

MINUTES
CITY COUNCIL SPECIAL CALLED MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Wednesday, January 17, 2024
5:00 P.M.

1. **CALL TO ORDER:** Mayor Walden called the meeting to order at 5:01 pm.
2. **ROLL CALL:** Present were Councilmember William Illg, Councilmember Sandy Sawyer, Councilmember Mark French, Councilmember Caleb Phillips, City Attorney Kevin Tallant, City Manager Bob Bolz, City Clerk Beverly Banister, Public Works Director Trampas Hansard, Utility Operations Manager Blake Croft, Downtown Development Director Amanda Edmondson and Finance Director Robin Gazaway. Clay Moss and Stacy Harris were in attendance for Planning and Zoning.
3. **INVOCATION AND PLEDGE:** Invocation and pledge were led by Councilmember French.
4. **ANNOUNCEMENTS:** The final Downtown Dawsonville Strategic Planning meeting will be held at City Hall on January 25, 2024 at 6:00 pm.
5. **APPROVAL OF THE AGENDA:** Motion to amend the agenda to add item #12a Granddaddy Mimms Lease made by C. Phillips; second by M. French. Vote carried unanimously in favor.

Motion to approve the agenda as amended made by M. French; second by W. Illg. Vote carried unanimously in favor.
6. **PUBLIC INPUT:**
 - Mike Turner, 1090 Oakhaven Dr., Roswell – Mr. Turner reported on a homeless and vagrant problem in Dawsonville. He stated he has found on several occasions, tents set up on his property, which he has taken down and reported. He wanted to make the Council aware of the issue and is concerned about public safety.
 - Charlie Ziadie, 354 Wood Ridge Trail, Dawsonville – He is the owner of 26 Roy Hall Street and made suggestions about utilizing the City's cemetery parking for his business which is two blocks away. He would like to present a scope of work to put in a crosswalk and solar lights since his concern would be public safety.
7. **CONSENT AGENDA:** Motion to approve the consent agenda for the following items (a - b) made by W. Illg; second by S. Sawyer. Vote carried unanimously in favor.
 - a. Approve Minutes
 - Regular Meeting and Work Session held December 18, 2023
 - Executive Session held December 18, 2023
 - b. Approve Amendment to SAFEbuilt Agreement
8. **EMPLOYEE RECOGNITION:** The Mayor and Council recognized Beth Tuttle for three years of service with the City.

BUSINESS

9. **ANX-C2400048: DAWSON COUNTY BOE HAS PETITIONED TO ANNEX 1.61 ACRES OF TMP 093 005, LOCATED AT 516 ALLEN STREET WITH A COUNTY ZONING OF C-CB (COMMUNITY BUSINESS COMMERCIAL DISTRICT) TO CITY ZONING INST (INSTITUTIONAL DISTRICT). PUBLIC HEARING DATES: PLANNING COMMISSION ON DECEMBER 11, 2023, AND CITY COUNCIL ON DECEMBER 18, 2023.**

Motion to approve ANX-C2400048 as presented made by W. Illg; second by C. Phillips. Vote carried unanimously in favor. (Exhibit "A")
10. **ZSP C2400063: ATLANTA MOTORSPORTS PARK, LLC HAS PETITIONED TO AMEND THE SITE PLAN TO CONVERT THE TAKEOUT KITCHEN TO A RESTAURANT; LOCATED AT 20 DUCK THURMOND ROAD (TMP 070 049 001). PUBLIC HEARING DATES: PLANNING COMMISSION ON MONDAY, DECEMBER 11, 2023, AND CITY COUNCIL MONDAY, DECEMBER 18, 2023.**

Discussion occurred amongst the Council surrounding both restaurant sites and potential stipulations.

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Motion made by M. French to approve ZSP-C2400063 for two restaurant sites; one at the conference center and one at the go-cart clubhouse with the following stipulations:

- Applicant is to submit a site plan for the conference center restaurant which shall meet all regulations at the time it is submitted and be approved by the Planning and Zoning Department.
- Applicant is to implement a mechanism at the go-cart clubhouse to assist with preventing those persons consuming alcohol from driving on the track.

Second by C. Phillips. Vote carried unanimously in favor.

- 11. CONSIDERATION OF BID #24-RFB-004 AUDIO AND VIDEO UPGRADES:** Finance Director Gazaway reported they received two bids in response to the bid request and both were substantially above the estimated values.

Motion to reject both bids submitted in response to Bid #24-RFP-004 due to costs higher than estimated values made by W. Illg; second by M. French. Vote carried unanimously in favor.

- 12. DISCUSSION OF PARKING ORDINANCE:** Provided in the agenda packet were three options to address issues surrounding parking on City streets. Attorney Tallant stated he will wait for the Council's direction once they've had an opportunity to review and discuss the options.

- 12a. GRANDDADDY MIMMS LEASE:** Motion to modify the lease terms for Granddaddy Mimms to start on the 1st of the month following completion of the City's buildout of the space made by W. Illg; second by M. French. Vote carried unanimously in favor.

STAFF REPORTS

- 13. BOB BOLZ, CITY MANAGER:** City Manager Bolz reported there was one leak adjustment totaling \$80.67. He also reported the USDA concurs with the environmental plan concerning the wastewater treatment plant project and the application for funding will be underway.
- 14. ROBIN GAZAWAY, FINANCE DIRECTOR:** Finance Director Gazaway presented the financial reports representing fund balances and activity through December 31, 2023.

EXECUTIVE SESSION

At 5:28 p.m. a motion to close regular session and go into executive session for potential/pending litigation and personnel was made by W. Illg; second by M. French. Vote carried unanimously in favor.

Following a motion by Councilmember Phillips; second by Councilmember French, the executive session was concluded and the Council returned to join the open meeting.

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

ADJOURNMENT

At 6:45 p.m. a motion to adjourn the meeting was made by S. Sawyer; second by C. Phillips. Vote carried unanimously in favor.

Approved this 5th day of February 2024

By: CITY OF DAWSONVILLE



John Walden, Mayor

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Caleb Phillips, Councilmember Post 1



William Illg, Councilmember Post 2



Sandra Sawyer, Councilmember Post 3



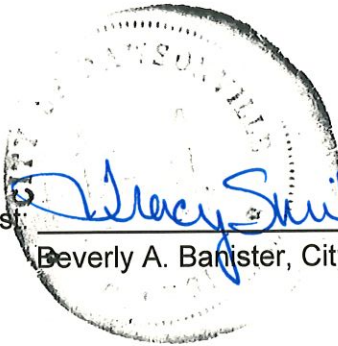
Mark French, Councilmember Post 4

Attest:



Wacey Smith, Deputy City Clerk for

Beverly A. Banister, City Clerk



STATE OF GEORGIA
COUNTY OF DAWSON

AFFIDAVIT OF THE CITY OF DAWSONVILLE MAYOR AND COUNCIL

Mayor John Walden, Councilmember Caleb Phillips, Councilmember William Ilg, Councilmember Sandra Sawyer 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 January 17, 2024
2. During such meeting, the Board voted to go into closed session.
3. The executive session was called to order at 5²⁸ 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 17th day of January 2024; By the City of Dawsonville, Mayor and Council:


John Walden, Mayor


Caleb Phillips, Councilmember Post #1



William Ilg, Councilmember Post #2


Sandra Sawyer, Councilmember Post #3


Mark French, Councilmember Post #4

Sworn to and subscribed before me this

17 day of January, 2024.


Signature, Notary Public

My Commission expires: February 18, 2024



ANNEXATION ORDINANCE
ANX-C2400048

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 October 30, 2023 an application of real property was filed with the City of Dawsonville by Dawson County Board of Education, Owner, regarding certain property lying and being in Land Lots No. 372 and 428 of the North Half of the 13th Land District, of Dawson County, Georgia as recorded in Deed Book 669, Page 221 – 222 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 Dawson County Board of Education 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 Dawson County Board of Education (the "Owner") to annex certain unincorporated real property into the corporate limits of the City of Dawsonville,

Exhibit "A"

a Georgia municipal corporation, said real property being more particularly described as lying and being in Land Lots No. 372 and 428 of the North Half of the 13th Land District, of Dawson County, Georgia as recorded in Deed Book 669, Page 221 – 222 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 effect 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.

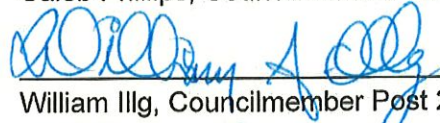
The above Ordinance was approved by the Mayor and Council of the City of Dawsonville, Georgia, on the 17 day of Jan., 2024.

(Signatures on next page)

Exhibit "A"



John Walden, Mayor


Caleb Phillips, Councilmember Post 1


William Illg, Councilmember Post 2


Sandra Sawyer, Councilmember Post 3


Mark French, Councilmember Post 4

Attested: 
Beverly A. Banister, City Clerk

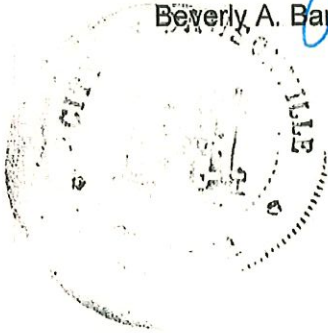


Exhibit "A"

EXHIBIT A

All that tract or parcel of land lying and being partially in Land Lots 372 and 428, North half, the 13th District, 1st Section, City of Dawsonville, Dawson County, Georgia, consisting of 1.610 acres and being more particularly described according to a survey for Dawson County Board of Education, prepared by Richard Webb and Associates, being signed by Richard J. Webb, Georgia Registered Land Surveyor #2507, dated February 2, 2005 as follows:

Beginning at an iron pin set at the intersection of the southerly right-of-way line of Allen Street (a variable right-of-way) and the westerly right-of-way line of Perimeter Road (an 80' right-of-way), said iron pin being the POINT OF BEGINNING, thence travel along the westerly right-of-way line of Perimeter Road South 15 degrees 16 minutes 01 seconds West a distance of 19.22 feet to a right-of-way monument; thence continue along said right-of-way line North 74 degrees 44 minutes 50 seconds West a distance of 15.59 feet to a right-of-way monument; thence continue along said right-of-way line South 15 degrees 21 minutes 11 seconds West a distance of 26.22 feet to a right-of-way monument; thence continue along said right-of-way line South 73 degrees 41 minutes 48 seconds East a distance of 15.45 feet to a right-of-way monument; thence continue along said right-of-way line South 15 degrees 16 minutes 01 seconds West a distance of 245.97 feet to an iron pin set; thence leaving said right-of-way line travel North 89 degrees 48 minutes 55 seconds West a distance of 182.77 feet to a point; thence travel North 10 degrees 45 minutes 00 seconds West a distance of 291.45 feet to a right-of-way monument on the southerly right-of-way line of Allen Street; thence continue along said right-of-way line South 88 degrees 59 minutes 00 seconds East a distance of 314.17 feet to an iron pin set and the POINT OF BEGINNING.

DAWSON COUNTY, GEORGIA
REAL ESTATE TRANSFER TAX

PAID \$ 250.00

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

DATE

File # 43826

AT 1:45 P.M. 5-26-05 Becky

BECKY MCCORD, Esq.

Recorded in Deed Book 669 Page 221-222

SUPERIOR COURT

This 1 day of June 20 05

Stewart, Melvin & Frost LLP
P.O. Box 3280
Oak Grove, Georgia 30053

SPECIAL

WARRANTY DEED

ARKANSAS, COUNTY OF PULASKI

AFTER RECORDING RETURN TO
GEORGE C. CALLOWAY, ESQ.
SPECIALIZED TITLE SERVICES, INC.
6133 PEACHTREE DUNWOODY ROAD, NE
ATLANTA, GA 30328
(770) 584-7000 STS FILE NO. 1087.3d4

THIS INDENTURE, made this 19 day of May, in the Year of Our Lord Two Thousand Five between STANDARD TELEPHONE COMPANY of the State of Georgia and County of Dawson (hereinafter called "GRANTOR"), and DAWSON COUNTY SCHOOL DISTRICT of the State of Georgia and County of Dawson (hereinafter called "GRANTEE"),

WITNESSETH: That the said GRANTOR, for and in consideration of Ten Dollars (\$10.00) and other valuable considerations, in hand paid at and before the sealing and deliver of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said GRANTEE the following described property, to wit:

All that tract or parcel of land more particularly described according to Exhibit A attached hereto and made a part hereof.

This conveyance is made subject to easements, conditions, restrictions, and other matters of record including, without limitation, the following:

1. Easement from Standard Telephone Company to Georgia Power Company, dated April 14, 2002, filed for record May 1, 2002 at 11:20 a.m., recorded in Deed Book 440, page 497, aforesaid Records.
2. A water meter and water valve located in the northwestern portion of the property described on Exhibit A

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said GRANTEE, forever, in FEE SIMPLE.

AND THE SAID GRANTOR will warrant and forever defend the right and title to the above described property, unto the said GRANTEE against the claims of all persons owning, holding or claiming by, through or under the Grantor, but none other.

WHEREVER there is a reference herein to the GRANTOR or the GRANTEE, the singular includes the plural and the masculine includes the feminine and the neuter, and said terms include and bind the heirs, executors, administrators, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the said GRANTOR has hereunto set his hand and seal, the day and year above written.

Signed, sealed and delivered in presence of:

Linda K. Adair
Unofficial Witness

Angela Ann Overton
Notary Public

My Commission Expires September 1, 2010

STANDARD TELEPHONE COMPANY

By: Brent K. Whittington
Vice President - Finance



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



706.203.4923
www.dawsonville-ga.gov

October 31, 2023

Via Certified Mail 7022 3330 0002 3339 5201

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

Re: Annexation of Property of Dawson County BOE ANX-C2400048; TMP 093 005; 516 Allen Street

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 December 11, 2023, and City Council on December 18, 2023. City Council for a decision on January 11, 2024.

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: Joey Leverette, County Manager
Dawson County Attorney

EXHIBIT "B"