

AGENDA
CITY COUNCIL REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, March 4, 2019
5:30 P.M.

1. Call to Order
2. Roll Call
3. Invocation and Pledge
4. Announcements
5. Approval of the Agenda
6. Public Input
7. Consent Agenda
 - a. Approve the Minutes
 - City Council Regular Meeting held February 18, 2019
 - Executive Session held February 18, 2019
 - b. Approve Turnipseed Engineers to Prepare GA EPD Reports
 - c. Approve 2019 GMA Annual Convention Training

PUBLIC HEARING

8. An Ordinance To Amend The Ethics Code Of The City Of Dawsonville So As To Clarify The Purpose And Scope Of The Code Of Ethics; To Clarify Definitions, Restrictions, Conflicts Of Interests, And Penalties Applicable To City Officials And City Employees; To Clarify The Restrictions On Outside Employment; To Provide For The Qualification Of Members To The Ethics Board; To Provide For Alternative Means Of Removal Of Officers As Provided For In The City Charter; To Provide The Procedure For Hearing Complaints Regarding City Officials, Including The Filing Of Complaints, The Service Of Complaints, And The Procedure For Hearings; And For Other Purposes. (First Reading and Public Hearing: March 4, 2019; Second Reading March 18, 2019)

BUSINESS

9. Proclamations:
 - Exceptional Children's Week March 4-8, 2019
 - Employee Appreciation Week, March 4-8, 2019
10. Bid Selection: RFP #19-03 Main Street Park Playground
11. Main Street Park Change Order
12. Resolution Opposing House Bill 302
13. Development of Regional Impact (DRI) Proposal for Dawson County
14. Appoint Davis Engineering as Secondary Engineers for Non-Water/Sewer Projects
15. Downtown Street Parking Options

EXECUTIVE SESSION IF NEEDED: Pending or Potential Litigation, Real Estate Acquisition and/or Personnel

ADJOURNMENT

Those persons with disabilities who require reasonable accommodations in order to allow them to observe and/or participate in this meeting or who have questions regarding the accessibility of the meeting, should contact the Clerk at Dawsonville City Hall at 706-265-3256 at least two (2) business days prior to the meeting.



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 7

SUBJECT: CONSENT AGENDA

CITY COUNCIL MEETING DATE: 03/04//2019

PURPOSE FOR REQUEST:

**CONSIDERATION AND APPROVAL OF ITEMS A; SEE ATTACHED
SUPPORTING DOCUMENTS**

- a. Approve the Minutes
 - City Council Regular Meeting held February 18, 2019
 - Executive Session held February 18, 2019
 - b. Approve Turnipseed Engineers to Prepare GA EPD Reports
 - c. Approve 2019 GMA Annual Convention Training
-



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 7a

SUBJECT: APPROVE THE MINUTES

CITY COUNCIL MEETING DATE: 03/04/2019

BUDGET INFORMATION: GL ACCOUNT # NA

Funds Available from: Annual Budget Capital Budget Other

Budget Amendment Request from Reserve: Enterprise Fund General Fund

PURPOSE FOR REQUEST:

TO APPROVE THE MINUTES FROM:

- **WORK SESSION AND REGULAR MEETING – FEBRUARY 18, 2019**
 - **EXECUTIVE SESSION – FEBRUARY 18, 2019**
-

HISTORY/ FACTS / ISSUES:

OPTIONS:

AMEND OR APPROVE AS PRESENTED

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Beverly Banister, City Clerk

MINUTES
CITY COUNCIL WORK SESSION AND REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, February 18, 2019
5:30 P.M.

1. **CALL TO ORDER:** Mayor Mike Eason called the meeting to order at 5:30 pm.
2. **ROLL CALL:** Present were Councilmember Mark French, Councilmember Stephen Tolson, Councilmember Caleb Phillips, City Attorney Dana Miles, Assistant City Attorney Alex Myers, City Manager Bob Bolz, Deputy City Clerk Tracy Smith, Utilities Director Gary Barr, Public Works Operations Manager Trampas Hansard and Planning Director Robbie Irvin.
3. **INVOCATION AND PLEDGE:** Invocation and Pledge were led by Councilmember Phillips.
4. **ANNOUNCEMENTS:** No announcements were made
5. **APPROVAL OF THE AGENDA:** Motion to table item #9 to the March 18, 2019 City Council meeting made by S. Tolson; second by C. Phillips. Vote carried 3 in favor (Tolson, Phillips, French), with one absent (Power).

Motion to approve the agenda as amended made by M. French; second by S. Tolson. Vote carried 3 in favor (Tolson, Phillips, French), with one absent (Power).
6. **PUBLIC INPUT:** No comments from the public.
7. **APPROVAL OF THE MINUTES:** Motion to approve the minutes of the City Council Regular Meeting held February 4, 2019 made by C. Phillips; second by S. Tolson. Vote carried 3 in favor (Tolson, Phillips, French), with one absent (Power). Vote carried unanimously in favor.
8. **EMPLOYEE OF THE MONTH AWARD:** Mayor and Council presented the February Employee of the Month Award to Steven McNeal.
9. Item was tabled until March 18, 2019 during the approval of the agenda.

ZA- C9-00004: Ensite Civil Consulting LLC has requested a zoning amendment for TMP 082 021 consisting of 38.58 acres located at 592 Hwy 53 West, from R-3 (Single Family) to RPC (Residential Planned Community) Hearing Dates: Planning Commission - February 11, 2019 and City Council February 18, 2019

Councilmember Jason Power joined the meeting.
10. **PARKING PROJECT AT CITY HALL:** Motion to approve Davis Engineering for the design of the parking project in the amount of \$12,800 to be paid with General Fund reserves made by C. Phillips; second by M. French. Vote carried unanimously in favor.
11. **CONSTRUCTION MANAGEMENT SERVICES RFQ AND DRAFT CONTRACT:** Motion to approve the RFQ for Construction Management Services and Contract made by S. Tolson; second by J. Power. Vote carried unanimously in favor.
12. **BID SELECTION: MAPLE STREET MAINTENANCE BUILDING GRADING PROJECT:** City Manager Bob Bolz presented the history of the project and the bid process with a recommendation of the low bid by Jerry Townley Concrete. Motion to award Jerry Townley Concrete as the contractor in the amount of \$27,925 to be paid out of SPLOST VI made by C. Phillips; second by S. Tolson. Vote carried unanimously in favor.
13. **ANIMAL CONTROL IGA WITH DAWSON COUNTY:** City Attorney Miles discussed the draft version of the IGA and will be seeking approval from Dawson County with his additional changes as presented on the draft version. Based on their approval he will hope to be able to present it in final form to the Mayor and Council at the March 4, 2018 meeting for approval.

MINUTES
CITY COUNCIL WORK SESSION AND REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, February 18, 2019
5:30 P.M.

14. PRESENTATIONS ON MAIN STREET PARK

- **CONDITION OF ROAD AND TRAILS BY SOUTHERN GEOTECH AND POTENTIAL CHANGE ORDER**

Rodney Clark a geotech specialist spoke on the condition of the roads and trails and not being able to pave due to the abundance of rain. He discussed three options for consideration to move forward with paving:

1. Chemically dry the dirt by using pelletized lime or something similar to help it dry; however, if rain continues it will ruin the application and render it useless.
2. Soil Cement would set up, harden and create a foundation and is very repellent of the weather. It will be necessary to grade and establish drainage away from the trails so water couldn't infiltrate from underneath. It's the most expensive of the options but would create a very strong foundation.
3. Wait until the weather improves and we are out of the cycle of rain and the dirt can dry on its own. An estimate of 10 to 14 days of completely dry weather would be required to start plowing the dirt to dry further and then continued dry weather would be needed to repack it and then pave.

Mayor Eason requested to have the contractor provide the recommendation and cost for the soil cement option.

- **LANDSCAPE PLAN BY DAVIS ENGINEERING**

Rachel Burton from Davis Engineering presented and discussed the landscape plan and the fencing for Main Street Park and is continuing to receive cost estimates.

Motion to approve Davis Engineering to prepare a bid package for the design of the landscape plan at Main Street Park made by S. Tolson; second by C. Phillips. Vote carried unanimously in favor.

15. WATER/SEWER RATE STUDY PRESENTATION: Chris Poje from GBT Engineers discussed and presented the results of the water and sewer rate study requested by City Council; the recommendation is an approximate seven percent increase. He further discussed water and sewer tap fees but did not provide a recommendation for increase.

16. ETHICS ORDINANCE: City Attorney Dana Miles discussed the need to amend the current ethics ordinance and welcomes any suggestions from Council; he proposed the first reading with a public hearing be held at the March 4, 2019 meeting and second reading and vote at the March 18, 2019 meeting.

17. NICHE COLUMBARIUM AT MEMORIAL GARDENS: Ted Bearden from Bearden Funeral Home discussed and presented information regarding the need for a niche columbarium to be placed at Memorial Gardens for persons to have a place for their loved one's cremated remains. Request to have Public Works Operations manager Trampas Hansard to obtain cost estimates and a plan to present at the next work session.

CITY MANAGER REPORT: City Manager Bob Bolz reported the following:

- Main Street Park playground bids are due back by Friday, February 22, 2019.
- New City of Dawsonville website went live on Friday, February 15, 2019; feedback is requested.
- Wallace Park has been vandalized 3 separate times and they are looking into security camera options to mitigate future damage.
- Utility Bills are now able to be paid via automatic draft.
- The Farmers Market bid package will be ready to go out sometime next week.

MINUTES
CITY COUNCIL WORK SESSION AND REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, February 18, 2019
5:30 P.M.

MAYOR AND COUNCIL REPORTS: No reports were made.

EXECUTIVE SESSION:

At 6:45 p.m. a motion to close regular session and go into executive session for the purpose of pending and/or potential Litigation and Real Estate Acquisition was made by J. Power; second by C. Phillips. Vote carried unanimously in favor.

At 7:55 p.m. a motion to close executive session and resume regular session was made by S. Tolson; second by C. Phillips. Vote carried 3 in favor (Tolson, Phillips, French) with 1 absent (Power).

ADJOURNMENT:

At 7:57 p.m. a motion to adjourn the meeting was made by S. Tolson; second by M. French. Vote carried 3 in favor (Tolson, Phillips, French) with 1 absent (Power).

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



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 7b

SUBJECT: APPROVE TURNIPSEED ENGINEERS TO PREPARE GA EPD REPORTS

CITY COUNCIL MEETING DATE: 03/04/2019

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

TO APPROVE TURNIPSEED ENGINEERS TO PREPARE REPORTS FOR APPROVAL FROM GEORGIA EPD REGARDING THE FLAT CREEK WATER POLLUTION CONTROL PLANT PERMITTING PROCESS – TOTAL COST \$22,500.00 TO BE PAID FROM ENTERPRISE FUND RESERVES

HISTORY/ FACTS / ISSUES:

CONTINUATION OF WASTELOAD ALLOCATION PROCESS; REPORTS AND COST AS FOLLOWS:

1. ENVIRONMENTAL INFORMATION DOCUMENT	\$ 7,500.00
2. DESIGN DEVELOPMENT REPORT	\$15,000.00

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Bob Bolz, City Manager



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 7c

SUBJECT: APPROVE 2019 GMA ANNUAL CONVENTION TRAINING

CITY COUNCIL MEETING DATE: 03/04/2019

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: Annual Budget _____ Capital Budget _____ Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

**TO APPROVE GMA MUNICIPAL TRAINING, ACCOMMODATIONS, TRAVEL REIMBURSEMENT
AND PER DIEM**

ESTIMATED AMOUNT: \$2,274.96 FUNDED BY FY 2019 GENERAL FUND BUDGET

HISTORY/ FACTS / ISSUES:

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Beverly Banister, City Clerk

* ESTIMATED *

Travel Expense Reimbursement Form



Name: Jason Power
 Event: GMA Annual Convention
 Training Dates: June 21-25
 Location: Savannah, GA
 Approved at City Council Meeting: _____

DEPARTMENT
 Mayor
Council
 Admin
 Water/Sewer
 P & Z
 Roads
 DDA

Training/Conference Registration

Classes: 3 Vendor: Registration (\$375) Classes (\$565) Total \$ 940.00

Lodging

Nights: 4 HOTEL: average hotel accomm. \$200/night Total \$ 800.00

Meal Cost Per Diem

Days: 1 x \$20 for required attendance & travel days with no overnight stay Total \$ 20.00

Days: 4 x \$40 for required attendance & travel days with an overnight stay Total \$ 160.00

Mileage for Personal Vehicle Use

Date	Destination To/From	Miles Driven
	<u>Dawsonville → Savannah, GA</u>	<u>306</u>
	<u>Savannah, GA → Dawsonville</u>	<u>306</u>

Total Miles 612 X .58 cents/mile (IRS Mileage Reimbursement Rate) Total \$ 354.96

City's Vehicle Used Google Map Attached

Miscellaneous Expenses

Date	Description	Amount W/Itemized Receipt Attached
		\$

I, the undersigned do hereby swear or affirm that the information in this expense report is complete, true and correct to the best of my knowledge.

Employee/Official Signature: _____ Date: _____

Mayor/Pro Tem/City Mgr Approval: _____ Date: _____

Green Highlighted Areas to be filled in by Accounts Payable Clerk

Travel Summary:

GL _____ 523500 \$ _____ Travel (Mileage/Lodging/Meals/Misc Fees)

GL _____ 523700 \$ _____ Education & Training

Check # _____ Check # _____ Check # _____ Check # _____
 Training Hotel Food Mileage & Misc

Total Estimated \$ 2274.96

GMA 2019 Annual Convention Registration (June 21 - 25)

THIS FORM WILL NOT BE ACCEPTED AS A REGISTRATION FORM, IT IS FOR INFORMATION AND REGISTRATION PREPARATION ONLY.
REGISTRATION WILL OPEN ON TUESDAY, MARCH 12th AT 9:00AM.

	Early By 4/2	Advance 4/2-5/24	Late/Onsite After 5/24
<input checked="" type="checkbox"/> GMA Members	\$375	\$395	\$415
<input type="checkbox"/> Spouse (List name above)	\$135	\$145	\$155
<input type="checkbox"/> Children ___ x	\$65	\$75	\$80

Municipal Training Institute Registration

This fee covers training sessions only. Courses are 3 and 6 hrs. each. Please mark 3 choices in case your first choice is full (1, 2, 3). Courses marked with * are on the required list.

Friday, June 21

1:30 PM – 4:30 PM

<input type="checkbox"/> Capital Improvement Program	\$150	\$160	\$170
<input type="checkbox"/> Current Issues: Understanding the Census	\$150	\$160	\$170
<input checked="" type="checkbox"/> Current Issues: Understanding Homelessness	\$150	\$160	\$170
<input type="checkbox"/> Effective Practices for Municipal Operations	\$150	\$160	\$170
<input type="checkbox"/> Entrepreneur Friendly Cities	\$150	\$160	\$170
<input checked="" type="checkbox"/> Employee Benefits 101 (Retirement)	\$150	\$160	\$170
<input type="checkbox"/> Excellence in Customer Service	\$150	\$160	\$170
<input type="checkbox"/> Local Government Debt Methods	\$150	\$160	\$170
<input type="checkbox"/> Mobile Workshop: Port of Sav.	\$150	\$160	\$170
<input type="checkbox"/> Municipal Courts Post-Ferguson	\$150	\$160	\$170
<input type="checkbox"/> Municipal Water and Wastewater Systems*	\$150	\$160	\$170
<input type="checkbox"/> Open Meetings*	\$150	\$160	\$170
<input type="checkbox"/> Practices for Successful Meetings*	\$150	\$160	\$170
<input type="checkbox"/> Public Policy Development and Implementation*	\$150	\$160	\$170
<input type="checkbox"/> Recreation and Parks	\$150	\$160	\$170
<input type="checkbox"/> Roles and Responsibilities of Council and Staff*	\$150	\$160	\$170
<input type="checkbox"/> Trends in Urban Design for Local Leaders	\$150	\$160	\$170

Saturday, June 22

8:15 AM – 11:15 AM

<input type="checkbox"/> Mobile Workshop: Placemaking In Action (meets offsite)	\$150	\$160	\$170
--	-------	-------	-------

Saturday, June 22

8:15 AM – 3:15 PM

<input type="checkbox"/> Building a Hometown Connection: GMA Lobbying 101	\$265	\$285	\$295
<input type="checkbox"/> Creating a Downtown Renaissance: Advanced DDA	\$265	\$285	\$295
<input type="checkbox"/> Current Issues: Workforce Development	\$265	\$285	\$295

<input type="checkbox"/> Downtown Development Authority Basic Training (ends at 4:15p.m.)	\$265	\$285	\$295
<input type="checkbox"/> Economic Development*	\$265	\$285	\$295
<input type="checkbox"/> Emergency Management*	\$265	\$285	\$295
<input type="checkbox"/> Environmental Sustainability	\$265	\$285	\$295
<input type="checkbox"/> Ethics*	\$265	\$285	\$295
<input type="checkbox"/> Human Resources*	\$265	\$285	\$295
<input type="checkbox"/> Making Citizen Engagement Work*	\$265	\$285	\$295
<input type="checkbox"/> Money, Money, Money...Money!	\$265	\$285	\$295
<input checked="" type="checkbox"/> Funding City Projects and Programs through Grants and Loans			
<input checked="" type="checkbox"/> Mobile Workshop: Housing Solutions	\$265	\$285	\$295
<input type="checkbox"/> Municipal Finance II*	\$265	\$285	\$295
<input checked="" type="checkbox"/> Revitalizing Neighborhoods Tools for Local Officials	\$265	\$285	\$295
<input type="checkbox"/> Service Delivery Strategy Efficiency & Tax Equity for Local Governments	\$265	\$285	\$295
<input type="checkbox"/> Water Management – An Introduction For Local Governments	\$265	\$285	\$295

Tuesday, June 25

8:15 – 11:15 AM

<input type="checkbox"/> Beyond the Beltway: Influencing Federal Policy	\$150	\$160	\$170
<input type="checkbox"/> Economics of Education	\$150	\$160	\$170
<input type="checkbox"/> Information Privacy and Security Breaches—Prevention and Response	\$150	\$160	\$170
<input checked="" type="checkbox"/> Let's Get Social	\$150	\$160	\$170
<input type="checkbox"/> Municipal Taxation 102 The Basics Continued	\$150	\$160	\$170
<input type="checkbox"/> Municipal Law Update 2019	\$150	\$160	\$170
<input checked="" type="checkbox"/> New and Emerging Technology for Cities	\$150	\$160	\$170
<input type="checkbox"/> Public Works and Transportation*	\$150	\$160	\$170
<input type="checkbox"/> Risk and Insurance 101	\$150	\$160	\$170
<input type="checkbox"/> Succession Planning: Preparing For Tomorrow's Workforce Today (New)	\$150	\$160	\$170

*This course is on the "required" list for the Municipal Training Institute certificate program.

Special Event Registration

<input type="checkbox"/> City Attorneys' Session/Lunch	\$150	\$200
<input checked="" type="checkbox"/> City Managers' Session/Lunch	\$70	\$80
<input type="checkbox"/> Awards Luncheon	\$50	\$60

Check here if you have any ADA or Special Dietary needs

Hotel Information and Pricing – Page 2

Two double beds One King Bed Smoking Room

Please note: GMA cannot guarantee bed type or special requests. Please confirm your request with the hotel upon check in.

Hotels	Rate	Parking
___ Alida	\$195	\$25 (valet)
___ Andaz	\$232	\$23 (valet)
___ Courtyard	\$189	\$15 (valet)
___ Doubletree	\$209	\$26 (valet)
___ Embassy Suites	\$205	\$20 (self) \$25 (valet)
___ Fairfield Inn & Suites	\$179	\$25 (valet)
___ Hampton Inn (Bay Street.)	\$196	\$12 (self)
___ Hampton Inn (Oglethorpe)	\$179	\$20 (self) \$25 (valet)
___ Hilton Garden Inn	\$209	\$26 (valet)
___ Holiday Inn Express (Bay St.)	\$196	\$12 (valet)
___ Holiday Inn (Bryan St.)	\$175	\$25 (valet)
___ Hotel Indigo	\$199	\$16 (valet)
___ Hyatt Regency Savannah	\$227	\$16 (valet)
___ Marriott Riverfront	\$203	\$18 (self)
___ Residence Inn	\$229	\$15 (valet)
___ The Brice (Kimpton)	\$229	\$18 (self)
___ TRYP by Wyndham	\$199	\$28 (self)
<i>Formally B Historic</i>		
___ Staybridge Suites	\$179	\$20 (self)
___ Westin Savannah Harbo	\$240	\$21 (self)

Riverfront Rooms: Additional fee for riverfront rooms at Hyatt, Marriott and Westin are \$50, \$30 and \$40 per night respectively and subject to availability. Please indicate “Riverfront” request on this form. Additional fee for balcony room facing golf course is \$30 per night at Westin. Request will be submitted to hotel. Please confirm at check-in.

Room Deposit: Westin requires a two-night deposit and all other hotels require a one-night deposit all of which is refundable if cancelled at least 72 hours prior to arrival. Most hotels charge a fee for early departure.

Changes/Cancellations: All hotel changes and cancellations must be made through Spargo. More information will be on the registration form.

**THIS FORM IS TO BE USED FOR
INFORMATIONAL PURPOSES AND NOT TO BE
ACCEPTED FOR REGISTRATION.
REGISTRATION WILL OPEN ON MARCH 12th AT
9:00AM.**

Tentative Schedule!

Friday, June 21

11:45 am – 12:45 pm

Municipal Training Board Meeting

1:30 pm – 4:30 pm

Municipal Training Institute Classes

5:00 pm – 5:45 pm

Training Ceremony

5:45 pm – 6:30 pm

Reception for Training Certificate Recipients

Saturday, June 22

8:15 am – 3:15 pm

Municipal Training Institute Classes

11:30 am – 3:30 pm

City Attorneys’ Session and Lunch

3:15 pm – 5:30 pm

Exhibit Hall Open

4:00 pm – 5:30 pm

Board of Directors Meeting

5:30 pm – 6:30 pm

Board of Directors Reception

Sunday, June 23

7:30 am – 8:00 am

Worship Service

8:30 am – 1:30 pm

Exhibit Hall Open

9:00 am – 10:30 am

Policy Committee Meetings

10:45 am – 12:15 pm

Policy Committee Meetings

11:30 am – 1:30 pm

Lunch in the Exhibit Hall

12:30 pm – 1:30 pm

Federal Policy Council Meeting and Lunch

12:30 pm – 1:45 pm

City Managers’ Session and Lunch

1:45 pm – 3:15 pm

Policy Committee Meetings

3:30 pm – 5:00 pm

General Session

5:15 pm – 6:15 pm

Legislative Policy Council Meeting

Monday, June 24

8:30 am – 9:15 am

Business Session (continental breakfast provided)

9:30 am – 10:45 am

Concurrent Sessions

11:00 am – 12:15 pm

Concurrent Sessions

12:30 pm – 2:00 pm

Awards and Installation Luncheon

2:15 pm – 3:15 pm

Rapid Fire Sessions

2:30 pm – 4:30 pm

GMA WILL NOT ACCEPT THIS AS A REGISTRATION FORM.



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 8

SUBJECT: ORDINANCE TO AMEND THE ETHICS CODE

CITY COUNCIL MEETING DATE(S): 03/04/2019

BUDGET INFORMATION: GL ACCOUNT # NA

Funds Available from: Annual Budget Capital Budget Other

Budget Amendment Request from Reserve: Enterprise Fund General Fund

PURPOSE FOR REQUEST: **PUBLIC HEARING AND FIRST READING**

An Ordinance To Amend The Ethics Code Of The City Of Dawsonville So As To Clarify The Purpose And Scope Of The Code Of Ethics; To Clarify Definitions, Restrictions, Conflicts Of Interests, And Penalties Applicable To City Officials And City Employees; To Clarify The Restrictions On Outside Employment; To Provide For The Qualification Of Members To The Ethics Board; To Provide For Alternative Means Of Removal Of Officers As Provided For In The City Charter; To Provide The Procedure For Hearing Complaints Regarding City Officials, Including The Filing Of Complaints, The Service Of Complaints, And The Procedure For Hearings; And For Other Purposes.

(First Reading and Public Hearing: March 4, 2019; Second Reading March 18, 2019)

HISTORY/ FACTS / ISSUES:

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Dana Miles, City Attorney

First Reading: _____
Second Reading: _____
Passed: _____

AN ORDINANCE TO AMEND THE ETHICS CODE OF THE CITY OF DAWSONVILLE SO AS TO CLARIFY THE PURPOSE AND SCOPE OF THE CODE OF ETHICS; TO CLARIFY DEFINITIONS, RESTRICTIONS, CONFLICTS OF INTERESTS, AND PENALTIES APPLICABLE TO CITY OFFICIALS AND CITY EMPLOYEES; TO CLARIFY THE RESTRICTIONS ON OUTSIDE EMPLOYMENT; TO PROVIDE FOR THE QUALIFICATION OF MEMBERS TO THE ETHICS BOARD; TO PROVIDE FOR ALTERNATIVE MEANS OF REMOVAL OF OFFICERS AS PROVIDED FOR IN THE CITY CHARTER; TO PROVIDE THE PROCEDURE FOR HEARING COMPLAINTS REGARDING CITY OFFICIALS, INCLUDING THE FILING OF COMPLAINTS, THE SERVICE OF COMPLAINTS, AND THE PROCEDURE FOR HEARINGS; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and Council of the City of Dawsonville find that the adoption of an amended Ethics Code is proper and appropriate to govern the conduct of its employees and officials in accordance with being a City of Ethics as designated by the Georgia Municipal Association;

WHEREAS, an Ethics Code and Ethics Board to administer it provide for accountability to the citizens of the City of Dawsonville; and

WHEREAS, the City Council desires to update its Code of Ethics to be consistent with the City charter, state law, and other ordinances of the City of Dawsonville.

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

SECTION 1.

The reservation of sections 2-84 through 2-109 of Article III, Division 2 is hereby repealed.

SECTION 2.

Sections 2-87 through 2-109 of Article III, Division 2 are hereby reserved.

SECTION 3.

Article III, Division 2 of the Code of the City of Dawsonville, Georgia, is hereby amended by repealing the existing Sections 2-75 through 2-81 in their entirety and adopting new Sections 2-75 through 2-86 as follows:

Sec. 2-75. – Declaration of policy; scope.

(a) It is the policy of the city that the proper operation of democratic government requires that public officials be independent, impartial and responsible to the people; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its

government. In recognition of these goals, a code of ethics for all city officials is adopted. This code has the following purposes:

- (1) To encourage high ethical standards in official conduct by city officials;
 - (2) To establish guidelines for ethical standards of conduct for all such officials by setting forth those acts or actions that are incompatible with the best interest of the city;
 - (3) To require disclosure by such officials of private financial or other interest in manners that affect the city; and
 - (4) To serve as a basis for disciplining those who refuse to abide by its terms.
- (b) However, the provisions of this code of ethics shall not apply to political contributions, loans, expenditures, reports or regulation of political campaigns or the conduct of candidates in such campaigns which are governed by state law.
- (c) The provisions of this code of ethics shall be applicable to all elected or appointed city officials as well as to city employees as set forth hereunder.
- (d) Notwithstanding any provision herein to the contrary, state law and the City Charter shall be controlling in the event of an actual conflict with the provisions of this code of ethics. This ordinance shall be interpreted to supplement, and not replace, said provisions of state law and the City Charter.

Sec. 2-76. – Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) City official, unless otherwise expressly defined does not include city employees but does mean all persons elected or appointed to be a city official, including the mayor, members of city council, municipal court judges, city manager, city clerk, and all other persons holding positions designated by the city charter, as amended. The term “city official” also includes all individuals, including city employees, appointed by the mayor and/or city council as appropriate to city authorities, commissions, committees, boards, task forces, or other bodies which can or may vote or take formal action or make official recommendations to the mayor and/or city council.
- (2) *Decision* means any ordinance, resolution, contract, franchise, formal action, or other matter voted on by the city council or other city board, commission, or authority, as well as the discussions or deliberations of the council, board, or commission which can or may lead to a vote or formal action by that body.
- (3) *Employee* shall be any person who is a fulltime or part-time employee of the City of Dawsonville.
- (4) *Immediate family* means the spouse, mother, father, grandparent, brother, sister, son, or daughter of any city official related by blood, adoption, or marriage. The relationship by marriage shall include in-laws.

(5) *Government* or *city* shall be construed to mean the City of Dawsonville, Georgia, government.

(6) *Substantial interest* means an interest, either directly or through a member of the immediate family, in another person or entity, where:

(a) The interest is ownership of five percent or more of the voting stock, shares or equity of the entity or ownership of \$5,000.00 or more of the equity or market value of the entity; or

(b) The person received funds from the other person or entity during the previous twelve month period, which equals or exceeds \$5,000.00 in salary, bonuses, commission, or professional fees, \$5,000.00 in payment for goods, products, or services, or ten percent of the recipient's gross income during that same period, whichever is less; or

(c) The person serves as a corporate officer or member of the board of directors or other governing board of a for-profit entity other than a corporate entity owned or created by the city council; or

(d) The person is a creditor, debtor, or guarantor of the other person or entity in an amount of \$5,000.00 or more.

Sec. 2-77. – Restrictions on city officials.

The city code of ethics places the following restrictions on city officials:

(a) No city official shall use such position to secure special privileges or exemptions for himself or herself or others, or to secure confidential information for any purpose other than official duties on behalf of the city.

(b) No city official, in any matter before the council or other city body, relating to a person or entity in which the official has a substantial interest, shall fail to disclose for the record such interest prior to any discussion or vote or fail to recuse himself or herself from such discussion or vote as applicable.

(c) No city official shall act as an agent or attorney for another in any matter before the city council or other city body.

(d) No city official shall directly or indirectly receive or agree to receive in any given month, any compensation, gift, reward, or gratuity, in any matter or proceeding connected with, or related to, the duties of his office that is in excess of the monthly compensation provided for in the Charter or Ordinances of the City of Dawsonville, except as may be provided by law, or that may reasonably tend to improperly influence them in the discharge of their official duties. This limitation is not intended to prohibit the acceptance of articles of negligible value which are distributed generally or to prohibit city officials from engaging in regular conduct of their private life that can be reasonably interpreted as disconnected from their public duties.

(e) No city official shall enter into any contract with, or have any interest in, either directly or indirectly, the city except as authorized by state law.

- (1) This prohibition shall not be applicable to the professional activities for the city attorney in his or her work as an independent contractor and legal advisor on behalf of the city.
- (2) This prohibition shall not be applicable to an otherwise valid employment contract between the city and a city official who is not elected, including, by way of example, a city manager, city administrator, or city clerk.
- (f) All public funds shall be used for the general welfare of the people and not for personal gain.
- (g) Public property shall be disposed of in accordance with state law.
- (h) No city official shall solicit or accept other employment to be performed, or compensation to be received, while still a city official if the employment or compensation could reasonably be expected to impair such official's judgment or performance of city duties.
- (i) If a city official accepts or is soliciting a promise of future employment from a person or entity who has a substantial interest in a person, entity or property which would be affected by any decision upon which the official might reasonably be expected to act, investigate, advise, or make a recommendation, the official shall disclose the fact to the city council and shall recuse himself or herself and take no further action on matters regarding the potential future employer.
- (j) No city official shall use city facilities, personnel, equipment, or supplies for private purposes, except to the extent such are lawfully available to the public.
- (k) No city official shall grant or make available to any person any consideration, treatment, advantage, or favor, beyond that which it is the general practice to grant or make available to the public at large.
- (l) A city official shall not directly or indirectly make use of, or permit other to make use of, official information not made available to the general public for the purpose of furthering a private interest.
- (m) A city official shall not use his or her position in any way to coerce, or give the appearance of coercing, another person to provide any financial benefit to such official or persons within the official's immediate family, or those with whom the official has business or financial ties amount to a substantial interest.
- (n) A city official shall not order any goods and service for the city without prior authorization for such expenditure. No city official shall attempt to obligate the city or give the impression of obligating the city without proper prior authorization.
- (o) No city official shall draw or seek payment of travel funds or per diem from the city for attendance at meetings, seminars, training or other educational events and fail to attend such events without promptly reimbursing the city therefore.
- (p) No city official shall attempt to unduly influence the outcome of a case before the Municipal Court of the City of Dawsonville nor shall any city official engage in ex parte

communication with a municipal court judge of the City of Dawsonville on any matter pending before the Municipal Court of the City of Dawsonville.

Sec. 2-78. – Conflict of interest for city officials.

- (a) A city official may not participate in a vote or decision on a matter affecting an immediate family or any person, entity, or property in which the official has a substantial interest.
- (b) A city official who serves as a corporate officer or member of the board of directors of a nonprofit entity must disclose their interest in said entity to the mayor and council prior to participating in a vote or decision regarding funding of the entity by or through the city.
- (c) A city official may not participate in a vote or decision on a matter in a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties or which would tend to impair his independence of judgment or action in the performance of his official duties.

Sec. 2-79. – Restrictions on employees; conflicts of interest; general ethics.

The city code of ethics places the following restrictions on employees:

- (a) All public funds shall be used for the general welfare of the people and not for personal economic gain.
- (b) Public property shall be disposed of in accordance with state law.
- (c) Acceptance of gifts, gratuities, special privileges:
 - (1) Employees shall not accept any gifts, loans, rewards, favors, or services that may reasonably tend to improperly influence them in the discharge of their official duties. This limitation is not intended to prohibit the acceptance of articles of negligible value which are distributed generally or to prohibit employees from accepting loans from regular lending institutions. It is particularly important that employees guard against relationships which might be construed as or give the appearance of favoritism, coercion, unfair advantage or collusion.
 - (2) Employees shall not use or attempt to use their positions to secure economic benefit or advantages, special privileges or exemptions for themselves or others including the use of knowledge obtained by through their employment or by virtue of their positions.
 - (3) Employees shall not accept employment or engage in any business or professional activity which they may reasonably expect would require or induce them to disclose confidential information acquired by them by reason of their official position.
 - (4) Employees shall not accept payment from outside sources for professional services (i.e., teaching, instructing, speaking engagements, consulting, honorariums) when such activities are done on city time or when such services pertain to the purchase or sale of city property.

(d) *Proprietorship of creations.* All plans, designs, reports, specifications, drawings, devices, inventions, and other items produced or created by employees during working hours of through the use of city facilities or equipment or at the request of the city shall be and become the sole property of the city.

(e) *Confidential information.* Employees shall not disclose confidential information gained by reason of their official position, nor shall they otherwise use such information for their personal gain or benefit.

(f) *Conflict of interest.*

(1) If an employee of the city is an officer, director, agent or member of, or owns interest any entity which is subject to the regulation of, or which has financial commitments with the city, they shall file a sworn statement to this effect with the city clerk.

(2) Employees shall not transact any business in their official capacity with any business entity of which he or she is an officer, director, agent, member, or in which he or she owns a controlling interest, excluding civic, charitable or religious organizations.

(3) Employees shall not have a personal investment in any enterprise which will create a conflict or a perceived conflict between their private interest and the public interest.

(g) *Political activity.*

(1) No person employed by the city shall either publicly or otherwise hold himself out as a candidate in any city election while holding employment with the city.

(2) City employees shall not take part in any political management or political campaigns in election of mayor or any member of the city council during any period of time for which he is expected to perform work or receive compensation from the city.

(3) No employee, official or other person shall solicit, orally or by letter, or be in any other manner concerned in obtaining any assessments, contributions, or services for any political party or candidate from any employee during his hours of duty, service, or work with the city.

(4) Employees shall not represent the city by wearing any uniform or portion thereof that is issued by the city while he is participating in any campaign at any time.

(5) The city in no way seeks to influence employees in their choice of party affiliations or candidates, recognizing that this is a matter for each person to decide. Therefore, nothing contained herein shall be construed to restrict the right of the employee to hold membership in and support a political party, to vote as he chooses, to express opinions on political subjects or candidates, to maintain political neutrality, to attend political parties after work hours, or to campaign actively during off duty hours in all areas of political activity.

(6) Employees shall not utilize any city equipment or vehicles in support of any political campaign.

(h) Failure to comply with the provisions of this section will result in disciplinary action in accordance with the city personnel policy.

Sec. 2-80. – Outside employment for employees.

(a) City employment shall be considered to be the primary employment of all full-time employees. No employee may engage in outside employment which will interfere with the interests of city service or the operation of the city. Standards by which some employment is not acceptable include, but is not limited to:

(1) Illegal activity;

(2) Employment that by virtue of association will reflect upon the reputation of the city;

(3) High hazard or fatiguing work which might detract from or reduce city performance.

(b) Prior to beginning any regularly scheduled outside employment, employees will obtain specific written approval from the city manager on request forms which indicate the name of the outside employer, the nature of the work, hours of work, address and telephone number where the employee can be reached. Such information will become a part of the employee's official personnel record. Employees are required to obtain approval from the city manager for any change in any previously approved outside employment request.

(c) Any employee accepting or engaging in outside employment under the terms of this section shall make arrangements with the outside employer to be available to respond immediately to any emergency call of duty whenever the department head or the city manager shall determine that the employee's services are necessary.

(d) Employees sustaining injuries while engaged in outside employment are normally ineligible to receive benefits under the city's worker's compensation program.

(e) Failure to comply with the provisions of this section will result in disciplinary action in accordance with the city personnel policy.

Sec. 2-81. – Ethics Board.

(a) The Ethics Board shall consist of three persons. At least two members shall be residents of the City of Dawsonville. One member shall be appointed by the mayor, one member shall be appointed by the city council, and one member shall be appointed by the two above named Board members subject to approval by a majority of the city council. One of the three members of the Ethics Board shall be a member in good standing of the State Bar of Georgia and a resident of Dawson County.

(b) All members shall serve two-year terms.

(c) Members of the Ethics Board with any permit or rezoning application pending before the city, or with any pending or potential litigation against the city or the city official charged in the complaint shall be disqualified from serving on the Ethics Board for that complaint. An alternate member shall be selected by the two remaining members and approved by a majority of the council to replace the disqualified individual.

(d) Members of the Ethics Board may be removed by majority vote of the city council.

Sec. 2-82. – Receipt of ethics complaints.

(a) All ethics complaints against city officials shall be filed in writing with the Ethics Board on forms created and maintained by the City Clerk.

(b) All complaints shall be submitted and signed under oath, shall be legibly drawn and shall clearly address matters within the scope of this Article III, Division 2.

(c) Upon receipt of a complaint in proper form, the City Clerk shall serve a copy of the complaint to the Ethics Board and to the city official or officials charged in the complaint within no more than seven (7) calendar days from receipt of the complaint. Service may be by personal service, by certified mail, return receipt requested, or by statutory overnight delivery.

(d) Upon receipt of a complaint in proper form, the Ethics Board shall review it to determine whether the complaint is unjustified, frivolous, patently unfounded or fails to state facts sufficient to invoke the disciplinary jurisdiction of the city council. The Ethics Board shall be empowered to dismiss those complaints which are unjustified, frivolous, patently unfounded or which fail to state facts sufficient to invoke the disciplinary jurisdiction of the city council; provided, however, that a rejection of such complaint by the ethics committee shall not deprive the complaining party of any action he might otherwise have at law or in equity against the respondent government servant. For complaints not dismissed, the Ethics Board shall be empowered to collect evidence and information concerning any complaint in a hearing and to add the findings and results of its hearing to the file containing such complaint.

(e) Upon completion of the hearing of a complaint, the Ethics Board shall be empowered to dismiss those complaints which are unjustified, frivolous, patently unfounded or which fail to state facts sufficient to invoke the disciplinary jurisdiction of the city council; provided, however, that a rejection of such complaint by the ethics committee shall not deprive the complaining party of any action he might otherwise have at law or in equity against the respondent government servant.

(f) The ethics committee shall be empowered to conduct investigations, to take evidence and hold hearings where provided for in the rules.

(g) The Ethics Board shall be empowered to adopt forms for formal complaints, subpoenas, notices, applications for reinstatement and any other written instruments necessary or desirable within its jurisdiction.

(h) The findings of the Ethics Board shall be submitted to the city council for action.

(i) To discourage the filing of ethics complaints solely for political purposes, complaints will not be accepted against a person seeking election as a city official, whether currently

serving as a city official or not, from the date qualifying opens for the elected office at issue through the date the election results for that office are certified. The time for filing complaints will not run during this period. Properly filed complaints will be accepted and processed after the election results have been certified.

Sec. 2-83. – Ethics hearings.

(a) The Ethics Board shall hold a hearing on a complaint within sixty (60) days of the filing of the complaint with the city clerk. The hearing shall be conducted in accordance with the procedures and regulations that the Ethics Board establishes; provided, however, that at least one hearing shall include the taking of testimony and the cross-examination of available witnesses in accordance with due process.

(b) The city official who is the subject of the complaint and inquiry shall have the right to written notice of the hearing and allegation at least seven (7) days prior to the first hearing date, to be represented by counsel, to hear and examine the evidence and witnesses, and to oppose or try to mitigate the allegations. The city official subject to the inquiry shall have the right to submit, but shall not be required or obligated to submit, evidence and call witnesses.

(c) Any failure to strictly comply with any of the time deadlines in this section shall not invalidate any otherwise valid complaint or in any way affect the power or jurisdiction of the Ethics Board or the city council to act upon any complaint.

Sec. 2-84. – Ethics Board determination, recommendation, and alternative actions.

(a) Within seven (7) days of the final hearing held on a complaint, the Ethics Board shall render its decision on the proposed action to be taken regarding the city official by majority vote.

(b) Within seven (7) days of rendering of its decision, the Ethics Board shall provide its written recommendation for action to be taken regarding the city official to the Mayor and Council. This recommendation for action may include, but is not limited to, public reprimand of the official, censure of the official, request for resignation of the official, requiring repayment of any misappropriated funds or assets, removal of the official or such other action that the Ethics Board deems is appropriate to serve the ethical goals of this ordinance.

(c) Notwithstanding subsection (b), if removal is the recommended course of action proposed by the Ethics Board, the Ethics Board may alternatively, upon a majority vote, file a complaint and commence an action for removal of the city official in the Superior Court of Dawson County.

(d) The Ethics Board shall retain the right to file a complaint and commence an action for removal of the city official in the Superior Court of Dawson County, even if the original determination of the board is only to recommend removal to the Mayor and Council. In the event that the Mayor and Council either elects to take no action on the recommendation for removal or fails to take action on the recommendation for removal by initiating proper removal proceedings within thirty (30) days, the Ethics Board may convene a special meeting at the call of either the chairman or the two members of the Board for the purpose of determining whether to take further action on its original recommendation for removal by filing a complaint and commencing an action for removal of the city official in the Superior Court of Dawson

County. Such subsequent filing of a complaint and commencement of an action for removal must be supported by a majority vote of the Board.

Sec. 2-85. – Right to appeal.

(a) Any city official or complainant adversely affected by the findings or recommendations of the Ethics Board and the subsequent decision by the city council may obtain judicial review of such decision as provided in this section.

(b) An action for judicial review may be commenced by filing an application for a writ of certiorari in the Superior Court of Dawson County within thirty (30) days after the decision of the city council on the findings or recommendations of the Ethics Board.

Sec. 2-86. – Penalty.

Any person violating any provision of this article shall be subject to a public reprimand or censure by the city council, a request for resignation by the city council, repayment of any funds or assets misappropriated from the city, and/or removal proceedings by the city council or the Superior Court of Dawson County, as provided for in the Charter of the City of Dawsonville.

SECTION 4.

All Ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5.

This ordinance shall become effective upon adoption, the public good demanding the same.

SO ADOPTED AND ORDAINED by the City Council of Dawsonville, Georgia, this _____ day of _____, 2019.

MAYOR AND DAWSONVILLE CITY COUNCIL

By: _____
Mike Eason, Mayor

Caleb Phillips, Councilmember Post 1

Stephen Tolson, Councilmember Post 2

Jason Power, Councilmember Post 3

Mark French, Councilmember Post 4

ATTESTED TO BY:

Beverly Banister, City Clerk



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 9

SUBJECT: PROCLAMATIONS

CITY COUNCIL MEETING DATE: 03/04/2019

BUDGET INFORMATION: GL ACCOUNT # NA

Funds Available from: Annual Budget Capital Budget Other

Budget Amendment Request from Reserve: Enterprise Fund General Fund

PURPOSE FOR REQUEST:

PROCLAMATIONS:

- **EXCEPTIONAL CHILDREN'S WEEK – MARCH 4-8, 2019
PRESENT TO DR. ANGIE DELANEY AND EDITH BANTA**
- **CITY OF DAWSONVILLE EMPLOYEE APPRECIATION WEEK – MARCH 4-8, 2019**

HISTORY/ FACTS / ISSUES:

OPTIONS:

READ INTO THE MINUTES

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Michael Eason, Mayor



Proclamation

Exceptional Children's Week
March 4-8, 2019



Whereas, Exceptional children are active citizens who contribute much to the overall quality of life in this community; and

Whereas, greater public awareness and acceptance of these persons will increase their access to education, employment, housing, and social and recreational opportunities; and

Whereas, it is the desire of our community to create a place where all people can explore and develop their varied abilities, can enjoy productive work, and can contribute by meaningful participation in the life of the community; and

Whereas, the Dawson County School System and the Dawson Support Group, on behalf of the Georgia Exceptional Children Council, have worked to secure this proclamation; and

Whereas, it is the goal of the City of Dawsonville to instill positive perceptions of people with exceptional/special needs;

Now, therefore, I, Mike Eason, do hereby designate March 4-8, 2019 as Exceptional Children's Week and encourage all our citizens to promote positive awareness and greater opportunities for persons with exceptional/special needs, and challenge the citizens of our community to look beyond a person's particular disability, and focus instead upon each person's diverse abilities and contributions to the community.

In Witness Whereof, I have set my hand and seal this 4th day of March, 2019.

Mike Eason, Mayor

Attest:

Beverly Banister, City Clerk





Proclamation

City of Dawsonville Employee Appreciation Week March 4 - 8, 2019



WHEREAS, the City of Dawsonville citizens are served every single day by public servants; the unsung heroes who keep our City working; and

WHEREAS, public employees make great contributions to their communities by serving in areas such as utility service, public works and administration; and

WHEREAS, the public employees of the City of Dawsonville are committed to exhibiting the highest standards of excellence, dedication, creativity and skills; and

WHEREAS, day in and day out, they provide the quality and quantity of diverse services required and expected by the citizens of their local government with efficiency, effectiveness and integrity; and

WHEREAS, without these public servants at every level, continuity of service would be impossible; and

WHEREAS, the City of Dawsonville recognizes the dedication and talents of public employees, as well as the value of the services they render at all levels;

NOW, THEREFORE, I, MIKE EASON, Mayor of the City of Dawsonville, do hereby proclaim March 4 – 8, 2019 as:

“CITY OF DAWSONVILLE EMPLOYEE APPRECIATION WEEK”

And I do hereby call upon all citizens to recognize and express their appreciation for the vital contributions made daily by all public employees throughout the City of Dawsonville.

Mike Eason, Mayor

Attest:

Beverly Banister, City Clerk





DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 10

SUBJECT: **AWARD BID – RFP 19-03 MAIN STREET PARK PLAYGROUND**

CITY COUNCIL MEETING DATE: 3/04/2019

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other **SPLOST VI**

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

TO SELECT BID FOR MAIN STREET PARK PLAYGROUND TO BE PAID WITH SPLOST VI

HISTORY/ FACTS / ISSUES:

BID OPENING: 2/22/2019

- **BLISS PRODUCTS - \$351,557.50**
- **PLAY SOUTH - \$411,000.00**
- **GREAT SOUTHERN RECREATION - \$324,749.00**
- **HASLEY RECREATION - \$367,202.69**

OPTIONS:

**RECOMMEND LOW BID APPROVAL OF GREAT SOUTHERN RECREATION
GREAT SOUTHERN RECREATION MET AND EXCEEDED ALL SPECIFICATIONS AND
CONDITIONS**

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Bob Bolz, City Manager

MAIN STREET PARK PLAYGROUND BID TABULATION

Name of Bidder	BID PRICE
Bliss Products	351,557.50
Play South	411,000.00
Great Southern Recreation	324,749.00
HASLEY RECREATION	367,202.69

Bid Opening: February 22, 2019 at 1:30 PM EST - Bids Opened by: Harold Wiggins, Finance Admin



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 11

SUBJECT: MAIN STREET PARK CHANGE ORDER

CITY COUNCIL MEETING DATE: 03/04//2019

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other **SPLOST VI**

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

TO REQUEST APPROVAL FOR A CHANGE ORDER AT MAIN STREET PARK FOR SOIL CEMENT TO BE PLACED ON THE ROADS AND PARKING SPACES

AMOUNT: \$55,440.00 TO BE FUNDED BY SPLOST VI

NOTE: THIS DOES NOT INCLUDE THE TRAILS

HISTORY/ FACTS / ISSUES:

- **RECOMMENDATION MADE BY RODNEY CLARK FROM SOUTHERN GEOTECHNICAL CONSULTANTS**
 - **DIRT IS TOO WET TO PAVE DUE TO EXCESSIVE AMOUNTS OF RAINFALL**
-

OPTIONS:

AMEND, APPROVE, DENY OR TABLE

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Bob Bolz, City Manager

T. W. PHILLIPS GRADING, INC.

GRADING CONTRACTOR

February 27, 2019

1253 Shoal Creek Road
Dawsonville, Georgia 30534
Phone: (706) 265-1337
Fax: (706)-265-1402

Owner: City of Dawsonville
Project Main Street Park
Plans Dated:
Prepared:

Line No.	Item Description	Quantity	Unit	Price	Amount
1	Soil Cement under parking lot and roads only 6" Deep and 35#'s per SY Soil Cement	5,040	sy \$	11.00	\$55,440.00

NOTE: Availability is 4 to 6 weeks out



2660 White Sulphur Road ♦ Gainesville, Georgia 30501 ♦ 770.536.5220 phone ♦ office@southerngeotech.com

PROJECT NAME:	<u>Dawsonville Main Street Park CMT</u>	DATE OF EVALUATION:	<u>February 20, 2019</u>
EVALUATED BY:	<u>Rodney Clark</u>	PROJECT NO:	<u>12159G</u>
WEATHER CONDITIONS:	<u>Cloudy</u>	REPORT NO:	<u>65416</u>
CLIENT:	<u>City of Dawsonville</u>		

WE NOTE THE FOLLOWING:

As requested, a representative of our firm visited the site to observe the roadway and trail conditions for recommendations for stabilization. The roadways and trail areas have been placed to soil subgrade elevation and some of the roadways have been stabilized with stone and fabric and has base course in place.

Due to the weather pattern and excessive amounts of rainfall, the areas have softened and have degraded.

We recommend that soil cement be placed on the roadways, parking areas and trails for permanent stabilization. Where the roadways and parking areas have base course present the areas will need to be mixed at 30 to 45 pounds per square yard at a depth of 6- to 8-inches. We note that some areas will only be able to be mixed to 4- to 5-inches due to the presence of stabilization fabric.

The trail areas will need stabilized with 60 to 80 pounds of cement mixed to depth of 12- to 16-inches. Approximately 3- to 4-inches of base course will need to be placed over the stabilized mixture to help prevent reflective cracking coming through the asphalt pavement for the trail area.

All stabilized areas will be required to have proper drainage and water flow away from the pavement section to insure that water does not undermine the stabilized material and cause failure in the pavement.

We recommend that a representative of our firm be present during the stabilization process to advise the contractor if differing conditions are encountered.



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 12

SUBJECT: RESOLUTION OPPOSING HOUSE BILL 302

CITY COUNCIL MEETING DATE: 03/04/2019

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

TO RESOLVE TO JOIN WITH OTHER MUNICIPALITIES THROUGHOUT THE STATE OF GEORGIA AND THE GEORGIA MUNICIPAL ASSOCIATION IN OPPOSITION TO HB 302.

HISTORY/ FACTS / ISSUES

HB 302 would preempt cities and counties from regulating the following building design elements in one or two-family dwellings:

- Exterior building color;
- Type or style of exterior cladding material;
- Style or materials of roof structures or porches;
- Exterior nonstructural architectural ornamentation;
- Location or architectural styling of windows and doors, including garage doors;
- The number and types of rooms;
- The interior layout of rooms; and
- Types of foundation structures approved under state minimum standard codes.

The legislation would not apply to state or federal historic districts, mobile homes or homes governed by a neighborhood association or covenant.

OPTIONS:

APPROVE OR DENY RESOLUTION

RECOMMENDED SAMPLE MOTION:

MOTION TO APPROVE THE RESOLUTION IN OPPOSITION TO HB 302, PREEMPTION OF LOCAL BUILDING DESIGN STANDARDS

DEPARTMENT: Planning and Zoning

REQUESTED BY: Robbie Irvin, Planning Director

A RESOLUTION BY THE CITY OF DAWSONVILLE

Opposing House Bill 302, Preemption of Local Building Design Standards.

WHEREAS, HB 302 would prohibit local governments from regulating “building design elements” in single or double family dwellings, which could negatively impact economic development efforts and harm competitiveness; and

WHEREAS, appropriate local design standards and land use policies create a diverse, stable, profitable and sustainable residential development landscape; and

WHEREAS, HB 302 is a bill that would undermine self-determination of citizens to establish community standards as illustrated by the following:

- Municipal and county officials are elected in part to make decisions about the look and feel of their communities, which fosters economic development, preserves the character of communities; and
- Municipalities and counties use design standards to ensure that the property values of surrounding property owners remain protected from incompatible development; and
- HB 302 would severely erode the ability of all 538 Georgia cities and 159 counties to address unique and community-specific quality of life issues.

WHEREAS, county and municipal governments use building design standards to protect property values, attract high quality builders, and block incompatible development; and

WHEREAS, building design standards assure residents and business owners that their investments will be protected, and that others who come behind them will be equally committed to quality; and

WHEREAS, local governments spend a large amount of resources studying, surveying, crafting, and defining their vision and development strategies, and design standards are an integral part of those endeavors to attract residents, businesses, and the much-coveted trained workforce; and

WHEREAS, development and redevelopment efforts should reflect the community and its vision while simultaneously creating a sense of place; and

WHEREAS, county and municipal government officials are elected to make decisions about the look and feel of their communities, and HB 302 would transfer that power from duly-elected local leaders to outside groups with little to no stake in the future or success of Georgia’s municipalities, including real estate developers and homebuilders; and

WHEREAS, building design standards neither discourage nor favor affordable housing, nor prevent the availability of certain housing types, as supporters of HB 302 purport; and

WHEREAS, local governments should have the ability to provide more affordable housing options without sacrificing their unique character or threatening economic growth; and

WHEREAS, although historic districts are protected in HB 302, which indicates an understanding that standards do in fact make sense, downtown overlays or other similar special zoning districts are not; and

WHEREAS, local governments should be empowered to enforce building design standards to make today's thriving downtown tomorrow's historic district; and

WHEREAS, by limiting the ability of local governments to enforce building design standards in single or double family dwellings, HB 302 would negatively impact quality-of-life issues, including economic growth and the safety and welfare of Georgia citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF DAWSONVILLE, GEORGIA that this governing body voices its opposition to HB 302, Preemption of Local Building Design Standards.

BE IT FURTHER RESOLVED that a copy of this Resolution be delivered to members of the City's local delegation, and made available for distribution to the public and the press.

SO RESOLVED this the ____ day of March, 2019.

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

"Holy Cow!" Enforcement of Local Residential Building Design Standards at Risk

"Holy cow!" was one city manager's reaction to the introduction of a House bill that would preempt the ability of local governments to enforce and regulate building design elements for residential homes. [HB 302, Preemption of Local Building Design Standards](#), by Rep. Vance Smith (R-Pine Mountain), is pending in the [House Agriculture & Consumer Affairs Committee](#).

What the Bill Does

HB 302 would preempt cities and counties from regulating the following building design elements in one or two-family dwellings:

- Exterior building color;
- Type or style of exterior cladding material;
- Style or materials of roof structures or porches;
- Exterior nonstructural architectural ornamentation;
- Location or architectural styling of windows and doors, including garage doors;
- The number and types of rooms;
- The interior layout of rooms; and
- Types of foundation structures approved under state minimum standard codes.

The legislation would not apply to state or federal historic districts, mobile homes or homes governed by a neighborhood association or covenant.

What's at Risk?

- Design standards attract high quality builders and ensure that the investments builders and developers make are protected. **HB 302 would put this at risk.**

- City officials strive to make development reflect their community and its standards. **HB 302 would take that ability away from local leaders.**
- Cities use design standards to protect property values and block incompatible development. **A lack of local design standards would result in diminished property values.**
- While historic districts are protected in this bill, which indicates an understanding that standards do in fact make sense, downtown overlays or other similar special zoning districts are not. **They should be treated no differently than a “historic” district.**
- Communities and builders/developers both win when appropriate design standards are incorporated with basic zoning districts and land use policies, thereby creating a diverse, stable, profitable and sustainable residential development landscape. **This bill puts that in jeopardy.**
- Design standards and regulation of materials helps local officials create the communities they want 25 years from now. **This bill would limit local officials' ability to do that.**

Impact on One Community

To understand how HB 302 would specifically affect local governments, please see the notes below from Athens-Clarke County on how passage of this bill would negatively impact quality-of-life issues.

- Local ability to regulate exterior cladding material is not merely to address aesthetic issues, it is also an important tool for ensuring the quality of materials used in residential construction. Not all cladding is appropriate, durable, or cost-effective for homeowners. This bill would eliminate the ability to regulate these materials.
- Athens-Clarke elected officials adopted single-family setback standards that take roof-lines into account on new construction. These standards were adopted to help ensure that infill housing is compatible

with the existing character of established residential areas. This bill would make those standards illegal.

- Athens-Clarke standards presently limit the percentage of a single-family home's front façade that can be used for a garage door. The standard has been in place for almost 20 years and is intended to mitigate the "snout house" form (garage-only facing the street) that our community said was unacceptable.
- Presently, the Athens-Clarke Code has a local zoning definition for "bedroom" that has been an important regulatory tool for managing occupancy during the design and construction phase of our local housing. This is particularly useful in enforcement matters when a single-family home morphs into a student rental use.
- Athens-Clarke has also adopted local amendments to some of the minimum codes required by the State of Georgia. These local amendments have been put in place at the request of the Chief Building Official and the Fire Marshal in order to ensure appropriate levels of safety for our community (especially considering the unique circumstances surrounding student housing). This legislation would undo those local amendments.

What to do Now

City officials are encouraged to [contact their House members](#) as well as members of the [House Agriculture & Consumer Affairs Committee](#) to voice their opposition to this bill. GMA suggests city officials also contact local realtors, builders and developers, outlining the issues with this proposed legislation. In addition, GMA encourages cities to pass a resolution in opposition to this bill ([download model resolution](#)).



**DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 13**

SUBJECT: DEVELOPMENT OF REGIONAL IMPACT PROPOSAL FOR DAWSON COUNTY

CITY COUNCIL MEETING DATE: 03/04/2019

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

**TO CONSIDER A DEVELOPMENT OF REGIONAL IMPACT PROPOSED FOR DAWSON COUNTY
TO PROVIDE COMMENTS AND QUESTIONS CONCERNING THE DEVELOPMENT**

HISTORY/ FACTS / ISSUES:

- **INFORMATION PROVIDED BY GMRC TO BOB BOLZ AND DISTRIBUTED TO MAYOR AND COUNCIL ON FEBRUARY 20, 2019**
- **COMMENTS AND QUESTIONS NEED TO BE DIRECTED TO GMRC BY MARCH 7, 2019**
- **LINKS BELOW PROVIDED FOR ADDITIONAL INFORMATION REGARDING THE PROPOSED PROJECT**

[HTTPS://APPS.DCA.GA.GOV/DRI/INITIALFORM.ASPX?DRIID=2890](https://apps.dca.ga.gov/dri/initialform.aspx?driid=2890)

[HTTPS://APPS.DCA.GA.GOV/DRI/ADDITIONALFORM.ASPX?DRIID=2890](https://apps.dca.ga.gov/dri/additionalform.aspx?driid=2890)

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Mike Eason, Mayor



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 14

SUBJECT: APPOINT DAVIS ENGINEERING AS SECONDARY ENGINEERS FOR NON-WATER SEWER PROJECTS

CITY COUNCIL MEETING DATE: 03/04/2019

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

TO CONSIDER PROFESSIONAL SERVICES APPOINTMENT OF DAVIS ENGINEERING AS A SECOND ENGINEERING FIRM FOR NON-WATER/SEWER PROJECTS FOR THE CITY

HISTORY/ FACTS / ISSUES:

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Bob Bolz, City Manager



**DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 15**

SUBJECT: DOWNTOWN CITY STREET PARKING DESIGN

CITY COUNCIL MEETING DATE: 03/04/2019

BUDGET INFORMATION: GL ACCOUNT # _____

- Funds Available from: _____ Annual Budget _____ Capital Budget Other **SPLOST VI**
 - Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund
-

PURPOSE FOR REQUEST:

**TO CONSIDER APPROVAL OF PROPOSAL FOR SERVICES TO DEVELOP PLANS FOR
DOWNTOWN CITY STREET PARKING AND RESTROOM**

AMOUNT: \$24,200.00 TO BE FUNDED BY SPLOST VI

HISTORY/ FACTS / ISSUES:

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Bob Bolz, City Manager



February 26, 2019

Subject Project: Academy Avenue Parking & Restroom for City of Dawsonville
TMP (County): D03-049, Dawson

Dear Mr. Bolz:

THIS AGREEMENT made and entered into, by and between Davis Engineering & Surveying, LLC, hereinafter called "DES," and the City of Dawsonville, "client," is for the services described under the "Scope of Services" section of this Agreement. This proposal briefly discusses our understanding of the scope of work and our fees for the services to be provided. DES reserves the right to adjust the fees quoted herein after 45 days, if necessary.

SCOPE OF SERVICES:

DES, (Consultant) shall provide the following professional services for the property referenced above.

I. SURVEYING SERVICES

Completion of a boundary and topographic survey for the property referenced above, and will include the locations of the observed improvements to the property ("as-built survey"). Prepare legal descriptions for right-of-way abandonment and a new boundary survey to meet minimum plat standards. Pins will be verified/set at all property corners. 3 copies of the resulting plat will be provided to the client, recording fee is included.

II. ENGINEERING DESIGN SERVICES

Delivery of an engineering document(s) that satisfies the City of Dawsonville's construction permit requirements and shows the adjacent property boundaries, existing conditions, and proposed parking and restroom development with all necessary improvements. Included in this proposal is existing conditions/demolition plan, site layout/landscape plan, grading/drainage plan, utility plan, single phase erosion, sedimentation, & pollution control plan, and all necessary notes and details.

III. ENGINEERING DESIGN SERVICES

Hydrology study and stormwater detention design for the site.

IV. ARCHITECTURAL DESIGN SERVICES

Coordination with a registered Architect for the delivery of a bathroom design that satisfies the permit department's requirements and reflects a design that is satisfactory to the client. The scope includes ADA accessibility, slab/foundation design, and all necessary wall and roof details.

V. CONSTRUCTION PHASE SERVICES

Services under this item include construction administration including an engineer's construction cost estimate, bid document preparation, pre-bid meeting, bid opening meeting, bid review & contractor selection assistance, pre-construction meeting, site visit, submittal/RFI/pay application review, preparation of change orders, preparation of Notice of Intent and Notice of Termination for the project, and asbuilt survey of the completed project.

VI. ADDITIONAL SERVICES

Services and compensation listed under Surveying and Engineering Services are to be performed ONE TIME ONLY. Any additional work requested on the part of the Client or Contractor will be considered additional services and will be invoiced at current hourly rates unless specified (provided upon request).

FEES AND TERMS OF PAYMENT

Our fee for the above scope item is as follows, and payment will be due Net 45 Days upon receipt of invoice.

Lump Sum Fee	(Item I):	\$2,200.00
Lump Sum Fee	(Item II):	\$8,000.00
Lump Sum Fee	(Item III):	\$2,500.00
Lump Sum Fee	(Item IV):	\$8,500.00
Lump Sum Fee	(Item V):	\$3,000.00
Total:		\$24,200.00 (Items I-V)

____ Client ____ DES

Payment Terms: Payment will be due as stated on the invoice. An Administrative Fee of \$30.00 will be charged to accounts 30 days past due, and past due accounts are subject to a monthly 1.5% finance charge (18% Annual Rate). *Lump Sum Fees unless noted otherwise.

FUNDAMENTAL ASSUMPTIONS

This Agreement, and the fees contained herein, are subject to the following fundamental assumptions:

1. Only those services specifically listed within this proposal are included. Any future additional services will require additional fees. All reimbursable items, including postage, shall be billed at cost plus 10%.
2. Adverse conditions, beyond the control of DES and as determined by the Consultant, may require a change in the project schedule and/or fees. Prior to any modification to scope or fees, DES will immediately inform the Client by phone and in writing and the two parties shall amend this agreement before proceeding with the project. In the event that a modified agreement cannot be reached, work shall cease and the Client shall be responsible for fees associated on a percent completed basis.
3. DES requires that you are authorized to grant, or will obtain, permission for our personnel to enter the site. It is the recommendation of DES that you notify all affected parties, especially property adjoiners, of our presence as soon as possible to avoid delays in completing your scope of work.
4. It shall be the sole responsibility of the Client to provide access to all properties for surveying and design. DES is prepared to assist and expedite this process through the use of temporary easements if required.
5. Due to the nature of the scope of services agreed upon in this proposal, the Client inherently agrees that survey control points (nails, stakes, rebar and/or other markers) may be set at random locations that have no relationship to actual property boundaries or layout. Random survey traverse lines will be trimmed out through native areas in a way that causes minimal impact to existing vegetation and allows visibility between these points. In order to assist the Consultant, these control points will have wood stakes, survey flagging tape in various high visibility colors, paint and/or other materials placed in close proximity. Please note that these control points, trimmed lines and other related materials, markings, etc. are evidence of surveying activity and are not to be considered as any evidence or indication of boundary monumentation, boundary lines, ownership, or possession.
6. No review, permitting, inspection, recording, soil reports, or other owner fees are included in this proposal.
7. The Client accepts the Consultant's Standard Terms and Conditions (provided upon request).

MISCELLANEOUS

If this Agreement meets with your approval insofar as describing the scope of those services you expect of us, and our expectations concerning compensation for the same, please execute in the space provided and return one copy to us for our records. We appreciate this opportunity to be of service to you.

Sincerely,

Jason K. Davis, PE (jdavis@davisengineers.com)

<u>AUTHORIZATION TO PROCEED</u>	
By (print & sign): _____	Date: _____
Email: _____	Phone: _____
Representing (if different from above): _____	
Mailing Address: _____	
Name on Plat: _____	