

MINUTES
CITY COUNCIL REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, December 1, 2025
5:00 P.M.

- 1. CALL TO ORDER:** Mayor John Walden called the meeting to order at 5:00 pm.
- 2. ROLL CALL:** Councilmember William Illg, Councilmember Caleb Phillips, Councilmember Sandy Sawyer, Councilmember Mark French, City Attorney Kevin Tallant, City Manager Jacob Evans, City Clerk Beverly Banister, Public Works Director Trampas Hansard, Water Treatment Lead Westin Lee, Finance Director Robin Gazaway, Director of Downtown Development Amanda Edmondson and Zoning Administrative Assistant Stacy Harris.
- 3. INVOCATION AND PLEDGE:** Invocation and pledge were led by Councilmember Sawyer.
- 4. ANNOUNCEMENTS:** Mayor Walden shared his appreciation to all the residents who came out for the Tree Lightning event. At the Mayor's request, Attorney Tallant provided information on the agenda item regarding a Discharge of Firearms ordinance. He stated it does not prohibit the discharge of firearms throughout the City; it prohibits the discharge of firearms within one hundred and fifty yards of specific things such as parks and/or recreation areas owned by government agencies, churches and property that is zoned for residential purposes. He also stated the Council has the ability to amend the ordinance as needed.
- 5. APPROVAL OF THE AGENDA:** Motion to approve the agenda as presented made by W. Illg; second by M. French. Vote carried unanimously in favor.
- 6. PUBLIC INPUT:** The following persons spoke during public input:
 - Millard Bowen, 445 S. Sanderlin Mt. Dr., Dawsonville – He reminded the Council this a rural area and there are big property owners who like to use their land to skeet shoot and hunt and to do it safely. He would like the Council to take this into consideration when making their decision.
 - Russell Barefield, 367 Gold Bullion Drive E., Dawsonville – He spoke about the percentages of growth in the County and the City and with that he wants to ensure there is an adequate safety buffer; he believes the proposed ordinance does that. He further emphasized children and grandchildren should be safe on their own property. He stated he is a hunter but chooses to do so on dedicated hunting properties. He does not believe this ordinance is meant to take away 2nd amendment rights but to promote safety. Lastly, he stressed the Council took action to protect its own property, including termination of an employee; he asked the Council to provide the same action regarding his family and property.
 - Andrew Werkheiser, 510 Gold Bullion Drive E., Dawsonville – He stated he is a proud gun owner and supports the 2nd amendment and does not typically agree with restriction; however, when dealing with children and safety he must put that first. He said this is not about taking away rights or guns or the ability to protect yourselves but believes there is fair middle ground which can be reached. He emphasized hunting and target practice should take place in a safe location and provided an example of alleged persons using firearms on the former golf course located in the Gold Creek community. This puts children at risk who are simply playing in their own backyards.
 - Keith Hudson, 1720 Goldmine Road, Dawsonville – He stated when hunting on property, a one hundred and fifty yard buffer is a long way. He proposed hunting twenty yards off the property line and hunting away from that line. He feels it will take away from property owners that hunt and have a skeet range on their property. He stated it should always be in a safe manner and believes they would be doing so. Lastly, he stated any person who shoots a gun is responsible for the bullet.
 - Michael Turner, 51 Hedgewood Lane, Dawsonville – He stated the issue is about private property rights and believes the ordinance takes away from private property rights. He said the State of Georgia has regulations concerning property lines and buildings for hunting and discharging a firearm which is fifty yards. He believes it is a good safety measure that works well and asked how many hunting accidents have there been in the City of Dawsonville or

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Dawson County within the past ten or twenty years. He further stated a one hundred and fifty yard buffer from a school would take away significant hunting property that is currently being hunted on and in a safe manner. He also believes including a PUD in the buffer requirement is arbitrary. He encouraged the Council to do their homework to see that hunting on property is already occurring in a safe manner.

- Billy Smith, 634 Cleve Wright Road, Dawsonville – He said he did his own research regarding stray bullets and found no evidence of any occurrences within the City. He stated he feels this ordinance supports more government and believes they need less government in his personal business; he feels less free by the day in his own City with more regulations.
- Franklin Barker, Jr., 171 Barker Ridge, Dawsonville – He agrees with all the previous comments and stated he has hunted for over fifty years without incident. He asked the Council to consider how this might affect smaller property owners, those who may only have five acres to hunt on.
- Dianne Rawlston, 19 Van Ingram Road, Dawsonville – She stated she is a gun owner and a proud combat veteran and said she is in support of the ordinance. She stated she had a pony shot on her property and her neighbor's donkey was shot and killed. She believes the property next to her is not being hunted on in a safe manner and is not wanting to take people's rights away but it is affecting property owners who live next to hunting property. She stated she does not allow her daughter to ride their horses in the afternoon because there are deer running onto her property who are being chased and she also stated she recently encountered a hunter running with a rifle chasing a deer who ran in front of her while pulling a horse trailer. She emphasized that it does affect residents in the City and County and asks that the Council take this into consideration.

7. CONSENT AGENDA: Motion to approve the consent agenda for the following item (a, b) made by W. Illg; second by C. Phillips. Vote carried unanimously in favor.

- a. Approve Minutes
 - Regular Meeting and Work Session held November 17, 2025
 - Executive Session held November 17, 2025
- b. Approve to Uphold Revocation of I Heart NY Pizza's Alcohol License

PUBLIC HEARING

8. RESOLUTION NO. R2025-09: ENACTING A MORATORIUM ON THE ACCEPTANCE OF ALL COMMERCIAL AND RESIDENTIAL ZONING AND RE-ZONING APPLICATIONS: Attorney Tallant explained the Council had previously adopted a resolution for a temporary moratorium which is due to expire. This resolution would enact the moratorium for a period of six months while the Council continues to consider changes to their zoning ordinance.

Motion to open the public hearing made by S. Sawyer; second by M. French. Vote carried unanimously in favor. Mayor Walden conducted the public hearing.

No one spoke in favor of the request

The following person spoke in opposition to the request:

- Michael Turner, 51 Hedgewood Lane, Dawsonville – He spoke against the proposed resolution because of the unknown effect it will have on the City and development community. He stated his understanding of needing to update the ordinance and encouraged the Council to do so as quickly as possible. He further volunteered his time and talent to help with zoning reviews.

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

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Motion to approve Resolution No. R2025-09 as presented made by M. French; second by W. Illg. Vote carried three in favor (French, Illg, Sawyer) with one opposed (Phillips). Councilmember Sawyer stated her reason for voting in favor is to support the rewriting of the ordinance and to allow time for the Council to work out the details which will hopefully be done at their retreat in February. (Exhibit "A")

BUSINESS

- 9. ORDINANCE NO. 05-2025: AN ORDINANCE TO REGULATE THE DISCHARGE OF FIREARMS WITHIN CITY LIMITS OF THE CITY OF DAWSONVILLE TO PROVIDE FOR EXCEPTIONS, TO PROVIDE FOR DEFINITIONS; TO ESTABLISH A PENALTY FOR VIOLATIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. FIRST READING: DECEMBER 1, 2025; SECOND READING AND CONSIDERATION TO ADOPT: DECEMBER 15, 2025**

Attorney Tallant provided the first reading of the proposed Ordinance No. 05-2025.

Councilmember Sawyer provided a timeline for the proposed ordinance stating she received information on November 14, 2025 from another Councilmember who relayed public safety concerns expressed by a citizen. The proposed ordinance was then placed on the agenda and the ordinance was provided to the Mayor & Council on November 26, 2025 at which time it was also made public. She stated the Council was not able to review the ordinance ahead of time. Councilmember French stated he informed the Mayor and Council via email but did not hear back from anyone, pro or con on the subject. He stated this is a first reading which allows the public to speak and express their views which then allows the ordinance to be modified emphasizing the need to start somewhere in order to address this vital public safety issue. Councilmember Illg agreed this is a starting point and there is concern for addressing safety issues. He also encouraged the public to email the Council their concerns. Mayor Walden suggested having a separate meeting to further discuss the details of the ordinance with the public; Council agreed. Further discussion included state regulation and DNR regulation regarding the differences between hunting and the discharge of firearms and the enforcement of the ordinance.

- 10. FY 2024-2025 FINANCIAL AUDIT:** Motion to accept the FY 2024-2025 Financial Audit as presented made by M. French; second by W. Illg. Vote carried unanimously in favor.
- 11. SPECIAL CALLED JOINT MEETING WITH DAWSON COUNTY BOARD OF COMMISSIONERS:** Motion to call a Special Called Joint Meeting with Dawson County Board of Commissioners on Thursday, January 15, 2026 at 2:00 pm in the 2nd Floor Assembly Room of the Dawson County Government Center located at 25 Justice Way, Dawsonville for the purpose of SPLOST VIII made by S. Sawyer; second by C. Phillips. Vote carried unanimously in favor.

EXECUTIVE SESSION

At 5:36 p.m. a motion to close regular session and go into executive session for pending/potential litigation, real estate acquisition and/or personnel was made by W. Illg; second by M. French. Vote carried unanimously in favor.

At 6:22 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 C. Phillips. Vote carried unanimously in favor.

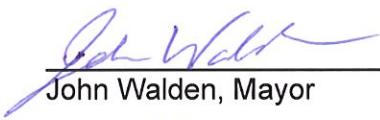
ADJOURNMENT

At 6:23 p.m. a motion to adjourn the meeting was made by S. Sawyer; second by W. Illg. Vote carried unanimously in favor.

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Approved this 15th day of December, 2025

By: CITY OF DAWSONVILLE


John Walden, Mayor


Caleb Phillips, Councilmember Post 1

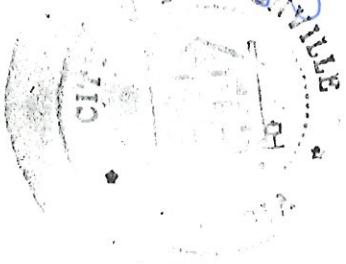

William Illig, Councilmember Post 2


Sandra Sawyer, Councilmember Post 3


Mark French, Councilmember Post 4

Attested:  Deputy City Clerk for

Beverly A. Banister, City Clerk



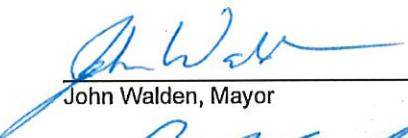
STATE OF GEORGIA
COUNTY OF DAWSON

AFFIDAVIT OF THE CITY OF DAWSONVILLE MAYOR AND COUNCIL

Mayor John Walden, Councilmember Caleb Phillips, Councilmember William Illg, 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 December 1, 2025.
2. During such meeting, the Board voted to go into closed session.
3. The executive session was called to order at 5:36 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 1st day of December 2025; By the City of Dawsonville, Mayor and Council:


John Walden, Mayor

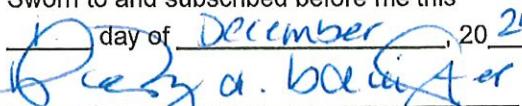

Caleb Phillips, Councilmember Post #1


William Illg, Councilmember Post #2


Sandra Sawyer, Councilmember Post #3


Mark French, Councilmember Post #4

Sworn to and subscribed before me this


day of December, 2025.
Beverly A. Banister

Signature, Notary Public

My Commission expires: Feb 18, 2028



STATE OF GEORGIA
CITY OF DAWSONVILLE

RESOLUTION NO. R2025-09

**RESOLUTION ENACTING A MORATORIUM FOR A PERIOD OF SIX MONTHS
ON THE ACCEPTANCE OF ALL COMMERCIAL AND RESIDENTIAL ZONING
AND RE-ZONING APPLICATIONS WHILE THE CITY CONSIDERS CHANGES
TO ITS ZONING ORDINANCE AND DEVELOPMENT REGULATIONS**

WHEREAS, recent development trends in the City of Dawsonville (hereinafter referred to as "City") suggest that current trends for commercial and residential district use may not be adequately addressed by the current City Zoning Ordinance; and

WHEREAS, the City Council of Dawsonville, Georgia (hereinafter referred to as "Council") is vested with substantial powers, rights and functions to generally regulate the practice, conduct or use of property for the purposes of maintaining health, morals, safety, security, peace, and the general welfare of the City; and

WHEREAS, Georgia law recognizes that local governments may impose moratoria on zoning decisions, building permits, and other development approvals where exigent circumstances warrant the same, pursuant to the case law found at Taylor v. Shetzen, 212 Ga. 101, 90 S.E.2d 572 (1955); Lawson v. Macon, 214 Ga. 278, 104 S.E.2d 425 (1958); and City of Roswell et al v. Outdoor Systems, Inc., 274 Ga. 130, 549 S.E.2d 90 (2001); and

WHEREAS, the Georgia Supreme Court, in the case of DeKalb County v. Townsend, 243 Ga. 80 (1979), held that, "To justify a moratorium, it must appear first, that the interests of the public generally, as distinguished from those of a particular class, require such interference; and second, that the means are reasonably necessary for the accomplishment of the purpose, and not unduly oppressive upon individuals." The Council has found that the interests of the public necessitate the enactment of a moratorium for health, safety, morals and general welfare purposes by means which are reasonable and not unduly oppressive; and

WHEREAS, the Council therefore considers it paramount that land use regulation continues in the most orderly and predictable fashion with the least amount of disturbance to landowners and to the citizens of the City. The Council has always had a strong interest in growth management so as to promote the traditional police power goals of health, safety, morals, aesthetics and the general welfare of the community; and in particular the lessening of congestion on City roads, security of the public from crime and other dangers, promotion of health and general welfare of its citizens, protection of the aesthetic qualities of the City including access to air and light, and facilitation of the adequate provision of transportation and other public requirements; and

WHEREAS, it is the belief of the Council that the concept of "public welfare" is broad and inclusive; that the values it represents are spiritual as well as physical, aesthetic as well as monetary; and that it is within the power of the Council "to determine that a community should be beautiful as well as healthy, spacious as well as clean, well balanced as well as carefully patrolled," Berman v. Parker, 348 U.S. 26, 75 S.Ct. 98 (1954). It is also the opinion of the Council

that "general welfare" includes the valid public objectives of aesthetics, conservation of the value of existing lands and buildings within the City, making the most appropriate use of resources, enhancing and protecting the economic well-being of the community, facilitating adequate provision of public services, and the preservation of the resources of the City; and

WHEREAS, the Council is, and has been interested in developing a cohesive and coherent policy regarding residential and commercial growth and zoning in the City, and have intended to promote community development through stability, predictability and balanced growth which will further the prosperity of the City as a whole; and

WHEREAS, the City is currently evaluating possible revisions to the City Zoning Ordinance and development regulations with respect to the regulation of commercial and residential development so as to address current development trends; and

WHEREAS, the City is exploring ways to harmonize and streamline the ordinances and regulations of the City which concern land use and development, as well as address any perceived conflicts or perceived inconsistencies, and to overall make the land use portions of the Code of the City of Dawsonville more accessible to the public;

WHEREAS, the efforts to this point have identified multiple ways in which the City needs to consider zoning and land use ordinance revisions;

WHEREAS, the City has determined that the acceptance of additional zoning or rezoning applications before these revisions can be considered poses a significant risk of detriment to the City, its citizens, businesses and the public welfare in general, and that immediate action is needed in order to address this potential harm;

WHEREAS, it is in the best interest of the citizens of the City to place a moratorium on the acceptance of applications for residential and commercial initial zonings and re-zonings until the review is completed, and changes to the City's zoning and land use ordinances, if any, are enacted.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DAWSONVILLE, GEORGIA, in regular meeting assembled and pursuant to lawful authority thereof, as follows:

1. In order to adequately study said issues and any zoning ordinance amendments determined to be required, the Council finds as follows: the zoning ordinance and comprehensive land use plan require review as they relate to commercial and residential zones; substantial detriment and irreparable harm may result if revision of commercial and residential zoning ordinances is needed and not implemented; said review of the ordinance and plan requires that a cessation of limited duration of accepting zoning and rezoning applications be implemented, with regard to all commercial and residential developments; and it is necessary and in the public's interest to delay, for a reasonable and finite period of time, the acceptance of any applications for such developments to ensure that the design, development, and location are consistent with the long-term planning objectives of the City.
2. There is hereby imposed a moratorium on the acceptance by the City of all zoning or rezoning applications for the development of commercial and residential developments

as provided for under the zoning ordinance of the City.

3. The moratoria described in this resolution shall expire on the earlier of:
 - a. Tuesday, June 2, 2026;
 - b. A subsequent vote of the Council of the City of Dawsonville, Georgia, repealing or replacing the moratoria described in this Resolution.
4. This moratorium shall have no effect upon:
 - a. Applications for rezonings filed before the effective date of this Resolution;
 - b. Development of properties already zoned in the City prior to the enactment of this Resolution;
 - c. The acceptance of an application for a variance as authorized by the Code of the City of Dawsonville on property for which no rezoning is sought;
 - d. The acceptance of an application for annexation into the corporate limits of the City of Dawsonville, provided, however, that the applicant for annexation seeks for the property so annexed to be zoned either R-1 (Restricted Single Family Residential) or AP (Annexed Property) upon annexation.
5. It is hereby declared to be the intention of the Council that all sections, paragraphs, sentences, clauses and phrases of this Resolution are and were, upon their enactment, believed by the Council to be fully valid, enforceable and constitutional. It is hereby declared to be the intention of the Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Resolution is severable from every other section, paragraph, sentence, clause or phrase therein. It is hereby further declared to be the intention of the Council, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution. In the event that any phrase, clause, sentence, paragraph or section of this Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Resolution and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and effect.
6. All Resolutions or parts of Resolutions in conflict with this Resolution are, to the extent of such conflict, hereby repealed.
7. The preamble of this Resolution shall be considered to be and is hereby incorporated by reference as if fully set out herein.

[execution on following page]

SO ADOPTED AND RESOLVED by the City Council of Dawsonville, Georgia, this 1st day of December, 2025.

MAYOR AND DAWSONVILLE CITY COUNCIL

By: John Walden
John Walden, Mayor

Caleb Phillips
Caleb Phillips, Council Member Post 1

William Illg
William Illg, Council Member Post 2

Sandy Sawyer
Sandy Sawyer, Council Member Post 3

Mark French
Mark French, Council Member Post 4

ATTESTED TO BY:

Beverly A. Banister
Beverly A. Banister, City Clerk