

**MINUTES**  
**CITY COUNCIL REGULAR MEETING**  
**December 18, 2017**  
**5:00 P.M.**

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**CALL TO ORDER:** Appointed Mayor Mike Eason called the meeting to order at 5:00 p.m.

**ROLL CALL:** Present were Appointed Mayor Mike Eason, Councilmember Jason Power, Councilmember Angie Smith, Councilmember Caleb Phillips, Councilmember Mike Sosebee, City Attorney Dana Miles, City Manager Bob Bolz, City Clerk Beverly Banister, Utilities Director Gary Barr, Public Works Operations Manager Trampas Hansard, Planning Director Casey Majewski, Finance Administrator Hayden Wiggins and Deputy City Clerk Tracy Smith.

**INVOCATION AND PLEDGE:** Invocation was led by Councilmember Angie Smith and pledge was led by Councilmember Mike Sosebee.

**AGENDA:** Motion to amend the agenda by moving the Executive Session for Land Acquisition and Pending or Potential Litigation to after item #1 Approval of the Minutes made by C. Phillips/J. Power. Vote carried unanimously in favor.

Motion to approve the agenda as amended by J. Power/M. Sosebee. Vote carried unanimously in favor.

**APPROVAL OF THE MINUTES:** Motion to approve the minutes of the regular meeting held December 4, 2017 made by J. Power/M. Sosebee. Vote carried unanimously in favor.

**EXECUTIVE SESSION**

At 5:03 p.m. the Council motioned to close regular session and go into executive session for the purpose of Land Acquisition and Pending or Potential Litigation made by M. Sosebee/J. Power. Vote carried unanimously in favor.

At 5:15 p.m. a motion to close executive session and resume Regular Session was made by J. Power/M. Sosebee. Vote carried unanimously in favor.

**BUSINESS**

**COMPREHENSIVE PLAN ADVISORY BOARD APPOINTMENTS:** Planning Director Casey Majewski clarified she is seeking approval not appointment for the comprehensive plan advisory board members. The individuals recommended and agreed to serve are:

Terrence Sicilia	Angie Smith
Charles Pierce	James Bearden
Mary Herr	Dan Elliott
Steve Sanvi	Colleen Simrell
Lanier Swafford	Linda Hudson
Christie Haynes	Misti Moore

Additionally, Matt Falstrom has been contacted but has not confirmed with Majewski to date. Motion to approve the staff recommendations submitted for the comprehensive plan advisory board made by M. Sosebee/C. Phillips. Vote carried 3 in favor (Sosebee, Phillips and Power) with 1 abstaining (Smith)

**LAND ACQUISITION:** Motion to purchase the Hamby easement along Pigeon Creek out of SPLOST VI water and sewer for \$10,000 with the option to buy the surrounding 30 acres at \$5,000 per acre by C. Phillips/J. Power. Vote carried unanimously in favor.

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Motion to enter into a contract to purchase 82 Allen Street for the purpose of the farmer's market for the amount of \$90,000 to be paid by SPLOST VI by A. Smith/M. Sosebee. Vote carried unanimously in favor.

**2018 ALCOHOL LICENSE RENEWALS:** Planning Director Casey Majewski presented the remaining applications for 2018 alcohol license renewal approval; they are as follows:

- Dawsonville Moonshine Distillery      415 Hwy 53 E, Ste 120
- Dawsonville Tavern                        29 Main Street
- Fajita Grill #2                                14 Malala Drive
- Neighborhood Conv Store                75 Hwy 9 North

Motion to approve the four applications presented for Alcoholic Beverage License renewals for 2018 made by C. Phillips/J. Power. Vote carried unanimously in favor.

**CONDITIONAL USE APPLICATION FOR TATTOO SHOP:** Planning Director Casey Majewski made Council aware of a conditional use application for a tattoo shop that will be heard at Planning Commission in January and then later at City Council. The proposed location is in the Historic District on Route 9 South. Currently that use is not allowed in the Historic District.

**TRAINING, CONFERENCE AND EVENT APPROVAL FOR APPOINTED MAYOR:** Motion to approve training, conference and event registration, lodging and mileage for appointed mayor by J. Power/A. Smith. Vote carried unanimously in favor.

**RECOGNIZE COUNCILMEMBER ANGIE SMITH AND COUNCILMEMBER MIKE SOSEBEE:** Mayor Pro-Tem Jason Power presented Mike Sosebee and Angie Smith individually with plaques thanking them for their service and dedication to the City of Dawsonville.

**RECOGNIZE ALL CITY STAFF:** City Manager Bob Bolz recognized the City staff by name for an outstanding job. They are:

Beverly Banister	Tracy Smith	Levi Foulks
Gary Barr	Sara Beacham	Westin Lee
Trampas Hansard	Savanna Barker (absent)	Justin Steward
Casey Majewski	Stacy Harris	Alex Miller
Hayden Wiggins	Nalifa Copeland	Jessie Ray (absent)
Donna Blanton	Blake Croft	Jacob Barr

Bolz also mentioned Jacob Barr was recognized at the City's Employee of the Year by the Rotary Club.

**PUBLIC HEARINGS**

**An Ordinance to Amend Section 2.13 of the Charter of the City of Dawsonville so as to Reduce the Compensation of the Mayor; To Clarify Compensation for Meetings Beyond the First Regular Meeting of the Month; to Provide for Future Amendment to the Compensation, Expenses and Reimbursement Paid to the Mayor and City Council Members for Their Service by Ordinance; And for Other Purposes**

The public hearing was unanimously opened by J. Power/A. Smith. City Attorney Dana Miles presented the ordinance to amend the charter and conducted the public hearing. No one spoke in favor or opposition. A motion to close public hearing was made by A. Smith/C. Phillips. Vote carried unanimously.

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Miles informed Council two public hearings on the ordinance to amend the charter have now been heard, December 4 and December 18, 2017, and properly advertised; it is now ripe for a second consideration and vote. Councilmember Smith spoke regarding the research and background done by Council on reducing the Mayor's salary referencing the Georgia DCA 2017 Municipal Wage and Salary Survey citing Dawsonville has the highest paid mayor in our population category. Motion to approve the ordinance to amend Section 2.13 of the Charter of the City of Dawsonville made by C. Phillips/J. Power. Vote carried 3 in favor (Phillips, Smith and Power) with 1 against (Sosebee). (Exhibit "A")

**An Ordinance to Amend Sections 5.11 and 5.16 of the Charter of the City of Dawsonville so as to Create District Posts for Council Members; To Clarify and Make the Removal Process Consistent with State Law; And for Other Purposes**

The public hearing was unanimously opened by J. Power/C. Phillips. City Attorney Dana Miles presented the ordinance to amend the charter and conducted the public hearing. He noted that according to comply with state and federal law the districts will be created subsequent to the approval of the charter amendment and the districts will be created based on the census. No one spoke in favor. Christie Haynes whom resides at 55 Pearl Chambers Drive spoke during the opposition segment stating she was not opposed or for it but despite the law she proposed having the districts drawn out for public viewing since it was unclear what they would look like just by reading the ordinance amendment. A motion to close public hearing was made by A. Smith/C. Phillips. Vote carried unanimously.

Motion to approve the ordinance to amend Sections 5.11 and 5.16 of the Charter of the City of Dawsonville made by C. Phillips/J. Power. Vote carried 3 in favor (Phillips, Smith and Power) with 1 against (Sosebee). (Exhibit "B")

**Alcoholic Beverage License Application: Chiragkumar Patel of Discount Package Store has applied for the issuance of a license for a retail package for wine and distilled spirits at the following premises: 2131 Highway 9 North Suite 200, Dawsonville, Georgia 30534**

The public hearing was unanimously opened by J. Power/ A. Smith. City Attorney Dana Miles presented the alcoholic beverage license application and conducted the public hearing. No one spoke in favor or opposition. A motion to close the public hearing was made by A. Smith/J. Power. Vote carried unanimously.

Motion to approve the alcoholic beverage license application for Chiragkumar Patel of Discount Package Store made by J. Power/C. Phillips. Vote carried unanimously in favor.

**Alcoholic Beverage License Application: Jorge Homero Sanchez has applied for the issuance of a license for consumption on the premises for beer, wine and distilled spirits at the following premises: El Rio Mexican Café, 69 Highway 9 South, Dawsonville, Georgia 30534**

The public hearing was unanimously opened by J. Power/ A. Smith. City Attorney Dana Miles presented the alcoholic beverage license application and conducted the public hearing. No one spoke in favor or opposition. A motion to close the public hearing was made by A. Smith/J. Power. Vote carried unanimously.

Motion to approve the alcoholic beverage license application for Jorge Homero Sanchez at El Rio Mexican Cafe made by M. Sosebee/J. Power. Vote carried unanimously in favor.

STATE OF GEORGIA  
COUNTY OF DAWSON

AFFIDAVIT OF THE CITY OF DAWSONVILLE MAYOR AND COUNCIL

Appointed Mayor Michael Eason, Council Member Jason Power, Council Member Caleb Phillips, Council Member Angie Smith, and Council Member Mike Sosebee; 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 December 18, 2017.
2. During such meeting, the Board voted to go into closed session.
3. The executive session was called to order at 5<sup>03</sup> 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 18th day of December 2017; By the City of Dawsonville, Mayor and Council:

  
\_\_\_\_\_  
Michael Eason, Appointed Mayor

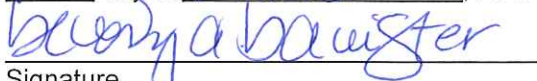
  
\_\_\_\_\_  
Caleb Phillips, Council Member

  
\_\_\_\_\_  
Jason Power, Mayor Pro-Tem

  
\_\_\_\_\_  
Angie Smith, Council Member

  
\_\_\_\_\_  
Mike Sosebee, Council Member

Sworn to and subscribed before me this  
18 day of December, 2017.

  
\_\_\_\_\_  
Signature

Notary Public

My Commission expires: 02.18.2020

**BEVERLY A BANISTER,  
NOTARY PUBLIC  
DAWSON COUNTY, GEORGIA  
COMMISSION EXPIRES  
FEBRUARY 18, 2020**

FIRST READING	November 13, 2017
FIRST CONSIDERATION	December 4, 2017
SECOND CONSIDERATION	December 18, 2017
PUBLICATION DATES:	November 22, 2017, November 29, 2017 and December 6, 2017

**AN ORDINANCE TO AMEND SECTION 2.13 OF THE CHARTER OF THE CITY OF DAWSONVILLE SO AS TO REDUCE THE COMPENSATION OF THE MAYOR; TO CLARIFY COMPENSATION FOR MEETINGS BEYOND THE FIRST REGULAR MEETING OF THE MONTH; TO PROVIDE FOR FUTURE AMENDMENT TO THE COMPENSATION, EXPENSES AND REIMBURSEMENT PAID TO THE MAYOR AND CITY COUNCIL MEMBERS FOR THEIR SERVICE BY ORDINANCE; 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;

**WHEREAS**, Section 2.13 of the City Charter sets forth the compensation paid and expenses subject to reimbursement for the Mayor and members of the City Council members;

**WHEREAS**, Section 2.13(a) of the City Charter set the compensation of the mayor and each council member beginning on January 1, 2008 and at that time the City did not have a City Manager;

**WHEREAS**, the City has hired a City Manager who performs many of the duties that were formerly performed by the Mayor when there was no City Manager;

**WHEREAS**, the City has conducted a study of compensation to Mayors of similarly situated cities with acting City Managers throughout the state of Georgia and found that most receive compensation much lower than that currently paid to the Mayor;

**WHEREAS**, Section 2.13(c) of the City Charter provides that the mayor and council shall be authorized to fix the salary, compensation and expenses of the mayor and each member of the council in accordance with the provisions of O.C.G.A. § 36-35-4;

**WHEREAS**, Georgia law does not require that the compensation of the mayor and city council be contained in the City's Charter;

**WHEREAS**, the City now desires to amend Section 2.13 of the City Charter to allow the compensation of the mayor and each member of the city council to be revised as part of the Code of Ordinances for the City, as opposed to requiring future amendments to the City's Charter; and

**WHEREAS**, the City desires to clarify compensation for meetings beyond the first regular meeting of the month that are attended by the mayor and council members on behalf of the City.

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

Sections 2.13(a) and (c) of the City Charter, as amended, are deleted in their entirety and the new sections set forth below are inserted. All other sub-sections of Section 2.13 and all other sections of the City Charter not specifically amended by this ordinance shall remain in full force and effect. A copy of this Charter Amendment along with all other required documents shall be provided to the Secretary of State in accordance with O.C.G.A. § 36-35-5.

Sections 2.13(a) and (c) of the City Charter shall read as follows:

**Section 2.13. Compensation and expenses.**

- (a) The compensation of the mayor shall be \$600.00 per month and the compensation of each council member shall be \$500.00 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 sub-section (c). In

addition to this monthly compensation, the mayor and council members shall also be paid \$100.00 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.

(c) Pursuant to O.C.G.A. § 36-35-4 as now and hereafter amended, the salary, compensation and expenses of the mayor and each member of the city council may hereafter be established by Ordinance amending the City's Code of Ordinances.

This ordinance shall take effect and be in force from and after January 1, 2018.

**SO ADOPTED** by the City Council of Dawsonville, Georgia, this 18 day of December, 2017.


CITY OF DAWSONVILLE

  
Michael Eason, Appointed Mayor

  
Caleb Phillips, Council Member

  
Jason Power, Council Member

  
Angie Smith, Council Member

  
Mike Sosebee, Council Member



  
Attested to by Beverly Bahister, City Clerk



FIRST READING	November 13, 2017
FIRST CONSIDERATION	December 4, 2017
SECOND CONSIDERATION	December 18, 2017
PUBLICATION DATES:	November 22, 2017, November 29, 2017 and December 6, 2017

**AN ORDINANCE TO AMEND SECTIONS 5.11 and 5.16 OF THE CHARTER OF THE CITY OF DAWSONVILLE SO AS TO CREATE DISTRICT POSTS FOR COUNCIL MEMBERS; TO CLARIFY AND MAKE THE REMOVAL PROCESS CONSISTENT WITH STATE LAW; 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;

**WHEREAS**, Section 5.11 of the City Charter sets forth the procedure for election procedures and requirements for the elected offices of the Mayor and members of the City Council members;

**WHEREAS**, the City desires to amend the election procedures and requirements to provide for geographic district posts in which each Council Member resides with a substantially similarly sized population in each district beginning on January 1, 2018; and

**WHEREAS**, the City now desires to amend Section 5.16 of the City Charter to clarify the same and make it consistent with state and federal law.

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

Section 5.11 (e) of the City Charter, as amended, is deleted in its entirety and a new Section 5.11 (e) along with a new section 5.11 (g) as set forth below is enacted and inserted. All other sub-sections of Section 5.11 and all other sections of the City Charter not specifically amended by this ordinance shall remain in full force and effect. Section 5.16 of the City Charter, as amended, is deleted in its entirety and a new Section 5.16 as set forth below is enacted and inserted. All other sub-sections of Section 5.16 and all other sections of the City Charter not specifically amended by this ordinance shall remain in full force and effect. A copy of this Charter Amendment along



with all other required documents shall be provided to the Secretary of State in accordance with O.C.G.A. § 36-35-5.

Sections 5.11 (e) and (g) of the City Charter shall read as follows:

**Section 5.11. Regular Elections**

(e) 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 (g) below. Each council member must reside in the district as set forth in subsection (g) 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.

(g) 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. As of January 1, 2018, Post 1 is held by council member Caleb Phillips, Post 2 is held by council member Steve Tolson, Post 3 is held by council member Jason Power and Post 4 is held by council member Mark French. 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 5.16. - 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. 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.

This ordinance shall take effect and be in force from and after its adoption.

**SO ADOPTED** by the City Council of Dawsonville, Georgia, this 18 day of December, 2017.


**CITY OF DAWSONVILLE**

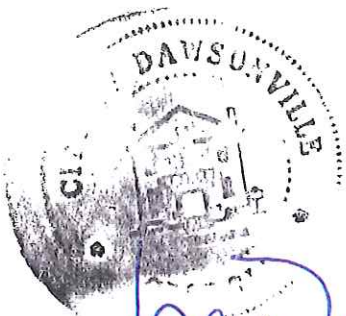
  
\_\_\_\_\_  
Mayor


  
\_\_\_\_\_  
Council Member

  
\_\_\_\_\_  
Council Member

  
\_\_\_\_\_  
Council Member

  
\_\_\_\_\_  
Council Member



  
\_\_\_\_\_  
Attested to by Beverly Banister, City Clerk

415 Highway 53 E. Suite 100  
Dawsonville, Georgia 30534



(706) 265-3256  
Fax (706) 265-4214  
www.dawsonville-ga.gov

**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 solemnly swear (or affirm) that I will support the Constitution of the United States and of the State of Georgia; that I will in all respects observe the provisions of the Charter and ordinances of the City of Dawsonville; and I will faithfully discharge the duties of Councilmember. So help me God."

This 18<sup>th</sup> day of December 2017

A handwritten signature in black ink, appearing to read "Stephen L. Tolson", is written over a horizontal line.

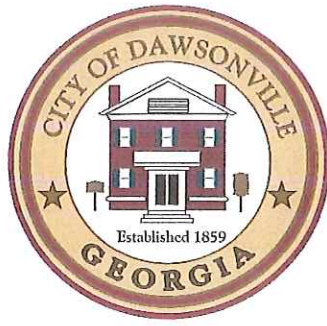
Stephen L. Tolson, Council Member



A handwritten signature in blue ink, appearing to read "Beverly Barister", is written over a horizontal line.

Beverly Barister, City Clerk

415 Highway 53 E. Suite 100  
Dawsonville, Georgia 30534



(706) 265-3256  
Fax (706) 265-4214  
www.dawsonville-ga.gov

**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 solemnly swear (or affirm) that I will support the Constitution of the United States and of the State of Georgia; that I will in all respects observe the provisions of the Charter and ordinances of the City of Dawsonville; and I will faithfully discharge the duties of Councilmember. So help me God."

This 18<sup>th</sup> day of December 2017



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Mark W. French, Council Member



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Beverly Banister, City Clerk



**MINUTES  
CITY COUNCIL REGULAR MEETING  
December 18, 2017  
5:00 P.M.**

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**OATH OF OFFICE**

**SWEARING IN OF NEWLY ELECTED OFFICIALS:**

Councilmember Elect Stephen Tolson was sworn in to office as Councilmember by City Attorney Dana Miles; he subsequently executed the oath of office. (Exhibit "C")

Councilmember Elect Mark French was sworn in to office as Councilmember by City Attorney Dana Miles; he subsequently executed the oath of office. (Exhibit "D")

**APPOINT 2018 MAYOR PRO TEM:** Motion to appoint Jason Power as Mayor Pro Tem made by C. Phillips/M. French. Vote carried unanimously.

**ADJOURNMENT**

With there being no further business to attend to, the meeting was adjourned at 5:58 p.m. by motion: S. Tolson/J. Power. Vote carried unanimously in favor.

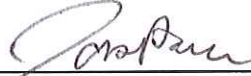
By: CITY OF DAWSONVILLE,



Michael Eason, Appointed Mayor



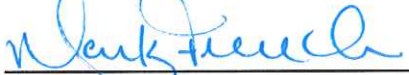
Caleb Phillips, Councilmember



Jason Power, Councilmember



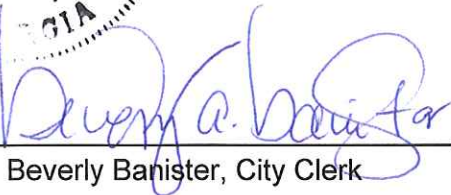
Stephen Tolson, Councilmember



Mark French, Councilmember



Attested:



Beverly Banister, City Clerk