

THE CITY OF DALTON
MAYOR AND COUNCIL MINUTES
JULY 17, 2023

The Mayor and Council held a meeting this evening at 6:00 p.m. at City Hall. Present were Mayor David Pennington, Council members Dennis Mock, 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 Goodlett, second Council member Mock, the Mayor and Council approved the agenda with the following changes:

Appoint Steve Farrow to the Historic Preservation Commission

Appoint Dennis Mock to the Downtown Development Authority

The vote was unanimous in favor.

PUBLIC COMMENTARY

Alex Vital spoke in opposition of a time change to Alcohol Beverage establishments.

John Wilson spoke in opposition of a time change to Alcohol Beverage establishments.

Darla Chamblis thanked the city council for allowing the library to be removed from the jointly funded services special tax district which provides more annual revenue to the library through tax collections.

PRESENTATION - DACVB TOURISM PRESENTATION - MARGARET THIGPEN

Margaret Thigpen presented the Dalton Convention & Visitors Bureau Travel & Tourism presentation to the Mayor and Council outlining the 2022 Successes and the Economic Impact that travel and tourism brings to Dalton. A copy of this report is a part of these minutes.

City Administrator Andrew Parker stated the City will be partnering with CVB to replace the trolley.

MINUTES

The Mayor and Council reviewed the Mayor & Council Regular Meeting Minutes of June 19, 2023. On the motion of Council member Mock, second Council member Farrow, the minutes were approved. The vote was unanimous in favor.

RESOLUTION 23-14 - ACCEPT THE RESIGNATION OF ANNALEE HARLAN SAMS FROM THE SEAT OF CITY COUNCIL WARD 2

On the motion of Council member Goodlett, second Council member Farrow, the Mayor and Council adopted Resolution 23-14 A Resolution of The Mayor and Council to Accept the Resignation of Annalee Harlan Sams From the Seat of City Council Ward 2 Effective July 17, 2023 at 12:00 o'clock Noon; To Declare A Vacancy; And to Call for A Special Election to Fill the Vacancy. The vote was unanimous in favor.

RESOLUTION 23-15 - TO CALL FOR A SPECIAL ELECTION TO PRESENT QUESTIONS TO THE VOTERS

On the motion of Council member Mock, second Council member Goodlett, the Mayor and Council adopted Resolution 23-15 To Call for a Special Election to Present Questions to The Voters as Provided by H.B. 756, H.B. 758, H.B. 762, and H.B. 786 Of The 2023 General Assembly of Georgia Concerning Homestead Exemptions to Be Conducted by The Election Superintendent in Conjunction with The General Municipal Election of The City of Dalton On November 7, 2023 And for Other Purposes. The vote was unanimous in favor.

(4) 2023 ALCOHOL BEVERAGE APPLICATIONS

Council member Dennis Mock submitted the following 2023 Alcohol Beverage Applications:

On the motion of Council member Mock, second Council member Goodlett, the following New applications were approved:

1. Business Owner: Olive Garden Holdings, LLC
d/b/a: The Olive Garden Italian Restaurant #6491
Applicant: Colleen H. Lyons
Business Address: 1430 West Walnut Ave.
License Type: Pouring Beer, Wine, and Liquor (Restaurant)
Disposition: **New**
2. Business Owner: Birdies on Morris Inc.
d/b/a: Birdies on Morris Inc.
Applicant: Claribel Cisneros Ochoa
Business Address: 307 East Morris St.
License Type: Pouring Beer, Wine (Golf Amusement / Recreation)
Disposition: **New**
3. Business Owner: Seafood Dalton Inc.
d/b/a: The Juicy Seafood Kitchen & Bar
Applicant: Jiaji Zhao
Business Address: 819 Walnut Square Blvd.
License Type: Pouring Beer, Wine, and Liquor (Restaurant)
Disposition: **New**

The vote was unanimous in favor.

On the motion of Council member Mock, second Council member Goodlett, the following address change was approved:

- | | |
|-------------------|---------------------------------------------------------|
| Business Owner: | LRR Investment, LLC |
| d/b/a: | El Rey De Oro |
| Applicant: | Luciano Rodriguez |
| Business Address: | 1103 New Doris St. (Previously at 1523 East Morris St.) |
| License Type: | Pouring Beer (Tavern / Bar) |
| Disposition: | Address Change |

The vote was unanimous in favor.

ORDINANCE 23-13 - BENJAMIN CORDOVA AND MARY MENDOZA

North Georgia Planning Commission Assistant Planning Director Ethan Calhoun presented Ordinance 23-13 The request of Benjamin Cordova and Mary Mendoza to rezone from Transitional Residential (R-6) to High Density Residential (R-7) a tract of land totaling 0.59 acres located at 1905 Abutment Road, Dalton, Georgia. Parcel (12-315-01-004). On the motion of Council member Mock, second Council member Goodlett, the rezoning request was approved. The vote was unanimous in favor.

APPOINTMENT - DALTON-WHITFIELD-VARNELL UNIFIED PLANNING COMMISSION

On the motion of Council member Mock, second Council member Goodlett, the Mayor and Council reappointed Octavio Perez to the Dalton-Whitfield-Varnell Unified Planning Commission to serve a four-year term to expire July 2027. The vote was unanimous in favor.

DALTON MUNICIPAL AIRPORT – ACKNOWLEDGEMENT AND INTENT

Airport Director Andrew Wiersma presented the Acknowledgement and Intent to Receive Tentative Allocation of Federal Funding in the Amount of \$150,000 for Obstruction Removal in the Approach Path of Runway 32 at Dalton Municipal Airport. On the motion of Council member Mock, second Council member Farrow, the Acknowledge and Intent was approved. The vote was unanimous in favor.

AGREEMENT BETWEEN THE CITY OF DALTON AND CROY ENGINEERING

Airport Director Andrew Wiersma presented an Agreement between the City of Dalton and Croy Engineering for Task Order #10 for Obstruction Removal Design in the Runway Protection Zone (RPZ) of Runway 32 at Dalton Municipal Airport. On the motion of Council member Mock, second Council member Goodlett, the Agreement was approved. The vote was unanimous in favor.

RIGHT OF WAY ENCROACHMENT PERMIT – 301 E MORRIS STREET

Public Works Director Chad Townsend presented a Right of Way Encroachment Permit – 301 E Morris Street for the installation of a handrail or pedestrian barrier to allow for overflow dining and an outdoor seating option. On the motion of Council member Goodlett, second Council member Mock, the permit was approved. The vote was unanimous in favor.

INDEMNITY & HOLD HARMLESS AGREEMENT – 420 SHERIDAN AVENUE

Public Works Director Chad Townsend presented an Indemnity & Hold Harmless Agreement – 420 Sheridan Avenue. Townsend stated the area of encroachment is on an un-opened portion of May Street and extends into the right of way by approximately five feet. Townsend further stated that given the topography of the un-open portion of May Street it would not be feasible to construct a future road there and Public Works has no issue with the encroachment. On the motion of Council member Mock, second Council member Farrow, the Agreement was approved. The vote was unanimous in favor.

ADDENDUM #1 TO ALTERNATIVE PROBATION SERVICES CONTRACT

Court Administrator Jason James presented an Addendum #1 to Alternative Probation Services Contract. James stated that after the Department of Community Supervision reviewed all misdemeanor probation contracts statewide, Community Supervision requested several minor clarifications on the Service Agreement. On the motion of Council member Farrow, second Council member Mock, the Addendum was approved. A copy of this Addendum is a part of these minutes. The vote was unanimous in favor.

COURTWARE SOLUTIONS LICENSE AGREEMENT

Court Administrator Jason James presented Courtware Solutions License Agreement to the Mayor and Council stating that there is a slight increase to \$7.00 per citation with a \$2000.00 minimum per month. On the motion of Council member Farrow, second Council member Mock, the Agreement was approved. The vote was unanimous in favor.

FY-2023 BUDGET AMENDMENT #4

CFO Cindy Jackson presented FY-2023 Budget Amendment #4 to adjust various funds for revenue received, adjust for local grant matches, adjust for capital funding and transfer between funds to combine projects funded by multiple revenue sources. On the motion of Council member Farrow, second Council member Mock, the Amendment was approved. The vote was unanimous in favor. A copy of the complete amendment is a part of these minutes.

AGREEMENT WITH KRH ARCHITECTS, INC., - DALTON POLICE DEPARTMENT

City Administrator Andrew Parker presented an Agreement with KRH Architects, Inc., for Property and Evidence Addition at the Dalton Police Department. On the motion of Council member Mock, second Council member Goodlett, the Agreement was approved. The vote was unanimous in favor.

RENEWAL OF LEASE AGREEMENT WITH ROBERT E. SHAW FOR 114 N. PENTZ STREET

City Administrator Andrew Parker presented Renewal of Lease Agreement with Robert E. Shaw for 114 N. Pentz Street for a 20-year period to expire October 31, 2044. On the motion of Council member Farrow, second Council member Goodlett, the Agreement was approved. The vote was unanimous in favor.

RENEWAL OF EMERY CENTER LEASE AGREEMENT

City Administrator Andrew Parker presented Renewal of Emery Center Lease Agreement for a two year period terminating on 07-07-2025. Parker stated the Lessee shall pay \$1.00 per year with the Lessor providing \$600.00 per month in utility assistance. On the motion of Council member Farrow, second Council member Goodlett, the Agreement was approved. The vote was unanimous in favor.

APPOINTMENT - 2024 SPLOST COMMITTEE

On the motion of Council member Farrow, second Council member Goodlett, the following were appointed the 2024 SPLOST Committee

Denise Wood
Zab Mendez
Jim Waskin

The vote was unanimous in favor.

APPOINTMENT – HISTORIC PRESERVATION COMMISSION/ DOWNTOWN
DEVELOPMENT AUTHORITY

Mayor Pennington appointed Steve Farrow to the Historic Preservation Commission and appointed Dennis Mock to the Downtown Development Authority. Each of these appointments are Mayoral Appointments.

MISCELLANEOUS

Mayor Pennington stated that as it relates to a possible time change for Alcohol Beverage Establishments, further review will take place between the City Staff and then will be submitted to the Public Safety Commission.

ADJOURNMENT

There being no further business to come before the Mayor and Council, the meeting was Adjourned at 6:42 p.m.

Bernadette Chattam
City Clerk

David Pennington, Mayor

Recorded
Approved: _____
Post: _____