



**MAYOR AND COUNCIL MEETING  
MONDAY, FEBRUARY 20, 2017  
6:00 P.M.  
DALTON CITY HALL**

**A G E N D A**

**WORK SESSION - 5:15 P.M. - 3<sup>RD</sup> FLOOR CONFERENCE ROOM**

1. Review of Agenda

**REGULAR MEETING - 6:00 P.M. - COUNCIL CHAMBER**

1. Call to Order
2. Pledge of Allegiance
3. Approval of Agenda
4. Public Commentary: *(Please state Name and Address for the Record)*
5. Presentation: 2016 City of Dalton Curbside Recycling Award  
Liz Swafford and Dirk Verhoeff, Dalton-Whitfield Solid Waste Authority
6. Minutes: Work Session and Regular Meeting of February 6, 2017
7. Unfinished Business:
  - A. Ordinance 17-02 - Second Reading:  
To Amend Chapter 6 Of The 2001 Revised Code Of The City Of Dalton, Georgia Captioned "Alcoholic Beverages"; By Amending Section 6-73 Captioned "Amount of Fees" By Striking, Repealing And Deleting Subsection (b)(7) Thereof In Its Entirety And Substituting In Lieu Thereof A New Subsection (b)(7); To Provide For The Partial Refund To The Holder Of A 2017 Brew Pub License; To Provide For An Effective Date; To Provide For The Repeal Of Conflicting Ordinances; To Provide For Severability; And For Other Purposes.
8. New Business:
  - A. Annual Equitable Sharing Agreement and Certification for Dalton Police Department.
  - B. Appointments:
    - Reappointment of Jeff Granillo and Kathryn Sellers to the Historic Preservation Commission for 3-year terms to expire February 1, 2020.
9. Supplemental Business
10. Adjournment

THE CITY OF DALTON  
MAYOR AND COUNCIL MINUTES  
WORK SESSION  
FEBRUARY 6, 2017

The Mayor and Council held a Work Session this evening at 5:15 p.m. in the 3rd Floor Conference Room of City Hall. Present were Mayor Dennis Mock, Aldermen Denise Wood, Tyree Goodlett, Tate O'Gwin and Gary Crews and City Attorney James Bisson and several department heads.

Mayor Mock reviewed with the Council each of the items on the agenda. In addition to the agenda items, the following was also discussed:

Proposed Policy - City Hall Use Policy

Mayor Mock opened discussion regarding a proposed City Hall Use Policy. Mock stated that he had received some suggestions from Council members. Mock further stated that he would meet with Human Resources Director Greg Batts and City Clerk Bernadette Chattam to put the details together, reminding Council that this policy will require staff to open and close doors.

Mobilitie Proposal

The Mayor and Council discussed an application the City received from Mobilitie for equipment installations and ROW encroachment. Public Works Director Benny Dunn stated that his department is concerned about the placement of the poles on the right of way and also the potential locations of the poles. After some discussion, City Attorney James Bisson stated that since the Mayor and Council had legitimate concerns, he would make contact with others that have dealt with this situation to get an opinion. Additionally Bisson stated that he would also need to ascertain whether or not Mobilitie is in fact a telephone company.

ESPLOST Resolution

Mayor Mock stated that he felt the City needed more public hearings to potentially endorse the Dalton City Schools ESPLOST because there are still lots of questions from citizens.

ADJOURNMENT

There being no further business to come before the Mayor and Council, the Work Session was Adjourned at 5:50 p.m.

\_\_\_\_\_  
Bernadette Chattam  
City Clerk

\_\_\_\_\_  
Dennis Mock, Mayor

Recorded  
Approved: \_\_\_\_\_  
Posted: \_\_\_\_\_

THE CITY OF DALTON  
MAYOR AND COUNCIL MINUTES  
FEBRUARY 6, 2017

The meeting of the Mayor and Council was held this evening at 6:00 p.m. in the Council Chambers of City Hall. Present were Mayor Dennis Mock, Aldermen Denise Wood, Tate O’Gwin, Tyree Goodlett, Gary Crews and City Attorney James Bisson.

PLEDGE OF ALLEGIANCE

Mayor Mock led the audience in the Pledge of Allegiance.

APPROVAL OF AGENDA

On the motion of Alderman Goodlett, second Alderman Crews, the Mayor and Council approved the agenda. The vote was unanimous in favor.

PUBLIC COMMENTARY

ESPLOST

Former Mayor David Pennington spoke regarding a proposed Resolution endorsing the ESPLOST. Pennington suggested that instead of endorsing the ESPLOST, the Mayor and Council should consider a City/County School merger. Pennington further questioned the Mayor and Council about whether or not the City School has a cap in assessing the City M&O millage rate, referencing the State caps the County Schools at 20 mills.

HAIG MILL

Pennington questioned, in light of the City’s current financial struggles, how will the City maintain the new Haig Mill project. Pennington surmised that Dalton is in an economic downward spiral.

MINUTES

The Mayor and Council were presented written copies of the Work Session and Regular Minutes of January 17, 2017. On the motion of Alderman Wood, second Alderman O’Gwin, the minutes were approved as written and adopted. The vote was unanimous in favor.

PROCLAMATION

"Georgia Day" - February 12, 2017

The Mayor and Council proclaimed February 12, 2017 as “Georgia Day” in the City of Dalton and called upon citizens to celebrate the State’s proud and rich heritage.

DWCDC SERVICE AGREEMENT GRANT

On the motion of Alderman Wood, second Alderman Crews, the Mayor and Council approved the following:

- (1) Services Agreement with Dalton-Whitfield Community Development Corporation (DWCDC) for CHIP (Community Home Investment Program) Grant
- (2) Services Agreement with Dalton-Whitfield Community Development Corporation (DWCDC) for CDBG (Community Development Block Grant) Program.

The vote was unanimous in favor.

DALTON POLICE DEPARTMENT MOU - TECHNOLOGY GRANT

The Mayor and Council reviewed the Ratification of Dalton Police Department MOU with Georgia Association of Chiefs of Police (GAPC) for a Technology Grant in the amount of \$15,000.00. On the motion of Alderman Wood, second Alderman Crews, the Mayor and Council accepted the grant. The vote was unanimous in favor.

GEOSERVICES, LLC - LAKESHORE PARK

The Mayor and Council reviewed a proposal from GEOServices, LLC for Geotechnical Exploration of Boardwalk and Pier Pile Foundations at Lakeshore Park. On the motion of Alderman Goodlett, second Alderman O'Gwin, the Mayor and Council accepted the proposal in the amount of \$4900.00. The vote was unanimous in favor.

AGREEMENT FOR CONASAUGA RIVER MITIGATION BANK STREAM CREDITS

On the motion of Alderman Wood, second Alderman O'Gwin, the Mayor and Council ratified the Agreement for Conasauga River Mitigation Bank Stream Credits whereas the City of Dalton agreed to purchase and the Conasauga River Mitigation Bank has agreed to sell 1060 stream credits for \$20,670.00. The vote was unanimous in favor.

CONTRACT AGREEMENT WITH SOUTHERN ATHLETIC FIELDS

The Mayor and Council reviewed the Contract Agreement with Southern Athletic Fields for Field Renovations at Heritage Point Park in the amount of \$69,525.00. On the motion of Alderman Goodlett, second Alderman O'Gwin, the Mayor and Council approved the contract agreement. The vote was unanimous in favor.

Rental Agreement Amendment between Nob North Golf Course and GPSI Leasing II-Accord, LLC (GPSL)

On the motion of Alderman Crews, second Alderman Goodlett, the Mayor and Council approved the Rental Agreement Amendment between Nob North Golf Course and GPSI Leasing II-Accord, LLC (GPSL). A copy of the amendment is a part of these minutes. The vote was unanimous in favor.

Mayor and Council  
Minutes  
Page 3  
February 6, 2017

DALTON-WHITFIELD PLANNING COMMISSION RECOMMENDATION

Resolution 17-03

The Mayor and Council reviewed Resolution 17-03 a request of CHRISCO, a Georgia General Partnership, for a Special Use Permit to operate a climate controlled storage warehouse inside an existing C-3 Downtown zone district. The site contains 12,094 sq. ft. located at 211 W. Gordon Street. On the motion of Alderman Crews, second Alderman O'Gwin, the Resolution was adopted. The vote was unanimous in favor.

ORDINANCE 17-02 - FIRST READING

The Mayor and Council held a first reading of Ordinance 17-02 to Amend Chapter 6 Of The 2001 Revised Code Of The City Of Dalton, Georgia Captioned "Alcoholic Beverages"; By Amending Section 6-73 Captioned "Amount of Fees" By Striking, Repealing And Deleting Subsection (b)(7) Thereof In Its Entirety And Substituting In Lieu Thereof A New Subsection (b)(7); To Provide For The Partial Refund To The Holder Of A 2017 Brew Pub License; To Provide For An Effective Date; To Provide For The Repeal Of Conflicting Ordinances; To Provide For Severability; And For Other Purposes.

2016 ECONOMIC UPDATE PRESENTATION - MR. CARL CAMPBELL, DALTON-WHITFIELD JDA

Carl Cambell, Executive Director of the Dalton Whitfield County Joint Development Authority, presented a Powerpoint presentation to the Mayor and Council entitled 2016 Recap. The presentation outlined 2016 Projects Won and Projects in the Pipeline. The presentation also outlined why projects were lost to the area. Campbell further went over JDA's plans for 2017. A copy of this complete Presentation is a part of these minutes.

APPOINTMENT - MAYOR PRO-TEM

The Mayor appointed Alderman Denise Wood as the Mayor Pro-tem for the City of Dalton for 2017.

ADJOURNMENT

There being no further business to come before the Mayor and Council, the meeting was adjourned at 6:29 p.m.

\_\_\_\_\_  
Bernadette Chattam  
City Clerk

\_\_\_\_\_  
Dennis Mock, Mayor

Recorded  
Approved: \_\_\_\_\_  
Posted: \_\_\_\_\_

**ORDINANCE 17-02**

To Amend Chapter 6 Of The 2001 Revised Code Of The City Of Dalton, Georgia Captioned “Alcoholic Beverages”; By Amending Section 6-73 Captioned “Amount of Fees” By Striking, Repealing And Deleting Subsection (b)(7) Thereof In Its Entirety And Substituting In Lieu Thereof A New Subsection (b)(7); To Provide For The Partial Refund To The Holder Of A 2017 Brew Pub License; To Provide For An Effective Date; To Provide For The Repeal Of Conflicting Ordinances; To Provide For Severability; And For Other Purposes.

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

**Section 1.**

Amend Chapter 6 of the 2001 Revised Code of the City of Dalton, Georgia, captioned “Alcoholic Beverages” by amending Section 6-73 captioned “Types of Licenses” by striking, repealing and deleting subsection (b)(7) thereof in its entirety and substituting in lieu thereof a new subsection (b)(7) which shall read as follows:

(7) Brew pub.....750.00

**Section 2.**

The city clerk shall refund to the holder of any 2017 brew pub license the difference between what such license holder paid for the 2017 brew pub license and \$750.00.

**Section 3.**

This Ordinance shall be effective upon the posting of this Ordinance in two (2) public places in the City of Dalton for five (5) consecutive days following its enactment by the Mayor and Council, the public health, safety, and welfare requiring it.

**Section 4.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 5.**

It is hereby declared to be the intention of the Mayor and Council of the City of Dalton that

the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

**SO ORDAINED** this \_\_\_\_ day of \_\_\_\_\_, 2017.

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.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

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-referenced Ordinance as of \_\_\_\_\_.

\_\_\_\_\_  
CITY CLERK, CITY OF DALTON

**Jason Parker**  
Chief of Police  
[jparker@cityofdalton-ga.gov](mailto:jparker@cityofdalton-ga.gov)  
[www.daltonpdblog.org](http://www.daltonpdblog.org)  
[www.cityofdalton-ga.gov/police](http://www.cityofdalton-ga.gov/police)



Public Safety Commission  
Terry Mathis  
Keith Whitworth  
Bill Weaver  
Kenneth E. Willis  
Carlos Calderin

**DALTON POLICE DEPARTMENT**  
301 Jones Street, Dalton, Georgia 30720  
Phone: 706-278-9085 • Fax: 706-272-7905

February 15, 2017

Mayor and Council of Dalton  
300 West Waugh Street  
Dalton GA 30720

Dear Mayor and Council:

This is a request for approval of the police department's annual Equitable Sharing Agreement and Certification Report. This report reflects funding received via federal asset forfeitures during 2016, as well as funds spent during that same period.

These funds all pass through the City's accounting system, and are reflected in the Confiscated Fixed Assets budget. Federal regulations require us to file this report no later than February 28 each year.

The signature of the Mayor and Chief of Police on this document will authorize electronic submission of the report directly to the Department of Justice.

Please contact me if you have any questions, or need more information.

Sincerely,

Jason Parker  
Chief of Police

fp



## Equitable Sharing Agreement and Certification



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

**Type:** Police Department

**Finance Contact**

**Name:** Brown, Alethea  
**Phone:** 7062789085

**Email:** abrown@cityofdalton-ga.gov

**ESAC Preparer**

**Name:** Brown, Alethea  
**Phone:** 7062789085

**Email:** abrown@cityofdalton-ga.gov

**FY End Date:** 12/31/2016

**Agency FY 2017 Budget:** \$8,057,410.00

### Annual Certification Report

#### Summary of Equitable Sharing Activity

#### Justice Funds <sup>1</sup>

#### Treasury Funds <sup>2</sup>

	Justice Funds <sup>1</sup>	Treasury Funds <sup>2</sup>
1 Beginning Equitable Sharing Fund Balance (Must match Ending Balance from prior FY)	\$13,621.40	\$5,092.39
2 Equitable Sharing Funds Received	\$2,102.45	\$22,174.51
3 Equitable Sharing Funds Received from Other Law Enforcement Agencies and Task Force (Complete Table B)	\$0.00	\$0.00
4 Other Income	\$1,454.47	\$2,014.03
5 Interest Income	\$9.71	\$23.83
6 Total Equitable Sharing Funds Received (total of lines 1-5)	\$17,188.03	\$29,304.76
7 Equitable Sharing Funds Spent (total of lines a - n below)	\$17,188.00	\$27,471.58
8 Ending Equitable Sharing Funds Balance (difference between line 7 and line 6)	\$0.03	\$1,833.18

<sup>1</sup>Department of Justice Asset Forfeiture Program participants are: FBI, DEA, ATF, USPIS, USDA, DCSIS, DSS and FDA

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

#### Summary of Shared Funds Spent

#### Justice Funds

#### Treasury Funds

	Justice Funds	Treasury Funds
a Law enforcement operations and investigations	\$1,635.00	\$3,954.47
b Training and education	\$7,385.00	\$8,334.15
c Law enforcement, public safety and detention facilities	\$0.00	\$0.00
d Law enforcement equipment	\$8,168.00	\$15,182.96
e Joint law enforcement/public safety operations	\$0.00	\$0.00
f Contracting 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 (Complete Table C)	\$0.00	\$0.00
k Transfers to other participating law enforcement agencies (Complete Table D)	\$0.00	\$0.00
l Support of community-based programs (Complete Table E)	\$0.00	\$0.00
m Non-categorized expenditures (Complete Table F)	\$0.00	\$0.00
n Salaries (Complete Table G)	\$0.00	\$0.00
<b>Total</b>	<b>\$17,188.00</b>	<b>\$27,471.58</b>

**Table B: Equitable Sharing Funds Received From Other Agencies**

Transferring Agency Name	Justice Funds	Treasury Funds

**Table C: Matching Grants**

Matching Grant Name	Justice Funds	Treasury Funds

**Table D: Transfers to Other Participating Law Enforcement Agencies**

Receiving Agency Name	Justice Funds	Treasury Funds

**Table E: Support of Community-based Programs**

Recipient	Justice Funds	

**Table F: Non-categorized expenditures in (a) - (n) Above**

Description	Justice Funds	Treasury Funds

**Table G: 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: 1400 New York Avenue, N.W., Washington, DC 20005.

Did your agency purchase any controlled equipment?  YES  NO

# Affidavit

Under penalty of perjury, the undersigned officials certify that **they have read and understand their obligations under the Equitable Sharing Agreement** and that the information submitted in conjunction with this Document is an accurate accounting of funds received and spent by the Agency under the Guide during the reporting period and that the recipient Agency is compliant with the National Code of Professional Conduct for Asset Forfeiture.

The undersigned certify that the recipient Agency is in compliance with the applicable nondiscrimination requirements of the following laws and their 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 above-stated law enforcement agency ("Agency"), and (3) the governing body, sets forth the requirements for participation in the federal Equitable Sharing Program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest earned thereon, which are equitably shared with participating law enforcement agencies. By submission of this form, the Agency agrees that it will be bound by the statutes and guidelines that regulate shared assets and the following requirements for participation in the Department of Justice and Department of the Treasury Equitable Sharing Programs. Receipt of the signed Equitable Sharing Agreement and Certification (this "Document") is a prerequisite to receiving any equitably shared cash, property, or proceeds.

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

**2. Signatories.** This agreement 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, city attorney, county attorney, district attorney, prosecuting attorney, state attorney, commonwealth attorney, and attorney general. The governing body's 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 from the law enforcement agency and must be from a separate entity.

**3. Uses.** Any shared asset shall be used for law enforcement purposes in accordance with the statutes and guidelines that govern the Department of Justice and the Department of the Treasury Equitable Sharing Programs as set forth in the current edition of the *Guide to Equitable Sharing for State and Local Law Enforcement Agencies (Guide)*.

**4. Transfers.** Before the Agency transfers funds to other state or local law enforcement agencies, it must first verify with the Department of Justice that the receiving agency is a compliant Equitable Sharing Program participant. Transfers of tangible property are not permitted.

**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 other sources must not be commingled with federal equitable sharing funds.

The Agency certifies that funds are maintained by the jurisdiction maintaining appropriated funds and agrees that such accounting 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 current edition of the *Guide*, including the requirement to maintain relevant documents and records for five years.

The misuse or misapplication of shared resources or supplantation of existing resources with shared assets is prohibited. The Agency must follow its jurisdiction's procurement policies when expending shared funds. Failure to comply with any provision of this agreement shall subject the recipient agency to the sanctions stipulated in the current edition of the *Guide*.

**6. Audit Report.** Audits will be conducted as provided by the Single Audit Act Amendments of 1996 and OMB Super Circular,

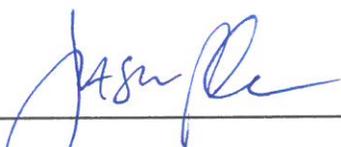
**7. Freedom of Information Act.** Information provided in this Document is subject to the FOIA requirements of the Department of Justice and the Department of the Treasury.

**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: Parker, Jason  
Title: Chief  
Email: jparker@cityofdalton-ga.gov

Signature:  Date: 2-14-17

To the best of my knowledge and belief, the information provided on this form 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 acceptance of and agreement to abide by the policies and procedures set forth in the *Guide to Equitable Sharing for State and Local Law Enforcement Agencies*, including ensuring permissibility of expenditures and following all required procurement policies and procedures. Entry of the Agency Head name above also indicates his/her acceptance of and agreement to abide by requirements set forth in this Equitable Sharing Agreement, and any policies or procedures issued by the Department of Justice or the Department of the Treasury related to the Asset Forfeiture or Equitable Sharing programs. The Law Enforcement Head also certifies that no items on the Prohibited list, as detailed in "Recommendations Pursuant to Executive Order 13688", were purchased with equitable sharing funds on or after October 1, 2015.

### Governing Body Head

Name: Mock, Dennis  
Title: Mayor  
Email: dmock@cityofdalton-ga.gov

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

To the best of my knowledge and belief, the agency's current fiscal year budget reported on this form 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 acceptance of and agreement to abide by the policies and procedures set forth in the *Guide to Equitable Sharing for State and Local Law Enforcement Agencies*, this Equitable Sharing Agreement, and any policies or procedures issued by the Department of Justice or the Department of the Treasury related to the Asset Forfeiture or Equitable Sharing Programs.

I certify that I am authorized to submit this form on behalf of the Agency Head and the Governing Body Head.