



JANUARY 5, 2009
COUNCIL MEETING
CITY OF DALLAS
7:00 P.M.

MAYOR BOYD AUSTIN
CITY MANAGER DAVID CLABO
CITY CLERK SARAH RUFF
POLICE CHIEF SCOTT HALTER

COUNCILMEMBERS
NANCY ARNOLD
GRIFFIN WHITE
JAMES KELLY
BINGO MCTYRE
MIKE CASON

ABSENT: KELLY CARTER

5:00P.M WORK SESSION

MAYOR AUSTIN CALLED THE WORK SESSION TO ORDER.

CHUCK POSEY, COMMITTEE CHAIRMAN OF RIVER OF LIFE ADDRESSED THE COUNCIL ON BEHALF OF THE FIRST UNITED METHODIST CHURCH FOR USE OF THE CIVIC CENTER ON WEDNESDAY, JULY 8, 2009 THUR SUNDAY JULY 12, 2009.

COUNCILMEMBER MCTYRE MADE A MOTION TO GO INTO CLOSED SESSION.
SECONDED BY COUNCILMEMBER CASON.
CARRIED UNANIMOUSLY.

COUNCILMEMBER ARNOLD MADE A MOTION TO GO INTO REGULAR SESSION.
SECONDED BY COUNCILMEMBER KELLY.
CARRIED UNANIMOUSLY.

1. MAYOR AUSTIN THEN CALLED THE REGULAR JANUARY 5, 2009 MEETING TO ORDER.
COUNCILMEMBER KELLY GAVE THE INVOCATION AND MAYOR AUSTIN LED THE PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.

2. COUNCILMEMBER WHITE MADE A MOTION TO APPROVE THE DECEMBER 1, 2008 MINUTES AS MAILED.

SECONDED BY COUNCILMEMBER MCTYRE.
CARRIED UNANIMOUS.

3. RECOGNITION OF VISITORS AND COMMENTS.

TRACI GOODMAN MINUE, A FORMER RESIDENT OF PAULDING COUNTY, ASKED THE COUNCIL FOR AN UPDATE ON UPCOMING PROJECTS FOR THE CITY OF DALLAS.

MAYOR AUSTIN GAVE HER A BRIEF ACCOUNT OF OUR NEW TOWN OVERLAY, STREETScape AND TRAILHEAD PROJECTS.

APPROVAL OF THE FOLLOWING CONSENT AGENDA ITEMS:

4A. APPOINTMENT OF ATTORNEY CHAD PLUMLEY AS THE FINAL MEMBER OF THE CITY OF DALLAS ETHICS COMMISSION.

4B. CONFIRMATION OF CHARLIE WATTS AND STEVE HAYNES AS APPOINTEES TO THE URBAN REDEVELOPMENT AUTHORITY.

C. CONFIRMATION OF ADJUSTMENT OF THEATER BUDGET FOR \$36,000.00, OF TICKET REVENUE MOVED TO CONTRACT LABOR.

ITEM # 13 ACCEPTANCE OF PROPOSAL FOR CLOSURE AND REMOVAL OF UNDERGROUND STORAGE TANKS AT DALLAS TRAILHEAD SUBJECT TO THEIR PROVISION OF COPY OF INSURANCE.

ITEM # ACCEPTANCE OF POOL BIDS FROM THE LOWEST MOST QUALIFIED BIDS FOR THE RESIZING OF DRAINS AND REPLASTERING OF DARA BABB PARK POOL.

ITEM # 15. APPROVAL OF REQUEST OF FIRST METHODIST CHURCH FOR USE OF THE CIVIC CENTER.

ITEM#16 APPOINTMENTS OF COUNCILMEMBER WHITE AS MAYOR PRO-TERM AND COUNCILMEMBER KELLY TO THE FINANCE COMMITTEE.

COUNCILMEMBER KELLY MADE A MOTION TO ADOPT THE CONSENT AGENDA. SECONDED BY COUNCILMEMBER MCTYRE. CARRIED UNANIMOUSLY.

7. ADOPTION OF PROPOSED RIGHT OF WAY ORDINANCE (UTILITY ACCOMMODATION POLICY).

COUNCILMEMBER KELLY MADE A MOTION TO ADOPT WITH AN ORDINANCE NUMBER TO BE ADDED. SECONDED BY COUNCILMEMBER MCTYRE.

CARRIED UNANIMOUSLY.

ITEMS# 9 & 10 DELAYED TO FEBURARY MEETING.

12. COUNCILMEMBER ARNOLD MADE A MOTION TO AUTHORIZE THE CITY MANAGER AND THE PUBLIC WORKS DIRECTOR TO OBTAIN SURVEYS AND APPRAISALS ON PROPERTIES DISCUSSED IN CLOSED SESSION. SECONDED BY COUNCILMEMBER MCTYRE. CARRIED UNANIMOUSLY.

13. COUNCILMEMBER WHITE MADE A MOTION TO PURCHASE A CERTAIN 4 ACRE TRACT DISCUSSED IN CLOSED SESSION. SECONDED BY COUNCILMEMBER KELLY. CARRIED UNANIMOUSLY.

PUBLIC WORKS DIRECTOR'S REPORT:

PUBLIC WORKS DIRECTOR KENDALL SMITH ASKED THE COUNCIL FOR GUIDANCE ON SUBDIVISIONS THAT HAVE NOT PASSED FINAL INSPECTIONS AND AS OF YET HAVE NO STREET LIGHTS IN CERTAIN SECTIONS. KENDALL NOTED THE NEED TO TAKE BIDS ON RESIZING AND REPLASTERING THE POOL.

POLICE CHIEF'S REPORT: SEE ATTACHED.

CITY MANAGERS REPORT:

CITY MANAGER DAVID CLABO INFORMED THE COUNCIL OF THE PUBLIC HEARINGS NOTICE FOR NEIGHBORHOOD STABILIZATION PROGRAM AT CVRDC.

B. GIRMA REPORT.

C. LENAY WALKER ADDRESSED THE COUNCIL ON UPCOMING EVENTS AT THE THEATER.

LANAY REPORTED THAT THE THEATER AND THE CIVIC CENTER WERE BOOKED FOR EVERY NIGHT THEY WRE OPEN IN THE MONTH OF DECEMBER 2008.

D. GMA STATEWIDE ESSAY CONTEST FOR 6TH GRADE STUDENTS.

E. UPCOMING HEART AND SOUL BUS TOUR.

D. UPDATE ON MAYOR'S CHRISTMAS MOTORCADE.

WITH NO FUTHER BUSINESS TO BE BROUGHT BEFORE THE COUNCIL COUNCILMEMBER MCYTRE MADE A MOTION TO ADJOURN. SECONDED BY COUNCILMEMBER WHITE. CARRIED UNANIMOUSLY.

MAYOR BOYD AUSTIN

DATE

CITY CLERK SARAH RUFF

DATE



FEBRUARY 2, 2009
COUNCIL MEETING
CITY OF DALLAS
7:00 P.M.

MAYOR BOYD AUSTIN
CITY MANAGER DAVID CLABO
CITY CLERK SARAH RUFF
CITY ATTORNEY GLEN STINSON
POLICE CHIEF SCOTT HALTER

COUNCILMEMBERS:
NANCY ARNOLD
GRIFFIN WHITE, MAYOR PRO TEM
KELLY CARTER
JAMES KELLY
BINGO MCTYRE
MIKE CASON

5:00 WORK SESSION
MAYOR AUSTIN CALLED THE WORK SESSION TO ORDER.

KEN HARDY, HAYES PARK LLC, ADDRESSED THE COUNCIL ABOUT A WARRANTY BOND FOR LOGAN'S CREEK SUBDIVISION. MR. HARDY WANTED TO KNOW HOW SOON HE WOULD RECEIVE THE BOND BEING HELD BY THE CITY, AFTER COMPLETION OF THE SUBDIVISION. MAYOR AUSTIN SAID THE COUNCIL WOULD DISCUSS THIS MATTER IN CLOSED SESSION.

COUNCILMEMBER ARNOLD MADE A MOTION TO GO INTO CLOSED SESSION.
SECONDED BY COUNCILMEMBER KELLY.
VOTE CARRIED UNANIMOUSLY.

MAYOR AUSTIN MADE A MOTION TO SUSPEND CLOSED SESSION AND RETURN TO THE REGULAR SCHEDULED MEETING.

1. MAYOR AUSTIN THEN CALLED THE REGULAR FEBRUARY 2, 2009, MEETING TO ORDER.

COUNCILMEMBER CASON GAVE THE INVOCATION, AND MAYOR AUSTIN LED THE PLEDGE OF ALLIGIANCE TO THE FLAG.

2. COUNCILMEMBER WHITE MADE A MOTION TO APPROVE THE JANUARY 5, 2009 MINUTES AS MAILED. COUNCILMEMBER KELLY SECONDED. VOTE CARRIED UNANIMOUSLY.

3. RECOGNITION OF VISITORS AND COMMENTS.

THE MAYOR AND COUNCIL THEN RECOGNIZED SHERIFF BRUCE HARRIS FOR ALL HIS YEARS OF PUBLIC SERVICE.

MAYOR AUSTIN PRESENTED SHERIFF HARRIS WITH A PLAQUE OF APPRECIATION AND A FRAMED PHOTOGRAPH OF SHERIFF HARRIS' NAME ON THE THEATER MARQUEE.

4. APPROVAL OF THE FOLLOWING CONSENT AGENDA ITEMS:

4A. RESOLUTION – GEORGIA CITIES WEEK (APRIL 19-25, 2009).

4B. ARBOR DAY PROCLAMATION- ARBOR DAY FEBRUARY 27, 2009

4C. RESOLUTION – IN SUPPORT OF CVRDC'S APPLICATION TO EDA.

4D. DALLAS FIRST UNITED METHODIST CHURCH – 5K ROAD RACE. SATURDAY JUNE 20, 2009, 7:30 A.M. – 10:00 A.M.

4E. REAPPOINTMENT OF JIM HENSON, WAYNE JACKSON AND WILLIAM "BILLY" GRAHAM TO DALLAS PLANNING COMMISSION- 2 YEAR TERM (EXP, 12/31/10)

11. PUBLIC UTILITIES REPORT.

APPROVAL OF ENGINEERING DESIGN PROPOSAL FROM WOODARD AND CURRAN FOR HEAD PLACE INTERCEPTOR REPLACEMENT (GRAVITY SEWER). \$150,000.00(INCLUDING SURVEY).

APPROVAL OF PURCHASE OF GODWIN PUMP FOR NORTH PLANT. \$27,000.00

DISPOSAL OF CONFISCATED VAN AT POLICE DEPARTMENT.

COUNCILMEMBER KELLY MADE A MOTION TO ADOPT THE CONSENT AGENDA.

SECONDED BY COUNCILMEMBER MCTYRE. VOTE CARRIED UNANIMOUSLY.

ITEM # 7 ADOPTION OF PROPOSED WATER SERVICE AND CONSERVATION ORDINACE POSTPONED UNTIL MARCH 2, 2009 MEETING.

ITEM # 8 ADOPTION OF PROPOSED NEW ORDINANCE TO PART SIX, CHAPTER ONE, SECTION 6-117- CRIMINAL TRESPASS.

COUNCILMEMBER KELLY MADE A MOTION TO APPROVE.

SECONDED BY COUNCILMEMBER CASON.

VOTE CARRIED UNANIMOUSLY

PUBLIC WORKS DIRECTOR'S REPORT.

PUBLIC WORKS DIRECTOR KENDALL SMITH UPDATED THE COUNCIL ON THE PAVILION AT SARA BABB PARK. KENDALL SAID THE PAVILION WAS DRIED IN UNTIL THE CITY CAN OBTAIN FUNDS TO FINISH THE BUILDING. KENDALL SMITH ALSO STATED THE REPLASTERING AND DRAIN

REPLACE MENT WAS GOING AS PLANNED AT THE POOL.

SUPERINTENDENT SMITH ALSO GAVE THE COUNCIL AN UPDATE ON ACQUIRING PICNIC TABLES FOR THE SQUARE.

POLICE CHIEF'S REPORT – SEE ATTACHED.

CITY MANAGER'S REPORT

CITY MANAGER DAVID CLABO GAVE THE COUNCIL AN UPDATE ON THE WORK BY MUNICODE ON THE CITY'S CODE BOOK.

MANAGER CLABO ALSO ASKED THE COUNCIL FOR AN ADDITIONAL WORK SESSION FOR NEXT MONDAY FEBRUARY 9, 2009 AT 5:00 FOR THE PURPOSE OF UPCOMING PROJECTS AT THE THEATER AND CIVIC CENTER. THEATER DIRECTOR, LANAY WALKER WILL PRESENT HER 2-YEAR BUSINESS PLAN AT THIS MEETING.

MANAGER CLABO ALSO REMINDED COUNCIL ABOUT UPCOMING GMA SPRING TRAINING SESSION ON APRIL 1, 2009.

MANAGER CLABO REPORTED TO THE COUNCIL ABOUT THE NEED TO AMEND THEWOODARD AND CURRAN CONTRACT FOR OPERATION OF THE WASTE WATER TREATMENT PLANTS.

COUNCILMEMBER MCTYRE MADE A MOTION TO AMEND, SUBJECT TO ATTORNEY REVIEW.

SECONDED BY COUNCILMEMBER KELLY. VOTE CARRIED UNANIMOUSLY.

COUNCILMEMBER WHITE MADE A MOTION TO GO BACK INTO CLOSED SESSION.

COUNCILMEMBER CASON SECONDED. VOTE CARRIED UNANIMOUSLY.

COUNCILMEMBER MCTYRE MADE A MOTION TO GO BACK INTO REGULAR SESSION.

COUNCILMEMBER CARTER SECONDED. VOTE CARRIED UNANIMOUSLY.

COUNCILMEMBER KELLY MADE A MOTION TO RESUME REGULAR SESSION.

COUNCILMEMBER ARNOLD SECONDED. VOTE CARRIED UNANIMOUSLY.

14. D DISCUSSION OF GARBAGE DISPOSAL COLLECTION/DISPOSAL CONTRACT.

MAYOR AUSTIN ASKED THE PUBLIC UTILITIES COMMITTEE TO LOOK INTO POSSIBLE CHANGES AND TO REPORT BACK TO COUNCIL.

MAYOR AUSTIN ASKED THE COUNCIL TO HOLD THE INDUSTRIAL BUILDING AUTHORITY CONTRACT UNTIL MARCH 2, 2009 MEETING.

MAYOR AUSTIN STATED THAT THE PAULDING COUNTY COMMISSION CHAIR HAS FORMED A TASK FORCE AND THE CITY OF DALLAS HAS AN OPPORTUNITY TO PARTICIPATE IN THIS ECONOMIC DEVELOPMENT PLAN AS WELL AS THE CITY OF HIRAM. THE COUNTY NEEDS THE CITIES TO CONTRIBUTE \$7,000.00 EACH FOR PART OF THE CONSULTATION FEES. COUNCILMEMBER MCTYRE MADE A MOTION TO ACCEPT. SECONDED BY COUNCILMEMBER KELLY. VOTE CARRIED UNANIMOUSLY.

COUNCILMEMBER WHITE ASKED CITY MANAGER AND POLICE CHIEF HALTER TO MAKE PLANS TO VISIT MERCHANTS IN THE CITY OF DALLAS JUST TO MAKE THEM FEEL WELCOME AND TO SEE IF THE CITY COULD BE OF SERVICE TO THEM IN ANYWAY.

MAYOR AUSTIN REMINDED EVERYONE ABOUT ARBOR DAY FEBRUARY 27, 2009 AT ELIZABETH MCKOON PARK STARTING AT 10:00 A.M. THE GARDEN CLUB WILL BE PLANTING TREES.

WITH NO FURTHER BUSINESS TO BRING BEFORE THE COUNCIL, COUNCILMEMBER CARTER MADE A MOTION TO ADJOURN.
SECONDED BY COUNCILMEMBER KELLY.
CARRIED UNANIMOUSLY.

BOYD L. AUSTIN

DATE

SARAH B RUFF

DATE



MARCH 2, 2009
COUNCIL MEETING
CITY OF DALLAS
7:00 P.M.

MAYOR BOYD AUSTIN
CITY MANAGER DAVID CLABO
CITY CLERK SARAH RUFF
CITY ATTORNEY GLEN STINSON
POLICE CHIEF SCOTT HALTER

COUNCILMEMBERS
KELLY CARTER
NANCY ARNOLD
GRIFFIN WHITE, MAYOR PRO TEM
JAMES KELLY
MIKE CASON

ABSENT: BINGO MCTYRE

5:00P.M. WORK SESSION

AFTER THE 5:00 WORK SESSION COUNCILMEMBER ARNOLD MADE A MOTION TO GO INTO CLOSED SESSION. SECONDED BY COUNCILMEMBER WHITE.
CARRIED UNANIMOUSLY.

COUNCILMEMBER KELLY MADE A MOTION TO GO BACK INTO REGULAR SESSION.
SECONDED BY COUNCILMEMBER WHITE.
CARRIED UNANIMOUSLY

7:00P.M.

MAYOR AUSTIN CALLED THE REGULAR SCHEDULED MARCH 2, 2009, MEETING TO ORDER.

COUNCILMEMBER WHITE GAVE THE INVOCATION AND LED THE PLEDGE OF ALLEGIANCE TO THE FLAG.

2. COUNCILMEMBER KELLY MADE A MOTION TO APPROVE THE FEBRUARY 2, AND FEBRUARY 9TH SPECIAL CALLED MEETING AS MAILED. COUNCILMEMBER ARNOLD SECONDED.
CARRIED UNANIMOUSLY.

3. RECOGNITION OF VISITORS AND COMMENTS. NONE

4. APPROVAL OF THE FOLLOWING CONSENT AGENDA ITEMS:

4A. APPROVAL OF CONSENT ORDERS FOR NON-COMPLIANCE FOR UNPERMITTED DISCHARGE JANUARY 22, 2009. (1901 N. INDUSTRIAL BLVD, LAWRENCE CREEK.) \$875.00.

4B. REQUEST FROM GEORGIA CLASSIC RIDES- BLOCK PARTY/CAR CRUISE. 4TH SATURDAY OF MONTH. MARCH THRU SEPTEMBER 2009.

4C. REQUEST FROM ST. VINCENT DE PAUL CHURCH – “CROSSWALK” FRIDAY, APRIL 10, 2009, 3:30PM.

9. PUBLIC UTILITIES COMMITTEE CHAIR, JAMES KELLY, RECOMMENDED TO COUNCIL TO START BID PROCESS ON GARBAGE COLLECTION/DISPOSAL CONTRACT.

10. ACCEPTANCE OF MAINTAINCE ON SILVER RIDGE SUBDIVISION PHASE III.

COUNCILMEMBER CASON MADE A MOTION TO ADOPT THE CONSENT AGENDA.

SECONDED BY COUNCILMEMBER WHITE.

CARRIED UNANIMOUSLY.

ITEM# 7 ADOPTON OF PROPOSED WATER SERVICE AND CONSERVATION ORDINANCE TO BE HELD UNTIL THE CITY HEARS FROM THE METROPOLITON NORTH GEORGIA PLANNING DISTRICT.

ITEM # 8

MOTION MADE BY COUNCILMEMBER CARTER TO AUTHORIZE MAYOR TO EXECUTE CONTRACT AND AUTHORIZE PAYMENT FOR ANNUAL AGREEMENT UPON REVIEW BY CITY ATTORNEY TO PAULDING COUNTY BUILDING AUTHORITY.

SECONDED BY COUNCILMEMBER KELLY. CARRIED UNANIMOUSLY.

MAYOR AUSTIN ANNOUNCED THAT IN EXECUTIVE SESSION THE COUNCIL TOOK ACTION ON AN AGREEMENT TO RELEASE WAIVER OR DISCLAIMER ON CERTAIN INTELLECTUAL PROPERTY WITH THIRD PARTY FOR PURPOSES OF A PATENT. TO HOLD CITY HARMLESS AND ACKNOWLEDGE THE CITY'S OWNERSHIP OF PROTOTYPE, AND GIVE PERMISSION TO MOVE FORWARD.

AUTHORIZED THE CITY ATTORNEY TO SEND A LETTER TO CISCO SYSTEMS CONCERNING SOFTWARE AT POLICE DEPARTMENT.

PUBLIC WORKS DIRECTORS REPORT. SUPERINTENDENT KENDALL SMITH, ASKED THE COUNCIL TO CONSIDER TAKING OVER MAINTANCE OF SILVER RIDGE SUBDIVISION PHASE II.

POLICE CHIEF'S REPORT: SEE ATTACHED.

CITY MANAGER'S REPORT: CITY MANAGER DAVID CLABO SPOKE BRIEFLY ON FIX A LEAK WEEK- MARCH 16-20, 2009.

CITY MANAGER, DAVID CLABO ALSO GAVE THE COUNCIL A REPORT ON THE CITY'S FINANCES. SEE ATTACHED COPIES. MR. CLABO ALSO STATED THE IMPORTANCE OF WATCHING OUR BUDGET DUE TO THE FAILING ECONOMY.

THEATER MANAGER, LENAY WALKER PRESENTED AN ACTIVITY REPORT FOR THE THEATER AND CIVIC CENTER. COUNCILMEMBER WHITE AND MAYOR AUSTIN COMMENDED LENAY AND CARLI GILBERT FOR THE HARD WORK AND DEDICATION THEY HAVE PUT INTO THE THEATER.

MAYOR AUSTIN REMINDED EVERYONE TO TURN IN THEIR REGISTRATION FORMS FOR THE UPCOMING GMA CONVENTION.

WITH NO FURTHER BUSINESS TO BE BROUGHT BEFORE THE COUNCIL, COUNCILMEMBER KELLY MADE A MOTION TO ADJOURN. SECONDED BY COUNCILMEMBER ARNOLD. CARRIED UNANIMOUSLY.

MAYOR BOYD L. AUSTIN

DATE

CITY CLERK, SARAH RUFF

DATE



APRIL 6, 2009
COUNCIL MEETING
CITY OF DALLAS
7:00 P.M.

MAYOR BOYD AUSTIN
CITY CLERK SARAH RUFF
POLICE CHIEF SCOTT HALTER
ABSENT: CITY ATTORNEY GLEN STINSON

COUNCILMEMBERS
KELLY CARTER
GRIFFIN WHITE
NANCY ARNOLD
JAMES KELLY
BINGO MCTYRE
MIKE CASON

5:00 WORK SESSION

MEMBERS OF THE DALLAS GARDEN CLUB AND THE PAULDING COUNTY MASTER GARDENER PROGRAM PRESENTED THE CITY WITH CHECKS FOR THE CREATION OF LANDSCAPE PLAN CREATED FOR ELIZABETH MCKOON MEMORIAL PARK BY WHITE OAK LANDSCAPE.

JEFF SUMMEY, PRESIDENT OF DALLAS YOUTH ASSOCIATION ASKED FOR A FIVE-YEAR EXTENSION ON THE LEASE CONTRACT FOR SARA BABB PARK, UPON RENEWAL THIS YEAR. MAYOR AUSTIN INSTRUCTED MR. SUMMEY TO PUT THE PROPOSAL IN WRITING FOR REVIEW BY THE CITY ATTORNEY AND THE COMMUNITY DEVELOPMENT COMMITTEE.

LENAY WALKER, THEATER MANAGER, REQUESTED THE COUNCIL TO CREATE POSITION OF ASSISTANT THEATER MANAGER. MS. WALKER SUGGESTED CHANGING THE TITLE OF THE CURRENT PART-TIME POSITION, AND MOVING THE CURRENT PART-TIME EMPLOYEE INTO A SALARIED, FULL-TIME POSITION.

KENDALL SMITH, PUBLIC WORKS SUPERINTENDENT, RECOMMENDED THE ACCEPTANCE AND MAINTANENCE UPKEEP OF LOGAN'S CREEK SUBDIVISION.

KENDALL SMITH ALSO SUBMITTED, FOR COUNCIL CONSIDERATION, A DESIGN PROPOSAL FROM WOODARD AND CURRAN FOR REPLACEMENT OF THE SANDALWOOD PUMP STATION AT A COST OF \$38,000.00.

KENDALL SMITH ASKED THE COUNCIL TO ADVERTISE AN INVITATION FOR QUALIFIED BIDDERS TO SUBMIT BIDS FOR WATERLINE REPLACEMENT PROJECTS ON CONFEDERATE AVE AND OLD ACWORTH ROAD TOWARD CROKER RD.

BYRON LOUVORN OF DISCOVERY POINT DAYCARE REQUESTED TO RENT SARA BABB PARK FOR EXERCISE DAYCAMP FOR CHILDREN 3HRS A WEEK FOR 8 WEEKS. MAYOR AUSTIN INSTRUCTED KENDALL SMITH TO REQUEST A WRITTEN PROPOSAL FROM MR. LOUVORN FOR REVIEW BY THE CITY ATTORNEY. THE PROPOSAL SHOULD INCLUDE THE USUAL INSURANCE DOCUMENTATION REQUIRED FOR USE OF CITY PROPERTY.

POLICE CHIEF REPORT. (SEE ATTACHED.)

CHIEF HALTER ADDRESSED THE COUNCIL ON THE NEED TO ORDER NEW CROWN VICTORIAS FOR THE POLICE DEPT. THE PROCESS ON ORDERING AND RECEIVING THEM IS LENGHTY SO CHIEF HALTER ADDRESSED THE NEED TO ORDER THEM NOW.

COUNCILMEMBER ARNOLD MADE A MOTION TO GO INTO EXECUTIVE SESSION.
SECONDED BY COUNCILMEMBER CARTER.
CARRIED UNANIMOUSLY.

COUNCILMEMBER CASON MADE A MOTION TO ADJOURN EXECUTIVE SESSION AND GO INTO REGULAR SESSION.
SECONDED BY COUNCILMEMBER ARNOLD.
CARRIED UNANIMOUSLY.

PRIOR TO THE REGULAR MEETING A PUBLIC HEARING WAS HELD ON ANNEXATION APPLICATION #A-2009-01 AND REZONING REQUEST APPLICATION # Z-2009-01 FROM GRACE COVENANT CHURCH, TO ANNEX 1.67 ACRES AT 1052 MERCHANTS DRIVE, DALLAS, GA. AND REZONE SAME PROPERTY FROM R-2 (PAULDING COUNTY) TO R-2 RESIDENTIAL DISTRICT.)

TOMMY TAYLOR SPOKE ON BEHALF OF THIS APPLICATION.
NO OPPOSITION WAS PRESENT.

THE MAYOR CONFIRMED WITH THE CLERK THAT THE PROPERTY HAD BEEN PROPERLY POSTED, THAT THE LEGAL ADVERTISEMENTS HAD BEEN PUBLISHED IN THE LEGAL ORGAN, AND THAT THE DALLAS PLANNING COMMISSION HAD HELD A PUBLIC HEARING ON THE APPLICATION. SARAH RUFF, CITY CLERK, INFORMED THE MAYOR AND COUNCIL THAT THE PROPERTY HAD BEEN POSTED, THE LEGAL ADVERTISEMENTS HAD BEEN PUBLISHED, AND THAT THE DALLAS PLANNING COMMISSION HELD A PUBLIC HEARING AND RECOMMENDED THAT THE PROPERTY BE ANNEXED AND ZONED, AS REQUESTED.

AT THIS TIME THE MAYOR CALLED THE REGULAR APRIL 6, 2009 MEETING TO ORDER.
COUNCILMEMBER KELLY GAVE THE INVOCATION AND LED THE PLEDGE OF ALLEGIANCE TO THE FLAG.

2. COUNCILMEMBER KELLY MADE A MOTION TO APPROVE THE MARCH 2, 2009 MINUTES AS PRINTED.
SECONDED BY COUNCILMEMBER CARTER.
CARRIED UNANIMOUSLY.

3. RECOGNITION OF VISITORS AND COMMENTS. NONE

4. APPROVAL OF THE FOLLOWING CONSENT AGENDA ITEMS.

- 4A. PROCLAMATION – NATIONAL DONATE LIFE MONTH (APRIL)
- 4B. PROCLAMATION- CONFEDERATE HERITAGE AND HISTORY MONTH (APRIL)
- 8. RESOLUTION 2009-06– GA. ENVIROMENTAL FACILITIES AUTHORITY (GEFA)
LOAN APP FOR FUNDING COSTS ASSOCIATED WITH IMPROVING THE WASTEWATER COLLECTION AND TREATMENT SYSTEM.
- 9 HISTORIC PRESERVATION COMMISSION RESOLUTION 2009-07 – REQUESTING CITY COUNCIL TO HOLD PUBLIC HEARING TO CREATE DOWNTOWN HISTORIC DISTRICT.
- 10. SET QUALIFYING FEES FOR 2009 MUNICIPAL ELECTION AT 3% OF THE POSITION’S SALARY.
- 11. CLARIFICATION OFCOUNCIL POLICY- ALL PROPERTY OWNERS ARE RESPONSIBLE FOR ADHERENCE TO ALL REGULATIONS/ORDINANCES/DIRECTIVES OF THE CITY OF DALLAS REGARDLESS OF HOW OWNERSHIP IS OBTAINED, WHETHER BY FORECLOSURE OR BY ANY OTHER MEANS.

AUTHORIZE MAYOR AUSTIN TO EXECUTE CONTRACT WITH WOODARD & CURRAN FOR THE DESIGN OF THE REPLACEMENT PUMP STATION AT SANDALWOOD APTS. APPROVAL CONTINGENT UPON THE MAYOR AND PUBLIC WORKS SUPERINTENDENT’S REVIEW OF ENTERPRISE FUNDS AND DETERMINATION OF FUNDING FOR BOTH THE DESIGN AND FUTURE CONSTRUCTION.

ADVERTISE AN INVITATION FOR QUALIFIED BIDDERS TO BID ON TWO WATER LINE REPLACEMENT PROJECTS: (1) ON CONFEDERATE AVE TO WESTMINISTER WAY, AND (2) OLD ACWORTH ROAD TO CROKER ROAD. THESE PROJECTS WERE INCLUDED IN THE FY-2009 BUDGET.

ALLOW POLICE DEPARTMENT TO ORDER TWO CROWN VICTORIAS FOR NEXT YEAR IN ORDER TO RECEIVE THEM IN THE NEXT FISCAL YEAR.

ACCEPT THE INFRASTRUCTURE AND MAINTANENCE UPKEEP FOR LOGANS CREEK SUBDIVISION.

COUNCILMEMBER CARTER MADE A MOTION TO ADOPT CONSENT AGENDA.
SECONDED BY COUNCILMEMBER MCTYRE.
CARRIED UNANIMOUSLY.

5. EXECUTIVE SESSION.

COUNCILMEMBER KELLY MADE A MOTION TO APPROVE THE CHANGE IN THE POSITION OF THEATER ASSISTANT MANAGER TO A FULL-TIME SALARED POSITION FOR THE CURRENT PART-TIME EMPLOYEE.
SECONDED BY COUNCILMEMBER ARNOLD . CARRIED UNANIMOUSLY

COUNCILMEMBER CARTER MADE A MOTION TO APPROVE THE CREATION OF A CODE ENFORCMENT OFFICER POSITION SUBJECT TO SALARY STUDY, AND AUTHORIZED THE MAYOR AND PUBLIC WORKS SUPERINTENDENT TO HIRE A QUALIFIED, MANDATED OFFICER WITHIN THE SALARY RANGE APPROVED.
SECONDED BY COUNCILMEMBER CASON.
CARRIED UNANIMOUSLY

COUNCIL GRANTED MAYOR AUTHORITY TO ACT IN THE CITY MANAGER’S ROLE UNTIL FURTHER NOTICE.

7. PROPOSED WATER SERVICE AND CONSERVATION ORDINANCE. HOLD TO MAY 4, 2009 MEETING.

7A. COUNCILMEMBER MCTYRE MADE A MOTION TO ADOPT PROPOSED "RED FLAG" ORDINANCE SUBJECT TO FINAL REVIEW BY CITY ATTORNEY AND TRANSMITTAL TO FEDERAL TRADE COMMISSION BY MAY 1, 2009 DEADLINE.

SECONDED BY COUNCILMEMBER WHITE.
CARRIED UNANIMOUSLY.

14. COUNCILMEMBER MCTYRE MADE A MOTION TO APPROVE ANNEXATION REQUEST FROM GRACE COVENANT CHURCH (A-2009-01) TO ANNEX APPROXIMATELY 1.62 ACRES AT 1052 MERCHANTS DRIVE, DALLAS, GA. SECONDED BY COUNCILMEMBER WHITE. CARRIED UNANIMOUSLY.

COUNCILMEMBER MCTYRE MADE A MOTION TO APPROVE REZONING REQUEST FROM GRACE COVENANT CHURCH (Z-2009-01) FROM R-2 (COUNTY ZONING) TO R-2 RESIDENTIAL.

COUNCILMEMBER CARTER MADE A MOTION TO APPROVE AN EMERGENCY ADMENDMENT TO THE CITY'S UTILITIES POLICY TO REQUIRE THAT BALANCES OWED ON WATER OR SEWER RENTAL PROPERTIES TO BE PAID IN FULL BEFORE WATER SERVICE IS RESTORED. SECONDED BY COUNCILMEMBER MCTYRE. CARRIED 5-1 WITH COUNCILMEMBER WHITE OPPOSING.

COUNCILMEMBER WHITE MADE A MOTION TO APPROVE A CHANGE IN UTILITIES POLICES ON OUR "ON TO CLEAN POLICY". THE CHANGE REQUIRES CUSTOMERS TO PAY THE \$25.00 DEPOSIT, IN ADVANCE, AND LIMITS SERVICE TO TWO WEEKS. EXTENSIONS IN TIME MAY BE GRANTED WITH FULL PAYMENT MADE TO SERVICE FOR THAT DATE.
SECONDED BY COUNCILMEMBER MCTYRE.
CARRIED UNANIMOUSLY.

COUNCILMEMBER MCTYRE MADE A MOTION TO APPROVE THE PROPOSED INTERGOVERNMENTAL AGREEMENT WITH PAULDING COUNTY FOR PAULDING COUNTY FLEET MAINTANANCE TO PERFORM REPAIR AND/OR MAINTANENCE TO CITY VEHICHLES, SUBJECT TO REVIEW BY THE CITY ATTORNEY. SECONDED BY COUNCILMEMBER CASON.
CARRIED UNANIMOUSLY.

ARRIVING LATE, VIKING MERCERON ADDRESSED THE COUNCIL ABOUT USING THE SARA BABB PARK ON JULY 25, 2009 FOR A CONCERT.
MAYOR AUSTIN EXPLAINED HE SHOULD PRESENT A DETAILED WRITTEN REQUEST, INCLUDING A CERTIFICATE OF INSURANCE, TO THE CITY ATTORNEY. MAYOR AUSTIN ALSO EXPLAINED THAT THERE WAS A LESSEE FOR THE PARK, AND THERE WERE REALLY NO FACILITIES TO ACCOMMODATE A LARGE CROWD.

WITH NO FURTHER BUSINESS TO BE BROUGHT BEFORE THE MAYOR AND COUNCIL, COUNCILMEMBER KELLY MADE A MOTION TO ADJOURN. SECONDED BY COUNCILMEMBER MCTYRE. CARRIED UNANMINOUSLY.

BOYD L. AUSTIN MAYOR

DATE

SARAH B. RUFF CITY CLERK

DATE



May 4, 2009
Council Meeting
7:00 P.M.

Mayor Boyd L. Austin, Jr., Presiding

Council Members Present:

Kelly Carter	Griffin White
Nancy Arnold	James Kelly
Frank McTyre	Mike Cason

Staff Members Present:

Sarah Ruff, City Clerk; **Scott Halter**, Chief of Police; **Michael Hester**, Assistant Chief of Police;
Glen Stinson, City Attorney; **Kendall Smith**, Public Works Superintendent

WORK SESSION

Mayor Boyd Austin called the Work Session to order at 5:00 p.m.

INVITED GUESTS & PUBLIC COMMENT

Michael Morris, Paulding County GIS Manager and local representative of the Complete Count Committee, briefed the Mayor and Council on the preparations for the 2010 United States Census. Mr. Morris stressed the importance of a complete count regarding legislative representation and state and federal funding formulas. Mr. Morris noted that each household will receive a short survey, and that all responses are completely confidential. Census data is not shared with any agency.

PUBLIC WORKS DIRECTOR'S REPORT:

Public Works Superintendent Kendall Smith briefed the Mayor and Council about the City's Water Well Project. He presented the bid sheets and bid tabulations on both divisions, as prepared by the City's Engineering firm, Stevenson & Palmer. The three low bidders were presented for each division of the project, and Mr. Smith asked the Council to award the bid to the low bidders. Stevenson & Palmer will review qualifications and legal documentation prior to letting the contracts.

Mr. Smith submitted for Council consideration, a proposal from Stevenson & Palmer for the project design for water line replacement on Confederate Avenue and East Memorial Drive/Old Acworth Road.

POLICE CHIEF'S REPORT:

Police Chief Scott Halter presented the report for April, a copy of which is attached.

EXECUTIVE SESSION

Councilmember Arnold made a motion to adjourn the work session and enter into Executive Session. Motion seconded by Mr. McTyre, and carried unanimously.

Councilmember Cason made a motion to adjourn Executive Session and enter into Regular Session. Motion seconded by Mr. McTyre, and carried unanimously.

REGULAR MEETING

Mayor Boyd Austin called the regular meeting of the Mayor and Council to order at 7:00 p.m.

Councilmember Mike Cason gave the invocation.

Mayor Austin invited Ben Whitney, a Boy Scout in attendance, to lead the Pledge of Allegiance to the Flag of the United States of America.

2. MINUTES OF APRIL 6, 2009 MEETING.

Mayor Pro-Tem White noted an error in the description of the Council's action regarding the City's Utilities Policy. Councilmember Kelly made a motion to approve the minutes of the April 6, 2009, Meeting, as printed, with the addition of the words, "Property Owner," to Paragraph #3 on Page 3 to read: *"Amendment to the City's Utilities Policy to require that balances owed on water or sewer rental properties to be paid in full by Property Owner, before service is restored."* The motion was seconded by Councilmember McTyre, and carried unanimously.

3. RECOGNITION OF VISITORS AND COMMENTS. None.

4. APPROVAL OF THE FOLLOWING CONSENT AGENDA ITEMS.

- A. Approve **Consent Order** for Non-Compliance for an unpermitted discharge on **March 30, 2009**, on **Vernoy Aiken Road** in the amount of **\$3,600.00**.
- B. Approve **Consent Order** for Non-Compliance for an unpermitted discharge on **March 31, 2009** on **Academy Drive** in the amount of **\$4,200.00**.
- C. Approve **Consent Order** for Non-Compliance for an unpermitted discharge on **April 19, 2009** on **East Spring Street** in the amount of **\$3,600.00**.

10. Approve the request for the **Dallas Farmers' Market** to use the Annex Parking lot for the 2009 market season.

11. **APPOINTMENTS TO THE Dallas Housing Authority Board of Directors:** Reappoint Katherine Oliver, Resident Member, for a term of one (1) year; reappoint MARY ANNA COCHRAN to a five (5) year term.

AWARDS FOR THE WATER WELL PROJECTS:

Upon recommendation of the Public Works Superintendent, award the following bids for the City of Dallas Water Well Project:

DIVISION 1 – ALL SOUTH CONTRACTORS INC. - \$456,500.00

DIVISION 2- DEKALB PIPELINE COMPANY INC. - \$428,321.90

The award allows the City's engineering firm to certify the bidder's ability to perform prior to the letting of the contract and the Notice to Proceed.

GRTA BUS FACILITY:

Authorize the Mayor to enter into contract with Paulding County and the Georgia Regional Transportation Authority (GRTA) for the improvement of the Dallas Park & Ride Lot for use as a pick-up/drop-off point for an additional GRTA weekday commuter bus to/from Atlanta. No City funds

will be required. The City will be required to certify right-of-way and to allow improvements/construction along Thomas B. Murphy Drive.

WATER LINE REPLACEMENT PROJECTS

Approve the proposal by Stevenson & Palmer Engineering to perform project design for the replacement of water lines on Confederate Avenue, and East Memorial Drive/Old Acworth Road in the amount of \$55,490.00.

Councilmember McTyre made a **motion to approve the Consent Agenda**. The motion was seconded by Councilmember Cason, and carried unanimously.

ADDITIONAL BUSINESS

Mayor Pro-Tem White made a **motion to approve the passage of the Water Conservation Ordinance #2009-01**, as amended. The motion was seconded by Councilmember Kelly, and carried unanimously.

Mayor Pro-Tem White questioned the Council’s action in April to amend the City’s Utility Policy pertaining to outstanding balances. Specifically, Mr. White questioned the legality of the provision requiring the owner of a rental property to pay any prior outstanding balance(s) before new service is established.

City Attorney Glen Stinson made the Mayor and Council aware that he had received a call from the Legal Department of the Georgia Municipal Association concerning an inquiry on that subject. Mr. Stinson advised that there are legal prohibitions against the policy as amended. Mr. Stinson recommended suspending the policy until an alternative remedy can be found. Mr. Stinson will investigate and report back at the June meeting.

ADJOURNMENT

With no further business to be brought before the Mayor and Council, a motion to adjourn was made by Councilman Kelly, seconded by Councilmember McTyre, and carried unanimously.

BOYD L. AUSTIN JR. - MAYOR

DATE

SARAH B. RUFF – CITY CLERK

DATE



MINUTES
COUNCIL MEETING
JUNE 1, 2009
7:00 P.M.

Mayor Boyd L. Austin, Jr., Presiding

Council Members Present;

Kelly Carter	Griffin White
Nancy Arnold	James Kelly
Frank McTyre	Mike Cason

Staff Members Present:

Sarah Ruff, City Clerk, **Scott Halter**, Chief of Police; **Michael Hester**, Assistant Chief of Police;
Glen Stinson, City Attorney; **Kendall Smith**, Public Works Superintendent

WORK SESSION

Mayor Boyd Austin called the Work Session to order at 5:00 p.m.

INVITED GUESTS AND PUBLIC COMMENT

Jimmy Taylor, Patriot Pawn-N-Shop and Paulding Quick Bail commended the Dallas Police Department for all the hard work and dedication to the City of Dallas and Business owners.

PUBLIC WORKS DIRECTOR'S REPORT:

Public Works Superintendent Kendall Smith briefed the Mayor and Council on our fee schedule. He presented a list of local Municipalities and Counties fee schedules. Kendall informed the council that after Community Development reviewed and made comments on fees, it is his recommendation that we use Paulding Counties fees' reduced by 10%.

COMMUNITY DEVELOPMENTS REPORT:

Mike Cason reported he had been working with the Dallas Youth Association and all was going well. They had made a couple of requests and he was talking them over with the Public Works Supervisor.

Public Utilities Report:

James Kelly stated that they haven't met with Woodard and Curran since our last Council Meeting. No update.

Finance Report

Mayor Austin reported that we have met with all Department Heads and have basically started with a zero base budget. Our tax digest is down 5%. The County's was significantly higher. We should be able to hold our mileage rate at 3.79 after the LOST rollback. We will be cutting back on some of our Capital Projects. We are going to implement small changes in each department. We will be reviewing again before the July Council Meeting.

POLICE CHIEF'S REPORT

Police Chief Halter presented the report for May, a copy of which is attached. He also questioned a bill from the Paulding County Animal Control that our City Attorney will be looking into.

THEATER MANAGERS REPORT

LENAY WALKER reported to the council on the success of the "Heart and Soul Tour". Lenay also reported a job well done on the Gatlin Brothers Event. Lenay passed out flyers on the upcoming June events.

EXECUTIVE SESSION

Councilmember McTyre made a motion to adjourn the work session and enter into Executive Session. Motion seconded by Councilmember Cason and carried unanimously.

Councilmember Arnold made a motion to suspend closed session. Motion seconded by Councilmember Kelly. Carried unanimously.

REGULAR MEETING

Mayor Boyd Austin called the regular meeting of the Mayor and Council to order at 7:00 p.m.

Councilmember Mike Cason gave the invocation and led the pledge of allegiance to the flag of the United States of America.

2. MINUTES OF MAY 4, 2009 MEETNG.

Councilmember Mctyre made a motion to approve the minutes of the May 4, 2009 meeting as printed. Motion seconded by Councilmember Kelly and carried unanimously.

3. RECOGNITION OF VISITORS AND COMMENTS.

Mayor Austin recognized former Councilmember, District Attorney, **Drew Lane**. District Attorney Drew Lane recognized the Dallas Police Department on the outstanding work that was done on the Silver Comet Murder Trial.

Nicholas Cole, from Cole photography addressed his displeasure of the lack of support he feels the City of Dallas has shown to the merchants.

NARDA KONCHEL from Village Realty questioned the Council about the new water/sewer ordinance on rental properties. Mayor Austin informed Ms. Konchel that the ordinance was not in use for the moment pending Attorney review.

Brian Stover, Ron Stokes and Maxie Camp also addressed the Council on concerns of this ordinance. Mayor Austin informed them that we were considering all possibilities to benefit the City and its Residents.

4. APPROVAL OF THE FOLLOWING CONSENT AGENDA ITEMS.

- A. Approve **Consent Order** of Non- Compliance for violation of Effluent Limitations (North Plant – December 2008 for Oxygen and Ammonia)
- B. Approve **Consent Order** of Non-compliance for Violation of Effluent Limitations (West Plant – December 2008 for Ammonia)
- C. **Paulding Pregnancy Services** – Annual Friends Walk for Life Saturday, September 26, 2009, 9am-1pm

7. Contract Renewal with **Dallas Youth Association** for use of Sara Babb Park (Contract Expiration Date: June 30, 2009) Changed from one to two years and Park hours on Sunday from 1:30 till 1:00.

8. FINAL AGREEMENT BETWEEN CITY OF DALLAS, GEORGIA AND PAULDING COUNTY CHAMBER OF COMMERCE (FOR TOURISM SERVICES) – Original consent given by City Council on October 6, 2008, subject to City Attorney’s final review.

10. **Resolution (2009-11) Trailhead Funding** – Authorize Mayor Austin To contract for funding by the Georgia Department of Transportation for the construction of the Dallas Trailhead & Spur GDOT project # TEE-0008-00-(188)

12. Authorize Mayor to sign a letter to **Georgia EPD** regarding local permitting of projects.

Councilmember Kelly made a **motion to approve the Consent Agenda**. The motion was seconded by Councilmember McTyre, and carried unanimously.

Mayor Austin reminded everyone that we will be paying more out of pocket in taxes because State Government is no longer funding the tax relief grant.

Councilmember McTyre made a motion to continue our 2009 fiscal year budget until our July 6, 2009 meeting. Motion seconded by Councilmember Kelly and carried unanimously .

9. First Reading of **COMMERCIAL HISTORIC DISTRICT ORDINANCE**. Will be heard by Planning Commission on July 2, 2009 and will be up for second reading and adoption at July 6, 2009 Council Meeting.

Councilmember Cason made a motion to return to **Executive Session**. Seconded by Councilmember Arnold and carried unanimously.

Councilmember Arnold made a motion to return to **Regular session**. Seconded by Councilmember Kelly. Carried unanimously.

Councilmember Kelly made a motion to resume **Regular session**. Seconded by Councilmember Arnold. Carried unanimously.

Councilmember McTyre made a motion to appoint **Kendall Smith Acting City Manager**. Seconded by Councilmember Arnold. Carried unanimously

Councilmember White made a motion to authorize **Mayor Austin** to enter into a intergovernmental contract with Paulding county for the construction of a turn lane and installation of traffic signals at the intersection of 278 and old Harris Rd. Cost of \$188,900.00 with half to be reimbursed by the Department of Transportation. Motion Seconded by Councilmember Kelly and carried unanimously

Councilmember McTyre made a motion to extend our contract with Avery Environmental. Motion seconded by Councilmember Kelly and carried unanimously.

Councilmember Cason made a motion upon City Attorney review to accept parcel (Walgreens) described for the purpose of building a city street for application of curb cut on GA. DOT road frontage subject to the construction and acceptance of city street in that location. Seconded by Councilmember McTyre. Carried unanimously.

Councilmember Kelly made a motion to pay for consequential damages to property designated as 2009-10 pending Attorney's secure and release for the amount of \$ 4,518.12. Motion seconded by Councilmember Arnold and carried unanimously.

With no further business to be brought before Council, Councilmember McTyre made a motion to adjourn. Seconded by councilmember Kelly and carried unanimously.

BOYD L. AUSTIN JR. - MAYOR

DATE

SARAH B. RUFF – CITY CLERK

DATE



MINUTES
COUNCIL MEETING
JULY 6, 2009
7:00 P.M.

Mayor Boyd L. Austin, Jr., Presiding

Council Members Present:

Kelly Carter	Griffin White
Nancy Arnold	James Kelly
Frank Mctyre	Mike Cason

Staff Members Present:

Sarah Ruff, City Clerk; **Scott Halter**, Chief of Police; **Glen Stinson**, City Attorney; **Kendall Smith**, City Manager; **Tina Clark**, Public Works Manager; **Lenay Walker**, Theater Manager

WORK SESSION

Mayor Boyd Austin Called the Work Session to order at 5:00 p.m.

INVITED GUEST AND PUBLIC COMMENT

Carol Ann Johnson and son **Eliza** requested permission for orchestra musicians to play in the square during planned events.

Becky Aiken from Mercy Intercession Center asked the Council to contract to pay her garbage service at her shelter location.

Tina Howell from the Merchants Association for permission to hold their annual yard sale on September 12th or 19th as well as their annual live Nativity Scene on December 12, 2009.

COMMITTEE REPORTS

Community Development Committee Report- Mike Cason, Chair None.

Public Utilities Committee Report – James Kelly, Chair None.

Finance Committee Report – **Mayor Boyd Austin**. Mayor Austin reported that the Finance Committee as well as the City Manager, City Clerk and the Finance Director are still working diligently on our 2010 budget. We are waiting on the final tax consolidation for the Paulding County Tax Assessors dept. but feel like we are going to be able to keep our 3.79 mileage rate. Mayor Austin also stated that the City Employees would not be getting pay increases for this fiscal year but we do not foresee any layoffs or furloughs. We will have the 2010 budget finalized hopefully at our August 3, 2009 meeting. Mayor Austin also recommends we still operate out of the 2009 fiscal year budget until then.

POLICE CHIEF'S REPORT

Chief Halter requested guidance on disposing of a confiscated 1991 Chevy 1500 truck. Chief also mention that with Council permission they would like to apply for the Edward Byrne Memorial Justice Assistance Grant. (See attached report)

THEATER MANAGER'S REPORT

Lenay Walker updated the council on upcoming events in July. She also discussed purchasing a sign for the Civic Center.

PUBLIC WORKS MANAGER'S REPORT

Tina Clark gave the council an update on the pavilion at Sara Babb Park. Tina informed them that it should be completed by the end of July.

CITY MANAGER'S REPORT

City Manager **Kendall Smith** reminded the council about the Paulding Co. Chamber of Commerce Power Luncheon on Thursday August 6, 2009, 12pm-1pm. Kendall also informed them that Sarah Ruff, Sandra Lee and himself would be attending a 2-day training at Coosa Valley Technical College in Rome, Ga. August 7-8 on financing.

At this time Councilmember Kelly made a motion to go into executive session. Seconded by Councilmember McTyre. Carried unanimously.

Councilmember Cason made a motion to go into regular session. Seconded by Councilmember Carter. Carried unanimously.

Prior to the regular July 6, 2009 meeting a public hearing was held on the application by the City of Dallas for the **Edward Byrne Memorial Justice Assistance Grant**.

REGULAR MEETING

Mayor Austin called the regular meeting of the Mayor and Council to order at 7:00 p.m.

Councilmember Mike Cason gave the Invocation and led the pledge of allegiance to the flag of the United States of America.

2. MINUTES OF THE JUNE 1, 2009 MEETING.

Councilmember Kelly made a motion to approve the minutes of the June 1, 2009 meeting as printed. Motion seconded by Councilmember Mctyre and carried unanimously.

3. RECOGNITION OF VISITORS AND COMMENTS.

None.

4. APPROVAL OF THE FOLLOWING CONSENT AGENDA ITEMS.

A. Consent Order of Non-Compliance for Violation of Effluent Limitations (North Plant- February and March 2009 for Ammonia)

B. Consent Order of Non-Compliance for Violation of Effluent Limitations (West Plant- January 2009 for Ammonia)

C. Surplus of Confiscated 1991 Chevy Truck.

D. Continuation of city of Dallas 2009 budget.

Councilmember White made a motion to approve the **Consent Agenda**. Seconded by Councilmember McTyre and carried unanimously.

7. First reading and consideration of proposed amendment to “**HOTEL MOTEL EXCISE TAX ORDINANCE**”

8. First reading of proposed FY2010 **BUDGET**. Postponed until August 3, 2009 meeting.

NEW BUSINESS

Mayor Austin recommended to the Council to permanently make Kendall Smith City Manager.

Councilmember McTyre made a motion to approve. Seconded by Councilmember White and carried unanimously.

Councilmember Kelly made a motion to allow our City Manager with the City Attorney’s review to advertise for request for bids on garbage service. Seconded by Councilmember Cason and carried unanimously.

Councilmember White made a motion to pay garbage services for “**Mercy Intercession**” up to \$180.00 per year. Seconded by Councilmember McTyre and carried unanimously.

Mayor Austin stated that the City was looking to hold a festival in Dallas next year. Councilmember White will work with the economic development committee for time and specifics.

Councilmember McTyre made a motion for the Mayor to sign contract for construction of water wells. Seconded by Councilmember Arnold and carried unanimously.

With no more business to be brought before the council Councilmember Kelly make a motion to adjourn. Seconded by Councilmember White and carried unanimously.

MAYOR BOYD L. AUSTIN JR. - MAYOR

DATE

SARAH B. RUFF – CITY CLERK

DATE



MINUTES
COUNCILMEETING
AUGUST 3, 2009
7:00 P.M.

Mayor Boyd L. Austin, Jr., Presiding

Council Members Present:

Kelly Carter	Griffin White
Nancy Arnold	James Kelly
Frank McTyre	Mike Cason

Staff Members Present:

Sarah Ruff, City Clerk; **Scott Halter**, Chief of Police; **Glen Stinson**, City Attorney; **Kendall Smith**, City Manager; **Tina Clark**, Public Works Manager; **Lenay Walker**, Theater Manager

WORK SESSION

Mayor Boyd Austin called the work session to order at 5:00 p.m.

INVITED GUESTS AND PUBLIC COMMENT

Angela Jackson with The Dallas Lions Club addressed the Mayor and Council on a request for use of the downtown area for the second annual "Taste of Paulding" October 3, 2009 starting at 5:p.m.

COMMUNITY DEVELOPMENT REPORT. NONE

PUBLIC UTILITES REPORT. Reminder that Sanitation bids prequalification's are due the 24th of August and bids are due on August 31.

FINANCE COMMITTEE REPORT. Mayor Austin reported the 2010 fiscal budget is almost complete and we are waiting on the county to approve their budget on August 11, 2009. We will finalize our budget at our August 31, 2009 meeting. (Sept.) The City of Dallas will also be holding a hearing on August 31, 2009 established millage rate.

POLICE CHIEFS REPORT. **Chief Halter** reported that the Dallas Police Department has received the ok on the Edward Byrne Memorial Justice Assistance Grant in the amount of \$58,000.00. The Department

would like to purchase a **Canine** and use the money for training, insurance, equipment for Officers and Detectives etc. and to get the dog certified.

Chief Halter also informed the Mayor and Council that the Department has received FY09 grant from the Department of Justice in the amount of \$14,000.00. **Chief Halter** would like to purchase a vehicle for the Canine Officer.

Monthly report attached.

THEATER REPORT Theater Director, **Lenay Walker** presented the Mayor and Council with our activities report. Lenay announced that ticket sales are down last month but due to the economy expected this. She briefed them on the success of the 1st Annual Dallas Theater Drama Camp saying it was a great success and everyone enjoyed it.

We are also about to hold our first fund raiser on Sept 26, with a silent auction and comedy show. Lenay encouraged everyone to attend.

PUBLIC WORKS REPORT Public works Manager, Tina Clark reported that the City has not had a sewer spill since April. Tina stated that we still had to educate our customers about grease disposal. Our pavilion should be ready to rent by the end of August. Tina also mentions that she would like to start a summer camp with the Sara Babb Pool manager next year if possible.

The Bicycle Association would like to sponsor a bike race at the bike trails this fall.

CITY MANAGERS REPORT City Manager **Kendall Smith** reminded everyone about the upcoming Sanitation bids due August 31. Kendall was very happy to announce that the City has finally signed our water well contracts.

There also will be a meeting on August 18, at 6:00 pm to discuss having a festival next year. The Committee Voted to call it the yellow ribbon festival.

At this time Councilmember McTyre made a motion to go into Executive Session. Seconded by Councilmember Cason. Motion carried .

Councilmember Arnold made a motion to go back into regular session. Seconded by Councilmember McTyre. Motion carried.

Prior to the regular meeting a public hearing was held on a zoning ordinance amendment to add a new zoning district called **DALLAS COMMERCIAL HISTORIC DISTRICT** (# 2009-10) To designate a historic district within the city of Dallas, Georgia; to prescribe the boundaries of such historic district; to list each property in the historic district; to require a certificate of appropriateness from the **Dallas Historic**

Preservation Commission prior to any material change in appearance of property within the historic district; to require the boundaries of the historic district be shown on the official zoning map of the city; and for other purposes.

Kevin Kirby, Chairman of the Historic Preservation Commission addressed the Mayor and Council on this amendment application. No opposition.

Chief Halter addressed the Mayor and Council on the award of the 2009 Local JAG Solicitation Grant. **Chief Halter** again asked the Council to consider using the funds for a new vehicle for the Canine Officer.

REGULAR MEETING

At this Time **Mayor Austin** called the regular meeting of the Mayor and Council to order at 7:00p.m.

Councilmember James Kelly gave the invocation and led the pledge of allegiance to the flag of the United States of America.

2. MINUTES OF THE JULY 6, 2009 MEETING.

Councilmember Kelly made a motion to approve the minutes of the July 6, 2009 minutes as printed. Motion seconded by Councilmember Carter and carried unanimously.

3. RECOGNITION OF VISITORS AND COMMENTS.

None.

4. APPROVAL OF THE FOLLING CONSENT AGENDA ITEMS:

3. A Request for use of downtown area for the second annual "Taste of Paulding" October 3, 2009.

4. A Authorizing Paulding County to conduct Municipal election November 3, 2009 and select the Municipal Superintendent.

4.B Downtown Merchants Association to hold Merchants yard sale September 19, 2009 with rain date of September 26, 2009 and the Merchants Live Nativity December 12, 2009.

4. C Rotary and Civitan's Club to hold annual Christmas Parade on Saturday December 5, 2009.

4. D Closing of Courthouse Square for dedication ceremony for Kennesaw State and Georgia Highlands on August 14, 2009.

Councilmember McTyre made a motion to approve the consent agenda. Seconded by Councilmember Kelly and motion carried unanimously.

9. First reading of proposed FY2010 budget.

7. Adoption of amendment to the - HOTEL-MOTEL EXCISE TAX (DA-2009-02). Amended to say from “not less than 10 continuous days to say to “not less than 30 continuous days”.”

Councilmember McTyre made motion to adopt this amendment. Seconded by Councilmember Cason and carried unanimously.

8. Consideration of adoption of amendment to the zoning ordinance- adding a new zoning district called “DALLAS COMMERCIAL HISTORIC DISTRICT” (#2009-10) designating a historic district within the City.

Councilmember Kelly made a motion to adopt. Seconded by Councilmember Arnold. Carried 5-1 with Councilmember White opposing.

10 First read and consideration of proposed “**CODE ENFORCEMENT ORDINACE**”

11. **Notice of Municipal Elections and Schedule of Qualifying of Candidates.** Qualifying will run from September 2, 2009 a.m. until September 4, 2009 at 4:30 p.m... Qualifying will be for the offices of Councilmember Ward one, Councilmember Ward Three and Councilmember at Large. Qualifying fees shall be \$150.00 for offices of Councilmember.

At this time Councilmember’s Arnold, White and Carter declared they will all seek reelection.

Councilmember McTyre made a motion to accept application by the Dallas Police Department for the 2009 Local JAG Solicitation Grant in the amount of \$14,000.00. Seconded by Councilmember Arnold and motion carried unanimously.

Councilmember McTyre made a motion to use the funds from the Byrne grant for a canine position and equipment for the Officers and Inspectors.

Seconded by Councilmember White and motion carried unanimously.

Councilmember Arnold made a motion to clarify a change made in July 2006 to the Employee’s retirement plan for submission to Georgia Municipal Association. Seconded by Councilmember White and motion carried unanimously.

Mayor Austin commended Chief Halter on 20 years of service and also wished to thank all employees for their years of dedication and service to the City of Dallas.

With no more business to be brought before the Mayor and Council, Councilmember White made a motion to adjourn. Seconded by Councilmember Arnold and motion carried unanimously.

Boyd L. Austin, Mayor

Date

Sarah B. Ruff City Clerk

Date



MINUTES

COUNCILMEETING

AUGUST 31, 1009

7:00 P.M.

Mayor Boyd L. Austin Jr. Presiding

Council Members Present:

Kelly Carter	James Kelly
Nancy Arnold	Mike Cason
Frank McTyre	

Absent: Griffin White

Staff Members Present:

Sarah Ruff, City Clerk; **Scott Halter**, Chief of Police; **Glen Stinson**, City Attorney, **Kendall Smith**, City Manager; **Lenay Walker**, Theater Manager.

WORK SESSION

Councilmember James Kelly called the work session to order at 5:00 P.M. During the work session a public hearing was held for the City's proposed 2010 property tax budget.

Hearing no comment from the floor Councilmember Kelly called the regular work session to order.

COMMITTEE REPORTS.

COMMUNITY DEVELOPMENT COMMITTEE REPORT – NONE

PUBLIC WORKS REPORT- Public Works Manager, **Tina Clark** absent. City Manager **Kendall Smith** reported that the pavilion is ready and available to rent.

FINANCE COMMITTEE REPORT – To be discussed in regular session.

ECONOMIC DEVELOPMENT COMMITTEE REPORT - Council Chair Arnold gave an update on the 2010 festival. They will be meeting on Tuesday Sept. 8th at 6:00 at the Civic Center.

POLICE CHIEF'S REPORT - Chief Halter reported that the Edward Byrne Memorial Grant money has arrived.

See attached report for monthly activities.

THEATER MANAGER'S REPORT – Theater Manager **Lenay Walker** reminded everyone about the upcoming silent auction on Sept. 26th at the Dallas Theater starting at 6:00P.M.

CITY MANAGER'S REPORT – City Manager **Kendall Smith** asked the Council to consider contracting with our software company QS1 about remote backup. This would allow the city to backup our services at two locations in case of a natural disaster. He also asked for QS1 to do our utility billing printing. They would take our utilities file and bill out an 81/2 by 11 statement with a return envelope.

Kendall also explained that we did not have any garbage contractors to qualify for the bid process. We will continue with the service we have at the moment and start the qualifying and bid process over again.

Kendall also asked the council to consider buying a Ford Expedition for the City Manager. His truck will go to Storm water and the present Storm water truck will go to Code Enforcement.

At this time Councilmember Arnold made a motion to go into closed session.

Seconded by Councilmember Carter. Carried 5-0

Councilmember Arnold made a motion to return to open session.

Seconded by Councilmember McTyre. Carried 5-0

At this time **Mayor Austin** called the regular meeting of the Mayor and Council to order at 7:00.

Councilmember Mike Cason gave the invocation and led the pledge of allegiance to the flag of the United States of America.

2. MINUTES OF THE AUGUST 3, 2009 MEETING.

Councilmember McTyre made a motion to approve the minutes of the August 3, 2009 meeting.

Seconded by Councilmember Kelly. Carried 5-0

3. RECOGNITION OF VISITORS AND COMMENTS. None.

4. APPROVAL OF THE FOLLOWING CONSENT AGENDA ITEMS:

- A. **Paulding Fine Arts Association** – Annual Fall Festival – Request for street closing Saturday, October 10, 2009, 8am-5:30 pm.

- B. **Paulding Co. High School** – Homecoming Parade – Request for street closing Thursday, October 1, 2009, 5:30p.m.
- C. **South Paulding High School** – Homecoming Parade – Request for street closing Wednesday, September 16, 2009, 5:30pm.
- D. Declare September 16, 2009 American Legion Day.

Councilmember Kelly made a motion to approve the consent agenda. Seconded by Councilmember McTyre. Carried 5-0

7. Second reading and consideration of adoption of **“CODE ENFORCEMENT ORDINANCE”** (2009-12)
HOLD

9. First reading and consideration of adoption of amendment to the **“Animal Control Ordinance”** (OA-2009-03)

10. Consideration of Agreement and rate schedule with **Woodard and Curran** (“on-call” engineer)
Councilmember Kelly made a motion to approve. Seconded by Councilmember Cason.
Carried 5-0

11. **Resolution (#2009-15)** establishing a Code Enforcement Policy and a schedule of penalties for administrative citations for violation of the City of Dallas, Georgia municipal code.
Councilmember Cason made a motion to approve. Seconded by Councilmember McTyre. Carried 5-0

Councilmember Kelly made a motion to approve the purchase remote backup as well as utility billing printing with QS1 software. Seconded by Councilmember Arnold. Carried 5-0

Councilmember McTyre made a motion to approve the 2009 tax consolidation digest.
Seconded by Councilmember Carter. Carried 5-0

Councilmember Kelly made a motion to approve the adoption of the 2010 budget with a 3.79 millage rate. Seconded by Councilmember Cason. Carried 5-0

Councilmember Arnold made a motion to approve the purchase of a 2010 Ford Expedition for the City Manager. Seconded by Councilmember Cason. Carried 5-0

Mayor Austin reported that he had attended a meeting with the Association of County Commissioners of Georgia and Municipal Association Transportation Chairs, Committee Members and Staff. To formulate a joint policy to get the general assembly to take action on funding for transportation for our specific needs.

With no more business to be brought before the Mayor and Council Councilmember Kelly made a motion to adjourn. Seconded by Councilmember Cason. Carried 5-0

Mayor Boyd L. Austin

Date

City Clerk Sarah B. Ruff

Date



MINUTES
COUNCILMEETING
OCTOBER 5, 2009
7:00 P.M.

Mayor Boyd L. Austin Jr. Presiding

Council Members Present:

Nancy Arnold	James Kelly
Griffin White	Mike Cason
Frank McTyre	

Absent: Kelly Carter

Staff Members Present:

Sarah Ruff, City Clerk; **Scott Halter**, Chief of Police; **Glen Stinson**, City Attorney, **Kendall Smith**, City Manager; **Lenay Walker**, Theater Manager, **Tina Clark**; Public Works Manager and **Sandra Lee**; Finance Director.

Work Session

Tim Jackson addressed the Council regarding the City using property at Sara Babb Park.

City Attorney Glen Stinson suggested they discuss this in closed session.

FINANCE COMMITTEE REPORT – Finance Director, **Sandra Lee** gave the Council a 3rd Quarter Report on the City's finances. The Council commended Sandra on a job well done as well as her much needed position.

THEATER REPORT – Theater Director, **Lenay Walker** distributed flyers on upcoming events. Lenay informed the Council that our Silent Auction had to be cancelled because of the Flooding. Lenay also reported that the Theater needed to replace our outdated microphones and to make sure we were using the proper FCC frequency. The Theater will also be having a talent show on November 21, 2009 and well as a Festival of Trees in December.

POLICE CHIEF'S REPORT- Chief **Scott Halter** asked the Council's direction on using the City's Emergency Sirens during Storms. He reported that there had been a murder and an arrest as well as a robbery at Little Bear. Chief Halter talked about our new K-9. He is a Sable Shepherd and his name is Ruger. See attached Police Report for the Month of September, 2009.

PUBLIC WORKS REPORT – Public Work's Manager **Tina Clark** reported on the flooding this month. Tina commended the Public Works department as well as the Police Dept. for the quick response and long hours that were needed to get us back and running.

CITY MANAGER REPORT – City Manager, **Kendall Smith** reported that **NRCS** will be here Tuesday to evaluate the Dam at Braly Lake to determine the damage to the spillway to see if we can put our sewer line back where it was. Kendall reported that as far as the NPDS permitting for the new Sewer Plant that it looks like all is in line. Kendall reported that Mayors Day will be on December 15, 2009 and that Lenay Walker will be handling the donations.

The Chamber of Commerce will be having its Power Luncheon on Thursday, November 5, 2009.

GMA Fall Training Program will be Wednesday, October 28, 2008 at the Ga. Center for Continuing Education in Athens, Ga. Kendall, Sarah and Griffin will be attending.

Joint GMA/ ACCG Fall Training Program for Elected Officials on Friday, November 6, The Dubose Porte Center.

At this time Councilmember Arnold made a motion to go into executive session.

Seconded by Councilmember McTyre. Carried 5-0

Councilmember Kelly made a motion to go into regular session.

Seconded by Councilmember Arnold. Carried 5-0

At this time **Mayor Austin** called the regular meeting of the Mayor and Council to order at 7:00P.M.

Councilmember Kelly gave the invocation and led the pledge of allegiance to the flag of the United States of America.

2. MINUTES OF THE AUGUST 31, 2009 MEETING.

Councilmember McTyre made a motion to approve the minutes of the August 31, 2009 meeting.

Seconded by Councilmember Cason. Carried 5-0

3. RECOGNITION OF VISITORS AND COMMENTS.

A. Chuck Posey and Chris Pavlovsky from First United Methodist Church addressed the Council on behalf of River of Life Program. They thanked the Council for working with them in the past and awarded the Council and Lenay Walker with plaques of appreciation. They wanted the use of the Civic Center for the event. July 14- July 18,2010.

Councilmember McTyre made a motion to allow them to use the Civic Center at Theater Manager's Lenay Walkers discretion. Seconded by Councilmember Cason. Carried 5-0.

B. Catherine Longonje addressed the Council regarding a request for license to start a shuttle service within the City. The Council asked the City Attorney to research for type of license and if she meets the criteria for taxi service operation.

4. APPROVAL OF THE FOLLOWING CONSENT AGENDA ITEMS:

A. Approve consent Order for non-compliance (unpermitted discharge of 9/8/09 at Bartlett Square and St. Ann Circle.)

Councilmember Kelly made a motion to approve the Consent Agenda. Seconded by Councilmember McTyre. Carried 5-0

Councilmember Cason made a motion to approve emergency contract with J&W Concrete for the paving of WI Parkway in preparation for the State L.A.R.P. Contract in the amount of \$72,760.00 from our SPLOST fund. Seconded by Councilmember White.
Carried 5-0

First Read on amendment to Beer and Wine license ordinance and Occupational Tax ordinance(95-14) to omit prorating the fees and go to standard fee.

With no more business to be brought before the Mayor and Council Councilmember Kelly made a motion to adjourn. Seconded by Councilmember White. Carried 5-0.

Boyd L. Austin Jr. Mayor

Date

Sarah B. Ruff City Clerk

Date



MINUTES
COUNCIL MEETING
NOVEMBER 2, 2009
7:00 P.M.

Mayor Boyd I. Austin Jr. Presiding

Council Members Present:

Nancy Arnold	James Kelly
Griffin White	Mike Cason
Frank McTyre	Kelly Carter

Staff Members Present:

Sarah Ruff, City Clerk; **Scott Halter**, Chief of Police; **Glen Stinson**, City Attorney, **Kendall Smith**, City Manager; **Lenay Walker**, Theater Manager, **Tina Clark**; Public Works Manager and **Sandra Lee**; Finance Director.

Work Session

City Attorney **Glen Stinson** introduced "**Darrin Keaton**" as a potential public defender for the City.

Lloyd Williamson from "**Williamson and Company CPA'S**" presented the Mayor and Council with our yearly audit review. Mr. Williamson stated that the City had a good fiscal year and answered many questions from the Council.

COMMUNITY DEVELOPMENT COMMITTEE REPORT- NONE

PUBLIC UTILITIES COMMITTEE REPORT – NONE

ECONOMIC DEVELOPMENT COMMITTEE REPORT- NONE

FINANCE COMMITTEE REPORT **Mayor Austin** stated that the State did not have money to hire auditors. He has asked our Finance Director, **Sandra Lee** to compile a list of businesses licensed in the City. This is to determine what taxes each business would be due to pay.

Councilmember Carter volunteered to chair committee to establish a showcase for the Dallas Fire Department history (Memorabilia).

SUGGESTED MEMBERS: Roger Dodd, Gordon McTyre and Ken Hardy.

POLICE CHIEF'S REPORT - Chief Scott Halter reported to the Council that burglaries are up 40%. Chief Halter also stated the Standards Manual was now completed and ready to be adopted. Also the city needed to retire Unit 7 as surplus and would like to order another Crown Victoria to replace the older one.

Chief Halter also addressed the need for new software at the cost of \$65,000.00. This software is from synergistic software and is computerized public records software for records management.

See attached Police report for the Month of October, 2009.

THEATER REPORT - Theater Manager Lenay Walker and Assistant Manager **Carli Gilbert** reported that Theater revenue is way down for this time of year. They would like permission to purchase advertising space on a billboard in the Hiram area for the next 12 months. The cost of the billboard will be \$12,000.00.

They touched base on several upcoming events as well as the talent show and encouraged everyone to attend.

PUBLIC WORKS REPORT – Public Works Manager, Tina Clark reported a sewer backup on Marshall Huff road that has backed up in a building owned by Jeff Butler. Mr. Butler asked that the City reimburse him for the cost of replacing his carpet. The cost will be \$2,709.66. They Council rejected the request.

FINANCE REPORT – Finance Director, Sandra Lee gave the Council an update on business taxes.

CITY MANAGER'S REPORT- City Manager, **Kendall Smith** asked the Council to approve the purchase of a new phone system for City Hall. John Wells of PC Networks recommended Delta Com. The cost of this system with a year's service will be \$71,336.00.

Kendall also reminded everyone about an upcoming GMA District 1 Fall Meeting on November 18, at the Calhoun Dept starting at 12:00. .

At this time **Councilmember McTyre** made a motion to go into Executive Session.

Seconded by Councilmember Cason. Carried unanimously.

Councilmember Arnold made a motion to go back into regular session.

Seconded by Councilmember McTyre. Carried unanimously

At this time **Mayor Austin** called the regular meeting of the Mayor and Council to order at 7:30. Councilmember Kelly gave the invocation and led the pledge of allegiance to the flag of the United States of America.

2. MINUTES OF THE OCTOBER 5, 2009 MEETING.

Councilmember Kelly made a motion to approve the minutes of the October 5, 2009 meeting.

Seconded by Councilmember McTyre. Carried unanimously.

RECOGNITIONS OF VISITORS AND COMMENTS. None.

4. APPROVAL OF THE FOLLOWING CONSENT AGENDA ITEMS:

- A. Approve Consent Order for non-compliance (unpermitted discharge of 9/3/09 at Johns Rd. and West Memorial Drive)
- B. Purchase of phone system from Deltacom at a cost of \$71,336.00.
- C. Approval of Dallas Police Departments Standards Manual.
- D. Surplus and replacement of Police Unit 7.
- E. Permission for "Race to Heel the Soul" 11a.m.-Saturday, January 9, 2010, subject to insurance requirement.
- F. Appointment of Wally Strickland and Jill Watts Coats to the Dallas Tree Commission.

Councilmember Cason made a motion to approve the Consent Agenda. Seconded by Councilmember Arnold. Carried unanimously.

7. Councilmember McTyre made a motion to approve the adoption of amendment to "Beer and Wine license Ordinance and Occupational Tax Ordinance" (Omit pro-rated fees to make the change to standard fees). Seconded by Councilmember Kelly. Carried unanimously.

8. Consideration of adoption of **Resolution # 2009-17** to establish a Schedule of Penalties for Citations for violations of City of Dallas ordinances (replacing **Resolution # 2009-15** and remove "Administrative" Citations). Hold until December 7, 2009 Meeting.

9. Councilmember Arnold made a motion to purchase a Ford Transit Connect Van for the Theater. The cost of this van will be \$20,707.00 and will be purchased from our SPLOST funds. Seconded by Councilmember Kelly. Carried unanimously.

10. Councilmember White made a motion to bid out the remodeling of the City Hall front Lobby. Seconded by Councilmember Kelly. Carried unanimously

11. Councilmember Cason made a motion to bid out proposals for someone to come in and evaluate the architectural design of an addition to the back of the Police Administration Building for the purpose of a new Dispatch Center. City Manager Kendall Smith, Chief Halter and Major Hester will be on a committee to oversee this project. Seconded by Councilmember Arnold. Carried unanimously.

With no more business to be brought before the Mayor and Council, Councilmember Kelly made a motion to adjourn. Seconded by Councilmember McTyre. Carried unanimously.

Mayor, Boyd L. Austin

Date

Sarah B. Ruff, City Clerk

Date



MINUTES

COUNCIL MEETING

DECEMBER 7, 2009

7:00 P.M.

Mayor Boyd L. Austin Jr. *Presiding*

Council Members Present:

Nancy Arnold

James Kelly

Griffin White

Mike Cason

Frank McTyre

Kelly Carter

Staff Members Present:

Sarah Ruff, City Clerk, **Scott Halter**, Chief Of Police; **Glenn Stinson**, City Attorney, **Kendall Smith**, City Manager; **Tina Clark**; Public Works Manager and **Sandra Lee**; Finance Director.

Work Session

Jeff Butler addressed the council regarding a sewage spill on property at Marshall Huff Rd. Mayor Austin explained that the Council would address in closed session.

John Foster addressed Council regarding overweight traffic in City. The Mayor asked the Police Department to look into.

COMMITTEE REPORTS

COMMUNITY DEVELOPMENT REPORT – NONE

PUBLIC UTILITIES COMMITTEE REPORT – NONE

ECONOMIC DEVELOPMENT COMMITTEE REPORT –NONE

FINANCE COMMITTEE REPORT

Finance Director **Sandra Lee** reported that the City has opened up an emergency money market interest bearing account. CD's are not drawing very much interest so in the interest of the City we will be able to draw interest and have access to the funds if needed.

POLICE CHIEF'S REPORT – Chief Halter reviewed monthly report with Council. – See attached.

THEATER REPORT – NONE Mayor Austin commended Lenay Walker and Carli Gilbert for their work on the Mayor's Day parade. The theater raised over \$1,000.00 for this worthwhile event. He also reminded everyone that wanted to attend the Mayor's Day parade to meet at City Hall next Tuesday, December 15th at 8:45 to leave for Rome.

PUBLIC WORKS REPORT Public Works Manager, **Tina Clark** thanked Councilmember James Kelly for the use of his trailer for the Christmas Parade. Tina also commented on the City's Storm water report which was given to the council. Tina introduced the Parks and Rec. Pool Manager, Michael Hendrix. Michael addressed the Council on new ideas that he has to raise more money for the Parks and Rec. Dept. Mayor Austin asked him to meet with our Community Development Committee.

CITY MANAGER'S REPORT City Manager **Kendall Smith** thanked everyone for their work on the parade as well as the Employee Christmas Party.

A. Kendall informed the Mayor and Council that Paulding County will be raising rates .23cents per 1,000.00 gallons effective January 1, 2010.

B. Kendall updated the Council on Braly Lake. Charles Welch updated the Council on the engineers design for the dam. We have 3 letters for qualifications and Mr. Welch would like to go with "Schnabel Engineering".

Mayor Austin suggested the Finance Committee authorize the City Manager to approve the project with review of the City Attorney.

C. Sidewalk Project- Kendall said there would be a pre bid meeting Tuesday.

D. Water Wells project is 48% complete.

E. Bill Kin and Pat Moore updated the Council on the new treatment plant.

F. Report on I & I study.

At this time Councilmember White made a motion to go into Executive Session.

Seconded by Councilmember Mctyre. Carried unanimously.

Councilmember Arnold made a motion to go into regular session.

Councilmember Kelly seconded. Carried unanimously.

At this time Mayor Austin called the regular meeting of the Mayor and Council to order. 7:00

Councilmember Cason gave the invocation and led the pledge of allegiance to the flag of the United States of America.

2. MINUTES OF THE DECEMBER 2, 2009 MEETING.

Councilmember Kelly made a motion to approve the minutes of the December 2, 2009. Seconded by Councilmember Mctyre. Carried unanimously.

3. REGOGNITION OF VISITORS AND COMMENTS – NONE

4. APPROVAL OF THE FOLLOWING CONSENT AGENDA ITEMS:

- A. **Future business leaders of America – Phi Beta Lambda Proclamation-** Week of February 8-12, 2010.
- B. **Consent Order** for non-compliance (unpermitted discharge 10/19/09 at Kades Cove Drive, Lawrence Creek).
- C. **2010 City Council/ Planning Commission – Meeting schedule.**
- D. Re-appointment of **Brian Ragsdale** to the **Dallas Board of Appeals** (3 year term-exp. 12/31/2012)
- E. Re-appointment of **Andrea Anderson** and **David Holt** to the Dallas Planning Commission (2 year term – exp. 12/31/11).
- F. Appointment of **Jonathan Crew** to **Historical Preservation Commission** (3 year term-exp 12/31/12)
- G. Re-appointment of **Griffin White** to **Paulding County Chamber of Commerce Board of Directors.**
- H. Additional monies for **ADA** compliance – net increase \$8500 (Old Harris Rd.)Right turn lane and traffic light.
- I. Name of Trailhead Park “**Civil War Memorial Trailhead Park**”.
- J. Accept Contract with **GMEBS** for the actuarial calculation of Post-Employment Benefits and resolution # 2009-18.
- K. Acceptance of Bid for renovation of City Hall Lobby from Raker Construction @ \$37,755.00.
- L. Acceptance of Bid from **Schnabel Engineering** through Stevenson & Palmer for the design of the dam at Braly lake. Following review from City Manager and City Attorney.
- M. Resolution for ARC Project. (2009-19)
- N. Use of Bid Bridge for Sanitation bids.

Councilmember McTyre made a motion to approve the Consent Agenda. Seconded by Councilmember Arnold. Carried unanimously.

7. Adoption of Resolution # 2009-17 to establish a Schedule of penalties for citations for Violations of City of Dallas ordinances (replacing Resolution #2009-15 to remove “ Administrative” Citations)
Councilmember Kelly made a motion to approve amendment. Seconded by Councilmember Cason. Carried unanimously.

9. Ordinance Amendment # OA-2009-06 to amend Division II Part Five, Chapter 16, Sec. 5-1604 (G) surety for Completion of Improvements and surety for Warranty (Emergency passage). Councilmember Kelly made a motion to adopt under an emergency basis. Seconded by Councilmember Carter. Carried unanimously.

14. Woodard and Curran Task Order Funding – Analyze customer base and recommend rates. Councilmember White made a motion to approve Phase 1. Seconded by Councilmember McTyre. Carried unanimously.

Councilmember White made a motion to extend the time for local business with pouring licenses from 11:55 until 12:55 for New Years Eve 2009. This will be a onetime only change. Seconded by Councilmember McTyre. Carried 3-3 with Mayor Austin breaking the tie with an affirmative vote. Councilmember’s White, Arnold and McTyre in favor and Councilmember’s Carter, Cason and Kelly against.

Councilmember Arnold made a motion to donate at least a 20ft by 20 ft established section, encompassing the base of a memorial statue, in our Civil War Memorial Trailhead Park to the William J. Hardy Camp # 1397 of the Sons of Confederate Veterans. Seconded by Councilmember White. Carried unanimously.

Councilmember Mctyre made a motion to Hire Darrin Keaton as the City’s Indigent Defense Attorney at the amount of \$700.00 per month. Seconded by Councilmember Arnold. Carried unanimously.

Councilmember White asked the City to look into buying a couple of warmers for the kitchen at the Civic Center. City Manager, Kendall Smith said we will look into it.

With no more business to be brought before the Mayor and Council, Councilmember Kelly made a motion to adjourn. Seconded by Councilmember Mctyre. Carried Unanimously.

Mayor, Boyd L. Austin

Date

Sarah B. Ruff

Date