

MINUTES
CITY COUNCIL REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, November 5, 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, 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 Tolson.
4. **ANNOUNCEMENTS:** Mayor Eason explained the addition of times to the Agenda which can be found on the website so that anyone who watches the recording can forward to specific items instead of watching the entire feed.
5. **APPROVAL OF THE AGENDA:** Motion to amend the agenda by removing item #8g Reindeer Run 5k and 10k with Road Closures off of the consent agenda and move to item #19 made by S. Tolson; second by J. Power. Vote carried unanimously in favor.

Motion to amend the agenda by removing item #8b Zoning Map off of the consent agenda and move to item #20 made by M. French; second by C. Phillips. Vote carried unanimously in favor.

Motion to approve agenda as amended made by J. Power; second by S. Tolson. Vote carried unanimously in favor.

6. **PUBLIC INPUT:** No comments from the public.
7. **RESOLUTION – CONSENT AGENDA PROTOCOL:** Mayor Eason outlined the purpose of the resolution; Councilmember French stated his support of the consent agenda but prefers it not to go into effect until the following meeting. Motion to approve the resolution as presented made by J. Power; second by S. Tolson. Vote carried unanimously in favor. (Exhibit “A”)
8. **CONSENT AGENDA:** Motion to approve the consent agenda for the following items made by J. Power; second by S. Tolson. Vote carried unanimously in favor.
 - a. Approve the Minutes – passed 4-0
 - c. Move NGN Water Tower Agreement to December 3, 2018 – passed 4-0
 - d. Approve Edmunds Software Agreement – passed 4-0
 - e. Approve Veteran’s Day Parade with Road Closure – passed 4-0
 - f. Approve Christmas Parade with Road Closure – passed 4-0
9. **EMPLOYEE OF THE MONTH AND SERVICE AWARD:** The Mayor and Council presented the October Employee of the Month to Beverly Banister and a two-year service award to Bob Bolz.
10. **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.

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- 11. 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.

Planning Director Irvin read the annexation and rezone into the record. Mayor Eason stated a stipulation from the Planning Commission to enter into an agreement with the property owners to jointly develop a detention pond on our property is still being worked on by the attorneys. Additionally, the County has filed an objection to the annexation which is still pending; the City Attorney needs to be directed to seek arbitration.

Motion to table items #10 and #11 to the December 3, 2018 meeting and to direct the City Attorney to seek arbitration regarding the objection from Dawson County made by C. Phillips; second by M. French. Vote carried unanimously in favor.

- 12.** An Ordinance To Amend The Current Speed Zone Ordinance Of The City Of Dawsonville, Georgia By Attaching A Revised Exhibit A Based Upon The Latest GDOT Study Of Speeds; And For Other Purposes. (First Reading: October 22, 2018; Second Reading: November 5, 2018)

The second reading of the ordinance was read by City Attorney Dana Miles.

Motion to approve the ordinance as presented by M. French; second by J. Power. Vote carried unanimously in favor. (Exhibit "B")

- 13.** 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 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 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.

Councilmember French asked how the changes to the ordinance would impact the existing PUD designations; Irvin responded no new PUDs could be developed, however, the existing PUDs would maintain their protection. Councilmember French also stated he would like the ordinance amendment to be presented to the Planning Commission for their input.

- 14.** 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)

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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.

- 15. IMPACT FEE STUDY PROPOSAL:** Mayor Eason reported the County has asked the City to consider impact fees. We have received a proposal on the study for impact fees outlining what needs to be done to implement impact fees. Councilmember Tolson stated he is interested in having the study done and thought it would be worthwhile to determine how future infrastructure would be paid for; either by the taxpayer or the developers. Mayor Eason stated doing the study does not mean we have to implement the fees. Councilmember French agreed with Councilmember Tolson's assessment and stated we should look at this option so as not to burden our current residents for future development; he is in favor of the study.
- 16. TSPLOST:** Mayor Eason reported the County has asked the City to consider a TSPLOST. The projected amount is \$50,000,000 over five years; the percentage each entity receives needs to be negotiated. He stated the biggest project the City is interested in is getting the Perimeter Road bypass. Council will need to consider it for a vote, possibly by the next meeting.
- 17. 2019 MEETINGS CALENDAR:** Mayor Eason discussed the proposed 2019 meeting dates and times calendar and stated it will be up for a vote at the December 3, 2018 meeting.
- 18. RESOLUTION – TIMELINE FOR PREPARING AGENDAS AND SUBMISSION OF SUPPORT DOCUMENTATION:** Motion to approve resolution as presented made by J. Power; second by C. Phillips. Vote carried unanimously in favor. (Exhibit "C")
- 19. REINDEER RUN 5K AND 10K WITH ROAD CLOSURE:** Motion to approve the event with road closure contingent upon receipt of proper insurance coverage with the City named as insured made by M. French; second by J. Power. Vote carried unanimously in favor.
- 20. ZONING MAP:** Motion to approve the zoning map as presented made by J. Power; second by C. Phillips. Vote carried unanimously in favor. (Exhibit "D")

City Clerk Banister announced a citizen has completed a Public Input form and is requesting to be heard on item #15. Motion to allow public input made by C. Phillips; second by M. French. Vote carried unanimously in favor.

Michael Turner who resides at 1090 Oak Haven Drive in Roswell spoke about impact fees stating it harms the people who need the housing the most, he also said they are unfair and although the developer is charged the fee it is the end user who is impacted by it with nothing in return.

ADJOURNMENT

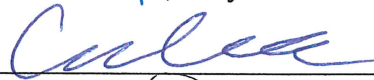
With there being no further business to attend to, a motion to adjourn the meeting at 7:38 p.m. made by J. Power; second by C. Phillips. Vote carried unanimously in favor.

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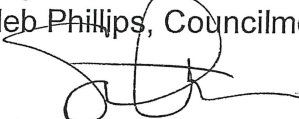
By: CITY OF DAWSONVILLE



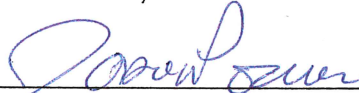
Michael Eason, Mayor



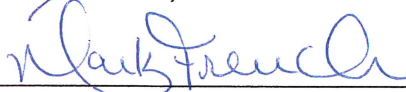
Caleb Phillips, Councilmember Post 1



Stephen Tolson, Councilmember Post 2



Jason Power, Councilmember Post 3



Mark French, Councilmember Post 4



Attested:



Beverly Banister, City Clerk

A RESOLUTION FOR THE PURPOSE OF ESTABLISHING A CONSENT AGENDA PROTOCOL; FOR PLACING ITEMS ON A CONSENT AGENDA; FOR REMOVAL OF ITEMS FROM A CONSENT AGENDA; FOR CONSIDERATION AND VOTING ON A CONSENT AGENDA; AND FOR OTHER PURPOSES.

WHEREAS, the City of Dawsonville has semi-monthly meetings at which it discusses and considers matters of import to the City of Dawsonville; and

WHEREAS, in conjunction with agenda items for consideration by the City Council, there are often matters upon which there is little to no discussion, and which could effectively be considered in many cases by the individual members of the Dawsonville City Council prior to Council meetings; and

WHEREAS, the Mayor of the City of Dawsonville presides over the meetings of the City Council, and in that capacity must facilitate the efficient operation of the government of the City of Dawsonville; and

WHEREAS, the Mayor and the Council of the City of Dawsonville have determined that, to promote the efficient operation of the governing authority during its meetings, it is desirable to have a procedure for a consent agenda, pursuant to which matters requiring little to no discussion or additional consideration may be approved.

NOW THEREFORE, the foregoing premises considered, the Council of the City of Dawsonville hereby resolves as follows:

Section 1. SETTING THE CONSENT AGENDA. The Mayor of the City of Dawsonville may set a consent agenda for the approval of those matters which, in the discretion of the Mayor, should require little or no discussion and for which materials may be provided to the members of the City Council in advance of their meeting for review. The items which are eligible for placement on a consent agenda for approval include the following:

- a. Minutes of prior meetings.
- b. Minutes of prior executive session meetings.
- c. Financial reports.
- d. Staff reports.
- e. Council reports.
- f. Mayor's report.
- g. Reappointments to committees/boards/authorities of persons currently serving on the subject committee/board/authority.
- h. Renewals of permits issued by the City of Dawsonville requiring approval by the City Council.
- i. Matters which, in the consideration of the Mayor, have received such prior discussion and consideration and on which there is such apparent consensus that the efficient operation of government will be promoted by their placement on a consent agenda.

Section 2. PLACEMENT OF THE CONSENT AGENDA AND REMOVAL OF ITEMS THEREFROM.

- a. The Consent Agenda shall be placed on the agenda of the Mayor and Council at any meeting where the procedure is utilized by the Mayor, and it shall be placed upon the agenda following the Approval of the Agenda as a whole.
- b. At the time of the Approval of the Agenda is reached for consideration by the Council, any council member shall have the right upon motion, without a second or any vote, to have an item(s) removed from the Consent Agenda. Any item removed from a Consent Agenda shall be placed at the end of the Agenda, but before any Executive Session portion of the meeting, where it shall be discussed and/or voted upon as if it were never part of the Consent Agenda. Thereafter, Approval of the Agenda as modified will be voted upon by the Council.

Section 3. CONSIDERATION OF CONSENT AGENDA

- a. For each item on a Consent Agenda, any applicable written materials for the members of the City Council to review must be made available sufficiently in advance to permit meaningful review and consideration, but in no event shall an item be placed on a Consent Agenda unless any applicable written materials in support thereof are available for at least three (3) calendar days prior to the day of the meeting where the item appears on the Consent Agenda.
- b. When the Consent Agenda is reached for consideration during the meeting, the Mayor shall read aloud the title of each item on the Consent Agenda and shall ask for a motion to approve the entire Consent Agenda as read.
- c. Upon a motion and a second to approve the Consent Agenda, the question shall then be called without discussion and a vote cast to determine whether the Consent Agenda should be approved.
 - i. Upon approval, each item thereon shall be deemed to have been approved as if it were considered individually by the Council of the City of Dawsonville, and the minutes shall so reflect that approval by recording the vote totals for each item approved on the Consent Agenda.
- d. In the event there is no Motion to approve the Consent Agenda, or in the event the Consent Agenda otherwise fails to achieve a majority of the votes for its approval, then and in that event each of the items on the Consent Agenda must be considered individually and shall be placed on the Agenda pursuant to Section 2(b) of this Resolution.

Section 4. The terms and procedures provided for in this Resolution shall continue to be in place until such time as they are amended, revoked or annulled by action of the City Council of Dawsonville.

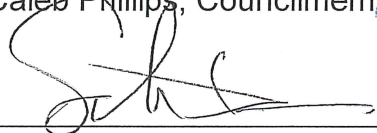
SO RESOLVED this 5 day of November, 2018.



Michael Eason, Mayor,



Caleb Phillips, Councilmember, Post 1



Steve Tolson, Councilmember, Post 2



Jason Power, Councilmember, Post 3



Mark French, Councilmember, Post 4



Attested: 

Beverly Barister, City Clerk

FIRST READING: 10/22/2018
SECOND READING: 11/05/2018
PASSED: 11.05.2018

**SPEED ZONE ORDINANCE
CITY OF DAWSONVILLE, GEORGIA**

AN ORDINANCE TO AMEND THE CURRENT SPEED ZONE ORDINANCE OF THE CITY OF DAWSONVILLE, GEORGIA BY ATTACHING A REVISED EXHIBIT A BASED UPON THE LATEST GDOT STUDY OF SPEEDS; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to O.C.G.A. § 40-6-183, the City Charter of the City of Dawsonville, and other powers vested in the City, the City is authorized to regulate speed zones and establish speeding regulations within the corporate limits of the City of Dawsonville;

WHEREAS, a traffic and engineering study, required by law, has recently been completed by the Georgia Department of Transportation (“GDOT”) regarding speeds traveled on the roads, streets, highways and other public ways within the City of Dawsonville described in this Ordinance;

WHEREAS, the City desires to update its Speed Zone Ordinance as passed on February 1, 2010 and previously amended on September 10, 2012 and October 5, 2015 based upon the most recent GDOT study completed in June 2018 and as reflected in the attached Exhibit A.

NOW THEREFORE, the Council of the City of Dawsonville hereby ordains and enacts a revision to the Speed Zone Ordinance of the City of Dawsonville by attaching a new Exhibit A as follows:

Section 1. Adoption of a new Exhibit A (2200-06-2018).

The Code of the City of Dawsonville, Georgia is hereby amended to repeal the existing Section 13-31 in Article III of Chapter 13 of the same, and create a new Section 13-31, with the text attached hereto as Exhibit A, being enumerated as “2200-06-2018”. Exhibit A is incorporated herein by express reference.

Section 2. Ratification of Existing Ordinance.


Except as provided in Section 1 by replacing the existing Section 13-31 from the October 5, 2015 amendment with a new revised Section 13-31, the remainder of Chapter 13, Article III is ratified, reaffirmed and remains in full force and effect.

Section 3. Effective Date.

This Amendment to the Speed Zone Ordinance shall take effect and be in force from and after adoption, the public welfare demanding it.

SO ADOPTED, this 5 day of November, 2018.

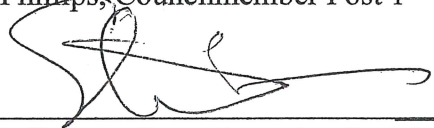
By: CITY OF DAWSONVILLE



Mike Eason, Mayor



Caleb Phillips, Councilmember Post 1



Stephen Tolson, Councilmember Post 2



Jason Power, Councilmember Post 3



Mark French, Councilmember Post 4



Attested: 

Beverly Banister, City Clerk

LIST OF ROADWAYS
for
CITY OF DAWSONVILLE

ON-SYSTEM

| STATE ROUTE | WITHIN THE CITY/TOWN LIMITS OF and/or School Name | FROM | MILE POINT | TO | MILE POINT | LENGTH IN MILES | SPEED LIMIT |
|-----------------------------------|---|--|------------|--|------------|-----------------|-------------|
| SR 9 | Dawsonville | 60' north of Perimeter Rd (South Dawsonville City Limits) | 05.57 | 47' south of Howard Road | 06.37 | 00.80 | 45 |
| SR 9 | Dawsonville | 47' south of Howard Road | 06.37 | 183' north of Robinson Road | 07.01 | 00.64 | 35 |
| SR 9 *** SCHOOL ZONE *** | Dawson County Middle School | 610' north of State Route 53 | 06.69 | 348' south of Robinson Road | 06.91 | 00.22 | 35 |
| SR 9 | Dawsonville | 183' north of Robinson Road | 07.01 | 578' south of Perimeter Rd (North Dawsonville City Limits) | 07.13 | 00.12 | 45 |
| SR 9WE | Dawsonville | State Route 9 | 00.00 | State Route 9 | 00.11 | 00.11 | 25 |
| SR 53 | Dawsonville | 48' west of Creekstone Ln (West Dawsonville City Limits) | 08.25 | 594' east of Creekstone Lane | 08.38 | 00.13 | 55 |
| SR 53 | Dawsonville | 594' east of Creekstone Lane | 08.38 | 129' east of Howser Mill Road | 08.70 | 00.32 | 45 |
| SR 53 | Dawsonville | 129' east of Howser Mill Road | 08.70 | State Route 9 | 08.92 | 00.22 | 35 |
| SR 53 | Dawsonville | <i>This section of roadway runs common with State Route 9 from MP 08.92 to MP 09.07 for a total of 00.15 Miles</i> | | | | | |
| SR 53 | Dawsonville | State Route 9 | 09.07 | 590' east of Main St. | 09.58 | 00.51 | 35 |
| SR 53 | Dawsonville | 590' east of Main St. | 09.58 | 87' west of Jack Heard Road (East Dawsonville City Limits) | 09.69 | 00.11 | 45 |

OFF-SYSTEM

| ROAD NAME | WITHIN THE CITY/TOWN LIMITS OF and/or School Name | FROM | TO | LENGTH IN MILES | SPEED LIMIT |
|------------------|---|--|---|-----------------|-------------|
| Perimeter Road | Dawsonville | Dawsonville City Limits (400' west of Melody Lane) | Shoal Creek Road (County Road 224) | 00.55 | 35 |
| Shoal Creek Road | Dawsonville | 600' south of Perimeter Road | Dawsonville City Limits (250' north of Shoal Creek Ridge Drive) | 00.43 | 35 |

SCHOOL ZONE HOURS ARE EFFECTIVE

A.M. from 45 minutes prior to commencement time to 15 minutes after commencement time –
SCHOOL DAYS ONLY

P.M. from 15 minutes prior to dismissal time to 45 minutes after dismissal time –
SCHOOL DAYS ONLY

ALL LISTS AND PARTS OF LISTS IN CONFLICT WITH THIS LIST ARE HEREBY REPEALED.

Signature of Governing Authority:

[Handwritten Signature]

Mayor

see below

City Council Members

Sworn and Subscribed before me

This 5 day of November, 2018.

[Handwritten Signature]

NOTARY PUBLIC



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

[Handwritten Signature]

Caleb Phillips, Councilmember Post 1

[Handwritten Signature]

Stephen Tolson, Councilmember Post 2

[Handwritten Signature]

Jason Power, Councilmember Post 3

[Handwritten Signature]

Mark French, Councilmember Post 4

A RESOLUTION FOR THE PURPOSE OF SETTING A TIMELINE FOR PREPARING AGENDAS AND SUBMISSION OF DOCUMENTS IN SUPPORT OF OR OPPOSITION TO AGENDA ITEMS FOR ALL REGULAR COUNCIL, AUTHORITY AND COMMISSION MEETINGS

WHEREAS, the City of Dawsonville has via ordinance created certain commissions and authorities, including but not limited to the Planning Commission, the Historic Preservation Commission and the Downtown Development Authority; and

WHEREAS, in conjunction with agenda items for consideration by the City Council, its authorities and commissions, members of the public may desire to submit documents in support or opposition to an agenda item; and

WHEREAS, the City's decision makers need sufficient time in order to review the supporting/opposing documentation related to upcoming agenda items and to ask questions so as to be adequately prepared for their meetings and to efficiently run City business;

NOW THEREFORE, the Council of the City of Dawsonville hereby resolves as follows:

All proposed agendas for the Council, its authorities and its commissions shall be prepared in draft form and sent out to Council, its authorities and/or commissions and appropriate staff at least five (5) business days prior to any regular meeting of the City Council, any Work Session of the City Council, and all meetings of Commissions and Authorities of the City of Dawsonville, including but not limited to the Planning Commission, the Historic Preservation Commission and the Downtown Development Authority.

A final copy of the agenda shall be posted at City Hall and on the City's website and distributed with supporting documentation to the Council, its authorities, commissions and appropriate staff no later than three (3) business days prior to the meeting.

Any member of the public who desires to submit additional documentation in support of or in opposition to proposed agenda items shall submit the same to the Clerk not less than one (1) business day prior to the meeting by 12:00 p.m. in order to be considered at the meeting.

The timelines set forth hereinabove shall not apply to items that are added to the agenda after it has been prepared, posted at City Hall and sent out to the Council, its authorities and/or commissions.

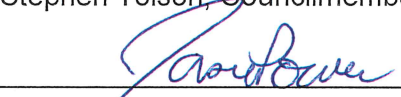
SO RESOLVED this 5 day of November, 2018.

By: CITY OF DAWSONVILLE

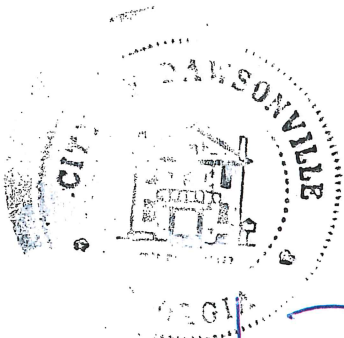

Mike Eason, Mayor


Caleb Phillips, Councilmember Post 1


Stephen Tolson, Councilmember Post 2


Jason Power, Councilmember Post 3

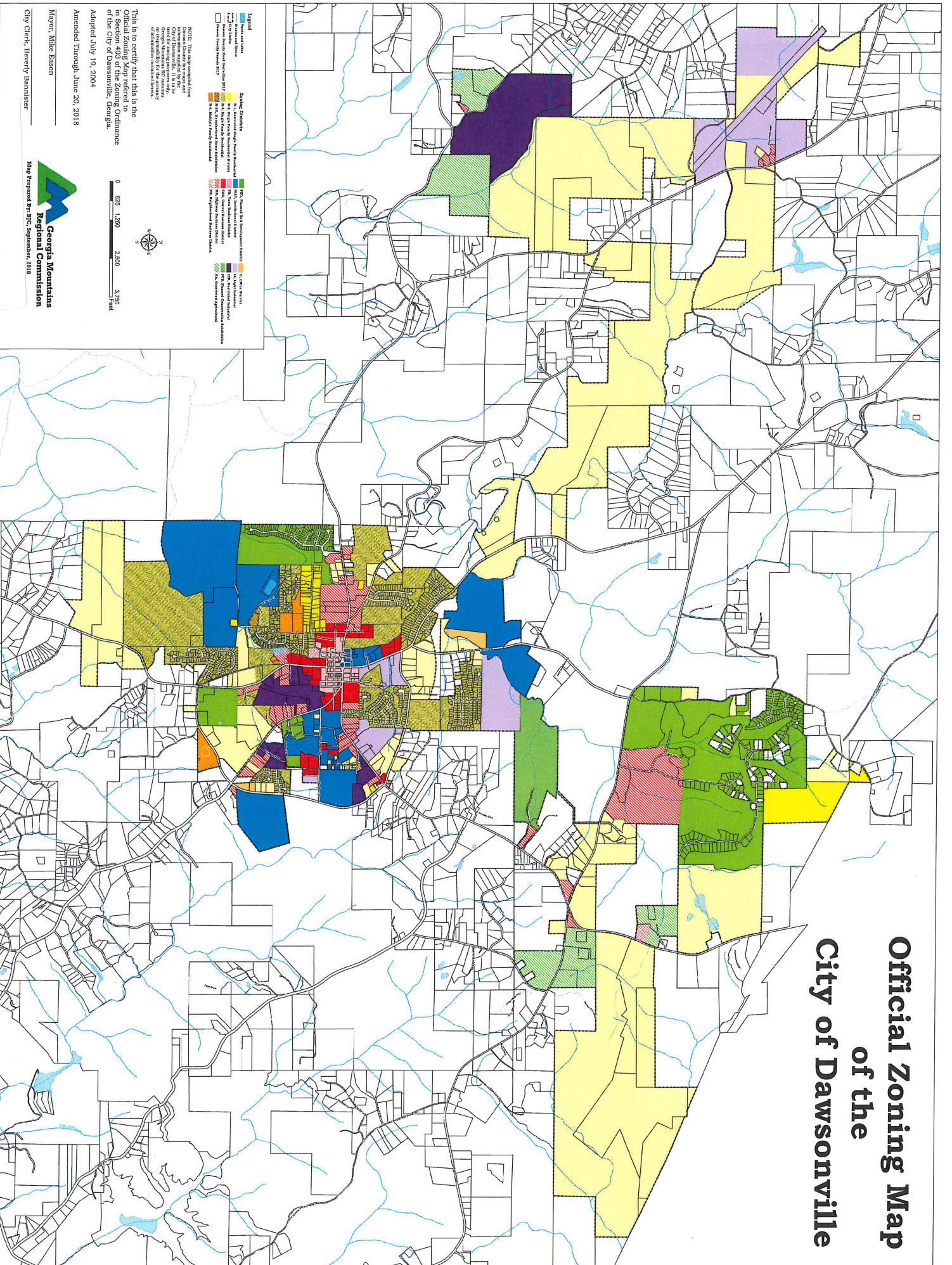

Mark French, Councilmember Post 4



Attested:


Beverly Banister, City Clerk

Official Zoning Map of the City of Dawsonville



This is to certify that this is the Official Zoning Map of the City of Dawsonville, Georgia, as shown in Section 403 of the Zoning Ordinance of the City of Dawsonville, Georgia.

Adopted July 19, 2004
Amended Through June 20, 2018

Mayor, Mike Eason
City Clerk, Beverly Barnister



EXHIBIT "D"