

**MINUTES**  
**CITY COUNCIL REGULAR MEETING AND WORK SESSION**  
**G.L. Gilleland Council Chambers on 2<sup>nd</sup> Floor**  
**Monday, August 15, 2022**  
**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, Utilities Operation Manager Jacob Barr, Finance Administrator Robin Gazaway and Interim Planning Director Diane Callahan.
3. **INVOCATION AND PLEDGE:** Invocation and pledge were led by Councilmember Illg.
4. **ANNOUNCEMENTS:** Mayor Eason reminded citizens the Farmer's Market has vendors on Wednesdays from 3:00 pm – 6:00 pm and Saturdays from 8:00 am - 1:00 pm. He also stated the City Council only has one meeting scheduled next month; September 19, 2022.
5. **APPROVAL OF THE AGENDA:** Motion to amend the agenda to remove item #11 and adding item #18 Ordinance #04-2022 made by J. Walden; second by W. Illg. Vote carried unanimously in favor.  
  
Attorney Tallant stated the advertising of Ordinance #04-2022 was done correctly to satisfy the Zoning Procedures Act so he is comfortable with removing the incorrect agenda item (#11) and adding it as item #18.  
  
Motion to approve the agenda as amended made by C. Phillips; second by M. French. Vote carried unanimously in favor.
6. **PUBLIC INPUT:** Paul Wunschuh, 375 Angela Lane, Dawsonville – He approached the City Council about consideration of placing a shed within the rear setbacks on his property. The Council advised him to work with the Planning and Zoning department.
7. **CONSENT AGENDA:** Motion to approve the consent agenda for the following items (a,b) made by M. French; second by C. Phillips. Vote carried unanimously in favor.
  - a. Approve Minutes
    - Regular Meeting held August 1, 2022
  - b. Approve Permit Fee Waiver Request – Dawson County Sheriff's Office – **Fees of \$840.00 waived for Permit No. C2300011**
8. **EMPLOYEE RECOGNITION:** The Mayor and Council presented Blake Croft with the July 2022 Employee of the Month award.
9. **AWARD ANNOUNCEMENT – CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING FY 2021:** Finance Director Gazaway reported the City has received the award again for financial reporting from GFOA and presented it to the City Council. She further stated the City has received the award since 2014.
10. **PROCLAMATION – NATIONAL HEALTH CENTER WEEK AUGUST 7 – 13, 2022:** Mayor Mike Eason read the proclamation.
11. Removed from the agenda.

**BUSINESS**

12. **IMPACT FEE STUDY:** Motion to reject all bids received for the City of Dawsonville Impact Fee Study RFP made by M. French; second by J. Walden. Vote carried unanimously in favor.
13. **MILLAGE RATE FOR TAX YEAR 2022:** Motion to set the 2022 millage rate to 8.304 and roll it back to zero made by M. French; W. Illg. Vote carried unanimously in favor.

**WORK SESSION**

14. **STANDARD SPECIFICATIONS FOR ROADWAY AND DRAINAGE SYSTEMS AMENDMENT:** Motion to amend the Standard Specifications for Roadway and Drainage Systems, Division III, Section 1.11 to include option #1 and an additional stipulation which requires video inspection for

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infrastructure constructed prior to January 1, 2020 prior to dedication to the City made by C. Phillips; second by W. Illg. Vote carried unanimously in favor.

- 15. PARKING ORDINANCE:** Public Works Director Hansard presented the ordinance and asked for feedback from the City Council. Mayor Eason asked the City Council to review the ordinance and provide their comments to staff. Short discussion occurred.

**STAFF REPORTS**

- 16. BOB BOLZ, CITY MANAGER:** City Manager Bolz provided his report in the agenda packet and reported the leak adjustment for the previous month was \$374.00 and the water meter replacement project is underway.
- 17. ROBIN GAZAWAY, FINANCE ADMINISTRATOR:** Finance Director Gazaway presented the financial reports representing fund balances and activity provided through July 31, 2022.

**PUBLIC HEARING**

- 18. ORDINANCE #04-2022: AN ORDINANCE BY THE CITY OF DAWSONVILLE TO AMEND ITS DEVELOPMENT REGULATIONS; TO ADDRESS BUFFERS; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER PURPOSES (FIRST READING: AUGUST 1, 2022; PUBLIC HEARING, SECOND READING AND CONSIDERATION TO ADOPT: AUGUST 15, 2022):** City Manager Bolz read the second reading of the ordinance amendment.

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

Motion to adopt Ordinance No. 04-2022 made by W. Illg; second by C. Phillips. Vote carried three in favor (Illg, Phillips, Walden) with one opposed (French). (Exhibit "A")

**EXECUTIVE SESSION**

At 5:27 p.m. a motion to close regular session and go into executive session for potential/pending litigation was made by C. Phillips; second by M. French. Vote carried unanimously in favor.

**Councilmember Phillips left the meeting.**

At 6:01 p.m. a motion to close executive session was made by M. French; second by J. Walden. Vote carried unanimously in favor (3-0)

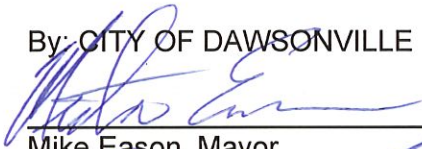
Motion to resume regular session was made by M. French; second by W. Illg. Vote carried unanimously in favor (3-0)

**ADJOURNMENT:**

At 6:04 p.m. a motion to adjourn the meeting was made by J. Walden; second by M. French. Vote carried unanimously.

***Approved this 19<sup>th</sup> day of September 2022.***

By: CITY OF DAWSONVILLE

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

  
\_\_\_\_\_  
Caleb Phillips, Councilmember Post 1

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absent

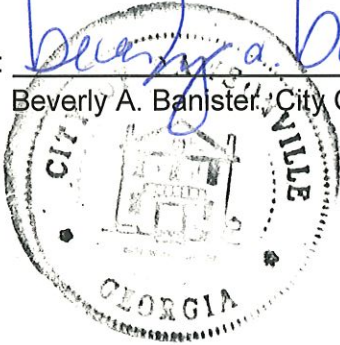
William Illg, Councilmember Post 2

John Walden  
John Walden, Councilmember Post 3

Mark French  
Mark French, Councilmember Post 4

Attest:

Beverly A. Banister  
Beverly A. Banister, City Clerk



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 Ilg, 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 August 15, 2022.
2. During such meeting, the Board voted to go into closed session.
3. The executive session was called to order at 5:27 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 15<sup>th</sup> day of August; By the City of Dawsonville, Mayor and Council:

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

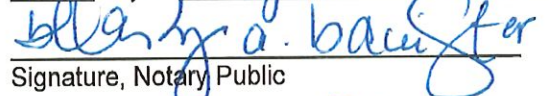
  
\_\_\_\_\_  
Caleb Phillips, Councilmember Post #1

  
\_\_\_\_\_  
William Ilg, Councilmember Post #2

  
\_\_\_\_\_  
John Walden, Councilmember Post #3

  
\_\_\_\_\_  
Mark French, Councilmember Post #4

Sworn to and subscribed before me this  
15 day of August, 2022.

  
\_\_\_\_\_  
Signature, Notary Public

My Commission expires: Feb 18, 2024



Subject Matter: Zoning Amendment - Buffers  
Date of First Reading: August 1, 2022  
Date of Second Reading and Public Hearing: August 15, 2022  
Date of Adoption: August 15, 2022

**ORDINANCE NO. 04-2022**

**AN ORDINANCE BY THE CITY OF DAWSONVILLE TO AMEND ITS DEVELOPMENT REGULATIONS; TO ADDRESS BUFFERS; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER PURPOSES**

**WHEREAS**, the Constitution of the State of Georgia provides in Article IX, Section II, Paragraph IV thereof, that the governing body may adopt plans and exercise the power of zoning;

**WHEREAS**, the Georgia General Assembly has enacted the Georgia Planning Act of 1989, Georgia Laws, 1989 pp. 1317-1391, Act 634, which, among other things, provides for local governments to adopt plans and regulations to implement plans for the protection and preservation of natural resources, the environment, vital areas, and land use;

**WHEREAS**, the City finds that the regulations contained in this Ordinance are necessary for the purposes of implementing its comprehensive plan adopted pursuant to the requirements of the Georgia Planning Act of 1989;

**WHEREAS**, this Ordinance has been prepared and considered in accordance with the Zoning Procedures Act, O.C.G.A. § 36-66-1 *et seq.*;

**WHEREAS**, this Ordinance is necessary for the purpose of promoting the health, safety, morals, convenience, order, prosperity, and general welfare of the City of Dawsonville (the "City");

**AND WHEREAS**, the Mayor and City Council of the City desire to exercise their authority to adopt this ordinance.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF DAWSONVILLE HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1.**

Appendix A, Article VIII, of Subpart B of the Code of Dawsonville, Georgia, **Section 802: Buffer Required** is hereby amended by repealing the existing Section 802, and replacing it with the following which shall be a new Section 802:

## **Sec. 802. Buffer required.**

Property zoned for commercial and industrial uses shall provide a buffer, as defined by these regulations, along any rear or side property lines abutting a residential district or abutting an alley across from a specified residential district, provided that no buffer shall extend within 15 feet of a public right-of-way line. Minimum buffer widths shall be established in accordance with the following stipulations.

1. When an HB, CBD, or NB district abuts a residential district, a setback of 40 feet shall be provided, including a 30-foot buffer.
2. When an LI or CIR district abuts a residential district, a setback of 60 feet shall be provided, including a 50-foot buffer.
3. When any district abuts a TB district, a ten-foot planted landscape buffer shall be provided on property which abuts the TB district.
4. Properties zoned residential in common subdivision developments, other than R1 developments, shall provide a 20-foot undisturbed buffer along any of the development adjoining property lines.

It shall be the responsibility of the developer to designate required buffers on construction plans and provide tree save to delineate buffer areas to ensure that existing vegetation within required buffers is maintained, unless disturbance of the buffer is approved by the planning director or designee as specifically provided herein. Wherever a buffer, in the determination of the Planning Director or his designee, is so sparsely vegetated that it does not achieve the buffer purpose of visually screening and separating properties, it shall be the duty of the developer to provide for additional plantings to achieve that purpose.

Prohibited buffer encroachments include, but are not limited to, buildings, pavement, parking, service areas, detention ponds, roads, septic tanks, septic drain fields, walls.

A buffer may be disturbed for approved access and utility crossings including, but not limited to, water and sewer lines, drainage pipes, drainage swells, privacy fence and gas lines if it does so via perpendicular crossing. Privacy fence installed parallel shall be installed along adjoining property line and or along the 20-foot buffer line. In addition, the removal of non-native, invasive species is allowed within the buffer zone at the discretion of the planning director. Any approved buffer disturbance must be accompanied by buffer replanting in order to achieve the buffer purpose of visual screening and separation.

It shall be the responsibility of the property owner of the lot to be used or built upon to maintain existing vegetation within required buffers and to replant where sparsely vegetated or install fencing as approved to achieve the desired screening. Installation of vegetation or fencing may be phased in accordance with approved building plans.

## **SECTION 2.**

If any section, provision or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or if the provisions of any part of this Ordinance 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 Ordinance not so held to be invalid, or the application

of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent that this Ordinance would have been adopted had such invalid portion not been included herein.

**SECTION 3.**

All Ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 4.**

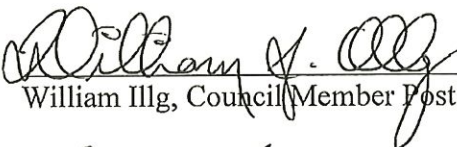
This ordinance shall become effective upon adoption, the public good demanding the same.

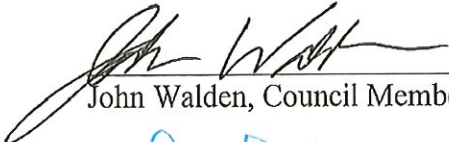
**SO ADOPTED AND ORDAINED** by the City Council of Dawsonville, Georgia, this 15 day of August, 2022.

**MAYOR AND DAWSONVILLE CITY COUNCIL**

By:   
Mike Eason, Mayor

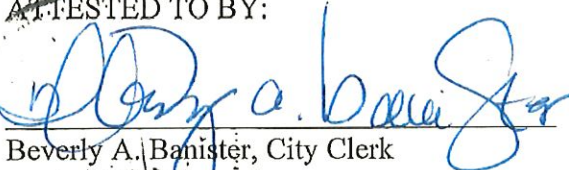
  
Caleb Phillips, Council Member Post 1

  
William Ilg, Council Member Post 2

  
John Walden, Council Member Post 3

  
Mark French, Council Member Post 4

ATTESTED TO BY:

  
Beverly A. Banister, City Clerk

