCE 22-10 – CHRIS JAMES REZONING REQUEST

NW Georgia Planning Commission Assistant Planning Director Ethan Calhoun presented the the request of Chris James to rezone from Transitional Commercial (C-4) to General Commercial (C-2) a tract of land totaling 0.17 acres located on 921 S. Hamilton Street, Parcel (12-257-02-019). On the motion of Council member Mock, second Council member Harlan, the request was approved. The vote was unanimous in favor.

ORDINANCE 22-11 – LUIS AND MARIA HERRERA REZONING REQUEST

NW Georgia Planning Commission Assistant Planning Director Ethan Calhoun presented the the request of Luis and Maria Herrera to rezone from Heavy Manufacturing (M-2) to Rural Residential (R-5) a tract of land totaling 1.22 acres located at 500 Underwood Street, Parcels (12-201-10-001 and 12-201-10-017). On the motion of Council member Harlan, second Council member Goodlett, the request was approved. The vote was unanimous in favor.

ORDINANCE 22-12 – JOHN ISAAC MCDONALD ANNEXATION

NW Georgia Planning Commission Assistant Planning Director Ethan Calhoun presented the request of John Isaac McDonald to annex as Zero Lot Line Residential (R-4) a tract of land totaling 0.1 acres located at 203 Roslyn Court, Parcel (12-147-17-010). On the motion of Council member Mock, second Council member Goodlett, the annexation request was denied due to the road adjoining the tract not conforming to either City or County standards. The vote was unanimous in favor.

ORDINANCE 22-13 – AMENDING UNIFIED ZONING ORDINANCE TEXT

NW Georgia Planning Commission Assistant Planning Director Ethan Calhoun presented the request of the City of Dalton Mayor and Council to amend the Unified Zoning Ordinance text in regard to dwelling unit size within the City of Dalton, and to add multi-family residential as a permitted use within the Mixed-Use zone district. (Dalton, Varnell, Whitfield). On the motion of Council member Harlan, second Council member Farrow, the request was tabled. The vote was unanimous in favor.

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ADJOURNMENT

There being no further business to come before the Mayor and Council, the meeting was
Adjourned at 6:34 p.m.

Bernadette Chattam
City Clerk

David Pennington, Mayor

Recorded
Approved: _____
Post: _____