

MINUTES
CITY COUNCIL REGULAR MEETING AND WORK SESSION
G.L. Gilleland Council Chambers on 2nd Floor
Monday, April 17, 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 Will Illg, Councilmember Mark French, Councilmember Caleb Phillips, Councilmember John Walden, City Attorney Kevin Tallant, City Manager Bob Bolz, City Clerk Beverly Banister, Public Works Director Trampas Hansard, Utility Director Jacob Barr, Finance Administrator Robin Gazaway, Director of Downtown Development Amanda Edmondson. Stacy Harris and Clay Moss were also present from the Planning & Zoning Department.
3. **INVOCATION AND PLEDGE:** Invocation and pledge were led by Councilmember French.
4. **ANNOUNCEMENTS:** Mayor Eason announced the first Food Truck Friday will take place on May 5, 2023 at the Farmer's Market Pavilion and the Amicalola Regional Farmer's Market will have their opening day on April 29th starting at 8:00 a.m. He also encouraged the public to participate in the City's Comprehensive Plan survey and announced the next steering committee meeting for the Comprehensive Plan would be held at City Hall on Thursday, May 11, 2023 starting at 5:30 pm.
5. **APPROVAL OF THE AGENDA:** Motion to amend the agenda by removing item #7b Approve Resolution #R2023-02 Publix Opioid Settlement from the Consent Agenda and adding it as an additional agenda item #20 on the regular agenda made by W. Illg; second by M. French. Vote carried unanimously in favor.

Motion to approve the agenda as amended made by M. French; second by C. Phillips. Vote carried unanimously in favor.
6. **PUBLIC INPUT:** Doug Sherrill, 131 Prominence Court, Dawsonville – He stated he is here on behalf of Kevin Lalani; he is the owner of LDP which is the company who will prepare the plan for Mr. Lalani should the proposed zoning amendment request #ZA-C2300085 be approved.
7. **CONSENT AGENDA:** Motion to approve the consent agenda for the following items (a, c - e) made by W. Illg; second by J. Walden. Vote carried unanimously in favor.
 - a. Approve Minutes
 - Regular Meeting and Work Session held March 20, 2023
 - Executive Session held March 20, 2023
 - c. Approve Memorandum of Understanding Concerning National Opioid Settlements
 - d. Approve Resolution #R2023-03 City of Ethics Recertification (Exhibit "A")
 - e. Approve GMA Annual Convention and Training
8. **EMPLOYEE RECOGNITION:** The Mayor and Council awarded Annette Watson as the March 2023 Employee of the Month and the Employee of the 1st Quarter; Tracy Smith received a six-year service award; Blake Croft received a seven-year service award and Trampas Hansard received a fifteen-year service award.
9. **PROCLAMATION: ADMINISTRATIVE PROFESSIONAL'S DAY, APRIL 26, 2023:** Mayor Eason read the proclamation and thanked the City's administrative staff for their commitment and hard work.

BUSINESS

10. **ZA-C2300085:** Kevin Lalani has petitioned a zoning amendment for TMP D03 056, Located at 514 Academy Ave from CBD (Central Business District) to TB (Town Business District). Public Hearing Dates: Planning Commission on March 13, 2023, and City Council on March 20, 2023. City Council for a decision on April 17, 2023.

Stacy Harris read the zoning amendment request. Motion to approve ZA-C2300085 with the condition of commercial use only as permitted within the Historic District made by M. French; second by C. Phillips. Councilmember Walden recused himself. Vote carried three in favor (French, Phillips, Illg) with one recused (Walden).

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11. **CU-0322018: REQUEST FOR EXTENSION OF EXPIRED CONDITIONAL USE PERMIT:** Stacy Harris read the request. Motion to extend CU-0322018 to December 31, 2023 made by C. Phillips; second by M. French. Vote carried unanimously in favor.
12. **AWARD COMPREHENSIVE DOWNTOWN STRATEGIC PLAN:** Motion to award the Comprehensive Downtown Strategic Plan to TSW in the amount of \$100,000 made by W. Illg; second by M. French. Vote carried unanimously in favor.
13. **CONSIDERATION OF VAPE LICENSE APPROVAL:** Motion to approve an annual vape license for SIF Investment LLC dba Neighborhood Convenience Store made by C. Phillips; second by M. French. Vote carried unanimously in favor.

WORK SESSION

Councilmember Phillips stepped out of the meeting room.

14. **PRESENT PROPOSED CHANGES TO THE UTILITIES ORDINANCE:** Motion to direct the City Attorney to develop an ordinance amendment to incorporate the proposed changes to the utilities ordinance made by J. Walden; second by W. Illg. Vote carried three in favor (Walden, Illg, French) with one absent (Phillips).

Councilmember Phillips returned to the meeting room.

15. **PRESENT PROPOSED CHANGES TO THE ANIMAL CONTROL ORDINANCE:** Motion to direct the City Attorney to develop an ordinance amendment to incorporate the proposed changes to the animal control ordinance made by W. Illg; second by J. Walden. Vote carried unanimously in favor.
16. **REVIEW COMMUNITY SERVICE PROGRAM:** City Manager Bolz reported the Community Service Program will be in effect on April 29, 2023. Deputy Jacob Champion led the charge on this program and worked with the Dawson County Juvenile Judge and the Sheriff to develop the program in order to provide the option for juvenile offenders to serve within the City as a condition of their sentencing. The deputies working within the City will oversee the program.
17. **PRESENT DOWNTOWN DEVELOPMENT AUTHORITY FUNDING REQUEST FOR FY 2024 BUDGET:** Councilmember Illg explained the need to request additional funding for the Downtown Development Authority since they have the ability to become more active with the assistance of the newly hired Director of Downtown Development, Amanda Edmondson. Projects have already been discussed to include marketing and advertising, special events and beautification projects; request is to increase the FY 2024 DDA budget to \$75,000.

Motion made by W. Illg to include the request of \$75,000 for the DDA budget into the City's FY 2024 budget; brief discussion took place regarding the source of revenue to accommodate the increase and how the budget will be presented. City Attorney Tallant stated the action needed would occur when the budget is presented for final approval. Councilmember Illg withdrew the motion.

STAFF REPORTS

18. **BOB BOLZ, CITY MANAGER:** City Manager Bolz reported there were no leak adjustments this month due to the new meter reading system and the diligence of the utility staff in communicating leak issues with customers immediately.
19. **ROBIN GAZAWAY, FINANCE ADMINISTRATOR:** Finance Administrator Gazaway presented the financial reports representing fund balances and activity through March 31, 2023.

ADDITIONAL BUSINESS

20. **APPROVE RESOLUTION #R2023-02 PUBLIC OPIOID SETTLEMENT:** Motion to approve Resolution #R2023-02 and to appoint the Mayor as the representative on behalf of this matter made by J. Walden; second by C. Phillips. Vote carried unanimously in favor. (Exhibit "B")

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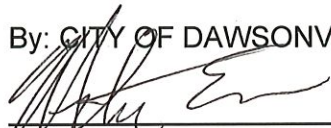
EXECUTIVE SESSION

ADJOURNMENT:

At 5:30 p.m. a motion to adjourn the meeting was made by J. Walden; second by W. Ilg. Vote carried unanimously in favor.

Approved this 1st day of May 2023

By: CITY OF DAWSONVILLE



Mike Eason, Mayor




Caleb Phillips, Councilmember Post 1



William Ilg, Councilmember Post 2



John Walden, Councilmember Post 3

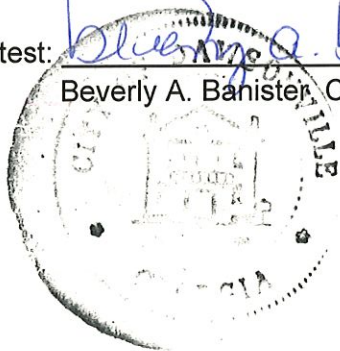


Mark French, Councilmember Post 4

Attest:



Beverly A. Bahister, City Clerk



RESOLUTION #R2023-03

ETHICS RESOLUTION OF THE CITY OF DAWSONVILLE

WHEREAS, the Board of Directors of the Georgia Municipal Association has established a Certified City of Ethics program; and,

WHEREAS, the City of Dawsonville is an existing Certified City of Ethics and wishes to be recertified as a Certified City of Ethics under the GMA Program; and,

WHEREAS, the City of Dawsonville has had an Ethics Ordinance in place since 2000 and most recently amended in 2019 and the same being codified at Sections 2-75 through 2-86 of Chapter II, Article III, Division 2 of the Code of the City of Dawsonville, Georgia ; and,

WHEREAS part of the recertification process requires the Mayor and Council to subscribe to the ethics principles approved by the GMA Board;

NOW THEREFORE BE IT RESOLVED by the governing authority of the City of Dawsonville, Georgia, that as a group and as individuals, the governing authority subscribes to the following ethics principles and pledges to conduct its affairs accordingly:

- * Serve Others, Not Ourselves
- * Use Resources With Efficiency and Economy
- * Treat All People Fairly
- * Use The Power of Our Position For The Well Being Of Our Constituents
- * Create An Environment Of Honesty, Openness And Integrity

RESOLVED this 17 day of April 2023.

By: MAYOR AND DAWSONVILLE CITY COUNCIL



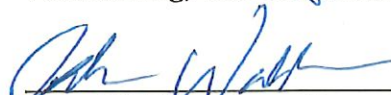
Mike Eason, Mayor



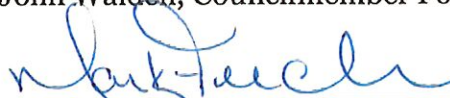
Caleb Phillips, Councilmember Post 1



William Illg, Councilmember Post 2

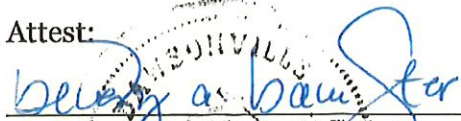


John Walden, Councilmember Post 3

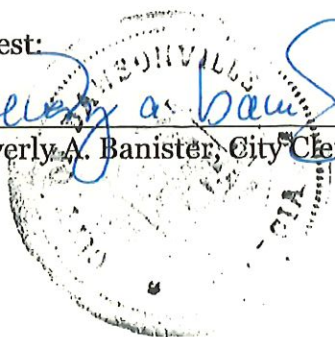


Mark French, Councilmember Post 4

Attest:



Beverly A. Banister, City Clerk



RESOLUTION R2023-02
RESOLUTION OF CITY OF DAWSONVILLE, GEORGIA ("CITY")
AGREEING TO SETTLE WITH PUBLIX SUPER MARKETS, INC.
CONCERNING THE PRESCRIPTION OPIOID LITIGATION

WHEREAS, the City initiated litigation against certain manufacturers, distributors, and pharmacy chains in *In re: National Prescription Opiate Litigation*, MDL 2804, to hold them accountable for the opioid epidemic and to seek equitable and monetary relief;

WHEREAS, defendant Publix Super Markets, Inc. ("Publix") has separately reached a settlement framework with certain local government entities;

WHEREAS, certain Georgia local government entities seek to resolve the litigation with Publix and maximize the recovery from this settlement; and

WHEREAS, the City desires to agree to settle with Publix;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF DAWSONVILLE COUNCIL, AS FOLLOWS:

Section 1. The City Council, as the governing body of the City, hereby agrees to settle with PUBLIX and to be bound by the Release and

Section 2. The City Council hereby appoints the Mayor as the duly appointed representative of the City for the purposes of agreeing to be bound by the settlement agreement.

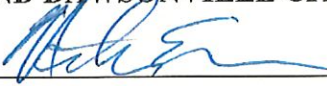
Section 3. The City Council directs the duly appointed representative of the City to execute the settlement agreement with Publix upon such terms approved by the Mayor with the advice of the City Attorney.

Section 4. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

Section 5. This Resolution shall be in full force and effect from and after its adoption as provided by law.

This Resolution was introduced, seconded and adopted at a duly convened meeting of the City Council, held on April 17, 2023.

By: MAYOR AND DAWSONVILLE CITY COUNCIL



Mike Eason, Mayor



Caleb Phillips, Councilmember Post 1

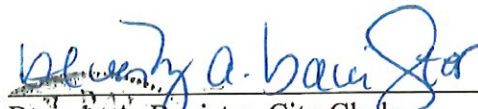
Exhibit "B"


William Illg, Councilmember Post 2


John Walden, Councilmember Post 3


Mark French, Councilmember Post 4

Attest:


Beverly A. Banister, City Clerk

