

THE CITY OF DALTON
MAYOR AND COUNCIL MINUTES
AUGUST 16, 2021

The Mayor and Council held a meeting this evening at 6:00 p.m. in the Council Chambers of City Hall. Present were Mayor David Pennington, Council members Annalee Harlan, Tyree Goodlett, Gary Crews, City Administrator Andrew Parker and City Attorney Terry Miller.

CALLED TO ORDER

The Mayor called the meeting of the Mayor and Council to order.

PLEDGE OF ALLEGIANCE

The audience was led in the Pledge of Allegiance.

APPROVAL OF AGENDA

On the motion of Council member Harlan, second Council member Goodlett, the Mayor and Council Agenda dated August 16, 2021 was approved. The vote was unanimous in favor.

PUBLIC COMMENTARY

There were no public comments.

MINUTES

The Mayor and Council reviewed the Regular Meeting Minutes of August 2, 2021.

On the motion of Council member Harlan, second Council member Goodlett, the minutes were approved. The vote was unanimous in favor.

PROCLAMATION

Constitution Week - Kathryn Sellers & Dell Bailey, DAR

The Mayor and Council proclaimed September 17-23, 2021 as Constitution Week and urged all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

ORDINANCE 21-13 SECOND READING - UNIFIED ZONING ORDINANCE

On the motion of Council member Harlan, second Council member Goodlett, the Mayor and Council adopted Ordinance 21-13 Unified Zoning Ordinance with Proposed Text Amendments for Accessory Structures, Townhouses, Procedures regarding rezoning withdrawals, Small Animals, and Microbreweries. The vote was unanimous in favor.

ORDINANCE 21-14 – REZONING REQUEST - WALTER BENITEZ

The Mayor and Council reviewed the rezoning request of Walter Benditez to rezone a tract of land totaling 0.23 acres located at 1120 Riverbend Drive, Dalton, Georgia. Parcel (12-255-03-018) from Heavy Manufacturing (M-2) to Medium Density Single Family Residential (R-3). On the motion of Council member Crews, second Council member Goodlett, the Mayor and Council approved the request. The vote was unanimous in favor.

ORDINANCE 21-15 – REZONING REQUEST - FERNANDO MONTOYA

On the motion of Council member Goodlett, second Council member Harlan, the Mayor and Council denied the rezoning request of Fernando Montoya to rezone from Medium Density Residential (R-3) to Rural Residential (R-5) a tract of land totaling 0.25 acres located at 236 Mountain View Drive, Dalton, Georgia. Parcel (12-216-02-039). The vote was unanimous in favor.

ORDINANCE 21-16 – REZONING REQUEST - ECM (CRAWFORD MCDONALD)

On the motion of Council member Harlan, second Council member Crews, the Mayor and Council tabled the request of ECM (Crawford McDonald) to rezone from General Commercial (C-2) to High Density Residential (R-7) a tract of land totaling 0.74 acres located at 501 N. Hamilton Street, Dalton, Georgia. Parcel (12-200-24-000). The vote was unanimous in favor.

ORDINANCE 21-17 ANNEXATION OF BRIAN ANTHONY SANTOS

On the motion of Council member Crews, second Council member Goodlett, the Mayor and Council approved the annexation request of Brian Anthony Santos to annex 0.17 acres located at 1226 Frazier Drive into the City of Dalton as Medium Density Single Family Residential (R-3) Parcel (12-179-02-056). The vote was unanimous in favor.

INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF DALTON AND DALTON PUBLIC SCHOOLS FOR IMPROVEMENT OF PUBLIC FACILITIES FOR COMMUNITY COMPLEX SOCCER FIELDS & JOINT USE

The Mayor and Council reviewed the Intergovernmental Agreement Between the City of Dalton and Dalton Public Schools for Improvement of Public Facilities for Community Complex Soccer Fields & Joint Use that outlines the following:

- Transfer of real property via warranty deed from Dalton Public Schools to the City of Dalton for land required to construct the City's two (2) regulation size soccer fields.
- Provide a temporary construction easement and emergency access easement to Dalton Public Schools near Dalton Fire Station No. 5 for its soccer field,
- Joint use agreement between the city and school system for use of the school systems one (1) field near Fire Station 5 and the City's two (2) fields near Park Creek School
- Preparation of an outdoor extension classroom pad area near the City's two (2) fields and associated transfer of real property to Dalton Public Schools.
- Transfer payment to Dalton Public Schools to cover coat of synthetic turf in the amount of \$847,164.06
- Other miscellaneous use terms and associated insurance requirements.

On the motion of Council member Crews, second Council member Harlan, the Mayor and Council approved the Intergovernmental Agreement to be paid for from the 2020 SPLOST. The vote was unanimous in favor.

PROFESSIONAL SERVICES AGREEMENT WITH LOWERY & ASSOCIATES LAND SURVEYING, LLC

The Mayor and Council reviewed the Professional Services Agreement with Lowery & Associates Land Surveying, LLC for Topographic Survey at City Hall and Tyler Street Crossing which will facilitate the design for stormwater improvements at a cost of \$3800.00. On the motion of Council member Goodlett, second Council member Crews, the Agreement was approved. The vote was unanimous in favor.

GENERAL CONSTRUCTION AGREEMENT WITH SIGNATURE TENNIS COURTS

On the motion of Council member Crews, second Council member Harlan, the Mayor and Council approved the General Construction Agreement with Signature Tennis Courts for Resurfacing 10 Tennis Courts at Lakeshore Park in the amount of \$46,385.00. The vote was unanimous in favor.

RATIFICATION OF PROFESSIONAL SERVICES AGREEMENT WITH THE MERCER GROUP FOR RECREATION DIRECTOR SEARCH

City Administrator Andrew Parker presented a Professional Services Agreement with the Mercer Group to perform an executive search for a Parks and Recreation Director in the amount of \$21,600.00. On the motion of Council member Harlan, second Council member Goodlett, the Agreement was approved. The vote was unanimous in favor.

ADOPTION OF THE 2021 MILLAGE RATE AT THE ROLLBACK RATE OF 2.208 MILLS

CFO Cindy Jackson presented the 2021 Millage Rate for the City of Dalton at the rollback rate of 2.208 mills. On the motion of Council member Harlan, second Council member Crews, the rate was approved. The vote was unanimous in favor.

STATE OF EMERGENCY DECLARATION

Mayor Pennington declared a State of Emergency within the territorial limits of the City of Dalton due to increasing numbers of Covid 19 cases, the significant increase of hospitalizations which has caused staffing shortages and difficulty delivering essential medical care to patients during the public health emergency. Pennington stated the declaring will allow the City to provide immediate assistance to Hamilton Medical Center.

Mayor Pennington further stated the Mayor and Council is implementing a mask mandate in all City owned buildings and urged everyone to get vaccinated.

MEMORANDUM OF UNDERSTANDING WITH HAMILTON MEDICAL CENTER

On the motion of Council member Crews, second Council member Goodlett, the Mayor and Council approved the Memorandum of Understanding with Hamilton Health Care System To set forth an understanding and the terms of the agreement for leasing of City Employees by HHCS for interim additional staffing and assistance in the event the emerging increase in COVID-19 hospitalizations at HHCS places extraordinary stress on its current staffing capacities. The vote was unanimous in favor.

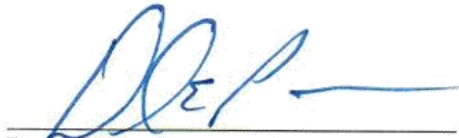
EXECUTIVE SESSION – POTENTIAL LITIGATION

On the motion of Council member Goodlett, second Council member Crews, the Mayor and Council adjourned into Executive Session at 6:42 p.m. to discuss potential litigation.

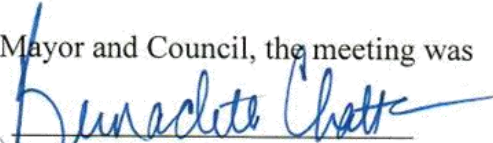
On the motion of Council member Goodlett, second Council member Harlan, the Mayor and Council adjourned out of Executive Session at 7:35 p.m. No motion or action was taken.

ADJOURNMENT

There being no further business to come before the Mayor and Council, the meeting was Adjourned at 7:37 p.m.



David Pennington, Mayor


Bernadette Chattam
City Clerk

Recorded
Approved: 9-7-21
Posted: 9-8-21