

**MINUTES**  
**CITY COUNCIL REGULAR MEETING**  
**G.L. Gilleland Council Chambers on 2<sup>nd</sup> Floor**  
**Monday, August 2, 2021**  
**5:00 P.M.**

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1. **CALL TO ORDER:** Mayor Eason called the meeting to order at 5:00 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, Planning Director David Picklesimer, Finance Administrator Robin Gazaway and Utilities Operation Manager Jacob Barr.
3. **INVOCATION AND PLEDGE:** Invocation and Pledge were led by Councilmember Walden.
4. **ANNOUNCEMENTS:** Mayor Eason announced the next Food Truck Friday event is this Friday, August 6<sup>th</sup> at the Farmer's Market Pavilion. He also stated qualifying for Councilmembers Post #2 and Post #4 will occur at the Dawson County Board of Elections office from August 16-19, 2021, 8:30 am – 4:30 pm.
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:**
  - Tiffany Buchan, 13 Mill Crossing, Dawsonville – She let the Council know the excellent service she received from Jacob Barr when she had a concern with her water; she stated he was fabulous and always available to help her.
7. **CONSENT AGENDA:** Motion to approve the consent agenda for the following items (a) made by M. French; second by J. Walden. Vote carried three in favor (French, Walden, Phillips) with one abstained (Illg).
  - a. Approve Minutes
    - Regular Meeting and Work Session held July 19, 2021
    - Executive Session held July 19, 2021

#### **PUBLIC HEARING**

8. **ZA C2100238:** City of Dawsonville has requested a zoning amendment for TMP 090 031 001 Located at 1192 Highway 136 West, Land Lot 171 4th District, consisting of 0.17 acres, from PUD (Planned Unit Development District) to INST (Institutional District). Public Hearing Dates: Planning Commission on July 12, 2021 and City Council on August 2, 2021. City Council for a decision on August 16, 2021.

Motion to open the public hearing made by J. Walden; second by C. Phillips. Vote carried unanimously in favor.

Planning and Zoning Director read the Zoning Amendment request. Mayor Eason conducted the public hearing. No one spoke in favor or opposition of the request.

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

Mayor Eason stated this item will be presented at the August 16, 2021 meeting for a decision.

#### **BUSINESS**

9. **RESOLUTION – GEORGIA STATE PATROL POST #37 DONATION:** Motion approve the resolution as presented made by C. Phillips; second by W. Illg. Vote carried unanimously in favor. (Exhibit "A")
10. An Ordinance to Amend The City of Dawsonville Code of Ordinances Regarding Fire Prevention and Protection; To Provide for an Effective Date; And for Other Purposes (First Reading: July 19, 2021; Second Reading and Consideration to Adopt: August 2, 2021)

Planning and Zoning Director Picklesimer read the second reading of the ordinance.

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Motion to approve the ordinance as presented made by J. Walden; second by M. French. Vote carried unanimously in favor. (Exhibit "B")

- 11. MILLAGE RATE FOR TAX YEAR 2021:** Motion to set the 2021 millage rate to 8.021 and roll it back to zero made by C. Phillips; second by W. Illg. Vote carried unanimously in favor.
- 12. 2022 SOLID WASTE COLLECTION SERVICE RATE AND ESTABLISH SERVICE CHARGE:** Motion to set the 2022 additional charge above the baseline charge of the contractor rate for solid waste collection at \$4.00 per can, per month made by M. French; second by C. Phillips. Discussion amongst Council occurred regarding the rates and the cost of cans. Vote carried unanimously in favor.

Motion to approve the 2022 contractor rate for Red Oak Sanitation solid waste collection service at \$13.40 per can, per month made by W. Illg; second by M. French. Vote carried unanimously in favor.

- 13. FARMERS MARKET USE AGREEMENT AMENDMENT:** Motion to approve the first amendment to the 2021 Farmers Market Use Agreement made by W. Illg; second b J. Walden. Vote carried unanimously in favor.
- 14. DISCUSSION AND ACTION ON ANX C2100043/ZA C2100043:** Attorney Tallant explained it is his recommendation to return this annexation and rezone request to the Planning Commission due to an incorrect TMP number used in the advertising of the request. He stated new signs should be posted and new advertisements placed in the legal organ; he believes the advertising requirement will still be met with the item returning to the City Council on October 18, 2021 for a decision.

Motion to refer ANX C2100043 and ZA C2100043 back to the Planning Commission made by M. French; second by W. Illg. Vote carried unanimously in favor.

- 15. FIFTY-FOURTH ANNUAL MOUNTAIN MOONSHINE FESTIVAL:** Tiffany Buchan presented a map to the Council of the layout for the festival. Mayor Eason asked if the manager of Food Lion provided a letter regarding his approval of the use of parking spaces for the store to be given to the festival; Ms. Buchan stated no but was told he will contact the Mayor directly. She stated he had no issue with parking but had concerns about an ATM, the use of the restrooms inside Food Lion and availability for employee parking. Ms. Buchan was working toward getting these issues resolved. Further discussion occurred regarding the placement of food vendors.

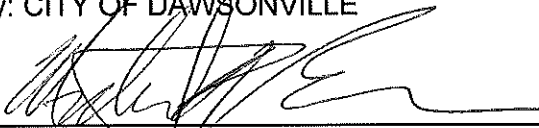
Motion to approve the permit and map as presented made by M. French; second by C. Phillips. City Manager Bolz brought up a possible issue about the placement of cars being parked in an area the DC Fire Department may not approve. Councilmember Walden prefers to hold off on approving the permit and map until the City hears from the manager at Food Lion. Mayor Eason stated he will get with the manager and if there is any issue other than what has been stated, he will bring it back to the Council at the next meeting. Vote carried three in favor (French, Phillips, Illg) with one opposed (Walden).

**ADJOURNMENT:**

At 5:37 p.m. a motion to adjourn the meeting was made by M. French; second by J. Walden. Vote carried unanimously in favor.

*Approved this 16<sup>th</sup> day of August 2021.*

By: CITY OF DAWSONVILLE

  
\_\_\_\_\_  
Mike Eason, Mayor

MINUTES  
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Monday, August 2, 2021  
5:00 P.M.

  
Caleb Phillips, Councilmember Post 1

  
William Illg, Councilmember Post 2

  
John Walden, Councilmember Post 3

  
Mark French, Councilmember Post 4

ATTEST:

By:   
Beverly A. Banister, City Clerk





**RESOLUTION R2021-04**

**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) double magazine clips, fifteen (15) molded car seat organizers, six (6) Enforcer II tint meters, fifteen (15) sling keeps and five (5) wheeled marking wands for a total cost (including shipping and handling) not to exceed Two Thousand Five Hundred dollars (\$2500.00) 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 2<sup>nd</sup> day of August 2021.

**MAYOR AND DAWSONVILLE CITY  
COUNCIL**

By: \_\_\_\_\_

  
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



Subject Matter: Fire Prevention and Protection  
Date of First Reading: July 19, 2021  
Date of Second Reading: August 2, 2021  
Date of Adoption: *August 2 2021*

**AN ORDINANCE TO AMEND THE CITY OF DAWSONVILLE CODE OF ORDINANCES  
REGARDING FIRE PREVENTION AND PROTECTION;  
TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**ORDINANCE NUMBER 02-2021**

**WHEREAS**, the Council of the City of Dawsonville is empowered pursuant to Section 1.12 of its Charter to regulate the erection and construction of buildings and all other structures, and to adopt codes for that purpose;

**WHEREAS**, the Council of the City of Dawsonville has previously adopted codes to regulate the construction of buildings and other structures, including but not limited to codes related to fire safety and prevention;

**WHEREAS**, the Dawsonville City Council now finds that it is in the public interest to update and amend the existing Code of Ordinances as the same concern fire safety and prevention.

**NOW, THEREFORE, The Council of the City of Dawsonville** hereby ordains as follows:

**1. Ordinance Amendments**

The City of Dawsonville Code of Ordinances is hereby modified as provided in Exhibit A, attached hereto and by this reference incorporated herein.

**2. Severability**

It is the express intent of the Dawsonville City Council that this Ordinance be consistent with both Federal and State law. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which may be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

**3. Effective Date**

This Ordinance shall become effective immediately upon passage.

SO ORDAINED this 2<sup>nd</sup> day of August 2021.

By:   
Mike Eason, Mayor

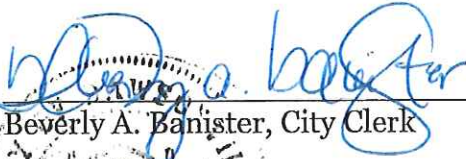
  
Caleb Phillips, Council Member Post 1

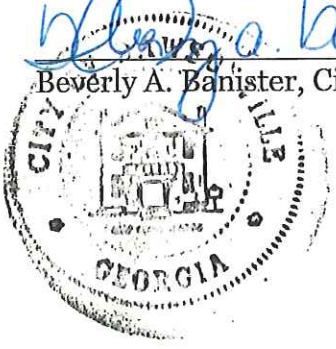
  
William Illg, Council Member Post 2

  
John Walden, Council Member Post 3

  
Mark French, Council Member Post 4

ATTESTED TO BY:

  
Beverly A. Banister, City Clerk





## Chapter 102 - BUILDINGS AND BUILDING REGULATIONS<sup>111</sup>

### Footnotes:

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**State Law reference**— Water Well Standards Act of 1985, O.C.G.A. § 12-5-120 et seq.; access to and use of public facilities by physically handicapped persons, O.C.G.A. § 30-3-1 et seq.; repair, closing and demolition of dwellings unfit for human habitation or buildings or structures that imperil health, safety or welfare, O.C.G.A. § 36-61-11; authority to demolish structures where drug crimes are committed, O.C.G.A. § 41-2-7; authority to repair, close or demolish unfit buildings or structures, O.C.G.A. § 41-2-7; county or municipal ordinances relating to unfit buildings or structures, O.C.G.A. § 41-2-9 et seq.; fire escapes in buildings, O.C.G.A. § 8-2-50 et seq.

### ARTICLE I. - IN GENERAL

Secs. 102-1—102-18. - Reserved.

### ARTICLE II. - STATE CONSTRUCTION CODES<sup>21</sup>

### Footnotes:

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**State Law reference**— State construction codes, O.C.G.A. § 8-2-20 et seq.

Sec. 102-19. - Adoption by reference.

(a) The following codes and their Georgia Amendments as the same are adopted and amended from time to time by the Department of Community Affairs, comprising the Georgia Minimum Standards and Requirements for Construction, Alteration, Etc., of Buildings and Other Structures, shall be enforced within the City of Dawsonville:

- (1) International Building Code;
- (2) International Fuel Gas Code;
- (3) International Mechanical Code;
- (4) International Plumbing Code;
- (5) International Electrical Code;
- (6) International Fire Code;
- (7) International Energy Conservation Code; and
- (8) International Residential Code.

(b) *Local amendments.*

(1) The International Fire Code shall be amended as follows:

- a. Section 903 of this Code which concerns Automatic Sprinkler Systems is amended to provide that:
  - i) Sprinkler Standards.

Exhibit "A"

Exhibit "B"

- (1) All buildings 10,000 square feet or more under a common roof, any building over one story in height, or any building with an occupant load of 100 or more persons shall be sprinkled with an approved N.F.P.A. 13 system with the exception of the following:
  - (i) Single family dwellings.
  - (2) All buildings 6,000 square feet or more in an area under a common roof where vehicles are pulled inside for the purpose of maintenance, repair, storage, or installation of all accessories shall be fully sprinkled with an approved sprinkler system except where vehicle bay areas in a building are less than or equal to 600 square feet, it shall be permissible to place up to six sprinkler heads off of the domestic water supply in lieu of sprinkling the entire building. In so doing, calculations must be performed by an approved sprinkler contractor certified by the State of Georgia and such calculations must be shown on the plans submitted for approval by the Fire Marshall's Office.
    - ii) All day care and preschool occupancies must install a sprinkler system in accordance with N.F.P.A. 13 R.
    - iii) All home day care occupancies with seven or more children must install a sprinkler system in accordance with N.F.P.A. 13 R.
    - iv) All group home care occupancies must install a sprinkler system in accordance with N.F.P.A. 13 R.
    - v) Mixed Occupancies existing in the same building as a residential occupancy must install a sprinkler system in accordance with N.F.P.A. 13 R. Where residential occupancies are located above any nonresidential occupancy, there shall be a fire resistance separated rating of not less than one hour.
    - vi) All structures installing a 13 R sprinkler system must also install a sprinkler system in the attic area.
    - vii) Multi-family dwellings up to and including three stories in height shall be sprinkled with an approved sprinkler system modified to include full sprinkler coverage in all attics and breezeways. Sprinkler system may be omitted if two hour fire resistance rated wall is provided from both sides of common wall or imaginary lot line.
  - b) The fire code official shall have the authority to require construction documents and calculations for all fire protection systems and to require permits be issued for the installation, rehabilitation or modification of any fire protection system. Construction documents for fire protection systems shall be submitted for review and approval prior to system installation.
  - c) In the event that future state minimum requirements exceed the protections provided by this local amendment, then the more stringent requirements shall apply and shall be enforced within the City of Dawsonville.
- (2) The International Residential Code shall be amended as follows:
  - a) Section 302.1 of this Code is amended to provide that an exterior wall with a fire separation distance less than twenty feet of any structure designed for human occupancy or lot/property line shall have not less than a one-hour UL approved fire-resistive rating with exposure from both sides.
  - b) Any structures involved are to be constructed in a manner and with noncombustible materials which will ensure that the structures shall be in compliance with the fire rating standards for proposed spacing. Said structures shall be so constructed in accordance with the plans and conditions approved by the Building Official and the Fire Marshall's Office.
  - c) In the event that future state minimum requirements exceed the protections provided by this local amendment, then the more stringent requirements shall apply and shall be enforced within the City of Dawsonville.

(Ord. of 6-7-2004; Ord. of 12-5-2005(4), § 2; Ord. of 3-3-2009, §§ 2, 3)

Exhibit "A"

Exhibit "B"