



City Council Regular Meeting

Monday, December 04, 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.

AGENDA

CALL TO ORDER

INVOCATION AND PLEDGE

RECOGNITION OF VISITORS AND COMMENTS

Andrew Rodriguez, The Dallas Markets

MINUTES APPROVAL

1. Monday, November 6, 2023, Regular Meeting Minutes

CONSENT AGENDA

OLD BUSINESS

2. **Second Read:** Ordinance Amendment NO. OA-2023-09: Chapter 32 – Streets, Sidewalks and Other Public Places; Article IV. – Required Minimum Standards; Sections 32-89 through 32-119
3. **Second 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
4. 2024 Board and Committee Appointments for consideration.

NEW BUSINESS

5. Purchase cellular devices and equipment at an estimated amount of \$105,000 to be paid from 911 Fees.
6. Resolution: RES-2023-17; Enter into a loan agreement DWLSL2022132 with GEFA. This loan agreement will provide Principal Forgiveness Funding in an amount of \$144,230 towards all project expenditures once all loan funds are drawn.
7. Resolution: RES-2023-18; West Dallas Collector Sewer Extension Project - Phase I; Enter into a loan agreement CW2021008A with Georgia Environmental Finance Authority. This loan agreement will provide Principal Funding in an amount of \$2,583,800 towards project expenditures.
8. Lead Service Line Inventory Project: GEFA loan # DWLSL2022132 – EXHIBIT F; Authorization for Mayor to execute Loan Agreement.

- [9.](#) West Dallas Collector Sewer Extension Project, Phase I - Additional Funding: GEFA loan # CW2021008A – EXHIBIT F; Authorization for Mayor to execute Loan Agreement.
- [10.](#) Patty Morales – 107 Pinecrest Circle Dallas, GA 30132; Plumbing charge reimbursement request.
- [11.](#) Pumpkinvine Creek WPCP – Capital Equipment Replacement: Purchase two (2) Eaton VFD Basin Aerators from Baker Technical Services in the amount of \$95,680.
- [12.](#) Water and Sewer System – Monthly Service Charge & System Development Fee implementation.
- [13.](#) Champions In Motion – ActiveStars; Indoor Pavilion use at Sara Babb Park: Request for discounted rate.

ADDITIONAL/COMMENTS

ADJOURNMENT



City Council Regular Meeting

Monday, November 06, 2023

5:15 PM

City Hall, 129 E Memorial Dr, Dallas GA 30132

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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



STAFF ACTION ITEM

MEETING DATE: 12/04/2023

TITLE: Ordinance Amendment NO. OA-2023-09: Chapter 32 – Streets, Sidewalks and Other Public Places; Article IV. – Required Minimum Standards; Sections 32-89 through 32-119 (2nd read)

PRESENTED BY: Brandon Rakestraw – Public Works Director

AGENDA ITEM DESCRIPTION (Agenda Content):

Ordinance Amendment NO. OA-2023-09: Chapter 32 – Streets, Sidewalks and Other Public Places; Article IV. – Required Minimum Standards; Sections 32-89 through 32-119 (2nd read)

HISTORY/PAST ACTION:

Amended 2016

FINANCIAL IMPACT:

Collection of Street Lighting Fee – Monthly Service Fee

INFORMATION:

Request approval to amend Chapter 32 – Streets, Sidewalks and Other Public Places; Article IV. – Required Minimum Standards; Sections 32-89 through 32-119

This amendment creates: Street Light Special Revenue Fund and declares the cost of service.

This is a 2nd read request.

**ORDINANCE
AMENDMENT
NO. __OA-2023-09__**

CHAPTER 32 – STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

ARTICLE IV. - REQUIRED MINIMUM STANDARDS

SECTIONS 32-89 through 32-119

WHEREAS, The Mayor and the City Council of Dallas, Georgia have determined that it is necessary for the City to make certain amendments to its ordinances to create new street light districts and provide standards, application processes, regulations and cost determinations for said districts; **AND**

WHEREAS, The Mayor and the City Council of Dallas, Georgia considered the proposed amendment at a duly noticed public meeting on September 11, 2023; **AND**

WHEREAS, The Mayor and the City Council of Dallas, Georgia have determined that the proposed amendment creating street light districts serves such purposes and benefits the public health safety and welfare of the Citizens and the City of Dallas, Georgia; **AND**

THEREFORE, be it ordained by the Mayor and the City Council of Dallas, Georgia:

SECTION I

That the Code of Ordinances of the City of Dallas, Georgia, CHAPTER 32 – STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, ARTICLE IV. – REQUIRED MINIMUM STANDARDS, SECTIONS 32-89 through 32-119 are amended as follows:

CHAPTER 32 – STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

ARTICLE IV. - REQUIRED MINIMUM STANDARDS

Sec. 32-89. Street light districts created.

The city does hereby ratify its action creating street light districts in certain areas of the city as shown by the records in the office of the city clerk to which reference is hereby made for a full and complete description of each and every district hereinbefore created.

(Adopted Ord. No. OA-2016-03 § 1, 7-11-2016; amended Ord. No. OA-2022-XX, § XX-XX-2022)

Sec. 32-90. Cost of service for creation.

The city does hereby declare that the cost and service for creation of street light districts or street lighting hereafter created, or as provided for in section 32-89, shall be a service and not a tax, Ga. Const. art. IX, § II, ¶ II (formerly Ga. Const. art. IX, § IV, ¶ II). A street light district special revenue fund shall be created. Revenues from the street light district programs will be deposited into such special revenue fund. Such revenues shall be used exclusively for any direct and indirect costs and expenses related to the city's street light district program or any special projects related to installation of streetlights.

(Adopted Ord. No. OA-2016-03 § 1, 7-11-2016; amended Ord. No. OA-2022-XX, § XX-XX-2023)

Sec. 32-91. Maintenance.

The cost of providing and maintaining the service in existing street light districts and in street light districts hereafter created shall be borne by those citizens and residents receiving the service, and that the charge therefor shall be the actual cost of the energy plus the pro rata share of the retirement of any construction costs plus ten percent for administrative costs. The city energy cost schedule shall be available for public view in the office of the city clerk. The city may adjust the monthly rate charged to homeowners if the energy rate billed by the electric company changes or if additional maintenance is needed. In those districts now in existence or which may hereafter be retired as per agreement or contract with the public utility or other person to whom the indebtedness is owed and shall be billed accordingly per "lot."

(Adopted Ord. No. OA-2016-03 § 1, 7-11-2016; amended Ord. No. OA-2022-XX, § XX-XX-2023)

Sec. 32-92. "Lot" defined.

The term "lot" is hereby defined as a portion or parcel of land devoted to a common use or occupied by a building or group of buildings devoted to a common use together with the customary accessories and open spaces belonging to the same. The term "lot" includes the term "plot" or "parcel."

(Adopted Ord. No. OA-2016-03 § 1, 7-11-2016; amended Ord. No. OA-2022-XX, § XX-XX-2023)

Cross reference(s)—Sec. 44-1. - Definitions, § (Comp. Ords. 2005, § 5-1803(j)(2); Ord. No. 92-20, 11-2-1992; Ord. No. 03-11, 7-7-2003; Ord. No. 2008-04, § 5-302, 11-3-2008; Ord. No. OA-2012-04, 3-19-2012).

Sec. 32-93. Payment for service.

The due date for the payment of the service and sums provided for in this article shall be the same date of each month as garbage collection fees are due to city sanitation department and subject to the same penalties for late payment and for failure to pay. Any service provided by the city or the city water and sewer department may be discontinued for late payment or nonpayment as provided for in this article.

(Adopted Ord. No. OA-2016-03 § 1, 7-11-2016; amended Ord. No. OA-2022-XX, § XX-XX-2023)

Sec. 32-94. Billing, accounting, collecting and receiving of monies.

The billing, accounting, collecting, and receiving of the monies provided for in this article is hereby declared to be the responsibility of the city billing department.

(Adopted Ord. No. OA-2016-03 § 1, 7-11-2016; amended Ord. No. OA-2022-XX, § XX-XX-2023)

Sec. 32-95. Conformance with standards.

The owner, developer or other person developing a subdivision who is providing street light services shall be required to conform to all of the standards provided for in this article prior to the city accepting any public streets or roads; and the city shall not accept any public streets or roads proposed to be dedicated until such time as the provisions, hereof, have been complied with. A final plat shall not be issued until the developer has submitted to the city manager and/or his designee proof of payment for all materials and installation of the street lights, a copy of the street light layout as proposed by the electric company, and a payment equal to the energy cost of all installed street lights for a period of 12 months plus a ten percent administrative fee. The city has the right to adjust these terms based on economic factors and the best interest of the city, etc.

(Adopted Ord. No. OA-2016-03 § 1, 7-11-2016; amended Ord. No. OA-2022-XX, § XX-XX-2023)

Sec. 32-96. Districts other than single-family residential.

Street lighting along public and private roads in districts other than single-family residential shall be provided. Costs and monthly billing, per parcel or business, associated for lighting and maintenance within these districts shall be established on a case-by-case basis by the city. The cost will be based on the number of lights required to serve one side of the street serving the property. If the property is bisected by the street, the cost to provide lighting for both sides of the street will apply.

(Adopted Ord. No. OA-2016-03 § 1, 7-11-2016; amended Ord. No. OA-2022-XX, § XX-XX-2023)

Sec. 32-97. Standard for installation and operation.

In order to ensure adequate illumination of public rights-of-way and promote safety and security, it is hereby ordained that the American Association of State Highway and Transportation Officials (AASHTO) Roadway Lighting Design Guide (2005) as amended, is hereby adopted as the standard for installation and operation of lighting in the areas of the city with the following exception:

- (1) Lighting fixtures installed within the public right-of-way to be operated for the purpose of street illumination shall comply with these standards. The minimum average horizontal footcandle illumination level by roadway classification shall be:

Roadway and Walkway Classifications	Off Roadway Light Sources	Average Maintained Illuminance	Minimum Illuminance	Illuminance Uniformity Ratio
	General Land Use	foot-candles (min)	foot-candles (min)	avg/min (max)
Principal Arterials	Commercial	1.6	As uniformity ratio allows	3:1
	Intermediate	1.2		3:1
	Residential	0.8		3:1
Minor Arterials	Commercial	1.4		4:1
	Intermediate	1.0		4:1
	Residential	0.7		4:1
Collectors	Commercial	1.1		4:1
	Intermediate	0.8		4:1
	Residential	0.6		4:1
Local	Commercial	0.8		6:1
	Intermediate	0.7		6:1
	Residential	0.4		6:1
Sidewalks	Commercial	1.3		3:1
	Intermediate	0.8		4:1
	Residential	0.4		6:1
Pedestrian Ways and Bicycle Ways*	All	2.0		3:1

*Assumes a separate facility. For pedestrian ways and bicycle ways adjacent to a roadway, use roadway design values.

- (2) Any party requesting permission to install or operate lighting fixtures within the public right-of-way shall furnish plans specifications to the city manager and/or his designee for approval. Should the city manager and/or his designee disapprove a request to install or operate lighting fixtures within any public right-of-way, they shall communicate disapproval in writing to the party requesting approval. The written communication shall include specific reasons for disapproval. Any disapproval of a light or lighting system by the city manager and/or his designee may be appealed to the city council. If any party desires to appeal an adverse decision by the city manager

and/or his designee within 30 days from the date following the written notice of disapproval, and it shall be the responsibility of the city manager and/or his designee to transmit, forthwith, to the city council all papers and allied documents constituting the record upon which the action appealed was taken and to ensure that the appeal is promptly placed upon the agenda of the city council for its determination. The city council may reverse or affirm, wholly or partly, or may modify, the order, requirement, decision or determination appealed from.

- (3) Roadway or street lighting luminaries or fixtures installed within the public right-of-way as "security lights" for the purpose of lighting areas other than the public streets, shall be mounted on the side of the pole opposite from the street and shall be oriented in such a manner to ensure that the lateral light distribution pattern is parallel to the street and the vertical light distribution, at the initial light source, is perpendicular to the street, so as to protect the users of the street from objectionable glare. The approval of the city manager and/or his designee shall be obtained before installation of these lights.
- (4) Other lighting fixtures to be installed within or outside of public right-of-way for whatever purpose shall be installed and operated in such a manner to prevent glare from being a hazard to or interfering with the normal use of the public right-of-way.

(Adopted Ord. No. OA-2016-03 § 1, 7-11-2016; amended Ord. No. OA-2022-XX, § XX-XX-2023)

Sec. 32-98. Petition to create district.

Any subdivision now in existence may present a petition to the city manager; the petition shall contain signatures of at least 75 percent of the lot owners, and the city council shall conduct a public hearing for the purpose of determining whether or not to create a street light district. Safety and economic factors shall be the prime consideration in making such a determination. Unless 100 percent of the lot owners have signed such petition, the petition shall be advertised in the official organ of the city one time at least ten days before the public hearing. The owner, developer, or other person developing a subdivision shall be required to provide street lights which conform to all of the standards provided for in this article.

(Adopted Ord. No. OA-2016-03 § 1, 7-11-2016; amended Ord. No. OA-2022-XX, § XX-XX-2023)

Sec. 32-99. Special street lighting districts.

In areas where special conditions as to safety, security, land topography, economic and other factors may be involved, the city council may create special street lighting districts and provide for special street lighting under such terms and conditions as may be determined by the city council, and other provisions of this article to the contrary, notwithstanding; provided, however, that in such instances, a public hearing shall be held by the city council after advertisement in the official organ of the city one time at least ten days before conducting such public hearing.

(Adopted Ord. No. OA-2016-03 § 1, 7-11-2016; amended Ord. No. OA-2022-XX, § XX-XX-2023)

Sec. 32-100. Contracting with public utilities.

The city may contract with public utilities for the purpose of carrying out the terms of this article.

(Adopted Ord. No. OA-2016-03 § 1, 7-11-2016; amended Ord. No. OA-2022-XX, § XX-XX-2023)

Sec. 32-101. Exceptions.

The city council may grant exceptions to the literal terms of this article where a special condition or hardship exists.

(Adopted Ord. No. OA-2016-03 § 1, 7-11-2016; amended Ord. No. OA-2022-XX, § XX-XX-2023)

Sec. 32-102. Conflicts.

If any provision of this article is in conflict with any state or federal law or with any rule, regulation or order of any state or federal agency, having jurisdiction of the subject matter of this article, it is hereby deemed to be the intention of the city council that the state or federal law or rule, regulation or order, as the case may be, shall prevail so that the remaining portion of this article shall be deemed to be in full force and effect.

(Adopted Ord. No. OA-2016-03 § 1, 7-11-2016; amended Ord. No. OA-2022-XX, § XX-XX-2023)

Sec. 32-103. Appeal.

Any person or agency dissatisfied with any decision or action of the city manager and/or his designee or of the city shall have the right to appeal from such decision to the city council within 30 days from the date of such decision or action.

(Adopted Ord. No. OA-2016-03 § 1, 7-11-2016; amended Ord. No. OA-2022-XX, § XX-XX-2023)

Sec. 32-104. Copies of article provided.

A copy of this article shall be spread upon the official minutes of the city council, and the city manager and/or his designee is hereby required to post a copy of this article in the office of the city clerk and to provide copies thereof for persons desiring copies of this article.

(Adopted Ord. No. OA-2016-03 § 1, 7-11-2016; amended Ord. No. OA-2022-XX, § XX-XX-2023)

Sec. 32-105. Reserved.

Editor's note(s)— (Adopted Ord. No. OA-2016-03 § 1, 7-11-2016; amended Ord. No. OA-2022-XX, § XX-XX-2023)

Sec. 32-106. Subdivision requirements.

- (a) The installation of street lights shall be mandatory of the developers of all new subdivisions. At the time of and as a requirement of the submission of a final plat, the developer shall:
 - (1) Submit a drawing of the subdivision's layout showing locations of all proposed street lights within each platted phase. This drawing must be approved by the city manager and/or his designee prior to obtaining any building permit within the subdivision. The final plat shall annotate that street lights shall be installed in accordance with the provisions of this article. Fixtures and standard/poles installed or used shall be approved by utility company which will be responsible for the maintenance of the facilities. With the first platted phase, streetlights shall be installed along the local street. The local street will be included in the street light district for the subdivision.
 - (2) Pay all costs for all approved standard/poles, fixtures and any other related items or materials necessary for the installation.
 - (3) Pay a sum equal to the energy cost for a period of 12 months plus a 10% administrative fee to the city.

- (4) Submit proof of payment for complete installation to the city manager and/or his designee.
- (5) Submit a copy of an executed agreement with the utility company for complete maintenance of all installations.
- (6) Street lights in new subdivisions shall be activated upon installation. If the subdivision is divided into units or phases, each unit or phase will be treated independently.
- (b) In subdivisions utilizing underground cable for electrical service, the developers shall be required to accomplish the same items listed in the preceding section hereof.

(Adopted Ord. No. OA-2016-03 § 1, 7-11-2016; amended Ord. No. OA-2022-XX, § XX-XX-2023)

Sec. 32-107. Decision—Exceptions.

Exceptions to the ordinance may be approved by the Mayor and Council, upon recommendation of the finance director and city manager and/or his designee so long as the streetlight district revenue fund is sufficient to cover expenses. The type of exceptions generally involves providing energy and/or infrastructure for street light service within incomplete or stalled developments or resolve nonconforming or unforeseen situations causing a delay in activation of street light service.

(Adopted Ord. No. OA-2016-03 § 1, 7-11-2016; amended Ord. No. OA-2022-XX, § XX-XX-2023)

Secs. 32-108—32-119. Reserved.

SECTION II. REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION III. SEVERABILITY CLAUSE. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision will not affect the validity of the remainder of this ordinance or any part thereof.

SECTION IV EFFECTIVE DATE. Following passage and approval of this ordinance by the Mayor and City Council, this ordinance shall be effective on and after _____, 2023.

SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE

CITY OF DALLAS, GEORGIA, THIS THE ____ DAY OF

_____, 2023.

L. James Kelly, Mayor

James R. Henson, Councilmember

Michael G. Cason, Councilmember

Cooper Cochran, Councilmember

Nancy R. Arnold, Councilmember

Christopher B. Carter, Councilmember

Leah Alls, Councilmember

ATTEST:

Tina Clark, City Clerk of the City of Dallas, GA

Date

**ORDINANCE
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**

WHEREAS, Pursuant to O.C.G.A. §36-35-3 the City has been vested by the State of Georgia with legislative power to adopt clearly reasonable ordinances, resolutions or regulations relating to its property and affairs (the “Home Rule” power) including the power to amend its Charter except as provided in O.C.G.A. §36-35-6; **AND**

WHEREAS, Consistent with the powers vested in him by the City Charter, the City Manager has requested authorization and approval from the Mayor and City Council to implement changes to the Charter regarding structure of meetings, meeting times, procedures and rules of decorum for meetings; **AND**

WHEREAS, The implementation of changes to the Charter regarding structure of meetings, meeting times, procedures and rules of decorum for meetings is not a matter preempted by the Georgia General Assembly via enactment of general law; **AND**

WHEREAS, The Mayor and the City Council of Dallas, Georgia have, in regular meeting of Council assembled, pursuant to O.C.G.A. §36-35-3, after proper notice and advertisement in accordance therewith, considered said amendment; **AND**

THEREFORE, be it ordained by the Mayor and the City Council of Dallas, Georgia:

SECTION I.

That the City Charter of the City of Dallas **CHAPTER 2 – ADMINISTRATION, ARTICLE II. – LEGISLATIVE BODY, SECTIONS 2-37 through 2-70** are struck in their entirety and amended as follows:

CHAPTER 2 – ADMINISTRATION

ARTICLE II. – LEGISLATIVE BODY

Sec. 2-37. Regular Meetings, Executive Sessions.

- a) The regular meetings of the mayor and council of the city shall be held on the first Monday of each month at 5:15 p.m. at the city council chambers unless said meeting must be rescheduled due to conflicts such as holidays.
- b) Executive sessions of the mayor and council may be held for the purpose of conducting business excepted from public access requirements as authorized by O.C.G.A. 50-14-2 and 50-14-3.
 - 1. No executive session shall be held except pursuant to a majority affirmative vote of the mayor and council taken in a public meeting.
 - 2. The minutes of the public meeting shall reflect the names of the councilmembers present, those voting for the executive session and the specific reasons for the executive session. Minutes of the executive session may be maintained by the city clerk at the direction of the mayor. Any such minutes shall be maintained in a confidential file and shall not be subject to disclosure; except that disclosures of such portions of minutes identifying real estate to be acquired by the mayor

and council may only be delayed until such time as the acquisition of the real estate has been completed, terminated or abandoned or court proceedings have been initiated.

Sec. 2-38. - Special meetings.

Special meetings of the mayor and council may be held in accordance with the provisions of section 2.19(b) of the city Charter and O.C.G.A. § 50-14-1.

Sec. 2-39. - Order of business.

At each meeting of the mayor and council the following regular order of business shall be observed unless dispensed with by a majority vote of the members present:

- (1) Call to order by the mayor.
- (2) Presentation of the minutes of previous meetings by the city clerk for correction and approval.
- (3) Recognition of visitors.
- (4) Consent agenda.
- (5) Old/unfinished business.
- (6) New business.
- (7) Adjournment.

Sec. 2-40. - General rules of order; quorum.

- a) Except as otherwise provided in the city Charter or this Code, the rules of order and parliamentary procedure contained in Robert's Rules of Order, Newly Revised, shall govern the transaction of business by and before the mayor and council at its meetings in all cases to which they are applicable. The city attorney shall serve as the parliamentarian for the council.
- b) A quorum of the city council must be present for the conducting of meetings. The mayor and three council members shall constitute a quorum and shall be authorized to transact business of the city council. When the mayor pro tem is presiding in the mayor's absence, the mayor pro tem and three council members shall constitute a quorum.

Sec. 2-41. – Decorum

The mayor and councilmembers must conduct themselves in a professional and respectful manner.

- a) All remarks should be directed to the mayor and not to individual councilmembers, staff or citizens in attendance. Personal remarks are inappropriate. A councilmember is not allowed to speak at a meeting until he has been recognized by the mayor. All comments made by a councilmember shall address the motion that is being discussed.
- b) The mayor shall enforce these rules of decorum. If a councilmember believes that a rule has been broken, he can raise a point of order. A second is not required. The mayor can rule on the question or he may allow the council to debate the issue and decide the issue by majority vote.

Sec. 2-42. – Public Participation

Public participation in meetings of the mayor and council shall be permitted in accordance with the provisions of this section.

- a) Public comments. The public will be afforded an opportunity to address the mayor and council at each meeting at the beginning of the meeting. Individuals will be allotted five minutes to make their comments, and their comments must be limited to their chosen topic. These limits can be waived by a majority vote of the mayor and council.
- b) Public participation on agenda items. By a majority vote, the mayor and council may allow public comment on an agenda item at the time the item is

being considered by the mayor and council. These comments must be limited to the subject that is being debated. Members of the public may speak for two minutes and may only speak once. These limits may be waived by a majority vote of the mayor and council. Anyone wishing to speak at any meeting of the council must be recognized by the mayor before addressing the council.

- c) Decorum. Members of the public shall not make inappropriate or offensive comments at a meeting of the mayor and council and are expected to comply with the rules of decorum that are established for councilmembers. Individuals who violate any rules of the mayor and council may be ruled out of order by the mayor or on a point of order made by a councilmember. A majority vote of the mayor and council will rule on the point of order. An individual who violates the rules of decorum may be removed from the meeting at the direction of the mayor.
 - 1. It shall be the duty of the chief of police or his designee to be present and on official duty at all special and regular meetings of the city council.
 - 2. Except during such periods of time at such meetings as the city council shall set aside for public discussion, it shall be unlawful for any person present as a spectator to interrupt or disturb the proceedings in any manner by voice, actions or otherwise.
 - 3. During periods set aside for public discussion of any nature, any person desiring to speak shall secure the permission of the presiding officer by first silently raising his hand and being recognized. The use of profanity, obscene language, threats or any violent or abusive conduct by any person shall constitute a violation of this section.
 - 4. It shall be the duty of the chief of police, upon the order of the presiding officer at any such meeting to, forcibly if necessary, evict any person violating the provisions of this section from the council meeting hall. Any such violation shall subject the offender, upon conviction thereof before the municipal court, to a fine and/or imprisonment as prescribed by section 1-11 of the Code of Ordinances.
- d) Public hearings. The mayor and council may schedule public hearings for the purpose of soliciting public comment on any subject of interest to the mayor and council. Hearings may be held immediately prior to or following a meeting of the mayor and council or at such other places and times as the mayor and council may determine.

Secs. 2-43 – 2-70. – Reserved.

SECTION II. REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION III. SEVERABILITY CLAUSE. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision will not affect the validity of the remainder of this ordinance or any part thereof.

SECTION IV. EFFECTIVE DATE. This ordinance shall be effective immediately following passage and approval of this ordinance by the Mayor and City Council.

**SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE
CITY OF DALLAS, GEORGIA, THIS THE ____ DAY OF
_____, 2023.**

L. James Kelly, Mayor

James R. Henson, Councilmember

Michael G. Cason, Councilmember

Cooper Cochran, Councilmember

Nancy R. Arnold, Councilmember

Christopher B. Carter, Councilmember

Leah Alls, Councilmember

ATTEST:

Tina Clark, City Clerk of the City of Dallas, GA

Date



ELECTED AND APPOINTED OFFICIALS 2024

Elected Officials 4-year term

Name	Ward	Term Ending (Election held in November before term end)
James Kelly	Mayor	12/31/2023
Chris Carter	Ward 1	12/31/2025
Candace Callaway	Ward 2	12/31/2027
Leah Alls	Ward 3	12/31/2025
Jim Henson	Ward 4	12/31/2023
Cooper Cochran	At Large	12/31/2023
Nancy Arnold	At Large	12/31/2025

Board / Commission / Authority Appointments:

Board of Ethics Committee – 2-year term (3 Appointments)

Name	Appointment Date	Term Ending
Rick Carroll (appointed by Council)	1/2022	12/31/2025
Dawn Eriksen (appointed by Mayor)	1/2022	12/31/2025
Vacancy (appointed by Board of Ethics Comm)		

Dallas Planning Commission – 2-year term (5 Appointments) **Staffer: Preston Kilgore**

Name	Appointment Date	Term Ending
David Holt	1/2022	12/31/2025
Debra Ewing	1/2022	12/31/2025
Andrew Nesbitt	1/2022	12/31/2025
Terry Johnson	1/2023	12/31/2024
Ryan Ayers	1/2023	12/31/2024

Development Authority of the City of Dallas – 4-year term (7 Appointments)

Name	Appointment Date	Term Ending
James Kelly	1/2021	12/31/2024
Cooper Cochran	1/2021	12/31/2024
Michael Cason	1/2022	12/31/2025
Jim Henson	1/2022	12/31/2025
Nancy Arnold	1/2019	12/31/2026
Chris Carter	1/2019	12/31/2026
Leah Alls	1/2019	12/31/2026

Downtown Development Authority – 4-year term (# of Appointments) **Staffer: Shannon Gordon**

Name	Appointment Date	Term Ending
Councilmember Jim Henson	1/2016	Reappointed upon re-election
Sam Elrod	1/2020	12/31/2027
Lexi Stephen	11//2023	12/31/2026
Susan Haynes	1/2020	12/31/2027

Sammy Callahan	10/2019	12/31/2026
Jolee Kitchen	4/2021	12/31/2024
Garland Self	4/2021	12/31/2024

Historical Preservation Commission – 3-year term (7 Appointments) Staffer: Amber Whisner

Name	Appointment Date	Term Ending
Debbie Self	4/2022	12/31/2025
Suzi Edwards	8/2022	12/31/2024
Nikki Lumpkin	8/2022	12/31/2024
Anmarie Burnette	1/2020	12/31/2025
Beth Harwell	11/2020	12/31/2026
Tori Barrett	8/2022	12/31/2026
Sara Nix	8/2022	12/31/2025

Tree Commission – 3-year term (5 Appointments)

Name	Appointment Date	Term Ending
Mickey Gazaway	1/2021	12/31/2026
Jill W. Coats	1/2021	12/31/2026
Wally Strickland	1/2021	12/31/2026
Carol Thigpen	1/2022	12/31/2024
Vacancy		

Urban Re-Development Authority – 3-year term (3 Appointments)

Name	Appointment Date	Term Ending
Sammy Callahan	1/2024	12/31/2026
Steve Haynes	1/2021	12/31/2026
Garland Self	1/2024	12/31/2026

Zoning Board of Appeals – 3-year term (3 Appointments) Staffer: Preston Kilgore

Name	Appointment Date	Term Ending
Vacancy	1/2023	Unexpired 12/31/2025
Brad Wood	1/2021	12/31/2026
Malinda Graham	1/2022	12/31/2024

Main Street Advisory Board – 3-year term (7 Appointments) Staffer: Shannon Gordon

Name	Appointment Date	Term Ending
Nowetta Brunk	10/2022	12/31/2025
Angelica Rodriguez	08/2021	12/31/2025
Leah Alls	09/2021	Reappointed upon re-election
Michael Pace	09/2021	12/31/2026
Alex Davis	01/2023	12/31/2024
Christina Henggeler	01/2022	12/31/2024
Kelli Prewett	01/2023	12/31/2026

Council / Staff Appointments:

Mayor Pro Tem: TBD

Finance Committee:

Chair, Kendall Smith

Mayor James Kelly

Councilmember Cooper Cochran

Paulding Co. Planning Commission: Rep Sammy Callahan

Paulding Co. Chamber of Commerce: Rep Chris Carter

West Ga. Regional Commission: Mayor James Kelly

Dallas Housing Authority

Jake Hammitt - Commissioner (January 9, 2023 – May 4, 2025)

Scott Halter - Commissioner (January 9, 2023 – May 4, 2024)

Erica Summerour – Commissioner (December 6, 2023 – May 4, 2027) to fill the unexpired term of Danita Elrod

Shirley Smith

LeAnne Austin

Sharone Thomas

Resident Commissioner to be appointed by the mayor every year (Dept. of Housing & Urban Development)

Bart Lewis, Executive Director, keeps list of renewals for these

770.445.3758

Alcohol Review Board (no term)

Councilmember Candace Callaway

Kendall Smith, City Manager

Joe Duvall, Police Chief

Pension Committee Secretary (no term)

Tina Clark



STAFF ACTION ITEM

MEETING DATE: 12.04.2023
TITLE: Chief of Police
PRESENTED BY: Joe Duvall

AGENDA ITEM DESCRIPTION (Agenda Content):

Approval to purchase Cellular Devices and other Equipment to come out of the 911 Fees.

HISTORY/PAST ACTION:

Enter Text Here

FINANCIAL IMPACT:

\$105,000.00

INFORMATION:

The Quote attached is per Cellular Device and we plan to purchase up to 32 Devices.

Sales Proposal

5680 Stitcher Court
 Douglasville GA 30134
 Phone: (770) 948-9566
 Fax: (770) 948-9532

Two-Way Radios * Data Communications * 911 Consoles * Sirens

By: Amanda Flores

Email: Amanda@loudouncomm.net

Date: 2023-07-19

No: LC-14150

Qty	Model	Description	Price ea.	Total
32	XL-PPM1M-NA	PORTABLE,XL-200P,PKP,BLK,US,NA	\$2,945.00	\$94,240.00
32	XL-Y3EWP	SERVICE ASSIST, EXT WARRANTY 3YR, XL200P	\$200.00	\$6,400.00
32	XL-FW2X	OPERATION,LOAD NIFOG PERSONALITY	\$0.01	\$0.32
32	XL-PL8Y	FEATURE, ENCRYPTION LITE	\$0.01	\$0.32
32	XL-PL9E	FEATURE, SINGLE-KEY AES ENCRYPTION	\$0.01	\$0.32
32	XL-PL4U	FEATURE, SINGLE-KEY DES ENCRYPTION	\$0.01	\$0.32
32	XL-PL6A	FEATURE, MCPTT	\$500.00	\$16,000.00
32	XL-PL4L	FEATURE,SINGLE BAND 7/800	\$0.01	\$0.32
32	BPPA4KLI-S	BATTERY XL-200P - 7.2V / 5000 mAh / 36.0 Wh / Li-Ion	\$135.00	\$4,320.00
32	XL-NC8F	ANTENNA,WHIP,1/4 WAVE,762-870MHZ	\$40.00	\$1,280.00
32	XL-AE2V	SPEAKER MIC, REVO NC2, C1D2	\$190.00	\$6,080.00
32	XL-HC3L	BELT CLIP,METAL	\$30.00	\$960.00
32	XL-CH6F	CHARGER, SINGLE BAY +	\$245.00	\$7,840.00
32	DISCOUNT	L3Harris Discount	(\$1,062.11)	(\$33,987.52)

Sales Proposal



5680 Stitcher Court
Douglasville GA 30134
Phone: (770) 948-9566
Fax: (770) 948-9532

Two-Way Radios * Data Communications * 911 Consoles * Sirens

By: Amanda Flores Email: *Amanda@loudouncomm.net* Date: 2023-07-19 No: LC-14150

Quotation To:
Company: City of Dallas Police Department
Address: 120 Main St.

Equipment	\$103,134.08
Sales Tax	\$0.00
Installation	\$0.00
Deposit	\$0.00
Total Sale	\$103,134.08

Dallas GA 30132

Attn: Joe Duvall

Email:

Phone:

Fax:

(Pricing valid for 30 days from proposal date)
(Shipping may be additional if not included in Proposal)



STAFF ACTION ITEM

MEETING DATE:12/04/2023

TITLE: RESOLUTION 2023-17; Lead Service Line Inventory Project – GEFA loan # DWLSL2022132 – Loan Agreement Approval

PRESENTED BY: Brandon Rakestraw – Public Works Director

AGENDA ITEM DESCRIPTION (Agenda Content):

RESOLUTION 2023-17; Lead Service Line Inventory Project – GEFA loan # DWLSL2022132 – Loan Agreement Approval

HISTORY/PAST ACTION:

N/A

FINANCIAL IMPACT:

\$144,230.00

INFORMATION:

Request Mayor and Council approval - Enter into a loan agreement DWLSL2022132 with GEFA to cover project expenditures for the above referenced project. This loan agreement will provide Principal Forgiveness Funding in an amount of \$144,230.00 towards all project expenditures once all loan funds are drawn.

RESOLUTION 2023-17

A Resolution Authorizing the Mayor and City Council of the City of Dallas, Georgia to Execute a Loan Agreement, Promissory Note, and All Related Documents for loan DWLSL2022132. A Drinking Water State Revolving Fund (DWSRF) Loan in The Amount of \$144,230.00

WHEREAS, The Charter of the City of Dallas, Georgia allows the Mayor and Council to adopt Resolutions; and

WHEREAS, The Mayor and Council of the City of Dallas, Georgia has the responsibility to provide for the health, safety and welfare of the citizens of Dallas, Georgia, which includes providing funding and obtaining loans from The Georgia Environmental Finance Authority (GEFA) in order to pay for certain Drinking Water Projects and improvements necessary for the City of Dallas, Georgia; and

WHEREAS, The City of Dallas, Georgia, has applied and received loan DWLSL2022132 from GEFA in the amount of \$144,230.00; and

WHEREAS, The City of Dallas, Georgia has applied and received loan DWLSL2022132 from GEFA with a maturity date of February 1, 2025.

WHEREAS, The Mayor and Council for the City of Dallas, Georgia, desires to approve loan agreement DWLSL2022132 from GEFA, thus allowing the Mayor of the City of Dallas, Georgia to execute the loan agreement and any other loan documents required for the City of Dallas, Georgia to obtain loan DWLSL2022132 from GEFA; and

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DALLAS, GEORGIA, that the Mayor and Council for the City of Dallas, Georgia, approve loan agreement DWLSL2022132 from GEFA. The Mayor of the City of Dallas, Georgia is hereby authorized to sign any and all loan documents, notes, or any other documents necessary for the City of Dallas, Georgia to obtain loan DWLSL2022132 from GEFA in order to complete certain drinking water projects and improvements necessary for the City of Dallas, Georgia

SO SHALL IT BE RESOLVED, PASSED, ADOPTED, SIGNED, APPROVED, BY THE MAYOR AND COUNCIL OF THE CITY OF DALLAS, GEORGIA, and EFFECTIVE THIS THE ____ DAY OF _____, 2023.

L. James Kelly, Mayor

James R. Henson, Councilmember

Michael G. Cason, Councilmember

Cooper Cochran, Councilmember

Nancy R. Arnold, Councilmember

Christopher B. Carter, Councilmember

Leah Alls, Councilmember

ATTEST:

I, hereby certify that the forgoing resolution was regularly introduced, passed and adopted at a regular meeting of the City Council of the City of Dallas this ____ day of _____, 2023.

Tina Clark, City Clerk

Date



STAFF ACTION ITEM

MEETING DATE:12/04/2023

TITLE: RESOLUTION 2023-18; West Dallas Collector Sewer Extension Project - Phase I; Additional Funding – GEFA loan # CW2021008A – Loan Agreement Approval

PRESENTED BY: Brandon Rakestraw – Public Works Director

AGENDA ITEM DESCRIPTION (Agenda Content):

RESOLUTION 2023-18; West Dallas Collector Sewer Extension Project - Phase I; Additional Funding – GEFA loan # CW2021008A – Loan Agreement Approval

HISTORY/PAST ACTION:

Approval – Original Project Funding Loan

FINANCIAL IMPACT:

\$2,583,800.00

INFORMATION:

Request Mayor and Council approval - Enter into a loan agreement CW2021008A with Georgia Environmental Finance Authority to cover project expenditures for the above referenced project. This loan agreement will provide Principal Funding in an amount of \$2,583,800.00 towards project expenditures.

RESOLUTION 2023-18

A Resolution Authorizing the Mayor and City Council of the City of Dallas, Georgia to Execute a Loan Agreement, Promissory Note, and All Related Documents for loan CW2021008A. A Clean Water State Revolving Fund (CWSRF) Loan in The Amount of \$2,583,800.00

WHEREAS, The Charter of the City of Dallas, Georgia allows the Mayor and Council to adopt Resolutions; and

WHEREAS, The Mayor and Council of the City of Dallas, Georgia has the responsibility to provide for the health, safety and welfare of the citizens of Dallas, Georgia, which includes providing funding and obtaining loans from The Georgia Environmental Finance Authority (GEFA) in order to pay for certain Clean Water Projects and improvements necessary for the City of Dallas, Georgia; and

WHEREAS, The City of Dallas, Georgia, has applied and received loan CW2021008A from GEFA in the amount of \$2,583,800.00; and

WHEREAS, The City of Dallas, Georgia has applied and received loan CW2021008A from GEFA with a maturity date of March 1, 2025.

WHEREAS, The Mayor and Council for the City of Dallas, Georgia, desires to approve loan agreement CW2021008A from GEFA, thus allowing the Mayor of the City of Dallas, Georgia to execute the loan agreement and any other loan documents required for the City of Dallas, Georgia to obtain loan CW2021008A from GEFA; and

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DALLAS, GEORGIA, that the Mayor and Council for the City of Dallas, Georgia, approve loan agreement CW2021008A from GEFA. The Mayor of the City of Dallas, Georgia is hereby authorized to sign any and all loan documents, notes, or any other documents necessary for the City of Dallas, Georgia to obtain loan CW2021008A from GEFA in order to complete certain clean water projects and improvements necessary for the City of Dallas, Georgia

SO SHALL IT BE RESOLVED, PASSED, ADOPTED, SIGNED, APPROVED, BY THE MAYOR AND COUNCIL OF THE CITY OF DALLAS, GEORGIA, and EFFECTIVE THIS THE ____ DAY OF _____, 2023.

L. James Kelly, Mayor

James R. Henson, Councilmember

Michael G. Cason, Councilmember

Cooper Cochran, Councilmember

Nancy R. Arnold, Councilmember

Christopher B. Carter, Councilmember

Leah Alls, Councilmember

ATTEST:

I, hereby certify that the forgoing resolution was regularly introduced, passed and adopted at a regular meeting of the City Council of the City of Dallas this ____ day of _____, 2023.

Tina Clark, City Clerk

Date



STAFF ACTION ITEM

MEETING DATE:12/04/2023

TITLE: Lead Service Line Inventory Project; GEFA loan # DWLSL2022132 – EXHIBIT F -Authorization for Mayor to execute Loan Agreement

PRESENTED BY: Brandon Rakestraw – Public Works Director

AGENDA ITEM DESCRIPTION (Agenda Content):

Lead Service Line Inventory Project; GEFA loan # DWLSL2022132 – EXHIBIT F - Authorization for Mayor to execute Loan Agreement

HISTORY/PAST ACTION:

Mayor and Council approval – Resolution 2023-17

FINANCIAL IMPACT:

\$144,230.00

INFORMATION:

Request Mayor and Council approval – Authorization for the Mayor to execute Loan Agreement and Note.

**EXTRACT OF MINUTES
RESOLUTION OF GOVERNING BODY**

Recipient: CITY OF DALLAS

Loan Number: DWLSL2022132

At a duly called meeting of the governing body of the Borrower identified above (the "Borrower") held on the _____ day of _____, the following resolution was introduced and adopted.

WHEREAS, the governing body of the Borrower has determined to borrow but not to exceed **\$144,230** from the **DRINKING WATER STATE REVOLVING FUND, ADMINISTERED BY GEORGIA ENVIRONMENTAL FINANCE AUTHORITY** (the "Lender") to finance a portion of the costs of acquiring, constructing, and installing the environmental facilities described in Exhibit A to the hereinafter defined Loan Agreement (the "Project"), pursuant to the terms of a Loan Agreement (the "Loan Agreement") between the Borrower and the Lender, the form of which has been presented to this meeting; and

WHEREAS, the Borrower's obligation to repay the loan made pursuant to the Loan Agreement will be evidenced by a Promissory Note (the "Note") of the Borrower, the form of which has been presented to this meeting;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borrower that the forms, terms, and conditions and the execution, delivery, and performance of the Loan Agreement and the Note are hereby approved and authorized.

BE IT FURTHER RESOLVED by the governing body of the Borrower that the terms of the Loan Agreement and the Note (including the interest rate provisions, which shall be as provided in the Note) are in the best interests of the Borrower for the financing of the Project, and the governing body of the Borrower designates and authorizes the following persons to execute and deliver, and to attest, respectively, the Loan Agreement, the Note, and any related documents necessary to the consummation of the transactions contemplated by the Loan Agreement.

(Signature of Person to Execute Documents)

(Print Title)

(Signature of Person to Attest Documents)

(Print Title)

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect.

Dated: _____

Secretary/Clerk

(SEAL)



STAFF ACTION ITEM

MEETING DATE:12/04/2023

TITLE: West Dallas Collector Sewer Extension Project – Phase I -Additional Funding; GEFA loan # CW2021008A –EXHIBIT F -Authorization for Mayor to execute Loan Agreement

PRESENTED BY: Brandon Rakestraw – Public Works Director

AGENDA ITEM DESCRIPTION (Agenda Content):

West Dallas Collector Sewer Extension Project – Phase I -Additional Funding; GEFA loan # CW2021008A –EXHIBIT F -Authorization for Mayor to execute Loan Agreement

HISTORY/PAST ACTION:

Mayor and Council approval – Resolution 2023-18

FINANCIAL IMPACT:

\$2,583,800.00

INFORMATION:

Request Mayor and Council approval – Authorization for the Mayor to execute Loan Agreement and Note.

EXHIBIT F

**EXTRACT OF MINUTES
RESOLUTION OF GOVERNING BODY**

Recipient: CITY OF DALLAS

Loan Number: CW2021008A

At a duly called meeting of the governing body of the Borrower identified above (the "Borrower") held on the ____ day of _____, the following resolution was introduced and adopted.

WHEREAS, the governing body of the Borrower has determined to borrow but not to exceed **\$2,583,800** from the **CLEAN WATER STATE REVOLVING FUND, ADMINISTERED BY GEORGIA ENVIRONMENTAL FINANCE AUTHORITY** (the "Lender") to finance a portion of the costs of acquiring, constructing, and installing the environmental facilities described in Exhibit A to the hereinafter defined Loan Agreement (the "Project"), pursuant to the terms of a Loan Agreement (the "Loan Agreement") between the Borrower and the Lender, the form of which has been presented to this meeting; and

WHEREAS, the Borrower's obligation to repay the loan made pursuant to the Loan Agreement will be evidenced by a Promissory Note (the "Note") of the Borrower, the form of which has been presented to this meeting;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borrower that the forms, terms, and conditions and the execution, delivery, and performance of the Loan Agreement and the Note are hereby approved and authorized.

BE IT FURTHER RESOLVED by the governing body of the Borrower that the terms of the Loan Agreement and the Note (including the interest rate provisions, which shall be as provided in the Note) are in the best interests of the Borrower for the financing of the Project, and the governing body of the Borrower designates and authorizes the following persons to execute and deliver, and to attest, respectively, the Loan Agreement, the Note, and any related documents necessary to the consummation of the transactions contemplated by the Loan Agreement.

(Signature of Person to Execute Documents)

(Print Title)

(Signature of Person to Attest Documents)

(Print Title)

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect.

Dated: _____

Secretary/Clerk

(SEAL)



STAFF ACTION ITEM

MEETING DATE:12/04/2023

TITLE: Patty Morales – 107 Pinecrest Circle Dallas, GA 30132; Plumbing Charge Reimbursement Request

PRESENTED BY: Brandon Rakestraw – Public Works Director

AGENDA ITEM DESCRIPTION (Agenda Content):

Patty Morales – 107 Pinecrest Circle Dallas, GA 30132; Plumbing Charge Reimbursement Request

HISTORY/PAST ACTION:

N/A

FINANCIAL IMPACT:

\$656.00

INFORMATION:

Request Mayor and Council approval – Authorization for reimbursement of plumbing expenses.



STAFF ACTION ITEM

MEETING DATE:12/04/2023

TITLE: Pumpkinvine Creek WPCP – Capital Equipment Replacement; Two (2)
Eaton VFD – Basin Aerator

PRESENTED BY: Brandon Rakestraw – Public Works Director

AGENDA ITEM DESCRIPTION (Agenda Content):

Pumpkinvine Creek WPCP – Capital Equipment Replacement; Two (2) Eaton VFD – Basin Aerator

HISTORY/PAST ACTION:

N/A

FINANCIAL IMPACT:

\$95,680.00

INFORMATION:

Request Mayor and Council approval – Purchase Two (2) Eaton VFDs from Baker Technical Services.



STAFF ACTION ITEM

MEETING DATE: 12/04/2023

TITLE: Fee Schedule Amendment; Water and Sewer System – Monthly Service Fee & System Development Fee Implementation

PRESENTED BY: Brandon Rakestraw – Public Works Director

AGENDA ITEM DESCRIPTION (Agenda Content):

Water and Sewer System – Monthly Service Charge & System Development Fee Implementation

HISTORY/PAST ACTION:

N/A

FINANCIAL IMPACT:

Monthly Service Fee – monthly service charge to all active accounts not including consumption

System Development Fee (SDF) - based on Equivalent Residential Units (ERU) for single and multi-family residential units and for non-residential properties served by City of Dallas Sanitary Sewer.

INFORMATION:

Request approval to amend city fee schedule as follows.

Water and Sewer Rates:

Monthly Service Fee - creation

System Development Fee - creation

**CITY OF DALLAS – FEE SCHEDULE AMENDMENT
 WATER AND SEWER SYSTEM
 FEE AMENDMENT
 DECEMBER 04, 2023**

MONTHLY SERVICE CHARGE FLAT FEE

The monthly service charge is assessed by meter size. This charge is to recover administrative, customer service, billing and meter-related costs, bond interest and some depreciation expenses. This fee is billed to all active accounts and does not include consumption.

METER SIZE	RESIDENTIAL	RESIDENTIAL PC	COMMERCIAL	COMMERCIAL PC	IRRIGATION
5/8" & 3/4"	\$10.00	\$7.50	\$15.00	\$10.00	\$20.00
1"	\$15.00	\$10.00	\$22.50	\$15.00	\$30.00
1 1/2"	\$26.00	\$22.00	\$39.00	\$27.00	\$52.00
2"	\$45.00	\$30.00	\$67.50	\$45.00	\$90.00
3"			\$75.00	\$55.00	\$150.00
4"			\$100.00	\$75.00	Contact billing dept.
6"			\$150.00	\$100.00	Contact billing dept.
8"			\$200.00	\$125.00	Contact billing dept.

FIRE PROTECTION SERVICE

This is a monthly fee for water availability on demand for fire protection. It is associated with DCDA, backflow devices, and other metering devices for fire protection. This fee is billed to all active accounts and does not include consumption.

LINE SIZE	DOUBLE CHECK DETECTOR ASSEMBLY	DOMESTIC OR FIRE METER
5/8" & 3/4"		\$19.00
1"		\$19.00
1 1/2"		\$19.00
2"	\$20.00	\$24.00
3"	\$20.00	\$50.00
4"	\$20.00	\$100.00
6"	\$50.00	\$150.00
8"	\$60.00	\$200.00

OTHER CHARGES AND CREDITS

SENIOR CITIZEN DISCOUNT	(\$7.00) per month
To qualify the customer must be 65 years of age or older and have a gross annual income of less than \$17,240 annually (2020). This figure will be updated annually with HHS Poverty Index.	

SYSTEM DEVELOPMENT FEE

The System Development Fee (SDF) is based on Equivalent Residential Units (ERU) for single and multi-family residential units and for non-residential properties served by City of Dallas Sanitary Sewer. Fees are provided below.

EQUIVALENT RESIDENTIAL UNIT (ERU) = 300 gallons per day

FEE	RATE
Typical Single Family Residential SDF	\$1,500.00
Multi-Family SDF	Calculated by COD
Commercial 1" Meter SDF	\$3,000.00
Commercial 2" Meter SDF	\$5,500.00
Commercial 3" Meter SDF	\$7,500.00
Commercial 4" Meter SDF	\$10,000.00
Commercial Meter Greater than 4" SDF	Calculated by COD
Permitted Industry SDF	Calculated by COD
Sewer Extension Fee	\$4,500.00 per connection plus SDF
Residential Sewer Tap Installation Fee	\$3,500.00
Convenience Sewer Tap Installation Fee	Actual cost to COD



STAFF ACTION ITEM

MEETING DATE:12/04/2023

TITLE: Champions In Motion – ActiveStars; Indoor Pavilion use at Sara Babb Park – Request for discounted rate

PRESENTED BY: Brandon Rakestraw – Public Works Director

AGENDA ITEM DESCRIPTION (Agenda Content):

Champions In Motion – ActiveStars; Indoor Pavilion use at Sara Babb Park – Request for discounted rate

HISTORY/PAST ACTION:

N/A

FINANCIAL IMPACT:

\$20 per use

INFORMATION:

Request Mayor and Council approval – Authorization for discount rate of \$20.00 per use of the Indoor Pavilion @ Sara Babb Park.

ActiveStar program schedule:

January-May - Current Spring date are as follows: 1/25/24-5/9/24

June & July – Date are being scheduled

August -December – Dates are being scheduled

Champions In Motion is a service provider for ActivStars a 501(c)-3.

