

AGENDA
CITY COUNCIL REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, May 6, 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 Minutes
 - Work Session and Regular Meeting held April 22, 2019
 - b. Approve Training for Georgia Academy for Economic Development
 - c. Approve Request to Waive Water Tap Fees for Dawson County
 - d. Approve Postponement of Construction Management Services RFQ Selection

BUSINESS

8. Proclamations
 - Water Professional's Appreciation Day, May 6, 2019
 - Municipal Clerks Week, May 5 – 11, 2019
 - Teacher Appreciation Week, May 6 – 10, 2019
9. An Ordinance By The City Of Dawsonville To Regulate The Use Of Tobacco Products, Alternative Nicotine Products, Vape Juice, Vapor Products, And Non-Traditional Tobacco Paraphernalia, And Other Similar Products; To Regulate Vape Shops; To Provide For Severability; To Provide For Effective Date; And For Other Purposes. (First Reading: April 22, 2019; Second Reading and Adoption: May 6, 2019)
10. Committee for Design Guidelines
11. City Hall Sign Options
12. Develop Design and Cost Estimates for Chase Elliott Display
13. Ethics Board Appointment
14. FY 2019-2020 Proposed Budget Presentation
15. General Fund Reserves Recommendation

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: 05/06/2019

PURPOSE FOR REQUEST:

CONSIDERATION AND APPROVAL OF ITEMS A, B, C AND D; SEE ATTACHED SUPPORTING DOCUMENTS

- a. Approve Minutes
 - Work Session and Regular Meeting held April 22, 2019
 - b. Approve Training for Georgia Academy for Economic Development
 - c. Approve Request to Waive Water Tap Fees for Dawson County
 - d. Approve Postponement of Construction Management Services RFQ Selection
-



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 7a

SUBJECT: APPROVE THE MINUTES

CITY COUNCIL MEETING DATE: 05/06/2019

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 HELD APRIL 22, 2019**
-

HISTORY/ FACTS / ISSUES:

OPTIONS:

AMEND OR APPROVE AS PRESENTED

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Beverly Banister, City Clerk

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CITY COUNCIL WORK SESSION AND REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, April 22, 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 Jason Power, Councilmember Mark French, Councilmember Stephen Tolson, Councilmember Caleb Phillips, City Attorney Kevin Tallant, Assistant City Attorney Alex Myers, City Manager Bob Bolz, City Clerk Beverly Banister, Deputy City Clerk Tracy Smith, Utilities Director Gary Barr, Public Works Operations Manager Trampas Hansard, Planning Director Robbie Irvin, Finance Administrator Hayden Wiggins and Human Resource Manager Donna Blanton.
3. **INVOCATION AND PLEDGE:** Invocation and Pledge were led by Councilmember French.
4. **ANNOUNCEMENTS:** Mayor Eason reported that two of the public hearing agenda items for annexations will be removed due to advertising errors
5. **APPROVAL OF THE AGENDA:** Motion to postpone items #10 ANX C9-00252 and ZA C9-00252 and #11 ANX C9-00253 and ZA C9-00253 to the May 20, 2019 meeting and to remove item #15 Discuss Road Closures; Profit vs. Non-Profit made by S. Tolson; second by J. Power. Vote carried unanimously in favor.

Motion to approve the agenda as amended made by M. French; second by S. Tolson. Vote carried unanimously in favor.

6. **PUBLIC INPUT:** No comments from the public.
7. **CONSENT AGENDA:** Motion to approve the consent agenda for the following items (a, b) made by S. Tolson; second by J. Power. Vote carried unanimously in favor.
 - a. Approve Minutes – **passed 4-0**
 - Regular Meeting held April 8, 2019
 - Executive Session held April 8, 2019
 - b. Approve City Hall Closure on October 25, 2019 for Moonshine Festival – **passed 4-0**
8. **EMPLOYEE AWARDS AND SERVICE AWARDS:** Mayor and Council presented the April Employee of the Month Award to Donna Blanton and Stacy Harris. Service awards were presented to Tracy Smith for two years of service, Blake Croft for three years of service and Trampas Hansard for eleven years of service. Trampas Hansard was also presented a plaque for winning Boss of the Year in the Dawson County News 2019 Best of Dawson Readers Choice Awards.
9. **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 - March 11, 2019 and City Council - March 18, 2019 (Postponed at applicant's request from March 18, 2019 to April 22, 2019)

Motion to open the public hearing made by J. Power; second by C. Phillips. Vote carried unanimously in favor. Planning Director Robbie Irvin read the zoning amendment request stating the Planning Commission has denied recommendation due to density issues, no age restrictions and traffic concerns. A staff recommendation has been provided as well as proposed zoning conditions drafted by City Attorney Dana Miles and Robbie Irvin. The following citizens spoke in favor of the zoning amendment:

- Jim King, 416 Overlook Circle, Dawsonville – Spoke on behalf of the property owner and stated the requests were made for a senior oriented community and thus this property will be restricted to fifty-five and older residents. The entrance would be on Highway 53 and not on Howser Mill Road except for a gated emergency entrance on Howser Mill Road restricted to emergency services staff only.

The following citizens spoke against the zoning amendment:

- Wayne Estes, 168 Thunder Road, Dawsonville – Spoke about the concern of the creek that is spring fed from the property in question which ends up in Shoal Creek and then into the Etowah River. He feels the property would be better left zoned as R3 to maintain property values in the event of an economic downturn stating townhomes and duplexes can quickly lose value. He also

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is concerned about the stormwater management and the potential runoff that would eventually end up in the Etowah River and questioned whether a detention pond will be required.

Robbie Irvin stated that stormwater management is required. Kevin Tallant stated that stormwater management in general is that stormwater is not allowed to leave the site any different than it leaves the site in pre-development.

Motion to increase the public hearing time by ten minutes made by C. Phillips; second by M. French. Vote carried unanimously in favor.

- Jeff Chastain, 713 Howser Mill Road, Dawsonville – Spoke about the concern of the sediment, draining and runoff that will go into the creek located nearby and further stated that it's not a good place for townhomes and does not fit the existing community in that area. He also feels the zoning should be left as R3.
- Kay St. John, 616 Hwy 53 W, Dawsonville – Spoke of concerns of the proposed entrance to the development because her property is located next to it and is requesting that her development entrance conditions be met. She stated there is an unopened City street which is the only entrance to her driveway and supposes it will be used as a construction entrance and is requesting that it be paved. She is concerned about the headlights shining into her home and bedroom and is requesting a light blocking hedge or trees be put in and further stated concerns about erosion.

Councilmember Power asked the name of the unopened City street and Ms. St. John stated it was Harben Street; not to be confused with the same named road across Highway 53.

- Teresa Ware, 355 Thunder Road, Dawsonville – Spoke of concerns with runoff once the trees are removed and the land is disturbed and replaced with concrete and asphalt; the runoff could flood the road to her property. She is also concerned about the wildlife and the trees that are going to be taken away once the development starts.
- Wayne Estes, 168 Thunder Road, Dawsonville - Spoke again and shared further concern about the proposal targeting the fifty-five and older community yet multilevel properties such as townhomes are not conducive to that age group.

Mayor Eason invited Jim King to speak again in response to the concerns of the citizens.

- Jim King, 416 Overlook Circle, Dawsonville – He stated the multilevel townhomes will have masters on the main floor; some will be ranch homes, but some will be townhomes with a second level containing guest bedrooms. He stated they are required to follow the stormwater requirements maintaining the predevelopment flow by building detention ponds and water quality ponds to release it slowly. In regard to the streams, the development will follow the ridges and stay away from the streams; despite being a larger quantity of homes it will leave a smaller footprint.

Motion to close the public hearing made by C. Phillips; second by S. Tolson. Vote carried unanimously in favor.

Motion to postpone the item until the June 3, 2019 meeting to require an independent traffic study be performed by the property owner and to have an opportunity to look into some of the other concerns made by C. Phillips; second by S. Tolson. Vote carried unanimously in favor.

Councilmember Power thanked everyone for participating and sharing the facts to help them decide what would be best for the community since the property is already zoned R3. Mayor Eason stated they also have the information from the citizens who spoke out at the last public hearing. Councilmember French also stated it would provide more time for the developer to review and consider the stipulations recommended by the City's attorney.

10. **ANX C9-00252 and ZA C9-00252:** Postponed to the May 20, 2019 meeting.
11. **ANX C9-00253 and ZA C9-00253:** Postponed to the May 20, 2019 meeting.

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- 12. VAR-C9-00004:** Jim King with Ensite Civil Consulting LLC has filed an appeal of the Planning Commission's decision to deny a density variance for TMP 082 021 located at 592 Hwy 53 West. Appeal Hearing Date: City Council - April 22, 2019

Jim King stated he heard the variance for the density might not be granted. Councilmember Phillips stated he understood that there are seven points of criteria that must be met in order to approve the variance and the developer has only met one. City Attorney Tallant stated that it is up to the Council to determine if the criteria have been met; the absence of any one of the criteria not met is grounds for denial of the variance. He further stated he recommended to the Mayor that the variance should not be considered this evening if the zoning amendment was postponed.

Motion to postpone the variance request to the June 3, 2019 meeting made by J. Power; second by C. Phillips. Vote carried unanimously in favor.

- 13. PROCLAMATION – ADMINISTRATIVE PROFESSIONALS WEEK APRIL 22 – 26, 2019:** Mayor Eason read the proclamation and presented it to Tracy Smith on behalf of the administrative staff. Motion to accept the proclamation made by J. Power; second by S. Tolson. Vote carried unanimously in favor.

Let the record reflect Councilmember Phillips left the meeting at this time.

- 14. An Ordinance By The City Of Dawsonville To Regulate The Use Of Tobacco Products, Alternative Nicotine Products, Vape Juice, Vapor Products, And Non-Traditional Tobacco Paraphernalia, And Other Similar Products; To Regulate Vape Shops; To Provide For Severability; To Provide For Effective Date; And For Other Purposes. (First Reading: April 22, 2019; Second Reading and Adoption: May 6, 2019)**

Attorney Alex Myers presented and read the first reading of the ordinance.

- 15. DISCUSS ROAD CLOSURES; PROFIT VS. NON-PROFIT:** Removed from agenda.
- 16. ADMINISTRATIVE VARIANCES ISSUED:** Robbie Irvin reported on two administrative variances he granted. The first on 106 Harrier Drive for a five-foot setback encroachment of the twenty-foot rear setback and the second on 106 Kestrel Court for a seven-foot setback encroachment of the twenty-foot rear setback.
- 17. GENERAL FUND BALANCE PRESENTATION:** Hayden Wiggins presented an explanation of the general fund balance explaining the definition and categories of fund balance. He spoke specifically about the unassigned category which is the positive fund balance which has not been classified as the previous categories of fund balance (Non-spendable, Restricted, Committed, Assigned). The minimum level of unassigned fund balance must be maintained at a level sufficient to provide for the required resources to meet operating costs; the City's financial policy requires at least six months of prior year general fund operating and non-operating expenses in the unassigned balance of the general fund. He spoke about the fund balance in reserves; the City's assets minus outstanding liabilities. He provided the balances of the general fund balance, budget and monthly operating expenses stating the City has approximately 18.5 months of general fund reserves. He restated our requirement is to hold six months, however, he is more comfortable at twelve or fourteen months of operating expenses in reserves. His goal in presenting the reserves is to make the Council aware of the funds that could go towards our outstanding projects such as the park and the farmer's market which could exceed the SPLOST budget.

Councilmember Power stated he feels it to be prudent to keep fourteen or eighteen months of operating expenses in reserves which could prevent taxation in the event of a downturn in the economy. Councilmember French believes the GFOA recommends eighteen to twenty-seven percent; he doesn't believe we need to go that low and feels it is wise to have the additional funds if the resources allow it but would not be willing to go to fourteen months. Mayor Eason agreed and thought twelve months to be appropriate and further stated the Council could consider action in the future once they've had a chance to study it and with staff recommendation.

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STAFF REPORTS

18. BOB BOLZ, CITY MANAGER:

- Farmer's Market Bid was issued last week with a deadline of May 28, 2019.
- Main Street Park restroom, landscaping and fencing bids should be ready go out next week.
- Congratulations to Jacob Barr who passed the Wastewater Level III Certification and twelve employees took the Blue Card soil erosion class held at City Hall

Councilmember French inquired as to how many proposals were received for the Auditing Services RFP. Hayden responded that no proposals have been received but several companies have made inquiries.

19. HAYDEN WIGGINS, FINANCE ADMINISTRATOR: Financial reports representing fund balance and activity provided through March 31, 2019. No questions or comments from Council.

ADJOURNMENT:

At 6:36 p.m. a motion to adjourn the meeting was made by S. Tolson; second by J. Power. Vote carried three in favor (Tolson, Power, French) and one absent (Phillips).

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 TRAINING FOR GEORGIA ACADEMY FOR ECONOMIC DEVELOPMENT

CITY COUNCIL MEETING DATE: 05/06/2019

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 REQUEST APPROVAL FOR STEPHEN TOLSON TO ATTEND FOUR DAYS OF TRAINING FOR THE GEORGIA ACADEMY FOR ECONOMIC DEVELOPMENT AND TRAVEL REIMBURSEMENT**

HISTORY/ FACTS / ISSUES:

- **LOCATION: HABERSHAM EMC IN CLARKESVILLE**
- **DATES: AUGUST 1, AUGUST 28, OCTOBER 8, OCTOBER 29**
- **FUNDING SOURCE: FY 2018-2019 BUDGET**
- **APPROXIMATE COST FOR TRAVEL AND TRAINING: \$480.00**

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Bob Bolz, City Manager

----- Original message -----

From: Kathy Papa <kathy.papa@dca.ga.gov>

Date: 4/24/19 5:05 PM (GMT-05:00)

To: stephen.tolson@dawsonville-ga.gov

Subject: Georgia Academy for Economic Development

Dear Stephen,

You have been nominated for the Georgia Academy for Economic Development. The 2019 Region 2 classes will be held at Habersham EMC in Clarkesville on the following dates:

August 1

August 28

October 8

October 29

The Georgia Academy's economic development training program provides an understanding of the complexities of economic development and the development of our region. The program, through a variety of defined activities, takes an in-depth look at regional issues and opportunities, and provides information and tools to help attendees be an effective member of your economic development team. The Academy includes regional leadership training, which is designed to enhance leadership and team-building skills and give you an opportunity to join a network of leaders who regularly share information and experience. You will learn how to see our region in a new way, and how to make a positive impact on its future.

I am attaching a program overview for you to review. The cost for all four session is \$265, which includes course materials and meals.

You can register online at:

<https://www.jotform.com/DCA/fall2019r2>

Please let me know if you have any questions,

Kathy

Kathy Papa

Region 2 Representative

Georgia Department of Community Affairs

PO Box 6090

Gainesville, Georgia 30504

Mobile 770-362-7078

kathy.papa@dca.ga.gov

Learn more about our commitment to [fair housing](#).



The **Georgia Academy for Economic Development** was started in 1993 by a consortium of public and private organizations involved in economic development. The program is designed to enhance community leaders' skills and knowledge so that more communities in Georgia may remain or become successful. Over 6500 Georgians have graduated from this program, which is supported by over twenty statewide organizations, with facilitators, coordinators and program management provided by Georgia EMC, Georgia Power, and the Georgia Department of Community Affairs. This four-day course is offered each year in each region.

AN OVERVIEW OF THE CURRICULUM

- Modules to enhance leadership skills
- Modules to enhance community development knowledge
- Modules to enhance economic development knowledge

REGIONAL PROGRAM INFORMATION

Four Sessions – One day each in four months.

All classes are held within the region, from 8 a.m. to 4:00 p.m. Tuition is \$265, which covers course materials, meals and refreshments for 4 days.

REGION 2

Session Dates: August 1, August 28, October 8, October 29



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 7c

SUBJECT: **APPROVE REQUEST TO WAIVE WATER TAP FEES FOR DAWSON COUNTY**

CITY COUNCIL MEETING DATE: 05/06/2019

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 REQUEST APPROVAL TO WAIVE (2) 1-1/2" WATER TAP FEES AND (1) 6" FIRE LINE TAP AND DEPOSITS FOR A NEW ROAD MAINTENANCE BUILDING AND A FLEET MAINTENANCE BUILDING ON TRANSPORTATION LANE.

BASED ON NEW TAP FEES, AMOUNT TO BE WAIVED IS \$76,180.00

HISTORY/ FACTS / ISSUES:

- **REQUEST MADE BY DAVID MCKEE**

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Mike Eason, Mayor

Beverly Banister

From: Alexa Bruce <abruce@dawsoncounty.org>
Sent: Monday, April 29, 2019 10:40 AM
To: Beverly Banister
Cc: David McKee
Subject: Re: Water Taps - Public Works

Beverley,

Good morning, I hope you enjoyed your weekend.

It is actually for (2) 1 1/2 inch meters not 2 1/2 inch meters-I may have miscommunicated that in my email to Mr. Bolz, I apologize, but wanted to make sure I clarified.

David is requesting the tap fees to be waived.

Let me know if you need any additional information from us and we appreciate your assistance with the agenda request.

Thank you,
Alexa Bruce

Sent from my iPhone

On Apr 29, 2019, at 10:28 AM, Beverly Banister <clerk@dawsonville-ga.gov> wrote:

Good morning Alexa,

I have been made aware of a request by David McKee to be put on the City Council's agenda to further discuss the 2 1/2" water taps and account deposits. We are preparing to set the agenda and I was wondering if I could get further clarification on his specific request so I could provide more information to the Council and to determine placement on the agenda. The draft agenda is expected to be sent out today.

Thank you in advance for your assistance in this matter; I look forward to your response.

Beverly A. Banister
City Clerk

City of Dawsonville
415 Hwy 53 E
Suite 100
Dawsonville, GA 30534
Phone: (706) 265-3256
Fax: (706) 265-4214
beverly.banister@dawsonville-ga.gov

<image001.jpg>



City of Dawsonville Water & Sewer Authority

415 Hwy 53 E, Suite 100
 Dawsonville, GA 30534
 Phone (706)265-3256 Fax (706)265-4214
 Website: www.dawsonville-ga.gov

Water/Sewer Tap Application

Purchasers Name: _____

Purchasers Address: _____

Phone Numbers: _____

Tap Service Location: _____

Subdivision: _____ **Lot #** _____

Request for: Water Tap Sewer Tap Water Tap Only / Septic Tank
 Residential Commercial

Meter Size	Service	Fee Each**	Quantity	Cost
.75"	Water	\$3,500.00		
1.00"	Water	\$5,000.00		
1.50"	Water	\$8,000.00*	2	\$16,000
2.00"	Water	\$12,500.00*		
3.00"	Water	\$25,000.00*		
4.00"	Water	\$40,000.00*		
6.00"	Water	\$60,000.00*	1	\$60,000
8.00"	Water	\$90,000.00*		
Water meter .75"	Sewer	\$4,750.00		
Water meter 1.00"	Sewer	\$6,750.00		
Water meter 1.50"	Sewer	\$9,500.00		
Water meter 2.00"	Sewer	\$17,500.00		
Water meter 3.00"	Sewer	\$30,000.00		
Water meter 4.00"	Sewer	\$50,000.00		
Water meter 6.00"	Sewer	\$75,000.00		
Water meter 8.00"	Sewer	\$105,000.00		
Total Cost:				\$ 76,000

*Plus actual cost of labor and materials if installed by City + 180 deposit
 ** Rates and fees are subject to change \$76,180

**** An Application for Water/Sewer Service and the Deposit are REQUIRED for each Tap to Unlock the Meter and Initiate Water/Sewer Service.**

 Purchasers Signature Printed Name Date

(Office Use Only)

Check #	Verified w/ Gary: YES NO <input type="checkbox"/> Gary's Copy in Box
Amount \$	Meter Set Date:
Date:	Locked Unlocked By:
Application w/ Paid Deposit: YES NO	Meter Reading #



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 7d

SUBJECT: APPROVE POSTPONEMENT OF CONSTRUCTION MANAGEMENT SERVICES
RFQ SELECTION

CITY COUNCIL MEETING DATE: 05/06/2019

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 POSTPONEMENT OF CONSTRUCTION MANAGEMENT SERVICES RFQ
SELECTION TO JUNE 3, 2019**

HISTORY/ FACTS / ISSUES:

- **RFQ PROPOSALS RECEIVED 04/08/2019**
 - **TO DATE, NO DECISION HAS BEEN MADE**
-

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Mike Eason, Mayor



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 8

SUBJECT: PROCLAMATIONS

CITY COUNCIL MEETING DATE: 05/06/2019

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

- **WATER PROFESSIONAL'S APPRECIATION DAY, MAY 6, 2019**
 - **MUNICIPAL CLERKS WEEK, MAY 5 – 11, 2019**
 - **TEACHER APPRECIATION WEEK, MAY 6 -10, 2019**
-

HISTORY/ FACTS / ISSUES:

OPTIONS:

READ INTO THE MINUTES

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Michael Eason, Mayor



Proclamation

Water Professionals

Appreciation Day

May 6, 2019



WHEREAS, water and wastewater infrastructure, facilities and services are of vital importance to sustainable communities and to the health, safety and well-being of the people of the City of Dawsonville, and

WHEREAS, water professionals are committed to operating these facilities to maintain consistent compliance with extremely stringent standards and such facilities and services could not be provided without the dedicated efforts of water professionals who are responsible to operate and maintain the water supply and water treatment facilities essential to serve our citizens, and

WHEREAS, both publicly and privately-owned facilities have performed so well that they are no longer the most significant threat to Georgia's waters and the quality of Georgia's waters has improved dramatically throughout this great state over the 50 plus years since the original passage of the Georgia Water Quality Control Act.

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the United States of America to gain knowledge of and to maintain a progressive interest and understand the importance of water and wastewater operations in their respective communities, and

NOW THEREFORE, I, Michael Eason, Mayor of the City of Dawsonville, do proclaim May 6, 2019 as Water Professionals Appreciation Day, a special day of recognition for men and women who work tirelessly in our City to ensure our water resources are protected and properly managed. Specially, we want to recognize and thank the staff and management of the City of Dawsonville's water department.

Dated this 6th day of May 2019.

Michael Eason, Mayor

Attest:

Beverly A. Banister, City Clerk





Proclamation

50th Anniversary of Municipal Clerks Week May 5-11, 2019



Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Whereas, The Municipal Clerk serves as the information center on functions of local government and community.

Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.

Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

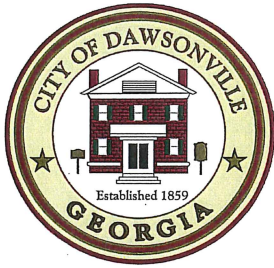
Now, Therefore, I, Mike Eason, Mayor of the City of Dawsonville, do recognize the week of May 6 through May 11, 2019, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Beverly Banister and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this 6th day of May, 2019.

Mike Eason, Mayor

Attest
Beverly A. Banister, City Clerk





Proclamation

Teacher Appreciation Week

May 6-10, 2019



WHEREAS, teachers mold future citizens through guidance and education; and

WHEREAS, teachers encounter students of widely differing backgrounds; and

WHEREAS, our country's future depends upon providing quality education to all students; and

WHEREAS, teachers spend countless hours preparing lessons, evaluating progress, counseling and coaching students and performing community service; and

WHEREAS, our community recognizes and supports its teachers in educating the children of this community.

NOW, THEREFORE, BE IT RESOLVED that the City of Dawsonville proclaims May 6-10, 2019, to be TEACHER APPRECIATION WEEK; and

BE IT FURTHER RESOLVED that the City of Dawsonville strongly encourages all members of our community to join with it in personally expressing appreciation to our teachers for their dedication and devotion to their work.

In witness thereof, I have hereunto set my hand and caused the seal of the City of Dawsonville to be affixed this 6th day of May, 2019.

Mike Eason, Mayor

Attest:

Beverly A. Banister, City Clerk





DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 9

SUBJECT: VAPING AND TOBACCO USE ORDINANCE

CITY COUNCIL MEETING DATE(S): 05/06/2019

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: **SECOND READING AND VOTE**

AN ORDINANCE BY THE CITY OF DAWSONVILLE TO REGULATE THE USE OF TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, VAPE JUICE, VAPOR PRODUCTS, AND NON-TRADITIONAL TOBACCO PARAPHERNALIA, AND OTHER SIMILAR PRODUCTS; TO REGULATE VAPE SHOPS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR EFFECTIVE DATE; AND FOR OTHER PURPOSES (FIRST READING: APRIL 22, 2019; SECOND READING AND ADOPTION: MAY 6, 2019)

HISTORY/ FACTS / ISSUES:

REVISED SINCE 04/22/2019 AS PER CITY ATTORNEY; CURRENT COPY ATTACHED

OPTIONS:

APPROVE, DENY, AMEND OR TABLE

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Mike Eason, Mayor

First Reading: 04/22/2019

Second Reading: 05/06/2019

Passed: _____

AN ORDINANCE BY THE CITY OF DAWSONVILLE TO REGULATE THE USE OF TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, VAPE JUICE, VAPOR PRODUCTS, AND NON-TRADITIONAL TOBACCO PARAPHERNALIA, AND OTHER SIMILAR PRODUCTS; TO REGULATE VAPE SHOPS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, in accordance with Article IX, Section II, Paragraph II of the Constitution of the State of Georgia, approved by the voters of the State in November 1982, and effective July 1, 1983, and pursuant to O.C.G.A. § 36-35-3(a), the governing authority of each municipal corporation shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government; and

WHEREAS, the Mayor and City Council of Dawsonville, Georgia (hereinafter “the City”) desire to identify and adopt rules and regulations to protect the public health, safety and welfare; and

WHEREAS, the unregulated sale of nicotine vapor products is a threat to the public health, safety, and welfare of citizens of the City of Dawsonville; and

WHEREAS, in the interests of the health, safety, and general welfare of the citizens of the City of Dawsonville, Georgia, the Mayor and City Council desire to exercise their authority to adopt this ordinance; and

WHEREAS, Federal Public Law 92-544 provides for national fingerprint-based criminal history record checks for licensing purposes by governmental entities; and

WHEREAS, O.C.G.A. § 35-3-35 (a)(1) provides that local governing authorities may require, by ordinance, the fingerprinting of applicants or licensees for state and national criminal history record information of said applicants or licensees; and

AND WHEREAS, the adoption of this ordinance would authorize the City, the City’s Planning and Zoning Department, and their authorized designees to receive criminal history record information from both the Georgia Crime Information Center (hereinafter “GCIC”) and Federal Bureau of Investigation (hereinafter “FBI”) for applicants desiring to obtain a license and/or permit to operate a vapor shop; and

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

SECTION 1.

Chapter 8 of the Code of the City of Dawsonville, Georgia, is hereby amended by repealing inserting a new Article X as follows:

ARTICLE X. – TOBACCO, ALTERNATIVE NICOTINE PRODUCTS, NON-TRADITIONAL TOBACCO PRODUCTS, AND VAPOR PRODUCTS

DIVISION 1. – REGULATION OF VAPE SHOPS

Sec. 8-600. – Definitions.

For the purposes of this section, the following terms shall have the following meanings:

- (1) *"Additional line of devices"* shall refer to the following four separate lines of devices:
 - (a) Grinders;
 - (b) Any storage devices with false or hidden doors or compartments commonly associated with tobacco, vaping, or drug use;
 - (c) Weighing devices commonly associated with tobacco, vaping, or drug use; and
 - (d) Torch lighters;
- (2) *"Alternative nicotine product"* shall mean any noncombustible product containing nicotine or any other chemical, substance, drug, or other harmful additive that is intended for human consumption, whether chewed, absorbed, dissolved, or ingested by any other means. The term "alternative nicotine product" shall not include any tobacco product, vapor product, or any product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Food, Drug, and Cosmetic Act.
- (3) *"Applicant"* shall mean all persons who are required to sign an application for a Vape Shop license to sell alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia as set forth herein in section 8-502;
- (4) *"City" or "City of Dawsonville"* shall mean the City of Dawsonville, Georgia;
- (5) *"Director"* shall mean the Director of the City of Dawsonville Department of Planning and Zoning;
- (6) *"Minor"* means any person who is under the age of 18 years.
- (7) *"Non-traditional tobacco paraphernalia"* shall mean non-traditional instruments designed to facilitate the smoking, consumption or ingestion of tobacco, nicotine, chemicals, substances, drugs, or other harmful additives in any form (such as bong, hookah pipes, or faux jewelry, bracelets, or necklaces commonly associated with tobacco, vaping, or drug use, with one purpose of such items being the inhalation or ingestion of tobacco or drugs); provided, however, that the term "non-traditional tobacco paraphernalia" shall exclude products that contain nicotine, tobacco products, cigarette papers or wrappers, blunt wraps, traditional tobacco pipes (such as brand names Briar and Meerschaum), holders, cigarette rolling machines, or other products, devices, or substances used for the purpose of making tobacco cigarettes; provided further that, said term shall also not include any item for which the sale and/or use of the same is regulated under state or federal law;

(8) *"Person"* shall mean and refer to any individual, natural person, partnership, firm, corporation, joint venture, proprietorship, business entity, association, agency, group, organization or group of persons or any other entity;

(9) *"Screened room"* shall mean a room separate from the public sales floor that is completely screened from view by the public such that persons entering into a regulated establishment shall not be able to observe any alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia except after entering the screened room;

(10) *"Tobacco product"* means any cigarettes, cigars, little cigars, granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff or snuff powder; cavendish; plug and twist tobacco; fine-cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings, and sweepings of tobacco; and other kinds and forms of tobacco, prepared in such a manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking. The term "tobacco product" shall not include any alternative nicotine product, vapor product, or product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Food, Drug, and Cosmetic Act.

(11) *"Tobacco related objects"* means any papers, wrappers, or other products, devices, or substances, including cigar wraps, which are used for the purpose of making cigarettes or tobacco products in any form whatsoever

(12) *"Vape juice"* shall refer to any liquid that contains the compounds identified in section 8-522(a) of these ordinances and can be used for vaping by means of an alternative nicotine product or vapor product;

(13) *"Vape shop"* shall mean any business whose product line for retail sale includes alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia;

(14) *"Vaping"* shall mean the ingestion or inhalation of vape juice from an alternative nicotine product or vapor product; and

(15) *"Vapor product"* means any noncombustible product containing nicotine or any other chemical, substance, drug, or other harmful additive that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from said nicotine, chemical, substance, drug, or harmful additive in a solution or other form. The term "vapor product" shall include, but in no way be limited to, any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of nicotine, chemical, substance, drug, or harmful additive in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. The term "vapor product" shall not include any product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Food, Drug, and Cosmetic Act.

Sec. 8-601. – License required.

(a) Any person who wishes to operate a Vape Shop or offers for retail sale any item of alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco

paraphernalia shall, by June 1st of each year, apply to the City of Dawsonville Planning and Zoning Department for a Vape Shop license and shall pay an annual license fee. The annual license fee shall be as set out in section 2-110 and as modified by the Mayor and City Council from time to time. Any person required to obtain a Vape Shop license and who also offers for sale any additional line of devices shall pay an additional annual license fee as set out in section 2-110, and as modified by the Mayor and City Council from time to time. For the purposes of this section, every person who obtains such a license shall be referred to as a "licensee."

(b) All applications shall be fully completed by the applicant and sworn to and signed by the applicant in the presence of a notary public or other officer authorized to administer oaths. If the application is filed on behalf of a partnership, then each partner shall sign the application in the presence of a notary public or other officer authorized to administer oaths. If the application for a Vape Shop license is filed on behalf of a corporation, the majority stockholder and each principal officer of the corporation must sign the application in the presence of a notary public or other officer authorized to administer oaths. If the application is filed on behalf of a nonprofit tax exempt civic, patriotic, or social club or corporation which is organized and operated in the City as a mutual benefit membership group, the individual being primarily responsible for the club or corporation's compliance with this article must sign the application in the presence of a notary public or other officer authorized to administer oaths. If the application is filed on behalf of a private club, then each member of its governing body must sign the application in the presence of a notary public or other officer authorized to administer oaths. If the application is filed on behalf of a limited liability company, then each member of the limited liability company must sign the application in the presence of a notary public or other officer authorized to administer oaths.

Sec. 8-602. – Application requirements.

(a) All applications shall be accompanied by the following:

(1) A survey (dated no more than 180 days prior to submission of the application to the City), certified by a registered surveyor of this state, showing a scaled drawing of the premises, the location on the premises where the applicant desires to sell any item of alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia, and the distance in linear feet measured from the front door of the premise where any alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia is to be sold, to the property line of the tract upon which is located the nearest church building, school building, educational building, school grounds or college grounds, or college campus building.

(i) The distance referred to in this subsection shall be measured in the same manner as required by the section 3-122.

(2) If the applicant is a partnership, a copy of the partnership agreement, including amendments, shall accompany the application.

(3) If the applicant is a corporation, a copy of the articles of incorporation and by-laws, including amendments, shall accompany the application.

(4) If the applicant is a nonprofit tax exempt civic, patriotic or social club or corporation which is organized and operated in the City as a mutual benefit membership

group, a copy of the charter or articles of incorporation, as well as sufficient proof of the organization's tax-exempt status shall accompany the application.

(5) If the applicant is a private club, a copy of the articles of incorporation and by-laws, including amendments, shall accompany the application.

(6) If the applicant is a limited liability company, a copy of the operating agreement.

(7) As a prerequisite to the issuance of any license, the applicant shall furnish a complete set of fingerprints for all persons required to sign the application to be forwarded to the Georgia Bureau of Investigation and to the Federal Bureau of Investigation, as specified under Georgia law. Each person required to sign the application for an original license and/or renewal license, must authorize the City of Dawsonville or its designated representatives to secure from any state, county, municipal or federal court, any police department and/or law enforcement agency his, her or its criminal history and civil history and further authorize the City, its officers and employees to use such information in determining whether or not a license for the sale of any item of alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia will be issued to the applicant. Further, the applicant must authorize the City, its officers and employees to use such information in a public hearing if necessary, to determine whether or not the applicant's license should be denied, voided, cancelled and/or revoked. Each applicant waives any right or rights he, she or it may have under state or federal law, statute and/or court ruling to preclude the City from securing such criminal and/or civil history from any source and waives any right he, she or it may have to preclude the City from using such information publicly in determining whether the license will be issued to such applicant.

(8) The application shall be accompanied by the full amount of the license fee combined with the investigative fee and employee(s) application permit fee(s) as set out in section 2-110, and as modified by the Mayor and City Council from time to time, that may be paid with a check, credit or debit card for each individual fingerprinted. If the application is denied, or if the applicant withdraws the application prior to its approval, the license fee (without interest) shall be refunded to the applicant. All other fees paid to the City which were submitted as part of the application, including, but not limited to the investigative fee and any employee(s) application permit fee(s) shall be retained by the City.

(9) The director may require any additional information and records he reasonably deems necessary. Failure to furnish such data shall automatically serve to deny the application. Any misstatement or concealment of fact in the application shall be grounds for denying a license or revoking an issued license and shall make the applicant liable to prosecution for perjury under the laws of the State of Georgia.

(10) A valid email address and a valid mailing address that can be used for serving documents upon the applicant.

(11) Each applicant shall certify that applicant has read and understands this article and if the license is granted, each licensee shall maintain a copy of this article on the premises and shall require each of the licensee's employees to be familiar with this article.

- (b) No Vape Shop license may be issued to an applicant under the following circumstances:
- (1) An applicant who is not at least 21 years old.
 - (2) An applicant who has been convicted under any federal or state law of a felony or any misdemeanor involving the usage, distribution, or possession of controlled substances, alcohol, or offenses involving moral turpitude within a five-year period immediately preceding application. For purposes of this subsection, a "conviction" shall include any plea of guilty or admission of guilt and subsequent sentence under the First Offender Act of O.C.G.A. §§ 42-8-60, 16-13-2 or 3-3-23.1(c), or any similar sentencing provision for first time offenders of any other state or of the United States. A plea of nolo contendere for any felony or misdemeanor of any state or of the United States, or any municipal ordinance, except traffic violations, or the forfeiture of a bond (except traffic offenses) when charged with a crime is also considered a conviction under this article.
 - (3) An applicant who has been held in civil or criminal contempt by any federal, state or local court if such citation indicates to the Mayor and City Council that the applicant will not maintain the outlet for which the applicant is seeking a license in conformity with federal, state or local laws, rules, and regulations.
 - (4) An applicant whom the Director, or the Mayor and City Council, determines, by reason of such applicant's business experience, financial standing, trade associations, personal associations, records of arrests, or reputation in any community in which the applicant has resided, is not likely to maintain the outlet for which the license is sought in conformity with federal, state, or local laws.
 - (5) An applicant who is not the owner of the premises for which the license is held or the holder of the lease thereon for the period covered by the license. The applicant for a Vape Shop license, whether it be an individual, a partnership, a corporation, a nonprofit tax exempt civic, patriotic, or social club, limited liability company, or a private club, shall be the owner of the premises for which the license is held or the holder of the lease thereon for the period covered by the license. If the premises are leased, then the applicant shall provide information regarding the owner or landlord of the premise.
 - (6) An applicant or family member (by blood or marriage within the 5th degree) of an applicant who has had a license suspended or revoked, or an applicant who has had an application for a license denied under the provisions of this article within one year from the final date of such denial, suspension or revocation. For purposes of this provision, the final date of a denial of license shall be the date of written notice of such denial if the denial is not appealed; or, if the denial is appealed, the date of written notice of denial of the appeal.
 - (7) An applicant who seeks to sell alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia in premises that are in or within 100 yards of any church building or in or within 200 yards of any school building, educational building, school grounds, or college campus.
 - (8) An applicant whose intended sales of alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia products at that location

will exceed twenty-five percent (25%) of said applicant's aggregate retail sales at that location.

(9) An applicant whom the Director or the Mayor and City Council determines, based upon an investigation into the applicant, the applicant's prior businesses or entities, (whether operating under the same establishment name or not) in the City of Dawsonville or in other jurisdictions, has him or herself, or has engaged employees and/or agents, who have sold cigarettes, tobacco products, tobacco related objects, alternative nicotine products, and/or vapor products in violation of state law or local ordinances, including but not limited to sales to minors.

(9) The City has suspended or revoked a business license and/or Vape Shope license, or any other license issued under this Chapter at the location where the applicant desires to sell any item of alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia, within the previous 12 months for a suspension or within the previous 36 months for a revocation, for any reason related to the sale or bartering of cigarettes, tobacco products, tobacco related objects, alternative nicotine products, and/or vapor products.

(c) At the time the applicant makes application for a license, a sign shall be posted and furnished by the Applicant and will be painted or printed in black letters one and one-half inches in height, against a yellow background, on a two-face, back-to-back surface of not less than 24 × 30 inches in space, and shall be placed by the Applicant with the base of the sign not more than three feet from the ground on the most conspicuous part of the premises. The sign shall state clearly the nature and purpose of the application, and the name of the person, partnership, organization, corporation or private club making the application.

Sec. 8-603. – Review and compilation of application by Planning Director.

(a) Once an application, the accompanying documents described in section 8-502, and the required investigative and license fees are submitted, the City shall conduct a criminal investigation of the application and produce a written criminal investigation report concerning all information relating to fingerprinting, criminal history, arrest data, and other matters pertaining to law enforcement. In the event the failure to obtain fingerprinting information from state and federal authorities delays completion of the written report, the City may later supplement any fingerprinting information. If the fingerprinting information later reveals that the applicant fails to meet the requirements set by this article, this may be grounds for denying the application or revoking a license, despite an otherwise satisfactory written report. Upon production of the criminal investigation report, the Planning Director or his designee shall make a determination as to compliance with the requirements of this article as to the issues contained therein and shall forward that determination to the Mayor and City Council. The Planning Director shall cause the application forms and all accompanying documents required for consideration of the Application to be assembled for review.

(b) If the criminal investigation report shows that the applicant fails to meet the requirements set by this article, or if the Planning Director finds that the applicant fails to meet other qualifications outlined by this article, then the Planning Director shall inform the applicant, in writing, that the application has been denied, and shall set forth in reasonable detail the reasons for the denial and shall notify the applicant of his/her right to appeal to the Mayor and City Council in accordance with section 8-502. If an applicant desires to appeal a denial by the

Planning Director, the applicant must file a written request for an appeal hearing with the Planning Director within ten (10) business days of the date of the written notice informing the applicant of the denial by the Planning Director.

(c) Any application which the Planning Director determines to satisfy all the qualifications outlined in this article, including character requirements as contained in the criminal investigation report, shall be scheduled for review at the next regularly scheduled meeting of the Mayor and City Council.

Sec. 8-604. – Review by Mayor and City Council.

(a) In making its determination on whether to approve or deny the application, the Mayor and City Council shall look to the qualifications set forth in this article and consider the public interest and welfare. The Mayor and City Council shall have the sole discretion to grant or deny the application based on the information presented. A decision by the Mayor and City Council shall be made at or within thirty (30) days from the date of the City Council meeting, unless the decision is postponed for purposes of the Mayor and City Council obtaining additional information deemed necessary for consideration of the application. Notice of the decision by the Mayor and City Council shall be mailed or emailed to the applicant. In the event the application is denied, written notification of such denial shall set forth in reasonable detail the reasons for the denial and shall notify the applicant of his right to appeal as set forth in section 8-505.

(b) Upon approval by the Mayor and City Council of the application for a license, the Director shall issue a license in accordance with the approved application.

Sec. 8-605. – Appeal of determination by Mayor and City Council.

(a) In the event the Mayor and City Council deny the application for a license, suspend a license, or revoke a license, the applicant for a license or the licensee whose license was suspended or revoked may appeal to the Mayor and City Council for reconsideration of the license denial, suspension or revocation by filing a written request for an appeal hearing with the Director within ten (10) business days of the date of the written notice informing the applicant of the denial, suspension or revocation. Any such appeal hearing shall be conducted according to the procedures set forth in the subsection below.

(1) Upon receipt of a timely appeal (accompanied by a fee as set out in section 2-110, and as modified by the Mayor and City Council from time to time, made payable to the City of Dawsonville, Georgia), the Planning Director shall schedule a hearing before the Mayor and City Council and provide written notice to the applicant of the time, place and date of the scheduled hearing. The Planning Director shall also state in the written notice in reasonable detail the factual basis for the denial of the application or the suspension or revocation of the license. After notice of hearing, matters scheduled for hearing may only be continued by agreement of the Director and the applicant and/or counsel for the applicant.

(2) The Mayor and Council shall have the duty of conducting hearings concerning the timely filed appeal of the denial, suspension, or revocation of a license. The standard of proof on all issues in the hearing shall be a preponderance of the evidence and a determination will be made on the basis of the evidence presented at the hearing.

(3) At the hearing, the Planning Director or his or her designee shall present the facts upon which the denial, suspension, or revocation of the license were based. After presentation of the case against the Applicant, the Applicant will have an opportunity to present his/her case, to rebut the allegations made against him/her, and present whatever defenses he/she has. The Applicant shall have the right to be represented by an attorney, at the expense of the Applicant, and to present evidence and cross-examine opposing witnesses.

(4) At the conclusion of the hearing, the Mayor and Council shall determine whether the denial, revocation, or suspension of the license was warranted. The findings and conclusions of the Mayor and Council shall be forwarded to the Planning Director and it shall be the duty of the Planning Director to provide written notification to the adverse party of the actions of the Mayor and Council.

(5) The decision of the Mayor and Council shall be final unless appealed to the Superior Court of Dawson County, Georgia, within thirty (30) days of the Director providing written notification to the adverse party of the decision. Appeal shall be by writ of *certiorari* based upon the record in accordance with O.C.G.A. § 5-4-1.

(6) For purposes of this article, notice shall be deemed delivered when personally served, , or when served by email on the date served or email sent or when served by certified mail postage prepaid within three days after the date of deposit in the United States Mail.

Sec. 8-606. – Renewal of license.

(a) All licenses granted under this article shall expire on June 30th of each year. An investigative fee as set out in section 2-110, and as modified by the Mayor and City Council from time to time, shall be required for renewal applications pertaining to licenses that are to be issued for odd years in order to complete a criminal history report. In instances where a new, named licensee has been designated, a criminal history report and investigative fee shall be required regardless of the year. Persons holding a license for more than any one establishment and desiring to renew the license for such establishments shall pay only one investigative fee charge. Late applications will begin being processed at the time of receipt but are not guaranteed renewal prior to July 1st. If an application is submitted after July 31st, a new application shall be required because renewal eligibility will not be considered past this date.

(1) For applications in which there are no changes of information and data contained in the original application, licensees shall file a renewal application accompanied by the requisite license fee with the City upon forms prescribed by the City on or before the second Monday in June of each year without penalty. Applications for renewal filed after the second Monday in June shall be subject to a late charge of ten percent of the license fee.

(2) Renewal Applications must go before the Mayor and City Council for review and approval.

(3) Applicants shall be required to file a new application if changes have occurred in the information and data furnished with the original application. Any changes to an applicant's criminal history will be subject to sections 8-502 through 8-504.

(4) Each application for renewal will show the date of the original application and that the applicant or applicants for the renewal are familiar with applicable Georgia laws and regulations and with the rules and ordinances of the City. The renewal application must be signed and sworn to by all applicants in the presence of a notary public or other officer authorized to administer oaths. The applicant will furnish all information required by the renewal application and failure to furnish the information will be grounds for denying the application. A false statement made on the renewal application will void the application and shall make the applicant liable to prosecution for false swearing under the laws of the State of Georgia.

(5) Each application for renewal of a license shall be approved or denied in accordance with the procedures prescribed in this article.

Sec. 8-607. – Licenses Non-transferable.

No Vape Shop license shall be transferable, except upon the death of a licensee, at which time such license may be transferred to the administrator, executor, or lawful adult heir or heirs of such deceased person. If the legal representatives of such deceased licensee cannot meet all the requirements of this article when the time arrives to renew the license, it shall not be renewed.

Sec. 8-608. – Suspension, revocation, or forfeiture of license.

(a) Any suspension, revocation, or forfeiture of a license by the Mayor and City Council shall occur only after notice and opportunity for a hearing before the Mayor and City Council consistent with the procedures set for in section 8-505, above, and upon the following occurrences:

(1) Any licensed outlet that is found to be in violation of this article shall be subject to license revocation or suspension and shall also be subject to citation and prosecution as outlined in section 8-505(f).

(2) Every Vape Shop license issued by the City shall be immediately revoked in case of bankruptcy, receivership, levy of legal process, or failure to promptly account for and pay the excise tax levied on the sale of nontraditional tobacco paraphernalia.

(3) Except as provided for transfers under section 8-507 above, any change in the ownership of any entity owning a licensed outlet shall cause the Mayor and City Council to immediately revoke any license issued under this article.

(4) All licensees must, within six (6) months after the approval of said license, open for business the outlet referred to in the application for license and begin the sale of the product or products authorized by the said license. Failure to open the outlet and begin the sales referred to within the six-month period, shall cause the Mayor and City Council to immediately revoke the license and no refund of any fees paid pursuant to this article shall be made.

(5) Any licensee who shall for a period of three consecutive months cease to operate the business and sale of the product or products authorized in the said license, shall, after

said three months period, cause the Mayor and City Council to immediately revoke the license, and no refund of any fees paid pursuant to this article shall be made.

(6) A license may be immediately suspended or revoked by the Mayor and City Council upon learning that a licensee furnished fraudulent or untruthful information in the application for a license, or omits information required in the application for a license, or fails to pay all fees, taxes, or other charges imposed under the provisions of this article.

(7) Whenever the state shall revoke any permit or license to sell alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia, as is or may become applicable, the City license shall thereupon be immediately revoked.

(8) The Mayor and City Council shall immediately suspend or revoke the license of any outlet which does not meet the licensing qualifications set forth in this article at any time such knowledge becomes known to the Mayor and City Council.

(9) The Mayor and City Council shall immediately suspend or revoke the license for any business whose retail sales of alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia products at that location exceeds twenty-five percent (25%) of said business's aggregate retail sales at that location.

(10) The Mayor and City Council shall immediately suspend or revoke the license for any business engaged in the sale of vape juice containing any other chemical, substance, drug, or other harmful additive other than pharmaceutical grade vegetable glycerin, propylene glycol, nicotine, food-grade flavoring, and water.

(11) The Mayor and City Council shall immediately revoke the license for any premises where alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia have been sold or distributed during a period of suspension.

(12) It shall be a violation of this article for any licensee or any employee or agent of the licensee or licensed establishment to permit any person to engage in any activity on the premises for which the license is issued or within the place of business, which is in violation of the laws or regulations of any federal, state, county, or municipal governing authority or regulatory agency. A violation of this subsection shall subject the license to immediate suspension or revocation.

(13) An act or omission of a licensee which constitutes a violation of federal or state law or regulation, relating to the sale of alcoholic beverages, taxes, gambling, violation of the Georgia Controlled Substances Act, or constitutes a crime of moral turpitude, shall subject the license to immediate suspension or revocation.

(14) Any license shall automatically expire on June 30th of each year unless renewed in accordance with this article.

Sec. 8-609. – General regulation of business operations.

(a) No licensee, employee of any licensee, or other person shall sell or permit to be sold any item of non-traditional tobacco paraphernalia to any person who is a minor (i.e. has not reached the age of eighteen), either directly or indirectly.

(b) Each licensee shall maintain their entire inventory of alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia and any additional line of devices in a screened room and shall not allow minors to enter into the screened room nor sell any alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia to any minor. It shall be unlawful for a licensee to allow any item of n alternative nicotine products, vape juice, vapor products, and/or on-traditional tobacco paraphernalia or any additional line of devices to be in view of the public, except during actual sales transactions of such items.

(c) The City of Dawsonville Code Enforcement Officers and the Planning Director (or his/her designee) shall have the authority to inspect the outlet and premises licensed under this article during the hours when the outlet is open for business. These inspections shall be made for the purpose of verifying compliance with the requirements of this article and state law. This section is not intended to limit the authority of any other municipal, county, state or federal officer to conduct inspections authorized by other provisions of law.

(d) Any license for the sale of alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia and any license for the sale of any additional line of devices shall be posted conspicuously in the place of business for which such license is issued.

(e) No tobacco products, alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia shall be sold in premises that are in or within 100 yards of any church building, or on any property owned or leased to a church, or in or within 200 yards of any school building, educational building, school grounds, or college campus, or on any property owned or leased to a public or private school or school board for elementary or secondary education; provided, however, that any premises permitted to sell tobacco products, alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia as of the effective date of this article that is located within such proximity of any church building, school building, educational building, school grounds, or college campus on the effective tobacco products, alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia in such premises provided that said permit holder remains in compliance with all other provisions of this section and the use of the premises to sell tobacco products, alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia remains ongoing and continuous. If the sale of tobacco products, alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia is discontinued, the grandfather entitlement under this paragraph shall be forfeited.

(f) No licensee shall sell any vape juice that contains any chemical, substance, drug, or other harmful additive other than pharmaceutical grade vegetable glycerin, propylene glycol, nicotine, food-grade flavoring, and water.

Sec. 8-610. – Required signage for vape juice.

(a) All persons or entities selling vape juice in the City shall prominently post a sign on any premises where vape juice is sold stating that the only chemicals authorized to be used in such

vape juice are pharmaceutical grade vegetable glycerin, propylene glycol, nicotine, food-grade flavoring, and water.

(b) All persons or entities selling vape juice in the City shall prominently post a sign on any premises where vape juice is sold explaining how to safely use e-batteries for alternative nicotine products.

Sec. 8-611. – Compliance with federal regulations.

All persons or entities selling alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia or any additional line of devices in the City shall comply with all applicable state and federal laws and regulations, as amended, governing the sale and manufacture of alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia and additional lines of devices, and all such state and federal laws and regulations, as amended, are hereby incorporated by reference into this section. Persons or entities who are registered to mix vape juice with the United States Food and Drug Administration shall be allowed to mix vape juice in the City and shall maintain documentation reflecting such registration at all times on the premises where vape juice is mixed.

Sec. 8-612. – Enforcement.

(a) Any violation of this article, excluding sales to underage persons, shall subject the licensee to the following progressive actions by the Mayor and City Council, except for those violations and occurrences set forth in section 8-508 above that provide for immediate suspension or revocation upon notice and hearing:

(1) The first violation shall result in a warning or a license suspension for a period of up to sixty (60) days.

(2) The second violation within a consecutive 24-month period shall be punished as provided in section 1-8 and shall result in a license suspension for a period of not less than sixty (60) days nor more than ninety (90) days.

(3) The third violation within a consecutive 24-month period shall result in license revocation.

(b) Sales of non-traditional tobacco paraphernalia to underage persons shall subject the licensee to the following progressive actions by the Mayor and City Council:

(1) The first violation shall result in a mandatory hearing before the Mayor and City Council, a license suspension for a period of up to sixty (60) days, and a minimum fine in the City of Dawsonville Municipal Court of \$500.00.

(2) The second violation within a consecutive 24-month period shall result in a mandatory hearing before the Mayor and City Council, a license revocation, and a minimum fine in municipal court of \$1,000.00.

(c) For any vendor that is licensed to sell alcohol in the City of Dawsonville, Georgia, any violation of sections 8-500 through 8-509 that results in a conviction, license suspension, or license revocation, excluding the sale of non-traditional tobacco paraphernalia to a minor, shall

also count as a violation with respect to those actions or sanctions provided for in section 3-3 of the City of Dawsonville ordinances governing alcoholic beverages. For purposes of this subsection, "conviction" shall have the same meaning as provided in section 8-502(b)(1).

(d) For any vendor that is licensed to sell alcohol in the City of Dawsonville, Georgia, any conviction, license suspension, or license revocation resulting from the sale of non-traditional tobacco paraphernalia to a minor shall also count as a violation with respect to those actions or sanctions provided for in section 3-3 of the City of Dawsonville ordinances governing alcoholic beverages. For purposes of this subsection, "conviction" shall have the same meaning as provided in section 8-502(b)(1).

(e) For any license suspension of less than thirty (30) days, the licensee will not be required to remove alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia from the premises, but shall be required to secure with lock and chain all alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia in an on-premise locked storage area out of view of the public. Nothing contained in this subsection shall be construed to preclude the Mayor and City Council from suspending or revoking a Vape Shop license for a period exceeding those periods identified in subsection (a) above, or from revoking the license if the Mayor and City Council determine in their discretion that such action is necessary and in the best interest of the public health, safety and welfare of the City. The suspension periods set forth above may be mitigated by the Mayor and City Council upon presentation of evidence that the licensee established practices and procedures to prevent the violation from occurring and established procedures to properly train and supervise employees to prevent the violation from occurring.

(f) In addition to the available actions to be taken by the Mayor and City Council, any licensee, employee of a licensee, individual, or other person who violate this division shall be subject to citation and prosecution. Each violation of this article shall constitute a separate violation subject to a separate citation and penalties. The penalties may result in a fine not to exceed \$1,000.00, imprisonment not to exceed sixty (60) days, or both.

DIVISION 2. – USE AND SALE OF TOBACCO, ALTERNATIVE NICOTINE PRODUCTS, NON-TRADITIONAL PARAPHERNALIA, AND VAPOR PRODUCTS

Sec. 8-621. – Prohibition.

(a) The use of tobacco products, alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia, including, but in no way limited to, smoking, vaping, and chewing is prohibited in all City government buildings and on all City government properties other than in designated areas, if any.

(b) The use of tobacco products, alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia, including, but in no way limited to, smoking, vaping, and chewing is prohibited in or within 100 yards of any church building, or on any property owned or leased to a church, other than in designated areas, if any.

(c) The use of tobacco products, alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia, including, but in no way limited to, smoking, vaping, and chewing is prohibited in or within 200 yards of any school building, educational building, school grounds, or college campus, or on any property owned or leased to a public or

private school or school board for elementary or secondary education, other than in designated areas, if any.

(d) The use of tobacco products, alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia, including, but in no way limited to, smoking, vaping, and chewing shall be prohibited in the premises of any building or premises that offers for sale any tobacco products, alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia, or additional line of devices unless such building or premises has an operational dehumidifier and exhaust fan vented to the outside to dispel any smoke or vapor produced by on-premises use.

(e) It shall be prohibited to mix or prepare vape juice on the premises of any building or establishment that offers tobacco products, alternative nicotine products, non-traditional tobacco paraphernalia, or vapor products for retail sales to consumers.

(f) It shall be unlawful for any minor to:

(1) Purchase, attempt to purchase, possess for personal use, and/or use non-traditional tobacco paraphernalia; or

(2) Misrepresent such minor's identity or age or use any false identification of the purpose of purchasing or procuring any non-traditional tobacco paraphernalia; or

(3) Enter into the screened area on any premises of any establishment that offers tobacco products, alternative nicotine products, vape juice, vapor products, and/or non-traditional tobacco paraphernalia.

Sec. 8-622. – Enforcement.

Each person violating this division shall be punished as provided in section 1-8.

SECTION 2.

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

SECTION 3.

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

SECTION 4.

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, Council Member Post 1

Stephen Tolson, Council Member Post 2

Jason Power, Council Member Post 3

Mark French, Council Member Post 4

ATTESTED TO BY:

Beverly A. Banister, City Clerk



**DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 10**

SUBJECT: **COMMITTEE FOR DESIGN GUIDELINES**

CITY COUNCIL MEETING DATE: 05/06/2019

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 THE DEVELOPMENT OF A COMMITTEE FOR DESIGN GUIDELINES FOR THE CITY SETTING SOME STANDARDS FOR APPEARANCE

HISTORY/ FACTS / ISSUES:

POTENTIAL GOALS OF THE COMMITTEE:

- **TO MAINTAIN THE CHARACTER OF OUR TOWN**
- **LOOK AT COMMERCIAL DESIGN GUIDELINES OUTSIDE OF THE HISTORIC DOWNTOWN DISTRICT AS WELL AS HOW OUR COMMUNITY APPEARS TO THOSE DRIVING THROUGH OUR TOWN**
- **TO SET STANDARDS FOR THE SUBDIVISION ENTRANCES WITH A THEME OF OUR COMMUNITY**
- **ADDING A TREE OR FLOWER PATHWAY COMING INTO TOWN ON THE HIGHWAYS**
- **WORK ON A PLAN TO SET US APART FROM THE REST OF THE AREA SO A PERSON KNOWS AND LIKES THE FACT THEY ARE IN OUR CITY**

SUGGESTED COMMITTEE MAY INCLUDE MEMBERS FROM GMRC, DC CHAMBER OF COMMERCE, BOE, DC WOMAN'S CLUB, PLANNING COMMISSION, HPC, DDA AND/OR APPOINTMENTS FROM CITY COUNCIL

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Mike Eason, Mayor



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 11

SUBJECT: CITY HALL SIGN OPTIONS

CITY COUNCIL MEETING DATE: 05/06/2019

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 APPROVAL OF SIGN OPTIONS FOR THE FRONT OF CITY HALL

HISTORY/ FACTS / ISSUES:

- **TWO ESTIMATES INCLUDED**
 - a) **SIGN WITH ILLUMINATION - \$6,680**
 - b) **SIGN WITHOUT ILLUMINATION - \$3,940**
 - **PICTURES OF PROPOSED SIGN INCLUDED**
 - **FUNDING SOURCE: FY2019 RESERVES**
-

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Mike Eason, Mayor

Beverly Banister

From: Mike Eason
Sent: Tuesday, April 30, 2019 4:21 PM
To: Beverly Banister
Subject: Fw: Estimate 3561 from Lang Signs, Inc.
Attachments: Est_3561_from_Lang_Signs_Inc_7364.pdf

From: Michael Moore <michael.moore@langsigns.com>
Sent: Wednesday, April 24, 2019 10:32:46 AM
To: Mike Eason
Cc: Trampas Hansard
Subject: Estimate 3561 from Lang Signs, Inc.

Chief/Mayor,

Please see estimate for 20" channel letters for City Hall. Please note that electrical circuit will need to be run for channel letters. I'm not sure we can get our truck in there to install letters, so a lift rental was added to install. I will have them check when they are back up there next week. If we can get our truck in there, install will be less on both estimates. Let me know if you have any questions.

Sincerely,

Michael Moore
Account Executive
Lang Signs, Inc.
770.887.7339 office
404.569.0028 cell
770.781.9528 fax



Lang Signs, Inc.
 7108 Castleberry Road
 Cumming, GA 30040
 P: 770.887.7339 | F: 770.781.9528
 www.langsigns.com

Estimate

Date	Estimate #
4/24/2019	3561

Company/Client Name and Address
City of Dawsonville P.O. Box 6 Dawsonville, GA 30534

Jobsite/Location and Contact
City of Dawsonville 415 Hwy 53 East Ste. 100 Dawsonville, Ga 30534

P.O. No.	Sales Rep	Sales Rep E-mail	Terms			Projected Completion	
Mike Eason	MM	michael.moore@langsigns.com	50% Deposit Required			4/24/2019	
Description			Qty	Sides	H x W	Rate	Total
CHANNEL LETTER SIGNAGE Color: White Description: INDIVIDUALLY ILLUMINATED ALUMINUM CHANNEL LETTERS. TO BE MOUNTED ON RACEWAY. RACEWAY TO BE PAINTED TO MATCH BUILDING FACADE. Text: DAWSONVILLE CITY HALL LANG SIGNS, INC. IS AN UNDERWRITER'S LABORATORY (UL) APPROVED COMPANY FOR QUALITY CONTROL AND CRAFTSMANSHIP.			19	1	20"	260.78947	4,955.00
PHOTOCELL			1			75.00	75.00
INSTALL ONLY *** Dedicated electrical circuit will need to be run out where channel letters will be installed.***			1			1,650.00	1,650.00
Terms & Conditions							0.00

Subtotal
Sales Tax (7.0%)
Total

Customer Approval Signature



Lang Signs, Inc.
 7108 Castleberry Road
 Cumming, GA 30040
 P: 770.887.7339 | F: 770.781.9528
 www.langsigns.com

Estimate

Date	Estimate #
4/24/2019	3561

Company/Client Name and Address
City of Dawsonville P.O. Box 6 Dawsonville, GA 30534

Jobsite/Location and Contact
City of Dawsonville 415 Hwy 53 East Ste. 100 Dawsonville, Ga 30534

P.O. No.	Sales Rep	Sales Rep E-mail	Terms	Projected Completion
Mike Eason	MM	michael.moore@langsigns.com	50% Deposit Required	4/24/2019

Description	Qty	Sides	H x W	Rate	Total
<p>receipt of permits, deposits, camera-ready art, and all supporting documentation as well as strikes, accidents, weather, or delay beyond our control.</p> <p>* Lang Signs, Inc. may at its discretion, charge a storage fee and or/invoice product prior to their installation if purchaser or purchaser's agents delay delivery or installation for ten (10) or more calendar days.</p> <p>* Purchaser agrees to pay a \$50.00 late penalty plus a 1.5% monthly finance fee on past due amounts. In the event this contract is placed for collection through an outside agency, attorney or court, all resulting fees shall be paid by purchaser.</p> <p>* In the event that legal action is taken by either party to settle a dispute, the venue for said legal action shall be Forsyth County, Georgia purchaser agrees to settle disputes via arbitration if requested by Lang Signs, Inc.</p> <p>* Title to all material and property covered by this contract shall remain on Lang Signs, Inc. possession and shall not constitute a part of the reality to which it may be attached until the purchase price, including any application late penalty and finance fee is paid in full.</p> <p>* In the event of default by purchaser, Lang Signs, Inc. may at once and without process of law take possession of and remove as and when it seems fit, all materials used or intended for use in the construction of said property called in this contract without liability to purchaser whatsoever. Expenses for removal, storage, and reinstallation will be paid by purchaser.</p> <p>* Purchaser agrees to secure all necessary permission for use of all registered trademarks and/or copyrights used and assumes all liability for trademarks/copyright infringement or misuse.</p> <p>* Lang Signs, Inc. reserves the right to use any sketches and/or photographs of the signs it manufactures or installs for marketing and other purposes.</p> <p>* All sketches and designs, or any facsimile thereof remain the property of Lang Signs, Inc. If signs are constructed by others, Lang Signs, Inc. will be duly paid for all other work performed.</p> <p>* Unless stated otherwise, prices are F.O.B. Lang Signs, Inc. in Cumming, Georgia and do not include permit fees, final electrical hook-up, or engineer stamp (if required).</p> <p>* Due to fluctuating concrete costs (varied by area or state) the cost of concrete is not included and will be billed separately.</p> <p>* Unless stated otherwise, the cost of engineered drawings, permits and permit acquisition is not included and will be billed separately.</p>					

Subtotal
Sales Tax (7.0%)
Total

Customer Approval Signature



Lang Signs, Inc.
 7108 Castleberry Road
 Cumming, GA 30040
 P: 770.887.7339 | F: 770.781.9528
 www.langsigns.com

Estimate

Date	Estimate #
4/24/2019	3561

Company/Client Name and Address
City of Dawsonville P.O. Box 6 Dawsonville, GA 30534

Jobsite/Location and Contact
City of Dawsonville 415 Hwy 53 East Ste. 100 Dawsonville, Ga 30534

P.O. No.	Sales Rep	Sales Rep E-mail	Terms	Projected Completion
Mike Eason	MM	michael.moore@langsigns.com	50% Deposit Required	4/24/2019

Description	Qty	Sides	H x W	Rate	Total
<p>Warranty</p> <p>Lang Signs, Inc. warrants the following products against defective workmanship and materials to the original owner for the period defined below from the date of shipment or installation. If the product should prove defective in material or workmanship within that period, Lang Signs, Inc. will repair or replace the defective part(s) in a timely manner at no charge to the purchaser.</p> <p>Items</p> <ul style="list-style-type: none"> * Steel Components (frames, poles, mounting, hardware, etc.) 1 year * Aluminum Components (frames, skins, backgrounds, letters, etc.) 1 year * Flex Faces and Awning Skins (with proof of proper semi-annual cleaning) 1 year * Plastic Components (faces, trim cap, backgrounds, letters, etc.) 1 year * Electronic Message Boards (materials only) 1 year * Electrical Components (sockets, ballasts, neon, transformers, etc. except lamps) 1 year * Vinyl Copy and Graphics 1 year * Lamps (purchased as part of new sign) Six (6) months * Service Work (labor and materials) Thirty (30) days <p>This warranty does not cover: Damage resulting from accident, misuse, abuse, neglect, or other circumstances beyond Lang Signs, Inc. control, including storm damage, signs manufactured but not installed and/or serviced by Lang Signs, Inc., or specific requests by purchaser for materials or construction methods not recommended by Lang Signs, Inc.</p> <p>No other warranties expressed or implied: Purchaser acknowledges that, notwithstanding any contrary term or provision in purchaser's purchase order or otherwise, the only warranty extended by Lang Signs, Inc. is the express warranty contained herein. Purchaser further acknowledges that no oral warranties, representations, or guarantees of any kind have been made by Lang Signs, Inc. or its agents, that in any way alter the terms of the warranty.</p>					0.00

Thank you for considering Lang Signs, Inc. for your sign needs. The quotation above is a representation of our previous discussions. If you have any questions, please don't hesitate to contact me. We appreciate your business and look forward to working with you!	Subtotal	\$6,680.00
	Sales Tax (7.0%)	\$0.00
	Total	\$6,680.00

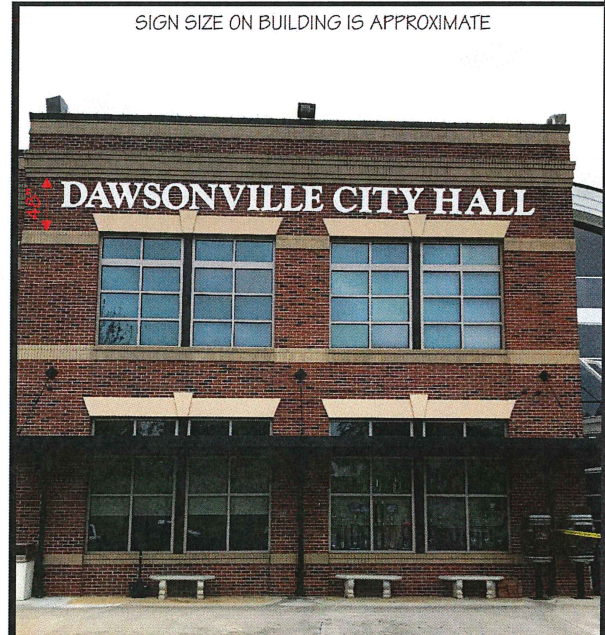
Customer Approval Signature _____

432"

DAWSONVILLE CITY HALL

24"

SIGN SIZE ON BUILDING IS APPROXIMATE



SPECIFICATIONS:
ROUTED ALUMINUM OR SENTRA LETTERING
STUD MOUNTED

COLORS:

SILVER

TYPE FACE:

FONTS:



THIS CUSTOM DESIGN IS THE EXCLUSIVE PROPERTY OF LANG SIGNS, INC. ALL RIGHTS TO ITS USE AND/OR REPRODUCTION ARE RESERVED.
www.langsigns.com
email: graphic@langsigns.com

CLIENT: DAWSON COUNTY
SALESPERSON: MICHAEL MOORE
DESIGNER: NEIL TANNER

APPROVED BY: _____
DATE: 4/23/19

FILE: ARTWORK / SALES ART
DAWSONVILLE HALL OF FAME
SCALE: 3/8"=1'

PHONE: 770-887-7339
FAX: 770-781-9528



Lang Signs, Inc.
 7108 Castleberry Road
 Cumming, GA 30040
 P: 770.887.7339 | F: 770.781.9528
 www.langsigns.com

Estimate

Date	Estimate #
4/24/2019	3560

Company/Client Name and Address
City of Dawsonville P.O. Box 6 Dawsonville, GA 30534

Jobsite/Location and Contact
City of Dawsonville 415 Hwy 53 East Ste. 100 Dawsonville, Ga 30534

P.O. No.	Sales Rep	Sales Rep E-mail	Terms			Projected Completion	
Mike Eason	MM	michael.moore@langsigns.com	50% Deposit Required			4/24/2019	
Description			Qty	Sides	H x W	Rate	Total
CUSTOM ROUTING Color: Silver Description: 1/2" Routed acrylic letters, painted silver, and stud mounted. Text: DAWSONVILLE CITY HALL			19	1	20" x 360"	102.10526	1,940.00
INSTALL ONLY			1			2,000.00	2,000.00
Terms & Conditions							0.00
* Proposals not accepted/approved within thirty (30) days are subject to revision. * Lang Signs, Inc. shall not be responsible for errors, omissions, or defects resulting from plans, designs, artwork, or other information furnished by purchaser or third parties including, but not limited to contractors and government agents. * Lang Signs, Inc. shall not be responsible or held liable for any issue regarding discrepancies with local municipalities, ordinances, covenants, etc. if customer requests that Lang Signs, Inc. not be involved with the permitting process. * Lang Signs, Inc. shall not be responsible for the location of a sign placed on the property. The sign placement is determined by a site plan showing the sign placement, the owner him/herself or an owner's representative (superintendent). * Any alteration from specifications submitted involving extra costs, including changes by on-site personnel and extra installation trips resulting from an unprepared site, will become additional charges over and above the original quotation. * Unless stated otherwise, installation prices assume unobstructed access to site and standard wall/ground conditions, said prices are subject to revision where unforeseeable conditions are encountered. * Excavation of footing does not include removal of dirt, concrete, or other excavated materials from the site or repair to affected landscaping. * Any representation made regarding due dates or turnaround times are contingent upon timely receipt of permits, deposits, camera-ready art, and all supporting documentation as well as strikes, accidents, weather, or delay beyond our control. * Lang Signs, Inc. may at its discretion, charge a storage fee and or/invoice product prior to their installation if purchaser or purchaser's agents delay delivery or installation for ten (10) or more calendar days. * Purchaser agrees to pay a \$50.00 late penalty plus a 1.5% monthly finance fee on past due amounts. In the event this contract is placed for collection through an outside agency, attorney or							

Subtotal
Sales Tax (7.0%)
Total

Customer Approval Signature



Lang Signs, Inc.
 7108 Castleberry Road
 Cumming, GA 30040
 P: 770.887.7339 | F: 770.781.9528
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Estimate

Date	Estimate #
4/24/2019	3560

Company/Client Name and Address
City of Dawsonville P.O. Box 6 Dawsonville, GA 30534

Jobsite/Location and Contact
City of Dawsonville 415 Hwy 53 East Ste. 100 Dawsonville, Ga 30534

P.O. No.	Sales Rep	Sales Rep E-mail	Terms	Projected Completion
Mike Eason	MM	michael.moore@langsigns.com	50% Deposit Required	4/24/2019

Description	Qty	Sides	H x W	Rate	Total
<p>court, all resulting fees shall be paid by purchaser.</p> <p>* In the event that legal action is taken by either party to settle a dispute, the venue for said legal action shall be Forsyth County, Georgia purchaser agrees to settle disputes via arbitration if requested by Lang Signs, Inc.</p> <p>* Title to all material and property covered by this contract shall remain on Lang Signs, Inc. possession and shall not constitute a part of the reality to which it may be attached until the purchase price, including any application late penalty and finance fee is paid in full.</p> <p>* In the event of default by purchaser, Lang Signs, Inc. may at once and without process of law take possession of and remove as and when it seems fit, all materials used or intended for use in the construction of said property called in this contract without liability to purchaser whatsoever. Expenses for removal, storage, and reinstallation will be paid by purchaser.</p> <p>* Purchaser agrees to secure all necessary permission for use of all registered trademarks and/or copyrights used and assumes all liability for trademarks/copyright infringement or misuse.</p> <p>* Lang Signs, Inc. reserves the right to use any sketches and/or photographs of the signs it manufactures or installs for marketing and other purposes.</p> <p>* All sketches and designs, or any facsimile thereof remain the property of Lang Signs, Inc. If signs are constructed by others, Lang Signs, Inc. will be duly paid for all other work performed.</p> <p>* Unless stated otherwise, prices are F.O.B. Lang Signs, Inc. in Cumming, Georgia and do not include permit fees, final electrical hook-up, or engineer stamp (if required).</p> <p>* Due to fluctuating concrete costs (varied by area or state) the cost of concrete is not included and will be billed separately.</p> <p>* Unless stated otherwise, the cost of engineered drawings, permits and permit acquisition is not included and will be billed separately.</p>					

Subtotal
Sales Tax (7.0%)
Total

Customer Approval Signature



Lang Signs, Inc.
 7108 Castleberry Road
 Cumming, GA 30040
 P: 770.887.7339 | F: 770.781.9528
 www.langsigns.com

Estimate

Date	Estimate #
4/24/2019	3560

Company/Client Name and Address
City of Dawsonville P.O. Box 6 Dawsonville, GA 30534

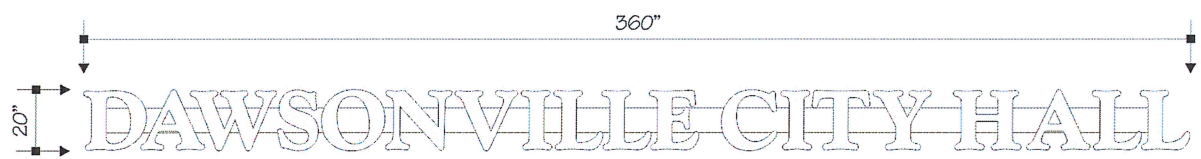
Jobsite/Location and Contact
City of Dawsonville 415 Hwy 53 East Ste. 100 Dawsonville, Ga 30534

P.O. No.	Sales Rep	Sales Rep E-mail	Terms	Projected Completion
Mike Eason	MM	michael.moore@langsigns.com	50% Deposit Required	4/24/2019

Description	Qty	Sides	H x W	Rate	Total
<p>Warranty</p> <p>Lang Signs, Inc. warrants the following products against defective workmanship and materials to the original owner for the period defined below from the date of shipment or installation. If the product should prove defective in material or workmanship within that period, Lang Signs, Inc. will repair or replace the defective part(s) in a timely manner at no charge to the purchaser.</p> <p>Items</p> <ul style="list-style-type: none"> * Steel Components (frames, poles, mounting, hardware, etc.) 1 year * Aluminum Components (frames, skins, backgrounds, letters, etc.) 1 year * Flex Faces and Awning Skins (with proof of proper semi-annual cleaning) 1 year * Plastic Components (faces, trim cap, backgrounds, letters, etc.) 1 year * Electronic Message Boards (materials only) 1 year * Electrical Components (sockets, ballasts, neon, transformers, etc. except lamps) 1 year * Vinyl Copy and Graphics 1 year * Lamps (purchased as part of new sign) Six (6) months * Service Work (labor and materials) Thirty (30) days <p>This warranty does not cover: Damage resulting from accident, misuse, abuse, neglect, or other circumstances beyond Lang Signs, Inc. control, including storm damage, signs manufactured but not installed and/or serviced by Lang Signs, Inc., or specific requests by purchaser for materials or construction methods not recommended by Lang Signs, Inc.</p> <p>No other warranties expressed or implied: Purchaser acknowledges that, notwithstanding any contrary term or provision in purchaser's purchase order or otherwise, the only warranty extended by Lang Signs, Inc. is the express warranty contained herein. Purchaser further acknowledges that no oral warranties, representations, or guarantees of any kind have been made by Lang Signs, Inc. or its agents, that in any way alter the terms of the warranty.</p>					0.00

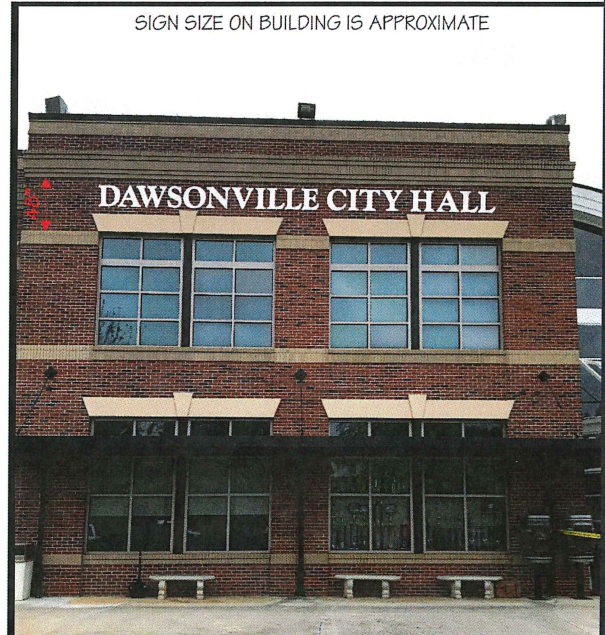
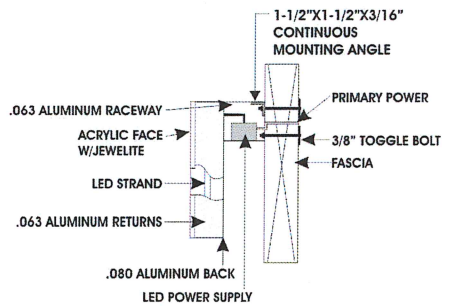
Thank you for considering Lang Signs, Inc. for your sign needs. The quotation above is a representation of our previous discussions. If you have any questions, please don't hesitate to contact me. We appreciate your business and look forward to working with you!	Subtotal	\$3,940.00
	Sales Tax (7.0%)	\$0.00
	Total	\$3,940.00

Customer Approval Signature _____



SPECIFICATIONS:
 SIGN IS TO BE INDIVIDUALLY LIT LED CHANNEL LETTERS (TO BE MOUNTED ON A 8" RACEWAY). LETTERS ARE TO BE ALUMINUM FABRICATED (.040" RETURNS & .050" BACKS) HAVING 3/16" ACRYLIC FACES TRIMMED w/ 1" JEWELITE RETAINER CAP

COLOR PLACEMENT
 FACE COLOR - WHITE ACRYLIC
 TRIM COLOR - BLACK
 RETURN COLOR - BLACK
 LED COLOR - WHITE
 RACEWAY COLOR - TO MATCH BUILDING



COLORS:

WHITE

TYPE FACE:

FFONTS:



THIS CUSTOM DESIGN IS THE EXCLUSIVE PROPERTY OF LANG SIGNS, INC. ALL RIGHTS TO ITS USE AND/OR REPRODUCTION ARE RESERVED.
 www.langsigns.com PHONE: 770-887-7339
 email: graphics@langsigns.com FAX: 770-781-9528

CLIENT: DAWSON COUNTY
 SALESPERSON: MICHAEL MOORE
 DESIGNER: NEIL TANNER

APPROVED BY: _____
 DATE: 4/23/19

FILE: ARTWORK / SALES ART
 DAWSONVILLE HALL OF FAME
 SCALE: 3/8"=1'



**DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 12**

SUBJECT: DEVELOP DESIGN AND COST ESTIMATES FOR CHASE ELLIOTT DISPLAY

CITY COUNCIL MEETING DATE: 05/06/2019

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 FUNDING THE DAWSONVILLE HISTORY MUSEUM TO CONSTRUCT A
DISPLAY TO SHOWCASE CHASE ELLIOTT AND HIS HISTORY IN NASCAR**

**REQUEST TO APPROVE DEVELOPMENT OF DESIGN AND COST ESTIMATES FOR THE
PROJECT**

HISTORY/ FACTS / ISSUES:

- CHASE ELLIOTT WON TALLADEGA AND CITIZENS WANT INFORMATION ABOUT HIM
 - DISPLAY WOULD BRING VISITORS TO OUR COMMUNITY AND HELP ECONOMICALLY
 - FUNDING SOURCE: GENERAL FUND RESERVES
-

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Mike Eason, Mayor



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 13

SUBJECT: ETHICS BOARD APPOINTMENT

CITY COUNCIL MEETING DATE: 05/06/2019

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 APPOINT ETHICS BOARD MEMBER AS CHOSEN BY THE TWO APPOINTED BOARD MEMBERS IN ACCORDANCE WITH SEC. 2-81 (a) OF THE ORDINANCE.

HISTORY/ FACTS / ISSUES:

- **MAYOR AND COUNCIL APPOINTMENTS OF ETHICS BOARD MEMBERS APPROVED ON 04/08/2019 – SHELLY MARTIN AND CALVIN BYRD**
- **APPOINTED MEMBERS ARE MEETING ON MAY 1ST TO SELECT THEIR MEMBER AND IT'S ANTICIPATED WE WILL HAVE VETTED THEM AND PRESENT TO COUNCIL IN TIME FOR THIS MEETING**

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.

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Mike Eason, Mayor



**DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 14**

SUBJECT: FY 2019-2020 PROPOSED BUDGET PRESENTATION

CITY COUNCIL MEETING DATE: 05/06/2019

BUDGET INFORMATION: GL ACCOUNT # _____

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

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

PURPOSE FOR REQUEST:

PRESENTATION OF THE FY 2019-2020 PROPOSED BUDGET

HISTORY/ FACTS / ISSUES:

OPTIONS:

APPROVE, AMEND, DENY OR TABLE

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Hayden Wiggins, Finance Administrator



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 15

SUBJECT: GENERAL FUND RESERVES RECOMMENDATION

CITY COUNCIL MEETING DATE: 05/06/2019

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 SEEK ADDITIONAL MONTHS OF PRIOR YEAR OPERATING AND NON-OPERATING
GENERAL FUND BUDGET TO BE CLASSIFIED AS ASSIGNED FUND BALANCE**

HISTORY/ FACTS / ISSUES:

- **STAFF RECOMMENDATION: TO ESTABLISH AN ADDITIONAL 6 OR 8 MONTHS OF
PRIOR YEAR OPERATING AND NON-OPERATING GENERAL FUND BUDGET TO BE
CLASSIFIED AS ASSIGNED FUND BALANCE.**
-

OPTIONS:

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Hayden Wiggins, Finance Administrator

General Fund

As of March 31, 2019

- \$3,031,268 - General Fund Balance
- \$1,953,925 – General Fund Budget
- $\$1,953,925 / 12 \text{ months} = \$162,827$
- The City currently has about 18.5 months of general fund reserves

- $\$3,031,268 - \$1,953,925(12 \text{ months}) = \$1,077,343$
- $\$3,031,268 - \$2,279,579(14 \text{ months}) = \$751,689$