

MINUTES
CITY COUNCIL REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, February 6, 2023
5:00 P.M.

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 Operations Manager Jacob Barr, Finance Administrator Robin Gazaway, Planning Director Harmit Bedi and Director of Downtown Development Amanda Edmondson.
3. **INVOCATION AND PLEDGE:** Invocation and pledge were led by Councilmember Walden.
4. **ANNOUNCEMENTS:** Mayor Eason announced the first Food Truck Friday will take place on May 5, 2023 at the Farmer's Market Pavilion. He further commented on the future construction of the Pickleball and Basketball courts planned for Main Street Park.
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 - d) made by J. Walden; second by M. French. Vote carried unanimously in favor.
 - a. Approve Minutes
 - Regular Meeting held January 12, 2023
 - Executive Session held January 12, 2023
 - b. Approve 2023 Farmer's Market Use Agreement
 - c. Approve SAFEbuilt Agreement for Supplemental Services
 - d. Approve Financial Policy Update
8. **EMPLOYEE RECOGNITION:** The Mayor and Council awarded a two-year service award to Robin Gazaway and the January 2022 Employee of the Month award to Westin Lee.

BUSINESS

9. **ZA-C2300046:** Eastwood Homes of Georgia, LLC has petitioned a change of zoning condition for TMP 082 021; Located at 592 Hwy 53 West, with a city zoning of RPC (Residential Planned Community). Applicant is requesting a removal stipulation 1a and 1b of ZA-C900004 pertaining to Housing for Older Persons Act (fifty-five (55) years of age or older). Public Hearing Dates: Planning Commission on December 12, 2022 and City Council on January 12, 2023. City Council for a decision on February 6, 2023.

Planning Director Bedi presented the zoning amendment request including the history of the property and the stipulations recommended by the Planning Department; the Planning Commission approved the zoning amendment with the recommended stipulations. Councilmember Illg asked about the placement of sidewalks and whether or not they were inside and/or outside of the development. Scott Dozier, president of Eastwood Homes of Georgia, stated they were planned for the inside of the development only. Councilmember Walden asked if Eastwood Homes would consider contributing to sidewalks located outside of the development on Hwy 53 to Howser Mill Road to allow connectivity for the residents. Discussion occurred regarding this option.

Motion to approve the zoning amendment with the stipulations represented in the attached "Exhibit A" and to remove the stipulation of 1a and 1b of ZA-C900004 pertaining to Housing for Older Persons Act (fifty-five (55) years of age or older) made by C. Phillips; second by M. French. Vote carried unanimously in favor.

10. **2022 GEORGIA EPD WATER LOSS AUDIT REPORT:** Utilities Operation Manager Barr reported on the audit stating it was the first year the City was required to perform the audit report due to the population increase. He stated the City had a 21.6% water loss not accounted for through regular metering processes. Ninety one percent is considered "real" loss; water that doesn't make it to the customer's meter. Nine percent is considered apparent loss; water that makes it to the customer's

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meter but is not accurately accounted for. Apparent losses should improve with the replacement of the water meters; well meters are fairly new and should be tested annually. Flushing lines and firefighting are also a part of the unaccounted for water loss. He further reported the water loss audit was good considering it was the City's first one.

- 11. AN ORDINANCE TO AMEND THE CODE OF THE CITY OF DAWSONVILLE, GEORGIA, TO ADD SECTION 5-1: REGULATIONS REGARDING COLUMBARIUM; TO AMEND PORTIONS OF THE EXISTING FEE SCHEDULE TO PROVIDE A NEW FEE SCHEDULE FOR COLUMBARIUMS; TO PROVIDE FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. FIRST READING: FEBRUARY 6, 2023; SECOND READING AND CONSIDERATION TO ADOPT: MARCH 6, 2023.**

Mayor Mike Eason read the first reading of Ordinance No. 01-2023. Finance Administrator Gazaway provided a summary of the ordinance.

- 12. REPORT OF APPROVED ADMINISTRATIVE VARIANCE #AVAR-C2300057:** Planning Director Bedi reported on AVAR-C2300057 stating he approved a reduced side setback of eight inches from the required five foot side setback. No comments in favor of or opposition to were received from neighboring properties.
- 13. MODIFICATION REQUEST FOR MUSEUM ENTRANCE:** Museum Director Cindy Elliott reported that she has three bids to replace the doors ranging from \$28,000 to \$37,000. This would include changing the doors to eight feet tall and having them be wide enough to move cars in and out of them and to have the framing redone in black to match the rest of the building. Discussion occurred surrounding the options to split the cost of replacement.

Motion made to split the cost by 85/15% with the City contributing 85% to be paid out of General Fund Reserves and the museum paying 15% made by M. French; second by C. Phillips. Councilmember Illg asked if the City's contribution will be made on the lowest responsive bid of \$28,000. Councilmember French believed it would be the lowest bid and asked if that was Ms. Elliott's recommendation; she stated it would be around \$30,000. Councilmember Illg stated the City's contribution would equal \$25,500 based on 85% of the approximate \$30,000 bid. Vote carried unanimously in favor.

- 14. CONSIDER CANCELLATION OF FEBRUARY 20, 2023 CITY COUNCIL MEETING:** Motion to cancel the February 20, 2023 City Council meeting made by J. Walden; second by C. Phillips. Vote carried unanimously in favor.

STAFF REPORTS

- 15. BOB BOLZ, CITY MANAGER:** City Manager Bolz provided his report in the agenda packet and reported that there were eleven leak adjustments totaling \$1,559.53. Councilmember Illg asked when the City anticipates having the zip line on the playground repaired; Public Works Director Hansard did not currently have a timeline but will reach out to the vendor again.
- 16. ROBIN GAZAWAY, FINANCE ADMINISTRATOR:** Finance Director Gazaway presented the financial reports representing fund balances and activity provided through January 31, 2023.

EXECUTIVE SESSION

ADJOURNMENT:

At 5:35 p.m. a motion to adjourn the meeting was made by J. Walden; second by M. French. Vote carried unanimously in favor.


(signatures on following page)

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Approved this 6th day of March 2023

By: CITY OF DAWSONVILLE


Mike Eason, Mayor


Caleb Phillips, Councilmember Post 1

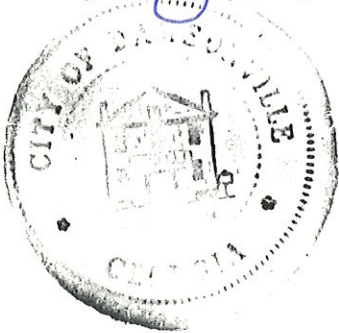

William Ilg, Councilmember Post 2


John Walden, Councilmember Post 3


Mark French, Councilmember Post 4

est:


Beverly A. Banister, City Clerk



STIPULATIONS CONCERNING ZA-C2300046

1. A planted buffer to City buffer standards of at least one hundred (100) feet in width shall be created along the boundary of parcels 082 020 001, 082 023 002 and 082 023 003. Additionally, a planted buffer to City buffer standards of at least fifty (50) feet in width shall be created between the development and any other adjoining property line. (Approved on June 3, 2019)
2. A maximum of seventy percent (70%) of land determined to be unusable, including, but no way limited to, floodplains, may be considered in calculating density. The overall number of units shall not exceed 90 units **(last stipulation it was 140)**. (Approved on June 3, 2019 / modified)
3. At no point in time may an entrance to the Property / Development be placed on Howser Mill Road other than for emergency access as required by the Fire Marshall. All access to the Property/Development shall be from Highway 53 (other than the emergency access on Howser Mill). (Approved on June 3, 2019)
4. Prior to and as precondition to the issuance of a Site Development Permit, the Owner and/or Developer of the Property /Development shall complete an independent Traffic Study (not done by applicant Ensite Civil Consulting, LLC) and have the same approved by the Georgia Department of Transportation and the City Street Department Director of the impact of the Property/Development as proposed including, not in no way limited to the placement of the traffic lights and/or round-about, as related to the entrance to the Property/Development on Ga. Highway 53 and/or the impact of the proposed development on Ga. Highway 53 Howser Mill Road intersection. Prior to and as a precondition to the issuance of a Site Development Permit, the Owner and/or Developer of the Property/Development shall fund and construct any street improvements called for in the Traffic Study as approved by the Georgia Department of Transportation and the City Street Department Director. (Approved on June 3, 2019)
5. Prior to and as a precondition to the issuance of a Site Development Permit, the Owner and/or Developer of the Property/Development will install at the Owner/Developer's expense such water and sewer lines as are necessary to reach the Property/Development from the existing City water and sewer line infrastructure as determined by the City Engineer, including the installation of any necessary sewer lift stations. (Approved on June 3, 2019)
6. The following shall be placed on all final plats and individual surveys, "NOTICE: This property lies within a rural area and agricultural activities creating dust, noise, and odors may occur in the vicinity. Understanding this, the grantee and successors in title forgo their right to claim against any agricultural operator in the area who has not been negligent." (Approved on June 3, 2019)
7. The owner/developer shall keep the driveway for the adjacent property owner of TMP 083 009 open and will repair any damage sustained during construction. (Approved on June 3, 2019)
8. Dedicate to the City 20' ROW along the property line on Hwy. 53 West for future road improvements.
9. Dedicate to the City 20' ROW along the property line along Howser Mill Road for future road improvements.
10. All roads within the subdivision shall be public roads. The roads shall be built meeting the City's development standards. The City Engineer and /or the Planning and Zoning Director may request "loaded truck" roll over inspection and core tests, prior to final approval / acceptance of the final plat.
11. The owner/developer shall Grade (sidewalk installation ready) the front along Hwy. 53 West and front along Howser Mill Road for installation/accommodation of 5' sidewalk for future development. Such areas must be stabilized with grass or other means to avoid any erosion after grading.
12. The plans shall provide engineered designed (only) second entrance along Howser Mill Road for future access / development/connectivity.
13. Provide adequate size children's park / picnic area, meeting architectural design standards, for the residents with picnic/gathering area, children's play area, children's play equipment, adequate size (meeting architectural design standards) commercial designed and commercial material gazebo with fire pit. The developer shall submit list of children's play equipment to the Director, Planning and Zoning, for approval. This amenity area shall be completed and approved by the Building Official prior to obtaining Certificate of Occupancy prior to completion of 30% of the houses in the subdivision.

Exhibit "A"

14. The streetlights shall be of decorative design throughout the subdivision.
15. The emergency entrance gate, along Howser Mill Road, design, material and installation shall be approved by the Dawson County Fire Marshal and Director, Planning and Zoning. The owner/developer must submit copy of the approval document to the Director, Planning and Zoning Department for the City records.
16. The Knox Box/Lock must be as customary on similar projects in Dawson County and must have approval of the Fire Marshall.
17. The emergency entrance gate and surroundings along Howser Mill Road must be tastefully designed to match with the development of the subdivision houses (material, color, design etc.). The gate plan must be prepared by an engineer or an architect and approved by the Director, Planning and Zoning.
18. No two homes, next to each other and opposite to each other shall be of the same façade design, material, and facade color.
19. No two townhomes, next to each other and opposite to each other shall be of the same façade design, material, and facade color.
20. The mailbox area shall be designed to provide safe access and exit to the residents. The design shall be of covered mail kiosk, providing mailboxes, provide parcel boxes, well illuminated, and located at a safe and accessible location in the subdivision.
21. The existing trees shall be preserved, to the maximum possible extent on the property especially along throughout the property lines, stream buffers areas, any other unbuilt spaces. If there are gaps/openings in the existing vegetation/tree area, the owner/developer shall plant trees of matching/local species to provide visual screening. Such plan shall be submitted with Construction Plans to the Department of Planning and Zoning for review and approval.
22. At the subdivision, along the Hwy 53 entrance Two decorative styles, tastefully designed, entrance shall per permitted. One sign shall be permitted to be installed within dedicated 20' ROW, which may be removed whenever the Hwy. 53 West improvements are completed. The developer may choose to install additional sign of reasonable size along the Howser Mill Road frontage to direct the visitors to the main access / entrance at Hwy. 53 West.
23. The proposed site plan prepared, dated, 11.15.2022, file number 10195-00 is not "site specific" site plan. However, the developer/property owner shall follow this submitted site plan for preparation of final site plan.
24. The Planning and Zoning Director authorized to approve minor variations during the subdivision development process; however, he/she is not authorized to approved increased density. The applicant must pay the required fees to the City for variations. In addition, the Planning and Zoning Director is authorized to approve the following as Administrative Variance with the written request by the developer or project engineer or project manager with City's applicable fee schedule.
 - Front yard, side yard and rear yard setbacks. Variances shall not exceed 20 percent of the setback in applicable areas of this subdivision.
 - Building height. A variance may be granted up to, but not exceeding, ten feet if such variance does not allow space habitable by humans.
 - Parking. If the required parking standards cannot reasonably be met and if a variance will not adversely affect the spirit or intent of the ordinance, then a variance of not more than ten percent may be granted.
25. Access shall be provided from the main entrance road (Hwy 53 West) to the adjacent parcels 083 009 & 083 047. The developer/owner shall be granted in accordance with both City of Dawsonville and Georgia Department of Transportation (GDOT) requirements and shall include driveway aprons and access easements to the adjoining parcels.
26. Contribution of a minimum of Fifteen Thousand Dollars (\$15,000.00) towards the construction of sidewalks outside of the development from Hwy 53 to Howser Mill Road.

Exhibit "A"