

MINUTES
CITY COUNCIL REGULAR MEETING
July 10, 2017
6:00 P.M.

CALL TO ORDER: Mayor Grogan called the meeting to order at 6:00 p.m.

ROLL CALL: Present were Mayor W. James Grogan, Councilmember Angie Smith, Councilmember Caleb Phillips, Councilmember Jason Power, Councilmember Mike Sosebee, City Attorney Dana Miles, City Clerk Bonnie Warne (absent), City Manager Bob Bolz, Deputy City Clerk Beverly Banister, Utilities Director Gary Barr, Public Works Manager Trampas Hansard, and Planning Director Casey Majewski (late).

INVOCATION AND PLEDGE: Invocation and pledge was led by Bernie Foltz.

AGENDA: Motion to amend the agenda on the removal of James Grogan as Mayor of the City of Dawsonville by M. Sosebee. Motion dies for lack of a second.

Motion to approve the agenda by: J. Power/C. Phillips. Vote carried unanimously in favor.

MINUTES: Motion to approve the minutes of the regular meeting June 5, 2017 and the specially called meeting June 19, 2017 by: J. Power/M. Sosebee. Vote carried unanimously in favor.

BUSINESS:

ZA-2017-C7-00120: Len Reeves has requested to amend/modify the existing zoning stipulations/conditions for TMP D02 001 located at 280 Maple Street South; current zoning is R6 (Residential Multi-Family) with stipulations.

ZA-2017-C7-00121: Len Reeves has requested to amend/modify the existing zoning stipulations/conditions for TMP 083 038-082 located at 0 Maple Street South; current zoning is R6 (Residential Multi-Family) with stipulations.

Len Reeves spoke to the council concerning the stipulation request summarizing the key points of his intentions for the property. Motion to table both applications until September 11, 2017 by: C. Phillips/A. Smith. 3 in favor/1 opposed (M. Sosebee). Vote carried in favor.

DDA Board Vacancy: Motion to appoint Tim Costly, Misti Moore, Kevin Hammond to the DDA Board for the remainder of the vacant term by: J. Power/C. Phillips. 2 in favor/1 abstained (A. Smith)/1 opposed (M. Sosebee)

CAFR Award: Mayor Grogan presented the CAFR Award of financial reporting achievement to City Clerk Bonnie Warne (absent).

Deputy City Clerk: Job Description and Appointment: Motion to approve Beverly Banister as Deputy City Clerk and approve the job description as presented by: A. Smith/J. Power. Vote carried unanimously in favor.

Professional Services: Hiring Tony Powell (Webb, Tanner & Powell) to represent the City Council as Respondent in Certiorari in Grogan v. City of Dawsonville: Motion to hire Attorney Powell to represent the City Council as respondent by: A. Smith/C. Phillips. Vote carried unanimously in favor.

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PUBLIC HEARING:

Annexation Ordinance: An Ordinance For The Purpose Of Setting An Application Fee For Annexations And Changing The Fees For Zonings; To Provide For Repealer; To Provide An Effective Date; And For Other Purposes. The public hearing was unanimously opened by J. Power/A. Smith. Attorney Dana Miles conducted the public hearing. One person spoke on the topic of the annexation ordinance. The public hearing was unanimously closed by: J. Power/C. Phillips.

Motion to approve the Annexation Ordinance as presented by: C. Phillips/J. Power. Vote carried unanimously in favor. (Exhibit "A")

STAFF REPORTS:

City Manager Bob Bolz updated the Council on the status of the vehicle bid for Planning Director Majewski's 2017 Ford Escape, the lowest bid came back from Akins Ford; Main Street Park plans are out for permits to EPD and waiting approval; pre-construction starts the end of this month for the sidewalk from Shoal Creek to Red Hawk Subdivision via Burt Creek Rd; new monthly summary available for Council.

City Clerk Bonnie Warne (absent). All accounts are balanced through May 31, 2017.

Utilities Director Gary Barr reported most everything is going good with utilities; the upgrade on the wastewater plant seems to be working well and everything is working good.

Public Works Operations Manager Trampas Hansard reported everything is growing; they are cutting a lot of grass and behind a little due to the rain; meeting with Georgia Power next week about adding more street lights for safety on Howser Mill Road and from Allen Street to Farmington Woods.

Planning Directory Casey Majewski reported 2 new businesses came into the City this month; they have 11 plan reviews in process, 44 open permits, and 15 CO's issued; they have been working with the subdivisions to clean out and maintain their detention ponds, 60% have been contracted or completed; zoning amendment coming for new subdivision along 53 W; preparing for Shine Peddler's bike race at the end of the month.

COUNCIL/MAYOR REPORTS:

Angie Smith reported on the success of the Celebrity Waiter Breakfast held last month generating approximately \$4200 with 240 attendees.

Jason Power reported the meeting for the Board of Health was cancelled due to lack of a quorum.

Mayor Grogan spoke of his participation at the Celebrity Waiter Breakfast reporting it was the biggest he has seen, everyone had a lot of fun and it was a great time doing it; July 4th fireworks show at AMP was great, large crowd, traffic and parking was a non-issue, entertainment and food was really good.

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EXECUTIVE SESSION: At 6:57 p.m. the Council motioned to close regular session and go into executive session for the purpose of personnel and land acquisition by: J. Power/A. Smith. Vote carried unanimously in favor.

ADJOURNMENT: With there being no further business to attend to, the meeting closed and adjourned at 7:29 p.m. by: M. Sosebee/J. Power. Vote carried unanimously in favor.

By: CITY OF DAWSONVILLE

W. James Grogan
Mayor W. James Grogan

Caleb Phillips
Councilmember Caleb Phillips

Jason Power
Councilmember Jason Power

Angie Smith
Councilmember Angie Smith

Mike Sosebee
Councilmember Mike Sosebee



Attested: Beverly A. Bauer
City Clerk/Deputy City Clerk

STATE OF GEORGIA
COUNTY OF DAWSON

AFFIDAVIT OF THE CITY OF DAWSONVILLE MAYOR AND COUNCIL

Mayor W. James Grogan, Council Member Caleb Phillips, Council Member Angie Smith, Council Member Jason Power 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 July 10, 2017.

2.
During such meeting, the Board voted to go into closed session.

3. 6:57
The executive session was called to order at 6:57 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 10th day of July, 2017; By the City of Dawsonville, Mayor and Council:

W. James Grogan
W. James Grogan, Mayor

Caleb Phillips
Caleb Phillips, Council Member

Jason Power
Jason Power, Council Member

Angie Smith
Angie Smith, Council Member

Mike Sosebee
Mike Sosebee, Council Member

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

Sworn to and subscribed before me this
10 day of July, 2017.

Beverly A. Banister
Bonnie Warne, City Clerk
Notary Public
Beverly A. Banister

My Commission expires: ~~July 24, 2017~~
Feb 18, 2020

FIRST READING 6/19/2017
SECOND READING 7/10/2017
PUBLICATION DATES 6/14, 6/28, 7/5/2017

ORDINANCE # 2017-01

AN ORDINANCE FOR THE PURPOSE OF SETTING AN APPLICATION FEE FOR ANNEXATIONS AND CHANGING THE FEES FOR ZONINGS; TO PROVIDE FOR REPEALER; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and Council of the City of Dawsonville are charged with the protection of the health, safety and general welfare of the public; and

WHEREAS, Georgia law provides several procedures for the annexation of territory, including annexation by local act of the General Assembly, annexation initiated by a local governing body, and annexation initiated by the owners of the property to be annexed; and

WHEREAS, when an application for annexation is submitted to the City, the City expends time and resources considering and processing the application; and

WHEREAS, the City currently charges varying fees for zoning applications depending on the proposed zoning category and now desires to simply and streamline the zoning fees charged;

NOW THEREFORE, the Council of the City of Dawsonville hereby ordains:

Section 1.

The Code of Ordinances of the City of Dawsonville is amended by adding a new Chapter 108 Annexations and Section 108-1, Section 108-2 and Section 108-3 to read as follows:

Sec. 108-1. Annexation in General

Annexation of property into the City limits shall be accomplished in accordance with state law, the regulations of this Chapter 108 and all other applicable ordinance provisions.

Sec. 108-2. Annexation Application and Fee

The City Manager or his designee shall create an application form for annexation requiring such information as is necessary to properly process the annexation request. The application for annexation shall include a section related to the zoning classification sought for the subject property by the applicant or the zoning application may be a

separate form at the discretion of the City Manager or his designee. Applications for annexation shall include a completed application form signed by the property owner(s) and, unless the annexation is initiated by the City, a non-refundable fee for annexation and a non-refundable fee for the requested zoning as fixed from time to time by the Council (See, Section 2-110).

Sec. 108-3. Annexation of Island Property held by Multiple Owners

In the event there are multiple tracts of subdivided property that are unincorporated islands surrounded by properties within the City limits and the owners of the island tracts desire to be annexed into the City limits in a group of at least five (5) or more properties in order to eliminate their status as unincorporated islands, then the fees set forth in Section 2-110 may be adjusted by the Council to such level as compensates the City for the necessary costs of annexation and rezoning while at the same time recognizing the savings of annexation and rezoning of multiple tracts of subdivision property within an unincorporated island at the same time. Upon the filing of applications of at least five (5) or more such applications, the Council in its discretion may make any adjustment in the fees at its next regular meeting and thereafter upon payment of said fees, the applications shall proceed in accord with the hearing and consideration process. If no such adjustment is made by the Council, the fees set forth in Section 2-110 shall apply.

Section 2. Annexation Fee and Amendment to Zoning Fees

Sec. 2-110 of the Dawsonville Code of Ordinances is hereby amended by deleting the current provisions of same related to Appendix A-Zoning and adding a new section of fees related to Appendix A as follows:

Appendix A-Zoning, Variance, Appeal, Change of Zoning Condition and Annexation Requests

The fee for all rezoning applications regardless of zoning category is the base amount set forth in the table below plus \$50.00 per acre for each acre or part of an acre beyond 1 acre in the subject tract with a maximum fee of \$5,000 regardless of the number of acres involved.

| Zoning, Variance, Appeal, Change of Zoning Condition and Annexation Requests | |
|--|----------|
| Action Requested: | Fee: |
| AP | \$250.00 |
| R-1 | \$250.00 |
| R-2 | \$250.00 |

| | |
|---|---------------------------------------|
| R-3 | \$350.00 |
| R-3R | \$350.00 |
| R-6 | \$350.00 |
| RHMT | \$250.00 |
| PUD | \$500.00 |
| TB | \$500.00 |
| PCS | \$350.00 |
| O | \$500.00 |
| CBD | \$500.00 |
| NB | \$500.00 |
| LI | \$500.00 |
| HB | \$500.00 |
| CIR | \$500.00 |
| INST | \$500.00 |
| RA | \$500.00 |
| Variance | \$300.00 |
| Appeals and Change of Zoning Conditions | \$500.00 |
| Annexation | \$250.00 plus applicable rezoning fee |

Any required public notices to adjoining landowners shall be charged to the applicant at the current U.S. Postal Service rate in addition to the fees stated above.

Section 3. Repealer and Restatement.

All ordinances and resolutions and parts thereof in conflict herewith are repealed. However, to the extent not in conflict, all remaining ordinances, resolutions or parts thereof shall not be amended or repealed and shall remain in full force and effect, except as expressly stated in this ordinance.

Section 4. Effective Date.

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

SO ADOPTED this 10th day of July, 2017.

By: CITY OF DAWSONVILLE

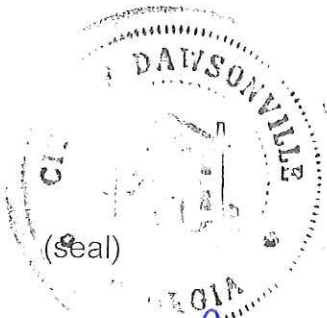
W. James Grogan
Mayor W. James Grogan

Caleb Phillips
Councilmember Caleb Phillips

Jason Power
Councilmember Jason Power

Angie Smith
Councilmember Angie Smith

Mike Sosebee
Councilmember Mike Sosebee



Attested: Bonnie Warne
Bonnie Warne, City Clerk