

MINUTES
CITY COUNCIL REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, March 7, 2022
5:00 P.M.

1. **CALL TO ORDER:** Mayor Mike Eason called the meeting to order at 5:01 pm.
2. **ROLL CALL:** Present were Councilmember John Walden, Councilmember Mark French, Councilmember Caleb Phillips, Councilmember William Illg, City Attorney Kevin Tallant, City Manager Bob Bolz, City Clerk Beverly Banister, Public Works Director Trampas Hansard, Utilities Operation Manager Jacob Barr, Planning Director David Picklesimer and Finance Administrator Robin Gazaway.
3. **INVOCATION AND PLEDGE:** Invocation was led by Councilmember Illg. Boy Scout Troop #225 led the pledge.
4. **ANNOUNCEMENTS:** Mayor Eason announced the City received a three-million-dollar grant from the State towards the wastewater treatment plant.
5. **APPROVAL OF THE AGENDA:** Motion to approve the agenda as presented made by M. French; second by J. Walden. Vote carried unanimously in favor.
6. **PUBLIC INPUT:** None
7. **CONSENT AGENDA:** Motion to approve the consent agenda for the following items (a,b,c,d,e,f) made by J. Walden; second by C. Phillips. Vote carried unanimously in favor.
 - a. Approve Minutes
 - Regular Meeting and Work Session held February 21, 2022
 - b. Approve Resolution to Adopt the Updated Water Conservation Plan (Exhibit "A")
 - c. Approve Georgia Academy for Economic Development Training for Councilmember Illg
 - d. Approve 2022 Farmers Market Use Agreement
 - e. Approve General Services Agreements with Lead Edge Design Group
 - f. Approve Upgrade to Well and Lift Station Monitoring System
 - **\$36,700 to JK Duren to be paid out of FY2022 Enterprise Fund Budget**

8. **PROCLAMATIONS:** Mayor Eason read the proclamations for Exceptional Children's Week for March 7 -11, 2022 and Employee Appreciation Day on March 4, 2022.
9. **ZA-C2200058:** Everett Management, LLC has petitioned a zoning amendment for TMP D03 010, Located at 239 Hwy 9 North from HB (Highway Business) to CBD (Central Business District). Public Hearing Dates: Planning Commission on December 13, 2021 and City Council on March 7, 2022. City Council for a decision on March 21, 2022.

Planning Director Picklesimer read the zoning amendment request.

Motion to open the public hearing made by W. Illg; second by J. Walden. Vote carried unanimously in favor. Mayor Eason conducted the public hearing. No one spoke in favor or opposition of the request. Motion to close the public hearing made by C. Phillips; second by W. Illg. Vote carried unanimously in favor.

10. **VAR-C2200060:** Everett Management, LLC has petitioned to eliminate the 30' foot buffer along the rear and east property lines and reduce the 40' foot setback to 17 feet along the East property line and 20' feet along the rear property line for TMP D03 010, Located at 239 Hwy 9 North. Public Hearing: Planning Commission on December 13, 2021 and City Council on March 7, 2022. City Council for a decision on March 21, 2022. (Postponed by Planning Commission until February 14, 2022.)

Planning Director Picklesimer read the variance request.

Motion to open the public hearing made by M. French; second by J. Walden. Vote carried unanimously in favor. Mayor Eason conducted the public hearing. The following citizen spoke in favor of the request:

- Jason Heard, 4110 Heard Ind. Blvd, Cumming – He spoke on behalf of the applicant and is in favor of the variance. He stated they had some issues with encroaching trees on the

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neighboring property which is being corrected, as well as an issue with a tarp and some items under it.

Councilmember Illg asked about any complaints from the neighbors; Mr. Heard responded only with the encroaching trees. Mayor Eason asked the Planning Director if he has checked if the property complies with the conditions made by the Planning Commission; he stated yes.

No one spoke in opposition of the request. Motion to close the public hearing made by J. Walden; second by W. Illg. Vote carried unanimously in favor.

11. **ZA-C2200111**: City of Dawsonville and Mike Eason has petitioned a zoning amendment for TMP 092 020 002, Located at 374 Burt Creek Rd from R1 (Restricted Single-Family Residential District) to R3 (Single-Family Residential). Public Hearing Dates: Planning Commission on February 14, 2022, and City Council on March 7, 2022. City Council for a decision on March 21, 2022.

Mayor Eason recused himself from this request due to it being his rezoning application. Planning Director Picklesimer read the zoning amendment request.

Motion to open the public hearing made by W. Illg; second by M. French. Vote carried unanimously in favor. Councilmember Walden conducted the public hearing. Mike Eason is in favor of the request but reserved his time for anyone who may speak in opposition. No one spoke in opposition of the request. Motion to close the public hearing made by M. French; second by C. Phillips. Vote carried unanimously in favor.

12. **ZA-C2200112**: City of Dawsonville and Farmington Woods, LP has petitioned a zoning amendment for TMP 093 041, Located at 34 Farmington Circle from R3 (Single-Family Residential) to R6 (Multiple-Family Residential District). Public Hearing Dates: Planning Commission on February 14, 2022, and City Council on March 7, 2022. City Council for a decision on March 21, 2022.

Planning Director Picklesimer read the zoning amendment request.

Motion to open the public hearing made by W. Illg; second by J. Walden. Vote carried unanimously in favor. Mayor Eason conducted the public hearing. No one spoke in favor or opposition of the request. Motion to close the public hearing made by M. French; second by J. Walden. Vote carried unanimously in favor.

13. **ZA-C2200119**: SDH Atlanta, LLC has petitioned a zoning amendment for TMP 084 004 and 084 005; Located at 1694 and 1768 Highway 9 South from R1 (Restricted Single-Family Residential District) to R3 (Single-Family Residential). Public Hearing Dates: Planning Commission on February 14, 2022, and City Council on March 7, 2022. City Council for a decision on March 21, 2022.

Planning Director Picklesimer read the zoning amendment request.

Motion to open the public hearing made by M. French; second by C. Phillips. Vote carried unanimously in favor. Mayor Eason conducted the public hearing. The following citizens spoke in favor of the request:

- Corey Guthrie, 3384 Elliott Family Parkway, Dawsonville – He spoke on behalf of the applicant supporting the request by referring to the City's Comprehensive Plan, other surrounding subdivisions zoned R3, the plan for the community being a conservation style, walking trails, EPD concerns, buffers, amenities and the style of homes.

Councilmember Illg inquired about parking for outside visitors using their trail system; Mr. Guthrie explained the trail system is meant for the residents of the community. Councilmember French asked if the intention was to eventually ask the City to take in the roads; Mr. Guthrie responded yes. French further inquired about what methods of mitigation would be used to deter parking on the streets; Mr. Guthrie spoke about the proposed width of the road and also mentioned the 30' front setback allowing for 2-3 cars to fit in the driveway. He also stated amenity parking will be available. French also asked if the HOA would prohibit on-street parking; Mr. Guthrie believed it would.

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Mike Turner and Keith Adams both signed in to speak in favor but requested to reserve their time to be used in response of the citizens speaking in opposition.

The following citizens spoke in opposition of the request:

- George Beutel, 170 Burt's Crossing Drive, Dawsonville – He stated his overall concern for the traffic and congestion which already exists on Highway 9.

Mayor Eason stated the City has been working with GDOT for many years trying to obtain a roundabout at that intersection to help with the traffic. A recommendation from the Planning Department, if approved, calls for a right turn lane at Perimeter and Hwy 9 or funds would be dedicated for a roundabout.

- Brenda Johnston, 105 Apple Ridge 2, Dawsonville – She stated her concerns about the loss of habitat and wildlife, pollution, traffic, the destruction of streams and the burden on services. She feels this community would create a drastic change of environment and lifestyle for the surrounding residents and strongly recommends leaving the property zoned as R1.
- Gail Smith, 378 Apple Ridge 1, Dawsonville – She spoke against the development and stated there is too much growth too fast. She is concerned with the traffic, the burden on the schools, and the surrounding creeks and streams. She is requesting the property remain zoned as R1.

Mayor Eason announced the allotted time of ten minutes has expired. Motion to extend the public hearing for both sides by ten minutes was made by M. French; second by C. Phillips. Vote carried unanimously in favor.

Mayor Eason stated the City has issued a stop work order at Thunder Ridge due to the erosion and a traffic study was done by GDOT to find resolution to slow down traffic, however, it was found that the roads are capable of handling the speeds at which they are posted. He further stated most of the subdivisions in the area were already approved in previous years by another administration, but this Council is working diligently with developers to try and reduce the number of homes per subdivision to control some of the growth.

- Hal Perry, 408 Apple Ridge 1, Dawsonville – He spoke against the request citing traffic concerns, pollution from fertilizer getting into the surrounding drinking water, overflow of the detention ponds and the breeding of mosquitoes and potential power outages on the lift stations.

Mayor Eason stated the requirements of EPD concerning the management of detention ponds and also spoke about the lift station which is owned by Etowah Water & Sewer Authority, assuming they have a backup in the case of failure. The engineer will address the concerns regarding the mosquitoes and the detention ponds.

- Phyllis Bottoms, 248 Apple Ridge 1, Dawsonville – She stated her concerns about the overall growth of the area, the traffic specifically during school hours and the burden placed on the schools.
- Steve McCaslin, 520 Apple Ridge 1, Dawsonville – He shared his concerns about the potential damage to his drinking water, the traffic, the fish in the surrounding streams, the birds and the wildlife. He implored the Council not to approve the R3 zoning and asked why the City would initiate it unless they were trying to annex their properties into the City.

Mayor Eason clarified that they are not trying to annex the surrounding properties into the City and the property owner is the one who has made the application for the rezoning, not the City; the City only considers the request.

Motion to extend the public hearing for both sides by five minutes made by W. Illg; second by M. French. Vote carried unanimously in favor.

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- Renee Livingstone, 2493 Hwy 9 South, Dawsonville – She cited the City's zoning map and asked the Council to stick with the current zoning of R1.
- Sarah Jones, 3100 Hwy 9 South, Dawsonville – She agrees with all the other citizens concerns and further stressed the concern with traffic on Hwy 9. She strongly requests the zoning be left as R1 and requests the Council consider capping the number of renters allowed in the community.

Attorney Tallant stated there is a bill in the General Assembly which, if passed, would prohibit local governments from enacting rental restrictions; therefore, until further guidance is provided, an opinion couldn't be offered on the subject.

- Jamie England, 166 Apple Ridge 1, Dawsonville – She stated she agrees with all the comments made by the previous citizens.

The Mayor and Council invited the following citizens to use their reserved time to speak in favor of the request:

- Mike Turner, 1090 Oak Haven Drive, Roswell – He spoke in favor of the request stating Dawsonville needs rooftops and jobs and the proposed community will have a positive impact on the City.
- Corey Guthrie, 3384 Elliott Family Parkway, Dawsonville – He spoke about the water quality and detention pond concerns; assuring the public he is bound by Federal, State and Local requirements when they are constructed. He also addressed the lift station concerning citing a plan to have a back up lift station and/or generator in place to prevent any overflow issue.
- Keith Adams, 110 Village Trail, Woodstock – He spoke on behalf of the builder and provided information about the R2 vs. R3 zoning, the conservation area planned within the community, the traffic concerns and the buffers they will be providing to protect sensitive areas.

Councilmember French thanked everyone for showing up to share their opinion.

Motion to close the public hearing made by M. French; second by J. Walden. Vote carried unanimously in favor.

- 14. HPMA-C2200124:** Allen Street Properties, LLC has petitioned a Historic Preservation Map Amendment for a portion of TMP 092B 021, Located at Land Lot 378, 439 and 440 4th District; within the Historic District of Dawsonville. Public Hearing Dates: Historic Preservation Commission on Monday, February 28, 2022, and City Council on March 7, 2022. City Council for a decision on March 21, 2022.

Planning Director Picklesimer read the Historic Preservation map request.

Motion to open the public hearing made by C. Phillips; second by W. Illg. Vote carried unanimously in favor. Mayor Eason conducted the public hearing.

The following citizens spoke in favor of the request:

- Mike Turner, 1090 Oak Haven Drive, Roswell – He stated his reasons for requesting to remove the Historic Preservation overlay. They include the property being vacant and having no significant historic value, the need for matching homes within the subdivision being planned for the property and his plans to develop the road frontage piece as commercial.

Mayor Eason asked about the size of the property going into the subdivision; Mr. Turner stated approximately forty acres. Mayor Eason also asked about the entrances; Mr. Turner stated they are proposing Howser Mill Road, Route 9 and/or Tucker Ave and Harry Melling Street. He further stated

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the commercial business would face Hwy 53. Councilmember Illg asked how many acres will be proposed as commercial; Mr. Turner approximated one and half to two acres.

- Angie Smith, 224 Howard Avenue, Dawsonville – She spoke as the Chairperson for the Historic Preservation Commission (HPC) and explained their role to keep the Historic District design intact. Therefore, the Commission requests the overlay remain on the parcel facing Route 53 and intended for commercial use so that the design is in line with existing properties surrounding it within the Historic District. She further stated the part of the property intended for housing, does not need to remain in the Historic District since they will not be visible from the road. She requests the City Council consider the HPC's recommendation.

Mayor Eason inquired about the size of the property to be left in the Historic District; Attorney Tallant stated it was approximately 1.8 acres. Councilmember French expressed his gratitude to the HPC members regarding their thoughtfulness and commitment to both the Commission and the request before them.

Mike Turner also expressed his gratitude to the HPC to keep the integrity of the Historic District intact and accepts their recommendation.

Motion to close the public hearing made by M. French; second by W. Illg. Vote carried unanimously in favor.

EXECUTIVE SESSION:

At 6:50 p.m. a motion to close regular session and go into executive session for pending and/or potential litigation was made by J. Walden; second by M. French. Vote carried unanimously.

At 6:58 p.m. a motion to close executive session was made by M. French; second by W. Illg. Vote carried unanimously in favor.

Motion to resume regular session was made by M. French; second by W. Illg. Vote carried unanimously in favor.

ADJOURNMENT:


At 6:59 p.m. a motion to adjourn the meeting was made by J. Walden; second by W. Illg. Vote carried unanimously.

(Signatures on next page)

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Approved this 21st day of March 2022.

By: CITY OF DAWSONVILLE



Mike Eason, Mayor



Caleb Phillips, Councilmember Post 1



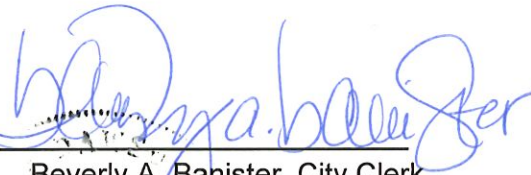
William Illg, Councilmember Post 2



John Walden, Councilmember Post 3



Mark French, Councilmember Post 4

Attest: 

Beverly A. Banister, City Clerk



STATE OF GEORGIA
COUNTY OF DAWSON

AFFIDAVIT OF THE CITY OF DAWSONVILLE MAYOR AND COUNCIL

Mayor Michael Eason, Councilmember John Walden, Councilmember Caleb Phillips, Councilmember William Illg, and Councilmember Mark French; being duly sworn, state under oath that the following is true and accurate to the best of their knowledge and belief:

1. The City of Dawsonville Council met in a duly advertised meeting on March 7, 2022.
2. During such meeting, the Board voted to go into closed session.
3. The executive session was called to order at 6:50 p.m.
4. The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law: (check all that apply)

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);


Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and _____;

Discussion of future acquisition of real estate as provided by O.C.G.A. § 50-14-3(b)(1);

Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a City officer or employee as provided in O.C.G.A. § 50-14-3(b)(2);

Other _____ as provided in: _____.

This 7th day of March; By the City of Dawsonville, Mayor and Council:


Mike Eason, Mayor

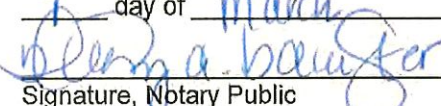

Caleb Phillips, Councilmember Post #1


William Illg, Councilmember Post #2

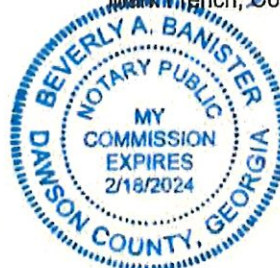

John Walden, Councilmember Post #3


Mark French, Councilmember Post #4

Sworn to and subscribed before me this
7 day of March, 2022.


Signature, Notary Public

My Commission expires: Feb 18, 2024



RESOLUTION R2022-01

**A RESOLUTION OF THE CITY OF DAWSONVILLE
ADOPTION OF WATER CONSERVATION PLAN**

WHEREAS the City of Dawsonville realizes the need to update its water conservation plan to protect the natural resources of the City and comply with Georgia Environmental Protection Division guidelines for permitting groundwater withdrawals, and

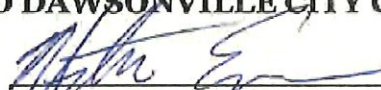
WHEREAS the City has authorized the updated Water Conservation Plan for the City of Dawsonville dated February 2022,

WE HEREBY RESOLVE to adopt the Water Conservation Plan for the City of Dawsonville dated February 2022, as prepared by Turnipseed Engineers.

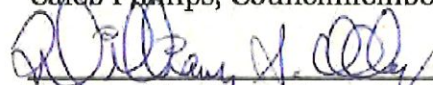
THIS RESOLUTION was passed by a vote of 4 to 0 at a City Council Meeting held March 7, 2022.

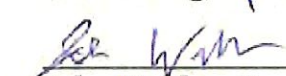
MAYOR AND DAWSONVILLE CITY COUNCIL

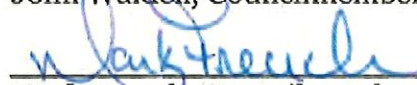
By:


Mike Eason, Mayor

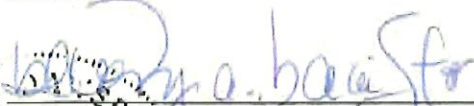

Caleb Phillips, Councilmember Post 1


William Ilg, Councilmember Post 2


John Walden, Councilmember Post 3


Mark French, Councilmember Post 4

ATTEST:


Beverly A. Banister, City Clerk

