

MINUTES
CITY COUNCIL REGULAR MEETING AND WORK SESSION
G.L. Gilleland Council Chambers on 2nd Floor
Monday, May 16, 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 Illg.
4. **ANNOUNCEMENTS:** Mayor Eason reminded citizens the Farmer's Market is open every Saturday; early voting ends this week; National Law Enforcement week is being celebrated this week; the next Food Truck Friday is June 3rd and the Dawsonville History Museum will be having a car show on Saturday May 28, 2022. The Mayor also introduced the newly hired Economic Development Director, Kevin Herrit, for the Dawson County Chamber of Commerce.
5. **APPROVAL OF THE AGENDA:** Motion to approve the agenda as presented made by M. French; second by C. Phillips. Councilmember Walden stated he'd like to have the agenda amended to add an item. Councilmember French withdrew his motion.

Motion to amend the agenda to add item #23 APPALACHIAN REGIONAL COMMISSION (ARC) Grant Funds made by J. Walden; 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:** 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 held May 2, 2022
 - Executive Session held May 2, 2022
 - b. Approve Howser Mill Road Joint Paving Project Overage
 - c. Approve Georgia Mountain Regional Commission Private Sector Appointment
Kevin Herrit to serve from July 1, 2022 to June 30, 2023

8. **EMPLOYEE RECOGNITION:** The Mayor and Council presented service awards to Westin Lee for five years of service and Beverly Banister for 7 years of service. Steven McNeal was presented with the April 2022 Employee of the Month award.

9. **PROCLAMATION: NATIONAL PUBLIC WORKS WEEK, MAY 15 – 21, 2022:** Mayor Eason read the proclamation and thanked the Public Works staff for their commitment and hard work.

PUBLIC HEARING

10. **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.

Planning Director Picklesimer read the annexation request.

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

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11. ENACTING A MORATORIUM ON THE ISSUANCE OF DEVELOPMENT AND BUILDING PERMITS:

Motion to open the public hearing made by M. French; second by C. Phillips. Vote carried unanimously in favor. Mayor Eason conducted the public hearing. The following person spoke at the public hearing:

- Michael Turner, 1090 Oakhaven Drive, Roswell – He stated he is not necessarily for or against impact fees but Allen Street Properties has two projects in process within the City and asked for consideration of an exemption for these two properties.

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

Attorney Tallant provided a brief overview of the resolution stating that the goal of impact fees is to maintain a constant level of service for new City residents and businesses without having an impact on the residents and businesses already in the City. He further stated the resolution allows development to move forward as long as the developers agree to pay for an impact fee should the City adopt one. Mayor Eason clarified the issuance of an LDP with Attorney Tallant and asked the City Manager about the status of the RFP to perform an impact fee study.

Motion to approve Resolution #R2022-03 as presented made by M. French; second J. Walden. Councilmember Phillips asked if impact fees could be waived for anyone; Attorney Tallant stated there are provisions within the impact fee statute that could allow for an offset to an impact fee. Vote carried unanimously in favor. (Exhibit "A")

BUSINESS

- 12. BID SELECTION: WATER METER REPLACEMENT PROJECT:** Utilities Operation Manager Barr explained the issues concerning the need for replacement of the water meters. Scott McCrary from Consolidated Pipe & Supply Co, Inc. provided a presentation on the Master Meter Technology which would be the type of meters installed.

Motion to approve Resolution #R2022-04 to award the bid of the water meter replacement project to M&E Construction, LLC in the amount of \$912,945.00 to be paid out of the FY 2023 Capital Enterprise budget made by C. Phillips; second by M. French. Vote carried unanimously in favor. (Exhibit "B")

- 13. LAND ACQUISITION: PURCHASE AND SALE AGREEMENT:** Councilmember Walden stated the purpose of the land acquisition is to allow the City to connect the Historic downtown to this property and allow for the potential of ample parking and new businesses. Councilmember Illg, Phillips and French all agreed and further stated it would also be walkable without the hinderance of a State highway going through it. Mayor Eason talked about a concept for the land use and all agreed it will be a great contribution for the City.

Motion to approve the purchase and sale agreement with the Jenkins Family Enterprises, LP in the amount of one million dollars to be paid out of SPLOST VII and General Fund Reserves made by J. Walden; second by W. Illg. Vote carried unanimously in favor.

- 14. FAMILY CONNECTION EVENT: REQUEST FOR ROAD CLOSURE AND PERMIT FEE WAIVER:** Rebecca Bliss from Family Connections provided a brief overview of their goals and the event; the City is collaborating with Family Connections to put on the resource fair.

Motion to approve the permit fee waiver of \$50.00 and the road closure as presented made by C. Phillips; second by M. French. Vote carried unanimously in favor.

- 15. VEHICLE PURCHASES FOR PUBLIC WORKS AND UTILITY DEPARTMENT:** Motion to approve the purchase of a 2022 Chevrolet 1500 Silverado in the amount of \$39,027.00 to John Megel Chevrolet for the Utility Department to be paid out of the FY 2022 Enterprise Fund and to approve the purchase of a 2022 Chevrolet 1500 Silverado in the amount of \$39,027.00 to John Megel Chevrolet

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for the Public Works Department to be paid out of SPLOST VI made by W. Illg; second by J. Walden. Vote carried unanimously in favor.

- 16. MAPLE HILL DRIVE DETENTION POND – INITIAL CLEANOUT COST AND FUTURE MAINTENANCE FEES:** Motion to approve the initial cleanout of the Maple Hill Drive Detention Pond in the amount of \$10,050.00 to be paid with a FY 2022 General Fund budget amendment made by C. Phillips; second by M. French. Vote carried three in favor (Phillips, French, Walden) with one abstained (Illg).

Motion to approve the monthly stormwater infrastructure maintenance and administrative fee for future maintenance of the detention pond for Maple Street Drive property owners in the amount of \$16.50 per month, per property owner made by J. Walden; second by C. Phillips. Vote carried three in favor (Phillips, French, Walden) with one abstained (Illg).

- 17. MAIN STREET PAWN BROKER LICENSE FEE REDUCTION REQUEST:** The owner of Main Street Pawn, Erika Smith, spoke to the City Council concerning her request to waive or reduce her 2022 Pawnbroker License fee due to personal hardship.

Motion to approve a fifty-percent reduction of Erika Smith's 2022 Pawnbroker License fee totaling \$512.50 made by W. Illg; second by M. French. Councilmember French stated the importance of assisting our local businesses. Vote carried unanimously in favor.

- 18. BUILDING PERMIT FEE WAIVER REQUEST – 83 ROBINSON ROAD:** The resident residing at 83 Robinson Road, Cari Bennett, explained her request to the City Council.

Motion to waive the permit fee amount of \$200.00 to replace the meter base due to equipment failure made by W. Illg; second by M. French. Vote carried unanimously in favor.

WORK SESSION

- 19. ELECTRIC VEHICLE CHARGING STATION PRESENTATION:** Colson Rivers from Indigo Energy provided information regarding the potential of installing two charging stations for EVs at Main Street Park. Discussion concerning logistics of the project followed.

Motion to approve the Electric Vehicle Charging Host Program Agreement contingent upon the approval of the City Attorney made by C. Phillips; second by M. French. Vote carried unanimously in favor.

Michael Turner approached the City Council and questioned the need to dedicate two parking spaces for electric vehicles. City Manager Bolz stated there are ninety-nine available parking spaces within Main Street Park. Colson Rivers pointed out the current national average of electric vehicle owners is two percent therefore fitting nicely with the proposal of utilizing two parking spots out of ninety-nine.

- 20. FY 2022-2023 PROPOSED BUDGET PRESENTATION:** Finance Administrator Robin Gazaway presented the proposed FY 2022-2023 budget to the City Council. A public hearing is scheduled for the June 6, 2022 City Council meeting and the request to adopt the budget by resolution will be considered at the June 20, 2022 meeting.

STAFF REPORTS

- 21. BOB BOLZ, CITY MANAGER:** He reported the leak adjustment for last month totaled \$1,415.47 and can answer any questions on his report provided in the packet.

- 22. ROBIN GAZAWAY, FINANCE ADMINISTRATOR:** Financial reports representing fund balances and activity through April 30, 2022 were provided in the agenda packet; no questions or comments from City Council.

- 23. APPALACHIAN REGIONAL COMMISSION (ARC) GRANT FUNDS:** Motion to approve an additional \$20,000 match for the ARC grant funds to develop the downtown strategic plan to be paid out of SPLOST VII made by W. Illg; second by J. Walden. Vote carried unanimously in favor.

EXECUTIVE SESSION: None

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ADJOURNMENT:

At 6:33 p.m. a motion to adjourn the meeting was made by J. Walden; second by C. Phillips. Vote carried unanimously.

Approved this 6th day of June 2022.

By: CITY OF DAWSONVILLE

absent

Mike Eason, Mayor

Caleb Phillips

Caleb Phillips, Councilmember Post 1

William Illg

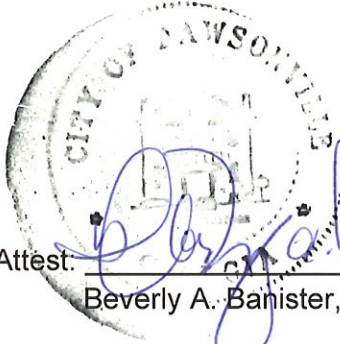
William Illg, Councilmember Post 2

John Walden

John Walden, Councilmember Post 3

Mark French

Mark French, Councilmember Post 4


Attest: *Beverly A. Banister*

Beverly A. Banister, City Clerk

RESOLUTION R2022-03

A RESOLUTION OF THE CITY OF DAWSONVILLE, GEORGIA TO ENACT A TEMPORARY MORATORIUM ON THE ISSUANCE OF DEVELOPMENT PERMITS AND BUILDING PERMITS WITHIN THE JURISDICTIONAL LIMITS OF THE CITY OF DAWSONVILLE DURING A STUDY OF DEVELOPMENT IMPACTS AND FOR CAPITAL IMPROVEMENTS; TO PROVIDE FOR EXCEPTIONS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Dawsonville, Georgia is a Georgia Municipal Corporation which provides planning and zoning, as well as enforcement of building codes and regulations as a qualified local government;

WHEREAS, the City of Dawsonville directly provides and/or regulates, *inter alia*, the following services, all of which are and will continue to be impacted by residential and commercial development: road and street construction or maintenance, solid waste management, water supply and distribution; wastewater treatment; stormwater collection and disposal; and recreational facilities;

WHEREAS, local governments, pursuant to Chapter 71 of Title 36 of the Official Code of Georgia Annotated, may consider and adopt development impact fees which are imposed upon development as a condition of development approval to pay for a proportionate share of the cost of system improvements needed to serve new growth and development;

WHEREAS, such development impact fees may be collected at the time of the issuance of a development permit or a building permit, depending upon the particular purpose of the fee;

WHEREAS, the City of Dawsonville has started the process of studying and developing a system of development impact fees pursuant to Chapter 71 of Title 36 of the Official Code of Georgia, Annotated;

WHEREAS, there are tracts of developed land which could be redeveloped, and undeveloped land in the City of Dawsonville which if developed, or if rezoned and developed, could create significant impacts on the services, facilities, and infrastructure of the City of Dawsonville, to include but not necessarily be limited to significant improvement costs as a result of the development;

WHEREAS, a review of development fee impact ordinances and studies related to the same confirms that residential development and usage creates the greatest impact on local government facilities, infrastructure, and services;

WHEREAS, the City of Dawsonville, pursuant to its police power, is authorized to enact ordinances to further and protect the health, safety, welfare and morals of the public;

WHEREAS, given the potentially significant impact to the services, facilities and infrastructure needs and demands of developing or redeveloping property, the City of Dawsonville has determined that it is reasonable and necessary, in order to protect the health, safety, welfare and morals of the public, to enact a temporary moratorium on development and building permits in the City of Dawsonville;

AND WHEREAS, the moratorium, as described herein, is found by the City of Dawsonville to be an appropriate, reasonably necessary, not unduly oppressive, and narrowly tailored exercise of the City of Dawsonville's police power.

NOW, THEREFORE, premises considered, be it ordained by the Council of the City of Dawsonville, as follows:

Section 1. There is hereby enacted a moratorium on (a) the acceptance of applications for, or the issuance of land development permits (including land disturbance permits) as well as (b) the acceptance of applications for, or the issuance of building permits, within the corporate limits of the City of Dawsonville, Georgia, for properties which are in the following zoning districts:

- a. RA: Restricted Agricultural
- b. R-1: Restricted Single Family Residential
- c. R-2: Single Family Residential
- d. R-3: Single Family Residential
- e. R-6: Multiple-Family Residential
- f. R3R: Manufactured Home Subdivision District
- g. RMM: Residential Manufactured/Moved
- h. RMHT: Manufactured Housing Temporary District
- i. RPC: Residential Planned Community
- j. PUD: Planned Unit Development
- k. PCS: Planned Conservation Subdivision
- l. RCT: Residential Cottage
- m. AP: Annexed Property

Section 2. The moratoria described in § 1, above, shall expire on the earlier of:

- a. the passage of six months from the date this Resolution is adopted by the Council of the City of Dawsonville;
- b. the defeat or adoption of an ordinance establishing development impact fees pursuant to Chapter 71 of Title 36 of the Official Code of Georgia Annotated;
- c. a subsequent vote of the Council of the City of Dawsonville, Georgia, repealing or replacing the moratoria described in this Resolution.

Section 3. The moratoria described in § 1, above, shall not apply to:

- a. any development or project where there is an active Land Disturbance Permit in place on or before the date of the passage of this Resolution, however, if the Land Disturbance Permit expires without being renewed before its expiration, then the moratoria described above shall apply to any future issuance of a Land Disturbance Permit for the same tract of land.
- b. any building site where there is an active Building Permit in place on or before the date of the passage of this Resolution, however, if the Building Permit expires without being renewed before its expiration, then the moratoria described above shall apply to any future issuance of a Building Permit for the same Building Site.
- c. any development or building site which does not fit into the exceptions identified in § 3(a) or (b), but for which the applicant for the development and/or building permit executes an irrevocable commitment that it will remit, in full, any development impact fee within thirty (30) days after the passage of an ordinance establishing development impact fees pursuant to Chapter 71 of Title 36 of the Official Code of Georgia, Annotated. The Development Impact fee assessed pursuant to this exception shall be such as is established pursuant to any adopted ordinance, and if no ordinance is adopted then no fee shall be assessed.
 - i. In the event that an applicant seeks an exception pursuant to § 3(c) of this Resolution, if the applicant fails to make the committed payment of a development impact fee within the time required, then the permit issued (and any related permits or certificates, including but not limited certificates of occupancy) shall be revoked, *instanter*, by operation of law without the necessity of any further action by the City of Dawsonville or any of its departments or employees.
 - ii. In the event of a revoked permit or certificate pursuant to § 3(c)(i) of this Resolution, the unpaid development impact fee must be paid before any development or building permit or related certificate may issue for the site or development in question.

Section 4. Severability. If any section, provision or clause of any part of this resolution shall be declared invalid or unconstitutional, or if the provisions of any part of this resolution as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this resolution not so held to be invalid, or the application of this resolution to other circumstances not so held to be invalid. It is hereby declared as the intent that this resolution would have been adopted had such invalid portion not been included herein

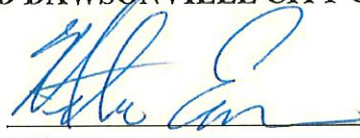
Section 5. Repealer. All laws and parts of laws in conflict with this resolution are hereby repealed.

Section 6. *Effective Date.* This resolution shall be effective the day following its passage by the Council of the City of Dawsonville, the health, safety, welfare, and general morality of the City of Dawsonville demanding it.

[execution on following page]

SO ADOPTED AND RESOLVED by the City Council of Dawsonville, Georgia, this 16 day of May, 2022.

MAYOR AND DAWSONVILLE CITY COUNCIL

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

ATTEST:


Beverly A. Banister, City Clerk



RESOLUTION R2022-04

**A RESOLUTION OF THE CITY OF DAWSONVILLE
TO AWARD A CONTRACT CONCERNING THE WATER METER
REPLACEMENT PROJECT**

WHEREAS bids were received by the City of Dawsonville on April 28, 2022 for Water Meter Replacement, and

WHEREAS the low, responsible, responsive bidder is M& E Construction, LLC, of Forsyth, Georgia with a bid in the amount of \$912,945.00, and

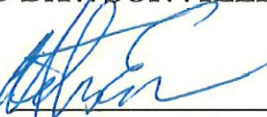
WHEREAS the low bidder, M&E Construction, LLC, appears to have the necessary financial and technical ability to complete the project,

BE IT THEREFORE resolved the City of Dawsonville hereby makes contract award of the construction contract to the low bidder, M&E Construction, LLC of Forsyth, Georgia, in the amount of \$912,945.00.

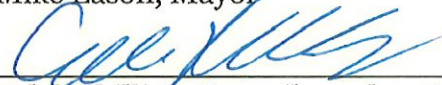
THIS RESOLUTION was passed by a vote of 4 to 0 at a regular meeting of the Mayor and Council on May, 16, 2022.

MAYOR AND DAWSONVILLE CITY COUNCIL

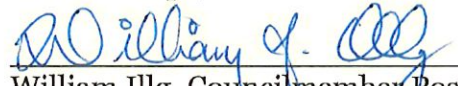
By:



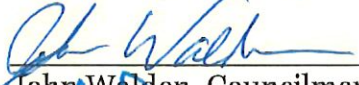
Mike Eason, Mayor



Caleb Phillips, Councilmember Post 1



William Illg, Councilmember Post 2

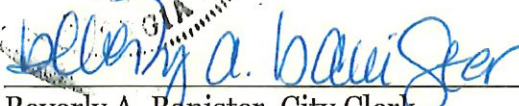


John Walden, Councilmember Post 3



Mark French, Councilmember Post 4




Beverly A. Banister, City Clerk