

AGENDA
CITY COUNCIL WORK SESSION AND REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, December 17, 2018
7:00 P.M.

1. Call to Order - 7:00 PM
2. Roll Call
3. Invocation and Pledge - 7:01 PM
4. Announcements
5. Approval of the Agenda - 7:02 PM
6. Public Input - 7:03 PM
7. **CONSENT AGENDA - 7:03 PM**
 - a. Approve the Minutes
 - Regular Meeting and Executive Session – December 3, 2018
 - b. Approve 2019 Alcoholic Beverage License Renewals
 - c. Approve Telecommunications and Right of Way Management Contract
 - d. Approve 2019 Election Intergovernmental Agreement (IGA)

BUSINESS

8. Employee of the Month, Quarter and Year and Service Award(s) - 7:04 PM
9. ZA C8-00221: Fall Leaf Residential LLC. has requested a PUD site plan change for TMP 093 048 and 093 049, located at 2364 Perimeter Road, consisting of 32.6 acres. Hearing Dates: Planning Commission – November 5, 2018 and City Council – December 3, 2018. - 7:07 PM
10. An Ordinance Of The City Council Of The City Of Dawsonville To Amend The Stormwater Management Ordinance; To Prohibiting Illicit Discharge And Illegal Connection To The City Of Dawsonville Storm Sewer System; To Repeal Conflicting Ordinances; And For Other Purposes. (First Reading: December 3, 2018; Second Reading: December 17, 2018) - 7:08 PM
11. An Ordinance Establishing A Uniform Procedure For Appointments By The City Council To Boards, Commissions, And Authorities Of The City Of Dawsonville; And For Other Purposes. (First Reading: December 17, 2018; Second Reading: January 7, 2019) - 7:09 PM

WORK SESSION

12. Presentations - 7:10 PM
 - a. Dawsonville History Museum (GRHOF)
 - b. Moonshine Distillery
13. Impact Fee Study Presentation – Ross and Associates - 7:17 PM
14. Charter Update - 8:21 PM
15. Speed Tables Discussion - 8:24 PM
16. Abandoned Vehicles/Overnight Parking Ordinance Discussion - 8:31 PM
17. Open Annexation Discussion - 8:33 PM

STAFF REPORTS

18. City Manager, Bob Bolz - 8:36 PM
19. Finance Administrator, Hayden Wiggins - 8:39 PM
20. Approve Update to Financial Policy - 8:40 PM

MAYOR AND COUNCIL REPORTS - 8:45 PM

EXECUTIVE SESSION IF NEEDED: Pending or Potential Litigation, Real Estate Acquisition and/or Personnel

ADJOURNMENT - 8:46 PM

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WORK SESSION

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16. Abandoned Vehicles/Overnight Parking Ordinance Discussion
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STAFF REPORTS

18. City Manager, Bob Bolz
19. Finance Administrator, Hayden Wiggins

MAYOR AND COUNCIL REPORTS

EXECUTIVE SESSION IF NEEDED: Pending or Potential Litigation, Real Estate Acquisition and/or Personnel

ADJOURNMENT



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 7

SUBJECT: CONSENT AGENDA

CITY COUNCIL MEETING DATE: 12/17/2018

PURPOSE FOR REQUEST:

CONSIDERATION AND APPROVAL OF ITEMS A THROUGH F; SEE ATTACHED SUPPORTING DOCUMENTS

- a. Approve the Minutes
 - Regular Meeting and Executive Session – December 3, 2018
 - b. Approve 2019 Alcoholic Beverage License Renewals
 - c. Approve Update to Financial Policy
 - d. Approve Telecommunications and Right of Way Management Contract
 - e. Approve 2019 Election Intergovernmental Agreement (IGA)
-



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 7a

SUBJECT: APPROVE THE MINUTES

CITY COUNCIL MEETING DATE: 12/17/2018

BUDGET INFORMATION: GL ACCOUNT # NA

Funds Available from: Annual Budget Capital Budget Other

Budget Amendment Request from Reserve: Enterprise Fund General Fund

PURPOSE FOR REQUEST:

TO APPROVE THE MINUTES FROM:

- **REGULAR MEETING AND EXECUTIVE SESSION – DECEMBER 3, 2018**
-

HISTORY/ FACTS / ISSUES:

OPTIONS:

AMEND OR APPROVE AS PRESENTED

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Beverly Banister, City Clerk

MINUTES
CITY COUNCIL REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, December 3, 2018
7:00 P.M.

1. **CALL TO ORDER:** Mayor Mike Eason called the meeting to order at 7:00 pm.
2. **ROLL CALL:** Present were Councilmember Jason Power, Councilmember Mark French, Councilmember Stephen Tolson, Councilmember Caleb Phillips, City Attorney Dana Miles, Attorney Alex Myers, City Manager Bob Bolz, City Clerk Beverly Banister, Utilities Director Gary Barr, Public Works Operations Manager Trampas Hansard, Planning Director Robbie Irvin, Finance Administrator Hayden Wiggins, Deputy City Clerk Tracy Smith and Human Resource Manager Donna Blanton.
3. **INVOCATION AND PLEDGE:** Invocation and Pledge were led by Councilmember French.
4. **ANNOUNCEMENTS:** Mayor Eason thanked everyone for coming to the Christmas Tree Lighting on Saturday.
5. **APPROVAL OF THE AGENDA:** Motion to amend the agenda by removing item #7c Approve 2019 Mayor and Council Board Designations and Compensation off of the consent agenda and move to item #26 made by M. French; second by S. Tolson. Vote carried unanimously in favor.

Motion to amend the agenda by adding item #25 Main Street Park Change Order by J. Power; second by S. Tolson. Vote carried unanimously in favor.

Motion to amend the agenda by removing item #22 2019 Renewal of Professional Services made by M. French; second by C. Phillips. Vote carried unanimously in favor.

Motion to approve 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, d, e, f) made by S. Tolson; second by J. Power. Vote carried unanimously in favor.
 - a. Approve the Minutes – **passed 4-0**
 - Regular Meeting – November 5, 2018
 - Special Called Meeting and Executive Session – November 13, 2018
 - b. Approve 2019 Meeting Dates and Times – **passed 4-0** (Exhibit “A”)
 - d. Approve 2019 Staff Appointments – **passed 4-0**
 - Bob Bolz – City Manager
 - Beverly Banister – City Clerk
 - Tracy Smith – Deputy City Clerk
 - e. Approve Training, Lodging and Travel Expenses for Mayor – **passed 4-0**
 - f. Approve Resolution – 2018 Comprehensive Plan as Updated – **passed 4-0** (Exhibit “B”)
8. **RECOGNITION OF RETIRED PLANNING COMMISSION MEMBERS:** The Mayor and Council recognized BJ Farley and Ken Breeden for their years of service to the Planning Commission. A certificate was presented to BJ Farley; Ken Breeden was not present to receive his certificate.
9. **ZA C8-00221:** Fall Leaf Residential LLC has requested a PUD site plan change for TMP 093048 and 093 049, located at 2364 Perimeter Road, consisting of 32.6 acres. Hearing Dates: Planning Commission – November 5, 2018 and City Council – December 3, 2018.

Motion to table item to the December 17, 2018 City Council meeting made by C. Phillips; second by J. Power. Vote carried unanimously in favor.
10. An Ordinance Repealing The Zoning Ordinance Of The City Of Dawsonville, Georgia Adopted On June 2, 2003, As Amended, And Adopting A New Zoning Ordinance For The City Of Dawsonville, Georgia For The Purpose Of Regulating The Location, Height, Bulk, Number Of Stories And The Size Of Buildings And Structures; The Amount Of Lot Which May Be Occupied; The Size Of Yards, Courts, And Other Open Space; The Density And Distribution Of Population; The Use Of Buildings, Structures, And Land For Trade, Industry, Commerce, Residence, Recreation, Agriculture, Conservation, Water

MINUTES
CITY COUNCIL REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, December 3, 2018
7:00 P.M.

Supply, Sanitation, Public Activities, And Other Purposes; Creating Districts For Said Purposes And Establishing The Boundaries Thereof; Defining Certain Terms Used Herein; Providing For The Method Of Administration And Amendment: Defining The Composition, Powers And Duties Of The Planning Commission, Board Of Appeals, Historic Preservation Commission, Building Inspector, And Governing Authority; Providing Penalties For Violation; Repealing Conflicting Regulations; And For Other Purposes. (First Reading: November 5, 2018; Public Hearing and Second Reading: December 3, 2018)

The second reading of the ordinance was read by Planning Director Robbie Irvin.

Motion to open the public hearing made by J. Power; second by M. French. Vote carried unanimously in favor. No one spoke in favor or opposition to the ordinance. Motion to close the public hearing made by M. French; second by J. Power. Vote carried unanimously in favor.

Motion to approve the ordinance as presented made by S. Tolson; second by C. Phillips. Vote carried unanimously in favor. (Exhibit "C")

- 11.** An Ordinance To Amend The City Of Dawsonville Occupation Taxes And Miscellaneous Business Regulations Ordinance Regarding General Business Licensing, Registration And Fees; To Provide For Regulation Of Pawnshops; To Repeal Conflicting Ordinances; And For Other Purposes. (First Reading: November 5, 2018; Public Hearing and Second Reading: December 3, 2018)

Motion to open the public hearing made by S. Tolson; second by M. French. Vote carried unanimously in favor. The second reading of the ordinance amendment was read by Planning Director Irvin. No one spoke in favor or opposition to the ordinance. Motion to close the public hearing made by C. Phillips; second by S. Tolson. Vote carried unanimously in favor.

Motion to approve the ordinance as presented made by S. Tolson; second by J. Power. Vote carried unanimously in favor. (Exhibit "C")

- 12. AUDIT PRESENTATION FY 2017-2018:** Bryan St. Pierre, CPA with Alexander, Almand & Bangs, LLP presented the audit report of the City's financial Statements of the governmental activities of the fiscal year July 1, 2017 through June 30, 2018. Mr. St. Pierre reviewed the details of the fund reports throughout the audit stating everything looked good on a material basis.

Motion to accept and approve the audit as presented made by M. French; second by S. Tolson. Vote carried unanimously in favor.

- 13. AWARD BID – RFP 19-01 GARBAGE/SOLID WASTE COLLECTION SERVICE:** Financial Administrator Hayden Wiggins reviewed the garbage bid proposal the City received and as follows:

- Red Oak Sanitation - \$10.00 per can per month, 1x a week pick up
 - (a) Additional Services for yard debris removal 1x per month - \$2.00 per month, per home
- Santek Waste Services - \$15.36 per can per month, 1x a week pick up

Mr. Wiggins recommended the low bid from Red Oak Sanitation for weekly garbage collection at \$10.00 per can per month and for once monthly yard debris removal for an additional \$2.00 per month.

Motion to award bid to Red Oak Sanitation for garbage collection and yard debris as presented made by J. Power; second by S. Tolson. Vote carried unanimously in favor.

- 14. GARBAGE RATE INCREASE:** Motion to increase the garbage rate to \$14.50 per can per month in compliance with the ordinance made by M. French; second by C. Phillips. Vote carried unanimously in favor.

- 15. FEE REDUCTION REQUEST – KK TURNER ESTATE ANX/ZA/VAR C8-00209:** Motion to reduce invoice #I8-01012 for ANX/ZA/VAR C8-00209 by \$1,600.00 made by C. Phillips; second by J. Power. Vote carried unanimously in favor.

MINUTES
CITY COUNCIL REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, December 3, 2018
7:00 P.M.

16. ANX C8-00210: Michael Turner and Myles Montgomery have petitioned to annex into the city limits of Dawsonville the 11.407 acre tract known as TMP 093 006 located at 0 Allen Street. Hearing Dates: Planning Commission – October 8, 2018 and City Council – October 22, 2018 and November 5, 2018.

ZA C8-00210: Michael Turner and Myles Montgomery have requested a rezone of the 14.175 acres known as TMP 093 006 and TMP 093 007, located at 0 Allen Street from City Zoning of LI (Light Industrial) and County Zoning of RSR (Residential Sub Rural) to City Zoning of R3 (Single Family Residential) Hearing Dates: Planning Commission – October 8, 2018 and City Council – October 22, 2018 and November 5, 2018.

a. Vote

b. Agreement for Detention Pond Design, Construction and Maintenance

Motion to approve with a density variance not to exceed 3.2 units/acre and contingent upon Dawson County's objection being withdrawn and a requirement for a joint detention pond agreement be in place made by S. Tolson; second by C. Phillips. Vote carried unanimously in favor.

17. An Ordinance Of The City Council Of The City Of Dawsonville To Amend The Stormwater Management Ordinance; To Prohibiting Illicit Discharge And Illegal Connection To The City Of Dawsonville Storm Sewer System; To Repeal Conflicting Ordinances; And For Other Purposes. (First Reading: December 3, 2018; Second Reading and Vote: December 17, 2018)

The first reading of the ordinance amendment was read by Planning Director Irvin. He also read the staff report summarizing the proposed changes to the ordinance.

18. NGN WATER TOWER AGREEMENT: Motion to authorize the City Manager to arrange a meeting with NGN to discuss the agreement made by J. Power; second by M. French. Vote carried unanimously in favor.

19. LOCAL MAINTENANCE & IMPROVEMENT GRANT (LMIG) - 30% MATCH: Motion to approve the project to pave Main Street and the 30% match of \$7,462.34 to be paid out of the FY 2018-2019 budget made by M. French; second by S. Tolson. Vote carried unanimously in favor.

20. IMPACT FEES: Mayor Eason reported Ross and Associates who developed the quote for the impact fee study will be at the next City Council meeting on December 17, 2018 to be available for questions from Council and staff.

21. TSPLOST: Mayor Eason reported Dawson County has postponed their request for TSPLOST for one year; Council will not need any action at this time.

22. 2019 RENEWAL OF PROFESSIONAL SERVICES: Removed from agenda.

23. 2019 MAYOR PRO-TEM APPOINTMENT: Motion to appoint Councilmember Stephen Tolson as Mayor Pro-Tem for 2019 made by J. Power; second by C. Phillips. Vote carried unanimously in favor.

24. PERSONAL LEAVE TRANSFER POLICY: Motion to approve the policy as presented made by C. Phillips; second by M. French. Vote carried unanimously in favor. (Exhibit "E")

25. MAIN STREET PARK – CHANGE ORDER: Mayor Eason explained the various change orders in the past for Main Street Park mostly due to dirt that has not been able to compact. He further stated that each time an issue is discovered it causes a delay in the project since the change order needs to be presented and approved by Council; his recommendation is to authorize the City Manager to approve change orders up to a total of \$100,000.00. Councilmember Phillips recused himself from any participation in this item. Councilmember French stated he would prefer to lower the amount to \$25,000.00 which is more consistent with the City's financial policy otherwise we could be in violation of our own policy. Attorney Miles stated the Council's motion to approve the expenditure would make it valid.

MINUTES
CITY COUNCIL REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
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Motion to authorize the City Manager to approve change orders for Main Street Park up to \$100,000.00 made by S. Tolson; second by J. Power. Vote carried two in favor (Tolson and Power) with one opposed (French) and one recused (Phillips).

26. APPROVE 2019 MAYOR AND COUNCIL BOARD DESIGNATIONS AND COMPENSATION: Motion to approve the Mayor and Council Board Designations for 2019 as outlined below with approval for payment of one meeting per month as designated when attended made by S. Tolson; second by J. Power. Vote carried unanimously in favor.

- Planning Commission – Caleb Phillips
- Historic Preservation Commission – Mark French
- Downtown Development Authority – Stephen Tolson
- Family Connection – Jason Power
- Board of Health – Jason Power
- Animal Control Board – Caleb Phillips
- Chamber of Commerce – Mayor and/or Mayor ProTem (only one to be paid)
- GRHOF – Mark French
- GMA – Mayor and/or Mayor Pro-Tem (only one to be paid)
- GMRC – Mayor and/or Mayor Pro-Tem (only one to be paid)

EXECUTIVE SESSION:

At 8:01 p.m. a motion to close regular session and go into executive session for the purposed of pending and/or potential Litigation and Real Estate Acquisition was made by J. Power; second by C. Phillips. Vote carried unanimously in favor.

At 8:29 p.m. a motion to close executive session and resume regular session was made by S. Tolson; second by C. Phillips. Vote carried unanimously in favor.

ADJOURNMENT

At 8:30 p.m. a motion to adjourn the meeting was made by J. Power; second by S. Tolson. Vote carried unanimously in favor.

**MINUTES
CITY COUNCIL REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, December 3, 2018
7:00 P.M.**

By: CITY OF DAWSONVILLE

Michael 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



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 7b

SUBJECT: Approve 2019 Alcoholic Beverage License Renewals

DATE(s): 12/17/2018 WORK SESSION _____ CITY COUNCIL MEETING

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

TO APPROVE THE RENEWAL OF ALCOHOL LICENSES WITH SPIRITS

HISTORY/ FACTS / ISSUES

Approval of licenses with spirits is required by CC per the new Alcohol Ordinance. Previous to the new ordinance, CC approved all Alcohol renewals. (others will now be done administratively) Renewal licenses will not be issued until all pending/outstanding items have been received.

OPTIONS:

Recommend to approve

RECOMMENDED SAMPLE MOTION:

Motion to approve the renewal of the alcohol licenses presented pending receipt of any outstanding items.

DEPARTMENT: PLANNING AND ZONING

REQUESTED BY: ROBBIE IRVIN, PLANNING DIRECTOR

2019 ALCOHOL LICENSE LIST

for

Alcohol Licenses with Spirits-Council Approval Required

City Council Meeting December 17, 2018

Business	Address	License Type	Amount Paid	Pending Items
City Liquor	55 Hwy 53 West	Retail Package B/W/S	\$4500	None
Discount Package	2131 Hwy 9 North	Retail Package W/S	\$4500	2 Signatures
Moonshine Distillery	415 Hwy 53 East	Distillery	\$1000	State Alcohol License
El Rio Mexican Cafe'	69 Hwy 9 South	Cons. on Premises B/W/S	\$4500	None
Fajita Grill	14 Malala Drive	Cons. On Premises B/W/S	\$4500	None

CITY OF DAWSONVILLE

CITY OF DAWSONVILLE
415 HWY 53 EAST, SUITE 100
DAWSONVILLE, GA 30534

Phone: (706)265-3256
Fax: (706)265-4214

License Id: I9-00053 **Issued Date:** 12/18/18
Effective Date: 01/01/19 **Expiration Date:** 12/31/19
License Type: ALCOHOL LICENSE - R PKG B,W,SP
Business Name: CITY LIQUOR
Legal Name: DAWSONVILLE LIQUOR LLC dba
Business Location: 55 HWY 53 WEST

CITY LIQUOR
ANDY PATEL
55 HWY 53 WEST
DAWSONVILLE, GA 30534



2019

Summary of Services:

Description
RETAIL PKG - B,W,S

Authorized Signature

This License is a mere privilege subject to be revoked and annulled and is subject to the terms of the Dawsonville Alcohol Ordinance, as the same may be amended from time to time.

TO BE PLACED IN A CONSPICUOUS PLACE

License Id: I9-00053 **Issued Date:** 12/18/18
Effective Date: 01/01/19 **Expiration Date:** 12/31/19
License Type: ALCOHOL LICENSE - R PKG B,W,SP

2019

Business Name: CITY LIQUOR
Business Location: 55 HWY 53 WEST

CITY LIQUOR
ANDY PATEL
55 HWY 53 WEST
DAWSONVILLE, GA 30534

FILE COPY

Summary of Services

Description
RETAIL PKG - B,W,S



City of Dawsonville
 415 Hwy 53 E, Suite 100
 Dawsonville, GA 30534

(706)265-3256

Payment Due Upon Receipt

INVOICE #

19-00148

INVOICE DATE: 11/20/18

DUE DATE: 12/20/18

ACCOUNT ID: CITYL005 PIN: 2100

CITY LIQUOR
 ANDY PATEL
 55 HWY 53 WEST
 DAWSONVILLE, GA 30534
 USA

LICENSE INFORMATION

LICENSE ID: I9-00053

NAME: CITY LIQUOR

LOCATION: 55 HWY 53 WEST

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
		ALCOHOL LICENSE - R PKG B,W,SP		
1.0000/EA	AL-020	RETAIL PKG - B,W,S	4,500.00000	4,500.00
			TOTAL DUE:	<u>\$ 4,500.00</u>
		Prn Payment: 11/20/18 CK 4160		-4,500.00
			BALANCE:	<u>\$ 0.00</u>

PAYMENT COUPON - PLEASE DETACH AND RETURN THIS PORTION ALONG WITH YOUR PAYMENT

City of Dawsonville
 415 Hwy 53 E, Suite 100
 Dawsonville, GA 30534

INVOICE #: 19-00148
 DESCRIPTION: ALCOHOL LICENSE - R PKG B,W,SP
 ACCOUNT ID: CITYL005 PIN: 2100
 DUE DATE: 12/20/18
 TOTAL DUE: \$ 0.00

CITY LIQUOR
 ANDY PATEL
 55 HWY 53 WEST
 DAWSONVILLE, GA 30534
 USA



CITY OF DAWSONVILLE

CITY OF DAWSONVILLE
415 HWY 53 EAST, SUITE 100
DAWSONVILLE, GA 30534

Phone: (706)265-3256
Fax: (706)265-4214

License Id: I9-00056 **Issued Date:** 12/18/18
Effective Date: 01/01/19 **Expiration Date:** 12/31/19
License Type: ALCOHOL LIC-R PKG WINE&SPIRITS
Business Name: DISCOUNT PACKAGE STORE
Legal Name: GOLDEN CREEK INVESTMNT LLC dba
Business Location: 2131 HWY 9 NORTH STE 200



2019

DISCOUNT PACKAGE STORE
CHIRAGKUMARI PATEL
2131 HIGHWAY 9 NORTH STE 200
DAWSONVILLE, GA 30534

Summary of Services:

Description
ALCOHOL LIC-R PKG WINE&SPIRITS

Authorized Signature

This License is a mere privilege subject to be revoked and annulled and is subject to the terms of the Dawsonville Alcohol Ordinance, as the same may be amended from time to time.

TO BE PLACED IN A CONSPICUOUS PLACE

License Id: I9-00056 **Issued Date:** 12/18/18
Effective Date: 01/01/19 **Expiration Date:** 12/31/19
License Type: ALCOHOL LIC-R PKG WINE&SPIRITS

2019

Business Name: DISCOUNT PACKAGE STORE
Business Location: 2131 HWY 9 NORTH STE 200

DISCOUNT PACKAGE STORE
CHIRAGKUMARI PATEL
2131 HIGHWAY 9 NORTH STE 200
DAWSONVILLE, GA 30534

Summary of Services

Description
ALCOHOL LIC-R PKG WINE&SPIRITS

FILE COPY



City of Dawsonville
 415 Hwy 53 E, Suite 100
 Dawsonville, GA 30534

(706)265-3256

Payment Due Upon Receipt

INVOICE #
I9-00152

INVOICE DATE: 11/20/18
 DUE DATE: 12/20/18

ACCOUNT ID: DISCO015 PIN: 5419
DISCOUNT PACKAGE STORE CHIRAGKUMARI PATEL 2131 HIGHWAY 9 NORTH STE 200 DAWSONVILLE, GA 30534

LICENSE INFORMATION
 LICENSE ID: I9-00056
 NAME: DISCOUNT PACKAGE STORE
 LOCATION: 2131 HWY 9 NORTH STE 200

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
		ALCOHOL LIC R PKG WINE&SPIRITS		
1.0000/EA	AL-050	ALCOHOL LIC-R PKG WINE&SPIRITS	4,500.00000	4,500.00
			TOTAL DUE:	\$ 4,500.00
		Prn Payment: 11/20/18 CK 1268		-4,500.00
			BALANCE:	\$ 0.00

PAYMENT COUPON - PLEASE DETACH AND RETURN THIS PORTION ALONG WITH YOUR PAYMENT

City of Dawsonville
 415 Hwy 53 E, Suite 100
 Dawsonville, GA 30534

INVOICE #: I9-00152
 DESCRIPTION: ALCOHOL LIC R PKG WINE&SPIRITS
 ACCOUNT ID: DISCO015 PIN: 5419
 DUE DATE: 12/20/18
 TOTAL DUE: \$ 0.00

DISCOUNT PACKAGE STORE
 CHIRAGKUMARI PATEL
 2131 HIGHWAY 9 NORTH STE 200
 DAWSONVILLE, GA 30534



CITY OF DAWSONVILLE

CITY OF DAWSONVILLE
415 HWY 53 EAST, SUITE 100
DAWSONVILLE, GA 30534

Phone: (706)265-3256
Fax: (706)265-4214

License Id: I9-00050 **Issued Date:** 12/18/18
Effective Date: 01/01/19 **Expiration Date:** 12/31/19
License Type: ALCOHOL MANUFACTURER/DISTILLER
Business Name: D'VILLE MOONSHINE DISTILLERY
Legal Name: FREE SPIRITS DISTILLRY LLC dba
Business Location: 415 HWY 53 EAST STE 120

D'VILLE MOONSHINE DISTILLERY
CHERYL WOOD
PO BOX 121
DAWSONVILLE, GA 30534



2019

Summary of Services:

Description
DISTILLERY/BREWERY ALC MANUFAC

Authorized Signature

This License is a mere privilege subject to be revoked and annulled and is subject to the terms of the Dawsonville Alcohol Ordinance, as the same may be amended from time to time.

TO BE PLACED IN A CONSPICUOUS PLACE

License Id: I9-00050 **Issued Date:** 12/18/18
Effective Date: 01/01/19 **Expiration Date:** 12/31/19
License Type: ALCOHOL MANUFACTURER/DISTILLER

Business Name: D'VILLE MOONSHINE DISTILLERY
Business Location: 415 HWY 53 EAST STE 120

D'VILLE MOONSHINE DISTILLERY
CHERYL WOOD
PO BOX 121
DAWSONVILLE, GA 30534

2019

Summary of Services

Description
DISTILLERY/BREWERY ALC MANUFAC

FILE COPY



City of Dawsonville
 415 Hwy 53 E, Suite 100
 Dawsonville, GA 30534

(706)265-3256

Payment Due Upon Receipt

INVOICE #
I9-00145

INVOICE DATE: 11/20/18
 DUE DATE: 12/20/18

ACCOUNT ID: DVILL005 PIN: 2418
D'VILLE MOONSHINE DISTILLERY CHERYL WOOD PO BOX 121 DAWSONVILLE, GA 30534 USA

LICENSE INFORMATION
 LICENSE ID: I9-00050
 NAME: D'VILLE MOONSHINE DISTILLERY
 LOCATION: 415 HWY 53 EAST STE 120

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
		ALCOHOL MANUFACTURER/DISTILLER		
1.0000/EA	AL-065	DISTILLERY/BREWERY ALC MANUFAC	1,000.00000	1,000.00
			TOTAL DUE:	\$ 1,000.00
		Prn Payment: 11/20/18 CK 3104		-1,000.00
			BALANCE:	\$ 0.00

PAYMENT COUPON - PLEASE DETACH AND RETURN THIS PORTION ALONG WITH YOUR PAYMENT

City of Dawsonville
 415 Hwy 53 E, Suite 100
 Dawsonville, GA 30534

INVOICE #: I9-00145
 DESCRIPTION: ALCOHOL MANUFACTURER/DISTILLER
 ACCOUNT ID: DVILL005 PIN: 2418
 DUE DATE: 12/20/18
 TOTAL DUE: \$ 0.00

D'VILLE MOONSHINE DISTILLERY
 CHERYL WOOD
 PO BOX 121
 DAWSONVILLE, GA 30534
 USA



CITY OF DAWSONVILLE

CITY OF DAWSONVILLE
415 HWY 53 EAST, SUITE 100
DAWSONVILLE, GA 30534

Phone: (706)265-3256
Fax: (706)265-4214

License Id: I9-00058 **Issued Date:** 12/18/18
Effective Date: 01/01/19 **Expiration Date:** 12/31/19
License Type: ALCOHOL LICENSE - COP B,W,SP
Business Name: EL RIO MEXICAN CAFE
Legal Name: JORGE SANCHEZ dba
Business Location: 69 HWY 9 SOUTH

EL RIOS MEXICAN CAFE
JORGE SANCHEZ
69 HWY 9 SOUTH
DAWSONVILLE, GA 30534



2019

Summary of Services:

Description
CONSUMPTION ON PREMISE-B,W,S

Authorized Signature

This License is a mere privilege subject to be revoked and annulled and is subject to the terms of the Dawsonville Alcohol Ordinance, as the same may be amended from time to time.

TO BE PLACED IN A CONSPICUOUS PLACE

License Id: I9-00058 **Issued Date:** 12/18/18
Effective Date: 01/01/19 **Expiration Date:** 12/31/19
License Type: ALCOHOL LICENSE - COP B,W,SP

2019

Business Name: EL RIO MEXICAN CAFE
Business Location: 69 HWY 9 SOUTH

EL RIOS MEXICAN CAFE
JORGE SANCHEZ
69 HWY 9 SOUTH
DAWSONVILLE, GA 30534

FILE COPY

Summary of Services

Description
CONSUMPTION ON PREMISE-B,W,S



City of Dawsonville
 415 Hwy 53 E, Suite 100
 Dawsonville, GA 30534

(706)265-3256

Payment Due Upon Receipt

INVOICE #

19-00153

INVOICE DATE: 11/20/18

DUE DATE: 12/21/18

ACCOUNT ID: ELRIO005 PIN: 8018

EL RIOS MEXICAN CAFE
 JORGE SANCHEZ
 69 HWY 9 SOUTH
 DAWSONVILLE, GA 30534

LICENSE INFORMATION

LICENSE ID: 19-00058

NAME: EL RIO MEXICAN CAFE

LOCATION: 69 HWY 9 SOUTH

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
		ALCOHOL LICENSE - COP B,W,SP		
1.0000/EA	AL-040	CONSUMPTION ON PREMISE-B,W,S	4,500.00000	4,500.00
			TOTAL DUE:	<u>\$ 4,500.00</u>
		Prn Payment: 11/21/18 CK 1695		-4,500.00
			BALANCE:	<u>\$ 0.00</u>

PAYMENT COUPON - PLEASE DETACH AND RETURN THIS PORTION ALONG WITH YOUR PAYMENT

City of Dawsonville
 415 Hwy 53 E, Suite 100
 Dawsonville, GA 30534

INVOICE #: 19-00153
 DESCRIPTION: ALCOHOL LICENSE - COP B,W,SP
 ACCOUNT ID: ELRIO005 PIN: 8018
 DUE DATE: 12/21/18
 TOTAL DUE: \$ 0.00

EL RIOS MEXICAN CAFE
 JORGE SANCHEZ
 69 HWY 9 SOUTH
 DAWSONVILLE, GA 30534



CITY OF DAWSONVILLE

CITY OF DAWSONVILLE
415 HWY 53 EAST, SUITE 100
DAWSONVILLE, GA 30534

Phone: (706)265-3256
Fax: (706)265-4214

License Id: I9-00054 **Issued Date:** 12/18/18

Effective Date: 01/01/19 **Expiration Date:** 12/31/19

License Type: ALCOHOL LICENSE - COP B,W,SP

Business Name: FAJITA GRILL # 2

Legal Name: MIDELVIA MACIAS dba

Business Location: 14 MALALA DRIVE

FAJITA GRILL # 2
ARTHUR MACIAS JR
14 MALALA DRIVE
DAWSONVILLE, GA 30534



2019

Summary of Services:

Description
CONSUMPTION ON PREMISE-B,W,S

Authorized Signature

This License is a mere privilege subject to be revoked and annulled and is subject to the terms of the Dawsonville Alcohol Ordinance, as the same may be amended from time to time.

TO BE PLACED IN A CONSPICUOUS PLACE

License Id: I9-00054 **Issued Date:** 12/18/18

Effective Date: 01/01/19 **Expiration Date:** 12/31/19

License Type: ALCOHOL LICENSE - COP B,W,SP

Business Name: FAJITA GRILL # 2

Business Location: 14 MALALA DRIVE

FAJITA GRILL # 2
ARTHUR MACIAS JR
14 MALALA DRIVE
DAWSONVILLE, GA 30534

2019

Summary of Services

Description
CONSUMPTION ON PREMISE-B,W,S

FILE COPY



City of Dawsonville
 415 Hwy 53 E, Suite 100
 Dawsonville, GA 30534

(706)265-3256

Payment Due Upon Receipt

INVOICE #

19-00149

INVOICE DATE: 11/20/18

DUE DATE: 12/20/18

ACCOUNT ID: FAJIT005 PIN: 5407

FAJITA GRILL # 2
 ARTHUR MACIAS JR
 14 MALALA DRIVE
 DAWSONVILLE, GA 30534
 USA

LICENSE INFORMATION

LICENSE ID: I9-00054

NAME: FAJITA GRILL # 2

LOCATION: 14 MALALA DRIVE

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
		ALCOHOL LICENSE - COP B,W,SP		
1.0000/EA	AL-040	CONSUMPTION ON PREMISE-B,W,S	4,500.00000	4,500.00
			TOTAL DUE:	\$ 4,500.00
		Prn Payment: 11/20/18 CK 5300337984		-4,500.00
			BALANCE:	\$ 0.00

PAYMENT COUPON - PLEASE DETACH AND RETURN THIS PORTION ALONG WITH YOUR PAYMENT

City of Dawsonville
 415 Hwy 53 E, Suite 100
 Dawsonville, GA 30534

INVOICE #: 19-00149
 DESCRIPTION: ALCOHOL LICENSE - COP B,W,SP
 ACCOUNT ID: FAJIT005 PIN: 5407
 DUE DATE: 12/20/18
 TOTAL DUE: \$ 0.00

FAJITA GRILL # 2
 ARTHUR MACIAS JR
 14 MALALA DRIVE
 DAWSONVILLE, GA 30534
 USA





DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 7c

SUBJECT: APPROVE UPDATE TO FINANCIAL POLICY

CITY COUNCIL MEETING DATE: 12/17/2018

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

TO REQUEST APPROVAL TO CHANGE SECTION IX. PURCHASING, C (5) TO READ:

“Annual renewable contracts and professional service providers (City Attorney, City Auditor, City Engineer, City Judge, City Geologist, etc.) shall be considered and approved annually by the City Council at the **December** meeting”

HISTORY/ FACTS / ISSUES:

- **POLICY PREVIOUSLY STATED “AT THE JANUARY MEETING”**
- **APPROVAL SHOULD OCCUR PRIOR TO THE NEW YEAR SO AS NOT TO CREATE A GAP IN CONTRACTS/COSTS**

NOTE: FOR 2019, PROFESSIONAL SERVICES WILL BE CONSIDERED AT THE JANUARY 7TH MEETING SINCE THE CHANGE IS BEING CONSIDERED AT THE DECEMBER MEETING

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Mike Eason, Mayor

IX. Purchasing

A. Intent

The purpose of this policy is to provide guidance for the procurement of goods and services in compliance with procurement provisions of the City and the State of Georgia. The goal of this policy is to establish, foster, and maintain the following principles:

1. To consider the best interests of the City in all transactions;
2. To purchase without prejudice, seeking to obtain the maximum value for each dollar expenditure with maximum quality standards;
3. To subscribe to and work for honesty and truth in buying.

B. Vendors

The City will make every effort to obtain high quality goods and services as economically as possible. All procurement procedures will be conducted in a fair and impartial manner with avoidance of any impropriety. All qualified vendors have access to City business. No bidder will be arbitrarily or capriciously excluded. It is the intent of the City that competition be sought to the greatest practical degree. The conditions of the contract shall be made clear in advance of the competition. Specifications shall reflect the needs of the City.

C. Purchasing of Goods and Services

1. Each Department Head shall have the authority to purchase individual goods/services costing less than \$ 5,000 each as long as costs remain within the approved budget. Each department head is responsible to ensure that internal control procedures set forth in this Financial Policy are followed. These purchases are considered small purchases and can be handled using telephone quotes.
2. Purchases for individual goods/services costing more than \$ 5,000 and less than \$ 25,000 each can be authorized by the City Manager as long as costs remain within the approved budget. The department shall make every effort to solicit a minimum of three competitive prices as set forth in paragraph 3 below.
3. Purchases for individual goods/services costing more than \$ 5,000 and less than \$ 25,000 are generally bid through an informal bid process. These purchases are handled by written quotes/bids. An invitation to bid is the solicitation of written offers and/or pricing based on specification of the required equipment, material, and/or general service. These are neither publicly advertised in the newspaper nor opened publicly, but must be within the budget for that department approved by the City Council.
4. Purchases for individual goods/services costing more than \$ 25,000 are considered as formal sealed bids. They are advertised for a minimum of two (2) weeks prior to bid opening and the contract award must be approved by the City Council. Bids are advertised in the legal organ and posted on the City's web site. A public bid opening is required for formal sealed bids. Department

Heads shall document the process. All contracts for goods/services exceeding \$ 25,000 in value shall be reviewed by the City Attorney and approved by the City Council.

5. Annual renewable contracts and professional service providers (City Attorney, City Auditor, City Engineer, City Judge, City Geologist, etc.) shall be considered and approved annually by the City Council at the **December** meeting.

6. Construction services are processed under the competitive bid process described for purchases of \$ 25,000 or more. Construction bidders are required to post performance and payment bonds in an amount equal to the contract award unless the contract is under \$ 40,000. Construction bidders are also required to post a 5% bid bond at the time of bid submission if the projected budget for the work exceeds \$ 40,000. Evidence of liability insurance equal to or exceeding the then current liability limits held by the City and workmen's compensation insurance is required prior to bid award. Any waiver of bid, performance or payment bonds will be noted clearly in the solicitation to bid.

7. Although authority may be delegated, the ultimate responsibility rests with Management. Purchases must be monitored to assure compliance with City policy.

8. No contract of the City involving the expenditure of public funds shall be in violation of the City's "Ethics Ordinance."

9. All contracts for services in the amount of \$ 2,500 or more shall comply with E-verify (OCGA § 13-10-90 et seq.).

10. Bids are awarded by the City Council to the bid that conforms in all material respects to the needs of the City. The Council shall consider the capability of the bidder to perform the requirements, past experience with the bidder, whether the bid award will contribute to or generate economic growth or jobs in the City or County and such other factors as the Council deems necessary depending upon the type of bid involved.

11. The City of Dawsonville will provide an equal opportunity for all businesses to participate in City contracts regardless of sex, race, color, religion, national origin, political affiliation, age, handicapped status, sexual orientation, sexual preference, or transgender status.

12. Ineligible Vendors – Any person, firm, or corporation who is in arrears to the City for taxes, or otherwise, will not be qualified to bid on any purchase until their debt to the City has been cleared. No purchase order will be approved for such vendors.

13. State Contracts – The City is authorized to use state contracts in lieu of issuing bids to vendors or buying locally when it is to the economic advantage of the City or deemed appropriate by the City Manager. The state contract price may be used to establish the maximum price for a good or service.

14. Back-up Policy and Emergency Purchases – In cases of emergency, a contract may be awarded without competitive bidding, but the procurement shall be made with as much competition as the circumstances allow (i.e., informal quotes). An emergency is defined as a threat to life or property, an inability to comply with the formal bid procedures in a timely manner to prevent further damage or destruction, or an unforeseen situation that curtails or greatly diminishes an essential service as



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 7d

SUBJECT: APPROVE TELECOMMUNICATIONS & ROW MGMNT CONTRACT

CITY COUNCIL MEETING DATE: 12/17/2018

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: Annual Budget _____ Capital Budget _____ Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

TO REQUEST APPROVAL FOR THE TELECOMMUNICATIONS & ROW MGMNT CONTRACT

- \$1,563.52 FOR THE PERIOD OF 01/01/2019 – 12/31/2019
- FUNDS AVAILABLE FROM THE FY 2019 BUDGET

HISTORY/ FACTS / ISSUES:

2018 POSITIVE FINANCIAL IMPACT INCLUDES:

- AUDIT OF WINDSTREAM PRODUCED FINDINGS OF APPROXIMATELY \$500 PLUS AN INCREASED QUARTERLY REVENUE OF 2% FOR EACH BILLING**
- ASSISTED WITH COMCAST ROW ENCROACHMENTS (\$600 IN BILLINGS); AN AUDIT OF THEIR BILLINGS WILL ALSO BE PERFORMED WHEN FRANCHISE REVENUE IS RECEIVED**
- ONGOING EFFORTS WITH NGN CONTRACT**

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Beverly Banister, City Clerk



Cable and Telecommunications Management Services

Invoice

	INVOICE #:	TELECOM 19-19
	INVOICE DATE:	11/29/2018
	DUE DATE	12/29/2018
City of Dawsonville	CUSTOMER:	390
Ms. Beverly Banister		
415 Hwy 53 East Suite 100		
GA 30534		

BILLING DESCRIPTION

AMOUNT

Telecommunication Management (1/1/2019 - 12/31/2019)	1,563.52
--	----------

Annual subscription to GMA's Cable and Telecommunications Management Service for Assistance with Cable and Telecommunications Franchises, Lease Negotiations for Private Company's Cellular Attachments to Municipal Property and Rights of Way Ordinance Development and Advice

PLEASE MAIL PAYMENT AND REMITTANCE FORM TO:

GEORGIA MUNICIPAL ASSOCIATION

Attn: Finance

PO Box 105377

ATLANTA, GEORGIA 30348



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 7e

SUBJECT: APPROVE 2019 ELECTION INTERGOVERNMENTAL AGREEMENT (IGA)

CITY COUNCIL MEETING DATE: 12/17/2018

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

TO REQUEST APPROVAL FOR THE 2019 ELECTION INTERGOVERNMENTAL AGREEMENT WITH DAWSON COUNTY TO CONDUCT THE 2019 MUNICIPAL ELECTION

HISTORY/ FACTS / ISSUES:

- BOARD HAS PREVIOUSLY ASSISTED THE CITY WITH ELECTIONS
- APPROXIMATE COST OF \$12,000 WILL BE PUT IN THE FY 2020 BUDGET
- QUALIFYING FEES WILL BE SET IN JANUARY 2019

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Beverly Banister, City Clerk

STATE OF GEORGIA
COUNTY OF DAWSON

**INTERGOVERNMENTAL AGREEMENT BETWEEN DAWSON COUNTY, THE
DAWSON COUNTY BOARD OF ELECTIONS AND REGISTRATION AND THE CITY
OF DAWSONVILLE RELATING TO THE 2019 MUNICIPAL ELECTIONS IN THE CITY
OF DAWSONVILLE**

THIS INTERGOVERNMENTAL AGREEMENT, by and between **DAWSON COUNTY**, a county government authorized by the laws of the State of Georgia (hereinafter referred to as the "County"), the **DAWSON COUNTY BOARD OF ELECTIONS AND REGISTRATION**, an appointed Board of Dawson County (hereinafter referred to as the "Board") and the **CITY OF DAWSONVILLE**, a municipal corporation authorized by the laws of the State of Georgia (hereinafter referred to as the "City") relating to municipal elections for the City;

WITNESSETH:

WHEREAS, the County by and through the Board conducts all county-wide and/or state-wide elections within Dawson County; and

WHEREAS, the Board has previously assisted the City with the conduct of the City elections; and

WHEREAS, the City has requested and the County has agreed to allow its Board to conduct on behalf of the City any city elections called for in the year 2019;

NOW, THEREFORE, for and in consideration of the mutual covenants set forth herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is agreed as follows:

1.

With respect to any general municipal election and any specially called municipal election to be held in 2019, the Board shall conduct all such elections for the City at the Offices of the Board or such other precinct locations as determined by the Board.

2.

The Board shall perform all duties as set forth and labeled as "County" in Exhibit A attached hereto and incorporated herein by reference. The City shall perform all duties as set forth and labeled as "City" in Exhibit A attached hereto and incorporated herein by reference.

3.

The City shall reimburse the County for the expense incurred by the Board associated with any general or special municipal election. Such expenses shall be submitted to the City within sixty (60) days of the conclusion of each election covered by this agreement, and such expenses shall be paid by the City within thirty (30) days of the date of such invoice.

4.

As a part of the duties of the Board, it shall perform all duties as superintendent of elections for the City during the term of this agreement; provided, however, that the Board shall have no responsibility hereunder with respect to the matters specifically reserved to the City in Exhibit A.

5.

This Contract may be terminated by either party by giving notice to the other party, in writing, of its intent to terminate this Contract no fewer than one hundred twenty (120)

days prior to the effective date of such termination. In the event of termination, any funds due to the County by the City for work performed by the Board through the date of termination shall be paid by the City no later than thirty (30) days following the date of termination of the Contract.

6.

All elections conducted for the City by the Board shall be conducted in accordance with the provisions of Title 1 and Title 21 of the Official Code of Georgia Annotated and all other applicable laws.

IN WITNESS WHEREOF, the parties hereto have executed this instrument to be effective as of January 1, 2019.

DAWSON COUNTY

BY: _____
BILLY THURMOND, CHAIRMAN

ATTEST:

COUNTY CLERK

Date: _____

CITY OF DAWSONVILLE

BY: _____
MIKE EASON, MAYOR

ATTEST:

CITY CLERK

Date: _____

**DAWSON COUNTY BOARD OF ELECTIONS
AND REGISTRATION**

BY: _____
GLEND A FERGUSON, CHAIRPERSON

ATTEST:

ASSISTANT TO BOARD OF ELECTIONS

Date: _____

MUNICIPAL ELECTION STRUCTURE

PERSONNEL	AFFILIATION	DUTIES
CITY/COUNTY:	City	Advertise Call for Election w/Qualifying (city prefers 2 weeks)
COUNTY ELECTION SUPERINTENDENT:	County	Candidate Qualification (fees made payable to City) (Qualifying times: Special called 2.5 days – General 4 days)
COUNTY ELECTION SUPERINTENDENT:	County	Inventory Absentee/Election Supplies
	County/State	Design Ballot
	State	Create Ballot Database – TS/OS
COUNTY TECHNICAL CUSTODIAN:	ES&S	Print OS Ballots; Absentee/Provisional/Challenged
	County	Global Elections Management System (GEMS): Upload Database & Memory Cards Voting Equipment: Logic & Accuracy Procedure (L&A)
COUNTY ELECTION SUPERINTENDENT	County	Publish Sample Ballot
COUNTY ELECTION SUPERINTENDENT	County	Order Municipal Electors List
COUNTY ELECTION SUPERINTENDENT	County	Publish Notice of Election
ADVANCE VOTING PRECINCT BOARD (3) : County - Chief Manager County - Assistant Manager (2)	County	OS Absentee Mail-in NO ID / NO Reason required
		TS Advance Voting PHOTO ID / NO Reason required
ELECTION DAY PRECINCT BOARD (3): County – Chief Manager County – Assistant Managers (2)	County	Conduct Election Day Voting – 7 A.M. – 7 P.M.
		Tabulate votes – OS & TS Voting equipment
ABSENTEE BALLOT TABULATION BOARD (3) : County – Chief Manager County – Assistant Managers (2)	County	Global Elections Management System (GEMS): Download Election Results
		Verify eligibility; process and count- include w/certification
COUNTY TECHNICAL CUSTODIAN	County	
PROVISIONAL BALLOT PROCESSING (if applicable)	County	
COUNTY ELECTION SUPERINTENDENT / BOER	County	Election Consolidation / Certification

Exhibit “A”



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 8

SUBJECT: EMPLOYEE OF THE MONTH, QUARTER AND YEAR AND SERVICE AWARDS

CITY COUNCIL MEETING DATE: 12/17/2018

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

TO RECOGNIZE AND PRESENT AWARDS TO EMPLOYEES

- **EMPLOYEE OF THE MONTH (NOVEMBER & DECEMBER)**
- **EMPLOYEE OF THE QUARTER**
- **EMPLOYEE OF THE YEAR**
- **SERVICE AWARD(S)**

HISTORY/ FACTS / ISSUES:

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Bob Bolz, City Manager



DAWSONVILLE CITY COUNCIL EXECUTIVE SUMMARY FOR AGENDA ITEM # 9

SUBJECT: Perimeter Rd @ Hwy 9 South PUD Site Plan Revision

DATE(s): 12-17-18 WORK SESSION _____ CITY COUNCIL MEETING

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

Fall Leaf Residential LLC. has requested a PUD site plan change for TMP 093 048 and 093 049, located at 2364 Perimeter Rd. consisting of 32.6 acres.

HISTORY/ FACTS / ISSUES

Parcel # 093 048 and 049, Zoning PUD, approved in 2006 current approved total density 32.6 acres with 123 units = 3.77 units per acre.

Requests change New total density 32.6 acres with 102 units = 3.13 units per acre. Lot reduction is 21 lots.

Request is to retain the originally approved 70-foot front lot line instead of an increase to the current 75-foot standard.

Additionally, applicant will be providing 19% open space with amenities. Current requirement is 15%.

UPDATE - Tabled by PC on 12/3/18

Will be heard by PC again on 1/14/19

CC will hear on 1/22/19

OPTIONS:

Remove from today's agenda

RECOMMENDED SAMPLE MOTION:

DEPARTMENT: Planning and Zoning

REQUESTED BY: Robbie Irvin, Planning Director



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 10

SUBJECT: Illicit Discharge Detection and Elimination Ordinance

CITY COUNCIL MEETING DATE: 12/17/2018

BUDGET INFORMATION: GL ACCOUNT #

Funds Available from: Annual Budget Capital Budget Other

Budget Amendment Request from Reserve: Enterprise Fund General Fund

PURPOSE FOR REQUEST: SECOND READING AND VOTE

Introduction of an ordinance to help regulate, monitor and prevent non-stormwater discharges into the City's Stormwater System and local waterways.

First reading Dec. 3rd, 2018. Second reading and vote Dec. 17th, 2018.

HISTORY/ FACTS / ISSUES

The City has lacked an enforcement mechanism for pollutant discharges into the stormwater system and into local waterways. Recent pollutant discharges have occurred from private facilities within the city limits which have only been enforceable on the state and federal level. While state and federal level enforcement is helpful real-time enforcement by the local jurisdiction is best not only for quick containment of the discharge but for quick and decisive enforcement actions which due to the nature of state and federal agencies is difficult to obtain.

OPTIONS:

Recommend to approve the Illicit Discharge and Elimination Ordinance as presented.

RECOMMENDED SAMPLE MOTION:

Motion to approve the Illicit Discharge and Elimination Ordinance as presented.

DEPARTMENT: Planning and Zoning

REQUESTED BY: Robbie Irvin, Planning Director



December 10, 2018

To: The Honorable Mike Eason, Mayor
& City of Dawsonville Council

Re: Staff Recommendation; Illicit Discharge Detection and Elimination Ordinance

Gentlemen,

The purpose of this ordinance is to regulate non-stormwater discharges to the City's Stormwater System. It establishes methods for controlling the introduction of pollutants into the City's Stormwater System in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The ordinance objectives are to:

- (1) Regulate the contribution of pollutants to the Stormwater System;
- (2) Prohibit illicit discharges and illegal connections to the City's Stormwater System;
- (3) Prevent non-stormwater discharges, generated as a result of spills, inappropriate dumping or disposal, to the City's Stormwater System; and,
- (4) Establish legal authority to carry out all inspection, surveillance, monitoring and enforcement procedures necessary to ensure compliance with this ordinance.

The first reading of the ordinance was on Dec. 3rd, 2018. No new information is being presented at this time.

The Planning and Zoning staff would recommend approval.

Please let me know if you have any questions regarding this matter.

Sincerely,

R.J. Irvin

Planning Director, City of Dawsonville

First Reading: 12/03/2018

Second Reading: 12/17/2018

Passed: _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAWSONVILLE TO AMEND THE STORMWATER MANAGEMENT ORDINANCE; TO PROHIBITING ILLICIT DISCHARGE AND ILLEGAL CONNECTION TO THE CITY OF DAWSONVILLE STORM SEWER SYSTEM; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, discharges to the City of Dawsonville Separate Storm Sewer System that are not composed entirely of stormwater runoff contribute to increased nonpoint source pollution and degradation of receiving water; and

WHEREAS, non-stormwater discharges occur because of spills, dumping and improper connections to the City of Dawsonville Separate Storm Sewer System from residential, industrial, commercial and institutional establishments; and

WHEREAS, non-stormwater discharges not only impact waterways individually, but geographically dispersed small volume non-stormwater discharges have cumulative impacts on receiving waters; and

WHEREAS, the impact of non-stormwater discharges adversely affects public health, safety and welfare, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters; and

WHEREAS, the impacts of non-stormwater discharges can be minimized through the regulation of spills, dumping and discharges into the City of Dawsonville Separate Storm Sewer System; and

WHEREAS, local governments in the State of Georgia are required to comply with state and federal law, regulations and permits that require a local government to address the impacts of stormwater runoff quality and nonpoint source pollution because of improper non-stormwater discharges into separate storm sewer systems; and

WHEREAS, the public is benefited by having an integrated and up-to-date municipal code.

NOW THEREFORE, the Mayor and City Council of the City of Dawsonville hereby ordains and enacts a revision to the Stormwater Management Ordinance of the City of Dawsonville to prohibit non-stormwater discharges to the City of Dawsonville Separate Storm Sewer System and to regulate spills, improper dumping and discharges to the City of Dawsonville Separate Storm Sewer System in the public interest and to prevent threats to public health, safety and welfare and the environment, as follows:

SECTION 1.

The reservation of sections 107-196 through 107-230 of Article VII of Subchapter B is hereby repealed.

SECTION 2.

Sections 107-197 through 107-200 of Article VII of Chapter 107 of Subchapter B are hereby reserved.

SECTION 3.

Subchapter B, Chapter 107, Section 107-41 of the Code of Ordinances for the City of Dawsonville is hereby amended by deleting the existing section 107-41 in its entirety and replacing it with a new section 107-41 as follows:

Sec. 107-41. - Definitions.

(1) *Applicant* means a person submitting a post-development stormwater management application and plan for approval.

(2) *Accidental discharge* means a discharge prohibited by this article which occurs by chance and without planning or thought prior to occurrence.

(3) *Better site design* means site design approaches and techniques that can reduce a site's impact on the watershed and can provide for nonstructural stormwater management. Better site design includes conserving and protecting natural areas and greenspace, reducing impervious cover, and using natural features for stormwater management.

(4) *Channel* means a natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

(5) *City of Dawsonville Separate Storm Sewer System* means any facility designed or used for collecting and/or conveying stormwater, including but not limited to any roads with drainage systems, highways, city streets, curbs, gutters, inlets, catch basins, piped storm drains, pumping facilities, structural stormwater controls, ditches, swales, natural and man-made or altered drainage channels, reservoirs, and other drainage structures, and which is:

- (a) Owned or maintained by the City of Dawsonville;
- (b) Not a combined sewer; and
- (c) Not part of a publicly-owned treatment works.

(6) *Clean water act* means the Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

(7) *Conservation easement* means an agreement between a land owner and the city or other government agency or land trust that permanently protects open space or greenspace on the owner's land by limiting the amount and type of development that can take place, but continues to leave the remainder of the fee interest in private ownership.

(8) *Construction activity* means activities subject to the Georgia Erosion and Sedimentation Control Act, O.C.G.A. § 12-7-1 et seq. or NPDES General Construction Permits. These include construction projects resulting in land disturbance. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

(9) *Detention* means the temporary storage of stormwater runoff in a stormwater management facility for the purpose of controlling the peak discharge.

(10) *Detention facility* means a detention basin or structure designed for the detention of stormwater runoff and gradual release of stored water at controlled rates.

(11) *Developer* means a person who undertakes land development activities.

(12) *Development* means a land development or land development project.

(13) *Drainage easement* means an easement appurtenant or attached to a tract or parcel of land allowing the owner of adjacent tracts or other persons to discharge stormwater runoff onto the tract or parcel of land subject to the drainage easement.

(14) *Erosion and sedimentation control plan* means a plan that is designed to minimize the accelerated erosion and sediment runoff at a site during land disturbance activities.

(15) *Evapotranspiration* means the loss of water to the atmosphere by both evaporation and transpiration, which is the evaporation of water by plants.

(16) *Extended detention* means the detention of stormwater runoff for an extended period, typically 24 hours or greater.

(17) *Extreme flood protection* means measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

(18) *Flooding* means a volume of surface water that is too great to be confined within the banks or walls of a conveyance or stream channel and that overflows onto adjacent lands.

(19) *Greenspace or open space* means permanently protected areas of the site that are preserved in a natural state.

(20) *Hotspot* means an area where the use of the land has the potential to generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater. Hotspots may be permanent or temporary. Hotspots include, but are not limited to, fueling stations (including temporary fueling stations during construction) and golf courses.

(21) *Hydrologic soil group (HSG)* means a natural resource conservation service classification system in which soils are categorized into four runoff potential groups. The groups range from group A soils, with high permeability and little runoff produced, to group D soils, which have low permeability rates and produce much more runoff.

(22) *Illicit discharge* means any direct or indirect non-stormwater discharge to the City of Dawsonville Separate Storm Sewer System, except as exempted in section 103 of this article.

(23) *Illegal Connection* means either of the following:

(a) Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized enforcement agency; or

(b) Any pipe, open channel, drain or conveyance connected to the City of Dawsonville Separate Storm Sewer System which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

(24) *Impervious cover* means a surface composed of any material that greatly impedes or prevents the natural infiltration of water into soil. Impervious surfaces include, but are not limited to, rooftops, buildings, streets and roads, except those designed specifically to allow infiltration.

(25) *Industrial activity* means activities subject to NPDES Industrial Permits as defined in 40 C.F.R. § 122.26(b)(14).

(26) *Industrial stormwater permit* means a National Pollutant Discharge Elimination System (NPDES) permit issued to an industry or group of industries which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.

(27) *Infiltration* means the process of percolating stormwater runoff into the subsoil.

(28) *Inspection and maintenance agreement and covenant* means a written agreement and covenant providing for the long-term inspection and maintenance of stormwater management facilities and practices on a site or with respect to a land development project, which when properly recorded in the deed records constitutes a restriction on the title to a site or other land involved in a land development project.

(29) *Jurisdictional wetland* means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

(30) *Land development* means any land change, including, but not limited to, clearing, digging, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving, and any other installation of impervious cover.

(31) *Land development activities* means those actions or activities which comprise, facilitate or result in land development.

(32) *Land development project* means a discrete land development undertaking.

(33) *National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit* means a permit issued by the Georgia EPD under authority delegated pursuant to 33 U.S.C. § 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

(34) *New development* means a land development activity on a previously undeveloped site.

(35) *Non-Stormwater Discharge* means any discharge to the storm drain system that is not composed entirely of stormwater.

(36) *Nonpoint source pollution* means a form of water pollution that does not originate from a discrete point such as a sewage treatment plant or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials and other contaminants from land to surface water and groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

(37) *Nonstructural stormwater management practice or nonstructural practice* means any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits, and includes, but is not limited to, riparian buffers, open and greenspace areas, overland flow filtration areas, natural depressions, and vegetated channels.

(38) *Off-site facility* means a stormwater management facility located outside the boundaries of the site.

(39) *On-site facility* means a stormwater management facility located within the boundaries of the site.

(40) *Overbank flood protection* means measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e. flow events that exceed the capacity of the channel and enter the floodplain), and that are intended to protect downstream properties from flooding for the two-year through 25-year frequency storm events.

(41) *Owner* means the legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

(42) *Permit* means the permit issued by the city to the applicant which is required for undertaking any land development activity.

(43) *Person* means, except to the extent exempted from this chapter, any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any interstate body or any other legal entity.

(44) *Pollutant* means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking grease; detergents (biodegradable or otherwise); degreasers; cleaning chemicals; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; concrete and cement; and noxious or offensive matter of any kind.

(45) *Pollution* means the contamination or other alteration of any water's physical, chemical or biological properties by the addition of any constituent and includes but is not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or the discharge of any liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

(46) *Post-development* refers to the time period, or the conditions that may reasonably be expected or anticipated to exist, after completion of the land development activity on a site as the context may require.

(47) *Pre-development* refers to the time period, or the conditions that exist, on a site prior to the commencement of a land development project and at the time that plans for the land development of a site are approved by the plan approving authority. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first item being approved or permitted shall establish pre-development conditions.

(48) *Premises* means any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

(49) *Project* means a land development project.

(50) *Redevelopment* means a land development project on a previously developed site, but excludes ordinary maintenance activities, remodeling of existing buildings, resurfacing of paved areas, and exterior changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional nonpoint source pollution.

(51) *Regional stormwater management facility* or *regional facility* means stormwater management facilities designed to control stormwater runoff from multiple properties, where the owners or developers of the individual properties may assist in the financing of the facility, and the requirement for on-site controls is either eliminated or reduced.

(52) *Runoff* means stormwater runoff.

(53) *Site* means the parcel of land being developed, or the portion thereof on which the land development project is located.

(54) *State waters* means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface and subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State of Georgia which are not entirely confined and retained completely upon the property of a single person.

(55) *Stormwater best management practice (BMP)* means structural and nonstructural practices that control stormwater runoff and provide for or enhance stormwater quantity and/or quality control or other stormwater management benefits.

(56) *Stormwater management* means the collection, conveyance, storage, treatment and disposal of stormwater runoff in a manner intended to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety and general welfare.

(57) *Stormwater management facility* means any infrastructure that controls or conveys stormwater runoff.

(58) *Stormwater management measure* means any stormwater management facility or nonstructural stormwater practice.

(59) *Stormwater management plan* means a document describing how existing runoff characteristics will be affected by a land development project and containing measures for complying with the provisions of this chapter.

(60) *Stormwater management system* means the entire set of structural and nonstructural stormwater management facilities and practices that are used to capture, convey and control the quantity and quality of the stormwater runoff from a site.

(61) *Stormwater retrofit* means a stormwater management practice designed for a currently developed site that previously had either no stormwater management practice in place or a practice inadequate to meet the stormwater management requirements of the site.

(62) *Stormwater runoff or stormwater* means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

(63) *Structural stormwater control* means a structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow of such runoff.

(64) *Subdivision* means the division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

SECTION 4.

Article VIII of Chapter 107 of Subchapter B shall be renamed “ARTICLE VIX - VIOLATIONS, ENFORCEMENT AND PENALTIES”.

SECTION 5.

Chapter 107 of Subchapter B shall be further amended by inserting the following “ARTICLE VIII – ILLICIT DISCHARGE AND ILLEGAL CONNECTION TO THE STORM SEWER SYSTEM” beginning at section 107-201 as follows:

ARTICLE VIII – ILLICIT DISCHARGE AND ILLEGAL CONNECTION TO THE STORM SEWER SYSTEM

Sec. 107-201. - General provisions.

(a) Purpose and intent. The purpose of this article is to protect the public health, safety, environment and general welfare through the regulation of non-stormwater discharges to the City of Dawsonville Separate Storm Sewer System to the maximum extent practicable as required by law. This article establishes methods for controlling the introduction of pollutants into the City of Dawsonville Separate Storm Sewer System in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this article are to:

- (1) Regulate the contribution of pollutants to the City of Dawsonville Separate Storm Sewer System by any person;
- (2) Prohibit illicit discharges and illegal connections to the City of Dawsonville Separate Storm Sewer System;
- (3) Prevent non-stormwater discharges, generated as a result of spills, inappropriate dumping or disposal, to the City of Dawsonville Separate Storm Sewer System; and,
- (4) Establish legal authority to carry out all inspection, surveillance, monitoring and enforcement procedures necessary to ensure compliance with this article.

(b) Applicability. The provisions of this article shall apply throughout the incorporated area of the City of Dawsonville.

(c) Compatibility with other regulations. This article is not intended to modify or repeal any other ordinance, rule, regulation, other provision of law. The requirements of this article are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this article imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

(d) Responsibility for administration. The City of Dawsonville Public Works Department shall administer, implement, and enforce the provisions of this ordinance unless otherwise noted herein.

Sec. 107-202. - Prohibition of illicit discharges.

(a) No person shall throw, drain, or otherwise discharge, cause, or allow others under its control to throw, drain, or otherwise discharge into the City of Dawsonville Separate Storm Sewer System any pollutants or waters containing any pollutant, other than stormwater.

(b) The following discharges are exempt from the prohibition provision above:

(1) Water line flushing performed by a government agency, other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, non-commercial washing of vehicles, swimming pools (if dechlorinated - typically less than one PPM chlorine), springs, natural riparian habitat or wetland flows, and any other water source not containing pollutants;

(2) Dye testing is an allowable discharge, but requires an email or other written notification to the authorized enforcement agency prior to the time of the test;

(3) Discharges or flows from firefighting, and other discharges specified in writing by the City of Dawsonville as being necessary to protect public health and safety;

(4) The prohibition provision above shall not apply to any non-stormwater discharge permitted under an NPDES permit or order issued to the discharger and administered under the authority of the State and the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the City of Dawsonville Separate Storm Sewer System.

Sec. 107-203. - Prohibition of illegal connections.

The construction, connection, use, maintenance or continued existence of any illegal connection to the City of Dawsonville Separate Storm Sewer System is prohibited.

(1) This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(2) A person violates this ordinance if the person connects a line conveying sewage to the City of Dawsonville Separate Storm Sewer System or allows such a connection to continue.

(3) Improper connections in violation of this ordinance must be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the sanitary sewer system upon approval of the City Utilities Department or if applicable, Etowah Water and Sewer Authority.

(4) Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm sewer system, shall be located by the owner or occupant of that property upon receipt of written notice of violation from the City of Dawsonville requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be completed, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system,

sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and provided to the City of Dawsonville.

Sec. 107-204. - Industrial or construction activity discharges.

Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the City of Dawsonville prior to allowing discharges to the City of Dawsonville Separate Storm Sewer System.

Sec. 107-205. - Access and inspection of properties and facilities.

The City of Dawsonville shall be permitted to enter and inspect properties and facilities at reasonable times as often as may be necessary to determine compliance with this article.

(1) If a property or facility has security measures in force which require proper identification and clearance before entry into its premises, the owner or operator shall make the necessary arrangements to allow access to representatives of the City of Dawsonville.

(2) The owner or operator shall allow the City of Dawsonville ready access to all parts of the premises for the purposes of inspection, sampling, photography, videotaping, examination and copying of any records that are required under the conditions of an NPDES permit to discharge stormwater.

(3) The City of Dawsonville may set up on any property or facility devices necessary to conduct monitoring and/or sampling of flow discharges.

(4) The City of Dawsonville may require the owner or operator to install monitoring equipment and perform monitoring as necessary and make the monitoring data available to the City of Dawsonville. This sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the owner or operator at his/her own expense. All devices used to measure flow and quality shall be calibrated to ensure accuracy.

(5) Any temporary or permanent obstruction to safe and easy access to the property or facility to be inspected and/or sampled shall be promptly removed by the owner or operator at the request of the City of Dawsonville and shall not be replaced. The costs of clearing such access shall be borne by the owner or operator.

(6) Unreasonable delays in allowing the City of Dawsonville access to a facility is a violation of this article.

(7) If the City of Dawsonville has been refused access to any part of the premises from which stormwater is discharged and the City of Dawsonville is able to demonstrate probable cause to believe that a violation of this ordinance exists or occurred or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder or to protect the overall public health, safety, environment and welfare of the community, then the City of Dawsonville may seek issuance of a search warrant from any court of competent jurisdiction.

Sec. 107-206. - Notification of accidental discharges and spills.

(a) Notwithstanding other requirements of law, as soon as any person responsible for a facility, activity or operation, or responsible for emergency response for a facility, activity or operation has information of any known or suspected release of pollutants or non-stormwater discharges

from that facility or operation which are resulting or may result in illicit discharges or pollutants discharging into stormwater, the City of Dawsonville Separate Storm Sewer System, state waters, or waters of the U.S., the person so responsible shall take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of the discharge.

(b) Such person shall notify the City of Dawsonville Public Works Department in person, by phone, or email of the discharge or spill no later than 24 hours of the nature, quantity and time of occurrence of the discharge or spill. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the City of Dawsonville within three business days of the phone or in person notice. If the discharge or spill of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge or spill and the actions taken to prevent its recurrence. Such records shall be retained for at least three years. The owner or operator shall also take immediate steps to ensure no recurrence of the discharge or spill.

(c) In the event of a release of hazardous materials, emergency response agencies and/or other appropriate agencies shall be immediately notified.

(d) Failure to provide notification of a release as provided herein is a violation of this ordinance.

Sec. 107-207. - Suspension of access.

(a) Suspension due to illicit discharges in emergency situations. The City of Dawsonville may, without prior notice, suspend discharge access into the City of Dawsonville Separate Storm Sewer System to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the City of Dawsonville Separate Storm Sewer System, Waters of the State, or Waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the City of Dawsonville may take such steps as deemed necessary to prevent or minimize damage to the City of Dawsonville Separate Storm Sewer System, Waters of the State, Waters of the United States, or to minimize danger to persons.

(b) Suspension due to the detection of illicit discharge. Any person discharging to the City of Dawsonville Separate Storm Sewer System in violation of this ordinance may have access terminated if such termination abates or reduces an illicit discharge. The City of Dawsonville Public Works Director will notify a violator of the proposed termination of access. The violator may petition the City of Dawsonville for reconsideration and a hearing in accord with section 107-232 of this article.

(c) Illegal reinstatement of access. A person commits an offense by reinstating the City of Dawsonville Separate Storm Sewer System access to premises terminated pursuant to this section without the prior approval of the City of Dawsonville.

Sec. 107-208. - Requirement to prevent, control, and reduce stormwater pollutants by the use of BMPs.

Best Management Practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of storm water, the City of Dawsonville Separate Storm Sewer System, or Waters of the State of Georgia and or Waters of the U.S. shall be observed by the owner of any property discharging into the City of Dawsonville Separate Storm Sewer System. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the City of Dawsonville Separate Storm

Sewer System or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the City of Dawsonville Separate Storm Sewer System. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section. These BMPs shall be part of a stormwater pollution prevention plan (SWPP) as necessary for compliance with requirements of the NPDES permit.

Sec. 107-209. - Watercourse protection.

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately-owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

Secs. 107-210 through 107-230. – Reserved.

SECTION 6.

Subchapter B, Chapter 107, Article VIX, Sections 107-231 through Sections 107-233 of the Code of Ordinances for the City of Dawsonville is hereby amended by repealing existing sections 107-231 through 107-233 in their entirety and replacing them with new sections 107-231 through 107-233 as follows:

ARTICLE VIX - VIOLATIONS, ENFORCEMENT AND PENALTIES

Sec. 107-231. - Generally.

(a) It shall be unlawful for any person to violate any provision of this chapter or fail to comply with any of the requirements of this chapter, either through action or inaction. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. Any person who has violated or continues to violate the provisions of this chapter, may be subject to the enforcement actions outlined in this article or may be restrained by injunction or otherwise abated in a manner provided by law.

(b) In the event the violation constitutes an immediate danger to public health or public safety, the City of Dawsonville is authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or restore the property. The City of Dawsonville is authorized to seek costs of the abatement as outlined in section 107-232.

Sec. 107-232. - (b) Notice of violation; Appeal; Abatement.

(a) *Notice of violation.* Whenever the City of Dawsonville finds that a violation of this chapter, a permit, or approved stormwater management plan has occurred, the City of Dawsonville may order compliance by written notice of violation. Where a person is engaged in activity covered by this chapter without having first secured a permit therefore, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.

(1) The notice of violation shall contain:

- (a) The name and address of the alleged violator;
- (b) The address when available or a description of the building, structure or land upon which the violation is occurring, or has occurred;
- (c) A statement specifying the nature of the violation;
- (d) A description of the remedial measures necessary to restore compliance with this ordinance and a time schedule for the completion of such remedial action;
- (e) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed.

(2) Such notice may require without limitation:

- (a) The performance of monitoring, analyses, and reporting;
- (b) The elimination of illicit discharges and illegal connections;
- (c) That violating discharges, practices, or operations shall cease and desist;
- (d) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
- (e) Payment of costs to cover administrative and abatement costs; and,
- (f) The implementation of pollution prevention practices.

(b) *Appeal of notice of violation.* Any person receiving a notice of violation may appeal such determination. The notice of appeal must be received by the Public Works Director within ten days from the date of the notice of violation. Hearing on the appeal before the City of Dawsonville Mayor and Council shall take place within thirty (30) days following submission of the notice of appeal. The decision of the Mayor and Council shall be final and subject to appeal only by writ of certiorari to the Superior Court of Dawson County.

(c) *Enforcement measures after appeal.* If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or in the event of an appeal to the Mayor and Council or Superior Court, within ten days of the final decision of the appropriate authority upholding the decision of the City of Dawsonville, then representatives of the City of Dawsonville may enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the City of Dawsonville or its designated contractor to enter upon the premises for the purposes set forth above.

(d) *Costs of abatement of the violation.* Within 30 days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs incurred by the City. The property owner may file a written protest objecting to the assessment or to the amount of the assessment within 30 days of such notice. If the amount due is not paid within 30 days after receipt of the notice, or if an appeal is taken, within 30 days after a decision on said appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. Any appeal of the cost of abatement shall follow the same procedure as outlined in section 107-232 (c) as set forth hereinabove.

Sec. 107-233. – Penalties.

Any person violating any of the provisions of this Chapter, or failing to comply with remedial measures described in a notice of violation by the date set forth for such completion, shall become liable to the City of Dawsonville by reason of such violation for any one or more of the following penalties:

(a) *Civil penalties.* In the event a violation of any provision of this Chapter or the alleged violator fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days (or such greater period as the City of Dawsonville shall deem appropriate), the city may impose a civil penalty not to exceed \$1,000.00 for each day the violation remains unremedied after receipt of the notice of violation.

(b) *Criminal penalties.* The City of Dawsonville Public Works Director or Planning Director may request, at his discretion, the City of Dawsonville code enforcement personnel to issue a citation to the alleged violator requiring such person to appear in Municipal court or other court of appropriate jurisdiction to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000.00. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

(c) *Stop work order.* The city may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.

(d) *Withhold certificate of occupancy/certificate of completion.* The city may refuse to issue a certificate of occupancy or certificate of completion for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.

(e) *Suspension, revocation or modification of permit.* The city may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the city may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.

(f) *Violations deemed a public nuisance.* In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this ordinance is a threat to public health, safety, welfare, and environment and is declared and deemed a nuisance, and may be abated by injunctive or other equitable relief as provided by law.

(g) *Remedies not exclusive.* The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable Federal, State or local law and the City of Dawsonville may seek cumulative remedies.

(h) *Recovery of fees.* The City of Dawsonville may recover attorney's fees, court costs, and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses from any violator of this ordinance.

SECTION 9.

All Ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 10.

This ordinance shall become effective upon adoption, the public good demanding the same.

SO ORDAINED THIS ____ DAY OF _____, 2018.

Mike Eason, Mayor

Caleb Phillips, Council Member Post 1

Stephen Tolson, Council Member Post 2

Jason Power, Council Member Post 3

Mark French, Council Member Post 4

ATTEST:

Beverly Banister, Clerk



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 11

SUBJECT: ORDINANCE – PROCEDURE FOR APPOINTMENTS

CITY COUNCIL MEETING DATE: 12/17/2018

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

FIRST READING OF THE ORDINANCE

AN ORDINANCE ESTABLISHING A UNIFORM PROCEDURE FOR APPOINTMENTS BY THE CITY COUNCIL TO BOARDS, COMMISSIONS, AND AUTHORITIES OF THE CITY OF DAWSONVILLE; AND FOR OTHER PURPOSES (First Reading: December 17, 2018; Second Reading: January 7, 2019)

HISTORY/ FACTS / ISSUES:

ORDINANCE BASED ON PROCEDURE PREVIOUSLY ESTABLISHED AND APPROVED BY CITY COUNCIL ON 02/05/2018

SECOND READING: JANUARY 07, 2019

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Mike Eason, Mayor

First Reading: 12/17/2018
Second Reading: 01/07/2019
Passed: _____

AN ORDINANCE ESTABLISHING A UNIFORM PROCEDURE FOR APPOINTMENTS BY THE CITY COUNCIL TO BOARDS, COMMISSIONS, AND AUTHORITIES OF THE CITY OF DAWSONVILLE; AND FOR OTHER PURPOSES.

WHEREAS, appointees to City of Dawsonville Boards, Commissions, and Authorities provide the City Council with valuable recommendations for city action; and

WHEREAS, the general public would be better served by a uniform method of insuring proper qualification and evaluation of all appointees to City of Dawsonville Boards, Commissions, and Authorities.

NOW THEREFORE, THE COUNCIL OF THE CITY OF DAWSONVILLE HEREBY ORDAINS AS FOLLOWS:

SECTION 1.

Article VI, Division 1 of the Code of the City of Dawsonville, Georgia, is hereby amended by repealing the existing Section 2-160 in its entirety and adopting a new Section 2-160 and a new Section 2-161 as follows:

Sec. 2-160. - Attendance policy.

All commissions and authorities of the City of Dawsonville, including but not limited to the Planning Commission, Historic Preservation Commission and the Downtown Development Authority shall be required to attend at least 75 percent of the meetings during any calendar year in which the member is serving. If a commission or authority member serves for less than a calendar year due to the time of their appointment, said newly appointed member shall attend at least 75 percent of the meetings from the date of their appointment until the end of the calendar year. Failure to attend the minimum number of meetings during a calendar year or a partial calendar year in the case of a newly appointed member may constitute due cause for removal from the appointed position on the commission or authority.

Section 2-161. – Procedure for appointments to commissions and authorities.

Upon submission of a name for appointment to a commission or authority of the City of Dawsonville, the following process shall be followed to qualify the proposed candidate for appointment to the commission or authority:

(a) The city manager or designee shall meet with and perform an investigation as set forth herein on the candidate submitted for appointment.

(b) The city staff manager or designee shall ensure that the candidate meets all minimum requirements necessary to hold such position. Said requirement include qualifications for the position under state and local law, residency requirements, professional requirements, educational requirements, an interest in the community, and other requirements as may be deemed appropriate by the city council or state law. The city manager or designee shall gather information from the candidate to determine said candidate's background that is favorable or adverse to their service as a member of the commission or authority of the City of Dawsonville for which they are being considered. The city manager or designee shall meet with the candidate to discuss and explain all requirements and responsibilities of service on the commission or authority of the City of Dawsonville for which they are being considered, including any training or attendance requirements to maintain their position on said commission or authority. The city manager or designee shall provide all information described above to the city councilmembers by a written report or a form developed by the city for such purpose.

(c) A minimum of two city councilmembers shall meet with the candidate to discuss what said individual would bring to the commission or authority for which they are being considered if they were appointed. The councilmembers should also discuss any other information gleaned from the city staff report on the candidate that may be favorable or adverse to the candidate's service on the commission or authority of the City of Dawsonville for which they are being considered.

(d) The city manager or designee shall discuss the candidate and his or her qualifications with the current chairperson of the applicable commission or authority of the City of Dawsonville.

(e) When the appointment of the candidate comes up for a vote with the city council, the city manager or designee who wrote the report on the candidate shall make a recommendation on the appointment of the candidate to the commission or authority for which they are being considered. The candidate should be present at the meeting during which they are to be appointed.

SECTION 2.

All Ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3.

This ordinance shall become effective upon adoption, the public good demanding the same.

SO ORDAINED THIS _____ DAY OF JANUARY, 2019.

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. Banister, City Clerk



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 12

SUBJECT: PRESENTATIONS

CITY COUNCIL MEETING DATE: 12/17/2018

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

REPRESENTATIVE OF EACH ENTITY TO PRESENT GROWTH AND EVENTS OF 2018

- A. DAWSONVILLE HISTORY MUSEUM (GRHOF)
- B. MOONSHINE DISTILLERY

LEASES FOR BOTH PROPERTIES ARE UP FOR RENEWAL AND WILL BE PLACED ON A FUTURE AGENDA FOR CONSIDERATION

HISTORY/ FACTS / ISSUES:

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: ADMINISTRATION



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 13

SUBJECT: IMPACT FEE STUDY PRESENTATION – ROSS AND ASSOCIATES

CITY COUNCIL MEETING DATE: 12/17/2018

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

BILL ROSS WILL BE SPEAKING ON THE IMPACT FEE STUDY AND AVAILABLE TO ANSWER QUESTIONS.

PLEASE HAVE QUESTIONS PREPARED TO ASK BILL ROSS REGARDING IMPACT FEES

HISTORY/ FACTS / ISSUES:

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Mike Eason, Mayor

Dawsonville Impact Fee Program

Scope of Services

Ross Associates services will include advice and assistance to Dawsonville in general on impact fee matters, and the preparation of an Impact Fee Methodology Report (including all impact fee calculations), a Capital Improvements Element (CIE), an impact fee schedule of fees by land use categories, an Impact Fee Ordinance that conforms to current state law requirements, an Administrative Procedures Manual dealing with all operational aspects of the impact fee program, and an Excel Spreadsheet with appropriate forms for collecting the fees and maintaining financial data.

The results of our proposed services will be the completion of an impact fee program and fee schedule for Dawsonville meeting all legal and administrative requirements. In addition, the CIE will conform to DCA requirements as an amendment to the Comprehensive Plan.

Our services will include the following items:

Task 1: Project Initiation

A schedule of key steps and estimated dates will be prepared to guide preparation of the study, from initiation to adoption to completion of all services, leading to implementation of the City's impact fee program.

We will review impact fee eligible capital improvement projects in place, underway and proposed, in the City's following two public facility categories:

- Parks and Recreation, and
- Road Improvements.

Project cost estimates and start dates for impact fee eligible projects will be determined in conjunction with City estimates.

Budgeted capital projects, adopted Capital Improvement Plan project listings and departmental service plans/projections will be key inputs for the impact fee eligible project listing will be obtained from the City. All current cost estimates will be converted to Net Present Value (NPV) using average annual inflation rates (the CPI and Engineering News Record's BCI and CCI for building and other construction projects), discounted by the City's current investment interest rate.

Deliverables:

- Policy directions meeting with all affected departments and City officials regarding needed data on existing capital improvements and planned projects.

Task 2: Impact Fee Methodology Report

We will prepare an Impact Fee Methodology Report addressing the City's two impact fee eligible public facility categories listed above, including impact fee calculations which will reflect the following:

Forecasts

Population, dwelling unit and employment forecasts to 2040:

Socioeconomic forecasts will be prepared for the City beginning with Countywide forecasts prepared by Woods & Poole Economics and, most recently, for the Dawson County impact fee program. This step will include preparation of trend analyses against historic annual population data for various time frames, prepared as 1st, 2nd and 3rd order regressions or as straight-line and growth projections. The results will be presented in a Technical Appendix containing all pertinent calculations and the recommended forecast to 2040.

Tax digest forecasts:

These will be needed to calculate credits for new development property taxes attributable to impact fee projects, and will reflect average new house sales prices and per-employee nonresidential property values. The calculation of a credit against impact fees may be needed to avoid potential situations of double taxation.

Level of Service (LOS) Standards.

The LOS for parks and recreation will be based on the City's current recreation capital improvements serving the total number of housing units in the city today, and for all of the recreational facilities projected to 2040. The Level of Service for road improvements will be set at LOS "D", but the share of future road improvement costs attributed to new growth will be based on traffic generation today and projected to 2040.

Determination of the LOS standards to use—current, future or other—will be a function of City policies and the most advantageous impact fee calculations themselves.

Funding Mechanisms

Funding vehicles in place, including funding from the General Fund and from other sources (such as SPLOST, bonds or short-term financing vehicles) will be obtained from the City.

Maximum Impact Fees

The maximum potential impact fee for each land use category is calculated to set the ceiling on fees that can be charged under the state law. The actual fees to be charged will be decided by the City Council as part of the Impact Fee Ordinance review process.

Deliverables:

- Methodology Report containing all forecasts, credit data and NPV components, impact fee calculations for each public facility category, and a maximum fee schedule by land use category. Pertinent Technical Appendices will be attached.
- Briefing Paper summarizing the Methodology Report for public and City Council presentation.
- Attendance at one City Council work session to review the proposed Methodology Report, which then will be finalized reflecting City Council comments.

Task 3: Capital Improvements Element

We will prepare a Capital Improvements Element (CIE) based on the finalized Methodology Report. The CIE document will be drawn from those portions of the Methodology Report (with supplemental text added) that are required to be included by the Georgia Department of Community Affairs.

Impact fee projects will be included in a 5-Year Community Work Program in the same format used in the Comprehensive Plan.

Deliverables:

- A Capital Improvements Element containing all data required by the Georgia Department of Community Affairs. Pertinent Technical Appendices will be included.
- A Briefing Paper summarizing the Capital Improvements Element for public and City Council presentation.
- Attendance at the transmittal public hearing before the City Council regarding transmittal of the CIE to the Georgia Mountains Regional Commission and DCA.
- Review of comments from DCA on the CIE (if any) and appropriate responses.

Task 4: Adoption of the Impact Fee Program

Adoption will involve the following:

Ordinance Review

Preparation of an Impact Fee Ordinance conforming to the Georgia Development Impact Fee Law.

Council Briefing

Preparation of briefing materials as needed for discussions with the City Council members regarding appropriate levels of impact fees to be charged.

Fee Schedule for Adoption

Preparation of an impact fee schedule as an attachment to the City's Impact Fee Ordinance.

Deliverables:

- Attendance at one City Council workshop to discuss the draft Impact Fee Ordinance and fee schedule.
- Attendance at one meeting of the City Council to adopt the DCA-approved CIE, the Impact Fee Ordinance and the impact fee schedule.

Task 5: Implementation of the Impact Fee Program

We will prepare an Administrative Procedures Manual consisting of two parts—collecting and accounting for impact fees, and procedures for such processes as handling appeals, preparing individual assessments, making refunds, applying credits, and preparing the required Annual CIE Report.

We will also prepare a spreadsheet-based fee assessment and collection program specifically tailored to the City.

Our services will include meeting with City staff for training and for implementing the system for administering the impact fees that complies with the Georgia Development Impact Fee Act.

Deliverables:

- Administrative Procedures Manual for administrative processes (appeals, annual reporting, etc.)
- Installation of a computerized fee assessment and collection program in the form of an Excel Spreadsheet.
- Training sessions with City staff.

Task 6: Continuing Services

Following adoption and implementation of the updated Impact Fee Program, ROSS+associates will stand ready to answer questions, provide explanations and otherwise provide continuing advice to the City as questions or issues arise for a period of one year at no cost to the City. This assistance will be advisory in nature and delivered by telephone or email as appropriate to the inquiry.

Data needed from City:

As we proceed, we will work with the City to obtain a great deal of data, such as the following. I hasten to add that there are a number of different methodologies that can be used, based on the data that is actually available. We therefore anticipate that some of the following items may not be available.

Cost of creating the current system.

The water system improvements will focus on the City's water supply and treatment facilities, storage capacity, and distribution system (water mains, valves, etc.). For sanitary sewer, the cost of building the wastewater treatment facility, including debt service and engineering, will be needed, as well as collection system costs by year of installation (outfalls, pumping stations, etc.) and any other improvements identified by the City as having current excess capacity. Depending on the facilities and past funding, we may need:

- Past retired and continuing bond issues (both principal and interest are eligible).
- Direct cash paid for system capital improvements (including Renewal & Extension expenditures).
- Grants received and W&S loans obtained.
- Breakdown of water system versus sewerage system improvements.

System data.

- Sewage treatment capacity; average daily flow data at the plant for the most recent full 12 months available.
- Number of existing customer water meters by size, by water-only and water/sewer customers.
- Average daily flow to the City's water customers for the most recent full 12 months available (by meter size, if available).
- Current direct and indirect costs of installation of meters, by meter size. Cost to the City of sewer taps. (This will not be needed if current practice is charging on a case-by-case actual cost basis.)
- City policies regarding meter installation by customers, fire flows (bypass, compound or separate meters), and metering for irrigation or swimming pools.
- Current water rates.
- Historic and projected O&M costs.

Planned or programmed system improvements.

- For the water system, a breakdown of costs to address any existing system deficiencies versus new capacity planned for future demand.

- A project listing for new sewerage improvements, and breakdowns between the cost to address existing deficiencies, and the cost of new capacity created that will support future development.
- Anticipated funding mechanisms (revenue bonds, PAYG, R&E, W&S loans, etc.)

Products of our study:

1. A methodology report presenting all calculations and data used in determining the maximum capital recovery fees allowed. This report will be consistent with all requirements of the Georgia Development Impact Fee Act.
2. Advice and assistance to City Staff and the City Attorney in preparation of a resource recovery fee ordinance, including the fee schedule approved by the Mayor and Council.
3. Advice and assistance to City Staff regarding implementation and interpretation of the requirements of the Development Impact Fee Act and the City's capital recovery fee program.

Understandings:

We propose that invoices will be submitted no more often than once each month, and will be payable within thirty days of receipt. Each invoice will be based on the amount of the work completed during the preceding month as a percentage of all work to be performed.

The City may terminate this agreement in writing at any time, or we may mutually agree to amend it depending on the requirements of the project. In any event, the terms of our agreement will lapse upon delivery of the final methodology report and draft ordinance provisions, unless extended by our mutual consent.

From the date of authorization, we will assign the resources necessary to complete the study in three months, from start to presentation of the final report, dependant on receipt of engineering data and breakdowns from the City or its engineers within the first month. We are prepared to begin immediately.

We look forward to working with the City on this project. Execution of this Agreement will authorize us to proceed as of the date noted below.

ROSS+associates

City of Dawsonville, Georgia



By: William F. Ross, President

(signature)

By:

Date:



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 14

SUBJECT: CHARTER UPDATE

CITY COUNCIL MEETING DATE: 12/17/2018

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

TO DISCUSS UPDATES TO THE CHARTER; ROUGH DRAFT IS ATTACHED

HISTORY/ FACTS / ISSUES:

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Mike Eason, Mayor

AN ORDINANCE AMENDING THE CHARTER OF THE CITY OF DAWSONVILLE SO AS TO CLARIFY HOW THE MAYOR AND CITY COUNCIL MEMBERS ARE ELECTED; TO PROVIDE FOR QUALIFICATIONS TO RUN FOR CITY COUNCIL; TO MODERNIZE THE COMPENSATION SCHEDULE OF THE MAYOR AND CITY COUNCIL MEMBERS; TO CLARIFY THE PROHIBITION AGAINST HOLDING MULTIPLE OFFICES; TO FURTHER PROVIDE WHAT IS A CONFLICT OF INTEREST AND PROVIDE FOR THE ESTABLISHMENT OF AN ETHICS BOARD; TO CLARIFY THE TIMING OF THE ORGANIZATIONAL MEETING OF THE CITY COUNCIL AND UPDATE THE OATH OF OFFICE; TO CLARIFY THE TIME TO APPOINT A MAYOR PRO TEMPORE; TO CHANGE THE TIME OF REGULAR MEETINGS; TO CLARIFY THE CALLING OF SPECIAL MEETINGS AND TO PROVIDE FOR ALTERNATIVE MEANS OF NOTICE FOR SPECIAL MEETINGS; TO CLARIFY THE NOTICE REQUIREMENT AND CALLING OF EMERGENCY MEETINGS; TO PROVIDE FOR THE ADOPTION OF RULES OF PROCEDURE BY ORDINANCE OR RESOLUTION AND CLARIFY THE REQUIREMENT OF KEEPING MINUTES; TO DESIGNATE A CODIFICATION SYSTEM; TO CLARIFY THE ROLE OF THE CITY CLERK AS CITY TRESURER; TO CLARIFY THE EVALUATION CRITERIA FOR APPOINTING A CITY MANAGER; TO CLARIFY THE ROLE OF THE CITY ATTORNEY AND WHO MAY REQUEST THE SERVICES OF THE CITY ATTORNEY; TO UPDATE THE OATH FOR OFFICER OF THE CITY GOVERNMENT; TO CLARIFY AND EXPAND THE PROHIBITION ON POLITICAL ACTIVITIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE CITY; TO AMEND ARTICLE VI OF THE CITY CHARTER RELATING TO MUNICIPAL COURT SO AS TO CLARIFY THE PROCESS OF APPOINTING A CITY JUDGE, TO CLARIFY THE ROLE OF CITY CLERK AS CLERK OF MUNICIPAL COURT, AND FOR OTHER PURPOSES; TO AMEND ARTICLE V OF THE CITY CHARTER RELATING TO ELECTIONS SO AS TO CLARIFY THE APPLICABILITY OF GENERAL LAW, TO CLARIFY THE REGULAR ELECTION PROCESS FOR ELECTING A MAYOR AND CITY COUNCIL MEMBERS ON STAGGERED TERMS, TO CLARIFY THE PRESCRIPTION OF RULES AND REGULATIONS FOR ELECTIONS, TO EXPAND THE GROUNDS FOR REMOVAL OF AN OFFICER, TO CLARIFY AND PROVIDE FOR DUE PROCESS IN THE REMOVAL OF AN OFFICER PROCEDURE; TO CLARIFY FRANCHISES AND OTHER AGREEMENTS THAT THE CITY COUNCIL MAY GRANT; TO CLARIFY SERVICE CHARGES THE CITY COUNCIL MAY ASSESS AND/OR COLLECT; AND FOR OTHER PURPOSES.

WHEREAS, an Act was passed in the Georgia Legislature in April of 1996 providing a new Charter for the City of Dawsonville and for other purposes; and

WHEREAS, the City of Dawsonville and its general public are best served by an efficient city council and city government; and

WHEREAS, the modernization, clarification, and updating of the City Charter will

provide for the efficient administration of government and operation of the city council in the City of Dawsonville; and

WHEREAS, the City of Dawsonville now desires to amend its City Charter to provide for the modernization, clarification, and updating of its Charter provisions.

NOW THEREFORE, THE COUNCIL OF THE CITY OF DAWSONVILLE, GEORGIA HEREBY ORDAINS AS FOLLOWS:

SECTION 1.

Section 2.10 of Article II of the Charter of the City of Dawsonville is hereby amended by striking the last sentence of the section in its entirety and replacing it with the following new sentence:

The mayor shall be elected at-large and the four councilmembers shall be elected at-large by district post as further provided in article V of this Charter.

SECTION 2.

Section 2.11 of Article II of the Charter of the City of Dawsonville is hereby amended by repealing existing section 2.11 in its entirety and replacing it with a new section 2.11 as follows:

Section 2.11. - Terms and qualifications of office.

The members of the council shall serve for terms of four years and until their respective successors are qualified and elected. The mayor shall serve for a term of four years and until his or her successor is qualified and elected. No person shall be eligible to serve as mayor unless he or she: (1) has been a resident of the city for a period of at least one year immediately prior to the date he or she takes office; (2) continues to reside within the city during his or her period of service; (3) is registered and qualified to vote in municipal elections of the City of Dawsonville; and (4) meets any applicable requirements imposed under Article 14, Chapter 2, of the "Georgia Election Code." No person shall be eligible to serve as a council member unless he or she: (1) has been a resident of the city and the applicable district post for a period of at least one year immediately prior to the date he or she takes office; (2) continues to reside within the city and applicable district post during his or her period of service; (3) is registered and qualified to vote in municipal elections of the City of Dawsonville; and (4) meets any applicable requirements imposed under Article 14, Chapter 2, of the "Georgia Election Code."

SECTION 3.

Subsection (a) of section 2.13 of Article II of the Charter of the City of Dawsonville is hereby amended by repealing existing subsection (a) in its entirety and replacing it with a new section subsection (a) as follows:

(a) The compensation of the mayor shall be \$1000.00 per month and the compensation of each council member shall be \$600.00 per month, until such time as the compensation of the mayor and/or council are amended by ordinance adding to or amending the City's Code of Ordinances in accordance with subsection (c). In addition to this monthly compensation, the mayor and council members shall also be paid \$150.00 per individual for each city council meeting and for any other meeting that has been pre-approved for compensation by the council that they attend other than the first regular city council meeting of the month.

SECTION 4.

Sections 2.14 through 2.15 of Article II of the Charter of the City of Dawsonville are hereby amended by repealing existing sections 2.14 through 2.15 in their entirety and replacing them with new sections 2.14 through 2.15 as follows:

Section 2.14. – Holding other offices.

Except as authorized by law, neither the mayor nor any member of the council shall hold any other elected office or municipal employment in the City of Dawsonville during the term for which he or she is elected.

Section 2.15. - Conflict of interest.

(a) No elected official, appointed officer, or employee of the city or any agency or political entity to which this Charter applies shall knowingly:

(1) Engage in any business or transaction or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his or her official duties of which would tend to impair his or her independence of judgment or action in the performance of his or her official duties;

(2) Engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of his or her official duties or would tend to impair the independence of his or her judgment or action in the performance of his or her official duties;

(3) Disclose confidential information concerning the property, government, or affairs of the governmental body by which he or she is engaged without proper legal authorization or use such information to advance the financial or other private interest of himself or herself or others;

(4) Accept any valuable gift, whether in the form of service, loan, thing, or promise, from any person, firm, or corporation which to his or her knowledge is interested, directly or indirectly, in business dealings with

the governmental body by which he or she is engaged; provided, however, that an elected official who is a candidate for public office may accept campaign contributions and services in connection with any such campaign;

(5) Represent other private interests in any action or proceeding against this city or any portion of its government;

(6) Vote or otherwise participate in the negotiation or the making of any contract with any business or entity in which he or she has a financial interest; or

(7) Engage in any other action or inaction that would violate the City of Dawsonville's Code of Ethics, as codified at Sections 2-75 through 2-109 of Division 2, Article III of the Code of the City of Dawsonville, Georgia.

(b) Any elected official, appointed officer, or employee who shall have any private financial interest, directly or indirectly, in any contract or matter pending before or within any department of the city shall disclose such private interest to the city council. The mayor or any councilmember who has a private interest in any matter pending before the city council shall disclose such private interest and such disclosure shall be entered on the records of the city council, and he or she shall disqualify himself or herself from participating in any decision or vote relating thereto. Any elected official, appointed officer, or employee of any agency or political entity to which this Charter applies who shall have any private financial interest, directly or indirectly, in any contract or matter pending before or within such entity shall disclose such private interest to the governing body of such agency or entity.

(c) No elected official, appointed officer, or employee of the city or any agency or entity to which this Charter applies shall use property owned by such government for personal benefit, convenience, or profit, except in accordance with policies promulgated by the city council or the governing body of such agency or entity.

(d) Any violation of this section which occurs with the knowledge, express or implied, of another party to a contract or sale shall render said contract or sale voidable as to that party, at the option of the city council.

(e) An Ethics Committee shall be established pursuant to Section 2-78 of Division 2, Article III of the Code of the City of Dawsonville.

(f) (1) Any city officer or employee who knowingly conceals such financial interest or knowingly violates any of the requirements of this section shall

be guilty of malfeasance in office or position and shall be deemed to have forfeited his or her office or position.

(2) Any officer or employee of the city who shall forfeit his or her office or position as described in paragraph (1) of this subsection shall be ineligible for appointment or election to or employment in a position in the city government for a period of three years thereafter.

SECTION 5.

Sections 2.19 through 2.22 of Article II of the Charter of the City of Dawsonville are hereby amended by repealing existing sections 2.19 through 2.22 in their entirety and replacing them with new sections 2.19 through 2.22 as follows:

Section 2.19. - Organization meeting.

Following each regular election, the newly elected council shall meet for organization as the last item of business during the last regular meeting in December. The oath of office shall be administered to all newly elected officials of the city as follows:

“I do solemnly swear or affirm that I will faithfully perform the duties of _____ of this city, that I will in all respects observe the provisions of the Charter and ordinances of the City of Dawsonville; and that I will support and defend the charter thereof, as well as the Constitution of the United States and of the State of Georgia. I am not the holder of any unaccounted for public money due this state or any political subdivision or authority thereof. I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state which I by the laws of the State of Georgia am prohibited from holding. I am otherwise qualified to hold said office according to the Constitution and laws of the State of Georgia. I have been a resident of [my district and] the City of Dawsonville for the time required by the Constitution and laws of this state and by the municipal charter. I will perform the duties of my office in the best interest of the City of Dawsonville to the best of my ability without fear, favor, affection, reward, or expectation thereof. So help me God.”

Section 2.20. - Mayor pro tempore.

At the last regular meeting in December, the council shall elect one of its members to serve as mayor pro tempore for the upcoming year who shall discharge the duties and exercise the powers and authority of the mayor in the absence, disability, or disqualification of the mayor and during any vacancy in the office of mayor; provided, that his or her rights and duties as councilmember shall remain unimpaired.

Section 2.21. - Regular and special meetings.

- (a) The regular monthly meetings and work sessions of the City Council of the City of Dawsonville shall be established by setting and approving a calendar for the subsequent year no later than the last meeting of the City Council in December of the preceding year. In the event that a meeting calendar is not set and approved by the City Council by said December meeting prior to the coming year, meetings shall be held on the first Monday of each month beginning at 5:30 p.m. at the Dawsonville City Hall.
- (b) Special meetings of the council may be held on call of the mayor. In the alternative, a special meeting may be held on the call of the mayor pro tempore and two councilmembers. Notice of such special meetings shall be served on the mayor and all council members personally at least 6 hours in advance of the meeting or by telephone personally at least 6 hours in advance of the meeting or by email or other electronic means that evidences an acknowledgement of receipt at least 6 hours in advance of the meeting or shall be left at their residence at least 12 hours in advance of the meeting. Such notice shall not be required if the mayor and all councilmembers are present when the special meeting is called or convened. Such notice of any special meeting may be waived by a councilmember in writing before or after such meeting, and attendance at the meeting shall also constitute a waiver of notice of the meeting and of any business transacted in such councilmember's presence. Only the business stated in the call may be transacted at the special meeting except by unanimous consent of all members present. With such consent, any business which may be transacted in a regular meeting may be conducted at the special meeting.
- (c) To meet a public emergency affecting life, health, property, or public peace, the city council may convene on call of the mayor or on the call of the mayor pro tempore or on the call of two councilmembers and promptly adopt an emergency ordinance, but such ordinance may not levy taxes, grant, renew, or extend a franchise, regulate the rate charged by any public utility for its services, or authorize the borrowing of money except for loans to be repaid within 30 days. Notice of an emergency meeting shall be provided as soon as reasonably possible after the call and shall be at least one hour before the meeting. An emergency ordinance shall be introduced in the form prescribed for ordinances generally except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but the affirmative vote of at least two councilmembers shall be required for adoption. It shall become effective upon adoption or at such later time as it may specify. Every emergency ordinance shall automatically stand repealed 30 days following the date upon which it was adopted, but this shall not prevent reenactment of the ordinance in the manner specified in this Section if the emergency still exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this Section for adoption of emergency ordinances.

Section 2.22. - Rules of procedure.

The council shall adopt its rules of procedure by ordinance or resolution and order of business consistent with the provisions of this Charter and shall provide for the keeping of minutes of its proceedings, which shall be a public record.

SECTION 6.

Section 2.27 of Article II of the Charter of the City of Dawsonville is hereby amended by repealing existing section 2.27 in its entirety and replacing it with a new section 2.27 as follows:

Section 2.27. - Signing; authenticating; recording; codifying; printing of ordinances.

(a) The city clerk shall authenticate by his or her signature and record in full in a properly indexed book kept for that purpose all ordinances adopted by the council.

(b) Municipal Code Corporation (Municode) is the official codification system for the City of Dawsonville and its Charter and Ordinances, along with all amendments thereto and such codes of technical regulations and other rules and regulations as the city council may specify. This compilation shall be known and cited officially as the "Code of the City of Dawsonville, Georgia." Copies of the code are available for free to the general public and all officers through the publisher Municode. This codification shall have the full force and effect of law. The city council shall cause each ordinance and each amendment to this Charter to be published promptly following its adoption. The codification is available to the public through the Municode online platform.

SECTION 7.

Sections 3.13 through 3.17 of Article III of the Charter of the City of Dawsonville are hereby amended by repealing existing sections 3.13 through 3.17 in their entirety and replacing them with new sections 3.13 through 3.17 as follows:

Section 3.13. - City clerk.

The council may appoint a city clerk, who may also serve as the city treasurer, with such compensation as shall be determined by the council. The city clerk shall keep the minutes of the proceedings of the city council, maintain in a safe place all records and documents pertaining to the affairs of the city, and perform such other duties as may be required by law or as the council may direct.

Section 3.14. - City manager; appointment; qualifications; compensation.

The city council may appoint a city manager for an indefinite term and fix his or her compensation. The manager shall be appointed on the basis of his or her executive and administrative qualifications. The city manager shall serve at the pleasure of the council. The city manager shall be the chief administrative officer of the government of the City of Dawsonville and shall have such powers and duties as are vested in him or her by ordinance or as otherwise provided by the council.

Section 3.15. - City attorney.

The council may appoint a city attorney and provide for the payment of such attorney for services rendered to the city. The city attorney shall be responsible for representing and/or directing all litigation in which the city is a party; shall attend the meetings of the mayor and/or council as directed; shall advise the council, mayor, and other officers and employees of the city concerning legal aspects of the city's affairs; and shall perform such other duties as may be requested by the mayor and/or council.

Section 3.16. - Oath of officers.

Before a person takes any office in the city government, he or she shall take before an officer of the state authorized to administer oaths the following such oath or affirmation:

“I do solemnly swear or affirm that I will faithfully perform the duties of _____ of this city, that I will in all respects observe the provisions of the Charter and ordinances of the City of Dawsonville; and that I will support and defend the charter thereof, as well as the Constitution of the United States and of the State of Georgia. I am not the holder of any unaccounted for public money due this state or any political subdivision or authority thereof. I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state which I by the laws of the State of Georgia am prohibited from holding. I am otherwise qualified to hold said office according to the Constitution and laws of the State of Georgia. I have been a resident of [my district and] the City of Dawsonville for the time required by the Constitution and laws of this state and by the municipal charter. I will perform the duties of my office in the best interest of the City of Dawsonville to the best of my ability without fear, favor, affection, reward, or expectation thereof. So help me God.”

Section 3.17. - Candidacy of employees and elected officials.

No appointive officer of the city shall continue in such employment upon qualifying as a candidate for election to any public office. No employee of the city shall continue in the employment of the city upon qualifying as a candidate for election to any city, county, or state elected office that is inconsistent, incompatible or in conflict with the duties of the city employee. Such determination shall be made by the mayor and council either immediately upon election or at any time such conflict may arise.

SECTION 8.

Sections 4.1 through 4.8 of Article V of the Charter of the City of Dawsonville are hereby amended by repealing existing sections 4.1 through 4.8 in their entirety and replacing them with new sections 4.10 through 4.17 as follows:

Section 4.10. - Creation of municipal court; name.

There shall be a court to be known as the "Municipal Court of the City of Dawsonville."

Section 4.11. - Appointment of judge of the municipal court by mayor and council.

The mayor and council may appoint an individual to serve as judge of the municipal court and delegate to him or her all duties and authority of that office as provided in this article. In the event of the appointment of a judge of the municipal court as provided in this section, the compensation of such judge shall be as determined by the mayor and council.

Section 4.12. - Jurisdiction of municipal court; clerk of municipal court; prosecutor.

- (a) The city judge shall be authorized to hold municipal court in said city for the trial and punishment of violators of the ordinances of said city.
- (b) The city clerk or his or her designee shall perform the duties of clerk of the municipal court.
- (c) When required, the city attorney shall serve as prosecutor in said court.
- (d) The city council shall provide by ordinance for such other personnel as may be required to efficiently administer the business of the court.

Section 4.13. - Convening; powers.

- (a) The municipal court shall convene at regular intervals as provided by ordinance.
- (b) The municipal court shall try and punish for violations of all city ordinances.
- (c) The municipal court shall have authority to punish those in its presence for contempt, provided that such punishment shall not exceed \$25.00 or ten days in jail, or both, in the discretion of the court.
- (d) The municipal court may fix punishment for offenses within its jurisdiction in accordance with Georgia laws, as currently existing or amended.

(e) The municipal court shall have authority to establish a schedule of fees to defray the cost of operation and shall be entitled to reimbursement of the cost of meals, transportation, and caretaking of prisoners bound over to superior courts for violations of state law.

(f) The municipal court shall have authority to establish bail and recognizances to ensure the presence of those charged with violations before said court and shall have discretionary authority to accept cash or personal or real property as surety for the appearance of persons charged with violations. Whenever any person shall give bail for his or her appearance and shall fail to appear at the time fixed for trial, his or her bond shall be forfeited by the mayor or mayor pro tempore presiding at such time and an execution issued thereon by serving the defendant and his or her sureties with a rule nisi at least two days before a hearing on the rule nisi. In the event that cash or property is accepted in lieu of bond for security for the appearance of a defendant at trial and if such defendant fails to appear at the time and place fixed for trial, the cash so deposited shall be on order of the mayor declared forfeited to the city, or the property so deposited shall have a lien against it for the value forfeited which lien shall be enforceable in the same name and to the same extent as a lien for city property taxes.

(g) The municipal court shall have the authority to bind prisoners over to the appropriate court when it appears by probable cause that a state law has been violated.

(h) The municipal court shall have the same authority as superior courts to compel the production of evidence in the possession of any party; to enforce obedience to its orders, judgments and sentences; and to administer such oaths as are necessary.

(i) The municipal court may compel the presence of all persons necessary for proper disposal of each case by the issuance of summons, subpoena, and warrants which may be served as executed by any officer as authorized by this Charter or by general state law.

(j) The municipal court is specifically vested with all of the jurisdiction and powers throughout the entire area of the city granted by general state laws to municipal courts, and particularly by such laws as authorize the abatement of nuisances and prosecution of traffic violations.

Section 4.14. - Appeal; certiorari.

Any person convicted in municipal court shall have the right to apply for a writ of certiorari to the Superior Court of Dawson County in accordance with the provisions of Title 5 of the Official Code of Georgia Annotated, relating to certiorari, as now or hereafter amended.

Section 4.15. - Rules for court.

With the approval of the city council, the City Judge shall have full power and authority to make reasonable rules and regulations necessary and proper to secure the efficient and successful administration of the municipal court; provided, however, that the city council may adopt in part or in total the rules and regulations for procedure in the superior court under the general laws of the State of Georgia. The rules and regulations made or adopted shall be filed with the city clerk, shall be available for public inspection, and, upon request, a copy shall be furnished to all defendants in municipal court proceedings at least 48 hours prior to said proceedings.

Section 4.16. - Appointment of counsel for indigent.

The city council shall provide by ordinance for appointment of counsel for indigents or others, as now or hereafter required by law, and said ordinance shall provide for compensation to be paid to council so appointed. The mayor shall appoint counsel in such cases from among the attorneys at law residing in the county and those counties adjoining the county or from among those attorneys at law who have previously consented to serve as appointed counsel in such court.

Section 4.17. - Contracting of law enforcement service; suspension of municipal court.

In the event the council enters into a contract with any other political subdivision whereby such political subdivision shall provide law enforcement services on behalf of the City of Dawsonville, then the municipal court need not be appointed or utilized, and the operation of the municipal court may be suspended during the term of such contract in such manner and pursuant to such conditions as the council shall determine. In the event such a contract is entered into, the city council shall provide for the administration, enforcement, and/or adjudication of municipal citations by ordinance.

SECTION 9.

Sections 5.10 through 5.16 of Article V of the Charter of the City of Dawsonville are hereby amended by repealing existing sections 5.10 through 5.16 in their entirety and replacing them with new sections 5.10 through 5.15 as follows:

Section 5.10. - Applicability of general law.

All elections and the procedure and requirements for the election of all elected officials of the City of Dawsonville, as to special and general elections, shall be held and conducted in conformity with state law.

Section 5.11. - Regular elections.

- (a) The general municipal election for the city shall be conducted on the Tuesday following the first Monday in November, in the odd numbered years, and on such day biennially thereafter.

- (b) Successors to the mayor and each councilmember shall be elected at the general municipal election immediately preceding the expiration of such terms and shall take office on the first day of January immediately following that election for terms of office of four years each and until their respective successors are qualified and elected. Persons so elected shall take the oath of office as provided in section 2.19 of this Charter.
- (c) The mayor and each council member shall be elected by the electors voting in the entire city at large. The mayor may reside in any district of the city as set forth in subsection (e) below. Each council member must reside in the district as set forth in subsection (e) below that they qualify for both at the time of qualification for that district post and throughout their elected service for that position. Each elector shall be entitled to vote for one candidate for each municipal office which is to be filled at any election. At the general municipal election conducted in 2019 and every four years thereafter, the candidates who receive the highest number of votes cast for the office of mayor and council member posts 1 and 3 shall be the persons elected to those offices. At the general municipal election conducted in 2021 and every four years thereafter, the candidates who receive the highest number of votes cast for council member posts 2 and 4 shall be the persons elected to those offices.
- (d) Political parties shall not conduct primaries for city offices and all names of candidates for city offices shall be listed without party labels.
- (e) There shall be four council member districts of approximately equal populations that shall be created and modified by ordinance as required by this Charter, state and federal law. In drawing district lines to achieve similar populations in each district, the Council shall take into account neighborhoods, roads and other landmarks or land divisions that provide appropriate lines between districts. The four districts shall be each be represented by one council member who shall run for and be elected to that district post. The four district posts shall be known as Post 1, Post 2, Post 3 and Post 4. Any candidate for a council member position shall qualify only for the post of the district in which they reside and shall designate the post which the candidate is seeking when qualifying. The designation shall be entered upon the ballot in such manner so that in the ensuing election such candidate shall only oppose the other candidate or candidates, if any, designating the same specific district post.

Section 5.12. - Special elections; vacancies.

In the event of a vacancy in the office of the mayor or council member, the mayor and council shall appoint a qualified person to fill such vacancy until a special election is held as set forth below. If a tie vote by the mayor and council to fill a vacancy is unbroken for 15 days, the mayor, or mayor pro tempore in case of a vacancy in the office of mayor, shall appoint a qualified person to fill the vacancy. Once a vacancy is filled by appointment, a special election shall be called and held to fill the balance of the

unexpired term. Notwithstanding the foregoing, if such vacancy occurs within 180 days prior to a regular election for the vacant office of the mayor or council member, the appointee shall serve until the election, the vacancy shall be filled at the regular election, and in such event, no special election shall be held. Special elections shall be called and held according to the next applicable special election date after a vacancy is created. In all other respects, special elections shall be conducted in accordance with the applicable provisions of this Charter and Article 14, Chapter 2, of the "Georgia Election Code."

Section 5.13. - Rules and regulations for elections.

Except as otherwise provided by this Charter, the city council shall by ordinance prescribe such rules and regulations for elections as it deems appropriate to fulfill any options and duties under state law.

Section 5.14. - Removal of officers.

The mayor or any councilmember shall be subject to removal from office for any one or more of the following causes:

- (1) Incompetence, misfeasance, or malfeasance in office;
- (2) Conviction of a crime involving moral turpitude;
- (3) Failure at any time to possess any of the qualifications of office as provided by this Charter or by law;
- (4) Willful violation of any express prohibition of this Charter or City of Dawsonville ordinances or policies;
- (5) Willful violation of or disregard for their oath of office;
- (6) Abandonment of office or neglect to perform the duties thereof; or
- (7) Failure for any other cause to perform the duties of office as required by this Charter or by law.

Section 5.15. - Procedure for removal.

Removal of an elected officer from office may be accomplished by one of the following methods:

- (1) By action of two-thirds vote of the entire membership of the council. In the event an elected officer is sought to be removed by the action of the council, such officer shall be entitled to a written notice specifying the ground for removal and to a public hearing which shall be held not less than ten days from the service of such written notice. The city council shall provide by ordinance for the manner in which such hearings shall be held. Any elected officer sought to be removed from

office as provided in this chapter shall have the right to appeal the decision of the council to the Superior Court of Dawson County by writ of certiorari in accordance with state law; or

(2) By an order of the Superior Court of Dawson County following a hearing on a complaint seeking such removal brought by a resident of the City of Dawsonville.

SECTION 11.

Sections 6.14 through 6.15 of Article VI of the Charter of the City of Dawsonville are hereby amended by repealing existing sections 6.14 through 6.15 in their entirety and replacing them with new sections 6.14 through 6.15 as follows:

Section 6.14. - Franchises.

The city council shall have the power to grant franchises, contracts, or easements for the use of this city's streets and alleys, for the purposes of railroads, street railways, telephone companies, electric companies, cable television, gas companies, transportation companies, and other similar organizations. The city council shall determine the duration, provisions, terms, whether the same shall be exclusive or nonexclusive, and the consideration for such franchises.

Section 6.15. - Service charges.

The city council by ordinance shall have the power to assess and collect fees, charges, and tolls for sewer utility services rendered both inside and outside the corporate limits of the city. If unpaid, said sewer utility service charge shall be collected as provided in section 6.18 of this Charter.

SECTION 12.

All Ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 13.

This ordinance shall become effective upon adoption, the public good demanding the same.

SO ORDAINED THIS ____ DAY OF _____, 2019.

Mike Eason, Mayor

Caleb Phillips, Council Member Post 1

Stephen Tolson, Council Member Post 2

Jason Power, Council Member Post 3

Mark French, Council Member Post 4

ATTEST:

Beverly Banister, Clerk



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 15

SUBJECT: SPEED TABLES DISCUSSION

CITY COUNCIL MEETING DATE: 12/17/2018

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

TO DISCUSS PLACING CONCRETE SPEED TABLES ON ACADEMY AVENUE AND RUBBER SPEED BUMPS IN SUBDIVISIONS

HISTORY/ FACTS / ISSUES:

COST OF CONCRETE SPEED TABLES – APPROXIMATELY \$5500 TO \$6000
COST OF RUBBER SPEED HUMPS – APPROXIMATELY \$850 - \$950

THE FOLLOWING SUBDIVISIONS REQUESTED SPEED HUMPS:

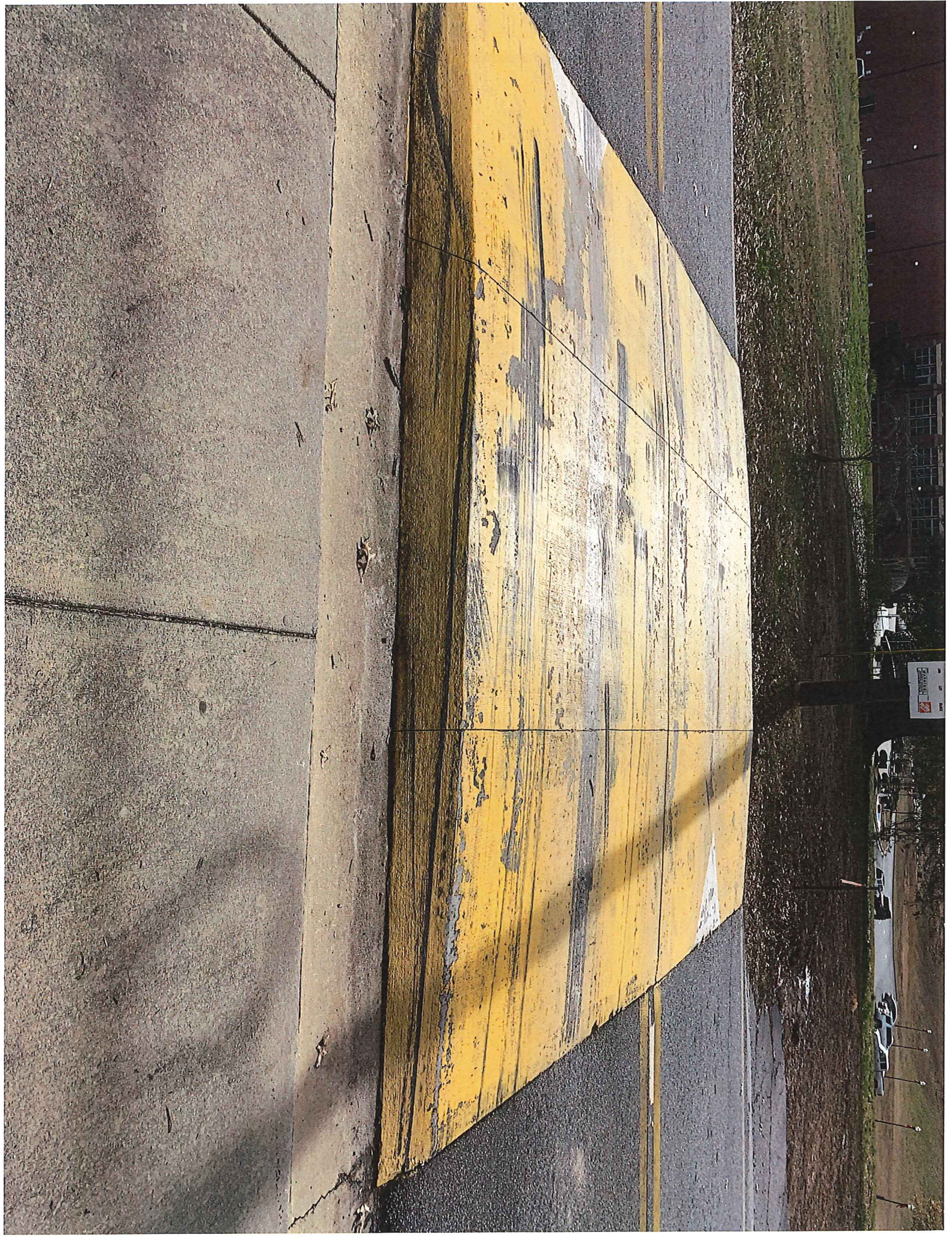
- **STONEWALL - APPROXIMATELY 4 SPEED HUMPS NEEDED**
- **CREEKSTONE – NOT ADVISABLE TO INSTALL UNTIL BUILDING IS COMPLETE**
- **MAPLE HEIGHTS – NOT ADVISABLE TO INSTALL UNTIL BUILDING IS COMPLETE**

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Trampas Hansard, Public Works Operations Manager







Safety Rider Mini Hump

The Safety Rider rubber mini hump is a unique modular traffic calming device designed to slow traffic while maintaining a continuous traffic flow. The mini hump is constructed of interlocking units with a tongue and groove system. This allows the humps to be linked together to cover the width of any roadway. End caps are available to provide a smooth finish to the ends of the hump.

Features

The Safety Rider is constructed from 100% recycled tires. Unlike asphalt humps, our mini humps are preformed for a uniform and consistent profile and a smooth, safe ride. The mini humps are simple to install and do not require road closures. Plastic shields are inserted into pre-drilled holes and the units are bolted down to keep from shifting. The Safety Rider can be easily removed for storage or relocation.

Mini speed humps are ideal for slowing traffic in school parking lots and crossings, playground areas, hospitals, parking facilities, and anywhere a slow traffic flow is required. Heavy load bearing truck traffic is ideally facilitated by the safety rider mini hump.

Molded highly reflective tape provides optimal visibility even on a dark night, alerting drivers well in advance.

Safety Rider mini humps are covered by a 3 year warranty.



Safety Rider mini humps are:

- Made of 100% recycled rubber
- Interlocking design expands to any road width
- Tongue and groove system keeps product firmly in place
- High visibility with embedded highway tape
- Easy installation on any paved surface
- No skilled labor required
- Lightweight and removable
- Maintenance free
- 3 year warranty

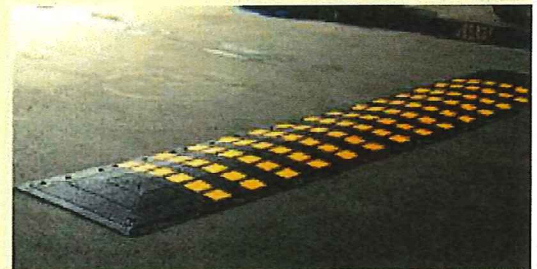
Applications:

Used in the following situations:

- Speeding of motor vehicles create danger and noise pollution
- Temporary installation is required to test traffic safety programs, during street fairs, or other pedestrian activity events
- Only temporary installation is allowed due to snow removal
- Where heavy truck traffic is common
- Shipping ports for sea cargo



- Pacific Gas & Electric
- Smurfit Stone Corp.
- Raytheon
- US Postal Service
- Sheraton Hotel
- US Border Patrol Academy
- Scot County School District 1
- Rockhurst College
- Sierra Star Golf Course
- FedEx Ground



Installation Locations:

- Parking lots and garages
- Gated communities
- School zones and crossings
- Playground areas
- Institutions
- Hospitals and nursing homes
- Retail stores
- Fast food chains
- Airports
- Military bases
- Municipalities
- Temporary traffic detouring zones
- Construction work zones
- Warehouse yards - indoor / outdoor



All our products are made from
100% recycled rubber



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 16

SUBJECT: ABANDONED VEHICLES/OVERNIGHT PARKING ORDINANCE DISCUSSION

CITY COUNCIL MEETING DATE: 12/17/2018

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

TO DISCUSS DEVELOPING AN ORDINANCE TO ADDRESS ABANDONED VEHICLES AND/OR VEHICLES LEFT OVERNIGHT ON CITY PROPERTIES ESPECIALLY WITH MAIN STREET PARK AND THE FARMER'S MARKET OPENING SOON THERE IS POTENTIAL FOR THESE ISSUES

HISTORY/ FACTS / ISSUES:

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Mike Eason, Mayor



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 17

SUBJECT: OPEN ANNEXATION DISCUSSION

CITY COUNCIL MEETING DATE: 12/17/2018

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

TO DISCUSS CONSIDERATION OF ANOTHER TIME PERIOD TO ALLOW ISLAND PROPERTIES TO ANNEX INTO THE CITY AT NO CHARGE.

HISTORY/ FACTS / ISSUES:

A LONGER PERIOD SHOULD BE CONSIDERED; PERHAPS 90 – 120 DAYS SO AS NOT TO PLACE A BURDEN ON STAFF TO PROCESS THE REQUESTS

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Mike Eason, Mayor



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 19

SUBJECT: STAFF REPORT: FINANCE ADMINISTRATOR

CITY COUNCIL MEETING DATE: 12/17/2018

BUDGET INFORMATION: GL ACCOUNT # NA

Funds Available from: Annual Budget Capital Budget Other

Budget Amendment Request from Reserve: Enterprise Fund General Fund

PURPOSE FOR REQUEST:

TO PRESENT FUND BALANCE AND ACTIVITY THROUGH NOVEMBER 30, 2018

HISTORY/ FACTS / ISSUES:

SEE ATTACHED FINANCIAL REPORTS

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Hayden Wiggins, Finance Administrator

CITY OF DAWSONVILLE, GEORGIA

GENERAL FUND

July 1, 2018 - November 30, 2018

	<u>Budget</u>	<u>Actual</u>	<u>Percentage</u>
REVENUES			
Taxes	\$ 1,452,150	\$ 937,486	64.56%
Licenses and permits	156,375	50,000	31.97%
Intergovernmental revenues	25,000	49,061	196.24%
Fees	238,400	64,667	27.13%
Other	<u>82,000</u>	<u>54,455</u>	<u>66.41%</u>
Total revenues	<u>1,953,925</u>	<u>1,155,669</u>	<u>59.15%</u>
EXPENDITURES			
Department:			
Council	92,500	37,396	40.43%
Mayor	24,870	5,794	23.30%
Elections	1,000	-	0.00%
Administration	798,667	385,400	48.26%
City Hall building	228,300	140,638	61.60%
Animal control	2,000	561	28.05%
Roads	432,200	158,756	36.73%
Parks	3,000	1,616	53.87%
Planning and zoning	316,888	156,030	49.24%
Economic development	<u>54,500</u>	<u>5,000</u>	<u>9.17%</u>
Total expenditures	<u>1,953,925</u>	<u>891,191</u>	<u>45.61%</u>
TOTAL REVENUES OVER EXPENDITURES		<u><u>264,478</u></u>	

CITY OF DAWSONVILLE, GEORGIA
WATER, SEWER, AND GARBAGE FUND
July 1, 2018 - November 30, 2018

	<u>Budget</u>	<u>Actual</u>	<u>Percentage</u>
REVENUES			
Water fees	\$ 648,000	\$ 288,695	44.55%
Sewer fees	756,000	331,359	43.83%
Garbage fees	139,000	57,527	41.39%
Miscellaneous	<u>161,418</u>	<u>27,088</u>	<u>16.78%</u>
Total revenues	<u>1,704,418</u>	<u>704,669</u>	<u>41.34%</u>
EXPENDITURES			
Bad debts	2,000	-	0.00%
Depreciation	430,000	172,090	40.02%
Garbage service	105,350	51,504	48.89%
Group insurance	80,400	37,002	46.02%
Insurance	35,000	-	0.00%
Interest	106,000	49,024	46.25%
Payroll taxes	21,618	9,260	42.83%
Professional	94,000	63,483	67.54%
Miscellaneous	84,750	23,638	27.89%
Repairs/supplies	256,500	97,105	37.86%
Retirement	16,500	5,358	32.47%
Salaries	286,600	123,645	43.14%
Technical services	64,000	16,988	26.54%
Utilities	<u>121,700</u>	<u>55,156</u>	<u>45.32%</u>
Total expenditures	<u>1,704,418</u>	<u>704,253</u>	<u>41.32%</u>
INCOME (LOSS)		<u><u>416</u></u>	

CITY OF DAWSONVILLE, GEORGIA
 SPLOST
 July 1, 2018 - November 30, 2018

SPLOST VI

	<u>Budget</u>	<u>Actual</u>	<u>Percentage</u>
REVENUES			
Taxes	1,288,000	526,450	40.87%
Interest	<u>3,000</u>	<u>3,567</u>	<u>118.90%</u>
 Total revenues	 <u>1,291,000</u>	 <u>530,017</u>	 <u>41.05%</u>
 EXPENDITURES (Capital Outlays)			
City hall acquisition	191,667	70,622	36.85%
Roads and sidewalks	191,667	-	0.00%
Public works equipment - roads	63,889	7,000	10.96%
Sewer projects	95,833	9,040	9.43%
Public works equipment - sewer	63,889	-	0.00%
Water projects	95,833	49,411	51.56%
Public works equipment - water	63,889	-	0.00%
Farmers market	191,666	18,350	9.57%
Parks and recreation	<u>332,667</u>	<u>870,432</u>	<u>261.65%</u>
 Total expenditures	 <u>1,291,000</u>	 <u>1,024,855</u>	 <u>79.38%</u>
 TOTAL REVENUES OVER EXPENDITURES		 <u><u>(494,838)</u></u>	