



**MAYOR AND COUNCIL MEETING
TUESDAY, JANUARY 18, 2022
6:00 PM
DALTON CITY HALL**

A G E N D A

Call to Order

Pledge of Allegiance

Approval of Agenda

Public Commentary: *(Please Complete Public Commentary Contact Card Prior to Speaking)*

Minutes:

1. Mayor & Council Meeting Minutes of January 4, 2022

New Business:

2. Renewal of Otis Elevator Service Contract
3. Renewal of EMCOR HVAC Maintenance Agreement for City Hall
4. Contract Change Order Request 001 - Dalton Soccer Complex (Synthetic Turf Field Construction Only)
5. Corrective Action Plan & Permanent Easement - Walnut North Drainage Basin Stormwater Improvements
6. Approval of the 2022 Equitable Sharing Agreement with the Department of Justice for the Dalton Police Department
7. Resolution 22-01 To Make Findings of Fact Concerning the Need for Amendment to The City's Charter to Empower the City to Lease Specific Real Properties of The City for Initial Terms Exceeding Five (5) Years and For A Renewal Term Exceeding Five (5) Years at Fair Rental Value and Subject to Conditions and To Request the Local Delegation To the 2022 General Assembly to Introduce Appropriate Local Legislation to Amend the City's Charter and Provide Same
8. First Reading - Ordinance 22-01 An Ordinance To Amend Article li-Hotel-Motel Tax Of The Revised Code Of 2001 Of The City Of Dalton For Purpose Of Incorporating Provisions Of H. B. 317 Of The 2021 Session Of The Georgia General Assembly Into The City's Regulatory Provisions; To Make Certain Technical Corrections To Section To 106-33 To Conform To The Tax Rate Specified In Section 106- 32; To Provide For Information Reporting Of Properties Within The City That Are Listed For Lodging Or Accommodation By A Marketplace Facilitator Or Marketplace Innkeeper As The Case May Be For Purposes Of Administration And Enforcement; To Provide Effective Date; To Provide For Severability; And For Other Purposes

Supplemental Business

Adjournment

THE CITY OF DALTON
MAYOR AND COUNCIL MINUTES
JANUARY 4, 2022

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 Dennis Mock, Annalee Harlan, Tyree Goodlett and newly elected Steve Farrow, City Administrator Andrew Parker and City Attorney Terry Miller.

CALL TO ORDER

Mayor Pennington called the meeting of the Mayor and Council to order. Pennington welcomed Republican Candidate for Congress in the 14th District at US Congress Dr. Charles Lutin.

OATH OF OFFICE – ANNALEE HARLAN, CITY COUNCIL MEMBER WARD 2

Annalee Harlan, Ward 2

City Attorney Terry Miller administered the Oath of Office to re-elected Annalee Harlan for Ward 2. A copy of the Oath of Office is a part of these minutes. Council member Harlan took her seat.

OATH OF OFFICE – STEVE FARROW, CITY COUNCIL MEMBER WARD 4

Steve Farrow, Ward 4

City Attorney Terry Miller administered the Oath of Office to newly elected Steve Farrow for Ward 4. A copy of the Oath of Office is a part of these minutes. Council member Farrow took his seat.

NEWLY ELECTED STEVE FARROW REMARKS

Spoke briefly to the Audience stating that it is an honor and awesome responsibility taking the oath and is honored to serve with the mayor and council.

**remarks in its entirety can be viewed on the City of Dalton YouTube page.

APPROVAL OF AGENDA

On the motion of Council member Harlan, second Council member Goodlett, the Agenda dated January 4, 2022 was approved. The vote was unanimous in favor.

PUBLIC COMMENTARY

There were no public comments.

SPECIAL RECOGNITION

This item was removed from the Agenda - Resolution of Hamilton Medical Center Recognizing the City of Dalton - Jeff Myers, President & CEO, and HMC Staff

MINUTES

The Mayor and Council reviewed the Special Called Meeting Minutes of December 13, 2021, And the Special Called Meeting Minutes of December 28, 2021. On the motion of Council member Harlan, second Council member Mock, the minutes were approved. The vote was unanimous in favor.

NEW 2022 ALCOHOL APPLICATIONS

The Mayor and Council reviewed the following (3) Three New 2022 Alcohol Applications:

(3) 2022 ALCOHOL APPLICATIONS

1. Business Owner: Mistika Enterprise Corp
d/b/a: Mistika
Applicant: Reina Trejo
Business Address: 1001 Market St. Suite 25
License Type: Pouring Beer, Pouring Wine (Bar)
Disposition: **New**
2. Business Owner: Dawg Tired Coffee Company LLC
d/b/a: Garmony House
Applicant: James Lidderdale
Business Address: 109 West Cuyler St.
License Type: Pouring Beer, Pouring Wine, Pouring Liquor (Restaurant)
Disposition: **New**
3. Business Owner: NPS Dalton, LLC
d/b/a: Nizzie Package Store
Applicant: Kantaben Patel
Business Address: 1902 Chattanooga Rd.
License Type: Package Beer, Package Wine, Package Liquor (Package Liquor)
Disposition: **New**

On the motion of Council member Harlan, second Council member Mock, the Mayor and Council approved the alcohol applications. The vote was unanimous in favor.

ORDINANCE 21-26 - TREY BUTLER REZONING REQUEST

Ethan Calhoun, Asst. Planning Director-Northwest Georgia Regional Commission presented Ordinance 21-26 the request of Trey Butler to rezone from Heavy Manufacturing (M-2) and General Commercial (C-2) to General Commercial (C-2) a tract of land totaling 2.15 acres located at 303 & 305 Fernwood Avenue, and 1206 & 1208 New East Morris Street, Dalton, Georgia. Parcels (12-240-20-009 and 12-240-20-007). On the motion of Council member Mock, second Council member Harlan, the Mayor and Council approved the request. The vote was unanimous in favor.

ORDINANCE 21-27 - BALTAZAR HERNANDEZ REZONING REQUEST

Ethan Calhoun, Asst. Planning Director-Northwest Georgia Regional Commission presented Ordinance 21-27 the request of Baltazar Hernandez seeking to rezone from General Commercial (C-2) to Limited Commercial (C-1A) a tract of land totaling .06 acres located at 601 N. Elm Street, Dalton, GA. Parcel (12-200-10-006). On the motion of Council member Mock, second Council member Harlan, the Mayor and Council approved the request. The vote was unanimous in favor.

CLEARGOV SERVICE ORDER AND SERVICE AGREEMENT

City Administrator Andrew Parker presented the ClearGov Service Order and Service Agreement. Parker stated the capital budgeting module will create a platform for department heads to submit their ongoing capital budget requests and the budget book module will be utilized for the City to create a user friendly, public facing budget book that will be published on the City Website. Parker additionally stated the initial setup is \$1880.00 and the annual subscription is \$11,840.00. On the motion of Council member Mock, second Council member Harlan, the Mayor and Council approved the agreement. The vote was unanimous in favor.

2022 BOARDS AND AUTHORITY APPOINTMENTS

The Mayor and Council reviewed the following appointments:

On the motion of Council member Farrow, second Council member Harlan, the following appointment was approved:

Trade Center Kinsey, Mike 1 Year 2/1/2023

The vote was unanimous in favor.

On the motion of Council member Mock, second Council member Harlan, the following appointment was approved:

WC EMS Quality Review Pangle, Todd 2 Year 3/1/2023

The vote was unanimous in favor.

On the motion of Council member Farrow, second Council member Harlan, the following appointment was approved:

Airport Crews, Gary 5 Year 12/31/2026

The vote was unanimous in favor.

On the motion of Council member Mock, second Council member Harlan, the following appointment was approved:

Joint Development Robertson, Frank 1 Year 12/31/2022

The vote was unanimous in favor.

On the motion of Council member Mock, second Council member Harlan, the following appointment was approved:

Joint Development Maret, Mike 3 Year 12/31/2024

The vote was unanimous in favor.

2022 BOARDS AND AUTHORITY APPOINTMENTS CONT'D

On the motion of Council member Harlan, second Council member Mock, the following appointment was approved:

Land Bank Farrow, Steve 1 Year 12/31/2022

The vote was unanimous in favor.

On the motion of Council member Farrow, second Council member Harlan, the following appointment was approved:

City Attorney Miller, Terry 1 Year 12/31/2022

The vote was unanimous in favor.

On the motion of Council member Harlan, second Council member Goodlett, the following appointment was approved:

Public Safety Mathis, Terry 5 Year 12/31/2026

The vote was unanimous in favor.

On the motion of Council member Mock, second Council member Goodlett, the following appointment was approved:

Recreation Boggs, Mitchell 5 Year 12/31/2026

The vote was unanimous in favor.

On the motion of Council member Harlan, second Council member Mock, the following appointment was approved:

Tree Board – Pete Purvis 3 Year 12/31/2024

The vote was unanimous in favor.

On the motion of Council member Farrow, second Council member Harlan, the following appointment was approved:

Tree Board - Stearns, Chris 3 Year 12/31/2024

The vote was unanimous in favor.

2022 BOARDS AND AUTHORITY APPOINTMENTS CONT'D

On the motion of Council member Harlan, second Council member Mock, the following appointment was approved:

Tree Board Poehlman, John 3 Year 12/31/2024

The vote was unanimous in favor.

2022 MAYORAL APPOINTMENTS

Type	Incoming Member	New Expiration
Airport	Harlan, Annalee	12/31/2022
Building	Pennington, David	12/31/2022
Building	Harlan, Annalee	12/31/2022
Convention Visitors Bureau	Mock, Dennis	12/31/2022
Creative Arts Guild	Farrow, Steve	12/31/2022
Downtown Development	Harlan, Annalee	12/31/2022
DWCDC	Pennington, David	12/31/2022
Finance & Administration	All Council Members	12/31/2022
Finance & Administration	Pennington, David	12/31/2022
Housing	Goodlett, Tyree	12/31/2022
Joint Development	Mock, Dennis	12/31/2022
Library	Farrow, Steve	12/31/2022
MPO Policy	Mock, Dennis	12/31/2022
Municipal Court	Farrow, Steve	12/31/2022
Pension	Pennington, David	12/31/2022
Pension	Mock, Dennis	12/31/2022
Public Safety	Harlan, Annalee	12/31/2022
Public Works & Facilities	Goodlett, Tyree	12/31/2022
Public Works & Facilities	Harlan, Annalee	12/31/2022
Recreation	Mock, Dennis	12/31/2022
Regional Development	Gowin, Kenny	12/31/2022
Service Delivery	Parker, Andrew	12/31/2022
Service Delivery	Harlan, Annalee	12/31/2022
Solid Waste Mgmt	Goodlett, Tyree	12/31/2022
Solid Waste Mgmt	Pennington, David	12/31/2022
TAD Policies	Mock, Dennis	12/31/2022
Technology	Goodlett, Tyree	12/31/2022
Trade Center	Farrow, Steve	12/31/2022
Tree	Farrow, Steve	12/31/2022
WL&SF	Farrow, Steve	12/31/2022

MISCELLANEOUS APPOINTMENTS

On the motion of Council member Harlan, second Council member Farrow, the following appointment was approved:

Municipal Court Judge Cowan, Robert 1 Year 12/31/2022

The vote was unanimous in favor.

On the motion of Council member Mock, second Council member Goodlett, the following appointment was approved:

Mayor Pro-Tem Harlan, Annalee 1 Year 12/31/2022

The vote was unanimous in favor.

On the motion of Council member Harlan, second Council member Mock, the following appointment was approved:

Fire Marshall Daniel, Matthew 1 Year 12/31/2022

The vote was unanimous in favor.

APPOINTMENT OF CAITLIN SHARPE TO POSITION OF DIRECTOR, PARKS AND RECREATION

On the motion of Council member Mock, second Council member Goodlett, the Mayor and Council appointed Caitlin Sharpe to the position of Director of Parks and Recreation. The vote was unanimous in favor.

ANNOUNCEMENTS

Mayor Pennington announced that City Government offices will be closed Monday, January 17, 2022 in observance of MLK Day and the next City Council meeting is scheduled for Tuesday, January 18, 2022.

Mayor and Council
Minutes
Page 7
January 4, 2022

ADJOURNMENT

There being no further business to come before the Mayor and Council, the meeting was Adjourned at 6:25 p.m.

Bernadette Chattam
City Clerk

David Pennington, Mayor

Recorded
Approved: _____
Post



CITY COUNCIL AGENDA REQUEST

Meeting Type: Mayor & Council Meeting

Meeting Date: January 18, 2022

Agenda Item: Renewal Request for Elevator Maintenance

Department: Human Resources

Requested By: Greg Batts

Reviewed/Approved by City Attorney? Original contract was reviewed, this is just a renewal

Cost: \$6837.60

Funding Source if Not in Budget Budgeted in Building Maintenance

Please Provide A Summary of Your Request, Including Background Information to Explain the Request:

Monthly maintenance inspections and repair are required by state of Georgia. This is for City Hall and the old City Hall buildings
--



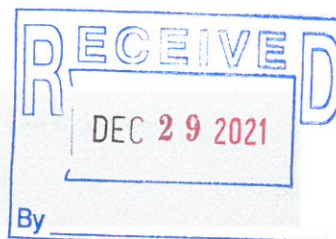
**Signature
Service**

Service Contract INVOICE

Page 1 of 3

CUSTOMER NO.: 400057
DATE: 12/16/2021
INVOICE NO.: 100400619082

DALTON CITY HALL
Due Immediately
PLEASE PAY PROMPTLY



019218 1/2

ACCOUNT SUMMARY

BUILDING ADDRESS

DALTON CITY HALL WAUGH & SELVIDGE ST DALTON GA 30720

CONTRACT: 80092 | TAC05185

Maintenance Service from 1/1/2022 to 12/31/2022

Extended Terms

Special Billing

\$7,267.20

\$-218.01

\$-211.59

NET SERVICE CONTRACT AMOUNT

Sales Tax

\$6,837.60

\$0.00

TOTAL SERVICE CONTRACT AMOUNT DUE

\$6,837.60

IMPORTANT MESSAGES

Your invoice has a new look! This transparent communication is just another way you'll receive the Otis Signature Service promise. To receive invoices by email, please contact your accounts receivable representative below. We appreciate that you've chosen us to be your trusted service provider. Visit our Payment Portal at <https://otis.payinvoicedirect.com> to make a one-time payment or to set up recurring payments.

QUESTIONS?

AR Rep's Email:

DINAH.DELIMON@OTIS.COM

AR Rep's Phone#: 1-959-200-3396

OTISLINE®: 1-800-233-6847

WE CERTIFY THAT GOODS WERE PRODUCED IN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS OF SECTIONS 6, 7 AND 12 OF THE FAIR LABOR STANDARDS ACT, AS AMENDED, AND OF REGULATIONS AND ORDERS OF THE UNITED STATES DEPARTMENT OF LABOR ISSUED UNDER SECTION 14 HEREOF.

PAYMENTS NOT RECEIVED WITHIN 30 DAYS OF THE DATE OF THE INVOICE SHALL INCUR AN INTEREST CHARGE OF THE OVERDUE AMOUNT CALCULATED FROM THE PAYMENT DUE DATE OF THE INVOICE AT THE RATE OF ONE AND ONE HALF PERCENT (1.5%) PER MONTH (18% PER ANNUM) OR THE MAXIMUM RATE ALLOWED BY APPLICABLE LAW, WHICHEVER IS LESS.

DETACH DOCUMENT ALONG PERFORATION. ENCLOSE AND RETURN THIS COUPON WITH YOUR PAYMENT.

OTIS

11760 US Hwy 1 Suite W600 Palm Beach Gardens FL 33408

MD 01 019218 19716 A 69 A



DALTON CITY HALL
114 N. PENTZ ST., PO BOX 1205
ATTN: WALTER PARSONS
DALTON GA 30720-4224

CUSTOMER NO.: 400057

DATE: 12/16/2021

INVOICE NO.: 100400619082

TOTAL SERVICE CONTRACT AMOUNT: \$ 6,837.60

MAKE CHECK PAYABLE TO:

Otis Elevator Company
PO Box 730400
Dallas TX 75373-0400



6

10

100400619082 0000683760 9



**Signature
Service**

Service Contract SERVICE NOTIFICATION

Page 2 of 3

CUSTOMER NO.: 400057
DATE: 12/16/2021
INVOICE NO.: 100400619082

DALTON CITY HALL

To: Customer
DALTON CITY HALL
114 N. PENTZ ST., PO BOX 1205
ATTN: WALTER PARSONS
DALTON GA 30720-4224

Re: Price Adjustment Notification (NOT AN INVOICE)

Building

DALTON CITY HALL
WAUGH & SELVIDGE ST
DALTON GA 30720

Dear Valued Customer:

Please accept this letter as notification of an adjusted contractual price. This is the result of an increase in the mechanic's straight time hourly labor rate in accordance with the provision for the adjustment in price set forth in the contract entered for the maintenance of your elevator equipment.

The adjusted contract price becomes effective on January 1, 2022 and remains in effect until December 31, 2022.

Below is a detailed explanation of how the adjusted contract price was calculated. The new contract price indicated below is for all units on the contract and does not reflect a credit for any suspended units. We hope to continue to build a strong customer relationship and assure you of our quality service so if you have any questions please don't hesitate to call us.

Best Regards.

Labor & Material Price Adjustment Calculation

	Labor					Material					Total		
	A	B	$C=(B/A)-1$	D	$E=D*(1+C)$	A	B	$C=(B/A)-1$	D	$E=D*(1+C)$	$F=E+E$	G	$H=F*G$
Contract #	Old Mech Rate/Hr	New Mech Rate/Hr	% Change	Old Labor Cost	New Labor Cost	Old Material Index	New Material Index	% Change	Old Material Cost	New Material Cost	New (Adj) Contr Monthly Price *	Months Included on Each Bill	New Gross (bill freq) Contract Price
80092	\$87.44	\$90.31	3.28%	\$535.42	\$562.19	222.40	323.70	45.55%	\$41.35	\$43.41	\$605.60	12	\$7,267.20

* Contract has a maximum price adjustment of 5.00% that has been taken into consideration in the calculation of your Contract Monthly Price.



Service Contract
SERVICE NOTIFICATION

Page 3 of 3

CUSTOMER NO.: 400057 DALTON CITY HALL
DATE: 12/16/2021
INVOICE NO.: 100400619082

BUILDING INFORMATION								
Customer# - Name	PO Number	Gross Price	Fees/ Discount	Net Price	Tax Type	Tax Rate	Tax	Total
Contract Number: 80092 - TAC05185								
Building: DALTON CITY HALL - WAUGH & SELVIDGE ST DALTON GA 30720								
Building: DALTON OLD CITY HALL - 114 NORTH PENTZ STREET DALTON GA 30720-4224								
400057 - DALTON CITY HALL		7,267.20	-429.60	6,837.60				6,837.60
Total		7,267.20	-429.60	6,837.60				6,837.60

019218 2/2





CITY COUNCIL AGENDA REQUEST

Meeting Type: Mayor & Council Meeting

Meeting Date: 1/18/22

Agenda Item: HVAC Maintenance Agreement for City Hall

Department: HR

Requested By: Greg Batts

Reviewed/Approved by City Attorney? Original contract was reviewed, this is a renewal of the initial contract

Cost: \$6708.00

Funding Source if Not in Budget

Please Provide A Summary of Your Request, Including Background Information to Explain the Request:

Preventative Maintenance for HVAC system at City Hall



EMCOR Services Aircond
400 Lake Ridge Drive
Smyrna, GA 30082
T: 770.444.3355

December 20, 2021

City of Dalton – City Hall
Attn: Greg Batts
300 West Waugh Street
Dalton, GA 30722
gbatts@daltonga.gov

Re: HVAC Service Agreement Renewal / Agreement #11000145

Dear Greg:

Some of the real advantages in having EMCOR Services Aircond maintain your HVAC equipment is fewer breakdowns, better response time when you do have a problem, increased comfort and/or production, longer equipment life and increased operating efficiency.

EMCOR Services Aircond, like most companies, continually strives to keep our own operating costs in line. Normal inflationary increases in labor and materials forces us to periodically evaluate our ability to continue to provide our customers with the quality service they expect and deserve.

Given current economic conditions, we will need to apply a small Cost of Living increase in order to continue to provide you with the top service you deserve. The adjusted service agreement price will change from \$6,504.00 per year to \$6,708.00 per year (payable \$1,677.00 per quarter) effective February 1, 2022.

We would like to thank you for your business and continued partnership with EMCOR Services Aircond. Please acknowledge your acceptance below and return to me at your earliest convenience. Let me know if there is anything else I can do for you.

Sincerely,

Tanja Suttles
Customer Care Manager
Direct: 770-805-2573
Email: tsuttles@aircond.com

Approved by
Signature: _____
Name/Title: _____
Date: _____



CITY COUNCIL AGENDA REQUEST

Meeting Type: Mayor & Council Meeting

Meeting Date: 1/18/2022

Agenda Item: Contract Change Order - Dalton Soccer Complex (Synthetic Turf Field Construction Only)

Department: Public Works

Requested By: T. Jackson Sheppard

Reviewed/Approved by City Attorney? No

Cost: \$21,500.00

Funding Source if Not in Budget SP 210 HP Park Project Account

Please Provide A Summary of Your Request, Including Background Information to Explain the Request:

Contract Change Order request for additional field markings.



CONTRACT CHANGE ORDER

CHANGE ORDER NO.: 001

CONTRACT: Dalton Soccer Complex (Synthetic Turf Field Construction Only)

CONTRACTOR: Advanced Sports Group, LLC (ASG)

Contractor (Advanced Sports Group, LLC (ASG) and the City of Dalton mutually agree to add supplemental work to the above referenced project at a Lump Sum pricing as identified in Advanced Sports Group, LLC's Change Order Proposal dated January 7, 2022.

Before fabrication began of the turf fabric for this project, it was determined there was a need for four (4) cross field soccer lines to be added inside the existing main fields line package. This will allow for Youth Soccer to be played.

The Lump Sum contract price increase of **\$21,500.00** is shown on the attached proposal from Advanced Sports Group, LLC. Also, attached is the Revised Plan for the additional cross field soccer lines.

Additionally, specifications for how the work is to be completed is shown in the contract proposal.

No additional contract completion time was requested by contractor as part of this Change Order.

Contract Completion Date Remains: **Thursday, June 30, 2022**

BY:

Benny J. Dunn
Interim Public Works Director

Contractor Representative & Title (Print): MARK HINDMAN - SR. ESTIMATOR

Contractor Representative Signature: [Signature]

Date: 12 JANUARY 2022

Order #: 001



Change Order

From:

Advanced Sports Group, LLC
2105 Barrett Park Dr.
STE 107
Kennesaw, GA 30144

To:

City of Dalton GA

Project:

Northeast Soccer Complex
Hale Brown Drive
Dalton GA 30720

Change Order Reason:

Add 4 (four) 9v9 soccer fields (tufted and inlaid)

Item Description:

Amount:

Additional turf, installation sundries for 3,740 LF+/- of inlays	
Additional labor to cut in, glue 3,740 LF+/- of inlays	
TOTAL:	\$ 21,500.00

You hereby are authorized and directed to make the following change(s) in accordance with terms and conditions of the Agreement dated _____.

The time for completion shall be (increased/decreased) by 0 days due to this Change Order. Your acceptance of this Change Order shall constitute a modification to our Agreement and will be performed subject to all the same terms and conditions in our Agreement indicated above, as fully as the same were repeated in this acceptance.

ASG Approval Signature: Mark Hindman Date: 7 January 2022

Print: Mark Hindman **Title:** Estimator

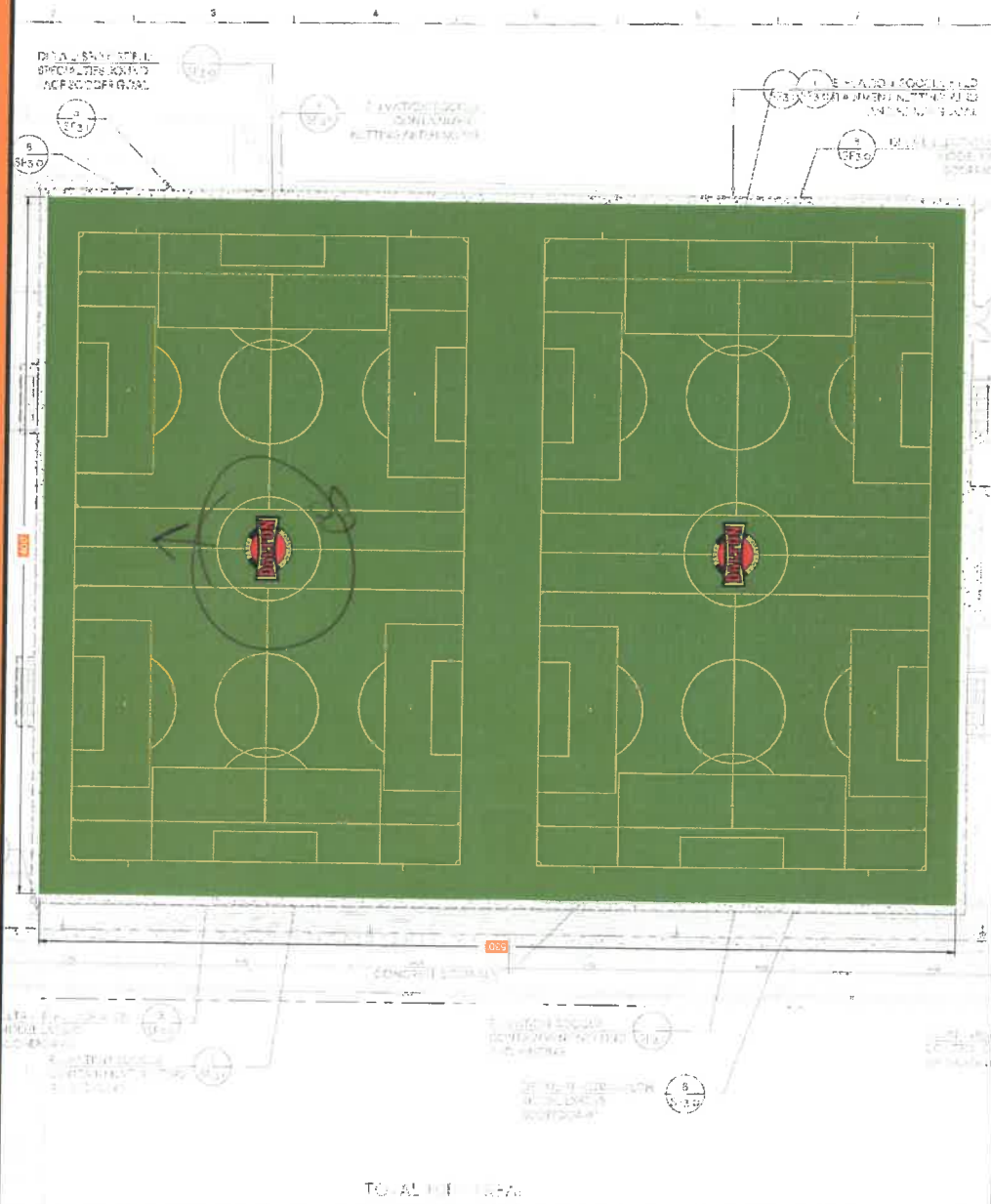
Owner Signature: _____ **Date:** _____

Print: _____ **Title:** _____

Internal use only: ☐ Owner

ASG - DALTON SOCCER COMPLEX

SYNTHETIC SPORTS TURF INSTALLATION



DRAWING INDEX

TC	COVER
----	-------

NOTES

SOCCER LAYOUT

MINI SOCCER LAYOUT

MID FIELD LOGO

SEAMING PLAN

MASTER PLAN NOTES

1. ALL FIELD DIMENSIONS ARE TO BE VERIFIED PRIOR TO FIELD INSTALLATION
2. FIELD COLOR - GREEN (SEE NOTES PAGE FOR MORE INFO)
3. ORDER OF GAME LINE DOMINANCE:
 - 3.1. SOCCER (WHITE LINE PACKAGE)
 - 3.2. MINI SOCCER (YELLOW LINE PACKAGE)

SHOP DRAWING / SUBMITTAL REVIEW

☐ APPROVED ☐ REVIS & RESUBMIT
☒ APPROVED AS NOTED ☐ REJECTED

SUBMITTAL WAS REVIEWED FOR DESIGN CONFORMITY AND GENERAL CONFORMANCE TO CONTRACT DOCUMENTS ONLY. THE SUBCONTRACTOR IS RESPONSIBLE FOR CORRELATING QUANTITIES, FABRICATION PROCESSES, AND TECHNIQUES OF CONSTRUCTION. BY APPROVING THIS DOCUMENT I ACCEPT AND UNDERSTAND THE DESIGN CONCEPT CONTAINED HEREIN SUPERCEDES ALL PREVIOUS VERSIONS.

APPROVED BY: Caitlin Sharp DATE: 1/10/22

SIGNATURE: Caitlin Shupe

ISSUED FOR APPROVAL

ASG-DALTON SOCCER COMPLEX
SOCCER FIELDS
DALTON, GA
COVER PAGE

JOB #: —

DATE: 1/7/2022

DRAWN BY:
Brandon Ensley

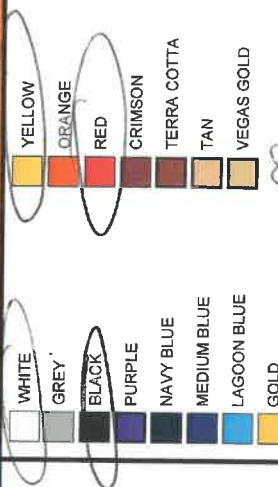
T
C
OF 4
SHEET



Shaw Sports Turf
www.shawsportsturf.com

PRODUCT: LG PR 2.0 - 50
AREA: 212,000 SF
INFILL TYPE: RUBB/SAND
INFILL RATIO: TBD
INSTALLER: TBD

STANDARD COLORS



COMMENTS

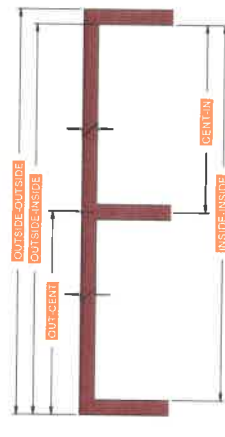
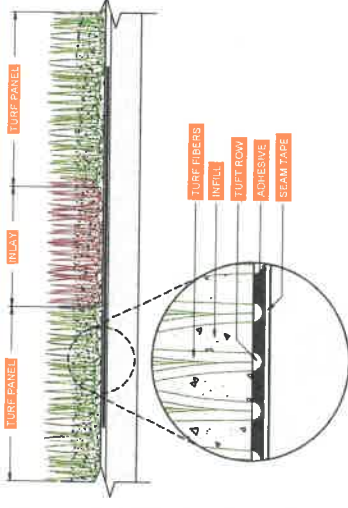
REFER TO THE SHAW SPORTS TURF COLOR ROLL AND PRODUCT BROCHURE FOR AN ACCURATE REPRESENTATION OF COLORS AND COLOR AVAILABILITY FOR THE PRODUCT CHOSEN. COLORS ARE SUBJECT TO AVAILABILITY AND LEAD TIMES THAT MAY AFFECT THE SHIP DATE.

CUSTOM COLORS WILL REQUIRE LONGER LEAD TIMES AND ARE SUBJECT TO MINIMUM ORDERS. CUSTOM COLORS REQUIRE SWATCH SAMPLE APPROVAL BEFORE MASS PRODUCTION MAY BEGIN.

SHOP DRAWING REVISIONS

DESCRIPTION:	DATE:
1. INITIAL SUBMITTAL (REV-1)	211220
2. REV-2	220107

INLAY & DIMENSIONING DETAILS

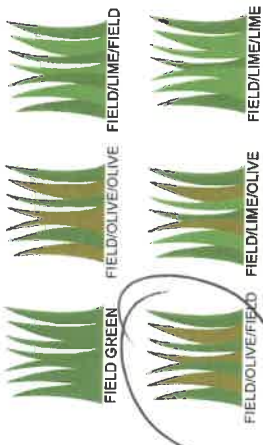


DIMENSIONING WILL VARY FROM SPORT TO SPORT. SHAW SPORTS TURF WILL DIMENSION EACH SPORT ACCORDING TO ITS WRITTEN REGULATIONS TO INSURE INSTALLATION ACCURACY.

FIELD COLOR

PLEASE VERIFY THE FIELD COLOR FOR THIS PROJECT BY CIRCLING THE SECTION THAT APPLIES. IF THE PROJECT REQUIRES MULTIPLE FIELD COLORS, PLEASE CIRCLE ALL THAT APPLY.

LEGION FIELD COLOR OPTIONS

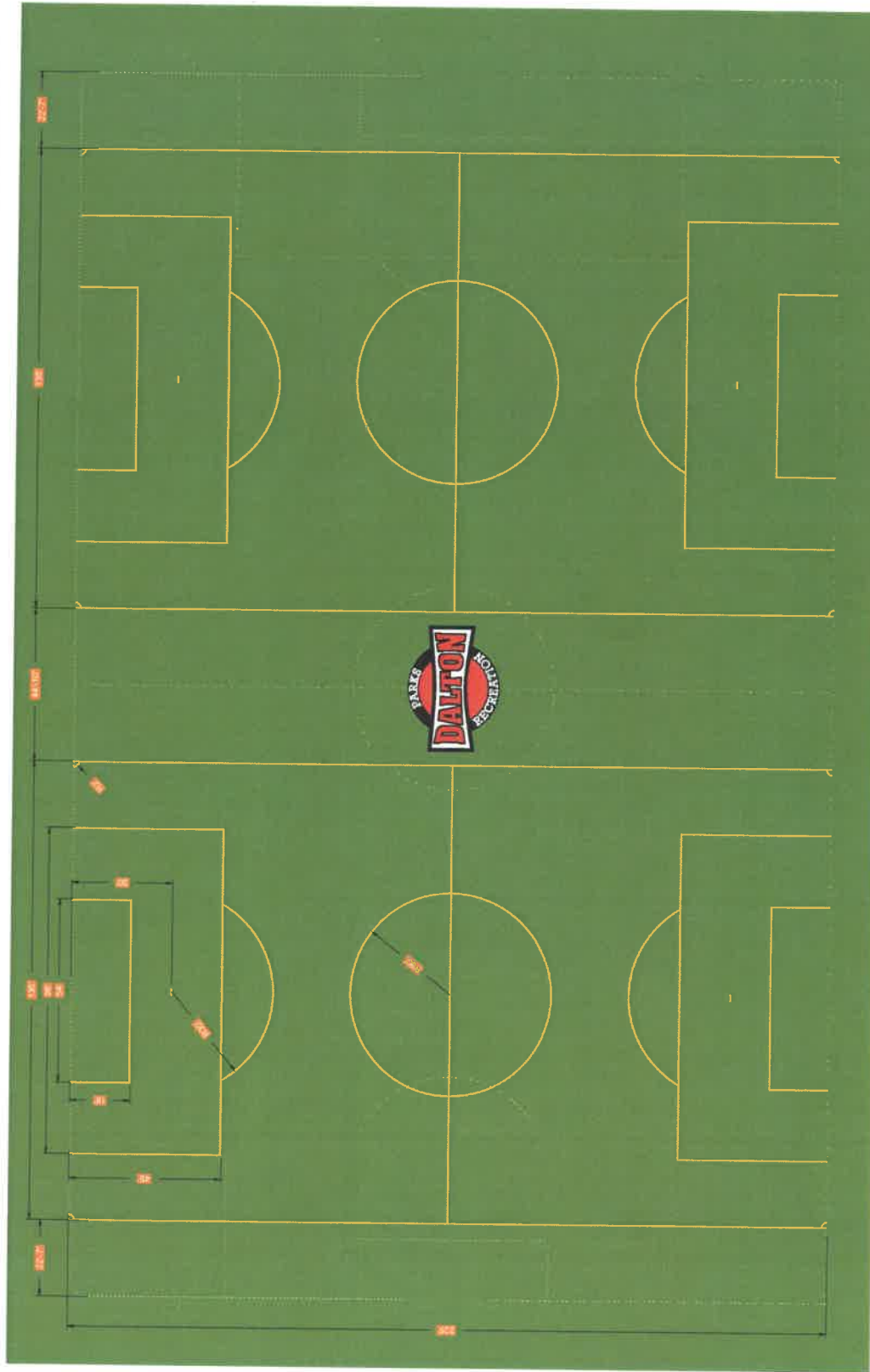


ISSUED FOR APPROVAL

MINI SOCCER LAYOUT

1. SOCCER COLOR: YELLOW
2. ALL LINES 4" WIDE

scale: - 1"-30'



ISSUED FOR APPROVAL



PRODUCT: LG PR 2.0 - 50
AREA: 212,000 SF
INFILL TYPE: RUBB/SAND
INFILL RATIO: TBD
INSTALLER: TBD

ASG-DALTON SOCCER COMPLEX
SOCGER FIELDS
DALTON, GA
LOGO LAYOUT

JOB # : ---
DATE: 1/17/2022
DRAWN BY: Brandon Ensley

SHEET
T 3
OF 4

ENDZONE / LOGO / ARTWORK NOTES

- LOGO COLORS:
1. BLACK
 2. WHITE
 3. RED
- **PLEASE REFER TO NOTES PAGE (T-N) FOR COLOR SELECTION GUIDELINES****
- LOGO DESIGN GUIDELINES:
1. CONTRASTING DECORATIVE MARKINGS INCLUDING CONFERENCE LOGO, COLLEGE, SCHOOL, OR UNIVERSITY NAME AND LOGO, AND TEAM NAME AND LOGO ARE PERMISSIBLE WITHIN THE SIDELINES AND BETWEEN THE GOAL LINES, UNDER THESE CONDITIONS:
 - 1.1. THE ENTIRETY OF ALL YARD LINES, GOAL LINES, AND SIDELINES MUST BE CLEARLY VISIBLE. NO PORTION OF ANY SUCH LINE MAY BE OBSCURED BY DECORATIVE MARKINGS.
 - 1.2. NO SUCH MARKINGS MAY TOUCH OR ENCLOSE THE HASH MARKS.
 - 1.3. ADVERTISING IS PROHIBITED ON THE FIELD
 - 1.3.1. EXCEPTION: IF A COMMERCIAL ENTITY HAS PURCHASED NAMING RIGHTS TO THE FACILITY, THAT NAME IS ALLOWED TO BE PAINTED ON THE FIELD. HOWEVER, THE COMMERCIAL LOGO IS NOT ALLOWED TO BE IN THE FIELD OF PLAY.

scale - 1/8"=1'-0"



ISSUED FOR APPROVAL



PRODUCT: LG PR 2.0 - 50
AREA: 212,000 SF
INFILL TYPE: RUBB/SAND
INFILL RATIO: TBD
INSTALLER: TBD

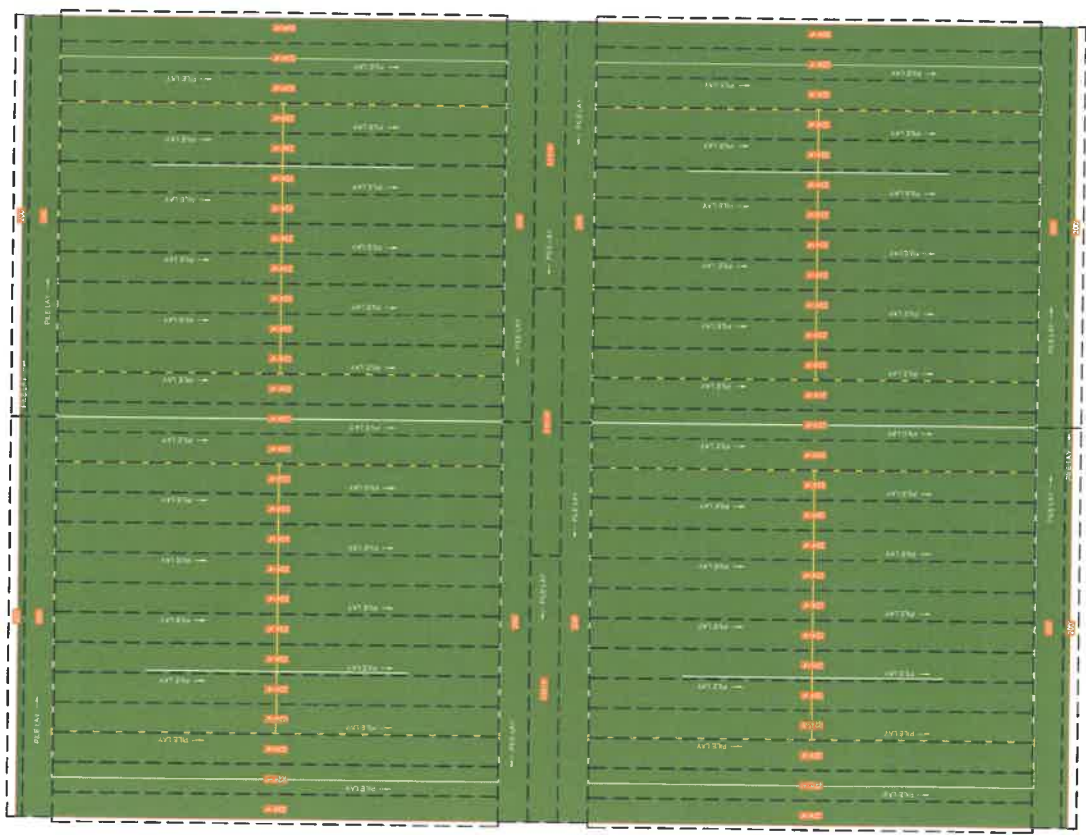
ASG-DALTON SOCCER COMPLEX
SOCCER FIELDS
DALTON, GA
SEAMING LAYOUT

JOB #	---
DATE	1/7/2022
DRAWN BY	Brandon Ensley
SHEET	T 4 OF 4

SEAMING PLAN NOTES

1. ALL ROLLS ARE 15'-0" WIDE, UNLESS NOTED OTHERWISE
2. ROLLS ARE LAID OUT PER THE DIRECTION OF ARROWS LABELED "PILE LAY"

scale: - 1"=60'



ISSUED FOR APPROVAL



CITY COUNCIL AGENDA REQUEST

Meeting Type: Mayor & Council Meeting

Meeting Date: 1/18/2022

Agenda Item: Corrective Action Plan & Permanent Easement – Walnut North Drainage Basin Improvements

Department: Public Works

Requested By: T. Jackson Sheppard

Reviewed/Approved by City Attorney? No

Cost: TBD

Funding Source if Not in Budget TBD

Please Provide A Summary of Your Request, Including Background Information to Explain the Request:

The Public Works Department is presenting for consideration by Mayor and Council a Corrective Action Plan & Permanent Drainage Easement required for completion of the Stormwater improvements within the Walnut North Drainage Basin.

PUBLIC WORKS DEPARTMENT

BENNY DUNN, DIRECTOR

bdunn@daltonga.gov

535 N. Elm Street
P.O. Box 1205
Dalton, GA 30722-1205
Office: (706) 278-7077
FAX: (706) 278-1847



DAVID PENNINGTON, MAYOR

CITY COUNCIL MEMBERS:

DENNIS MOCK
ANNALEE HARLAN
TYREE GOODLETT
STEVE FARROW

M E M O R A N D U M

TO: Mayor and City Councilmembers

FROM: Benny J. Dunn, Interim Public Works Director

RE: Corrective Action Plan & Permanent Easement –
Walnut North Drainage Basin Stormwater
Improvements

DATE: January 10th, 2022

As part of the City's Stormwater initiative, the Public Works Department has been working in collaboration with the Stormwater consultant Arcadis to conduct a drainage study of the Walnut North Drainage Basin to identify solutions to mitigate flooding within the watershed. Historically, properties located at 612 Ridge Street, 622 McFarland Avenue, and 705 Valley Drive have reported damages to property caused by flooding from runoff with substantial drainage areas originating within the West Hill Cemetery. On June 9th, 2021 Arcadis delivered an existing conditions memo identifying the drainage areas where runoff originates prior to impacting downstream properties. Utilizing the results from the existing conditions study, Arcadis developed a memo consisting of five (5) proposed improvement scenarios listed as A through E within the study area to address the flooding both reported by impacted residents, as well as results shown within their hydraulic models. This Corrective Action Plan is for implementation of certain aspects within "Improvement Scenario E – West Hill Cemetery Stormwater Detention & Ridge Street Bypass & West Franklin Street Improvements" located within the "Ridge Street Drainage Study – Improvement Scenarios" memo dated October 25th, 2021.

Improvement Scenario E is a cumulative approach incorporating elements from scenarios B through D starting with the stormwater improvements upstream located within the West Hill Cemetery, and ending at the outfall located on the property of 707 Valley Drive. Starting with improvements located within the Ridge Street study area, a proposed bypass stormwater conveyance system consisting of a 48" RCP storm pipe with a dual 36" RCP outlet to the existing open channel south of Ridge Street will increase the level of service to existing culverts located on private property of 610, 612, and 614 Ridge Street to 100-years. A temporary construction easement and permanent maintenance easement where the bypass system connects to the existing conveyance system located off right-of-way will be required for 601 Greenwood Drive and 701 Greenwood Drive. For the proposed bypass system located South of Ridge Street, 100 linear feet

of 4' x 8' box culvert is proposed to replace the existing 36" CMP and culvert inlet at 622 McFarland Street. From there, 700 linear feet of 42" RCP is proposed to run parallel to the existing storm system along the southern lane of West Franklin Street. Lastly, 520 linear feet of 42" RCP will connect from the storm pipe system at the intersection of West Franklin Street and Valley Drive, flowing South within the Valley Drive right-of-way and across private property to a proposed outfall, to the open channel located in the rear yard of 707 Valley Drive. A temporary construction easement and permanent maintenance easement will also be required to complete the bypass system's scope of work located on the properties of 622 McFarland Avenue and 707 Valley Drive where the proposed system spans off City right of way.

Due to the open channel being incised, stream bank stabilization starting from the outfall location on Valley Drive spanning to Walnut Avenue will be essential to reduce the risk of property loss caused by scouring of the embankment during periods of high flows. High flows can also lead to increased sedimentation downstream which can lead to further property loss, and a significant decrease in water quality. A temporary construction easement and permanent maintenance easement will be required for properties residing within the stream buffer including 705 Valley Drive, 707 Valley Drive, 704 South Thornton Avenue, and 502 Walnut Avenue.

Furthermore, to both extend the lifespan and increase hydraulic performance of the existing stormwater infrastructure located off right of way conveying flow from drainage basins from City property, a temporary construction easement and permanent maintenance easement will be required to complete pipe restorations via centrifugally cast lining for culverts located at the following properties: 602 Ridge Street, 612 Ridge Street, 614 Ridge Street, 622 McFarland Avenue, and 705 Valley Drive.

In conjunction with the proposed upstream improvements on Ridge Street and within the West Hill Cemetery, Arcadis' findings indicate the level of service of the existing stormwater conveyance network potentially increasing to 100-years for 622 McFarland Avenue, 100, 50, and 25-years for portions of West Franklin Street and Miller Street, and 10-years for the 705 Valley Drive culvert. The existing level of service for these locations range from one (1) to two (2) years. Arcadis' findings also show flood reduction benefits for portions of Ridge Street, McFarland Avenue, West Franklin Street, and Valley Drive without negatively impacting downstream locations within the modeled drainage basin by significantly increasing peak flows.

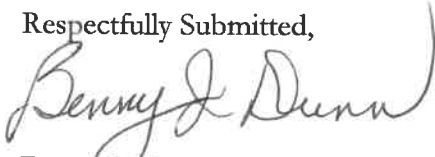
Sec. 96-1 of City Code provides for the acceptance of temporary or permanent easements for public dedication of certain drainage systems including those connected directly to the City's existing system and conveys runoff from City right of way. The Public Works Department has developed the enclosed Corrective Action Plan drawings for the subject location and is recommending that City Council adopt this plan to allow City intervention. This plan would provide a long-term solution for a key drainage network for the watershed. The Corrective Action Plan requires a temporary construction and permanent drainage easement be provided by the property owner and accepted by the City Council. The property owner must provide written commitment to provide the easement areas described. The City Attorney will prepare the temporary work easement, and approval of this Corrective Action Plan will authorize the City to accept a permanent drainage easement along the proposed storm drain system. The Corrective Action Plan is subject to minor revisions related to the exact alignment of the pipe to accommodate unforeseen field conditions.

Due to the urgent nature of this matter which includes deterioration of the existing conveyance system within the study area, the Public Works Department is actively proceeding with portions of

the improvements within scenario E located within the West Hill Cemetery to provide meaningful flow attenuation for other impacted residents within the study area without raising the base flood elevations during any given storm event.

Should you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Respectfully Submitted,

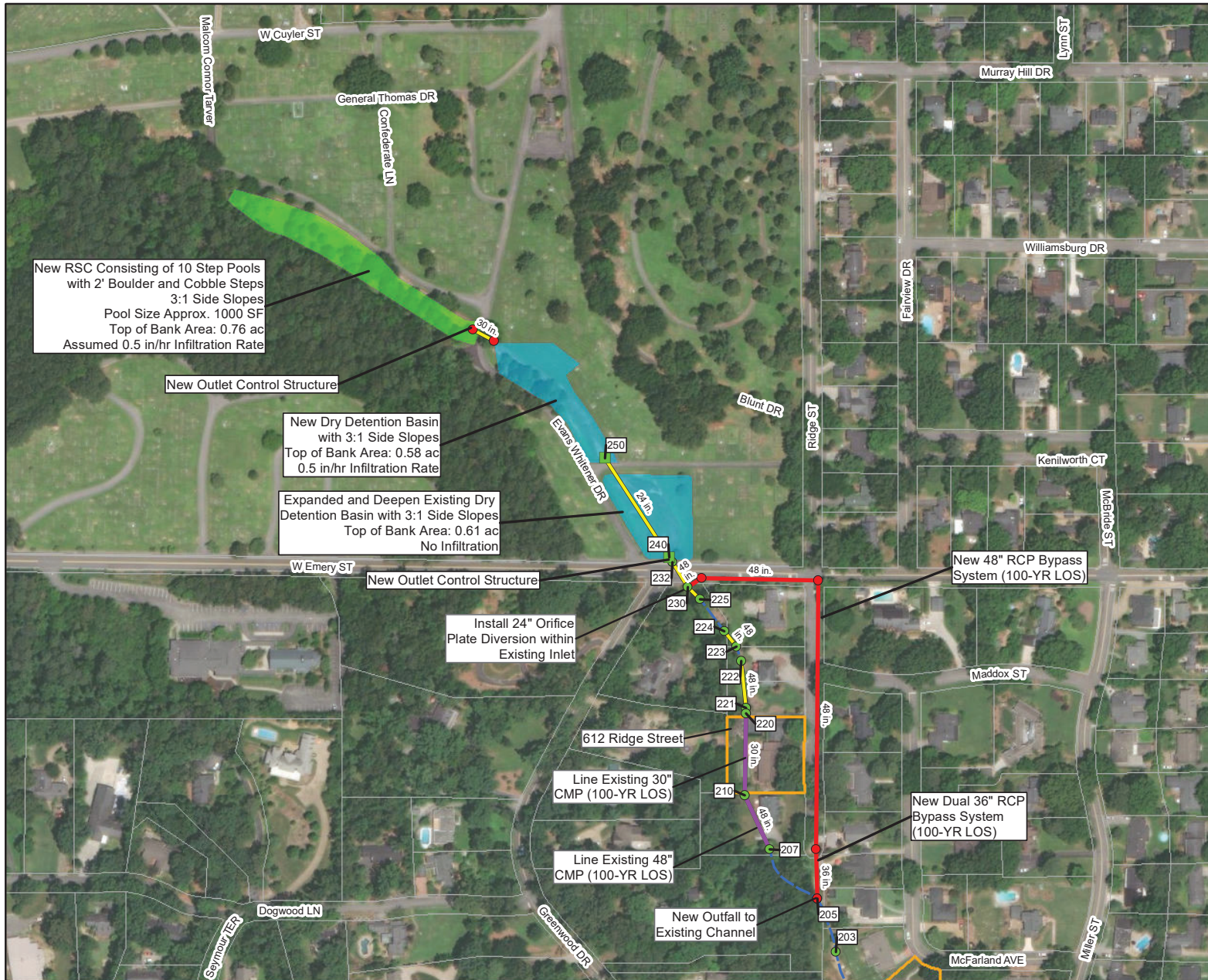


Benny J. Dunn
Interim Public Works Director

Cc: City Administrator, Andrew Parker, P.E.
City Attorney, Terry Miller

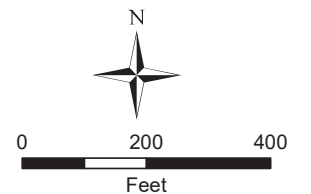
Enclosures:

Corrective Action Plan – 601 & 701 Greenwood Street, 602, 612 & 614 Ridge Street,
622 & 618 McFarland Avenue, 705 & 707 Valley Drive, 704 South Thornton Avenue,
and 502 Walnut Avenue
Temporary Work Easement



Legend

- Outfalls
- Junctions
- Storages
- Storm Pipe
- Open Channel
- Proposed Junctions
- Proposed Conduits
- Lined Conduits
- Detention
- Regenerative Stormwater Conveyance
- Property of Documented Flooding
- Parcels

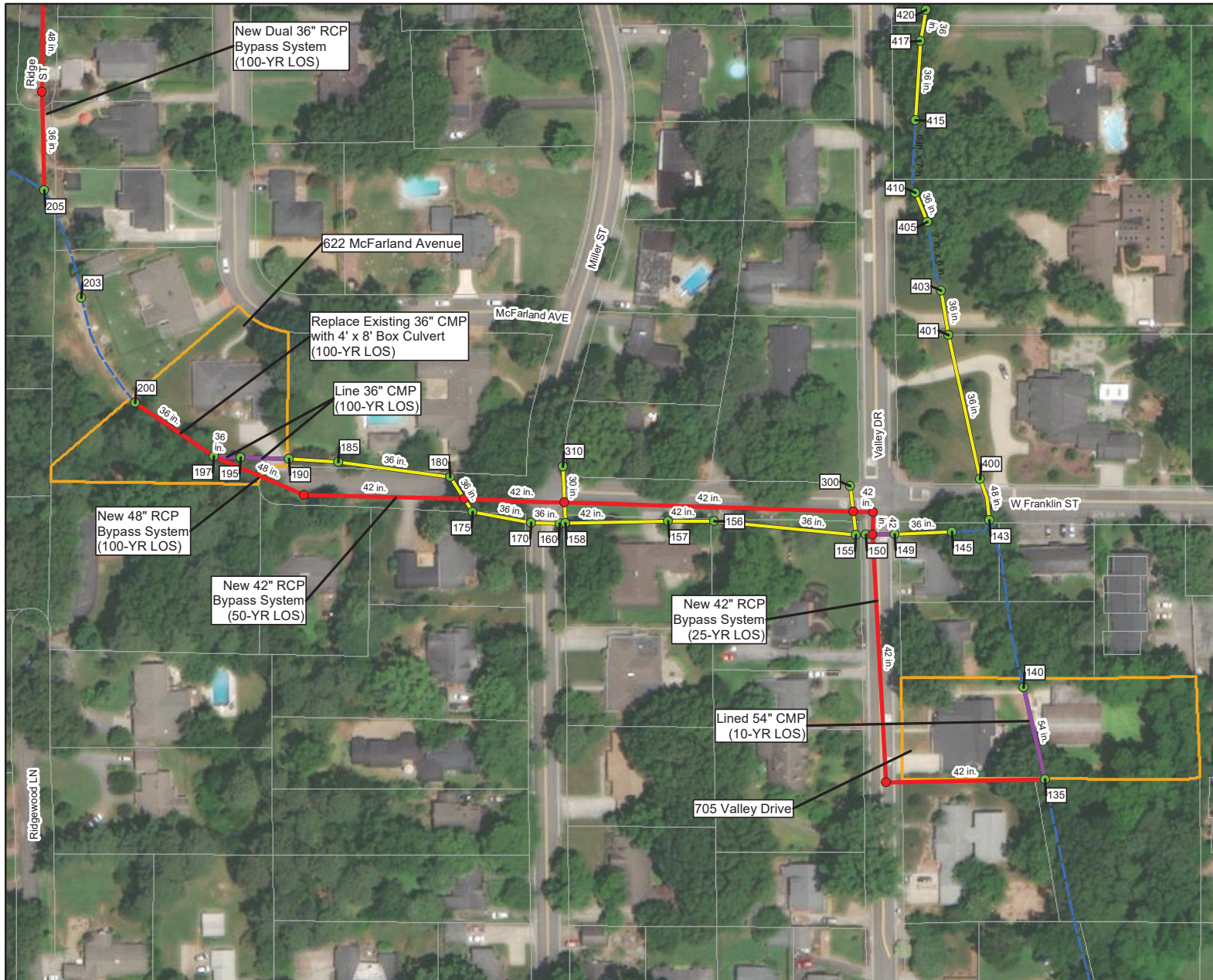


RIDGE STREET DRAINAGE STUDY
DALTON, GA

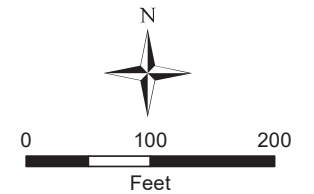
Proposed Scenario E

ARCADIS

FIGURE
5



- Legend**
- Outfalls
 - Junctions
 - Storages
 - Storm Pipe
 - Open Channel
 - Proposed Junctions
 - Proposed Conduits
 - Lined Conduits
 - Property of Documented Flooding
 - Parcels



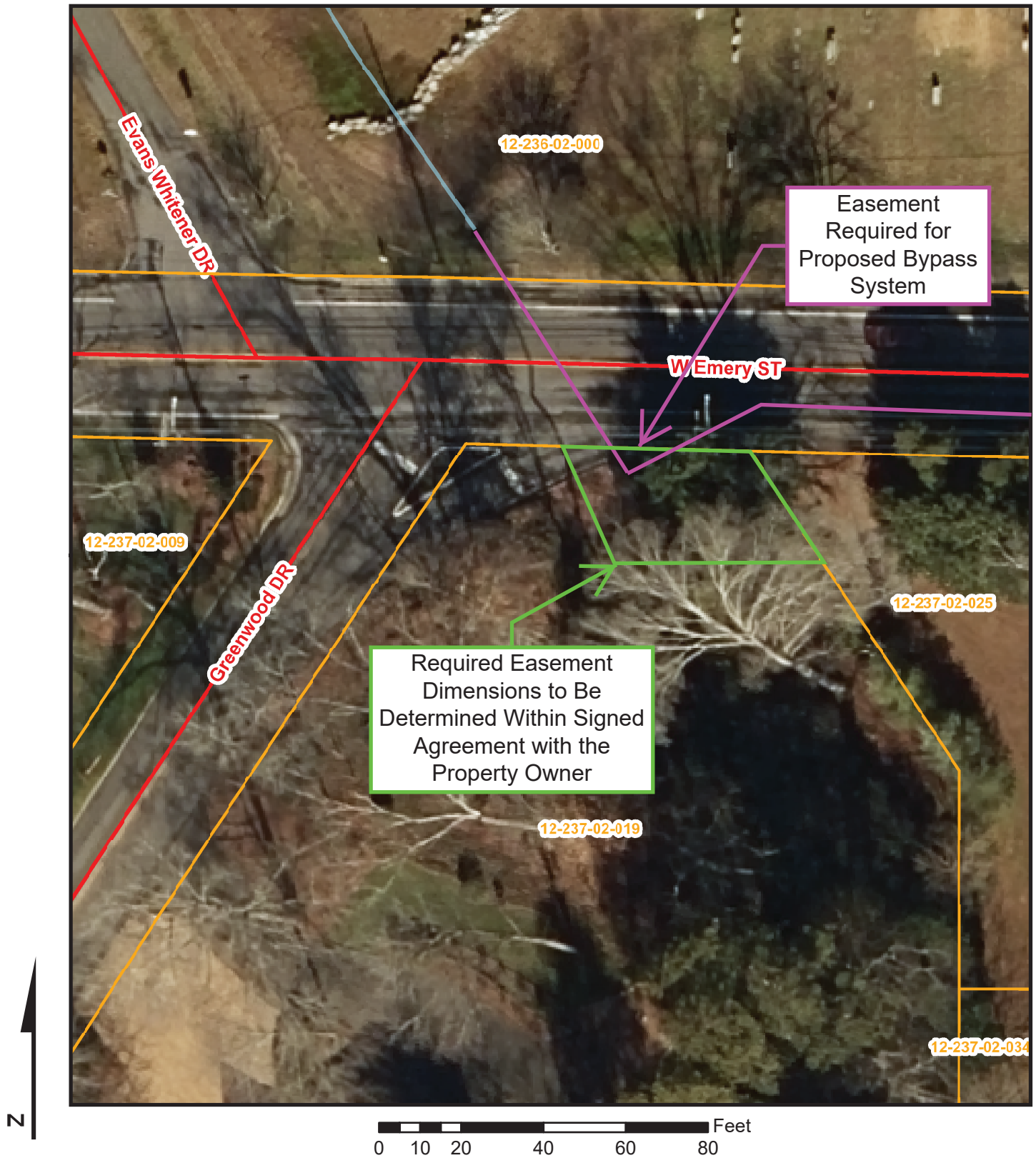
RIDGE STREET DRAINAGE STUDY
DALTON, GA

Proposed Scenario E

ARCADIS

FIGURE
6

601 Greenwood Place Corrective Action Plan



602 Ridge Street Corrective Action Plan



612 Ridge Street Corrective Action Plan



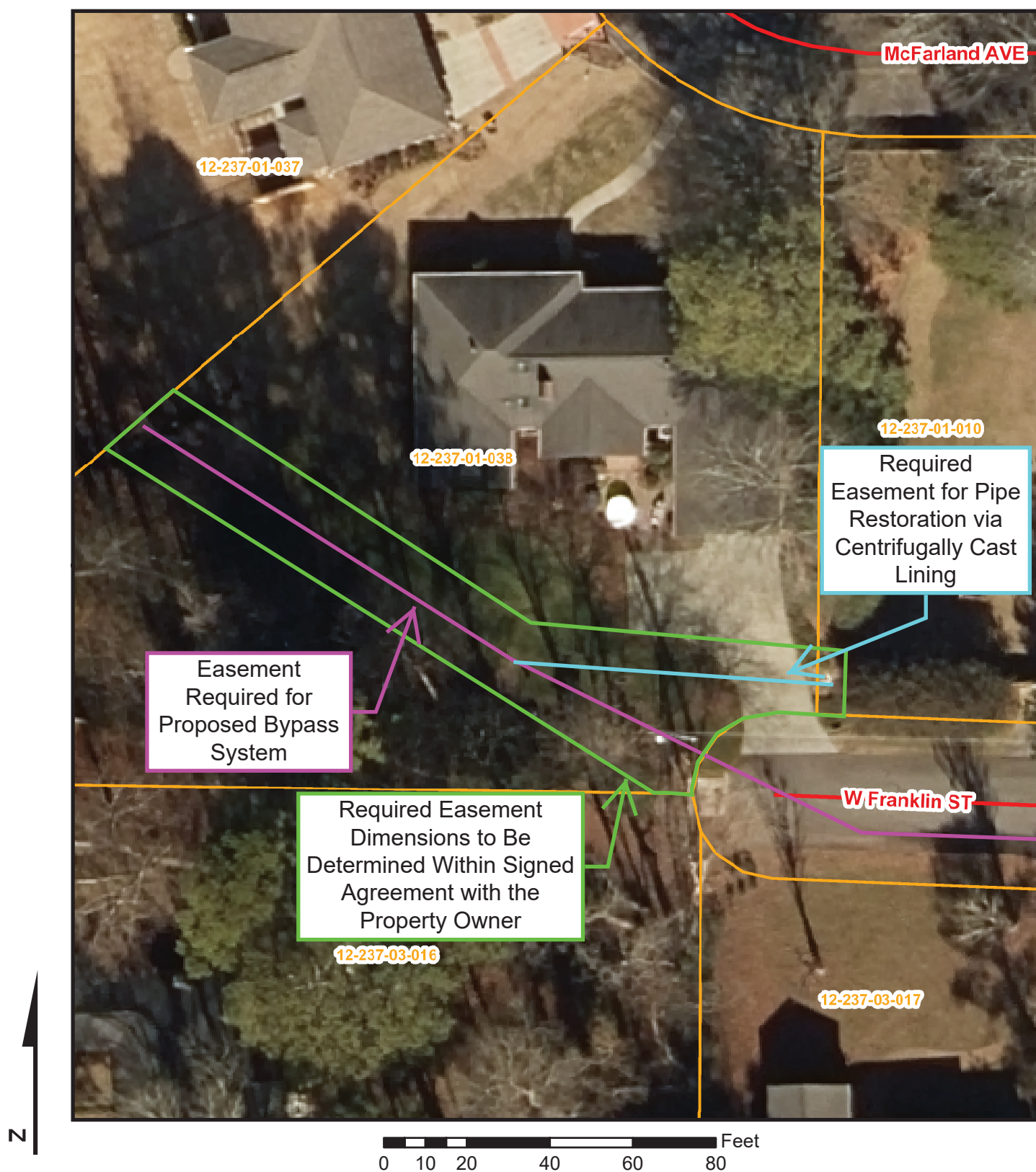
614 Ridge Street Corrective Action Plan



701 Greenwood Drive Corrective Action Plan



622 & 618 McFarland Avenue Corrective Action Plan



705 Valley Drive Corrective Action Plan



707 Valley Drive, 704 S Thornton Avenue, and 502 Walnut Avenue Corrective Action Plan





CITY COUNCIL AGENDA REQUEST

Meeting Type: Mayor & Council Meeting

Meeting Date: January 18, 2022

Agenda Item: Approval of the 2022 Equitable Sharing Agreement with the Department of Justice

Department: Police

Requested By: Assistant Chief Crossen

Reviewed/Approved by City Attorney? Yes/No

Cost: \$0

Funding Source if Not in Budget

Please Provide A Summary of Your Request, Including Background Information to Explain the Request:

Annual review and approval of the Equitable Sharing Agreement between the Dalton Police Department and the Department of Justice and Treasury

William C Cason III
Chief of Police
CCason@daltonga.gov
www.daltonga.gov



Public Safety Commission

Terry Mathis
Bill Weaver
Anthony Walker
Truman Whitfield
Alex Brown

DALTON POLICE DEPARTMENT
301 Jones Street, Dalton, Georgia 30720
Phone: 706-278-9085

January 10, 2022

Mayor and Council of Dalton
300 W Waugh St
Dalton, GA 30720

Dear Mayor and Council,

Please accept this letter as a request to renew the Federal Equitable Sharing Agreement between the United States Department of Justice and Department of Treasury and the City of Dalton Police Department. This agreement renews our participation in the Federal Asset Forfeiture Program.

The attached agreement includes our certification of compliance with all relevant rules of the agreement as well as a log of all revenues and expenditures for the past year. Proceeds and expenditures from all federal asset forfeitures are administered through the City of Dalton Confiscated Fixed Assets budget.

Please contact me if you have any questions.

Best Regards,

A handwritten signature in blue ink, appearing to read 'Cliff Cason', is written over a light blue horizontal line.

Cliff Cason
Chief of Police

Attachment: Equitable Sharing Agreement and Certification

cc: Public Safety Commission Packet February 2022



Equitable Sharing Agreement and Certification



NCIC/ORI/Tracking Number: GA1550100
Agency Name: Dalton Police Department
Mailing Address: 301 Jones St
Dalton, GA 30720

Type: Police Department

Agency Finance Contact

Name: Lopez, Martha
Phone: 7062789085
Email: mlopez@daltonga.gov

Jurisdiction Finance Contact

Name: Jackson, Cindy
Phone: 706-529-2460
Email: cjackson@daltonga.gov

ESAC Preparer

Name: Lopez, Martha
Phone: 7062789085
Email: mlopez@daltonga.gov

FY End Date: 12/31/2021

Agency FY 2022 Budget: \$102,305.05

Annual Certification Report

Summary of Equitable Sharing Activity

Justice Funds ¹

Treasury Funds ²

1	Beginning Equitable Sharing Fund Balance	\$0.48	\$27,248.60
2	Equitable Sharing Funds Received	\$0.00	\$0.00
3	Equitable Sharing Funds Received from Other Law Enforcement Agencies and Task Force	\$0.00	\$0.00
4	Other Income	\$0.00	\$0.00
5	Interest Income	\$0.00	\$44.11
6	Total Equitable Sharing Funds Received (total of lines 2-5)	\$0.00	\$44.11
7	Equitable Sharing Funds Spent (total of lines a - n)	\$0.48	\$0.00
8	Ending Equitable Sharing Funds Balance (difference between line 7 and the sum of lines 1 and 6)	\$0.00	\$27,292.71

¹Department of Justice Asset Forfeiture Program participants are: FBI, DEA, ATF, USPIS, USDA, DCIS, DSS, and FDA

²Department of the Treasury Asset Forfeiture Program participants are: IRS, ICE, CBP and USSS.

Summary of Shared Funds Spent

Justice Funds

Treasury Funds

a	Law Enforcement Operations and Investigations	\$0.48	\$0.00
b	Training and Education	\$0.00	\$0.00
c	Law Enforcement, Public Safety, and Detention Facilities	\$0.00	\$0.00
d	Law Enforcement Equipment	\$0.00	\$0.00
e	Joint Law Enforcement/Public Safety Equipment and Operations	\$0.00	\$0.00
f	Contracts for Services	\$0.00	\$0.00
g	Law Enforcement Travel and Per Diem	\$0.00	\$0.00
h	Law Enforcement Awards and Memorials	\$0.00	\$0.00
i	Drug, Gang, and Other Education or Awareness Programs	\$0.00	\$0.00
j	Matching Grants	\$0.00	\$0.00
k	Transfers to Other Participating Law Enforcement Agencies	\$0.00	\$0.00
l	Support of Community-Based Programs	\$0.00	
m	Non-Categorized Expenditures	\$0.00	\$0.00
n	Salaries	\$0.00	\$0.00
	Total	\$0.48	\$0.00

Equitable Sharing Funds Received From Other Agencies

Transferring Agency Name	Justice Funds	Treasury Funds

Other Income

Other Income Type	Justice Funds	Treasury Funds

Matching Grants

Matching Grant Name	Justice Funds	Treasury Funds

Transfers to Other Participating Law Enforcement Agencies

Receiving Agency Name	Justice Funds	Treasury Funds

Support of Community-Based Programs

Recipient	Justice Funds	

Non-Categorized Expenditures

Description	Justice Funds	Treasury Funds

Salaries

Salary Type	Justice Funds	Treasury Funds

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Asset Forfeiture and Money Laundering Section at 1400 New York Avenue, N.W., Washington, DC 20005.

Privacy Act Notice

The Department of Justice is collecting this information for the purpose of reviewing your equitable sharing expenditures. Providing this information is voluntary; however, the information is necessary for your agency to maintain Program compliance. Information collected is covered by Department of Justice System of Records Notice, 71 Fed. Reg. 29170 (May 19, 2006), JMD-022 Department of Justice Consolidated Asset Tracking System (CATS). This information may be disclosed to contractors when necessary to accomplish an agency function, to law enforcement when there is a violation or potential violation of law, or in accordance with other published routine uses. For a complete list of routine uses, see the System of Records Notice as amended by subsequent publications.

Single Audit Information**Independent Auditor****Name:** Walcott, Alex**Company:** Estes & Walcott**Phone:** 17065290749**Email:** alex@esteswalcott.com

Were equitable sharing expenditures included on your jurisdiction's prior fiscal year's Schedule of Expenditures of Federal Awards (SEFA)?

YES ☐ NO ☒

Prior year Single Audit Number Assigned by Harvester Database: N/A

Affidavit

Under penalty of perjury, the undersigned officials certify that they have read and understand their obligations under the *Guide to Equitable Sharing for State, Local, and Tribal Law Enforcement Agencies (Guide)* and all subsequent updates, this Equitable Sharing Agreement, and the applicable sections of the Code of Federal Regulations. The undersigned officials certify that the information submitted on the Equitable Sharing Agreement and Certification form (ESAC) is an accurate accounting of funds received and spent by the Agency.

The undersigned certify that the Agency is in compliance with the applicable nondiscrimination requirements of the following laws and their Department of Justice implementing regulations: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and the Age Discrimination Act of 1975 (42 U.S.C. § 6101 *et seq.*), which prohibit discrimination on the basis of race, color, national origin, disability, or age in any federally assisted program or activity, or on the basis of sex in any federally assisted education program or activity. The Agency agrees that it will comply with all federal statutes and regulations permitting federal investigators access to records and any other sources of information as may be necessary to determine compliance with civil rights and other applicable statutes and regulations.

Equitable Sharing Agreement

This Federal Equitable Sharing Agreement, entered into among (1) the Federal Government, (2) the Agency, and (3) the Agency's governing body, sets forth the requirements for participation in the federal Equitable Sharing Program and the restrictions upon the use of federally forfeited funds, property, and any interest earned thereon, which are equitably shared with participating law enforcement agencies. By submitting this form, the Agency agrees that it will be bound by the *Guide* and all subsequent updates, this Equitable Sharing Agreement, and the applicable sections of the Code of Federal Regulations. Submission of the ESAC is a prerequisite to receiving any funds or property through the Equitable Sharing Program.

1. Submission. The ESAC must be signed and electronically submitted within 60 days of the end of the Agency's fiscal year. Electronic submission constitutes submission to the Department of Justice and the Department of the Treasury.

2. Signatories. The ESAC must be signed by the head of the Agency and the head of the governing body. Examples of Agency heads include police chief, sheriff, director, commissioner, superintendent, administrator, county attorney, district attorney, prosecuting attorney, state attorney, commonwealth attorney, and attorney general. The governing body head is the head of the agency that appropriates funding to the Agency. Examples of governing body heads include city manager, mayor, city council chairperson, county executive, county council chairperson, administrator, commissioner, and governor. The governing body head cannot be an official or employee of the Agency and must be from a separate entity.

3. Uses. Shared assets must be used for law enforcement purposes in accordance with the *Guide* and all subsequent updates, this Equitable Sharing Agreement, and the applicable sections of the Code of Federal Regulations.

4. Transfers. Before the Agency transfers funds to other state or local law enforcement agencies, it must obtain written approval from the Department of Justice or Department of the Treasury. Transfers of tangible property are not permitted. Agencies that transfer or receive equitable sharing funds must perform sub-recipient monitoring in accordance with the Code of Federal Regulations.

5. Internal Controls. The Agency agrees to account separately for federal equitable sharing funds received from the Department of Justice and the Department of the Treasury, funds from state and local forfeitures, joint law enforcement operations funds, and any other sources must not be commingled with federal equitable sharing funds.

The Agency certifies that equitable sharing funds are maintained by the entity that maintains the Agency's appropriated or general funds and agrees that the funds will be subject to the standard accounting requirements and practices employed by the Agency's jurisdiction in accordance with the requirements set forth in the *Guide*, any subsequent updates, and the Code of Federal Regulations, including the requirement to maintain relevant documents and records for five years.

The misuse or misapplication of equitably shared funds or assets or supplantation of existing resources with shared funds or assets is prohibited. The Agency must follow its jurisdiction's procurement policies when expending equitably shared funds. Failure to comply with any provision of the *Guide*, any subsequent updates, and the Code of Federal Regulations may subject the Agency to sanctions.

6. Single Audit Report and Other Reviews. Audits shall be conducted as provided by the Single Audit Act Amendments of 1996 and OMB Uniform Administrative Requirements, Costs Principles, and Audit Requirements for Federal Awards. The Agency must report its equitable sharing expenditures on the Schedule of Expenditures of Federal Awards (SEFA) under Catalog of Federal Domestic Assistance number 16.922 for Department of Justice and 21.016 for Department of the Treasury. The Department of Justice and the Department of the Treasury reserve the right to conduct audits or reviews.

7. Freedom of Information Act (FOIA). Information provided in this Document is subject to the FOIA requirements of the Department of Justice and the Department of the Treasury. Agencies must follow local release of information policies.

8. Waste, Fraud, or Abuse. An Agency or governing body is required to immediately notify the Money Laundering and Asset Recovery Section of the Department of Justice and the Executive Office for Asset Forfeiture of the Department of the Treasury of any allegations or theft, fraud, waste, or abuse involving federal equitable sharing funds.

Civil Rights Cases

During the past fiscal year: (1) has any court or administrative agency issued any finding, judgment, or determination that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above; or (2) has the Agency entered into any settlement agreement with respect to any complaint filed with a court or administrative agency alleging that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above?

☐ Yes ☒ No

Agency Head

Name: Cason, Cliff

Title: Chief

Email: ccason@daltonga.gov

Signature: Walter C. Cason Date: 1-13-22

To the best of my knowledge and belief, the information provided on this ESAC is true and accurate and has been reviewed and authorized by the Law Enforcement Agency Head whose name appears above. Entry of the Agency Head name above indicates his/her agreement to abide by the Guide, any subsequent updates, and the Code of Federal Regulations, including ensuring permissibility of expenditures and following all required procurement policies and procedures.

Governing Body Head

Name: Pennington, David

Title: Mayor

Email: dpennington@daltonga.gov

Signature: _____ Date: _____

To the best of my knowledge and belief, the Agency's current fiscal year budget reported on this ESAC is true and accurate and the Governing Body Head whose name appears above certifies that the agency's budget has not been supplanted as a result of receiving equitable sharing funds. Entry of the Governing Body Head name above indicates his/her agreement to abide by the policies and procedures set forth in the Guide, any subsequent updates, and the Code of Federal Regulations.

☐ I certify that I have obtained approval from and I am authorized to submit this form on behalf of the Agency Head and the Governing Body Head.



CITY COUNCIL AGENDA REQUEST

Meeting Type: Mayor & Council Meeting

Meeting Date: 1/18/2022

Agenda Item: Resolution 22-01

Department: Administration

Requested By: Andrew Parker

**Reviewed/Approved
by City Attorney?** Yes

Cost:

**Funding Source if Not
in Budget**

**Please Provide A Summary of Your Request, Including Background Information to
Explain the Request:**

Resolution 22-01

To Make Findings of Fact Concerning the Need for Amendment to The City's Charter to Empower the City to Lease Specific Real Properties of The City for Initial Terms Exceeding Five (5) Years and For A Renewal Term Exceeding Five (5) Years at Fair Rental Value and Subject to Conditions and To Request the Local Delegation To the 2022 General Assembly to Introduce Appropriate Local Legislation to Amend the City's Charter and Provide Same.

RESOLUTION
NO. 22-01

To Make Findings Of Fact Concerning The Need For Amendment To The City's Charter To Empower The City To Lease Specific Real Properties Of The City For Initial Terms Exceeding Five (5) Years And For A Renewal Term Exceeding Five (5) Years At Fair Rental Value And Subject To Conditions And To Request The Local Delegation To the 2022 General Assembly To Introduce Appropriate Local Legislation To Amend The City's Charter And Provide Same.

WHEREAS, the City owns certain real estate that it has historically leased, presently leases, or may lease in the future, to private or non-profit persons or entities (non-governmental) where such leaseholds are deemed beneficial to the City of Dalton in providing amenities and services to the public and in rehabilitating, developing, and maintaining these properties; and

WHEREAS, under O. C. G. A. § 36-37-6 (1) (2) and (3) a municipality is limited to extending such a lease for an initial five (5) year term with an additional renewal of no longer than five (5) years without further sealed bid or auction; and

WHEREAS, the Mayor and Council deem it to be in the better interest of the public health, safety, and welfare to have powers under its Charter to lease such properties for longer initial terms in some instances and for longer renewal terms in some instances; and

WHEREAS, the following properties are considered specifically to be leased for valuable consideration for use, operation, or management where the said statutory limitations impair the best use, preservation, and economic benefits to the City: i) designated tracts of the Dalton Municipal Airport for aircraft hangars, fixed based operations, non-fixed based operations and other economic uses; ii) old City Hall on Pentz Street; iii) Emery Center on Emery Street; iv) old downtown main Post Office; and v) Old Dalton Fire Hall on Pentz Street; and

WHEREAS, the City considers it necessary to ask the State of Georgia to enact by local legislation an amendment to the City's Charter, Ga. L. 1874, p. 181, as amended, to authorize the City to lease or enter into a contract for valuable consideration for the use, operation, or management of such real property of the municipal corporation for terms exceeding an initial five (5) year term with one (1) renewal term not exceeding five (5) years, provided such leases

specify terms that protect the City's property from abandonment, deterioration, or waste, from being pledged or mortgaged by lessee or contractee, from being otherwise alienated or having title diverted by act or omission to act of lessee or contractee, and providing coverage of sufficient liability insurance both for fire and casualty to the property and for injury to third persons or their property;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Dalton in regular meeting assembled, as follows:

-1-

The statements in the foregoing Preamble are considered and adopted as findings of fact.

-2-

The Mayor and Council petition the legislative delegation of the 2022 General Assembly representing the City of Dalton to introduce by local Act a bill extending powers to the City acting by its Mayor and Council to lease such specifically identified real estate as shown above for initial terms up to twenty-five (25) years with one renewal period up to ten (10) years for valuable consideration meaning its fair rental value and subject to those general conditions described above, in the discretion of the Mayor and Council.

SO RESOLVED this _____ day of January, 2022.

The foregoing Resolution was read on _____ and upon motion of Councilmember _____, second by Councilmember _____, upon the question the vote is _____ ayes, _____ nays and the Resolution DOES/DOES NOT pass.

CITY OF DALTON, GEORGIA

MAYOR

Attest:

City Clerk



CITY COUNCIL AGENDA REQUEST

Meeting Type: Mayor & Council Meeting

Meeting Date: 02/18/2022

Agenda Item: Ordinance 22-01

Department: City Clerk

Requested By: Gesse Cabrera

**Reviewed/Approved
by City Attorney?** Yes

Cost: N/A

**Funding Source if Not
in Budget** N/A

**Please Provide A Summary of Your Request, Including Background Information to
Explain the Request:**

Ordinance 22-01. An Ordinance To Amend Article II-Hotel-Motel Tax Of The Revised Code Of 2001 Of The City Of Dalton For Purpose Of Incorporating Provisions Of H. B. 317 Of The 2021 Session Of The Georgia General Assembly Into The City's Regulatory Provisions; To Make Certain Technical Corrections To Section To 106-33 To Conform To The Tax Rate Specified In Section 106-32; To Provide For Information Reporting Of Properties Within The City That Are Listed For Lodging Or Accommodation By A Marketplace Facilitator Or Marketplace Innkeeper As The Case May Be For Purposes Of Administration And Enforcement; To Provide Effective Date; To Provide For Severability; And For Other Purposes

**ORDINANCE
NO. 22-01**

AN ORDINANCE TO AMEND ARTICLE II-HOTEL-MOTEL TAX OF THE REVISED CODE OF 2001 OF THE CITY OF DALTON FOR PURPOSE OF INCORPORATING PROVISIONS OF H. B. 317 OF THE 2021 SESSION OF THE GEORGIA GENERAL ASSEMBLY INTO THE CITY'S REGULATORY PROVISIONS; TO MAKE CERTAIN TECHNICAL CORRECTIONS TO SECTION TO 106-33 TO CONFORM TO THE TAX RATE SPECIFIED IN SECTION 106-32; TO PROVIDE FOR INFORMATION REPORTING OF PROPERTIES WITHIN THE CITY THAT ARE LISTED FOR LODGING OR ACCOMODATION BY A MARKETPLACE FACILITATOR OR MARKETPLACE INNKEEPER AS THE CASE MAY BE FOR PURPOSES OF ADMINISTRATION AND ENFORCEMENT; TO PROVIDE EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER PURPOSES

BE IT ORDAINED by the Mayor and Council of the City of Dalton and by authority of same IT IS HEREBY ORDAINED as follows:

-1-

FINDINGS OF FACT

WHEREAS, the State of Georgia at Regular Session of the 2021 General Assembly of Georgia enacted H. B. 317 effective July 1, 2021, making substantive changes to the authority of Georgia municipalities to levy and collect excise taxes upon innkeepers upon the furnishing for value to the public of any room or rooms, lodging, or accommodations facilitated or furnished by an "innkeeper;" and

WHEREAS, the State of Georgia by enactment of such law has expanded the definition of "Innkeeper" to include a dealer defined in subparagraph (M. 3) of paragraph (8) of O.C.G.A. § 48-8-2 that is required to collect and remit the tax imposed by Article I of Chapter 8 of Title 48 to include a marketplace facilitator as such term is defined in paragraph (18.1) of O.C.G.A. § 48-8-2; and

WHEREAS, the City deems it in the public interest to amend the City's HOTEL-MOTEL TAX to incorporate such changes of State law and to make a specific technical correction in

Sections 106-32 and 106-33 of the Revised Code of 2001 as to the excise tax rate and for other purposes;

The Mayor and Council adopt the foregoing statements as findings of fact supporting the reason and purpose of this Ordinance.

-2-

SPECIFIC AMENDMENTS TO ARTICLE II. HOTEL-MOTEL TAX

A. Section 106-31-Definitions is amended as follows:

1. Strike the term “Lodging provider” as well as the written definition of such term and in lieu thereof substitute the term “Innkeeper” to be defined as follows:

“(A) Any person that furnishes for value to the public any room or rooms, lodgings, or accommodations in the City and that is licensed by, or required to pay business or occupation taxes to the City for operating a hotel, motel, inn, lodge, tourist camp, tourist cabin, campground, or any other place in which room or rooms, lodging, or accommodations are regularly furnished for value; or

(B) A dealer as defined in subparagraph (M.3) of paragraph (8) of Code Section 48-8-2 that is required to collect and remit the tax imposed by Article 1 of Chapter 8 of Title 48 for acting as a marketplace facilitator as such term is defined in paragraph (18.1) of Code Section 48-8-2 for facilitating the furnishing for value to the public any room or rooms, lodging, or accommodations on behalf of another person. Such person is also termed a “Marketplace innkeeper.” ”

2. Each place within Article II-Hotel-Motel Tax where the term “lodging provider” appears strike that term and insert in lieu thereof the term “Innkeeper.”

B. Section 106-33 captioned “Collection of tax by lodging provider” is amended by striking the first sentence thereof in it entirety and inserting in lieu thereof the following:

“Every Innkeeper shall collect a tax of seven (7%) percent on the amount of rent from the occupant unless an exception is provided under section 106.34.

The remaining provisions of Section 106-33 shall remain in full force and effect except as otherwise amended by this Ordinance.

C. Section 106-40.1 Information as to property of owner contracted to a marketplace facilitator or “Marketplace innkeeper”

1. Any person holding title to any real estate (“Property”) within the City of Dalton where a contract exists with a marketplace facilitator or marketplace innkeeper to furnish for value to the public any room or rooms, lodgings, or accommodations at or within such Property shall within ten (10) days of such contract file an information report with the City Clerk upon form provided by the City Clerk identifying the Property and the identity of the marketplace facilitator or Marketplace innkeeper.
2. Any such information filed with and collected by the City Clerk shall be and remain confidential within the records of the City and shall not be published or kept as a rental property registry in violation of any law.
3. Such information filed with and collected by the City Clerk shall be utilized solely for administration and enforcement of Article II-Hotel-Motel Tax of the Revised Code of 2001 of the City of Dalton.

-3-

REPEALER

All Ordinances or resolutions of the City of Dalton in conflict herewith are hereby repealed.

-4-

SEVERABILITY

If any section or provision of this Ordinance is declared invalid or unenforceable by a court of competent jurisdiction, in that event the City intends that remaining parts hereof not so invalid or unenforceable shall remain in full force and effect.

-5-

EFFECTIVE DATE

This Ordinance shall be effective after it has been published in two (2) public places in the City of Dalton for five (5) consecutive days following passage. The Clerk shall record the effective date in her minutes hereof. The excise tax withholdings due from Innkeepers shall be due effective July 1, 2021 as provided in Section 5 of H. B. 317.

SO ORDAINED this _____ day of _____, 2022.

The foregoing Ordinance received its first reading on _____ and a second reading on _____. Upon second reading a motion for passage of the Ordinance was made by Alderman _____, second by Alderman _____ and upon the question the vote is _____ ayes, _____ nays and the Ordinance is adopted.

Mayor

ATTEST:

City Clerk

A true copy of the foregoing Ordinance has been published in two public places within the City of Dalton for five (5) consecutive days following passage of the above-reference Ordinance as of _____.

City Clerk