

City of Dawsonville
June 7, 2004
Council Meeting Minutes
7:00 P.M.

Mayor Cox called the meeting to order at 7:02 p.m.

Roll Call: Those present were Council Member Jonathan Cox, Council Member Tim Wimpey, Council Member Mike A. Wilson, Council Member Mike Sosebee, City Clerk, Gary Barr, Jessie Layne, and Attorney Dana Miles.

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

John Stegall, with the Arts Council presented the Mayor and Council with an art piece. The art piece is a watercolor of the old Town of Dawsonville painted by a local artist. Mr. Stegall stated that the Art Council appreciated the support that the City of Dawsonville had given the Arts Council over the years.

The City Clerk swore in Jessie Layne as the City Marshall, Codes Enforcement Officer, and Building Inspector.

Jonathan Cox made the motion to approve the minutes from the called council meeting held on May 17, 2004 Mike Wilson seconded the motion. Motion carried unanimously.

Old Business: The City Attorney opened the public hearing for an annexation and rezoning request from AMF Investments/Marathon Land Company. The applicant is requesting that the referenced property be annexed into the City of Dawsonville and approximately 92 acres of the property be rezoned from RA to PUD. The property consist of two tracts. Tract 1- 94 acres located off Highway 53 West to be annexed and rezoned from RA to PUD. Tract 2-1.536 acres belonging to Tuson Simmons to be annexed only.

Dave Smitz, spokesperson for AMF Investments/Marathon Land Company, stated that the development would have four (4) lot sizes for the residential property. The development would have a 22-acre parkland that would be deeded to the City for a public park provided that the park be open to the public from dawn to dusk. Signs must be posted by the City stating the hours that the park is open to the public. Walking trails will be put in and paid for by the developer. The developer will also install public parking areas in the park. The development will have sidewalks on both sides of the streets. The swimming pool and cabana will be restricted for residents of the development only. The Commercial portion of the property would consist of approximately four (4) acres and request that the commercial portion of the development be zoned Commercial Highway Business.

David Burroughs, Attorney for the applicant, presented the City Clerk with a Constitution Challenge.

No one else spoke in favor or against the annexation and rezoning, so the City Attorney closed the public hearing.

Jonathan Cox made the motion to approve the annexation and rezoning for AMF Investments/Marathon Land Company with the following conditions:

- ❖ A public passive park will be developed as green space and will include walking trails along the stream bed. public parking will be included. Hours of use will be generally dawn to dusk with signs posted noting such.
- ❖ A private active facility will be installed for the exclusive use of the homeowners and will include a swimming pool, cabana, TOT lot, and parking.
- ❖ Sidewalks will be provided in the right of way on both sides of the street. It is intended that a utility corridor be provided in the right of way between the street curb and the sidewalk.
- ❖ A homeowners association will be created and all lots/homeowners will be required to join the association.

- ❖ All exterior building walls abutting side property lines will meet a one (1) hour fire rating.
- ❖ The Commercial parcel within the PUD will be developed under the Commercial Highway Business zoning classification.
- ❖ The maximum density will be 3.0 units per gross acre. The residential acreage is approximately 90 acres.

. Mike Sosebee seconded the motion. Motion carried unanimously.

The second reading of the proposed Development Regulations was table until a called meeting on June 21, 2004. The City Engineer will review the Water and Sewer Standards in the proposed Ordinance. Jonathan Cox made the motion to call a meeting on June 21, 2004 at 7:00 p.m. Tim Wimpey seconded the motion. Motion carried unanimously.

The City Attorney asked the Council to also hold a work session on June 21, 2004 to review the proposed Zoning Ordinance. The work session will be held at 6:00 p.m.

The City Attorney called the public hearing to order and explained that the purpose of the public hearing was for the second reading of an Ordinance to provide for the Enforcement of State Minimum Codes for Construction. No one spoke in favor or against the proposed Ordinance so the City Attorney closed the public hearing. Jonathan Cox made a motion to approve the second reading of an Ordinance to provide for the Enforcement of State Minimum Codes for Construction. Mike Wilson seconded the motion. Motion carried unanimously.

New business: The Mayor asked the Council to amend the agenda to include a Public Assembly Permit for Thunder Road for the annual Fireworks Display. Tim Wimpey made the motion to amend the agenda to include the Public Assembly Permit for the Thunder Road annual Fireworks Display to be held on July 3, 2004. Mike Sosebee seconded the motion. Motion carried unanimously.

Tim Wimpey made the motion to approve the Public Assembly Permit for the Thunder Road's annual Firework Display to be held on July 3, 2004, pending the Fire Marshall and Sheriff's approval. Mike Sosebee seconded the motion. Motion carried unanimously.

Annie Dean Samples gave a brief update on the financial status of Thunder Road. Ms. Samples stated that Thunder Road has only one employee and is only open on the weekends. Thunder Road is being run by volunteers and expenses have been drastically reduced. The History Channel is in the process of making a movie on racing history and Thunder Road and Dawson County will be included in the movie.

Thunder Road will be having another fundraising event soon. A Car Show and Tire Burnout are scheduled.

Tim Wimpey made a motion to approve the Public Assembly Permit for the Car Show and Tire Burnout. Mike Sosebee seconded the motion. Motion carried unanimously. There will be no charge for the Public Assembly Permit.

A spokesman for Habitat for Humanity, Forsyth and Dawson County Branch, came forth and gave a brief history of the local Habitat for Humanity Chapter. The spokesman asked the City Council if they would consider giving Habitat for Humanity the six lots owned by the City on Flat Creek Road. The City Attorney stated that the City could not give the lots to anyone. The City Attorney stated that the City could form a Housing Authority that would develop a low-income housing project. The City Attorney will research this matter.

Tim Wimpey made the motion to give the Family Connection \$2,000.00. The money would come out of the \$5,000.00 that had been budgeted for the Library. Mike Wilson seconded the motion. Motion carried unanimously.

The City Attorney called the public hearing to order. The City Attorney stated that the purpose of the public hearing was to hold the first reading of the proposed Zoning Ordinance. Wayne Melton, Planning

Commission member stated that the Planning Commission had looked at five other cities Zoning Ordinance and had drafted the proposed Zoning Ordinance to fit the needs of the City of Dawsonville. Mr. Melton commended the Planning Commission for their work on the proposed Zoning Ordinance. No one else had a comment so the City Attorney closed the public hearing. Jonathan Cox made the motion to approve the first reading of the proposed Zoning Ordinance. Mike Sosebee seconded the motion. Motion carried unanimously.

The first reading of an Ordinance to amend the Standard Fire Codes was tabled until July 5, 2004.

Mike Sosebee made a motion to approve the Business License for Great American Cleaning Service on the condition that the owner signs the business license application. Mike Wilson seconded the motion. Motion carried unanimously.

Frank Craft was not present at the meeting to voice his complaint concerning the storm water run off coming from Richmond Subdivision. The City Marshall/Building Inspector has assessed the storm water run-off problem. The City of Dawsonville has never accepted the storm drains, street or water/sewer lines in Richmond Subdivision; therefore, the problem falls back on the developer of Richmond Subdivision. Tim Wimpey made the motion to have the City Attorney draft a letter to the developer of Richmond Subdivision notifying him of the storm water run-off problem. Jonathan Cox seconded the motion. Motion carried unanimously. The City Attorney will send a copy of the letter to Mr. Craft.

The City Attorney went over the procedures for the bid openings. the bids will be opened by staff on Wednesday before the Monday night Council meeting. Copies of all bids plus staff recommendation will be made a part of the agenda packages. A motion was made by Tim Wimpey to approve the bid opening procedures. Mike Wilson seconded the motion. Motion carried unanimously.

Lauren Christian sent a certified letter to the Mayor requesting that her security deposit be refunded. Tim Wimpey made a motion to table this item until research could be completed. Jonathan Cox seconded the motion. Motion carried unanimously.

Mayor's Report: Mayor Cox reported that a new bank account had been opened at United Community Bank as a reserve account for the 2003 series bonds.

Mayor Cox stated that Blackberry Art Studio has sent a written request to have \$7.00 in penalties removed from their utility bill. Mike Sosebee made a motion to deny the removal of penalties form Blackberry Art Studio's utility bill. Jonathan Cox seconded the motion. Motion carried unanimously.

Mayor Cox reported that DOT is still trying to decide what kind of traffic control device to place at the intersection of Highway 9 and Highway 53.

Mayor Cox reported that the County now leases the gravel parking lot across from the courthouse. Jonathan Cox had spoken with K.K. Turner about giving the County a long-term lease on the parking lot and allowing the County to pave the parking lot. Mayor Cox stated that the City would be willing to pay for part of the paving materials if the County would pave the parking lot.

Jonathan Cox gave a brief update on the Downtown Development Authority. Mr. Cox stated that the DDA had paid for an ad in the AJC for the Arts in the Garden Festival. The DDA had set an attendance policy for its members and is working in conjunction with Town Square Graphics to develop a character map of Dawsonville. The DDA will contribute \$50.00 for each business that places its business on the character map.

Mayor Cox appointed all the Council Members to the Clean and Green Commission. The Council Members are to address all complaints to the City Marshall in writing.

Mayor Cox read a complaint from Mary Sosebee. Mrs. Sosebee's rock street number box was damaged during water line construction. Tim Wimpey made a motion for the City to reimburse Mrs. Sosebee in the

amount of \$32.96. Mike Wilson seconded the motion. Motion carried with Mike Wilson, Tim Wimpey and Jonathan Cox voting yes and Mike Sosebee and Mayor Cox abstaining. Mr. Townley reimbursed Mrs. Sosebee the \$32.96 to replace her rock street number box.

Public Comment: Charles Samples stated that Thunder Road should charge \$2.00 per car for the fireworks display. Mr. Samples stated that he wants to keep Thunder Road alive and in the City of Dawsonville. Mr. Samples thanked the City for all of its support for Thunder Road. Mayor Cox stated that he too wanted to keep Thunder Road alive and in the City of Dawsonville and hoped that some space would be available for Thunder Road to remain in the City of Dawsonville.

Executive Session: None

Adjournment: Mayor Cox adjourned the June 6, 2004 Council Meeting at 9:30 p.m.

Mayor

Attest