

City of Dawsonville
August 25, 2004
Called Meeting of the City Council
Minutes

Mayor Cox called the meeting to order.

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

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

Approval of Minutes: A motion was made by Jonathan Cox to approve the minutes from the August 2, 2004 Council Meeting. Tim Wimpey seconded the motion. Motion carried unanimously.

Consent Agenda Items: Motion was made by Jonathan Cox to reinstate Ms. Betty Cloer as the City Clerk. Tim Wimpey seconded the motion. City Attorney Dana Miles advised the Council that this item is on the consent agenda because they just ratified the action of what was done in executive session by approving the minutes from the August 2, 2004 meeting. In order to consider this motion, a motion will need to be made to take the item off the consent agenda.

Jonathan Cox made a motion to remove item "A" ratification of termination of Betty Cloer as City Clerk and appointment of Kim Cornelison as Interim City Clerk from the consent agenda and move it to new business. Tim Wimpey seconded the motion. The vote passed 3 to 1 with Mike Sosebee opposing. The motion carried.

Motion was made by Jonathan Cox to ratify consent agenda item "B", to accept the resignation of Jessie Layne as City Marshall. Tim Wimpey seconded the motion. The motion carried unanimously.

Old Business: Dave Smitz spoke regarding the variance request from Marathon Land Company. Mr. Smitz first addressed the correction of lot sizes stating that all type "A" lots now average 12,400 square foot; type "B" lots are now 10,462 square foot; both type lots now surpass the 7,500 square foot minimum. The variances requested are as follows: Type "A" lots: 20-foot front and rear set back, 7-foot side setback. Type "B" lots: 20-foot front and rear set back, 5-foot side setback. Fred Youngman, Planning Commission Chairman stated that roughly 123 lots are out of compliance regarding lot width, that the town homes curb to back are still out of compliance as well as in several other issues. Councilman Cox clarified that the variance request is on lot types "A" and "B". Mr. Smitz affirmed that the variance request was only on lot types "A" and "B" and that the other issues would be addressed in the future. Motion was made by Jonathan Cox to grant the variance request on lot types "A" and "B" as requested by Dave Smitz.

Mike Sosebee seconded the motion. Upon a call for a vote, the council was split two in favor (J. Cox/M. Sosebee) and two opposed (M. Wilson/T. Wimpey). Mayor Cox broke the tie by voting in favor of the variance request. Motion carried and Marathon Land Company was granted the variance request as stated above.

Dana Miles opened the public hearing for the second reading of the Through Truck Traffic Ordinance. There being no public comment, Mike Sosebee made a motion to approve the ordinance as written. Tim Wimpey seconded the motion. Motion carried unanimously.

New Business: Dana Miles addressed the council regarding the personnel actions/appointments. He advised the council that personnel matters, under Georgia law, should be handled in executive session and only be put on the consent agenda for action to be taken. Based upon this legal advice, the Council deferred any action related to the City Clerk until this matter could be considered in executive session. Due to ongoing interviews, the Council also deferred any action for the positions of Water & Sewer Administrative Assistant and Planning & Zoning Director to the next meeting.

Regarding the destruction of old records, Kim Cornelison presented the council with a list of records that meets the requirements of the City of Dawsonville's Records Retention ordinance for disposition. The items listed are items that specifically meet the requirements of this ordinance. Mike Sosebee made a motion to dispose of the records. Motion died for lack of a second.

Regarding Risk Management, Kim Cornelison asked that this item be deferred until the next meeting.

Regarding an appointment to the Planning & Zoning Commission to replace Ken Grosch. Mike Wilson made a motion to appoint B.J. Farley to replace Ken Grosch on the Planning & Zoning Commission. Tim Wimpey seconded the motion. The motion carried unanimously.

Mayor's Report: The Mayor announced that he has officially apologized earlier tonight regarding a statement he made and how he went about it. He apologized to everyone at the meeting and for how he went about it.

Public Comment: Gordon Pirkle said he did not have a specific item to address other than the comment that all of the people in attendance at the council meeting with "We support our Mayor" stickers on speaks for itself. *Note: there were approximately fifty people in attendance.

Executive Session: Motion was made at 7:40 p.m. to return to Executive Session by Jonathan Cox to finish discussion on personnel matters. Motion was seconded by Mike Wilson. Motion carried unanimously.

Motion was made to come out of Executive Session and return to Regular Session at 8:35 p.m. by Mike Sosebee. Seconded by Mike Wilson. Motion carried unanimously.

Adjournment: There being no further business of the City of Dawsonville, Jonathan Cox made a motion to adjourn the meeting at 8:37 p.m. Motion seconded by Tim Wimpey. The motion carried unanimously.

Approved by:

Mayor

Councilman

Councilman

Councilman

Councilman

Attested: _____
City Clerk