

**AGENDA**  
**CITY COUNCIL REGULAR MEETING**  
**G.L. Gilleland Council Chambers on 2<sup>nd</sup> Floor**  
**Monday, May 1, 2023**  
**5:00 P.M.**

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1. Call to Order
2. Roll Call
3. Invocation and Pledge
4. Announcements
5. Approval of the Agenda
6. Public Input
7. Consent Agenda
  - a. Approve Minutes
    - Regular Meeting and Work Session held April 17, 2023
8. Proclamation: 54<sup>th</sup> Annual Professional Municipal Clerks Week, April 30 – May 6, 2023
9. Proclamation: Water Professionals Week, May 7 – May 13, 2023

**PUBLIC HEARING**

10. Extending a Temporary Moratorium on the Issuance of Development and Building Permits

**BUSINESS**

11. Independent Contractor Agreement for Dawsonville History Museum Director
12. Change in Professional Service Provider
13. Consideration of Approval for Amenity Package and/or Greenspace for Arbor West Subdivision

**EXECUTIVE SESSION, IF NEEDED**

**ADJOURNMENT**

***The next scheduled City Council meeting is Monday, May 15, 2023***

*Those persons with disabilities who require reasonable accommodations in order to allow them to observe and/or participate in this meeting or who have questions regarding the accessibility of the meeting, should contact the Clerk at Dawsonville City Hall at 706-265-3256 at least two (2) business days prior to the meeting.*



DAWSONVILLE CITY COUNCIL  
EXECUTIVE SUMMARY FOR  
AGENDA ITEM # 7

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SUBJECT: CONSENT AGENDA

CITY COUNCIL MEETING DATE: 05/01/2023

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PURPOSE FOR REQUEST:

**CONSIDERATION AND APPROVAL OF ITEMS BELOW; SEE ATTACHED  
SUPPORTING DOCUMENTS**

- a. **Approve Minutes**
- **Regular Meeting and Work Session held April 17, 2023**
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DAWSONVILLE CITY COUNCIL  
EXECUTIVE SUMMARY FOR  
AGENDA ITEM # 7a

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SUBJECT: APPROVE MINUTES

CITY COUNCIL MEETING DATE: 05/01/2023

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BUDGET INFORMATION: GL ACCOUNT # NA

Funds Available from:      Annual Budget      Capital Budget Other     

Budget Amendment Request from Reserve:      Enterprise Fund      General Fund

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PURPOSE FOR REQUEST:

**TO APPROVE THE MINUTES FROM:**

- **REGULAR MEETING AND WORK SESSION HELD APRIL 17, 2023**
- 

HISTORY/ FACTS / ISSUES:

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OPTIONS:

**AMEND OR APPROVE AS PRESENTED**

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RECOMMENDED SAMPLE MOTION:

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REQUESTED BY: Beverly Banister, City Clerk

**MINUTES**  
**CITY COUNCIL REGULAR MEETING AND WORK SESSION**  
**G.L. Gilleland Council Chambers on 2<sup>nd</sup> Floor**  
**Monday, April 17, 2023**  
**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 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 29<sup>th</sup> 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 1<sup>st</sup> 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).

**MINUTES**  
**CITY COUNCIL REGULAR MEETING AND WORK SESSION**  
**G.L. Gilleland Council Chambers on 2<sup>nd</sup> Floor**  
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**5:00 P.M.**

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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")

**MINUTES**  
**CITY COUNCIL REGULAR MEETING AND WORK SESSION**  
**G.L. Gilleland Council Chambers on 2<sup>nd</sup> Floor**  
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**5:00 P.M.**

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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. Illg. Vote carried unanimously in favor.

***Approved this 1<sup>st</sup> day of May 2023***

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

**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.

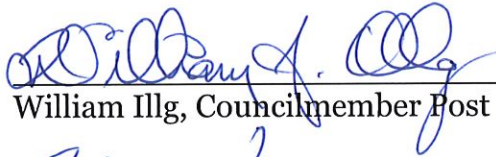
**By: MAYOR AND DAWSONVILLE CITY COUNCIL**



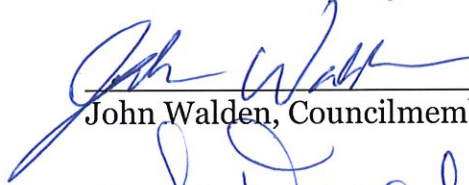
Mike Eason, Mayor



Caleb Phillips, Councilmember Post 1



William Illg, Councilmember Post 2

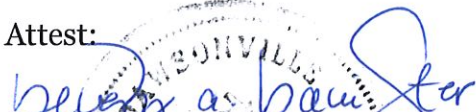
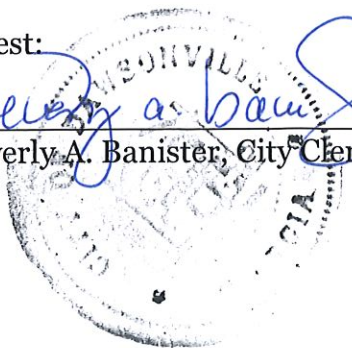


John Walden, Councilmember Post 3



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"**

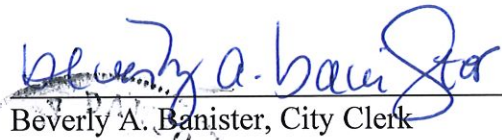


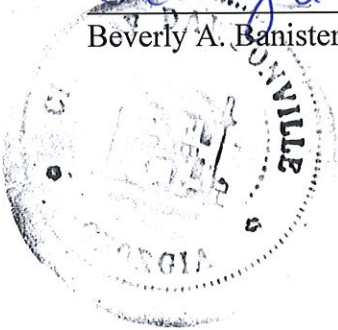
  
William Illg, Councilmember Post 2

  
John Walden, Councilmember Post 3

  
Mark French, Councilmember Post 4

Attest:

  
Beverly A. Banister, City Clerk





DAWSONVILLE CITY COUNCIL  
EXECUTIVE SUMMARY FOR  
AGENDA ITEM # 8

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SUBJECT: PROCLAMATION: 54<sup>TH</sup> ANNUAL PROFESSIONAL MUNICIPAL CLERKS WEEK,  
APRIL 30 – MAY 6, 2023

CITY COUNCIL MEETING DATE: 05/01/2023

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BUDGET INFORMATION: GL ACCOUNT # \_\_\_\_\_

Funds Available from: \_\_\_\_\_ Annual Budget \_\_\_\_\_ Capital Budget Other \_\_\_\_\_

Budget Amendment Request from Reserve: \_\_\_\_\_ Enterprise Fund \_\_\_\_\_ General Fund

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PURPOSE FOR REQUEST:

**TO READ THE PROCLAMATION FOR PROFESSIONAL MUNICIPAL CLERKS WEEK**

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HISTORY/ FACTS / ISSUES:

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OPTIONS:

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RECOMMENDED SAMPLE MOTION:


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REQUESTED BY: Bob Bolz, City Manager



# Proclamation

## 54<sup>th</sup> Annual Professional Municipal Clerks Week April 30 – May 6, 2023



**WHEREAS**, the Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

**WHEREAS**, the Office of the Professional Municipal Clerk is the oldest among public servants, and

**WHEREAS**, the Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

**WHEREAS**, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

**WHEREAS**, the Professional Municipal Clerk serves as the information center on functions of local government and community.

**WHEREAS**, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations.

**WHEREAS**, it is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.

**NOW THEREFORE**, I, Michel Eason, Mayor of the City of Dawsonville, do recognize the week of April 30 through May 6, 2023, as Professional Municipal Clerks Week, and further extend appreciation to our Professional Municipal Clerk, Beverly Banister and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this 1<sup>st</sup> day of May, 2023.

\_\_\_\_\_  
Michael Eason, Mayor

Attest:

\_\_\_\_\_  
Beverly A. Banister, City Clerk





DAWSONVILLE CITY COUNCIL  
EXECUTIVE SUMMARY FOR  
AGENDA ITEM # 9

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SUBJECT: PROCLAMATION: WATER PROFESSIONALS WEEK, MAY 7 – MAY 13, 2023

CITY COUNCIL MEETING DATE: 05/01/2023

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BUDGET INFORMATION: GL ACCOUNT # \_\_\_\_\_

Funds Available from: \_\_\_\_\_ Annual Budget \_\_\_\_\_ Capital Budget Other \_\_\_\_\_

Budget Amendment Request from Reserve: \_\_\_\_\_ Enterprise Fund \_\_\_\_\_ General Fund

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PURPOSE FOR REQUEST:

**TO READ THE PROCLAMATION FOR WATER PROFESSIONALS WEEK**

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HISTORY/ FACTS / ISSUES:

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OPTIONS:

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RECOMMENDED SAMPLE MOTION:

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REQUESTED BY: Bob Bolz, City Manager





# Proclamation

## Water Professionals Appreciation Week

May 7 – May 13, 2023



**WHEREAS**, water and wastewater infrastructure, facilities and services are of vital importance to sustainable communities and to the health, safety, and well-being of the people of the City of Dawsonville, and

**WHEREAS**, water professionals are committed to operating these facilities to maintain consistent compliance with extremely stringent standards and such facilities and services could not be provided without the dedicated efforts of water professionals who are responsible to operate and maintain the water supply and water treatment facilities essential to serve our citizens, and

**WHEREAS**, both publicly and privately-owned facilities have performed so well that they are no longer the most significant threat to Georgia's waters and the quality of Georgia's waters has improved dramatically throughout this great state over the 50 plus years since the original passage of the Georgia Water Quality Control Act.

**WHEREAS**, it is in the public interest for the citizens, civic leaders and children in the United States of America to gain knowledge of and to maintain a progressive interest and understand the importance of water and wastewater operations in their respective communities, and

**NOW THEREFORE**, I, Michael Eason, Mayor of the City of Dawsonville, do proclaim May 7 – May 13, 2023, as Water Professionals Appreciation Week, a special week of recognition for men and women who work tirelessly in our City to ensure our water resources are protected and properly managed. Specially, we want to recognize and thank the staff and management of the City of Dawsonville's water department.

Dated this 1<sup>st</sup> day of May 2023.

\_\_\_\_\_  
Michael Eason, Mayor

Attest:

\_\_\_\_\_  
Beverly A. Banister, City Clerk





DAWSONVILLE CITY COUNCIL  
EXECUTIVE SUMMARY FOR  
AGENDA ITEM # 10

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SUBJECT: EXTENDING A TEMPORARY MORATORIUM ON THE ISSUANCE OF  
DEVELOPMENT AND BUILDING PERMITS

CITY COUNCIL MEETING DATE: 05/01/2023

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BUDGET INFORMATION: GL ACCOUNT # \_\_\_\_\_

Funds Available from: \_\_\_\_\_ Annual Budget \_\_\_\_\_ Capital Budget Other \_\_\_\_\_

Budget Amendment Request from Reserve: \_\_\_\_\_ Enterprise Fund \_\_\_\_\_ General Fund

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PURPOSE FOR REQUEST:

1. **TO HOLD A PUBLIC HEARING** CONCERNING THE EXTENSION OF A TEMPORARY MORATORIUM ON THE ISSUANCE OF DEVELOPMENT AND BUILDING PERMITS, AND
2. **TO CONSIDER APPROVAL OF RESOLUTION** #R2023-04 CONCERNING THE SAME

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HISTORY/ FACTS / ISSUES:

- **IMPACT FEE STUDY HAS BEEN COMPLETED AND PRESENTED TO COUNCIL; WE ARE AWAITING FEE RECOMMENDATIONS FROM GMRC**
- **TEMPORARY MORATORIUM APPROVED ON 05/16/2022 HAD A 6-MONTH EXPIRATION; MORATORIUM WAS EXTENDED ON 11/07/2022 AND ALSO HAD A 6-MONTH EXPIRATION; CONTINUATION IS NEEDED TO CONSIDER FEE RECOMMENDATIONS AND IMPLEMENTATION, IF ANY, OF THE POTENTIAL PROGRAM**

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OPTIONS:

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RECOMMENDED SAMPLE MOTION:

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REQUESTED BY: Mike Eason, Mayor

## RESOLUTION #R2023-04

### **A RESOLUTION OF THE CITY OF DAWSONVILLE, GEORGIA TO EXTEND 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;

WHEREAS, the process of securing a study related to the imposition of impact fees has extended longer than originally anticipated due to a desire to obtain such in an efficient and cost effective manner from a trusted source with which the City of Dawsonville has experience;

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]**

DRAFT

**SO ADOPTED AND RESOLVED** by the City Council of Dawsonville, Georgia, this \_\_\_\_ day of \_\_\_\_\_, 2023.

**MAYOR AND DAWSONVILLE CITY COUNCIL**

By: \_\_\_\_\_  
Mike Eason, Mayor

\_\_\_\_\_  
Caleb Phillips, Council Member, Post 1

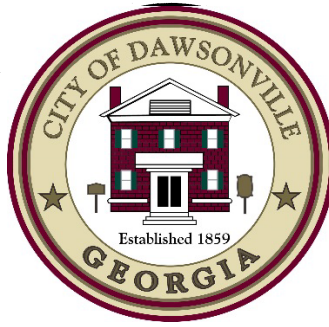
\_\_\_\_\_  
William Illg, Council Member, Post 2

\_\_\_\_\_  
John Walden, Council Member, Post 3

\_\_\_\_\_  
Mark French, Council Member, Post 4

ATTEST:

\_\_\_\_\_  
Beverly A. Banister, City Clerk



### 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

415 Highway 53 East, Suite 100  
Dawsonville, GA 30534  
Office (706)265-3256 Fax (706)265-4214  
[www.dawsonville-ga.gov](http://www.dawsonville-ga.gov)

Robert Bolz  
City Manager  
Beverly Banister  
City Clerk

## Notice of Public Hearing

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The City of Dawsonville will conduct a public hearing on whether to extend 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 capital improvements. The hearing will take place before the Mayor and Council of the City of Dawsonville on the 1<sup>st</sup> day of May, 2023, at 5:00 PM, in G.L. Gilleland Council Chambers, 2<sup>nd</sup> Floor, Dawsonville City Hall, 415 Hwy. 53 East, Dawsonville, Georgia, 30534. The public is invited to attend and speak at the public hearing.



DAWSONVILLE CITY COUNCIL  
EXECUTIVE SUMMARY FOR  
AGENDA ITEM # 11

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SUBJECT: INDEPENDENT CONTRACTOR AGREEMENT FOR DAWSONVILLE HISTORY  
MUSEUM DIRECTOR

CITY COUNCIL MEETING DATE: 05/01/2023

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BUDGET INFORMATION: GL ACCOUNT # \_\_\_\_\_

Funds Available from: \_\_\_\_\_ Annual Budget \_\_\_\_\_ Capital Budget Other \_\_\_\_\_

Budget Amendment Request from Reserve: \_\_\_\_\_ Enterprise Fund \_\_\_\_\_ General Fund

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PURPOSE FOR REQUEST:

**TO CONSIDER APPROVAL TO ACCEPT THE TERMINATION LETTER FROM CINDY ELLIOTT  
REGARDING HER CONTRACT WITH THE CITY**

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HISTORY/ FACTS / ISSUES:

- **RESIGNATION LETTER AND CONTRACT ARE ATTACHED**
- 

OPTIONS:

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RECOMMENDED SAMPLE MOTION:

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REQUESTED BY: Mike Eason, Mayor



City of Dawsonville

April 20, 2023

I am writing to inform you that the Independent Contractor Agreement executed on February 3, 2021, between KaraGrayson Galleries, LLC and the city of Dawsonville for the position of Director of the Dawsonville History Museum is now terminated. This termination will take effect immediately, as of April 1st, 2023.

The Dawsonville History Museum provided the city with 15% of the gross sales to pay for this position. This provision will no longer be in effect as of April 1, 2023.

We thank the city of Dawsonville for the opportunity to work with them, and hope our mutually beneficial relationship will continue into perpetuity. It is my hope that this termination does not cause any inconvenience. If there are any further details that need to be addressed please feel free to contact me directly.

With Kind Regards,

Cindy K. Elliott  
KaraGrayson Galleries, LLC  
CEO

Cc; Calvin Byrd- President GRHOF  
Scott Adams- Finance Administrator GRHOF  
Faye Abercrombie- Secretary GRHOF  
Mayor Mike Eason – City of Dawsonville  
Bob Bolz- Dawsonville City Manager  
Shelly Martin – Attorney



## INDEPENDENT CONTRACTOR AGREEMENT

AGREEMENT dated the 3 day of February, 2021, between The City of Dawsonville, Georgia, a Georgia Municipal Corporation, with an office at 415 Highway 53 East, Dawsonville, Georgia, 30534, (the "City"), and Kara Grayson Gallery LLC, (the "Contractor").

### WITNESSETH:

WHEREAS, the City desires to engage the Contractor and the Contractor is willing to accept such engagement, all on the terms hereinafter set forth;

NOW, THEREFORE, the parties agree as follows:

1. **Scope of Contract.** The City hereby engages the Contractor as its Director for the Dawsonville History Museum on the terms hereinafter set forth and the Contractor hereby accepts such engagement. The engagement shall last for a term of twelve months from February 2021, to January 2022, provided, however, that the Contract shall automatically renew for a successive twelve months unless notice is provided by either the City or Contractor that the Contract will not be renewed at least forty-five (45) days prior to its expiration, or it is otherwise terminated as provided herein. The Contract may renew as described in the previous sentence for a total of four renewals after the expiration of the initial term. The provisions of this Agreement will continue to apply for as long as the Contractor remains engaged by the City, and certain provisions will, where they expressly provide, continue to apply after termination of the Contractor's engagement with the City.
2. **Duties.** The Contractor will render services and will fulfill the obligations contained in the attached Exhibit "A" incorporated herein and made a part hereof by this express reference. Contractor may receive guidance from the Board of Directors of the Georgia Racing Hall of Fame, but shall in general exercise independence in the manners and methods of fulfilling the requirements of Exhibit "A." To the extent necessary, Contractor shall receive final direction to the extent necessary from the City Manager.
3. **Loyalty.** The Contractor will not (i) act for Contractor's own account in any manner which is competitive with any of the business of the Dawsonville History Museum ("Museum") or which would interfere with the performance of Contractor's duties under this Agreement, or (ii) serve as an officer, director or employee of or perform services for any other business entity which is competitive with or conflicts with the Museum.
4. **Compensation.**
  - 4.1 **Salary.** The City will pay the Contractor at the rate of \$35,000<sup>00</sup> per year commencing on the 3 day of February, 2021 which will be payable in periodic equal installments. For the initial term the payment to Contractor shall be prorated. Thereafter the City may review the Contractor's compensation from time

to time based on the policies of the City. The Contractor will not be entitled to additional compensation beyond that called for herein, and is not an "employee" under the Fair Labor Standards Act.

5. **Expenses.** Any and all expenses and expenditures incurred by Contractor shall be in conformity with the City's procurement policy in effect at the time the expenses are incurred. The foregoing notwithstanding, the Contractor may submit to the city an invoice on an annual basis for the provision of an insurance policy to insure Contractor with respect to liability for damages to persons or property based on acts and/or omissions arising out of or relating to Contractor's service pursuant to this Contract.
6. **Termination.** This Agreement may be terminated immediately by the City upon the occurrence of any one of the following events:
  - (a) Contractor's death or legal incapacity;
  - (b) Contractor's incapacity or inability to perform Contractor's services as set forth in this Agreement;
  - (c) Contractor is guilty of fraud, dishonesty, or other acts of misconduct in the rendering of services on behalf of the City; or
  - (d) Contractor fails or refuses to faithfully or diligently perform the provisions of this agreement.

This Agreement may be terminated immediately by the Contractor upon the occurrence of any one of the following events:

- (a) The City's failure to remit payment when due.
  - (b) The City's failure to perform any of its obligations as set forth in this Agreement.
  - (c) The City's financial insolvency.
7. **Results of the Contractor's Services.**
  - 7.1 The City will be entitled to and will own all the results and proceeds of the Contractor's services under this Agreement, which pertain to, arise out of or are related to the Contractor's job duties in Exhibit A. The same shall be the sole and exclusive property of the City; and the Contractor will not have any right, title or interest of any nature or kind therein.
  - 7.2 The Contractor acknowledges that the violation of any of the provisions of §7.1 will cause irreparable loss and harm to the City which cannot be reasonably or adequately compensated by damages in an action at law, and, accordingly, that the

City will be entitled, without posting bond or other security, to injunctive and other equitable relief to enforce the provisions of that Section; but no action for any such relief shall be deemed to waive the right of the City to an action for damages.

8. **Use of Contractor's Name, Etc.** The City is hereby granted the right during the term of Contractor's engagement to make use of and to permit others to make use of the Contractor's name, pictures, photographs, and other likenesses, and voice, in connection with the advertising, publicity and exploitation of any products, or in connection with the use or implementation of any of the Contractor's services hereunder or the proceeds thereof. This right shall continue in perpetuity as a non-exclusive and non-compensable right after termination of Contractor's engagement for any reason whatsoever including, without limitation, termination by either party for cause or wrongful termination by either party. In no event, however, shall the Contractor, directly or indirectly, be represented as endorsing any product or commodity without the Contractor's written consent.
9. **Governing Law; Remedies.**
  - 9.1 This Agreement has been executed in the State of Georgia and shall be governed by and construed in all respects in accordance with the law of the State of Georgia.
  - 9.2 Except as otherwise expressly provided in this Agreement, any dispute or claim arising under or with respect to this Agreement or any breach or alleged breach hereof shall be first submitted to non-binding mediation before being subject to litigation which litigation must be conducted in the Superior Court of Dawson County, State of Georgia.
  - 9.3 The Parties will also have such other legal remedies as may be appropriate under the circumstance including, inter alia, recovery of damages occasioned by a breach. The Parties' rights and remedies are cumulative and the exercise or enforcement of any one or more of them will not preclude the City from exercising or enforcing any other right or remedy.
10. **Severability of Provisions.** If any provision of this Agreement or the application of any such provision to any person or circumstance is held invalid, the remainder of this Agreement, and the application of such provision other than to the extent it is held invalid, will not be invalidated or affected thereby.
11. **Waiver.** No failure by a Party to insist upon the strict performance of any term or condition of this Agreement or to exercise any right or remedy available to it will constitute a waiver. No breach or default of any provision of this Agreement will be waived, altered or modified, and the Parties may not waive any rights, except by a written instrument executed by them. No waiver of any breach or default will affect or alter any term or condition of this Agreement, and such term or condition will continue in full force and effect with respect to any other then existing or subsequent breach or default thereof.
12. **Miscellaneous.**



12.1 This Agreement may be amended only by an instrument in writing signed by the City and the Contractor.

12.2 This Agreement shall be binding upon the Parties and their respective successors and assigns. The City may, without the Contractor's consent, transfer or assign any of its rights and obligations under this Agreement to any corporation or other entity which, directly or indirectly, controls or is controlled by the City or is under common control with the City or to any corporation or other entity succeeding to all or a substantial portion of the City's business and assets, provided that the City shall not be released from any of its obligations under this Agreement, and provided further that any such transferee or assignee agrees in writing to assume all the obligations of the City hereunder. Except as provided above, neither the City nor the Contractor may, without the other's prior written consent, transfer or assign any of its or Contractor's rights or obligations under this Agreement, and any such transfer or assignment or attempt thereof without such consent shall be null and void.

12.3 All notices under or in connection with this Agreement shall be in writing and may be delivered personally or sent by mail to the parties at their addresses set forth below or to such other addresses as to which notice is given:

1. If to the City:  
City of Dawsonville, Georgia  
Attn: Bob Bolz, City Manager  
415 Hwy 53 East  
Dawsonville, Georgia 30534

2. If to the Contractor:  
Kara Grayson Gallery LLC  
109 Ruby Lane  
Dawsonville GA 30534

Notice will be deemed given on receipt.

12.4 Upon termination of the Contractor's relationship with the City, Contractor shall promptly deliver to the City all equipment, materials, tools, correspondence, manuals, orders, letters, notes, notebooks, reports, programs, proposals and any documents and copies concerning the Museum's customers, exhibitors, or concerning products or processes used by the Museum and, without limiting the foregoing, will promptly deliver to the City any and all other documents or material containing or constituting confidential information.

12.5 The Contractor may not assign, pledge, or encumber any of the rights or obligations hereunder without the written consent of the City.

- 12.6 The parties agree that this Agreement may be executed in any number of counterparts, and in that event, each counterpart shall be deemed a complete original and be enforceable without reference to any other counterpart.
- 12.7 Contractor and City represent and agree that each has reviewed all aspects of this Agreement, has carefully read and fully understands all provisions of this Agreement, and is voluntarily entering into this Agreement. Each party represents and agrees that such party has had the opportunity to review any and all aspects of this Agreement with legal, tax, or other adviser(s) of such party's choice before executing this Agreement.
- 12.8 The language contained herein shall be deemed to be that approved by all parties hereto and no rule of strict construction shall be applied against any party hereto.
- 12.9 Section headings are for purposes of convenient reference only and will not affect the meaning or interpretation of any provision of this Agreement.
- 12.10 This Agreement constitutes the entire agreement of the parties and supersedes any and all prior agreements or understandings between them.
- 12.11 The City shall take steps in an attempt to have Contractor insured for acts or omissions committed in conjunction with the performance of Contractor's obligations under this Contract either through the City's own policy of insurance or through the policy of insurance of the Dawsonville History Museum.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

**City of Dawsonville, Georgia**



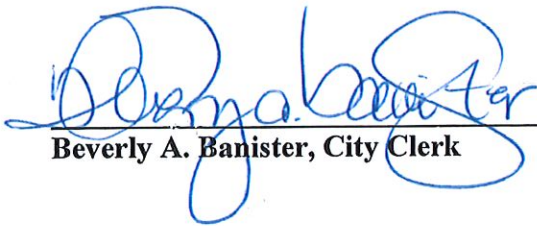
**Michael Eason, Mayor**

**Contractor**



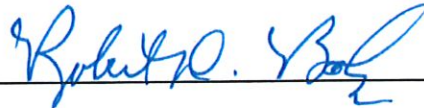
**Cindy Elliott**

**Attest:**



**Beverly A. Banister, City Clerk**

**Witness:**





## **JOB DESCRIPTION**

**Title:** Director, Dawsonville History Museum

**FLSA Status:** Exempt

**Effective Date:**

### **GENERAL PURPOSE**

Under general supervision of the City Manager and with direction from the Board of Directors of the Dawsonville History Museum, which includes the Georgia Racing Hall of Fame, this position supervises the operation of the museum and related functions.

### **DUTIES**

- Coordinates with staff and volunteers for operation of the museum.
- Plans, coordinates and promotes museum heritage programs and events.
- Oversees the Dawsonville History Museum related operations, including, historic preservation and database management, museum operation, facility rental, public education, and local history research.
- With the Boards approval, carryout related revenue management for museum ticket sales, facility rental, museum retail efforts, and online sales.
- Develops and manages museum marketing efforts to improve public awareness and recognition of the facility and what it offers.
- Researches and updates current cultural and heritage program resources and interests within the community.
- Develop and manage a plan for strategic organization and visitor experience.
- Develop and manage a redefined vision, and more effective use of existing physical space to enhance the present and future mission of the museum.
- Manage an assessment, general upgrade, ongoing maintenance and rotation of exhibits.
- Develop and manage a plan assuring the most flexibility of the interior space to support events and programs as well as new programs and traveling exhibits.
- Develop and as funding is available, manage a realistic plan for current and future operations, such as, staffing, maintenance, expenses, etc.
- Develop, implement, and manage, as funding is available, capital outlay projects, such as new construction, display renovations, and development of exhibits, new and existing.
- With the approval of the Board, prepares and manages annual budgets for the Dawsonville History Museum.
- Prepares and issues appropriate public information material, including, press releases, newsletters, brochures, posters, flyers, etc.
- Manages museum website.
- When called upon, books and contracts artists for performances, visual and literary arts, within the museum and is responsible for providing technical assistance with programs.
- Develops and administers grants from and to the museum and other public and private agencies.

- Coordinates fundraising and partnership programs for the museum with direction from the Board and through the City Manager.
- Solicits volunteer support.
- When called upon, suggest potential Board member appointments for the Dawsonville History Museum Board of Directors, and attends the meetings when called upon.

### **MINIMUM QUALIFICATIONS**

#### **EDUCATION AND EXPERIENCE**

Bachelor's degree in Arts Administration, History or a closely related field plus three (3) years professional experience in arts administration at a public or private arts agency, museum or organization, or equivalent combination of education and experience.

#### **NECESSARY SKILLS AND ABILITIES**

##### **Knowledge of:**

- Philosophy, principles and practices of the role of the local arts and heritage programs and the presentation of arts performances and events.
- Philosophy, principles, and best practices of historic preservation and museum operations.
- Practices and procedures for operation of a 501 (3) (C) or similar non-profit agency.
- Practices and procedures of marketing, social media and public relations.
- Budget planning, development, management, and control.
- Public agency grant administration.
- Principles and practices of fund raising.

##### **Ability to:**

- Plan, develop and administer activities for arts and heritage programs.
- Advertise and market the city and its facilities and programs.
- Establish and maintain effective working relationships with members of the community.
- Effectively communicate both orally and in writing.
- Develop additional funding sources outside of general fund.
- Keep accurate records and prepare comprehensive reports.
- Plan and implement public art projects and history publications and products.
- Supervise care of the City of Dawsonville and the History Museum collections.
- Collaborate with independent local art agencies and provide training.
- Develop program partnerships with the City of Dawsonville, school, businesses and community organizations.





DAWSONVILLE CITY COUNCIL  
EXECUTIVE SUMMARY FOR  
AGENDA ITEM # 12

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SUBJECT: CHANGE IN PROFESSIONAL SERVICE PROVIDER

CITY COUNCIL MEETING DATE: 05/01/2023

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BUDGET INFORMATION: GL ACCOUNT # \_\_\_\_\_

Funds Available from: \_\_\_\_\_ Annual Budget \_\_\_\_\_ Capital Budget Other \_\_\_\_\_

Budget Amendment Request from Reserve: \_\_\_\_\_ Enterprise Fund \_\_\_\_\_ General Fund

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PURPOSE FOR REQUEST:

**TO CONSIDER THE APPOINTMENT OF TALLANT HOWELL AS THE CITY'S ATTORNEY  
EFFECTIVE 06/01/2023**

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HISTORY/ FACTS / ISSUES:

- **PREVIOUS APPOINTMENT OF MILES, HANSFORD & TALLANT, LLC WAS APPROVED  
BY COUNCIL ON DECEMBER 5, 2022**
- 

OPTIONS:

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RECOMMENDED SAMPLE MOTION:

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REQUESTED BY: Mike Eason, Mayor



DAWSONVILLE CITY COUNCIL  
EXECUTIVE SUMMARY FOR  
AGENDA ITEM # 13

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SUBJECT: **CONSIDERATION OF APPROVAL FOR AMENITY PACKAGE AND/OR GREENSPACE FOR ARBOR WEST SUBDIVISION**

CITY COUNCIL MEETING DATE: 05/01/2023

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BUDGET INFORMATION: GL ACCOUNT # \_\_\_\_\_

- Funds Available from: \_\_\_\_\_ Annual Budget: \_\_\_\_\_ Capital Budget: Other \_\_\_\_\_  
 Budget Amendment Request from Reserve: \_\_\_\_\_ Enterprise Fund: \_\_\_\_\_ General Fund

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PURPOSE FOR REQUEST:

THE OWNER IS REQUESTING APPROVAL OF STIPULATION NUMBER TWO (2) VOTE ON JUNE 4, 2018, BY THE CITY COUNCIL "AN AMENITY PACKAGE AND/OR GREENSPACE SHALL BE PROVIDED IN THE SUBDIVISION AT THE DEVELOPER'S EXPENSE AND MUST BE APPROVED BY THE CITY COUNCIL PRIOR TO DEVELOPMENT".

- THE ENGINEER HAS DRAFTED A PROPOSED GREENSPACE WITH A MULCH TRAIL AND A MULCH PAD WITH PARK BENCHES.

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HISTORY/ FACTS / ISSUES:

- PROPERTY IS IN POST 3 CITY COUNCIL MEMBER JOHN WALDEN DISTRICT
- PROPERTY LOCATION: 324 AND 372 HOWSER MILL RD, 21.76 ACRES (VACANT LAND)
- R-3 SINGLE-FAMILY RESIDENTIAL DISTRICT
- 56 LOTS SINGLE FAMILY HOMES
- ANNEXED AND REZONED ON JUNE 4, 2018

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OPTIONS: APPROVED OR DENY

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RECOMMENDED SAMPLE MOTION:

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DEPARTMENT: Planning and Zoning

REQUESTED BY: Stacy Harris



## DEPARTMENT OF PLANNING AND ZONING

**TO:** Mayor and City Council  
**DATE:** April 25, 2023  
**FROM:** Stacy Harris, Zoning Administrative Assistant  
**SUBJECT:** Arbor West Subdivision approval for Amenity Package and/or Greenspace

Owner / Applicant: **Song Swallow, LLC / Corrie Gutherie, ENSITE Civic Consultants, LLC**  
Address: **324 and 372 Howser Mill Rd; TMP 082 017 & 092B 025 001**  
Acreage(s) / Zoning: **21.76 acres / R-3 Single-Family Residential District**  
Proposed Use: **56 Lots Single-Family Homes**

### Background:

On June 4, 2018, the City Council approved ANX C8-00087 and ZA C8-00088 for the subject property from county RSR (Residential Sub Rural) to a city zone R-3 (single-Family Residential District) with the following stipulations:

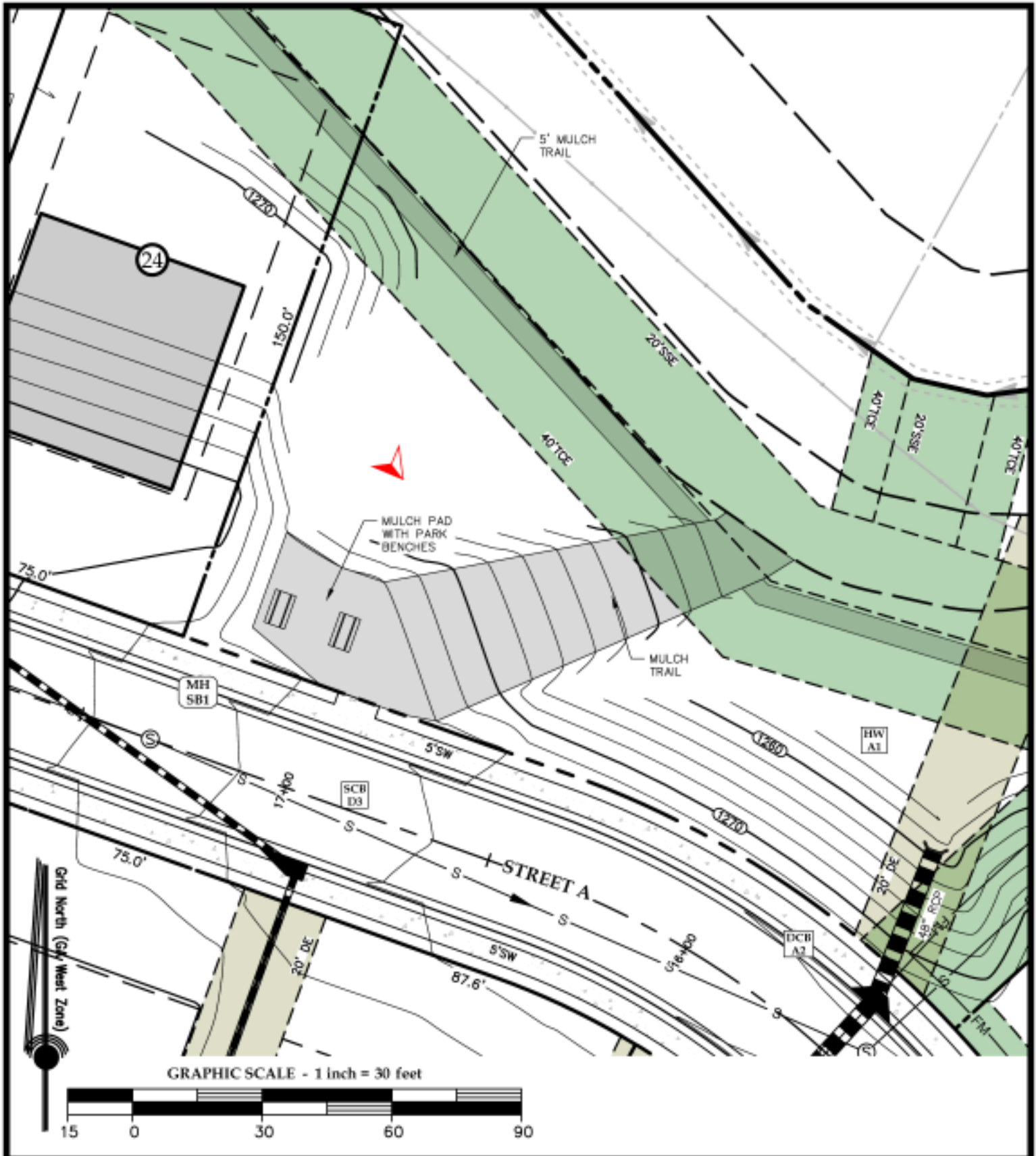
1. Sidewalks shall be placed on both sides of the streets inside the development and along the development's property line on Howser Mill at developer's expense and must meet City of Dawsonville Development Standards.
2. An amenity package and/or greenspace shall be provided in the subdivision at the developer's expense and must be approved by the City Council prior to development.
3. A traffic study shall be conducted, with improvements made by the developer, as approved by the City Council prior to development.
4. A 10-foot planted buffer shall be installed as it affects adjoining properties on the two sides and front setback (rear setback with the creek already has a 50-foot buffer). The buffer may be part of the setback area. The landscape design plan must be approved by the city's Planning Director.
5. The developer shall create a neighborhood Homeowner's Association with restrictive covenants to be approved as to form by the City Attorney.
6. The minimum square footage of each house is 1,800 square feet.

### Request:

The owner is requesting approval of stipulation number two (2) vote on June 4, 2018, by the City Council "an amenity package and/or greenspace shall be provided in the subdivision at the developer's expense and must be approved by the City Council prior to development".

The engineer has drafted a proposed greenspace with a mulch trail and a mulch pad with park benches. (See Exhibit A).

# EXHIBIT A



SHEET:	NO.	DESCRIPTION	DATE
<b>1 OF 1</b>			

**PROJECT/TITLE:**  
**ARBOR WEST**  
**AMENITY/**  
**GREENSPACE**  
**PLAN**  
  
 LAND LOT 370  
 4th DISTRICT, 1st SECTION  
 DAWSON COUNTY, GEORGIA

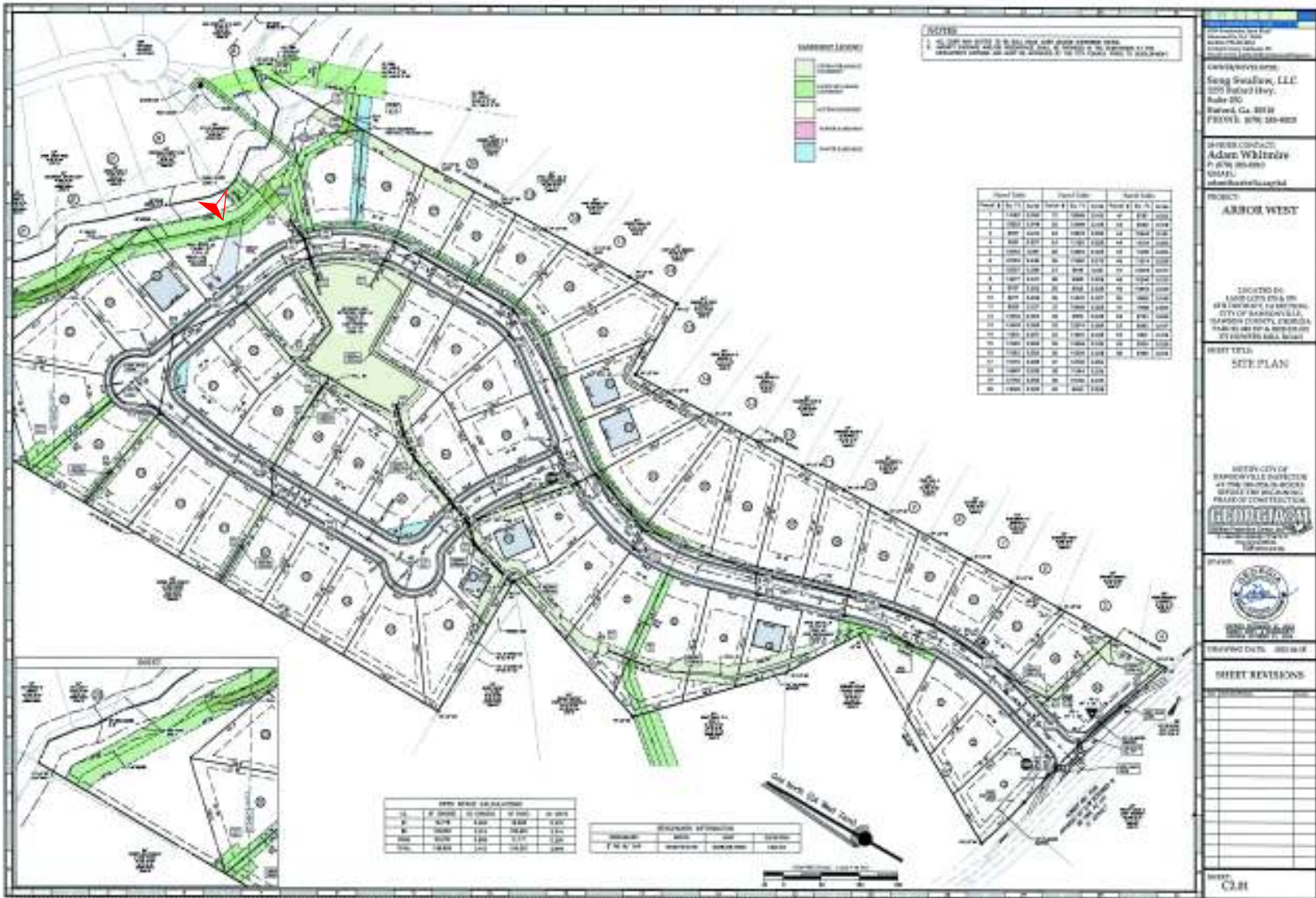
E N S I T E

CIVIL CONSULTING, LLC

4224 Sweetwater Juno Road  
 Dawsonville, GA 30534  
 Mobile: 770-597-8813  
 Contact: Corey Guthrie, PE  
 Email:  
 Corey.Guthrie@ensiteconsulting.com



# EXHIBIT A



**MINUTES**  
**CITY COUNCIL REGULAR MEETING**  
**June 4, 2018**  
**7:00 P.M.**

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**CALL TO ORDER:** Mayor Michael Eason called the meeting to order at 7:00 p.m.

**ROLL CALL:** Present were Councilmember Jason Power, Councilmember Mark French, Councilmember Caleb Phillips, Councilmember Stephen Tolson, City Attorney Dana Miles, City Manager Bob Bolz, City Clerk Beverly Banister, Utilities Director Gary Barr, Public Works Operations Manager Trampas Hansard, Planning Director Casey Majewski and Finance Administrator Hayden Wiggins.

**ANNOUNCEMENTS:** Mayor Eason announced the County Commissioner has requested a meeting with the City Council to discuss common interests. It will most likely take place in July or August at the Carl Vinson Institute in Athens; the cost will be about \$2500 which will be split between the City and County.

**INVOCATION AND PLEDGE:** Invocation and pledge was led by Councilmember Phillips.

**APPROVAL OF THE AGENDA:** Motion to amend the agenda by adding item #9a Amicalola EMC ROW Easement and item #9b Voting District Map made by J. Power/S. Tolson. Vote carried unanimously in favor.

Motion to approve the agenda as amended made by M. French/J. Power. Vote carried unanimously in favor.

1. **APPROVAL OF THE MINUTES:** City Clerk Beverly Banister stated she made a correction to the minutes as originally presented to Council regarding a statement made by Adam Smith during the public hearing.

Motion to approve the correction to the minutes as stated by the Clerk for the Work Session and Regular Meeting held on May 21, 2018 made by S. Tolson/C. Phillips. Vote carried unanimously in favor.

Motion to approve the minutes as corrected from the Work Session and Regular Meeting and the Executive Session held on May 21, 2018 made by J. Power/C. Phillips. Vote carried unanimously in favor.

**SECOND/FINAL READING OF ANNEXATIONS/REZONINGS**

2. **ANX C8-00087 and ZA C8-00087:** Adam Smith and Matthew Richardson have petitioned to annex into the city limits of Dawsonville the 6 acre tract known as TMP 082 017, located at 324 Howser Mill Road, with a request to rezone from County Zoning of RSR (Residential Sub Rural) to City Zoning of AP (Annexed Property), which was amended on March 27, 2018 to request R3 (Single Family Residential). Public Hearing Dates: Planning Commission on May 7, 2018 and City Council on May 21, 2018. City Council Agenda for a decision on June 4, 2018.
3. **ANX C8-00088 and ZA C8-00088:** Adam Smith and Matthew Richardson have petitioned to annex into the city limits of Dawsonville the 15 acre tract known as TMP 092B 025 001, located at 372 Howser Mill Road, with a request to rezone from County Zoning of RSR (Residential Sub Rural) to City Zoning of AP (Annexed Property), which was amended on



**MINUTES**  
**CITY COUNCIL REGULAR MEETING**  
**June 4, 2018**  
**7:00 P.M.**

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March 27, 2018 to request R3 (Single Family Residential). Public Hearing Dates: Planning Commission on May 7, 2018 and City Council on May 21, 2018. City Council Agenda for a decision on June 4, 2018.

Councilmember Power recused himself from any discussion or voting in this matter.

Planning Director Majewski read and presented both annexations and rezones; items #3 and #4.

Motion to approve both ANX C8-00087 and ZA C8-00087 and ANX C8-00088 and ZA C8-00088 made by C. Phillips/S. Tolson with the following stipulations:

- Sidewalks shall be placed on both sides of the streets inside the development and along the development's property line on Howser Mill at developer's expense and must meet City of Dawsonville Development Standards.
- An amenity package and/or greenspace shall be provided in the subdivision at the developer's expense and must be approved by the City Council prior to development.
- A traffic study shall be conducted, with improvements made by the developer, as approved by the City Council prior to development.
- A 10-foot planted buffer shall be installed as it affects adjoining properties on the two sides and front setback (rear setback with the creek already has a 50-foot buffer). The buffer may be part of the setback area. The landscape design plan must be approved by the City's Planning Director.
- The developer shall create a neighborhood Home Owner's Association with restrictive covenants to be approved as to form by the City Attorney.
- The minimum square footage of each house is 1,800 SF.

Vote carried 3 in favor (Phillips, Tolson, French) with one recused (Power).

#### **PUBLIC HEARING**

4. **TO HEAR THE CITY OF DAWSONVILLE PROPOSED BUDGET FY 2018-2019:** Motion to open the public hearing made by J. Power/C. Phillips. Vote carried unanimously in favor.

Finance Administrator Hayden Wiggins presented the proposed budget for FY 2018-2019 for a total budget of \$5,755,543.00. No one spoke in favor or against the budget.

Motion to close the public hearing made by C. Phillips/J. Power. Vote carried unanimously in favor. Mayor Eason announced the budget will be presented at the June 18, 2018 meeting for a vote.

5. **CONTRACT FOR CITY INSPECTOR:** Motion to approve the contract for the City Inspector as amended by removing item #4 made by M. French/J. Power. Vote carried unanimously in favor.
6. **MAIN STREET PARK PHASE I BIDS:** Councilmember Phillips recused himself from any discussion or voting in this matter. City Manager Bob Bolz presented the bids and staff recommendation to approve the lowest bidder. Motion to approve the lowest bid for TW



**MINUTES**  
**CITY COUNCIL REGULAR MEETING**  
**June 4, 2018**  
**7:00 P.M.**

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Phillips at \$1,454,169.54 to be paid out of SPLOST VI and to authorize the Mayor to execute the documents made by M. French/J. Power. Vote carried 3 in favor (French, Power, Tolson) with one recused (Phillips).

7. **ON STREET PARKING ISSUES:** Public Works Operations Manager Trampas Hansard presented his recommendations to Council; discussion followed. Motion to instruct Attorney Miles to draft an ordinance for parking made by S. Tolson/J. Power. Vote carried unanimously in favor.
8. **PAVING CITY STREETS:** Public Works Operations Manager Trampas Hansard presented the RFQ and his recommendation to request an annual quote for paving City streets for FY 2018-2019. Motion to approve the FY 2018-2019 annual request for quote for paving made by M. French/C. Phillips. Vote carried unanimously in favor.
9. **RAINHILL SUBDIVISION – DRIVEWAY CONSTRUCTION REQUEST:** Motion to approve the request to continue the 1'6" aprons on the driveways in the Rainhill Subdivision for the remainder of the homes being built made by J. Power/C. Phillips. Vote carried unanimously in favor.
- 9a. **AMICALOLA EMC ROW EASEMENT:** Utilities Director Gary Barr presented the request to grant an easement to Amicalola EMC to build electric lines to our well sites. Motion to approve the easement and to authorize the Mayor Pro-Tem to execute the document made by M. French/J. Power. Vote carried unanimously in favor.
- 9b. **VOTING DISTRICT MAP:** Motion to approve the exhibited four district map of the proposed district posts as drafted by GMRC made by C. Phillips/J. Power. A copy of the map is attached as Exhibit "A". Vote carried unanimously in favor.

Mayor Eason notes this will now be forwarded to the State Representative Kevin Tanner for approval and will then be sent to legislation in January and will be in place for the City's next election.

#### **STAFF REPORTS**

10. **CITY MANAGER, BOB BOLZ**
  - i. Plans to core the road section of Main Street Park this week or next to locate any potential bad dirt.
  - ii. Davis Engineering started the engineering of the Farmer's Market. Cost estimates are coming in for the demolition of the homes and clearing of the lot. No asbestos was found in the home.
  - iii. The next Food Truck night is June 22<sup>nd</sup> from 5 to 9 pm. The Amicalola Farmer's market requested to have their event at Food Truck night so they will set up adjacent to the food trucks.
  - iv. The firewall has recently been upgraded at City Hall and our server also needs to be replaced.
  - v. Compliments to Attorney Miles for the training session he held for the Planning Commission members; it was very well received and appreciated. Bolz recommends a training session for all other commissions.
11. **CITY CLERK, BEVERLY BANISTER**
  - i. Working with the GMA representative as they perform a franchise fee review for the City.

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- ii. Started the implementation of an IVR system for our utility customers who will be able to call in their payments over the phone; it should be in place by early July.
  - iii. Performed an alcohol excise tax payment review and determined an audit is necessary.
  - iv. The DDA is short one member; any recommendations would be appreciated.
- 12. FINANCE ADMINISTRATOR, HAYDEN WIGGINS**
- i. The General Fund revenues through April 30<sup>th</sup> should be at 83%; they are at 105%. As a result, a budget amendment should not be necessary. The expenditures are at 84%.
  - ii. The Enterprise Fund revenues are at 84% and the expenditures are at 80%.
- 13. UTILITIES DIRECTOR, GARY BARR**
- i. 7,102,500 gallons of water was produced, 4,484,000 gallons of sewer was treated, 664,000 gallons of water was purchased, 1,380 customers served, 1,387 meters read, 17 disconnects, 20 new services, 26 lock offs due to non-payment, 112 work orders, 255 late notices sent out, 886 garbage customers served with 7 new customers and no cans needed to be replaced or repaired.
  - ii. 490 locates were received; the department cannot keep up with the demand for locates.
  - iii. The work on Well 108 will still be on hold for approximately four weeks.
  - iv. They found the ground was soft on Well 111; there will be a small change order on the project to allow for the correct foundation. The plumbing is in the slab and the electrical conduit is in; the slab will be poured next week
  - v. Issues with customers putting additional garbage out have decreased; the overall situation has improved as stated by Utilities Technician Tracy Smith.
- 14. PUBLIC WORKS OPERATIONS MANAGER, TRAMPAS HANSARD**
- i. The department is cutting grass; they are not caught up yet but hope to be by Thursday.
  - ii. The LED light replacement project has been started in City Hall; they are about 80% complete.
  - iii. There was vandalism at Memorial Park over the Memorial Day weekend. A resident's marble bench has been broken, our cross located in the sidewalk has been broken and the plate on a headstone has been kicked off. Georgia Power has a camera system they can place on their poles; they are coming out Thursday to see about using the system to monitor the cemetery.
  - iv. Georgia Power will be changing out 97 decorative lights in town to LED; approximate cost is \$1,800.00.
  - v. Georgia Power will also look at the plan design for lights at the park and will also consider looking at the camera system for the park as well.
- 15. PLANNING DIRECTOR, CASEY MAJEWSKI**
- i. The department welcomes 3 new businesses: Cozy Little Country Store on Hwy 53 W, Matt Lord Real Estate on Hwy 53 W, North Georgia Coffee and Vending and Suds in a Bucket on Hwy 53 W.
  - ii. Working towards renewing all the business licenses; they 99.9% complete.
  - iii. Inspections are down due to the stop order at Maple Heights Subdivision. Phone calls are up from concerned residents regarding the stop order. The stop order has been lifted on some sections of the subdivision but remains on about eight lots until the problem is resolved.

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- iv. An annexation and rezone for the Delongs in Gold Creek will be considered at the next Council meeting, as well as the rezones for City owned property.
- v. The HPC will be considering a certificate of appropriateness for the Zoya Salon and they are considering Circle K's sign variance request.
- vi. The Comprehensive Plan is close to completion. They will have a joint meeting with the County this month to see how their plans align. The meeting is tentatively scheduled for June 20<sup>th</sup>; no time or place has been decided.

**MAYOR/COUNCIL REPORTS**

Mayor Eason reported the following:

- i. Attended the Grand Opening of the True Value Hardware store on Hwy 53 E
- ii. Attended the Comprehensive Planning meeting here at City Hall
- iii. Attended the Chamber of Commerce monthly lunch meeting and heard the Speaker of the House David Ralston, State Representative Kevin Tanner and the State Senator Steve Gooch speak.
- iv. Visited with the second grade at Robinson Elementary
- v. Attended the GRHOF monthly meeting
- vi. Attended the ribbon cutting of the Ankle & Foot Centers of North Georgia
- vii. Attended the long-range planning meeting at Dawson County
- viii. Attended both public comment sessions on the City's Comprehensive Plan
- ix. Attended the bid opening for Main Street Park
- x. Attended the ribbon cutting at Crye-Leike Real Estate
- xi. Met with the Board members of Etowah Water and Sewer Authority about service delivery strategies

Councilmember Tolson encouraged everyone to attend the business openings because they impact our citizens. He reported attending the Celebrity Breakfast for Family Connections and it was very successful.

Councilmember Power reported he also attended the Celebrity Breakfast and was thankful to do so.

Councilmember Phillips reported he attended the meeting with Etowah Water and Sewer Authority and he also attended the Planning Commission meeting earlier this evening where they considered the site plan for the LCG property on Route 9 which was tabled until a later date.

Councilmember French thanked Mayor Eason for attending the GRHOF meeting in his place due to a scheduling conflict. He feels progress has been made on opening up our meetings with the livestreaming availability and he has had positive feedback. Additionally, the agendas with supporting documents are now posted on the website for the citizens. He would like to see the Council open up a public comment section at the Council meetings so the citizens have an opportunity to speak.

**EXECUTIVE SESSION**

At 8:01 p.m. the Council motioned to close regular session and go into executive session for the purposed of Pending or Potential Litigation and Real Estate Acquisition made by J. Power/S. Tolson. Vote carried unanimously in favor.

At 9:20 p.m. a motion to close executive session and resume regular session was made by M. French/J. Power. Vote carried unanimously in favor.

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Motion to amend the agenda to add item #9c IGA with EWSA for Thunder Ridge Subdivision and item #9d Alcohol Excise Tax audit agreement with GMA made by M. French/J. Power. Vote carried unanimously in favor.

Motion to approve the amended agenda made by M. French/J. Power. Vote carried unanimously in favor.

9c. **IGA WITH EWSA FOR THUNDER RIDGE SUBDIVISION:** Motion to approve the IGA with the revisions to be made by Attorney Miles as discussed in Executive Session and to approve the Mayor Pro-Tem to execute the documents made by C. Phillips/S. Tolson. Vote carried unanimously in favor.

9d. **ALCOHOL EXCISE TAX AUDIT AGREEMENT:** Motion to approve the contract with GMA to perform the alcohol excise tax audit to be paid with FY 2017-2018 excess revenue made by S. Tolson/J. Power. Vote carried unanimously in favor.

City Manager Bob Bolz reminded Council of a meeting to be held on June 14<sup>th</sup> by GDOT regarding the Perimeter Road Extension in their Gainesville office.

**ADJOURNMENT**

With there being no further business to attend to, a motion was made to adjourn the meeting at 9:27 p.m. by J. Power/C. Phillips. Vote carried unanimously in favor.

By: CITY OF DAWSONVILLE

*ABSENT*

\_\_\_\_\_  
Michael Eason, Mayor

*[Signature]*  
\_\_\_\_\_  
Caleb Phillips, Councilmember

*[Signature]*  
\_\_\_\_\_  
Jason Power, Councilmember/Mayor Pro-Tem

*[Signature]*  
\_\_\_\_\_  
Stephen Tolson, Councilmember

*[Signature]*  
\_\_\_\_\_  
Mark French, Councilmember



Attested: *[Signature]*

Beverly Banister, City Clerk