



City Council Regular Meeting

Monday, March 04, 2024

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

MINUTES APPROVAL

- [1.](#) February 5, 2024, Regular Meeting Minutes
- [2.](#) February 20, 2024, Special Called (via Zoom) Meeting Minutes

CONSENT AGENDA

- [3.](#) Renewal of the Paulding County, County Wide Mowing Services Contract; HWY 278 mowing and litter pickup within the city limits in the amount of \$9,817.50.

OLD BUSINESS

NEW BUSINESS

- [4.](#) Special Event Permit/Application 2024-01 PPSA Glow Run for Saturday, June 8, 2024.
- [5.](#) Tax Write-Off for unpaid Personal Property Taxes dated 2009-2020 totaling \$4,219.93 and Real Property Taxes dated 2003-2016 (older than 7 years old) totaling \$5,105.40. Total write-off \$9,325.33 plus any penalties or miscellaneous fees.
- [6.](#) Resolution RES-2024-01, DCA Historic Preservation Grant; a matching grant (60/40 split) in the amount of approximately \$4,400 in order to conduct a Historic Resources Survey of downtown.
- [7.](#) Anne Williams – 204 Hart Circle Dallas, GA 30132; plumbing charge reimbursement request in the amount of \$592.25.
- [8.](#) **First Read:** Ordinance Amendment OA-2024-02 Article II Licensing, Occupation Tax Required Chapter 10 Sec. 10-20.

ADDITIONAL/COMMENTS

ADJOURNMENT



City Council Regular Meeting

Monday, February 05, 2024

5:15 PM

City Hall, 129 E Memorial Dr, Dallas GA 30132

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MINUTES

CALL TO ORDER

PRESENT

Mayor L. James Kelly
Councilmember Leah Alls
Councilmember Nancy Arnold
Councilmember Christopher Carter
Councilmember James Henson
Councilmember Candace Callaway

ABSENT

Councilmember Cooper Cochran

INVOCATION AND PLEDGE

Mayor Kelly led the Invocation and Pledge.

RECOGNITION OF VISITORS AND COMMENTS

William Crawford, Utility bill

MINUTES APPROVAL

1. Motion to approve the Monday, January 8, 2024, Regular Meeting Minutes.

Motion made by Councilmember Alls, Seconded by Councilmember Henson.

Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Henson, Councilmember Callaway

CONSENT AGENDA

None

OLD BUSINESS

None

- 2. Motion to adopt Ordinance Amendment; OA-2024-01 Hotel Motel Tax update from 5% to 8%.

Motion made by Councilmember Arnold, Seconded by Councilmember Carter.
 Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Henson, Councilmember Callaway

- 3. Motion to approve the reappointment of Sam Elrod to the Downtown Development Authority for a 4-year term.

Motion made by Councilmember Callaway, Seconded by Councilmember Henson.
 Voting Yea: Councilmember Alls, Councilmember Carter, Councilmember Henson, Councilmember Callaway
 Voting Nay: Councilmember Arnold

NEW BUSINESS

- 4. Motion to authorize the Mayor to execute the Statewide Mutual Aid and Assistance Agreement for a 4-year term.

Motion made by Councilmember Henson, Seconded by Councilmember Arnold.
 Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Henson, Councilmember Callaway

ADDITIONAL/COMMENTS

None

ADJOURNMENT

Motion to adjourn.

Motion made by Councilmember Carter, Seconded by Councilmember Alls.
 Voting Yea: Councilmember Alls, Councilmember Arnold, Councilmember Carter, Councilmember Henson, Councilmember Callaway

Mayor, L. James Kelly	Date
City Clerk, Tina Clark	Date



Special Called Meeting - Via Zoom

Tuesday, February 20, 2024

2:00 PM

129 E Memorial Drive, 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.

MINUTES

CALL TO ORDER

PRESENT

Mayor L. James Kelly
Councilmember Leah Alls
Councilmember Nancy Arnold
Councilmember Christopher Carter
Councilmember James Henson
Councilmember Cooper Cochran

ABSENT

Councilmember Candace Callaway

NEW BUSINESS

1. City Hall Procurement

1. Motion to approve the project expense budget as presented.

Motion made by Councilmember Henson, Seconded by Councilmember Cochran.

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

2. Motion to approve authorization for the Purchasing Agent to award and execute contracts for each Construction Contract Category.

Motion made by Councilmember Arnold, Seconded by Councilmember Alls.

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

3. Motion to approve authorization for the Purchasing Agent to utilize the Owners Allowance for payment of project change orders or other expenses as required.

Motion made by Councilmember Carter, Seconded by Councilmember Cochran.

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

- 2. Motion to approve Board of Appeals appointment for Jeff Cole through unexpired term through 12/31/2024, and Mike Cason through unexpired term through 12/31/2025.

Motion made by Councilmember Alls, Seconded by Councilmember Henson.

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

EXECUTIVE SESSION

Motion to open Executive Session.

Motion made by Councilmember Arnold, Seconded by Councilmember Alls.

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

Motion to close Executive Session.

Motion made by Councilmember Carter, Seconded by Councilmember Arnold.

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

OLD BUSINESS

- 3. Motion to approve authorization for the City Manager to purchase M1 property in the amount of \$185K.

Motion made by Councilmember Alls, Seconded by Councilmember Cochran.

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

ADJOURNMENT

Motion to adjourn.

Motion made by Councilmember Arnold, Seconded by Councilmember Alls.

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

Mayor, L. James Kelly

Date

City Clerk, Tina Clark

Date



STAFF ACTION ITEM

MEETING DATE:03/04/2024

TITLE: Paulding County – County Wide Mowing Services Contract (City Limits) - Approval

PRESENTED BY: Brandon Rakestraw – Public Works Director

AGENDA ITEM DESCRIPTION (Agenda Content):

Paulding County – County Wide Mowing Services Contract (City Limits) - Approval

HISTORY/PAST ACTION:

Approval of prior year contract

FINANCIAL IMPACT:

\$9,817.50

INFORMATION:

Request Mayor and Council approval:

County Wide Mowing Services Contract – HWY 278 Mowing and Litter pickup within the city limits.



STAFF ACTION ITEM

MEETING DATE: 03/04/2024

TITLE: Consideration of Special Event Permit 2024-01- PPSA Glow Run

PRESENTED BY: Amber Whisner, Business Development

AGENDA ITEM DESCRIPTION (Agenda Content):

Consideration to approve Special Event Permit/Application 2024-01 PPSA Glow Run for Saturday 06/08/2024

HISTORY/PAST ACTION:

None

FINANCIAL IMPACT:

Support services: Public Safety, Public Works, Sanitation Removal

INFORMATION:

Paulding Public Safety Appreciation is asking to move the Annual Glow Run from Seven Hills to Downtown Dallas. City Staff has met with PPSA and worked through some details including changing the original schedule date of 06/07 to Saturday 06/08 to help minimize the traffic impact as well as conflict with other previously scheduled events for 06/07. Staff comments have been provided to PPSA and staff recommends approval of event.

Special Event Permit Application Part II

Contact/Designee MUST remain on-site from set-up through clean-up

FOR CITY USE ONLY
PERMIT APPROVED:

APPLICANT INFORMATION

Company / Organization Paulding Public Safety Appreciation, Inc.

Street Address PO BOX 1755

City, State, Zip Hiram, GA 30141

The City requires an individual named as a 24-hour contact for the event and a 24-hour phone number for the individual. One Alternate Contact is also requested.

Primary Contact Jarid Ison Phone 7066227011

Address 23100 Huckleberry Ln Email jaridison@gmail.com

Alternate Contact Taylor Cantrell Phone 7707107872

Address _____ Email taylor.cantrell@paulding.gov

Event Information

Event Title Run with the Badges 5K Glow Run

Dates Requested: Start: 6/7/24 Time 5 am/pm End 6/7/24 Time 10 am/pm

Set-up date & time 6/7/24 11am Break-down date & time 6/7/24 10pm

Event Type: Festival/Wedding Concert/Performance Exhibit/Special Attraction
 Fundraiser Parade/Processional Bike/Walk/Run
 Other: _____

City Facility Requested: Downtown/Main Street Gazebo at Dallas Trailhead
 Sara Babb Park McKoon Park Dogwoods at Coleman Camp Park
 Other: _____

Mark All That Apply: Alcohol Signage/Banners Amplified Sound/Music
 Tents/ Canopies Carnival Rides Fireworks/lasers Portable Restrooms
 Trash Road Closing Shuttles Generators/Electricity
 Inflatables Vendors/Concessions Animals Parking/Shuttles

Event Description: Describe type of your event, purpose of your event, projected attendance (including approximate number of persons and vehicles attending):
Annual 5K fundraiser for PPSA. Anticipated attendance was 700 people.

Will you require road(s) closure? If yes, describe as provided for by an approved MUTCD traffic Plan: Yes - main street, Wmemorial to Justice center Dr, S main street

City Property - List any electrical needs:
we will provide generators

Please describe your plan for clean-up and removal of waste, recycling and garbage during and after the event: utilize trash cans & contract city for collection

How do you plan to publicize this event? social media, flyers, road signs throughout the county

Schedule of the day's events (tentative is acceptable): tentative
setup @ 11am race start @ dark
event start @ 6pm finish @ 10pm

- Attach and include a clear and clean copy of the Site Plan or Parade Route**
Applicant should consider:
- Assembly area •Sound Equipment •Lighting •Signage •Parking •Restrooms
 - Tents/Canopies •Route to Travel •Vendor Area •Stage •Detour Plan •Water supply
 - Communication Facilities •Generators/Electric Supply •Event Vehicles •Medical Treatment Facility
 - Adjacent Streets •Trash Receptacles •Barricades/crowd control barriers •Disability Access
 - Other Event Components •Approved MUTCD Traffic Plan

Applicant's Affidavit

I, applicant or authorized representative, have read and understand the contents of this application. The information contained herein and attached is complete and true, current and correct to the best of my knowledge.

I understand providing false information shall void the application and cancel the event.

I understand the permit may be cancelled by the Chief Marshal or Chief of Police for the City of Dallas, Georgia at any time with or without cause.

Organization/Group: Building Public Safety Appreciation Inc

Applicant/Representative Name: Burial Ison

Signature: [Signature] Date: 1/29/24

Release and Hold Harmless Agreement

In consideration for being granted a Special Event Permit from the City of Dallas, Georgia, I, applicant or authorized representative, hereby release and hold harmless the City of Dallas, Georgia itself and its' employees from any liabilities and claims arising during or after this event. I agree that I will never prosecute or in any way aid in the prosecuting of any demand, claim or suit against the City of Dallas, Georgia or its' agents, officers, volunteer staff, or any employee acting officially or otherwise, for any loss, damage, or injury to my person or property that may occur during or after this event held in the City of Dallas, Georgia.

My signature constitutes my agreement and the agreement of my organization (as listed below), including all participants from my organization present at this event. The person or persons signing this document hereby represent to the City of Dallas, Georgia that they have the specific authority on behalf of the organization to execute this Hold Harmless Agreement.

Organization/Group: Paulding Public Safety Appreciation

Individual Representative: David Isen

Signature: [Signature] Date: 1/29/24

**Appointments for review of completed applications and any attachments may be scheduled with the Chief Marshal by phone or email at:
770.443.8110 x 1003
mhester@dallas-ga.gov**

STOP

FOR CITY USE ONLY

Initial after complete review (any comments/requirements/exclusions should be noted):

Marshal _____ Police _____ Theater _____ Public Works _____

Community Dev _____ Sanitation _____ Parks/Rec _____

Additional department review(s) needed: _____

Comments/Requirements/Exclusions/Changes: _____

Officers required (number): _____ at rate of \$ _____ per _____

Additional trash receptacles required (number): _____ at rate of \$25/each per day

Temporary toilets required (number): _____

Permits (sign or devices) required: _____

Alcoholic Beverage Catering License required: _____



STAFF ACTION ITEM

MEETING DATE: 03/04/2024

TITLE: Consideration for Tax Write-Off

PRESENTED BY: Amber Whisner, Business Development

AGENDA ITEM DESCRIPTION (Agenda Content):

Consideration for Tax Write-Off for unpaid Personal Property Taxes dated 2009-2020 totaling \$4,219.93 and Real Property Taxes dated 2003-2016 (older than 7 years old) totaling \$5,105.40. Total write-off \$9,325.33 plus any penalties or misc fees.

HISTORY/PAST ACTION:

None

FINANCIAL IMPACT:

INFORMATION:

Request to write off \$9,325.33 of outstanding tax debt relating to personal property tax older than 2021 and real estate tax older than 2017. FiFa's are not enforceable after 7 years and cost to try an collect on these debts would exceed actual debt amount.



STAFF ACTION ITEM

MEETING DATE: 03/04/2024

TITLE: RES-2024-01 Resolution of Support for a DCA Historic Preservation Matching Grant for a Historic Resources Survey

PRESENTED BY: Ronald Johnson, AICP, Community Development Director

AGENDA ITEM DESCRIPTION (Agenda Content):

Consideration of RES-2024-01 for a DCA Historic Preservation Grant

HISTORY/PAST ACTION:

The city has a need to survey our historic resources downtown to identify building features, plan types, architectural style and other elements. All cities with Historic Preservation Commissions are required to have a survey.

FINANCIAL IMPACT:

None

INFORMATION:

The city has applied for a matching grant (60/40 split) in the amount of approximately \$4,400 in order to conduct a Historic Resources Survey of the downtown. The grant would fund services through the University of West Georgia Center for Public History to identify historic buildings, structures and monuments downtown, their build dates, architectural style and plan types. The resulting survey document will help the Historic Preservation Commission make decisions on Certificate of Appropriateness applications and deciding the most appropriate improvements to buildings based off of their architecture type. The survey will also support a future National Historic District nomination.

RESOLUTION 2024-01

A RESOLUTION AUTHORIZING THE APPLICATION FOR, AND ACCEPTANCE OF, A HISTORIC PRESERVATION GRANT FROM THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) FOR A HISTORIC RESOURCES SURVEY OF DOWNTOWN DALLAS

WHEREAS, the City of Dallas, Georgia, recognizes the historical significance and cultural heritage embodied in its downtown area; and

WHEREAS, the preservation of historic resources is vital to maintaining the unique character and identity of the City of Dallas; and

WHEREAS, the Georgia Department of Community Affairs (DCA) offers Historic Preservation Grants to support the documentation and preservation of historic resources; and

WHEREAS, the City of Dallas is committed to promoting the responsible stewardship of its historic assets.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY
COUNCIL OF THE CITY OF DALLAS, GEORGIA:**

Section 1: Authorization to Apply for Historic Preservation Grant

The City Manager, or their designee, is hereby authorized to submit an application for a Historic Preservation Grant from the Georgia Department of Community Affairs (DCA) for the purpose of conducting a Historic Resources Survey of Downtown Dallas.

Section 2: Commitment of Local Funds

The City of Dallas shall provide matching funds, as required by the DCA, to support the implementation of the Historic Resources Survey. The Finance Department is directed to include the necessary funds in the annual budget for this purpose.

Section 3: Scope of Work

The City Manager is authorized to work with the appropriate city departments and engage consultants, as necessary, to develop a comprehensive scope of work for the Historic Resources Survey. The scope of work shall include, but not be limited to, the identification, evaluation and documentation of historic properties in downtown Dallas.

Section 4: Execution of Grant Agreement

Upon approval of the grant application by the Georgia Department of Community Affairs (DCA), the City Manager is authorized to execute any necessary agreements and documents to accept and administer the grant funds.

Section 5: Reporting

The City Manager shall provide regular progress reports to the Mayor and City Council on the implementation of the Historic Resources Survey, including any significant findings or challenges encountered during the process.

Section 6: Effective Date

This resolution shall take effect immediately upon passage.

**SO SHALL IT BE RESOLVED, PASSED, ADOPTED AND APPROVED BY
THE MAYOR AND COUNCIL OF THE CITY OF DALLAS, GEORGIA THIS
THE _____ day of _____, 2024.**

L. James Kelly, Mayor

James R. Henson, Councilmember

Cooper Cochran, Councilmember

Nancy R. Arnold, Councilmember

Christopher B. Carter, Councilmember

Leah Alls, Councilmember

Candace Callaway, Councilmember

ATTEST:

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

Date



STAFF ACTION ITEM

MEETING DATE:03/04/2023

TITLE: Anne Williams – 204 Hart Circle Dallas, GA 30132; Plumbing Charge Reimbursement Request

PRESENTED BY: Brandon Rakestraw – Public Works Director

AGENDA ITEM DESCRIPTION (Agenda Content):

Anne Williams – 204 Hart Circle Dallas, GA 30132; Plumbing Charge Reimbursement Request

HISTORY/PAST ACTION:

N/A

FINANCIAL IMPACT:

\$592.25

INFORMATION:

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

See attached invoicing, and reimbursement request letter from Mrs. Williams.

ARTICLE II. LICENSING

Sec. 10-20. Occupation tax certificate and tax required.

- (a) Each person engaged in any business, trade, profession, or occupation within the city, whether with a location in the city, or in the case of an out-of-state business, with no location in the state exerting substantial efforts within the state pursuant to O.C.G.A. § 48-13-7, shall obtain an occupation tax certificate and pay an occupation tax for said business, trade, profession, or occupation.
 - (1) A life safety inspection by the Paulding County Fire Marshall and the Building Official shall be required prior to issuance of an occupational tax certificate. Home-based businesses and home-occupations are exempt from inspection.
- (b) Occupation taxes shall be based upon gross receipts in combination with profitability ratio and number of employees. The profitability ratio for the type of business will be determined from nationwide averages derived from statistics, classifications or other information published by the United States Office of Management and Budget, the United States Internal Revenue Service or successor agencies of the United States.
- (c) Any applicable registration shall be displayed in a conspicuous place in the place of business, if the taxpayer has a permanent business location in city. If the taxpayer has no permanent business location in city, such occupation tax registration shall be shown to the tax clerk or to any marshal or police officer of said city upon request.

(Ord. No. OA-2019-03, 12-2-2019)



STAFF ACTION ITEM

MEETING DATE: 03/04/2024

TITLE: Ord. Amd. OA-2024-02 *Article II Licensing, Occupation Tax Required*

PRESENTED BY: Ronald Johnson, AICP, Community Development Director

AGENDA ITEM DESCRIPTION (Agenda Content):

Consideration of ORD.Amd. OA-2024-02 Article II Licensing, Occupation Tax Required Chapter 10 Sec. 10-20

HISTORY/PAST ACTION:

N/A

FINANCIAL IMPACT:

None

INFORMATION:

Article II Licensing Ordinance Change: The department is proposing to change wordage to the business license ordinance that would identify the need for an occupation tax certificate (business license) and a subsequent life safety inspection by the Paulding County Fire Marshall and the Building Official. The current ordinance does not indicate that a business owner needs a business license nor identifies the need for inspections. Current wordage only identifies the need to pay a tax. The Business Development Department has a more comprehensive change to the entire ordinance in the coming months.

**ORDINANCE
AMENDMENT
NO. OA-2024-02**

CHAPTER 10 – BUSINESSES

ARTICLE II. LICENSING

SECTION 10-20 Occupation tax required.

WHEREAS, The Charter of the City of Dallas, Georgia does allow the Mayor and Council to adopt Ordinances to provide for rules and regulations concerning businesses and occupations operating within the City of Dallas, Georgia and for the safety, health, and welfare of the citizens of the City of Dallas, Georgia; **AND**

WHEREAS, The Charter of the City of Dallas, Georgia does allow the Mayor and the City Council, by ordinance, to levy and assess taxes persons engaged in any business, trade profession or occupation in the City of Dallas; **AND**

WHEREAS, The Mayor and the City Council of Dallas, Georgia considered the proposed amendment at a duly noticed public meeting on _____, 2024; **AND**

WHEREAS, The Mayor and the City Council of Dallas, Georgia have determined that this amendment is in the best interest of the City’s residents and for their safety, health and welfare and the public good; **AND**

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

SECTION I.

That **CHAPTER 10 – BUSINESSES, ARTICLE II. LICENSING, Sec. 10-20 Occupation tax required.,** is hereby struck in its entirety and replaced with the following:

Sec. 10-20. Occupation tax certificate and tax required.

- (a) Each person engaged in any business, trade, profession, or occupation within the city, whether with a location in the city, or in the case of an out-of-state business, with no location in the state exerting substantial efforts within the state pursuant to O.C.G.A. §48-13-7, shall obtain an occupation tax certificate and pay an occupation tax for said business, trade, profession, or occupation.
 - (1) A life safety inspection by the Paulding County Fire Marshall and the Building Official shall be required prior to issuance of an occupational tax certificate. Home-based businesses and home-occupations are exempt from inspection.
- (b) Occupation taxes shall be based upon gross receipts in combination with profitability ratio and number of employees. The profitability ratio for the type of business will be determined from nationwide averages derived from statistics, classifications or other information published by the United States Office of Management and Budget, the United States Internal Revenue Service or successor agencies of the United States.
- (c) Any applicable registration shall be displayed in a conspicuous place in the place of business, if the taxpayer has a permanent business location in city. If the taxpayer has no permanent business location in city, such occupation tax registration shall be shown to the tax clerk or to any marshal or police officer of said city upon request.

(Ord. No. OA-2019-03, 12-2-2019)

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 approval and passage of this ordinance by the Mayor and City Council, this ordinance shall be effective on and after _____, 2024.

SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DALLAS, GEORGIA, THIS THE ____ DAY OF _____, 2024.

L. James Kelly, Mayor

James R. Henson, Councilmember

Cooper Cochran, Councilmember

Nancy R. Arnold, Councilmember

Christopher B. Carter, Councilmember

Leah Alls, Councilmember

Candace Callaway, Councilmember

ATTEST:

Tina Clark, City Clerk
City of Dallas, Georgia

Date