

MINUTES
CITY COUNCIL REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, June 6, 2022
5:00 P.M.

1. **CALL TO ORDER:** Mayor Pro-Tem Walden called the meeting to order at 5:00 pm.
2. **ROLL CALL:** Present were 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 and pledge were led by Councilmember Illg.
4. **ANNOUNCEMENTS:** Mayor Pro-Tem Walden announced the next Food Truck night will be July 1, 2022, the Farmer's Market is open every Saturday through October starting at 8:00 am and the Primary Runoff is scheduled for June 21, 2022 with advanced voting from June 13 – 17, 2022.
5. **APPROVAL OF THE AGENDA:** Motion to amend the agenda by removing item #12 made by W. Illg; second by M. French. Vote carried unanimously in favor.

Motion to approve the agenda as amended made by M. French; second by C. Phillips. 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) made by W. Illg; second by C. Phillips. Vote carried unanimously in favor.
 - a. Approve Minutes
 - Regular Meeting and Work Session held May 16, 2022
 - b. Approve Annual Chamber of Commerce Agreement
 - c. Approve Electric Vehicle Charging Services Agreement

BLIC HEARING

8. **PROPOSED FY 2022-2023 BUDGET:** Motion to open the public hearing made by W. Illg; second by M. French. Vote carried unanimously in favor. Mayor Pro-Tem Walden conducted the public hearing. No one spoke in favor of or opposition to the request. Finance Administrator Gazaway explained there will be an increase to the health insurance by eight (8) percent. Motion to close the public hearing made by M. French; second by C. Phillips. Vote carried unanimously in favor.

BUSINESS

9. **ANX-C2200143:** Stephen Caldwell has petitioned to annex 3.00 acres of TMP 068 053, Located at 389 Cleve Wright Rd, with a County Zoning of RA (Residential Agricultural/Residential Exurban) to City Zoning RA (Restricted Agricultural District). Public Hearing Dates: Planning Commission on May 9, 2022, and City Council on May 16, 2022. City Council for a decision on June 6, 2022.

Motion to approve ANX-C2200143 as presented made by W. Illg; second by M. French. Vote carried unanimously in favor. (Exhibit "A")
10. **RESOLUTION #R2022-05:GEORGIA STATE PATROL POST #37:** Motion to approve Resolution #R2022-05 as presented made by M. French; second by C. Phillips; second by M. French. Vote carried unanimously in favor. (Exhibit "B")
11. **FIFTY FIFTH ANNUAL MOUNTAIN MOONSHINE FESTIVAL:** Kare for Kids Director Tiffany Buchan provided a brief overview of the festival.

Motion to approve the permit application and road closures as requested made by M. French; second by W. Illg. Vote carried unanimously in favor. Mayor Pro-Tem Walden requested that if any changes were made to the event to make the City Council aware of it; Ms. Buchan agreed and said she would contact City Manager Bolz.
12. **DAWSONVILLE MOONSHINE DISTILLERY: REQUEST TO TERMINATE LEASE:** Removed from agenda.

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EXECUTIVE SESSION:

At 5:18 p.m. a motion to close regular session and go into executive session for personnel was made by W. Illg; second by C. Phillips. Vote carried unanimously in favor.

At 5:46 p.m. a motion to close the executive session was made by W. Illg; second by C. Phillips. 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 5:49 p.m. a motion to adjourn the meeting was made by c. Phillips; second by W. Illg. Vote carried unanimously.

Approved this 20th day of June 2022.

By: CITY OF DAWSONVILLE

absent

Mike Eason, Mayor

Caleb Phillips

Caleb Phillips, Councilmember Post 1

William Illg

William Illg, Councilmember Post 2

John Walden

John Walden, Councilmember Post 3

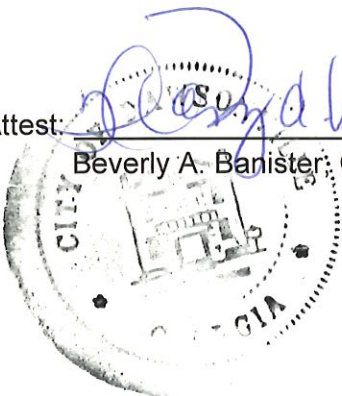
Mark French

Mark French, Councilmember Post 4

Attest:

Beverly A. Banister

Beverly A. Banister, City Clerk



STATE OF GEORGIA
COUNTY OF DAWSON

AFFIDAVIT OF THE CITY OF DAWSONVILLE MAYOR AND COUNCIL

Mayor Michael Eason, Mayor Pro-Tem 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 June 6, 2022.
2. During such meeting, the Board voted to go into closed session.
3. The executive session was called to order at 5¹⁰ 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 6th day of June; By the City of Dawsonville, Mayor and Council:

absent

Mike Eason, Mayor

Caleb Phillips
Caleb Phillips, Councilmember Post #1

William Illg
William Illg, Councilmember Post #2

John Walden
John Walden, Mayor/Pro-Tem/Councilmember

Mark French
Mark French, Councilmember Post #4



Sworn to and subscribed before me this 6 day of June, 2022.

Beverly A. Banister
Signature, Notary Public

My Commission expires: Feb 18, 2024

ANNEXATION ORDINANCE
ANX-C2100143

STATE OF GEORGIA
COUNTY OF DAWSON

WHEREAS, the City of Dawsonville, a Georgia municipal corporation ("Dawsonville") wishes to take action to annex certain land into the corporate limits of the City of Dawsonville, a Georgia municipal corporation; and,

WHEREAS, pursuant to O.C.G.A. § 36-36-20, *et. seq.* authority is granted to governing body of Dawsonville to annex into the existing corporate limits of Dawsonville unincorporated areas contiguous to the corporate limits of Dawsonville upon written and signed application of all of the owners of the land proposed to be annexed; and,

WHEREAS, on March 7, 2022, an application of real property was filed with the City of Dawsonville by Stephen Caldwell, Owner, regarding certain property lying and being in Land Lot No. 90 and 115 of the 4th Land District, of Dawson County, Georgia as recorded in Plat Book 29 Page 289 of the Dawson County Records (the "Property"), said survey of the Property being attached hereto as Exhibit "A"; and,

WHEREAS, pursuant to O.C.G.A. § 36-36-6, notice was provided to the governing authority of Dawson County, a political subdivision of the State of Georgia, of such proposed annexation, a copy of said notice being attached hereto as Exhibit "B"; and,

WHEREAS, the Mayor and Council of Dawsonville do desire to act on such application for annexation of real property by Charles Alan Barge as set forth herein;

NOW THEREFORE, the City of Dawsonville, a Georgia municipal corporation, hereby enacts the following:

I.

The Ordinances of the City of Dawsonville, Georgia, are amended as follows:

CITY OF DAWSONVILLE, GEORGIA

ORDINANCE REGARDING ANNEXATION OF LAND
PURSUANT TO O.C.G.A. § 36-36-20, *et. seq.*

Application having been made by Stephen Caldwell (the "Owner") to annex certain unincorporated real property into the corporate limits of the City of Dawsonville, a Georgia municipal corporation, said real property being more particularly described as

lying and being in Land Lots No. 90 and 115 of the 4th Land District, of Dawson County, Georgia as recorded in Plat Book 29 Page 289 of the Dawson County Records (the "Property"), said Property being contiguous to the existing corporate limits of the City of Dawsonville, a Georgia municipal corporation, the Mayor and Council of the City of Dawsonville, a Georgia municipal corporation, under the authority and powers granted under O.C.G.A. § 36-36-20, *et. seq.*, do hereby annex the Property into the corporate limits of the City of Dawsonville, a Georgia municipal corporation, effective as of the date of this Ordinance and direct the City Clerk and City Attorney for the City of Dawsonville, a Georgia municipal corporation, to take such actions to make such reports and filings as are necessary to effectuate the annexation of the Property into the corporate limits of the City of Dawsonville, a Georgia municipal corporation.

II.

All ordinances, parts of ordinances, amendments, or regulations in conflict herewith are repealed.

III.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

IV.

It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Dawsonville, Georgia.

V.

This Ordinance shall take affect the first day of the month following the adoption of this ordinance provided that all requirements of Article 2 of Chapter 36 of Title 36 of the Official Code of Georgia Annotated have been met; and shall become effective for purposes of ad valorem taxes on December 31st of the year in which this ordinance is adopted.

The above Ordinance was approved by the Mayor and Council of the City of Dawsonville, Georgia, on the 6th day of June, 2022.

(Signatures on next page)

absent

Mike Eason, Mayor

Caleb Phillips

Caleb Phillips, Councilmember

John Walden

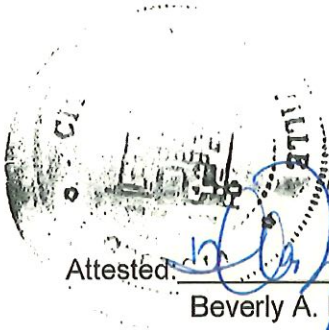
John Walden, Councilmember

William Illg

William Illg, Councilmember

Mark French

Mark French, Councilmember



Attested:

Beverly A. Banister
Beverly A. Banister, City Clerk

N/F ELLIOTT

S 93°00'00" E
171.03'

GEORGIA, DAWSON COUNTY
CLERK'S OFFICE, SUPERIOR COURT
FILED FOR RECORD

Recorded in Book 29 Page 289
This _____ day of _____ 19____

CURTIS CHAPPELL CLERK

NOTES:

- (1) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A LEGAL TITLE SEARCH AND IS SUBJECT TO ANY AND ALL DISCLOSURES PRODUCED BY SAME, INCLUDING EASEMENTS WHETHER OR NOT SHOWN ON THIS PLAT.
- (2) THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITY NAMED HEREON. - EDITING OR REPRODUCTION WITHOUT THE CONSENT OF THE SURVEYOR IS PROHIBITED.

LEGEND

- 1. N.T.S. = NOT TO SCALE
- 2. LL = LAND LOT
- 3. C.T. = CRIMP TOP
- 4. O.T. = OPEN TOP
- 5. R/W = RIGHT OF WAY
- 6. C = CENTER LINE
- 7. P = PROPERTY LINE
- 8. LLL = LAND LOT LINE
- 9. PP = POWER POLE
- 10. N/P = NOW OR FORMERLY
- 11. Δ = IRON PIN FOUND
- 12. ⊙ = IRON PIN SET (1/2" OT)
- 13. R.C.P. = REINF. CONC. PIPE
- 14. C.M.P. = CORRUGATED METAL PIPE
- 15. ——— = POWER LINE
- 16. ---H--- = WATER LINE
- 17. --G-- = GAS LINE
- 18. -X-X- = FENCE
- 19. ⊞ = R/W MONUMENT

IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

Frederick C. Youngman
FREDERICK C. YOUNGMAN

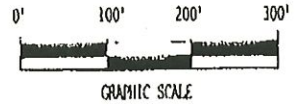
THIS (PROPERTY) (RECORDED) (IS NOT) LOCATED WITHIN THE 100 YEAR FLOOD AREA PER OFFICIAL "FIA FLOOD HAZARD MAPS"

EQUIPMENT USED FOR MEASUREMENT
TOPCON GTS-2

REF. PLAT:

PLAT FOR WALKER
DATED 5/6/87

BY: YOUNGMAN '88



N/F WALKER

723.26'

APPROX. LLL

3.000 ACRES

N 00°00'00" E

S 00°00'00" W

N/F ELLIOTT

804.78'

N 64°30'56" W
189.47'

CLEVE WRIGHT RD.
(21' DITCH - DITCH)

S 82°03' 43" E 2605.17'
FROM THE C INTERSECTION
OF HWY. 183 & CLEVE
WRIGHT ROAD.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 335,709 FEET.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 31,858 FEET AND AN ANGULAR ERROR OF 03" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.



PROFESSIONAL LAND SURVEYOR
DAWSONVILLE, GA 30634
(706) 216-8505



DAVID BRYAN GOBER
AND
STELLA M. GOBER

LAND LOT: 90, 115	92026
DISTRICT: 4TH	SECTION:
COUNTY: DAWSON	STATE: GEORGIA
SCALE: 1" = 100'	DATE: 4/11/88

Exhibit A

Exhibit "A"

Planning and Zoning Department
415 Highway 53 E. Suite 100
Dawsonville, Georgia 30534



706.265.3256
www.dawsonville-ga.gov

March 14, 2022

Via Certified Mail 7018 3090 0001 6005 4761

Mr. Billy Thurmond
Board of Commissioners
Dawson County
25 Justice Way, Suite 2313
Dawsonville, GA 30534

Re: Annexation of Property of Stephen Cadwell ANX-C2200143; TMP 068 053; 389 Cleve Wright Road

Dear Mr. Thurmond,

Please be advised that the City of Dawsonville, Georgia, pursuant to authority vested in the Mayor and Council of the City of Dawsonville by Article 2, Chapter 36, Title 36 of the Official Code of Georgia Annotated, received a petition to annex the property referenced above. This annexation petition will be heard during the public hearing segment of the following Planning Commission May 9, 2022, and City Council on May 16, 2022. City Council for a decision on June 6, 2022.

This letter has been sent to you by certified mail, return receipt requested, upon receipt of the Annexation Petition of Stephen Cadwell. Said notice is in compliance with O.C.G.A. §§ 36-36-6, and 36-36-111. Please see the attached copy of the annexation petition and map of the site proposed to be annexed, which are included to allow you to identify the subject area, as well as the intended use of the property.

Pursuant to O.C.G.A. § 36-36-113, upon receipt of this notice Dawson County has thirty (30) calendar days to raise an objection to the proposed use of the above referenced land, and to specify the basis therefore.

Finally, in accord with O.C.G.A. § 36-36-7, Dawson County has five (5) business days from the receipt of this notice to notify the City that there are County-owned public facilities within the area proposed for annexation.

Thank you for your time and attention to this matter, and I look forward to hearing from you regarding this issue. If I may be of assistance in this regard or any other, please do not hesitate to contact me.

Sincerely,

Stacy Harris
Zoning Administrative Assistance

Enclosures

cc: David Headley, County Manager
Dawson County Attorney

Exhibit B

Exhibit "A"

RESOLUTION R2022-05

**A RESOLUTION OF THE CITY OF DAWSONVILLE REGARDING
GEORGIA STATE PATROL POST #37**

WHEREAS, the Georgia State Patrol, a state agency, provides public health, safety, and welfare services within the corporate limits of the City of Dawsonville; and,

WHEREAS, in order to effectively carry out their duties, obligations, and services, the Georgia State Patrol officers require the use of properly maintained specialty equipment, and,

WHEREAS, many Georgia State Patrol officers that service the City of Dawsonville have resorted to expending personal funds to purchase said specialty equipment; and,

WHEREAS, the Mayor and City Council of the City of Dawsonville, Georgia, are charged with the protection and maintenance of the public health, safety, and welfare of those within the corporate limits of the City of Dawsonville; and,

WHEREAS, the services rendered by the Georgia State Patrol are a substantial benefit to the City of Dawsonville; and,

WHEREAS, the Mayor and City Council wish to assist officers and the Georgia State Patrol in effectively carrying out their duties to provide for the public health, safety, and welfare of the citizens of the City of Dawsonville.

NOW, THEREFORE, BE IT RESOLVED by the governing authority of the City of Dawsonville, Georgia, that the City of Dawsonville shall provide fifteen (15) Fenix model TK16V2.0 handheld tactical flashlights and fifteen (15) USB-C chargeable 21700 batteries for a total cost (including shipping and handling) of One Thousand Three Hundred and Sixty Four dollars (\$1,364.00) to the Georgia State Patrol and its officers that service the corporate limits of the City of Dawsonville, in recognition of the substantial benefit that said officers provide to the Citizens of the City of Dawsonville, and in an effort to assist said officers in effectively carrying out their duties in providing for the public health, safety, and welfare of the citizens of the City of Dawsonville.

RESOLVED this 6th day of June 2022.

**MAYOR AND DAWSONVILLE CITY
COUNCIL**

By: _____

absent

Mike Eason, Mayor

Caleb Phillips

Caleb Phillips, Councilmember Post 1

William Illg

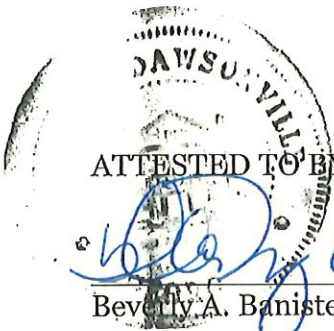
William Illg, Councilmember Post 2

John Walden

John Walden, Councilmember Post 3

Mark French

Mark French, Councilmember Post 4



ATTESTED TO BY:

Beverly A. Banister

Beverly A. Banister, City Clerk