

City of Dawsonville
May 8, 2006
7:00 p.m.
Regular 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 Linda Grant, Jonathan Cox, Mike Wilson, Mike Sosebee, Kim Cornelison, Gary Barr and Dana Miles.

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

Approval of Minutes: The minutes from the April 3, 2006 City Council meeting were unanimously approved. Grant/Cox.

Old Business:

Audit Report: The 2005 audit presented at the April 3, 2006 meeting was unanimously approved and adopted. Cox/Wilson.

New Business:

Parade & Public Assembly Application: Kim Cornelison presented the application for the GRHOF Car Show, Burnout Show and Community Yard Sale to be held July 1, 2006. The City has received approvals from the Sheriff, the Fire Marshall and Department of Transportation.

Ms. Cornelison further explained that signage has been developed with the help of the Department of Transportation to forewarn drivers that traffic may be impeded by event traffic for events specifically held at the Dawsonville Municipal Complex property. Signage will be placed east and westbound along Highway 53 as you approach City Hall. The signage specifically states: "Caution Special Event Ahead", "Be Prepared to Stop", and "Congested Area Ahead".

The application was approved unanimously. Grant/Wilson.

Parade & Public Assembly Application: Kim Cornelison presented the application for the GRHOF Thunder in the Sky to be held July 3, 2006. The City has received approval with stipulations from the Sheriff specifically stating that arrangements need to be made to keep cars from parking on the sides of the highway and city streets. The Fire Marshall has not yet approved the event as the GRHOF Commission is required to fill out an Application for Permit to Conduct Outdoor Fireworks and/or Pyrotechnic Displays. The GRHOF Commission has been waiting on the pyrotechnic company's contract in order to complete this task. Ms. Cornelison asked for conditional approval of the application based on the Sheriff's stipulations and the Application for Permit to Conduct Outdoor Fireworks and/or Pyrotechnic Displays being completed and approved by the Fire Marshal.

The application was approved unanimously with the conditions listed. Cox/Wilson.

Agreement for Services with GMRDC: Ms. Cornelison informed the Council that they had already approved this item at the March meeting; the actual agreement for the Downtown Redevelopment Historic Preservation Study/Plan was included for informational purposes.

Parade & Public Assembly Application: Kim Cornelison presented the application for the GRHOF Car Show, Burnout Show and Community Yard Sale to be held June 3, 2005. The City has received approvals from the Sheriff, Fire Marshal and Department of Transportation.

The application was approved unanimously. Cox/Wilson.

Bid Announcements: Mr. Ben Turnipseed, the City's Engineer, presented the bid packages for both the Burt's Creek Lift Station project and the Sewerage System Improvements project.

Burt's Creek Lift Station: Mr. Turnipseed presented the bid tabulations for the Burt's Creek Lift Station project which showed Strack, Inc. as the low bidder at \$264,018.00. The low bidder included two different pump manufacturers; the City could save a little money using the alternative pump. This will be evaluated later and if it is found to be a reasonable substitute then a change order can be initiated. Mr. Turnipseed then read the resolution awarding Strack, Inc. and asked for adoption by the council.

The resolution was unanimously adopted. Wilson/Sosebee.

A copy of the package presented to the Council is attached to the minutes. The package includes: a letter from G. Ben Turnipseed Engineers, the bid tabulation and the resolution.

Sewerage System Improvements: Mr. Turnipseed reminded the council that the City has received a USDA grant of \$2,550,400 and a loan in the amount of \$3,091,100. This project consists of sewage system improvements, replacing sewer lines and upgrading and increasing capacity of the City's present wastewater treatment plant from 130,000 gallons per day to 400,000 per day.

Mr. Turnipseed read the engineering letter which stated that the low bidder for Division One (the sewer lines) was Townley Construction Company, Inc. at \$201,641.00. Division Two with the low bidder being W.F. Floyd Construction, Inc. in the amount of \$2,276,433.00; there was an additional bid for the dredging and removal of sludge and they bid \$626,000. Second low bidder was Lanier Contracting Company who bid \$3,418,070 for Division Two and \$542,170 for sludge removal. The engineer recommends the City request the low bidder reevaluate the dredging of the pond and a proposal from Georgia Rural Water Association for this work. After an evaluation has been completed a change order could be issued for the dredging and sludge removal.

Mr. Turnipseed read the resolution awarding Division One to Townley Construction for \$201,641.00; and Division Two to W.F. Floyd Construction, Inc. for \$2,276,433.

The resolution was unanimously adopted. Sosebee/Cox.

A copy of the package presented to the Council is attached to the minutes. The package includes: a letter from G. Ben Turnipseed Engineers, the bid tabulation and the resolution.

Public Hearings:

Comprehensive Plan:

Adam Hazel, Planning Director from the Georgia Mountains Regional Development Center. Mr. Hazel explained that every local government is required to have a comprehensive plan. The City of Dawsonville is due for its ten year update. Mr. Hazel presented an outline of what the project entails. A copy of the outline is attached to the minutes.

The comprehensive plan is a twenty to thirty year guideline for growth and management of the City. It is comprised of three large parts: 1) The Community Assessment which is an objective professional analysis of facilities, infrastructure, traffic, natural resource management; 2) the Public Participation Program which is how the public is engaged in the project via public hearings or surveys; and 3) the Community Agenda where the full public hearing will be and disclose the existing conditions, the desired conditions and the plan to achieve the goal.

Ordinances:

Amendment to Franchise granted to Georgia Power Company by the City of Dawsonville (Ordinance Amending Franchise Adopted on September 11, 1975).

Dana Miles opened the public hearing stating that the proposed ordinance amendment has to do with Georgia Power and has been worked out between Georgia Municipal Association and Georgia Power Company. Mr. Miles stated he has concerns relating to costs of relocation of facilities. However, since the ordinance must be heard two times recommended approval and his findings can be disclosed at the next reading. Ms. Cornelison pointed out that the existing agreement expires in 2010 the next agreement would extend that to 2030 and should be considered.

The first reading of the ordinance passed unanimously. Grant/Wilson.

An ordinance to amend the zoning ordinance of the City of Dawsonville, Georgia, to amend and provide for additional residential zoning classifications and regulations, to provide for health, safety, morality, and welfare related limitations on density and buildings in residential zoning districts, to add definitions related to same, to provide for an application withdrawal procedure, to provide for a postponement procedure, to provide for an effective date, and for other purposes.

Dana Miles opened the public hearing stating that the ordinance provides for a new zoning classification of R-6. This will clarify R-3 which is single family residential at a density of three per acre. R-6 will be for multifamily residential, for instance townhomes, apartments, duplexes and condominiums. It also provides for postponement and withdrawal

procedures which will help clarify the process for both staff and applicants to follow. Finally it provides for definitions to very specific terminology often used in the Planning and Zoning department.

The first reading of the zoning ordinance amendment was unanimously approved.
Cox/Sosebee.

Annexations:

To hear Annexation Petition 06-005: William Leroy Bearden has made a request to annex 7.994 acres of TMP091-005. The subject property is located at 515 Hwy. 136 West. The property is currently zoned R-A and will be R-1 upon annexation. (Second hearing). Dana Miles read the annexation petition and rezone request and opened the public hearing. There being no public comment Mr. Miles closed the public hearing. The Council unanimously approved the second reading and adoption of the annexation petition.
Cox/Grant.

To hear Annexation Petition 06-006: Lyndon West has made a request to annex 26.904 acres of TMP 091-003. The subject property is located at 334 Hwy. 136 West. The property is currently zoned R-A and will be R-1 upon annexation. (Second hearing). Dana Miles read the annexation petition and rezone request and opened the public hearing. There being no public comment Mr. Miles closed the public hearing. The Council unanimously approved the second reading and adoption of the annexation petition.
Cox/Grant.

To hear Annexation Petition 06-007: Warren H. & Emily R. Pennington have made a request to annex 3.00 acres of TMP 091-006.001. The subject property is located at 273 Highway 136 West. The property is currently zoned R-1 and will remain R-1 upon annexation. (Second hearing). Dana Miles read the annexation petition and rezone request and opened the public hearing. There being no public comment Mr. Miles closed the public hearing. The Council unanimously approved the second reading and adoption of the annexation petition. Cox/Sosebee.

To hear Annexation Petition 06-008: David Bearden has made a request to annex 2.61 acres of TMP 091-006. The subject property is located at 237 Hwy. 136 West. The property is currently zoned R-1 and will remain R-1 upon annexation. (Second hearing). Dana Miles read the annexation petition and rezone request and opened the public hearing. There being no public comment Mr. Miles closed the public hearing. The Council unanimously approved the second reading and adoption of the annexation petition.
Grant/Sosebee.

To hear Annexation Petition 06-009: Jerry Gibson has made a request to annex 00.25 acres of TMP 091-061. The subject property is located at 2001 Hwy. 9 North. The property is currently zoned R-1 and will remain R-1 upon annexation. (Second hearing). Dana Miles read the annexation petition and rezone request and opened the public hearing. There being no public comment Mr. Miles closed the public hearing. The Council unanimously approved the second reading and adoption of the annexation petition.
Wilson/Grant.

To hear Annexation Petition 06-010: Jerry Gibson has made a request to annex 4.719 acres of TMP 091-007. The subject property is located at 2001 Hwy. 9 North. The property is currently zoned R-1 and will remain R-1 upon annexation. (Second hearing). Dana Miles read the annexation petition and rezone request and opened the public hearing. There being no public comment Mr. Miles closed the public hearing. The Council unanimously approved the second reading and adoption of the annexation petition. Wilson/Sosebee.

To hear Annexation Petition 06-011: Jerry Gibson has made a request to annex 2.95 acres of TMP 091-008. The subject property is located at 2049 Hwy. 9 North. The property is currently zoned R-1 and will remain R-1 upon annexation. (Second hearing). Dana Miles read the annexation petition and rezone request and opened the public hearing. There being no public comment Mr. Miles closed the public hearing. The Council unanimously approved the second reading and adoption of the annexation petition. Cox/Wilson.

To hear Annexation Petition 06-012: Jeff and Angie Cantrell have made a request to annex 1.134 acres of TMP 091-007.001. The subject property is located at 16 Park Ave. The property is currently zoned R-1 and will remain R-1 upon annexation. (Second hearing). Dana Miles read the annexation petition and rezone request and opened the public hearing. There being no public comment Mr. Miles closed the public hearing. The Council unanimously approved the second reading and adoption of the annexation petition. Grant/Wilson.

To hear Annexation Petition 06-013: Etrulya Gibson has made a request to annex 1.262 acres of TMP 091-055. The subject property is located at 100 Park Ave. The property is currently zoned R-1 and will remain R-1 upon annexation. (Second hearing). Dana Miles read the annexation petition and rezone request and opened the public hearing. There being no public comment Mr. Miles closed the public hearing. The Council unanimously approved the second reading and adoption of the annexation petition. Sosebee/Wilson.

To hear Annexation Petition 06-014: Craig and Lisa Hester have made a request to annex 3.03 acres of TMP 091-009. The subject property is located at 238 Hwy. 136 West. The property is currently zoned R-A and will be zoned R-1 upon annexation. (Second Hearing). Dana Miles read the annexation petition and rezone request and opened the public hearing. There being no public comment Mr. Miles closed the public hearing. The Council unanimously approved the second reading and adoption of the annexation petition. Grant/Sosebee.

To hear Annexation Petition 06-015: Lyndon West has made a request to annex 29.883 acres of TMP 091-010. The subject property is located at 2279 Hwy. 9 North. The property is currently zoned R-A and will be R-1 upon annexation. (Second hearing). Dana Miles read the annexation petition and rezone request and opened the public hearing. There being no public comment Mr. Miles closed the public hearing. The Council unanimously approved the second reading and adoption of the annexation petition. Grant/Sosebee.

To hear Annexation Petition 06-016: Clint Hulsey has made a request to annex 5.00 acres of TMP 091-041. The subject property is located at on Hwy. 136. The property is currently zoned R-1 and will remain R-1 upon annexation. (Second hearing). Dana Miles read the annexation petition and rezone request and opened the public hearing. There being no public comment Mr. Miles closed the public hearing. The Council unanimously approved the second reading and adoption of the annexation petition. Grant/Wilson.

Re-Zoning:

To hear Rezone Request ZA-2-06-1267: Jeff & Robert Tablak have requested a Zoning Map Amendment for TMP 90-26 consisting of 6.98 acres, also known as 1 Gold Creek Drive. The property is currently zoned CHB and is requested to be PUD. Dana Miles read the rezone request and opened the public hearing.

Mayor Cox read a letter that had been previously prepared by Planning and Zoning Director Steve Holder stating the provisions approved by the Planning Commission. The provisions are as follows: the final plat be consistent with the master plan and that the parking reflected in the final plans and specs be approved by the Planning Director as consistent with the needs of the property.

There being no public comment Mr. Miles closed the public hearing.

The Council unanimously approved the rezoning request. Cox/Grant.

Annexation:

To hear Annexation Petition 06-002: Dida Spicer has made a request to annex 0.684 acres of TMP 093-073. The subject property is located at 868 Hwy. 9 South. The property is currently zoned R-1 and is requested to be OD. (First hearing). Dana Miles read the annexation petition and rezone request and opened the public hearing. There being no public comment Mr. Miles closed the public hearing. The Council unanimously approved the first reading and adoption of the annexation petition. Cox/Grant.

Public Comment:

Three different residents of the Flat Creek subdivision spoke about the neighboring development creating a dust problem in their neighborhood.

Mr. Bill Fowler stated that the development behind Flat Creek was constantly raising dust and it creates a lot of problem. He has had to clean the exterior of his house three times this year. He also stated the dust creates a health issue. Mr. Fowler stated he has been in the grading business for 25 years. He asked for a water truck be utilized to settle the dust.

Mr. Jimmy Smith spoke to the council stating this is the second time he has approached the council with this problem. Mr. Smith stated that his roof is being ruined because of the problems this amount of dust accumulates on his roof.

Mrs. Burke stated that the Monday after Easter she could not be outside because there was so much dust swirling in the air.

Mayor Cox confirmed that they are required to put a water truck on the site and utilize it. Mayor Cox stated he would pass the complaints on to Mr. Holder.

Ms. Cornelison asked the residents to please contact Steve Holder when the dust is problematic if they are home at that time.

Mr. Barr did confirm that Mr. Holder has been out to the site on two different occasions and that both times there was no evident problem.

Mayors Report:

Mayor Cox stated that he has meet with the Etowah Water & Sewer Authority regarding service area. Negotiations have been ongoing; however it appears that progress is going forward and that EWSA will be having a special called meeting to discuss the area and the costs associated with it.

This past week the Mayor and staff had met with Department of Community Affairs Commissioner, Mike Beatty to discuss grants that could be utilized to build out the interior of the City Hall building.

The Cagle campaign folks used the City's building for a kick off campaign that went over very well. All three of the Elliott's were in attendance – Bill, Dan and Ernie; the event appeared very successful.

Lastly, this past weekend the City had several events going on: Kiwanis Fun Run, Art in the Garden and the GRHOF Car Show and Burnout show. Everything seemed like it was well attended and ran fairly smoothly.

The Mayor asked for any further comment from the Council or public.

Mr. Miles addressed the council about one final action item. Mr. Miles asked the Council to authorize the Mayor to execute the Amended EWSA water agreement that would allow the City to start the well and spring up again without voiding the existing agreement.

The Council authorized the Mayor to execute the Amended EWSA Water Agreement unanimously. Grant/Cox.

Adjournment:

There being no further business to attend to, motion carried unanimously to adjourn. Cox/Wilson.

Minutes approved this _____ day of June, 2006.

Joe Lane Cox, Mayor

Councilmember Jonathan Cox

Councilmember Linda Grant

Councilmember Mike Sosebee

Councilmember Mike Wilson

Attested: _____
Kim Cornelison, City Clerk