

City of Dawsonville
December 6, 2004
Meeting of the City Council

Mayor Cox called the meeting to order at 7:00 p.m.

Roll Call: Those present were Mayor Joe Lane Cox, Council Members Jonathan Cox, Tim Wimpey, Mike Sosebee and Mike Wilson, Kim Cornelison, Dana Miles, Steve Holder and concerned citizens of the City of Dawsonville and Dawson County.

Invocation and Pledge: Mayor Cox led the invocation and pledge.

Approval of Minutes: Councilman Jonathan Cox made a motion to approve the minutes of the called Meeting held November 15, 2004 meeting. Mike Sosebee seconded the motion, the motion carried unanimously.

Old Business:

Garbage Service Bid: City Attorney Dana Miles made the council aware that the bid 01-04 had been set up basically with the terms the council had set at a prior meeting. The terms being that there would be curbside garbage services for the year 2005; city residents would be allowed to opt in or out and be billed as a part of their water bill; the city would provide the containers. The bids are due by 10:30 a.m. on December 17th. The council then would be responsible to approve the lowest bidder as recommended by staff at the next available council meeting. Jonathan Cox made a motion to approve the bid as written; Mike Sosebee seconded the motion. The motion carried unanimously.

Called Meeting: Jonathan Cox made a motion to set a called City Council meeting for Monday, January 20, 2005. Mike Sosebee seconded the motion. The motion carried unanimously.

Impact Fee Advisory Committee: City Attorney Dana Miles reminded the Council that Mike Wilson still needed to make his appointment to the Impact Fee Advisory Committee. Councilman Wilson nominated B.J. Farley to serve. Tim Wimpey made a motion to accept B.J. Farley as Councilman Wilson's appointment; Mike Wilson seconded the motion; the motion carried unanimously.

New Business:

Amos Amerson, State Representative: Mayor Cox recognized State Representative Amos Anderson. Mayor Cox brought up the need to revise the City Charter regarding appointments made by Mayor upon any councilman's vacancy of their position. He also asked if the council had any other items that needed to be changed to present them to the City Attorney. Mr. Amerson would be able to present and push the changes through legislation. Mr. Amerson addressed the Council letting the council and citizens know

that he is at our service. He is happy to be representing Lumpkin, Dawson and Forsyth counties. Mayor Cox reminded the council that on December 10th starting at 8:30 a.m. was local legislators day and that Mr. Amerson as well as other local officials would be there and that the council was invited to attend.

Board of Health appointment: Having no recommendations for this appointment, the Mayor deferred this item until the next meeting asking each councilman to try and recommend an appropriate candidate that is either a consumer or a licensed nurse.

Occupational Tax Ordinance: Dana Miles presented the new Occupational Tax ordinance for the council to review. The ordinance will be on for public hearing at the next council meeting. Dana Miles informed the council that the new ordinance would go in to effect in 2005 and that everyone can renew at the old rates now but once the ordinance goes in to effect they would be required to renew at the new rates. Most of the revisions are required because of two recent court cases that require the city to restructure the way it collects business license fees. At the same time the ordinance has been updated. The first reading will be the 20th of January.

El Rio Alcohol License: The City Clerk presented the renewal of El Rios Mexican Café. They are changing their primary person and asked the council to approve conditionally because the background check has not come in as yet. The Clerk asked for a conditional approval pending a clear background check. Mike Sosebee made a motion to approve the conditional alcohol license; Mike Wilson seconded the motion. The motion carried unanimously.

Resolution to restrict and prohibit public access to old roadway: The City attorney explained to the council that there is an old roadbed south of the spray fields and in order to avoid any issues as to whether that is public roadbed this resolution has the effect of closing that roadbed. The road is overgrown and has not been used for years, but it is necessary to publicly close the roadbed that is in the middle of the spray fields. Mike Sosebee made a motion to approve the resolution; Mike Wilson seconded the motion. The motion carried unanimously.

Public Hearings:

Rezone Request

ZA-04-001: Russell and Cheryl Summerour has made a request to rezone 38.58 acres of TMP 82-21 from R-2 (Single Family Residential District to R-3 (Multiple Family Residential District) to sell the property in the future. Location: From the town square, go approximately 3065 feet – property has frontage on Hwy. 53 From intersection of Howser Mill & Hwy 53 go 1673 feet and property is located on the left. Zoning Administrator Steve Holder informed the council that the Planning Commission heard this request and recommended approval. Jonathan Cox made a motion to approve rezone request ZA-04-001; Mike Sosebee seconded the motion. The motion carried 3 to 1 with Councilman Wimpey opposed.

Annexation Request

ANX-04-002: Mark Byrd has made a request to annex 9.16 acres of TMP 94-45. The subject property is currently located in the County and is zoned R-1 (Residential Single Family Restricted) and will remain R-1 upon annexation. Location: 1383 Highway 9 South. Zoning Administrator Steve Holder informed the council that the annexation application was complete and met all requirements to be annexed into the city. Mike Sosebee made a motion to approve annexation request ANX-04-002; Tim Wimpey seconded the motion. The motion carried unanimously.

ANX-04-003: Linda Byrd has made a request to annex 19.48 acres of TMP 94-50. The subject property is currently located in the County and is zoned R-1 (Residential Single Family Restricted) and will remain R-1 upon annexation. Location: 1661 Highway 9 South. Zoning Administrator Steve Holder informed the council that the annexation application was complete and met all requirements to be annexed into the city. Mike Sosebee made a motion to approve annexation request ANX-04-003; Mike Wilson seconded the motion. The motion carried unanimously.

ANX-04-004: Mark Byrd has made a request to annex 1.53 acres of TMP 94-49. The subject property is currently located in the County and is zoned R-1 (Residential Single Family Restricted) and will remain R-1 upon annexation. Location: 1605 Highway 9 South. Zoning Administrator Steve Holder informed the council that the annexation application was complete and met all requirements to be annexed into the city. Mike Sosebee made a motion to approve annexation request ANX-04-004; Jonathan Cox seconded the motion. The motion carried unanimously.

ANX-04-005: Mark Byrd has made a request to annex 9.34 acres of TMP 94-48. The subject property is currently located in the County and is zoned R-1 (Residential Single Family Restricted) and will remain R-1 upon annexation. Location: Highway 9 South. Zoning Administrator Steve Holder informed the council that the annexation application was complete and met all requirements to be annexed into the city. Mike Sosebee made a motion to approve annexation request ANX-04-005; Jonathan Cox seconded the motion. The motion carried unanimously.

Mayor's Report:

Mayor Cox reported that the City is still having problems with its power source, "the brain", doesn't do everything that it supposed to do. But we will overcome this power issue.

Mayor Cox reported on a meeting with Lamar Wakefield, the architect and his associates. The decision was made to do the improvements in phases. Mike Beatty, Commissioner of the Department of Community Affairs and the Governor have asked the City to submit a plan and then they will decide what they can do to help us complete

the project. The first item was to make sure that the City had sufficient enough space. The Mayor has asked Wakefield to figure in the elevator, finishing out our offices, segregating off the Hall of Fame and common area and to finish the upstairs for a meeting rooms. The second phase would be to remove the temporary walls and restructure the lower level. Meetings have been set up after the first of the year with the county and with the school board to see if they are interested in leasing any of the space and to determine how they would like it.

The Mayor met with the high school kids who gather in the parking lot after school. He told the young people that he'd rather they met here at the TRUSA complex than to run the roads. However he asked them not to block the roads or dump trash out there.

Gordon Pirkle opened the restaurant starting today and had a good crowd.

The City has had requests about renting the retail area. We've also had a young man here from UGA who works with the Corp of Engineers looking for office space for him. Lastly, I spoke with one of the banks about the potential of putting a branch office in the building.

Public Comment: Mark Byrd commended the Mayor and Council told everyone he thought they were doing a real good job.

Executive Session: The Council went in to executive session at 7:35 p.m. for the purpose of discussing pending litigation.

Mike Wilson was recused from participating in Executive Session and excused himself at 7:30 p.m.

A motion was made by Tim Wimpey to adjourn Executive Session at 8:10 p.m. Mike Sosebee seconded the motion; the motion carried unanimously.

A motion was made by Tim Wimpey to reconvene the called meeting at 8:10 p.m. Mike Sosebee seconded the motion; the motion carried unanimously.

Jonathan Cox made a motion to go forward with the terms discussed in Executive Session regarding settling the pending litigation. Tim Wimpey seconded the motion. Motion carried unanimous.

Mayor Cox addressed the council expressing his desire to form a Hall of Fame committee to help with the implementation and running of the Hall of Fame. The Mayor would like to have Dana Miles, Gordon Pirkle, David Sosebee, Fay Abercrombie, Annie Dean Samples and Fred Goswick serve. Mike Sosebee made a motion to authorize the Mayor to go forward with forming this committee. Jonathan Cox seconded the motion. The motion carried unanimously.

There being no further business to attend to, a motion was made by Tim Wimpey to adjourn the meeting. Mike Sosebee seconded the motion. The motion carried unanimously.

Minutes approved this 20th day of December, 2004.

Joe Lane Cox, Mayor

Councilman Jonathan Cox

Councilman Tim Wimpey

Councilman Mike Sosebee

Councilman Mike Wilson

Attested: _____
Kim Cornelison, City Clerk

City of Dawsonville
December 6, 2004
Executive Session of the City Council

Mayor Cox called the meeting to order at 6:40 p.m.

Those present: Mayor Joe Lane Cox, Council Members Jonathan Cox, Tim Wimpey, Mike Sosebee and Mike Wilson, Kim Cornelison and Dana Miles.

The Council went in to executive session at 7:35 p.m. for the purpose of discussing pending litigation.

Executive Session was held for the purpose of:

- 1) Consultation with the City Attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the City or any officer or employee or in which the City or any officer or employee may be directly involved as provided in O.C.G.A. §50-14-2(1).

Mike Wilson was recused from participating in Executive Session and excused himself.

At 8:10 p.m. after discussing the matter specified for executive session a motion was made by Tim Wimpey to adjourn Executive Session. Mike Sosebee seconded the motion; the motion carried unanimously.

Minutes approved this 20th day of December, 2004.

Joe Lane Cox, Mayor

Jonathan Cox, Councilman

Tim Wimpey, Councilman

Mike Sosebee, Councilman

Mike Wilson, Councilman

Attest: _____
Kim Cornelison, City Clerk