

MINUTES
CITY COUNCIL REGULAR MEETING
February 19, 2018
7:00 P.M.

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

ROLL CALL: Present were Councilmember Jason Power, Councilmember Mark French, Councilmember Caleb Phillips, Councilmember Stephen Tolson, City Attorney Dana Miles, City Manager Bob Bolz, City Clerk Beverly Banister, Utilities Director Gary Barr, Public Works Operations Manager Trampas Hansard and Planning Director Casey Majewski.

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

APPROVAL OF THE AGENDA: Motion to approve the agenda as presented by C. Phillips/M. French. Vote carried unanimously in favor.

- 1. APPROVAL OF THE MINUTES:** Motion to approve the minutes from the executive session and the regular meeting held February 5, 2018 made by J. Power/S. Tolson. Vote carried unanimously in favor.

WORK SESSION

- 2. GMRC PROPOSED VOTING DISTRICTS PRESENTATION:** Faith Bryan from GMRC presented the proposed district posts which were established according to the Georgia Municipal Redistricting Guide. Mayor Eason stated due to advertising requirements that cannot be met, we most likely will not introduce the local legislation until next year.
- 3. DEVELOPMENT REGULATIONS:** Planning Director Casey Majewski presented the development regulations update. Majewski requested Council provide recommendations preferably by the next council meeting on which direction they would like to proceed to incorporate the development regulations.

REGULAR MEETING

- 4. KENT PROPERTY REZONE:** Peggy Kent addressed the Council requesting her property located at 2364 Perimeter Road be released from the PUD classification. After some discussion, Ms. Kent was instructed that the Council could not legally release her property from the PUD but she could apply for a change to the site plan within the PUD to exclude her property from the PUD or an application can be made to apply for rezoning of the property by both property owners that are a part of the PUD together .
- 5. SETPOINT HVAC CONTRACT:** Motion to approve the annual SETPOINT HVAC contract for \$3,650.00 effective March 1, 2018 made by M. French/C. Phillips. Vote carried unanimously in favor.
- 6. GMRC SIDEWALK MAPPING CONTRACT:** Motion to approve the contract with GMRC for sidewalk mapping services for \$3350.00 by S. Tolson/C. Phillips. Vote carried unanimously in favor.

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7. **SEWAGE TREATMENT EXPANSION STUDY:** City Manager Bob Bolz addressed Council regarding the sewage treatment expansion study which would include an evaluation of the existing system, specification books of how our system is currently, what is needed at each point as we grow and a tertiary plant; all placed on a map with a specification book to use as a guideline for the next 30 years. Bolz reported only one bid has been received to date; he will bring it before Council again once more bids are received.
8. **COUNCIL CHAMBERS BLIND REPLACEMENT:** Public Works Operations Manager Trampas Hansard addressed Council about the repair of the motors for the blinds in the Council Chambers. Motion to approve replacing the motors for the blinds system up to \$18,000.00 made by C. Phillips/M. French. Vote carried unanimously in favor.

PUBLIC HEARING

9. **An Ordinance of the City of Dawsonville, Georgia to Amend Current Ordinance Chapter 6.5-51 Regarding the Regulation of Swimming Pools, Spas, and Recreational Water Parks to Conform with State Regulations; for Severability; and for Other Purposes**

The public hearing was unanimously opened by J. Power/C. Phillips. Mayor Mike Eason presented the ordinance for the second reading and conducted the public hearing. Planning Director Casey Majewski explained the purpose of the ordinance amendment. No one spoke in favor or opposition. A motion to close the public hearing was made by J. Power/C. Phillips. Vote carried unanimously in favor.

Motion to approve the ordinance amendment as presented made by J. Power/S. Tolson. Vote carried unanimously in favor. (Exhibit "A")

10. **VAR-2017-C7-00289: Craig Nolen, with Adams Homes, has filed an appeal of the Planning Commission's decision to deny a front building setback variance for TMP # 083 038 032, located at 340 Angela Lane.**

The public hearing was unanimously opened by M. French/J. Power. Mayor Mike Eason conducted the public hearing. Planning Director Casey Majewski reviewed the details surrounding the variance request and the appeal. Craig Nolen, General Manager with Adams Homes, spoke in favor of the variance asking for it to be granted based on receiving no opposition from the existing home owner or the adjoining property owners and due to the existing unconventional placement of the other properties throughout the development and because of the cost to tear it down and replace it. Mr. Nolen explained the error made by the employee of Adams Homes. Discussion of the possibility of removing the garage. No one spoke in opposition. A motion to close the public hearing was made by J. Power/C. Phillips. Vote carried unanimously in favor.

Motion to postpone the vote for the appeal decision until the March 5, 2018 City Council Meeting made by C. Phillips/J. Power. Vote carried unanimously in favor.

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EXECUTIVE SESSION

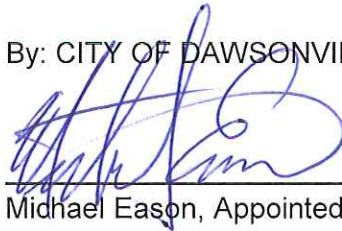
At 8:20 p.m. the Council motioned to close regular session and go into executive session for the purpose of Pending or Potential Litigation and Land Acquisition made by J. Power/M. French. Vote carried unanimously in favor.

At 9:00 p.m. a motion to close executive session and resume regular session was made by S. Tolson/C. Phillips. Vote carried unanimously in favor.

ADJOURNMENT

With there being no further business to attend to, a motion was made to adjourn the meeting at 9:00 p.m. by M. French/J. Power. Vote carried unanimously in favor.

By: CITY OF DAWSONVILLE



Michael Eason, Appointed Mayor



Caleb Phillips, Councilmember



Jason Power, Councilmember



Stephen Tolson, Councilmember



Mark French, Councilmember



Attested:



Beverly Banister, City Clerk

FIRST READING DATE: FEBRUARY 5, 2018

SECOND READING DATE: FEBRUARY 19, 2018

ORD #2018-01

AN ORDINANCE OF THE CITY OF DAWSONVILLE, GEORGIA TO AMEND CURRENT ORDINANCE CHAPTER 6.5-51 REGARDING THE REGULATION OF SWIMMING POOLS, SPAS, AND RECREATIONAL WATER PARKS TO CONFORM WITH STATE REGULATIONS; FOR SEVERABILITY; AND FOR OTHER PURPOSES

WHEREAS, the City has an interest in protecting, preserving, and promoting the health, safety and welfare of the citizens of the City of Dawsonville through the regulation of swimming pools, spas, and recreational water parks;

WHEREAS, Section 1.12(21) of the Charter of the City of Dawsonville provides that the City shall have the authority to prescribe standards of health and sanitation and to provide for the enforcement of such standards;

WHEREAS the City previously incorporated Dawson County's rules and regulations regarding swimming pools, spas, and recreational water parks;

WHEREAS the Dawson County Board of Health recently eliminated its local rules and regulations regarding swimming pools, spas, and recreational water parks and has adopted the Georgia Department of Public Health Rules of Swimming Pools, Spas and Recreational Water Parks;

WHEREAS the City has specifically drafted this ordinance to incorporate the statutes and regulations of the State of Georgia regarding swimming pools, spas, and recreational water parks, and any future local rules and regulations of the Dawson County Board of Health regarding the same;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF DAWSONVILLE HEREBY ORDAINS as follows:

SECTION ONE. *Enactment of a new Section 6.5-51: Local board of health enactments.*

Section 6.5-51 of the Code of the City of Dawsonville is hereby enacted, which shall read as follows:

Sec. 6.5-51. - Local board of health enactments.

Pursuant to O.C.G.A. § 31-3-1, et seq., in addition to the above-referenced rules and regulations of the Georgia DHR, the City hereby adopts the state statutes and regulations as amended from time to time and the local rules and regulations enacted by the Dawson County Board of Health, if any, on the following subjects:

- (1) Statutes, rules and regulations concerning tattoo and body art, enacted by resolution dated April 17, 2001, as amended and adopted by the Dawson County Commission on August 5, 2004, which are hereby set forth verbatim herein and adopted by the city upon lawful adoption of this chapter.
- (2) Statutes, rules and regulations concerning swimming pools, spas and recreational water parks, including but not limited to Georgia Department of Public Health Rules and Regulations Public Swimming Pools, Spas and Recreational Water Parks Chapter 511-3-5, as the same may be amended from time to time, which are hereby set forth verbatim herein and adopted by the city upon lawful adoption of this chapter.
- (3) Statutes, rules and regulations concerning rabies control, enacted by resolution dated April 9, 2001, as the same may be amended from time to time, which are hereby set forth verbatim herein and adopted by the city upon lawful adoption of this chapter.
- (4) Statutes, rules and regulations concerning minimum lot size for on-site sewage disposal systems (septic tanks), enacted by resolution dated June 22, 2004, as the same may be amended from time to time, which are hereby set forth verbatim herein and adopted by the city upon lawful adoption of this chapter.

The above-mentioned statutes, rules, and regulations are hereby adopted by the City in accordance with state law, and are further hereby adopted and approved for enforcement as set forth herein.


Copies of those rules and regulations enacted by the Dawson County Board of Health (if any), and having been adopted by the city, are on file at the Dawson County Board of Health, where the same are available for inspection and copying by the public during regular business operating hours.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed. If any section, provision or clause of any part of this ordinance shall be declared invalid or unconstitutional, or if the provisions of any part of this ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this ordinance not so held to be invalid, or the application of this ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent that this ordinance would have been adopted had such invalid portion not been included herein.

This ordinance shall be effective upon passage by the Mayor and Council of the City of Dawsonville, Georgia.

[Execution only on Following Page]


CITY OF DAWSONVILLE, GEORGIA

By: 
Mike Eason, Mayor


Caleb Phillips, Council Member

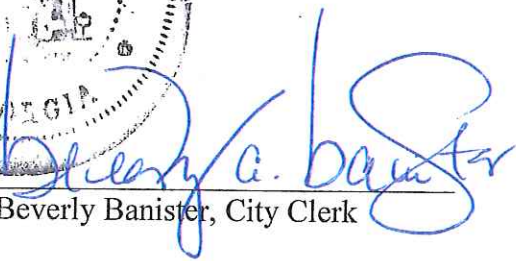

Jason Power, Council Member


Mark French, Council Member


Stephen Tolson, Council Member



ATTESTED TO BY:


Beverly Banister, City Clerk

STATE OF GEORGIA
COUNTY OF DAWSON


AFFIDAVIT OF THE CITY OF DAWSONVILLE MAYOR AND COUNCIL

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


1. The City of Dawsonville Council met in a duly advertised meeting on the February 19, 2018.
2. During such meeting, the Board voted to go into closed session.
3. The executive session was called to order at 8²⁰ 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(4);
- 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(6);
- Other _____ as provided in: _____.

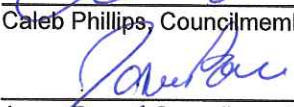
This 19th day of ~~January~~ ^{February} 2018; By the City of Dawsonville, Mayor and Council:



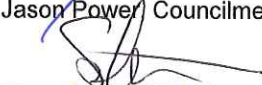
Michael Eason, Appointed Mayor



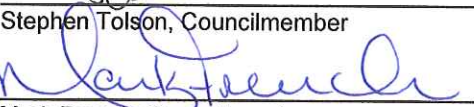
Caleb Phillips, Councilmember



Jason Power, Councilmember

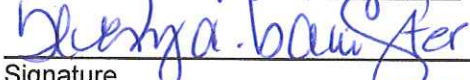


Stephen Tolson, Councilmember



Mark French, Councilmember

Sworn to and subscribed before me this 19 day of February, 2018.



Signature
Notary Public

My Commission expires:
02-18-2020

