



CITY OF DAHLONEGA
Special Called Meeting Agenda - Amended
June 15, 2020 4:00 PM
Zoom Meeting Platform, Dahlonega City Hall

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 706-864-6133.

TELECONFERENCE INFORMATION

Due to recommendations by the CDC during the Coronavirus crisis, this meeting will be conducted via teleconference. This is allowed by O.C.G.A. §50-14-1(g) as the public is provided simultaneous access to the teleconference meeting. The City of Dahlonega will utilize Zoom to conduct this teleconference meeting. **TO JOIN:** Go to - <https://dahlonega.gov/mayor-and-council/city-council-meetings/> Find the meeting invite you would like to attend, OR—Click on the hyperlink above.

We appreciate your patience and understanding during this time

CALL TO ORDER AND WELCOME

APPROVAL OF AGENDA

NEW BUSINESS

- [1.](#) Intergovernmental Agreement for the sale, Financing and Redevelopment of Certain Owned Properties, TBD
- [2.](#) Ordinance 2020-11 Special Events and Demonstrations
Bill Schmid, City Manager

ADJOURNMENT



CITY COUNCIL AGENDA REPORT

DATE: June 15, 2020
TITLE: Intergovernmental Agreement For the sale, financing and redevelopment of certain owned properties
PRESENTED BY: TBD

AGENDA ITEM DESCRIPTION:

This Intergovernmental Agreement is to provide for the development of strategy for the redevelopment and revitalization of the Head House property, so as to preserve the historic significance, enhance the downtown district of the City, to promote public purposes, and to develop trade, commerce, industry and employment opportunities in the City.

HISTORY/PAST ACTION:

FINANCIAL IMPACT:

The financial impact is referenced in paragraph 7 of the instrument. The impact is to be determined as part of the Development Plan. The currently anticipated use of the property is for DDA office space on the upper floor with a restaurant on the main floor. The lease of the lower floor is designed to offset a portion of the debt service on the property.

RECOMMENDATION:

SUGGESTED MOTIONS:

ATTACHMENTS:

Intergovernmental Agreement

INTERGOVERNMENTAL AGREEMENT
FOR THE SALE, FINANCING AND REDEVELOPMENT
OF CERTAIN CITY OWNED PROPERTIES

This Intergovernmental Agreement (the “Agreement” or the “Conveyance IGA”) is made and entered into this ____ day of _____, 2020 by and between the City of Dahlonega, a political subdivision of the State of Georgia, (hereinafter referred to as “City”) and the Downtown Development Authority of the City of Dahlonega, Georgia (hereinafter referred to as “DDA”).

WITNESSETH:

WHEREAS, the City is a political subdivision of the State of Georgia and the DDA is a public body corporate and politic created pursuant to the provisions of O.C.G.A. § 36-42-1, et seq.; and

WHEREAS, pursuant to Article IX, Section III, Paragraph I of the Constitution of the State of Georgia, the City and DDA are authorized to enter into Intergovernmental Agreements for periods not exceeding fifty (50) years in connection with the activities which these entities are authorized to undertake; and,

WHEREAS, pursuant to Article IX, Section VI, Paragraph III of the Constitution of the State of Georgia, the DDA is authorized to further activities to promote public purposes to develop trade, commerce, industry, and employment opportunities within the City of Dahlonega; and,

WHEREAS, the DDA is authorized pursuant to O.C.G.A., §36-42-8(a)(8) to make application directly or indirectly to any municipal government or agency or to any other source,

whether public or private, for loans, grants, guarantees, or other financial assistance in furtherance of the DDA's public purposes and to accept and use the same upon such terms and conditions as are prescribed by such municipal government or agency or other source; and,

WHEREAS, the City, pursuant to the City Charter as codified at Article I, Section 1.10, of the Code of the City of Dahlonega, has the power to acquire, lease and dispose of real property in the public interest; and,

WHEREAS, the DDA, pursuant to O.C.G.A., Section 36-42-8(a)(4) has the power to acquire by sale, lease or transfer real property in fulfillment of its purposes; and,

WHEREAS, the City owns and controls the real property and improvements thereon located at 47 Park Street South Dahlonega, Georgia 30533, Lumpkin County tax parcel D11086 (the "Property"); and,

WHEREAS, the Property has historical significance to the City of Dahlonega but is currently underutilized and has the potential to provide much needed office space for the DDA and new downtown commercial space adding to the vitality, and sense of place and community; and

WHEREAS, the City desires the creation of a development plan (the "Development Plan") for the redevelopment of the Property in a manner that will preserve the historic significance of the Property, add needed office/commercial space in the historic downtown area and spur additional development opportunities and create jobs in the City; and,

WHEREAS, the City desires to enter into an Intergovernmental Agreement with the DDA to provide for the development of a strategy for the redevelopment and revitalization of the Property, so as to preserve the historic significance, enhance the downtown district of the City, to promote public purposes, and to develop trade, commerce, industry and employment opportunities in the City; and,

WHEREAS, the DDA agrees to manage and develop a strategy for the revitalization and redevelopment of Property, subject to the approval of both the DDA and the City; and

NOW THEREFORE, in consideration of the mutual promises, covenants and undertaking set forth herein, and detailed in the aforesaid recitals, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties, the City and the DDA do agree as follows:

1.

The City shall retain all title and interest in the Property until such time as the sale, lease or transfer of the Property to the DDA pursuant to the Development Plan approved by both Parties.

2.

The DDA, in conjunction with architects, historic preservation and other consultants, shall use its best practices to create a Development Plan for the revitalization and redevelopment of the Property, to preserve the Property's historic significance, enhance the downtown district of the City, promote public purposes, and develop trade, commerce, industry and employment opportunities in the City.

3.

The DDA shall use its best efforts to prepare and submit to the City for review and approval such Development Plan for the Property, including a budget for the revitalization and redevelopment of the Property pursuant to such Plan.

4.

The DDA shall review and approve for submission to the City, for the City's review and

approval, any and all development plans for the Property.

5.

Both the City and the DDA agree to consider the use of such tools as are available to them to assist in funding public infrastructure or public improvement necessary for the development of the Property or any funding gaps required for the development pursuant to the Development Plan, as they may determine to enhance the downtown district of the City, and/or promote public purposes, and/or develop trade, commerce, industry and employment opportunities in the City.

6.

Upon approval of the Development Plan by the City, the City agrees to sell, lease or transfer the Property to the DDA pursuant to the Development Plan.

7.

The City agrees to provide such financial assistance for the revitalization and redevelopment of the Property as are provided for in the Development Plan and in such form as the City finds financially reasonable.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed in three counterparts each to be considered as an original by their authorized representative, on the day and date hereinabove written.

[EXECUTION ON FOLLOWING PAGE]

CITY OF DAHLONEGA

By: _____

Its: Mayor

**DOWNTOWN DEVELOPMENT AUTHORITY
OF THE CITY OF DAHLONEGA, GEORGIA**

By: _____

Its: Chairman

DRAFT



RESOLUTIONS & ORDINANCES

DATE: June 15, 2020
TITLE: Ordinance 2020-11 Special Events and Demonstrations
PRESENTED BY: Bill Schmid, City Manager

AGENDA ITEM DESCRIPTION:

Amend text of Ordinance 2020-11 Special Events and Demonstrations. The addition of these additional phrases of “or his/her designee” in several places, allows for the work being performed to be delegated to other persons.

HISTORY/PAST ACTION:

Ordinance 2020-11: Special Events and Demonstrations Regulations; Exhibit A: Permit Requirement/ Application/ Processing

FINANCIAL IMPACT:

RECOMMENDATION:

Approve Ordinance 2020-11 (Amendment One) Special Events and Demonstrations Regulations; Exhibit A: Permit Requirement/ Application/ Processing

SUGGESTED MOTIONS:

Approval of Amended Ordinance 2020-11 (Amendment One) Special Events and Demonstrations Regulations; Exhibit A: Permit Requirement/ Application/ Processing

ATTACHMENTS:

Amended Ordinance 2020-11(Amendment One): Special Events and Demonstrations Regulations; Exhibit A: Permit Requirement/ Application/ Processing

Ordinance 2020-11 (Amendment One)

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF DAHLONEGA, GEORGIA WHICH APPEARS IN THE PUBLICATION OF THE CODE AT CHAPTER 28: STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, ARTICLE IV: SPECIAL EVENTS BY AMENDING AND REPLACING DIVISION 1 WITH A REVISED TEXT AND TITLE FOR THE ENTIRETY OF DIVISION 1 TO ALLOW FOR DESIGNATION OF AUTHORITY BY CERTAIN OFFICIALS REFERENCED THEREIN

Short title: “events regulations amendment to allow designation of authority”

WHEREAS, the City Council of Dahlonega, Georgia desires to amend its events and demonstration regulations so as to allow designation of authority by certain officials named therein; and

WHEREAS, the City Council further does hereby adopt and ratify the previous recitals made at the original adoption of Ordinance 2020-11 as findings of the Council;

NOW, THEREFORE, be it ordained, and it is so ordained by the authority of the City Council of Dahlonega, that the Code of the City of Dahlonega, Chapter 28, Article IV, is hereby amended by replacing the title and content of Division 1 with a revised Division 1 as follows:

DIVISION 1. PERMITS FOR SPECIAL EVENTS AND DEMONSTRATIONS

Sec. 28-88. Definitions.

“Demonstration” means any demonstration, rally, protest, counter-protest, picket, or other similar public assembly conducted on public property, at which one or more individuals are engaged in non-commercial expression protected by the First Amendment of the United States Constitution.

“Event” may refer either to a demonstration or a special event, or to demonstrations and special events, collectively.

“Open flame” means fire whose flame is supported by a wick, oil or other slow-burning means to sustain itself. “Open flame” includes, but is not limited to, flame producing devices such as candles, torches, and juggling or other fire artist equipment; provided, however, that “open burning and open fire” and “open flame” shall not include handheld candles when used for ceremonial purposes, provided that they are not held or used in an intimidating, threatening, dangerous, or harmful manner.

“Prohibited items” shall mean all items prohibited by law from being held, carried, displayed, worn or otherwise used in public, and any item prohibited by event specific regulations or as specified in permit conditions promulgated by the City Manager **or his designee**.

“Special event” means any activity, such as a sports event, pageant, celebration, historical reenactment, carnival or other entertainment, exhibition, dramatic presentation, fair, festival, race (i.e., run/walk/bike), block party, movie filming, parade, and any other, similar activity conducted by a person or entity other than the City of Dahlonega on public property that is reserved, or is sought to be reserved, as the venue for such activity. The term "special event" shall exclude (i) a gathering people in a park for general recreational or sports activities and (ii) a demonstration, as defined above within this section.

“Sponsor” shall mean the person or persons who sign, or whose authorized representative(s) sign, an application for an event permit and who will be responsible under the permit, if issued, for ensuring that the event will be conducted in accordance with these regulations. Where a purported sponsor is not a legal entity, the sponsor shall be the individual(s) signing the permit application.

Sec. 28-89. Permit required.

- (a) The City Manager is authorized to adopt standard operating procedures that establish an event permit application process to be administered through the City Clerk **or her designee**. The procedures shall also provide for the grant or denial of permit applications within specified times; establish the grounds for revocation of an approved permit; provide for the application of reasonable time, place and manner regulations for permitted events; establish reasonable fees, charges, rentals and insurance and indemnification requirements; and restrict the possession or use of prohibited items, as defined herein, during the event. The procedures once promulgated by the City Manager shall be immediately applicable but must be ratified within forty-five days by the City Council in order to remain in effect. Initial procedures promulgated by the Manager and ratified by the City Council are attached hereto and labeled Exhibit A.
- (b) Any person or entity intending to hold or sponsor an event on any City-owned or leased property must first obtain a permit through the City Clerk **or her designee**, unless (i) the event is exempt from permitting requirements under the standard operating procedures promulgated by the Dahlonega City Manager, or (ii) such person is holding or sponsoring such event pursuant to a valid permit issued by the City Manager **or his designee**, pursuant to another Chapter of this Code.
- (c) By accepting a permit issued by the City pursuant to this Article, the Sponsor represents that (1) all information included or presented as part of the permit application was, to the best of the Sponsor’s information and belief, complete and correct; (2) that all terms and conditions of such permit have been or will be complied with; and (3) that a copy of the permit will be made available for inspection by any City representative during the event.

