

MINUTES
CITY COUNCIL REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, March 4, 2019
5:30 P.M.

1. **CALL TO ORDER:** Mayor Mike Eason called the meeting to order at 5:30 pm.
2. **ROLL CALL:** Present were Councilmember Jason Power, Councilmember Mark French, Councilmember Stephen Tolson, Councilmember Caleb Phillips, City Attorney Dana Miles, Assistant City Attorney Alex Myers, City Manager Bob Bolz, City Clerk Beverly Banister, Deputy City Clerk Tracy Smith, Utilities Director Gary Barr, Planning Director Robbie Irvin and Human Resource Manager Donna Blanton.
3. **INVOCATION AND PLEDGE:** Invocation and Pledge were led by Councilmember Tolson.
4. **ANNOUNCEMENTS:** Mayor Eason reported on the Home and Business Expo to be held on March 28, 2019 from 4:00 – 7:00 pm at the Georgia Racing Hall of Fame and the GMRC Newly Elected Officials Training to be held here at City Hall on March 13, 2019 from 9:00 – 12:00 pm. Councilmember Phillips reported on a complaint he received about noise during construction and he realized the City does not have a noise ordinance; Council instructed City Attorney to create a noise ordinance.
5. **APPROVAL OF THE AGENDA:** Request by Councilmember French to move item #7c Approve 2019 GMA Annual Convention Training out of the consent agenda; Mayor Eason stated it would become item #16.

Motion to approve the agenda as amended made by M. French; second by J. Power. Vote carried unanimously in favor.
6. **PUBLIC INPUT:** No comments from the public.
7. **CONSENT AGENDA:** Motion to approve the consent agenda for the following items (a, b) made by C. Phillips; second by S. Tolson. Vote carried unanimously in favor.

- a. Approve Minutes from the February 4, 2019 City Council Regular Meeting and Executive Session – **passed 4-0**
- b. Approve GBT Engineers to Prepare Reports for Georgia EPD Related to Flat Creek WPCP – **passed 4-0**

8. An Ordinance To Amend The Ethics Code Of The City Of Dawsonville So As To Clarify The Purpose And Scope Of The Code Of Ethics; To Clarify Definitions, Restrictions, Conflicts Of Interests, And Penalties Applicable To City Officials And City Employees; To Clarify The Restrictions On Outside Employment; To Provide For The Qualification Of Members To The Ethics Board; To Provide For Alternative Means Of Removal Of Officers As Provided For In The City Charter; To Provide The Procedure For Hearing Complaints Regarding City Officials, Including The Filing Of Complaints, The Service Of Complaints, And The Procedure For Hearings; And For Other Purposes. (First Reading and Public Hearing: March 4, 2019; Second Reading March 18, 2019)

Motion to open public hearing made by M. French; second by C. Phillips. Vote carried unanimously in favor. Assistant City Attorney Alex Myers read the first reading of the ordinance. He noted the ordinance models the GMA's Code of Ethics sample ordinance. Mayor Eason conducted the public hearing; no one spoke in favor or opposition of the ordinance. Motion to close the public hearing made by S. Tolson; second by C. Phillips. Vote carried unanimously in favor.

City Attorney Miles stated the reason behind the amendment was to make our current ordinance consistent with both the GMA model ordinance and the recent City Charter amendment. Second reading and vote will be heard during the March 18, 2019 meeting.

9. PROCLAMATIONS:

- Exceptional Children's Week March 4-8, 2019

Mayor Eason invited the attendees who were receiving the proclamation to speak on behalf of exceptional children's week. Mayor Eason read and presented the teachers and students with the proclamation.

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- Employee Appreciation Week, March 4-8, 2019

Mayor Eason read the proclamation and presented it to Gary Barr on behalf of all the City's Employees.

- 10. BID SELECTION: RFP #19-03 MAIN STREET PARK PLAYGROUND:** Motion to award Great Southern Recreation as the contractor in the amount of \$324,749.00 to be paid out of SPLOST VI made by S. Tolson; second by M. French. Vote carried unanimously in favor.
- 11. MAIN STREET PARK CHANGE ORDER:** Councilmember Phillips recused himself from participation in this item. City Manager Bolz explained the reason for the change order based on the recommendation of Rodney Clark from Southern Geotechnical Consultants. The dirt cannot dry due to the excessive rain and therefore the roads and parking lot cannot be paved; solution is for soil cement to be used so paving can be done. Motion to approve the change order of \$55,440.00 for the application of soil cement and to be paid out of SPLOST VI made by S. Tolson; second by J. Power. Vote carried 3 three in favor (Tolson, Power, French) with 1 recused (Phillips).
- 12. RESOLUTION OPPOSING HOUSE BILL 302:** Planning Director Robbie Irvin summarized the potential effects to the City if the bill were to pass and read the resolution. Motion to approve the Resolution Opposing House Bill 302 made by S. Tolson; second by C. Phillips. Vote carried unanimously in favor. (Exhibit "A")
- 13. DEVELOPMENT OF REGIONAL IMPACT (DRI) PROPOSAL FOR DAWSON COUNTY:** Mayor Eason explained the invitation from GMRC regarding the DRI proposal for Dawson County to provide comments and/or questions about the proposed development. Motion to respond to GMRC stating "We see no impact on the City of Dawsonville by this development" made by S. Tolson; second by C. Phillips. Vote carried unanimously in favor.
- 14. APPOINT DAVIS ENGINEER AS SECONDARY ENGINEERS FOR NON-WATER/SEWER PROJECTS:** Motion to appoint Davis Engineering as secondary engineers for non-water/sewer projects made by C. Phillips; second by J. Power. Vote carried unanimously in favor.
- 15. DOWNTOWN STREET PARKING OPTIONS:** Motion to approve proposal from Davis Engineering for design services of Academy Avenue Parking and Restrooms in the amount of \$24,200.00 to be paid out of SPLOST VI made by S. Tolson; second by J. Power. Vote carried unanimously in favor.
- 16. APPROVE 2019 GMA ANNUAL CONVENTION TRAINING:** Motion to approve the 2019 GMA Annual Convention Training made by S. Tolson; second by C. Phillips.

Councilmember French expressed concerns about spending tax dollars on the expenditure of the training for Councilmember Power whose term will be ending this year. Councilmember Power explained the nature of the courses he will be taking provide information that could be useful to the City despite his departure at the end of the year. Further discussion included the requirement of the training which isn't necessary but Councilmember Phillips and Tolson spoke of the value of obtaining certifications and the importance of the knowledge that can be brought back from the training.

Vote carried 2 in favor (Tolson, Phillips) with 1 recused (Power) and 1 opposed (French).

EXECUTIVE SESSION:

At 6:20 p.m. a motion to close regular session and go into executive session for Real Estate Acquisition was made by J. Power; second by C. Phillips. Vote carried unanimously in favor.

At 6:54 p.m. a motion to close executive session and resume regular session was made by M. French; second by J. Power. Vote carried unanimously in favor.

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DJOURNMENT:

At 6:55 p.m. a motion to adjourn the meeting was made by S. Tolson; second by J. Power. Vote carried unanimously in favor.

By: CITY OF DAWSONVILLE



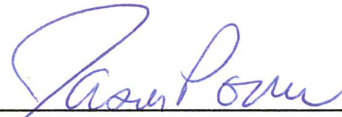
Mike Eason, Mayor



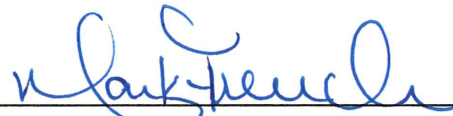
Caleb Phillips, Councilmember Post 1



Stephen Tolson, Councilmember Post 2



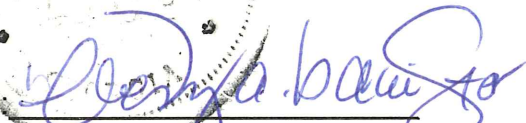
Jason Power, Councilmember Post 3



Mark French, Councilmember Post 4



Attested:



Beverly Banister, City Clerk

STATE OF GEORGIA
COUNTY OF DAWSON

AFFIDAVIT OF THE CITY OF DAWSONVILLE MAYOR AND COUNCIL

Mayor Michael Eason, Councilmember Jason Power, Councilmember Caleb Phillips, Councilmember Stephen Tolson, and Councilmember Mark French; being duly sworn, state under oath that the following is true and accurate to the best of their knowledge and belief:

1. The City of Dawsonville Council met in a duly advertised meeting on the March 4, 2019.
2. During such meeting, the Board voted to go into closed session.
3. The executive session was called to order at 6²⁰ p.m.
4. The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law: (check all that apply)

Consultation with the City Attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the City or any officer or employee or in which the City or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1);

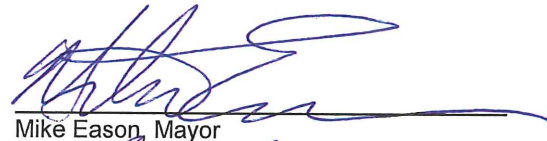
Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and _____;

Discussion of future acquisition of real estate as provided by O.C.G.A. § 50-14-3(b)(1);

Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a City officer or employee as provided in O.C.G.A. § 50-14-3(b)(2);

Other _____ as provided in: _____.

This 4th day of March 2019; By the City of Dawsonville, Mayor and Council:


Mike Eason, Mayor

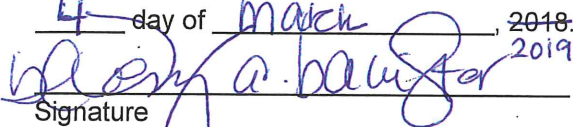

Caleb Phillips, Councilmember Post #1


Stephen Tolson, Councilmember Post #2


Jason Power, Councilmember Post #3


Mark French, Councilmember Post #4

Sworn to and subscribed before me this
4 day of March, 2019.
2019



Signature
Notary Public
My Commission expires:



Beverly A. Banister
NOTARY PUBLIC
Dawson County, Georgia
My Commission Expires
February 18, 2020

A RESOLUTION BY THE CITY OF DAWSONVILLE

Opposing House Bill 302, Preemption of Local Building Design Standards.

WHEREAS, HB 302 would prohibit local governments from regulating “building design elements” in single or double family dwellings, which could negatively impact economic development efforts and harm competitiveness; and

WHEREAS, appropriate local design standards and land use policies create a diverse, stable, profitable and sustainable residential development landscape; and

WHEREAS, HB 302 is a bill that would undermine self-determination of citizens to establish community standards as illustrated by the following:

- Municipal and county officials are elected in part to make decisions about the look and feel of their communities, which fosters economic development, preserves the character of communities; and
- Municipalities and counties use design standards to ensure that the property values of surrounding property owners remain protected from incompatible development; and
- HB 302 would severely erode the ability of all 538 Georgia cities and 159 counties to address unique and community-specific quality of life issues.

WHEREAS, county and municipal governments use building design standards to protect property values, attract high quality builders, and block incompatible development; and

WHEREAS, building design standards assure residents and business owners that their investments will be protected, and that others who come behind them will be equally committed to quality; and

WHEREAS, local governments spend a large amount of resources studying, surveying, crafting, and defining their vision and development strategies, and design standards are an integral part of those endeavors to attract residents, businesses, and the much-coveted trained workforce; and

WHEREAS, development and redevelopment efforts should reflect the community and its vision while simultaneously creating a sense of place; and

WHEREAS, county and municipal government officials are elected to make decisions about the look and feel of their communities, and HB 302 would transfer that power from duly-elected local leaders to outside groups with little to no stake in the future or success of Georgia’s municipalities, including real estate developers and homebuilders; and

WHEREAS, building design standards neither discourage nor favor affordable housing, nor prevent the availability of certain housing types, as supporters of HB 302 purport; and

WHEREAS, local governments should have the ability to provide more affordable housing options without sacrificing their unique character or threatening economic growth; and

WHEREAS, although historic districts are protected in HB 302, which indicates an understanding that standards do in fact make sense, downtown overlays or other similar special zoning districts are not; and

WHEREAS, local governments should be empowered to enforce building design standards to make today's thriving downtown tomorrow's historic district; and

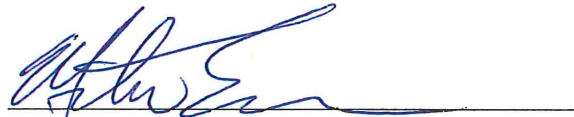
WHEREAS, by limiting the ability of local governments to enforce building design standards in single or double family dwellings, HB 302 would negatively impact quality-of-life issues, including economic growth and the safety and welfare of Georgia citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF DAWSONVILLE, GEORGIA that this governing body voices its opposition to HB 302, Preemption of Local Building Design Standards.

BE IT FURTHER RESOLVED that a copy of this Resolution be delivered to members of the City's local delegation, and made available for distribution to the public and the press.

SO RESOLVED this the 4th day of March, 2019.

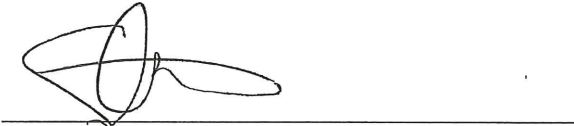
By: CITY OF DAWSONVILLE



Mike Eason, Mayor



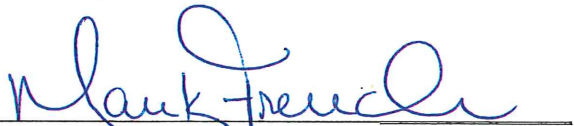
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Beverly Banister, City Clerk