

MINUTES
CITY COUNCIL WORK SESSION AND REGULAR MEETING
July 23, 2018
7:00 P.M.

CALL TO ORDER: Mayor Mike Eason called the meeting to order at 7:00 p.m.

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, Human Resource Manager Donna Blanton and Zoning Administrator Nalita Copeland.

INVOCATION AND PLEDGE: Invocation and pledge was led by Councilmember Tolson.

APPROVAL OF THE AGENDA: Motion to amend the agenda to add item #8a Public Comment Procedures Presented by the Mayor made by S. Tolson/C. Phillips. Vote carried unanimously in favor.

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

1. **APPROVAL OF THE MINUTES:** Motion to approve the minutes from the regular City Council meeting and the Executive Session held on July 9, 2018 made by J. Power/C. Phillips. Vote carried unanimously in favor.

PUBLIC HEARING

2. **ZA C8-00162:** David Blount has requested a zoning amendment for TMP 091 002 001, located at 2807 Hwy 9 North, consisting of 3.83 acres, from RA (Restricted Agriculture) to NB (Neighborhood Business). Public Hearing Dates: Planning Commission - July 9, 2018 and City Council - July 23, 2018.

Motion to open the public hearing made by S. Tolson/J. Power. Vote carried unanimously in favor. Zoning Administrator Copeland presented the rezone; Planning Commission recommended approval of the rezoning application on July 9, 2018. Mayor Eason conducted the public hearing; no one spoke in favor or opposition of the request. Motion to close the public hearing made by C. Phillips/J. Power. Vote carried unanimously in favor. Vote will take place at the next City Council meeting to be held on August 6, 2018.

FINAL READING/VOTE OF REZONE REQUESTS

3. **ZA C8-00146:** Downtown Development Authority of Dawsonville Georgia has requested a rezone of the 6.15 acre tract known as TMP D04 020 001, located at 415 HWY 53 East from PUD (Planned Unit Development) to INST (Institutional).
4. **ZA C8-00147:** Downtown Development Authority of Dawsonville Georgia has requested a rezone of the 18.18 acre tract known as TMP D04 020, located at 135 Main Street from PUD (Planned Unit Development) to INST (Institutional).

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5. **ZA C8-00149**: City of Dawsonville has requested a rezone of the 0.75 acre tract known as TMP D03 032, located at 124 ALLEN ST from R-1 (Single Family Residential) to INST (Institutional).
6. **ZA C8-00148**: City of Dawsonville has requested a rezone of the 1 acre tract known as TMP D03 033, located at 82 ALLEN ST from PUD (Planned Unit Development) to INST (Institutional).

Zoning Administrator Copeland presented the rezoning applications; Planning Commission recommended approval of the rezoning applications on July 9, 2018.

Motion to approve the rezoning applications items #3 through #6 as presented made by S. Tolson/J. Power. Vote carried unanimously in favor.

WORK SESSION

7. **STREET PARKING ORDINANCE:** Mayor Eason spoke about the problems of parking within subdivisions and the concerns of public safety when emergency vehicles cannot get down the streets. Public Works Operations Manager Trampas Hansard informed Council of the varying widths of the subdivision streets. Emergency Services would like a minimum of a 9-foot clearance in the streets. Out of the 12 subdivisions, 9 have an HOA and 3 of them do not have an HOA; those without an HOA have no way to enforce parking regulations. Rainhill Subdivision has placed signs of their own which read "No Parking This Side of the Street"; this appears to be helping with the issues. Mayor Eason stated the Council needs to determine if an ordinance is necessary and if so, how it will be enforced. Councilmember Power suggested placing the same signs that Rainhill Subdivision is using as an initial attempt to improve the issue; Mayor Eason stated staff is considering that option. Mayor Eason also stated these issues should be considered in the future during the development of new subdivisions to make them more accessible and offer better parking.
8. **PUBLIC COMMENT PROCEDURES:** Councilmember French presented his basis for proposing a Public Comment Policy stating the importance of providing an opportunity for the residents of Dawsonville to be heard. His research included other municipal government procedures on public comment and found consistently they offered an opportunity for public comment at their meetings. He stated the policy he set forth, if approved, will provide the platform for the citizens of Dawsonville to be heard. Councilmember French asked for feedback from the Council. Mayor Eason stated they are all in favor of public comment and public input.
- 8a. **PUBLIC COMMENT PROCEDURE PRESENTED BY THE MAYOR:** Mayor Eason stated he developed and submitted to Council his procedure earlier this year when Councilmember Tolson and French requested a forum for public comment but received no feedback. He discussed the points of his proposed procedure stressing his support of hearing from the public during open meetings. Councilmember French stated his concerns and reasons as to why this proposed procedure would restrict the public's opportunity to speak. He further stated it is wrong when no opportunity is given for the public to speak. Mayor Eason requested further input; no other comments were given.
9. **FIREWORKS:** Mayor Eason spoke about the unfortunate fire in Burt's Crossing which completely destroyed three homes and damaged six others, as well as, another fire on Maple Street which also damaged a home. These incidents occurred due to the improper disposal

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of fireworks in trash cans. Since then, complaints and concerns have arisen from citizens about the use of fireworks in subdivisions. Research indicates the City would have to have a noise ordinance through which fireworks can be regulated. However, House Bill 419 was signed into state law which allows the use of fireworks on Jan 1st, July 3rd and 4th, December 31st, Labor Day and Memorial Day. Therefore, passing a noise ordinance wouldn't allow the City to regulate the use of fireworks. Mayor Eason stated education on the proper disposal of fireworks is key. Councilmember Tolson recommends speaking with the individual HOA's who possess the ability to better regulate the use of fireworks within subdivisions. Councilmember French encourages citizens to contact Representative Kevin Tanner and Senator Steve Gooch to request amending House Bill 419 to exclude subdivisions.

EXECUTIVE SESSION

At 7:35 p.m. the Council motioned to close regular session and go into executive session for the purpose of Pending or Potential Litigation made by J. Power/S. Tolson. Vote carried unanimously in favor.

At 7:50 p.m. a motion to close executive session and resume regular session was made by J. Power/S. Tolson. Vote carried unanimously in favor.

Motion to amend the agenda to add item #10 Consideration of Letter from Flint, Connolly & Walker made by S. Tolson/C. Phillips. Vote carried unanimously in favor.

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

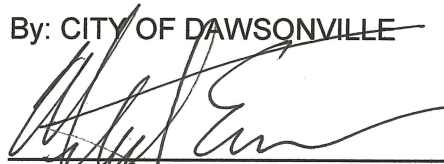
- 10. CONSIDERATION OF LETTER FROM FLINT, CONNOLLY & WALKER:** Mayor Eason stated the letter is from the attorney representing the KK Turner Estate requesting the coordination for the final inspection of the Gold Creek Clubhouse to satisfy the dilapidated structure violation.

Motion to approve the request for the attorneys to go to the property with our engineer and to be completed prior to the next City Council meeting on August 6, 2018 made by C. Phillips/S. Tolson. Vote carried unanimously in favor.

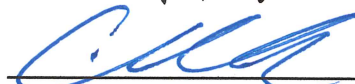
ADJOURNMENT

With there being no further business to attend to, a motion was made to adjourn the meeting at 7:54 p.m. by J. Power/C. Phillips. Vote carried unanimously in favor.

By: CITY OF DAWSONVILLE

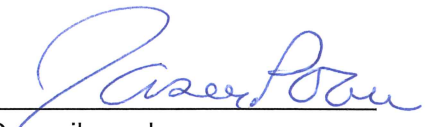


Michael Eason, Mayor



Caleb Phillips, Councilmember

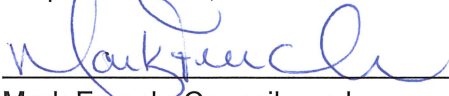
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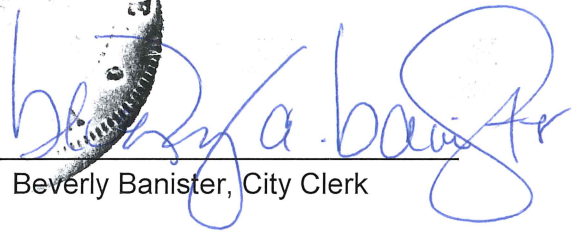
Jason Power, Councilmember



Stephen Tolson, Councilmember



Mark French, Councilmember



Attested:

Beverly Banister, City Clerk

STATE OF GEORGIA
COUNTY OF DAWSON

AFFIDAVIT OF THE CITY OF DAWSONVILLE MAYOR AND COUNCIL

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

1. The City of Dawsonville Council met in a duly advertised meeting on the July 23, 2018.
2. During such meeting, the Board voted to go into closed session.
3. The executive session was called to order at 7³⁵ p.m.
4. The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law: (check all that apply)

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


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

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

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

Other _____ as provided in: _____.


This 23rd day of July 2018; By the City of Dawsonville, Mayor and Council:



Michael Eason, Mayor



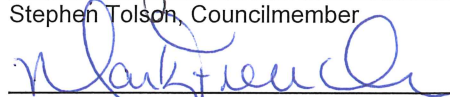
Caleb Phillips, Councilmember



Jason Power, Councilmember/Mayor Pro-Tem

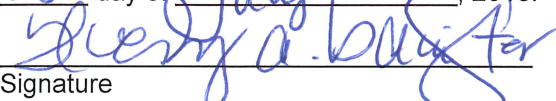


Stephen Tolson, Councilmember



Mark French, Councilmember

Sworn to and subscribed before me this
23 day of July, 2018.



Signature
Notary Public
My Commission expires: 08.18.2020