



City Council Regular Meeting

Monday, January 03, 2022

5:00 PM

Via Zoom

Meeting ID: 770 443 8110 Passcode: Dallas00

Dial by your location: +1 929 205 6099 US (New York)

Meeting ID: 770 443 8110 Passcode: 45252224

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 or e-mail rbruce@dallasga.gov to allow the city to make reasonable accommodations for those persons.

AGENDA

CALL TO ORDER

INVOCATION AND PLEDGE

RECOGNITION OF VISITORS AND COMMENTS

Recognition of Jim Henson for 10 yrs of service.

Recognition of Bill Gorman for 20 yrs of service.

Andrew Rodriguez, The Dallas Markets

MINUTES APPROVAL

1. December 6, 2021 Council Meeting minutes

CONSENT AGENDA

OLD BUSINESS

NEW BUSINESS

2. Paulding Water System – 2022 Purchase Water Rate Increase
3. Ford Hall Company, INC – Weir Wolf Cleaning System
4. Joe Parker Memorial Park – Change Order #1
5. Pumpkinvine Creek WPCP – Sludge Dryer – Change Order #3
6. Wendy's Outfall Sewer – Warranty Bond – HRSE Dallas, LLC

7. Appointment of Vickie Burgess & Christina Henggeler to the Main Street Advisory Board.
8. Abandonment of the section of road annexed into Holder Rd.

ADDITIONAL/COMMENTS

ADJOURNMENT



City Council Regular Meeting

Monday, December 06, 2021

5:00 PM

City Hall, 129 E Memorial Dr, Dallas GA 30132

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MINUTES

PUBLIC HEARING

Prior to the Regular Meeting, a Public Hearing was held for the following:

Annexation Application A-2021-04 & Zoning Application Z-2021-05, Lennar Georgia- 190 & 451 Amos Osborne Path. Kenneth Wood spoke on behalf of the applications; no one spoke in opposition.

Annexation Application A-2021-03 and Rezoning Application Z-2021-04, Lennar Georgia- Croker Rd & Rich Osborne Rd. with stipulations. Kenneth Wood spoke on behalf of the applications; Martha Covington, Jimmy Robinson, Sam Braly, Euland Braly, Betty Robinson spoke in opposition.

Annexation Application A-2021-05 and Zoning Application Z-2021-06, Summerlyn Homes LLC, Homer Cochran & Settlement Rd. with stipulations. Boyd Austin spoke on behalf of the applications; he reserved his client's Constitutional Rights for the highest and best use of the property; no one spoke in opposition.

Annexation Application A-2021-07 and Zoning Application Z-2021-09, Adam Baker- Hay Renfroe & Villa Rica Hwy. with stipulations. Boyd Austin spoke on behalf of the applications; he reserved his client's Constitutional Rights for the highest and best use of the property. Jenny & Don Hutchins spoke on behalf of the applications; Seth Alexander spoke in reference to the green barrier. No one spoke in opposition.

The applications were subject to a public hearing before the Dallas Planning Commission on 12/02/21, and was recommended for approval. (4-0)

Mayor Kelly closed the Public Hearing at 6:50pm.

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 & Pledge.

RECOGNITION OF VISITORS AND COMMENTS

Thomas Sherrer & Anna Cochran, Dallas Prescription Shop at 537 Hardee St.

Mayor Kelly recognized Councilman Carter for 10 years of service.

MINUTES APPROVAL

1. Motion to adopt the minutes of the October 25, 2021, Regular Meeting.

Motion made by Councilmember Aalls, Seconded by Councilmember Henson.

Voting Yea: Councilmember Aalls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson

2. Motion to adopt the minutes of the November 22, 2021, Special Called Meeting.

Motion made by Councilmember Cason, Seconded by Councilmember Aalls.

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

CONSENT AGENDA

None

OLD BUSINESS

None

NEW BUSINESS

3. Motion to adopt PROC 2021-19 Joe Parker Day.

Motion made by Councilmember Arnold, Seconded by Councilmember Cason.

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

4. Motion to approve appointments to the Board of Ethics Committee – 2-year term for Ricky Carroll and Dawn Eriksen.

Motion made by Councilmember Arnold, Seconded by Councilmember Carter.

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

Motion to approve appointments to the Dallas Planning Commission – 2-year term for David Holt, Debra Ewing and Andrew Nesbitt.

Motion made by Councilmember Henson, Seconded by Councilmember Cason.

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

Motion to approve appointments to the Development Authority of the City of Dallas – 4-year term for Mike Cason and Jim Henson.

Motion made by Councilmember Carter, Seconded by Councilmember Arnold.

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

Motion to approve appointments to the Historical Preservation Commission – 3-year term for Cody Pless and Holly Henderson Williamson.

Motion made by Councilmember Henson, Seconded by Councilmember Aalls.

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

Motion to approve appointments to the Tree Commission – 3-year term for Carol Thigpen.

Motion made by Councilmember Aalls, Seconded by Councilmember Cochran.

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

Motion to approve appointments to the Zoning Board of Appeals – 3-year term for Malinda Graham.

Motion made by Councilmember Cason, Seconded by Councilmember Henson.

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

5. Motion to approve Construction Agreement – Battlefield Trail Phase II – Georgia Department of Transportation.

Motion made by Councilmember Henson, Seconded by Councilmember Cason.

Voting Yea: Councilmember Aalls, Councilmember Arnold, Councilmember Carter, Councilmember Cason, Councilmember Henson

6. Motion to approve Memorandum Agreement – Single-Family Toilet Rebate Program.

Motion made by Councilmember Carter, Seconded by Councilmember Aalls.

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

7. Motion to approve Memorandum Agreement – Multi-Family Toilet Rebate Program.

Motion made by Councilmember Carter, Seconded by Councilmember Aalls.

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

8. Motion to approve Annexation Application A-2021-04.

Motion made by Councilmember Henson, Seconded by Councilmember Alls.

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

Motion to approve Zoning Application Z-2021-05.

Motion made by Councilmember Henson, Seconded by Councilmember Cochran.

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

9. Motion to approve Annexation Application A-2021-03.

Motion made by Councilmember Alls, Seconded by Councilmember Henson.

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

Voting Abstaining: Councilmember Carter

Motion to approve Rezoning Application Z-2021-04 with stipulations.

Motion made by Councilmember Henson, Seconded by Councilmember Alls.

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

Voting Abstaining: Councilmember Carter

10. Motion to approve Annexation Application A-2021-05.

Motion made by Councilmember Alls, Seconded by Councilmember Arnold.

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

Motion to approve Zoning Application Z-2021-06 with stipulations.

Motion made by Councilmember Carter, Seconded by Councilmember Alls.

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

11. Motion to approve Annexation Application A-2021-07.

Motion made by Councilmember Arnold, Seconded by Councilmember Carter.

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

Motion to approve Zoning Application Z-2021-09 with stipulations.

Motion made by Councilmember Alls, Seconded by Councilmember Carter.

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

12. Motion to approve Extension of Resolution 2021-17 Moratorium on R-3 Zoning Applications through March 8, 2022.

Motion made by Councilmember Henson, Seconded by Councilmember Carter.

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

ADDITIONAL/COMMENTS

None

ADJOURNMENT

Motion to adjourn.

Motion made by Councilmember Arnold, Seconded by Councilmember Aalls.

Voting Yea: Councilmember Aalls, 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: 01/03/2021

TITLE: Paulding Water System – 2022 Purchase Water Rate Increase

PRESENTED BY: Brandon Rakestraw – Public Works

AGENDA ITEM DESCRIPTION (Agenda Content):

Paulding Water System – 2022 Purchase Water Rate Increase

HISTORY/PAST ACTION:

2021 Water Rate Increase

FINANCIAL IMPACT:

\$0.12 cent per 1000 gallons

INFORMATION:

2022 – Purchase Water Rate Increase

The whole sale water rate that Paulding County charges the City of Dallas will increase from the current rate of \$4.66 to \$4.78 per 1,000 gallons; (\$3.54 x 1.35). This rate increase will be effective January 1, 2022.



STAFF ACTION ITEM

MEETING DATE: 01/03/2021

TITLE: Ford Hall Company, INC – Weir Wolf Cleaning System

PRESENTED BY: Brandon Rakestraw – Public Works

AGENDA ITEM DESCRIPTION (Agenda Content):

Ford Hall Company, INC – Weir Wolf Cleaning System

HISTORY/PAST ACTION:

N/A

FINANCIAL IMPACT:

\$78,456.00

INFORMATION:

Request approval to purchase Weir Wolf Brush Cleaning System for the sum of \$78,456.00



STAFF ACTION ITEM

MEETING DATE: 01/03/2021

TITLE: Joe Parker Memorial Park – Change Order #1

PRESENTED BY: Brandon Rakestraw – Public Works

AGENDA ITEM DESCRIPTION (Agenda Content):

Joe Parker Memorial Park – Change Order #1

HISTORY/PAST ACTION:

N/A

FINANCIAL IMPACT:

\$90,000.00

INFORMATION:

Joe Parker Memorial Park – Change Order #1

Fire Line Install - \$50,400.00

Grease Trap Sewer Line Install - \$39,600.00

Request approval to execute change order #1 and amend original construction contract with JHC Corporation.

Original Contract	\$499,335.00
This Request	\$90,000.00
Total Contract plus RFC's	\$589,335.00



STAFF ACTION ITEM

MEETING DATE: 01/03/2021

TITLE: Pumpkinvine Creek WPCP – Sludge Dryer – Change Order #3

PRESENTED BY: Brandon Rakestraw – Public Works

AGENDA ITEM DESCRIPTION (Agenda Content):

Pumpkinvine Creek WPCP – Sludge Dryer – Change Order #3

HISTORY/PAST ACTION:

Change Order #1 & #2 Approval

FINANCIAL IMPACT:

\$65,880.21

INFORMATION:

Pumpkinvine Creek WPCP – Sludge Dryer – Change Order #3

1- Piping Modification and Loading Bay Canopy Hardware	\$8,913.00
2- Loading Bay Coordination	\$11,363.38
3- Handrail at Cooling Tower	\$3,712.00
4- Underground Utility Conflict	\$1,610.00
5- Electrical Meter Base and Gas Regulator	\$4,248.86
6- Building Exterior Stain	\$3,714.00
7- Control Circuitry and Conduit for Dryer	\$29,750.97
8- Additional Dryer Control Circuitry	\$2,563.00

Total Change in Contract Amount: \$65,880.21

Request Approval to execute Change order #3



STAFF ACTION ITEM

MEETING DATE: 01/03/2021

TITLE: Wendy's Outfall Sewer – Warranty Bond – HRSE Dallas, LLC

PRESENTED BY: Brandon Rakestraw – Public Works

AGENDA ITEM DESCRIPTION (Agenda Content):

Wendy's Outfall Sewer – Warranty Bond – HRSE Dallas, LLC

HISTORY/PAST ACTION:

N/A

FINANCIAL IMPACT:

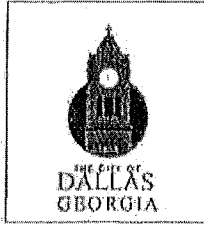
\$8,693.17

INFORMATION:

Request approval to release infrastructure warranty bond

Wendy's Outfall Sewer System Improvement

See bond information attached



City of Dallas, Georgia

129 E. Memorial Drive, Dallas, GA 30132
Office (770) 443-8110 / Fax (770) 443-8107

WARRANTY BOND DEVELOPMENT IMPROVEMENTS (Sewer Only, Wendy's Development Gravity Line)

Warranty Bond No. 2019-02

KNOW ALL MEN BY THESE PRESENTS: That on this 14th day of June, 2019 we HRSE DALLAS, LLC of MONTGOMEY county, State of ALABAMA as Principal, are held and bound unto the City of Dallas, Georgia in the sum of \$8,693.17 lawful money of the United States of America, for the payment whereof well and truly to be made, we bind ourselves, our heirs, executors, successors and assigns, jointly and severally, firmly by these presents. The condition of the foregoing obligations is such that,

WHEREAS, a warranty surety shall be a cash deposit and shall be equal to 15% of the actual construction and installation cost and shall be held by the City of Dallas for a minimum period of twenty-four (24) months. The 24-month time period shall begin after the initial acceptance of the construction and/or installation by the City of Dallas or its agent.

WHEREAS, cash deposits shall be payable upon default to the City of Dallas, Georgia and provide that the subdivider, his heirs, successors, and/or assignors and their agents or servants will comply with all applicable terms, conditions, provisions, and requirements of these regulations and any other applicable requirements; will faithfully perform and complete work constructing and installing the facilities and/or improvements in accordance with these regulations and any other applicable requirements; and the subdivider shall be responsible to the City for any unnecessary expense incurred through the failure of the subdivider, his heirs or successors, and assignors, or their agents or servants to complete work of the construction and installation in an acceptable manner and from any damages growing out of negligence in performing or failing to perform the construction installation.

WHEREAS, the cash deposit paid as required by these regulations shall be released or returned as the case may be, at such time as the facilities guaranteed hereby have been installed and maintained for minimum of twenty-four (24) months and accepted by the City of Dallas. The developer(s) shall be required to compensate the City of Dallas for the cost of performing a final acceptance and public dedication inspection of the above infrastructure improvements. The compensation shall be based on a fee of Fifty Dollars (\$50.00) per lot with a minimum fee of Two Thousand Five Hundred Dollars (\$2,500.00) and must be paid prior to the final acceptance and dedication inspection. The City of Dallas shall have the right to use its own employees or to hire a certified engineering firm to perform the final acceptance and dedication inspection (Ord. 04-08, effective August 1, 2004). Acceptance by the City shall be by resolution of the Mayor and Council of the City of Dallas and shall accurately identify the specific improvements covered. Utilities, streets, and/or other facilities shall not be accepted until they conform to the City's specifications and standards.

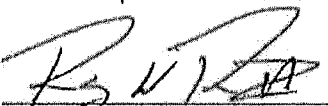
WHEREAS, in the event that construction, installation and/or maintenance of any improvements or facilities for which a required cash deposit is deposited are not completed within the time stipulated; or is installed but not properly maintained or repaired under warranty; or if the construction or installation is not in accordance with applicable standards, the City may proceed to construct, maintain and/or repair the improvements or facilities using the cash deposited to pay for such work. Such work may be done under contract or with City employees, whichever is appropriate to the case. In the event that any portion of a required cash deposit is not depleted or used, by the City then any excess shall be rebated to the person or corporation making the cash deposit.

WHEREAS, this agreement shall be governed by the laws of the State of Georgia.

NOW THEREFORE, the principal has submitted a statement enumerating the cost of construction and installation of all required improvements for a total of \$57,954.46, a copy of such is attached hereto and marked as exhibit "A" and made a part hereof by reference. The Principal shall be liable in payment to the City of Dallas of a sum not to exceed \$8,693.17, which is calculated as 15% of the costs of construction and installation of the required improvements. If the Principal shall well and truly perform the terms and conditions of said contract, then this obligation shall be void, otherwise, to remain in full force and effect. Upon failure of the Principal in the performance of the terms and conditions of said contract, then the cash bond value is to be used to cover the cost of completing the terms and conditions set forth under the contract entered by the Principal with the City of Dallas. The cash bond shall remain in full force and effect until the required improvements have been accepted by the City by resolution of the Mayor and Council of the City of Dallas, Georgia.


SO AGREED this 14TH day of June 2019

Name of Corporation: HRSE DALLAS, LLC, a Georgia Corporation

By: 
Signature

Ray W. Roark II
Typed or Printed Name

Title: Manager / Member
(President or Vice President)

Attest: 
Signature of Witness

William R. Helms
Typed or Printed Name

Title: manager / member
(Corporate Secretary or Corporate Secretary Assistant)

(CORPORATE SEAL)

DALLAS, GEORGIA

Attest: _____
City Clerk

By: _____
City Manager

(CITY SEAL)

Attachments:

Exhibit A: Principal's Engineer Cost Estimate for Required Improvements

J. Lancaster
Associates, inc. 255 VILLAGE PARKWAY, Suite 630 • MARIETTA, GEORGIA 30067

June 14, 2019

Mr. Michael S. Cash
Community Development Director
City of Dallas
200 Main Street
Dallas, GA 30132

**RE: Wendy's Outfall Sewer
GA. Highway 61**

Dear Mr. Cash,

The estimated construction cost for the subject outfall sewer is as follows:

8" PVC & DI Pipe	20,350.69
Manholes & Appurtenances	<u>37,603.77</u>
Total Estimated Cost	\$57,954.46

Should you need additional information, please do not hesitate to call.

Sincerely,
J. LANCASTER ASSOCIATES, INC.



Joseph L. Lancaster, P.E.

CC: Will Roark

Planners • Engineers • Landscape Architects
770-955-2421 • (FAX) 770-955-2480 • e-mail: admin@jlainc.com

