

MINUTES
CITY COUNCIL REGULAR MEETING AND WORK SESSION
G.L. Gilleland Council Chambers on 2nd Floor
Monday, March 21, 2022
5:00 P.M.

1. **CALL TO ORDER:** Mayor Mike 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, 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 French.
4. **ANNOUNCEMENTS:** Mayor Eason reported the Farmer's Market season will open on Saturday, April 30th and the first Food Truck Friday will be on May 6th. He also stated there are quite a few City initiated zoning requests on the agenda that are being done to correct some zoning map errors.
5. **APPROVAL OF THE AGENDA:** Motion to approve the agenda as presented made by J. Walden; second by M. French. Vote carried unanimously in favor.
6. **PUBLIC INPUT:** None
7. **CONSENT AGENDA:** Motion to approve the consent agenda for the following items (a and b) made by J. Walden; second by C. Phillips. Vote carried unanimously in favor.
 - a. Approve Minutes
 - Regular Meeting held March 7, 2022
 - Executive Session held March 7, 2022
 - b. Approve Appointments of Dawsonville History Museum Board of Directors
 - Cheryl Capwell – 3 Year Term: 01/01/2022 – 12/31/2024
 - James Bearden – 3 Year Term: 01/01/2022 – 12/31/2024
 - Calvin Byrd – 3 Year Term: 01/01/2022 – 12/31/2024
 - Faye Abercrombie – 3 Year Term: 01/01/2022 – 12/31/2024
 - Scott Adams – 3 Year Term: 01/01/2022 – 12/31/2024
 - Cody Dinsmore – 1 Year Term: 01/01/2022 – 12/31/2022
 - Gordon Pirkle – 1 Year Term: 01/01/2022 – 12/31/2022
 - David Sosebee – 1 Year Term: 01/01/2022 – 12/31/2022
8. **EMPLOYEE RECOGNITION:** The Mayor and Council presented awards to David Schuette for the February 2022 Employee of the Month and a one-year service award to Tony Seabolt.

PUBLIC HEARING

9. **ZA-C2200130:** Shiloh and Shiloh, LLC has petitioned a zoning amendment for TMP D02 005 and D02 006, Located at 41 and 68 Dan Roper Lane from PCS (Planned Conservation Subdivision) to R6 (Multiple-Family Residential). Public Hearing Dates: Planning Commission on March 14, 2022, and City Council on March 21, 2022. City Council for a decision on April 18, 2022.

Planning Director Picklesimer read the zoning amendment request.

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

BUSINESS

10. **MODIFICATION REQUEST FOR IMPROVEMENT TO WINNER'S CIRCLE:** Cindy Elliott reported she is trying to reach Duane Roof who has the blueprints for the museum but has not received a response; she asked the Council if they had any information on how to reach him. The engineers she spoke with would need to review the blueprints prior to determining the integrity of the Winner's Circle area in front of the museum.

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Motion to table the item to the May 2, 2022 City Council meeting made by W. Illg; second by M. French. Vote carried unanimously in favor.

- 11. EVENT PERMIT FEE WAIVER REQUEST FROM DAWSONVILLE HISTORY MUSEUM:** Motion to approve waiving the \$50.00 event permit fee for the Greater Atlanta Auto Auction made by M. French; second by C. Phillips. Councilmember Illg stated his concern about setting a precedent with other non-profits asking for fee waivers; clarification was made that fee waiver is appropriate since the City is co-sponsoring the event. Vote carried unanimously in favor.
- 12. SPECIAL EVENT ALCOHOL PERMIT REQUEST – GREATER ATLANTA AUTO AUCTION, APRIL 23, 2022:** Motion to approve the Special Event Alcohol Permit for the April 23, 2022 Greater Atlanta Auto Auction as long as the area to purchase and carry the alcohol will be contained with fencing and deputies are present made by M. French; second by C. Phillips. Vote carried unanimously in favor.
- 13. PERMIT FEES WAIVER REQUEST FROM DAWSON COUNTY GOVERNMENT:** Motion to approve waiving the \$300 permit fees for Dawson County related to the security system upgrade to the Law Enforcement Center, Detention Center and the Government center made by W. Illg; second by C. Phillips. Vote carried unanimously in favor.
- 14. MAPLE HILL DRIVE DETENTION POND:** Attorney Tallant reported on the meeting held with residents on Maple Hill Drive; those who attended understand the issue and the costs involved and are asking the City for assistance to resolve it. Attorney Tallant provided some options to the Council. He reminded the Council the residents on Maple Hill Drive do not have an HOA managing the detention pond which was allowed to happen under a prior administration.

Motion made by M. French for the City to repair and cleanout the detention pond this time with the property owner's knowledge of their responsibility to maintain it in the future or have to face a lien placed on their property by the City for the cost; motion died for lack of a second.

Motion to enter into an agreement with property owners on Maple Hill Drive to assess a pro rata based cost estimate and an administrative fee for the ongoing and future maintenance of the detention pond in which the City would collect and maintain the funding and property owners who refuse to enter into the agreement will have a lien placed on their property for their pro rata based cost of the ongoing and future maintenance of the detention pond made by J. Walden; second by C. Phillips. Vote carried two in favor (Walden, Phillips) with one recused (Illg) and one opposed (French).
- 15. GEORGIA STATE PATOL RECRUITING DAY, MAY 11, 2022:** Motion to approve the event and to allow use of the Farmer's Market at no charge made by W. Illg; second by M. French. Vote carried unanimously in favor.
- 16. 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.

Motion to approve the zoning amendment request as presented made by W. Illg; second by C. Phillips. Vote carried unanimously in favor.
- 17. 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.)

Motion to approve the variance request as presented made by W. Illg; second by M. French. Vote carried unanimously in favor.
- 18. 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)

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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. Motion to approve the zoning amendment request as presented made by C. Phillips; second by W. Illg. Vote carried unanimously in favor.

- 19. 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.

Motion to approve the zoning amendment request as presented made by C. Phillips; second by J. Walden. Vote carried unanimously in favor.

- 20. 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 request and told the City Council the applicant has agreed to reduce the number of lots to 220, increase the buffer along the Apple Ridge Subdivision property (South side) to a total of 100 feet and increase the stream buffers to a total of 75 feet and will build the subdivision in Phases. Picklesimer clarified the stream buffer will be a 50 foot undisturbed buffer with a 25 foot impervious setback and the south side buffer alongside Apple Ridge will be a 75 foot undisturbed buffer with a 25 foot planted buffer.

Mayor Eason stated the Council only recently received the updated concept plan and they would need time to review it and discuss as needed with staff.

Motion to table the item until the April 18, 2022 City Council meeting made by M. French; second by W. Illg. Vote carried unanimously in favor.

- 21. 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.

Motion to approve the Historic Preservation Map Amendment to remove the Historic District overlay for a portion of the property as recommended by the Historic Preservation Commission made by C. Phillips; second by M. French. Vote carried unanimously in favor.

- 22. ANX-C2100043 and ZA-C2100043:** Allen Street Properties, LLC and B & K Turner Family, LLP have petitioned to annex into the city limits of Dawsonville tract 2 with 32.937 acres (amended application) tract known as a portion of TMP 093 004 001, located at Perimeter Road, with a request to rezone from County Zoning of RSR (Residential Sub Rural) and RA (Restricted Agriculture) to City Zoning of R3 (Single Family Residential). Public Hearing Dates: Planning Commission on September 13, 2021 and City Council on October 4, 2021. City Council for a decision on October 18, 2021 – Tabled from January 20, 2022

Motion to postpone the item until the May 16, 2022 City Council meeting in order to further examine access points and resolve the water and sewer issues made by J. Walden; second by M. French. Councilmember Phillips stated he is not against the project but would like to have the water and sewer issues resolved first and he would also like to see the road line up with Allen Street so its not offset.

Michael Turner spoke with the Council regarding the road lining up with Allen Street and stated it would have to be a County road in the City and was not a viable option. He would like to see the Council vote on the matter this evening with the conditions the Council desires to have so he could start the development. Attorney Tallant stated the annexation and zoning could be approved with

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conditions. Councilmember Phillips stated he would rather have the issues worked out first; Attorney Tallant agreed that would be his preference as well. Michael Turner then asked if the Council would consider moving the decision to the meeting in April instead of waiting until May. Attorney Tallant stated it was possible to have the issues resolved but no guarantee could be made.

Motion by J. Walden to amend his motion to table the item until the April 18, 2022 City Council meeting; second by M. French. Vote carried unanimously in favor to approve the amendment and to approve the motion.

WORK SESSION

STAFF REPORTS

23. BOB BOLZ, CITY MANAGER: He reported the leak adjustment for last month totaled \$218.20 and can answer any questions on his report provided in the packet.

24. ROBIN GAZAWAY, FINANCE ADMINISTRATOR: Financial reports representing fund balances and activity through February 28, 2022 were provided in the agenda packet; no questions or comments from City Council.

EXECUTIVE SESSION:

At 5:46 p.m. a motion to close regular session and go into executive session for pending and/or potential litigation and land acquisition was made by W. Illg; second by J. Walden. Vote carried unanimously in favor.


At 6:22 p.m. a motion to close executive session and resume regular session was made by J. Walden; second by W. Illg. Vote carried unanimously in favor.

ADJOURNMENT:

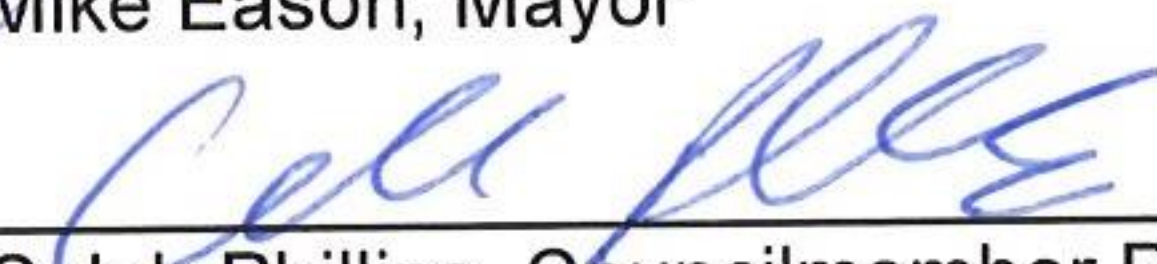
At 6:24 p.m. a motion to adjourn the meeting was made by J. Walden; second by W. Illg. Vote carried unanimously.

Approved this 18th day of April 2022.

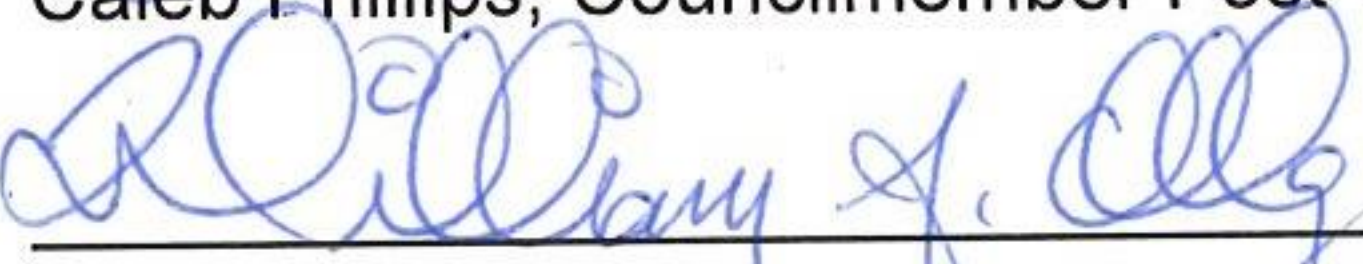
By: CITY OF DAWSONVILLE



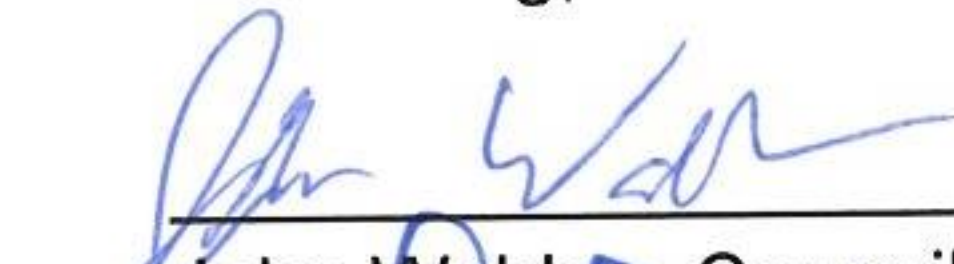
Mike Eason, Mayor



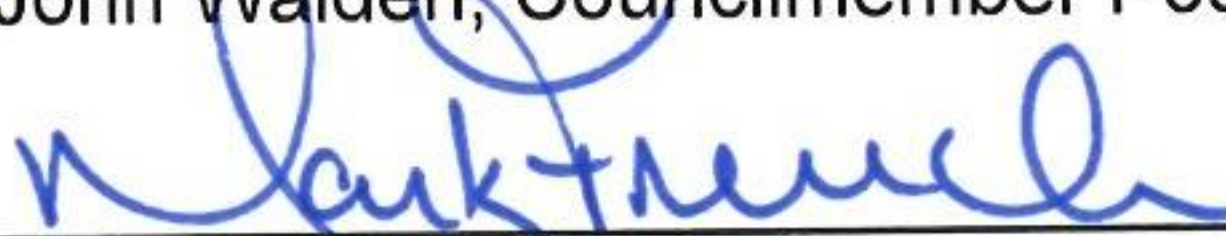
Caleb Phillips, Councilmember Post 1



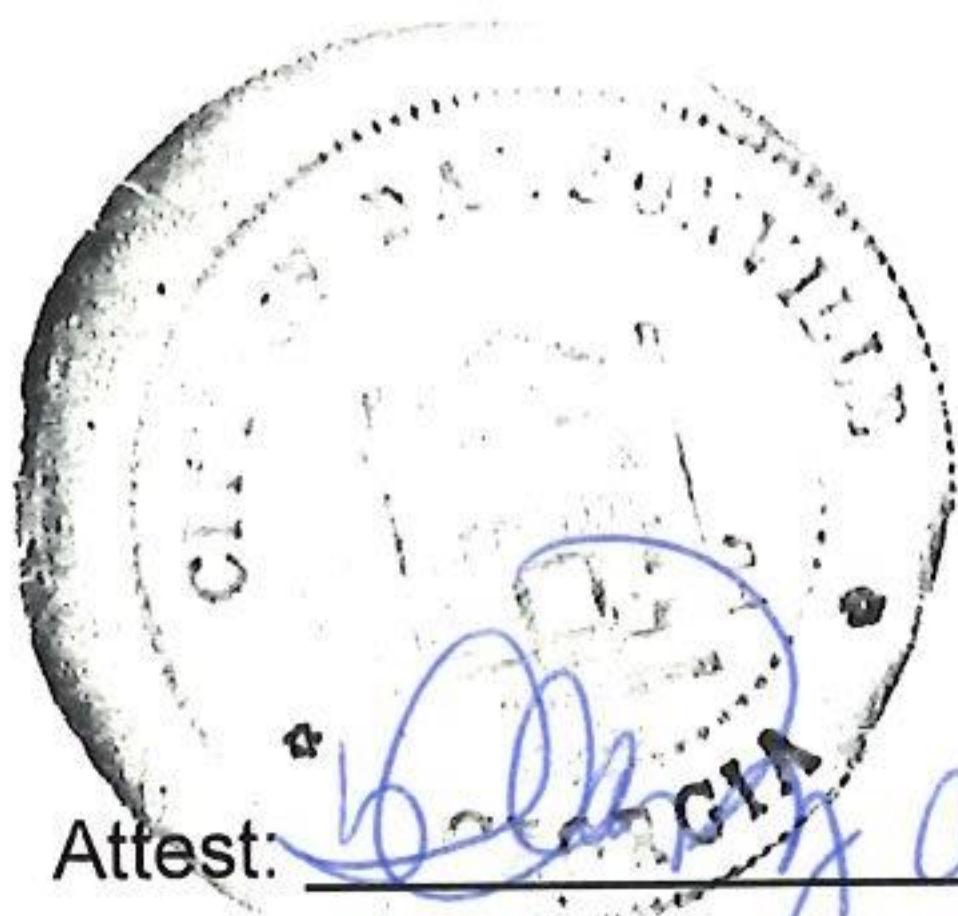
William Illg, Councilmember Post 2



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 21, 2022.
2. During such meeting, the Board voted to go into closed session.
3. The executive session was called to order at 5:40 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: _____.

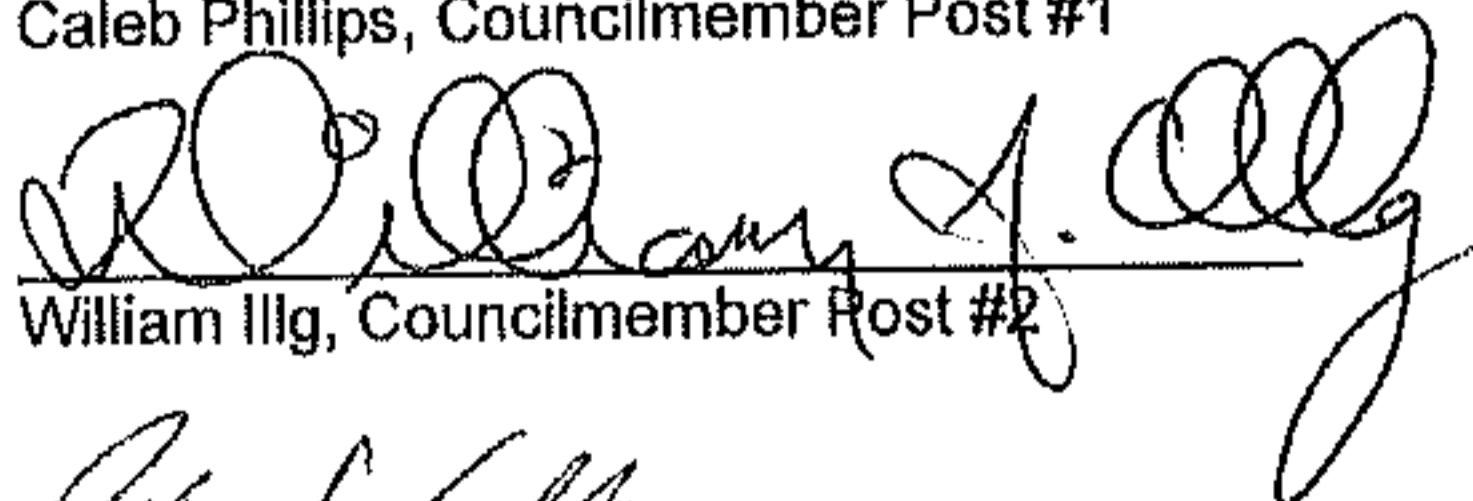
This 21st day of March; By the City of Dawsonville, Mayor and Council:



Mike Eason, Mayor




Caleb Phillips, Councilmember Post #1



William Illg, Councilmember Post #2

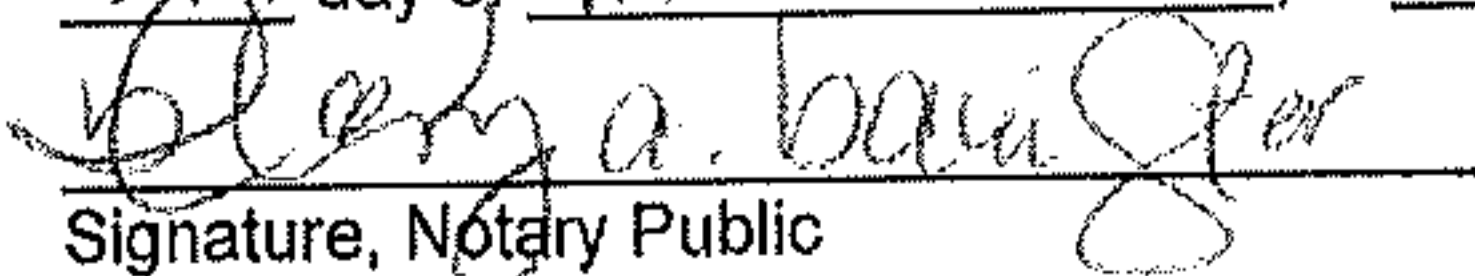


John Walden, Councilmember Post #3



Mark French, Councilmember Post #4

Sworn to and subscribed before me this
21 day of March, 20 22.



Signature, Notary Public

My Commission expires: February 18, 20 24

