

MINUTES
CITY COUNCIL REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, September 9, 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, Utilities Director Gary Barr, Public Works Director Trampas Hansard, Planning Director Robbie Irvin, Finance Administrator Hayden Wiggins and Human Resource Manager Donna Blanton.
3. **INVOCATION AND PLEDGE:** Invocation and Pledge were led by Councilmember Mark French.
4. **ANNOUNCEMENTS:** Mayor Eason asked Councilmembers to be thinking about nominations for the Design Guideline Committee. He announced the next Food Truck Night will be October 4, 2019 and he also announced today was Randy Harness's birthday; he is the Dawson County law enforcement officer who attends our meetings.
5. **APPROVAL OF THE AGENDA:** Motion to amend the agenda by removing item #9 and item #18 and moving item #15 to item #9 made by S. Tolson; second by J. Power. Vote carried unanimously in favor.

Motion to approve the agenda as amended made by C. Phillips; second by S. Tolson. 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 J. Power; second by C. Phillips. Vote carried unanimously in favor.
 - a. Approve Minutes
 - Work Session and Regular Meeting held August 19, 2019
 - Executive Session held August 19, 2019
 - Special Called Meeting held August 27, 2019
 - b. Approve Appointments to the Design Guideline Committee as follows:
 - Anna Tobolski – Planning Commission
 - Angie Smith – Historic Preservation Commission
 - Scott Morgan – Dawson County School District
 - Georgann Schmalz – Dawson County Women's Club
 - Christie Moore – Chamber of Commerce
 - Karen Smith – Abbott Creek Nursery
 - Dwight Gilleland – Dawsonville Hardware
8. **EMPLOYEE OF THE MONTH:** Mayor Eason and Council presented the August employee of the Month to John Davis.
9. **APPOINTMENTS**
 - a. **ETHICS BOARD:** Motion to ratify the selection of Marcus Sewell by the Ethics Committee to the Ethics Board made by J. Power; second by M. French. Vote carried unanimously in favor.
 - b. **PLANNING COMMISSION:** Motion to appoint Susan Theisen to the Planning Commission for Post #3 to fill the unexpired term for John Walden through 12/31/2020 made by J. Power; second by S. Tolson. Vote carried unanimously in favor.
 - c. **HISTORIC PRESERVATION COMMISSION:** Motion to appoint Perry Bohn to the Historic Preservation Commission to fill the unexpired term for Shannon Gibson through 12/01/2021 made by J. Power; second by C. Phillips. Vote carried unanimously in favor.
 - d. **DOWNTOWN DEVELOPMENT AUTHORITY:** Motion to appoint Jamie McCracken to the Downtown Development Authority to fill the unexpired term for Keith Hudson through 05/06/2022 made by C. Phillips; second by S. Tolson. Vote carried unanimously in favor.
10. **BOND REFUNDING ANALYSES PRESENTATION:** Motion to approve the refinancing of the series 2014 bonds made by J. Power; second by M. French. Vote carried unanimously in favor.

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11. **CU-C9-00287**: Jeremy Porter, with Atlanta Motorsports Park LLC, has requested a Conditional Use Permit to construct garage condos in a CIR (Restricted Industrial) zoning district for TMP 070 049 001 located at 20 Duck Thurmond Road. Hearing Date: Planning Commission – June 10, 2019 and City Council – July 8, 2019 – **Postponed from July 8, 2019**

12. **ZA-C9-00287**: Jeremy Porter, with Atlanta Motorsports Park LLC, has requested a site plan update for TMP 070 049 001 located at 20 Duck Thurmond Road. Hearing Date: Planning Commission – June 10, 2019 and City Council – July 8, 2019 – **Postponed from July 8, 2019**

Motion to open the public hearing made by M. French; second by C. Phillips. Vote carried unanimously in favor. City Attorney Dana Miles read the conditional use and zoning amendment request. The following citizen spoke in favor of the request:

- Jeremy Porter, 20 Duck Thurmond Rd., Dawsonville – Mr. Porter gave a presentation promoting the Atlanta Motorsports Park and his reasons for the requests.

The following citizens spoke against the request.

- Karl Stalnaker, 135 Duck Thurmond Rd., Dawsonville – Mr. Stalnaker stated his concerns about the current sound pollution and the additional items being added that will add to the existing noise.
- Helen Hamryka, 683 Duck Thurmond Rd, Dawsonville - Ms. Hamryka stated her concerns about existing noise buffers being removed, the condos with garages facing in any other direction than the racetrack producing noise, and increased traffic along Duck Thurmond Rd.

Mayor Eason asked if Mr. Porter would like to respond to the concerns; Mr. Porter spoke briefly giving examples of things he's done to buffer any noise. He also answered questions regarding the teen driving school.

Motion to close the public hearing made by S. Tolson; second by C. Phillips. Vote carried unanimously in favor.

Motion to approve the conditional use permit and site plan change to construct the garage condos and to deny the site plan change for the teen driving school and for applicant to provide a correct updated stamped site plan to scale made by J. Power; second by S. Tolson. Motion amended by J. Power to include discretion given to the Planning Director to determine if additional vegetation will have to be added for a buffer once the encroachment of the existing buffer is breached. Brief discussion occurred regarding stipulations and the driving school. Vote carried unanimously in favor.

13. **ZA-C2000006**: The City of Dawsonville is requesting a zoning amendment correction from INST (Institutional District) to TB (Town Business District) for TMP D01 010 located at 86 Hwy. 53 West. Hearing Dates: Planning Commission – August 12, 2019 and City Council – August 19, 2019.

Attorney Miles read the zoning amendment request. Motion to approve the request as presented made by S. Tolson; second by C. Phillips. Vote carried unanimously in favor.

14. An Ordinance To Amend The Existing Alcohol Ordinance To Clarify The Types Of Licenses And/Or Permits Available; To Provide For New License Types; To Clarify Licensing And Permit Restrictions And Regulations On Particular Establishment Types; To Clarify Which Licenses Are Eligible For Administrative Approval By City Manager; To Provide References To The City Fee Schedule; And For Other Purposes. (First Reading: August 19, 2019; Second Reading and Adoption: September 9, 2019) – **Request to Postpone**

Motion to deny ordinance as presented with request to completely update the entire ordinance made by J. Power; second by C. Phillips. Vote carried unanimously in favor.

15. Moved to Item #9

16. **CSL TELECOMMUNICATIONS REGISTRATION APPLICATION**: Motion to approve application and request compensation of 3% of revenues for the use of the right of way made by S. Tolson; second by J. Power. Vote carried unanimously in favor.

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17. **BUDGET AMENDMENT – AMPHITHEATER AT MAIN STREET PARK:** Motion to approve the expenditure to develop the Main Street Park amphitheater conceptual design to be paid out of general fund reserves in the amount of \$8,000 and to be paid back by SPLOST VI if funds become available made by S. Tolson; second by C. Phillips. Vote carried unanimously in favor.
18. Removed item from agenda.
19. **MAIN STREET PARK FENCE RECOMMENDATION:** Motion to award the bid to Custom Fence of Atlanta in the amount of \$127,199.00 to be paid out of SPLOST VI with the stipulation that the cost remains the same and be done in stages as the City instructs made by C. Phillips; second by M. French. Vote carried unanimously in favor.
20. **POTENTIAL CHANGE ORDER FOR MAIN STREET PARK:** Councilmember Phillips recused himself from participation in this item. Motion to approve change order for Main Street Park for asphalt overrun and repairs, ADA ramps, curbs, grassing and sod in the amount of \$49,569.30 to be paid out of general fund reserves and to be paid back by SPLOST VI if funds become available made by S. Tolson; second by J. Power. Vote carried 3 in favor (Tolson, Power, French) with 1 recused (Phillips).

EXECUTIVE SESSION:

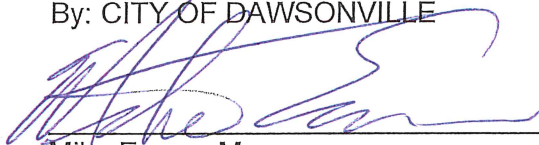
At 6:46 p.m. a motion to close regular session and go into executive session for Real Estate Acquisition was made by J. Power; second by C. Phillips. Vote carried unanimously in favor.

At 7:04 p.m. a motion to close executive session and resume regular session was made by C. Phillips; second by M. French. Vote carried unanimously in favor.

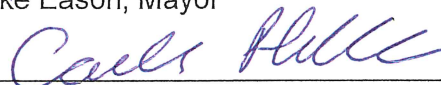
ADJOURNMENT:

At 7:05 p.m. a motion to adjourn the meeting was made by M. French; second by J. Power. Vote carried unanimously in favor.

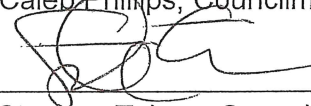
By: CITY OF DAWSONVILLE



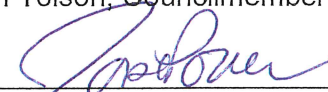
Mike Eason, Mayor



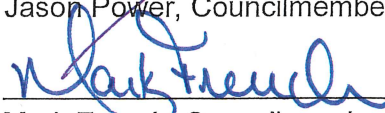
Caleb Phillips, Councilmember Post 1



Stephen Tolson, Councilmember Post 2

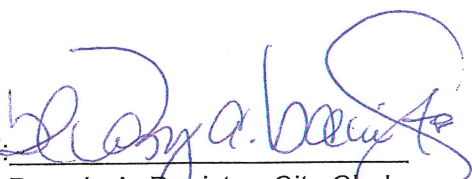


Jason Power, Councilmember Post 3



Mark French, Councilmember Post 4

Attested:



Beverly A. Bahister, 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 September 9, 2019.
2. During such meeting, the Board voted to go into closed session.
3. The executive session was called to order at 6:40 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);

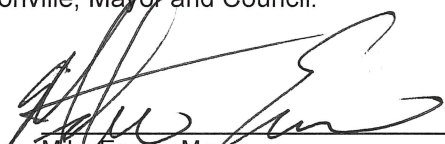
Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and _____;

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

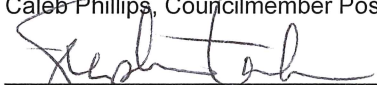
Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a City officer or employee as provided in O.C.G.A. § 50-14-3(b)(2);

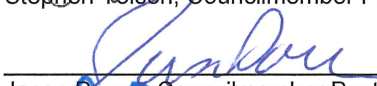
Other _____ as provided in: _____.

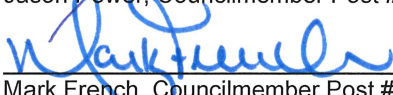
This 9th day of September 2019; By the City of Dawsonville, Mayor and Council:


Mike Eason, Mayor

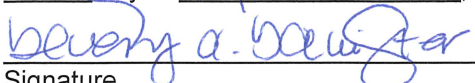

Caleb Phillips, Councilmember Post #1


Stephen Tolson, Councilmember Post #2


Jason Power, Councilmember Post #3


Mark French, Councilmember Post #4

Sworn to and subscribed before me this
9 day of September, 2019.


Signature

Notary Public

My Commission expires: 02.18.2020



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