

**MINUTES**  
**CITY COUNCIL WORK SESSION AND REGULAR MEETING**  
**G.L. Gilleland Council Chambers on 2<sup>nd</sup> Floor**  
**Monday, April 22, 2019**  
**5:30 P.M.**

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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 Kevin Tallant, Assistant City Attorney Alex Myers, City Manager Bob Bolz, City Clerk Beverly Banister, Deputy City Clerk Tracy Smith, Utilities Director Gary Barr, Public Works Operations Manager 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 French.
4. **ANNOUNCEMENTS:** Mayor Eason reported that two of the public hearing agenda items for annexations will be removed due to advertising errors
5. **APPROVAL OF THE AGENDA:** Motion to postpone items #10 ANX C9-00252 and ZA C9-00252 and #11 ANX C9-00253 and ZA C9-00253 to the May 20, 2019 meeting and to remove item #15 Discuss Road Closures; Profit vs. Non-Profit made by S. Tolson; second by J. Power. Vote carried unanimously in favor.

Motion to approve the agenda as amended made by M. French; 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 S. Tolson; second by J. Power. Vote carried unanimously in favor.
  - a. Approve Minutes – **passed 4-0**
    - Regular Meeting held April 8, 2019
    - Executive Session held April 8, 2019
  - b. Approve City Hall Closure on October 25, 2019 for Moonshine Festival – **passed 4-0**
8. **EMPLOYEE AWARDS AND SERVICE AWARDS:** Mayor and Council presented the April Employee of the Month Award to Donna Blanton and Stacy Harris. Service awards were presented to Tracy Smith for two years of service, Blake Croft for three years of service and Trampas Hansard for eleven years of service. Trampas Hansard was also presented a plaque for winning Boss of the Year in the Dawson County News 2019 Best of Dawson Readers Choice Awards.
9. **ZA C9-00004:** Ensite Civil Consulting LLC has requested a zoning amendment for TMP 082 021 consisting of 38.58 acres located at 592 Hwy 53 West, from R-3 (Single Family) to RPC (Residential Planned Community) Hearing Dates: Planning Commission - March 11, 2019 and City Council - March 18, 2019 (Postponed at applicant's request from March 18, 2019 to April 22, 2019)

Motion to open the public hearing made by J. Power; second by C. Phillips. Vote carried unanimously in favor. Planning Director Robbie Irvin read the zoning amendment request stating the Planning Commission has denied recommendation due to density issues, no age restrictions and traffic concerns. A staff recommendation has been provided as well as proposed zoning conditions drafted by City Attorney Dana Miles and Robbie Irvin. The following citizens spoke in favor of the zoning amendment:

- Jim King, 416 Overlook Circle, Dawsonville – Spoke on behalf of the property owner and stated the requests were made for a senior oriented community and thus this property will be restricted to fifty-five and older residents. The entrance would be on Highway 53 and not on Howser Mill Road except for a gated emergency entrance on Howser Mill Road restricted to emergency services staff only.

The following citizens spoke against the zoning amendment:

- Wayne Estes, 168 Thunder Road, Dawsonville – Spoke about the concern of the creek that is spring fed from the property in question which ends up in Shoal Creek and then into the Etowah River. He feels the property would be better left zoned as R3 to maintain property values in the event of an economic downturn stating townhomes and duplexes can quickly lose value. He also

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is concerned about the stormwater management and the potential runoff that would eventually end up in the Etowah River and questioned whether a detention pond will be required.

Robbie Irvin stated that stormwater management is required. Kevin Tallant stated that stormwater management in general is that stormwater is not allowed to leave the site any different than it leaves the site in pre-development.

Motion to increase the public hearing time by ten minutes made by C. Phillips; second by M. French. Vote carried unanimously in favor.

- Jeff Chastain, 713 Howser Mill Road, Dawsonville – Spoke about the concern of the sediment, draining and runoff that will go into the creek located nearby and further stated that it's not a good place for townhomes and does not fit the existing community in that area. He also feels the zoning should be left as R3.
- Kay St. John, 616 Hwy 53 W, Dawsonville – Spoke of concerns of the proposed entrance to the development because her property is located next to it and is requesting that her development entrance conditions be met. She stated there is an unopened City street which is the only entrance to her driveway and supposes it will be used as a construction entrance and is requesting that it be paved. She is concerned about the headlights shining into her home and bedroom and is requesting a light blocking hedge or trees be put in and further stated concerns about erosion.

Councilmember Power asked the name of the unopened City street and Ms. St. John stated it was Harben Street; not to be confused with the same named road across Highway 53.

- Teresa Ware, 355 Thunder Road, Dawsonville – Spoke of concerns with runoff once the trees are removed and the land is disturbed and replaced with concrete and asphalt; the runoff could flood the road to her property. She is also concerned about the wildlife and the trees that are going to be taken away once the development starts.
- Wayne Estes, 168 Thunder Road, Dawsonville - Spoke again and shared further concern about the proposal targeting the fifty-five and older community yet multilevel properties such as townhomes are not conducive to that age group.

Mayor Eason invited Jim King to speak again in response to the concerns of the citizens.

- Jim King, 416 Overlook Circle, Dawsonville – He stated the multilevel townhomes will have masters on the main floor; some will be ranch homes, but some will be townhomes with a second level containing guest bedrooms. He stated they are required to follow the stormwater requirements maintaining the predevelopment flow by building detention ponds and water quality ponds to release it slowly. In regard to the streams, the development will follow the ridges and stay away from the streams; despite being a larger quantity of homes it will leave a smaller footprint.

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

Motion to postpone the item until the June 3, 2019 meeting to require an independent traffic study be performed by the property owner and to have an opportunity to look into some of the other concerns made by C. Phillips; second by S. Tolson. Vote carried unanimously in favor.

Councilmember Power thanked everyone for participating and sharing the facts to help them decide what would be best for the community since the property is already zoned R3. Mayor Eason stated they also have the information from the citizens who spoke out at the last public hearing. Councilmember French also stated it would provide more time for the developer to review and consider the stipulations recommended by the City's attorney.

- 10. ANX C9-00252 and ZA C9-00252:** Postponed to the May 20, 2019 meeting.
- 11. ANX C9-00253 and ZA C9-00253:** Postponed to the May 20, 2019 meeting.

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- 12. VAR-C9-00004:** Jim King with Ensite Civil Consulting LLC has filed an appeal of the Planning Commission's decision to deny a density variance for TMP 082 021 located at 592 Hwy 53 West. Appeal Hearing Date: City Council - April 22, 2019

Jim King stated he heard the variance for the density might not be granted. Councilmember Phillips stated he understood that there are seven points of criteria that must be met in order to approve the variance and the developer has only met one. City Attorney Tallant stated that it is up to the Council to determine if the criteria have been met; the absence of any one of the criteria not met is grounds for denial of the variance. He further stated he recommended to the Mayor that the variance should not be considered this evening if the zoning amendment was postponed.

Motion to postpone the variance request to the June 3, 2019 meeting made by J. Power; second by C. Phillips. Vote carried unanimously in favor.

- 13. PROCLAMATION – ADMINISTRATIVE PROFESSIONALS WEEK APRIL 22 – 26, 2019:** Mayor Eason read the proclamation and presented it to Tracy Smith on behalf of the administrative staff. Motion to accept the proclamation made by J. Power; second by S. Tolson. Vote carried unanimously in favor.

Let the record reflect Councilmember Phillips left the meeting at this time.

- 14. An Ordinance By The City Of Dawsonville To Regulate The Use Of Tobacco Products, Alternative Nicotine Products, Vape Juice, Vapor Products, And Non-Traditional Tobacco Paraphernalia, And Other Similar Products; To Regulate Vape Shops; To Provide For Severability; To Provide For Effective Date; And For Other Purposes. (First Reading: April 22, 2019; Second Reading and Adoption: May 6, 2019)**

Attorney Alex Myers presented and read the first reading of the ordinance.

- 15. DISCUSS ROAD CLOSURES; PROFIT VS. NON-PROFIT:** Removed from agenda.
- 16. ADMINISTRATIVE VARIANCES ISSUED:** Robbie Irvin reported on two administrative variances he granted. The first on 106 Harrier Drive for a five-foot setback encroachment of the twenty-foot rear setback and the second on 106 Kestrel Court for a seven-foot setback encroachment of the twenty-foot rear setback.
- 17. GENERAL FUND BALANCE PRESENTATION:** Hayden Wiggins presented an explanation of the general fund balance explaining the definition and categories of fund balance. He spoke specifically about the unassigned category which is the positive fund balance which has not been classified as the previous categories of fund balance (Non-spendable, Restricted, Committed, Assigned). The minimum level of unassigned fund balance must be maintained at a level sufficient to provide for the required resources to meet operating costs; the City's financial policy requires at least six months of prior year general fund operating and non-operating expenses in the unassigned balance of the general fund. He spoke about the fund balance in reserves; the City's assets minus outstanding liabilities. He provided the balances of the general fund balance, budget and monthly operating expenses stating the City has approximately 18.5 months of general fund reserves. He restated our requirement is to hold six months, however, he is more comfortable at twelve or fourteen months of operating expenses in reserves. His goal in presenting the reserves is to make the Council aware of the funds that could go towards our outstanding projects such as the park and the farmer's market which could exceed the SPLOST budget.

Councilmember Power stated he feels it to be prudent to keep fourteen or eighteen months of operating expenses in reserves which could prevent taxation in the event of a downturn in the economy. Councilmember French believes the GFOA recommends eighteen to twenty-seven percent; he doesn't believe we need to go that low and feels it is wise to have the additional funds if the resources allow it but would not be willing to go to fourteen months. Mayor Eason agreed and thought twelve months to be appropriate and further stated the Council could consider action in the future once they've had a chance to study it and with staff recommendation.

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**STAFF REPORTS**

**18. BOB BOLZ, CITY MANAGER:**

- Farmer's Market Bid was issued last week with a deadline of May 28, 2019.
- Main Street Park restroom, landscaping and fencing bids should be ready go out next week.
- Congratulations to Jacob Barr who passed the Wastewater Level III Certification and twelve employees took the Blue Card soil erosion class held at City Hall


Councilmember French inquired as to how many proposals were received for the Auditing Services RFP. Hayden responded that no proposals have been received but several companies have made inquiries.

**19. HAYDEN WIGGINS, FINANCE ADMINISTRATOR:** Financial reports representing fund balance and activity provided through March 31, 2019. No questions or comments from Council.

**ADJOURNMENT:**

At 6:36 p.m. a motion to adjourn the meeting was made by S. Tolson; second by J. Power. Vote carried three in favor (Tolson, Power, French) and one absent (Phillips).

By: CITY OF DAWSONVILLE

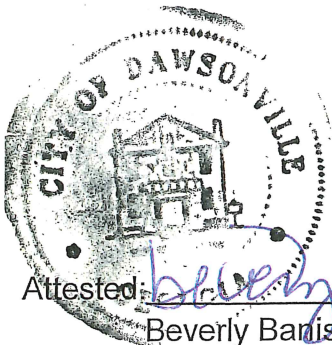
  
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Mike Eason, Mayor

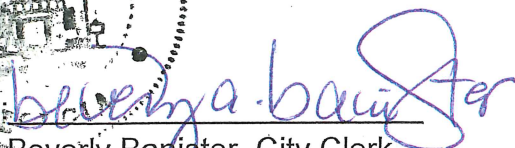
  
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Caleb Phillips, Councilmember Post 1

  
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Stephen Tolson, Councilmember Post 2

  
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Jason Power, Councilmember Post 3

  
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Mark French, Councilmember Post 4



Attested:   
Beverly Banister, City Clerk