

City of Dawsonville
March 7, 2005
Meeting of the City Council

Mayor Cox called the meeting to order at 7:00 p.m.

Roll Call: Those present were Mayor Joe Lane Cox, Council Members Jonathan Cox, Tim Wimpey, and Mike Sosebee, Kim Cornelison, Dana Miles, Steve Holder, and concerned citizens of the City of Dawsonville and Dawson County. Mayor Cox informed everyone that Councilman Wilson's stepdaughter has been in a terrible car accident and that he was staying with the family at Grady Hospital's ICU unit. Mayor Cox asked everyone to keep the family in their prayers.

Invocation and Pledge: Mayor Cox led the invocation and pledge.

Approval of Minutes: Councilman Jonathan Cox made a motion to approve the minutes of the regular meeting held February 7, 2005. Mike Sosebee seconded the motion, the motion carried unanimously.

Old Business: **None**

New Business:

Mike Sosebee made a motion to amend the agenda to include 2 parade/public assembly applications under new business. Tim Wimpey seconded the motion, the motion carried unanimously.

Parade/Public Assembly Application – Kiwanis: Jonathan Cox made a motion to approve the Kiwanis parade/public assembly application. Mike Sosebee seconded the motion. The motion carried unanimously.

Parade/Public Assembly Application – Georgia 400 Realtors: Jonathan Cox made a motion to approve the Georgia 400 Realtors parade/public assembly application with the stipulations that Jody Pelfrey provide how many vendors will be at the event, the event layout and any insurance that would be in order. Mike Sosebee seconded the motion. The motion carried unanimously.

Public Hearings:

Ordinance:

Garbage Service Regulation Ordinance: This ordinance is to provide for the regulation of garbage services within the city limits, to provide a regulatory fee and for other purposes. The fee equates to .50 cents per month. It provides for city inspection of garbage trucks, route and timing information, permit to tip and any state licenses.

Jonathan Cox made a motion to approve the first reading of the ordinance. Tim Wimpey seconded the motion. The motion carried unanimously.

Annexation/Rezone Request: ANX-04-007 and ZA04-003:

Pine Grove Montessori School Inc. has made a request to annex/rezone 1.296 acres identified as TMP 93-58 located in Land Lot 429, District 13 from RA with variance to OI. The property is located at 1732 Perimeter Road, Dawsonville, GA. Jonathan Cox made a motion to approve the first reading of the Annexation and rezone request. Mike Sosebee seconded the motion. The motion carried unanimously.

Annexation Request: ANX-04-006

Dan Centofanti has made a request to annex 1.934 acres identified as TMP 93-60 located at 1818 Perimeter Road into the confines of the City of Dawsonville. The current use of the property is COI and will remain COI. Jonathan Cox made a motion to approve the first reading of the Annexation and rezone request. Tim Wimpey seconded the motion. The motion carried unanimously.

Mayor's Report:

Mayor Cox announced that the park site will be returned to the original site at the water tower. The property owner withdrew their offer of donating the property on Maple Street.

Mayor Cox introduced Ms. Bonnie Warne, the city's new Planning & Zoning Tech, to the council.

Public Comment: None.

Executive Session: Jonathan Cox made a motion to go into executive session for the purpose of discussing land acquisition. Tim Wimpey seconded the motion. The motion carried unanimously. The City Council went in to executive session at 7:37 p.m.

At 8:00 p.m. a motion was made by Tim Wimpey to adjourn Executive Session. Mike Sosebee seconded the motion; the motion carried unanimously.

Tim Wimpey made a motion to reconvene the regular meeting of the City Council. Mike Sosebee seconded the motion; the motion carried unanimously.

There being no further business to attend to, at 8:00 p.m. a motion was made by Tim Wimpey to adjourn the meeting. Mike Sosebee seconded the motion. The motion carried unanimously.

Minutes approved this 4th day of April, 2005.

Joe Lane Cox, Mayor

Councilman Jonathan Cox

Councilman Tim Wimpey

Councilman Mike Sosebee

Councilman Mike Wilson

Attested: _____
Kim Cornelison, City Clerk

City of Dawsonville
March 7, 2005
Executive Session of the City Council

Mayor Cox called the meeting to order.

Roll Call: Those present were Mayor Joe Lane Cox, Council Members Jonathan Cox, Tim Wimpey and Mike Sosebee, Kim Cornelison and Dana Miles.

The Council went in to executive session at 7:37 p.m. for the purpose of discussing future acquisition of real estate as provided for in O.C.G.A. § 50-14-3(4).

While in executive session, the Council decided by majority vote (Cox and Sosebee in favor, Wimpey opposed) to move forward on the acquisition of the subject property and authorized the Mayor and City Attorney to take the legal steps necessary.

After discussing the matter specified for executive session a motion was made by Tim Wimpey to adjourn Executive Session. Jonathan Cox seconded the motion; the motion carried unanimously.

Minutes approved this 4th day of April, 2005.

Joe Lane Cox, Mayor

Jonathan Cox, Councilman

Tim Wimpey, Councilman

Mike Sosebee, Councilman

Mike Wilson, Councilman

Attest: _____
Kim Cornelison, City Clerk

City of Dawsonville
March 7, 2005
Work Session of the City Council

Mayor Cox opened the meeting at 6:00 p.m. stating the purpose of this meeting was to discuss the facilities at the TRUSA building and facility usage. He introduced Annie Dean Samples, Volunteer Coordinator. Ms. Samples introduced Brad Morris who has won the local burnout contest. Brad had some pictures of burnout contests. Brad spoke in favor of the burnout contests because kids could compete and not get in trouble with the law. Next a brief film was shown for the benefit of the council and public to learn how burnouts run and the controls in place for the event.

Mrs. Samples asked the council if they had any questions about the event. Mayor Cox asked how much stuff the volunteers will have to be in the racing hall of fame and how much room would it require. Mayor Cox said the City has received a letter from Russ Wallace indicating that the parking lot was not available for anything except city business.

Charles Samples wanted the chance to rent the parking lot for special events and said they could put a liability policy in place.

Jonathan Cox said he did not see the burnouts happening at this facility. The liability associated with it is something the City does not need to take on. Councilman Cox further stated that the City is interested in the Racing Hall of Fame, the memorabilia that goes with it, the designation that the City has from the State of Georgia being the Racing Hall of Fame and how we can preserve that in this building and he thought that was the purpose of this meeting. We have to see whether the City, Mayor and Council want to pursue buying this building and for what purpose.

Annie Dean Samples stated that while she appreciated the councilman's point of view she stated that this is the only fund raiser to bring money to this facility and the plan of the volunteers is to help the City in their pursuit of paying bills.

Councilman Cox stated that he had no problems with the car shows but the burnouts he has heard the property owner say they will never happen again.

Charles Samples wanted to find out if they can even have the car shows without the burnouts.

Councilman Sosebee said he felt that would again be left up to Russ Wallace.

Charles Samples asked about the use of the lot for the Moonshine Festival as well.

Councilman Cox stated that he felt it would be feasible to have ongoing events would be feasible at this location. However, he could not speak on behalf of the property owner.

City Clerk Kim Cornelison clarified that the letter states that the parking lot could be used for City business only. The Racing Hall of Fame is a subcommittee of the City; as such they should be able to utilize the space via City Hall. City Attorney Dana Miles concurred.

Ms. Samples stated that the museum is not intended to be a profit making center however the museum does need to support itself. If the Volunteer Group doesn't have the ability to raise funds then they have no way to meet this result. The Volunteer Group has submitted a bid to purchase the contents. The bank has not awarded the bid yet.

City Clerk Cornelison informed the Council that she met with Racing Hall of Fame volunteers. The reason for the film on the burnouts was to try and provide more information about how the burnouts run. In the meeting with the volunteers David Sosebee said that the cars could actually be chocked to keep the car in its place. The reason Cornelison brought this up is because the burnouts are a major fund raiser for the volunteers and if the Hall of Fame is to continue they have got to come up with unique ways to generate funds.

Councilman Cox stated that he had no problem with that but that the first thing in order is for the City to be committed to buying the building. If the City commits to buying the building then the City could taking it a piece at time with what to do with the building. However, if the commitment is not there, then we need to stop right here.

Ms. Samples stated that the point is that the Racing Hall of Fame volunteers need to have a good fund raiser. People will not pay for a cruise in or a car show unless it is something out of the ordinary. From June through November the volunteers earned over \$13,000. In doing the car shows everything was donated by sponsors. Sponsors like Chestatee Ford are interested and would even like to have the Fire Works show this year.

David Sosebee spoke in favor of the burnouts in that at least it is a controlled supervised event, and EMS personnel are there. He requested that the council look at the other side of it. It's better than someone running 100 mph down the road getting in a wreck and not being found until the next day. He stated that he seen both sides --- are you promoting it or are you giving it a just place for it to happen. We do not have a just place for it to happen. Moonshine capital of the world – where racing got started and we don't even have a race track in Dawson County. We've got to have something going on here.

Councilman Cox said he doesn't want anyone to misunderstand and think the council is opposed to this event happening. But the City Council has to determine if the

City is going to buy the building. After that we can take the strides to do everything else. The council has to also figure out how to pay for it.

Councilman Wimpey said while he understands that it is the councils decision to of whether to buy it or not, but on such a large scale, talking about the building and the land, he thought the purchase of the building should be put to a city vote.

Mayor Council stated that you were elected to make decisions.

Charles Samples said that if the Council let this slip out of their hands that they would be sorry for the rest of their lives. Councilman Cox agreed with the statement.

David Sosebee stated that the expense to rebuild the building with rising steel prices would be cost prohibitive. Is the price is 2.5 million dollars? How much did the new fire station cost? Wasn't it over 2 million? Councilman Cox stated that it exceeded what the City would spend for this building if he recalls correctly. David Sosebee stated if you compared that building to this building with 6 acres. This comparison alone makes the purchase a good buy.

Councilman Cox stated that he's heard everything from this facility will cost \$10,000 a month to run and I've got the actual figures in front of me. Receipts minus expenses in February cost us \$1385 to run this facility. In December it was \$2900. It's going down because our receipts from the restaurant and the things that are going on are going to increase. As we open the facility to other people and as the town starts to grow we are going have more and more revenue coming into this town. We are backing up if we don't start seeing the growth that is happening here. We're making a mistake if we don't seize the moment and take the opportunity to do something that is worthwhile. Cox stated that he is ready to put it to a vote this evening. I've been to the council myself when we were going to buy it for 4.5 million and now we've got it half price and were not ready to jump on it.

A citizen stated if you compared this to the buildings the county is in now there is no parking and no comparison. Several citizens spoke together regarding the poor accommodations at the county offices.

Mayor Cox said the point is being missed in regards to how much space you want, when you want it, what you're willing to buy and save the racing hall of fame.

Charles Samples stated that they have a bid in with the bank on the contents. The bank hasn't awarded the bid yet. Mayor Cox said you are not assured that you will get the bid. Mayor Cox stated that we need to know who all is going to be involved and who is going to do what. Can the parking lot be leased, can the City control the parking lot. We've got to have some organization to it. A deal needs to be made and put down in writing. Mayor Cox stated that no deals with a handshake are any good. He was burnt on one the other day. The Mayor said he is willing to sit down with anyone about

it and that he is committed to buying it. He's committed to saving the Racing Hall of Fame. He just cannot legally spend City money to buy any of the artifacts out there.

David Sosebee stated that the group has submitted its bid to the bank. He preferred that the museum and artifacts stay here – it doesn't need to go anywhere else. We're trying to work together towards this. You ask how much room we need; we need the hallway here now. We'd like to see a metal building built on to the back of this for some room. The biggest complaint we have is no where to put cars.

Councilman Cox asked David if his organization would commit to that. Sosebee said they cannot because they do not even know if it will be available.

Cox said if the space was available – would your group commit?

Sosebee stated that GARHOFA will not commit to anything because right now everything is still so unstable. But our group is willing to work with you all.

Mayor Cox said that is what he needs to know -- if the commitment is there. If you are willing to say I'll be responsible for this. We need to get everyone together, Phoenix One, the Bank, the City, Champions, the Hall of Fame volunteers. We've got to find answers.

Councilman Cox stated that no one can take away the history of Dawsonville. It is here, it is what it is.

David Sosebee said the catch is that the stuff that is on loan is here to stay. The stuff that was donated now has become property of the bank which is really USDA's for settlement of the loan.

Councilman Cox asked Sosebee if he know when the bids were going to be open.

Annie Dean Samples said she spoke with Philip Hester today and Hester said that the bank is still not ready. Hester is supposed to be meeting with Russ Wallace today and may have some other answers for her. Ms. Samples pledged to the council that the volunteer group will do everything they can to make the City's purchase of this building something they will be proud of and they want you the City to be proud of the Georgia Racing Hall of Fame.

Mayor Cox said this can be made to work; it will take everyone working together. We've got to do something by June 2nd or 3rd. We've got to push ahead forward and get contracts in place. We need to follow up with the bid to see where it is at.

Councilman Cox stated that he felt the building as a whole could be an asset to the citizens if the City owned this building. Events that are being held in other counties

could be held here. Regardless of whether there is a Racing Hall of Fame here or not, this is a good buy for the City and we need to do it. It is that simple.

Councilman Cox said he's heard everything from it takes \$10,000 to run this building to we are fixing to raise taxes in Dawsonville. I've heard it all and that is not the case. I've heard that we are going to bail Thunder Road out and that is not the case. We are trying to buy a building. Whatever we can figure out amongst all of us for the betterment of the citizens of Dawsonville and Dawson County is what I want to see happen.

Mayor Cox asked Councilmen Sosebee and Wimpey if they had anything to add to the conversation.

Councilman Sosebee said he agreed with Jonathan and didn't think he could add anymore to it.

Councilman Wimpey stated that he said his piece.

Mark Byrd asked Councilman Wimpey if he was for the project. Wimpey stated that we have still not come up with what it is going to cost to build it out, we not come up with a management plan.

Mayor Cox said the main thing that is wrong with this whole plan is management plans and feasibility studies. More money was spent on feasibility studies and no common sense was used. When did it get to the point that you have to have a consult for everything you do?

A citizen spoke up and said that you pay more money for a consult than what you would if you'd just gone ahead and done it.

David Sosebee spoke against feasibility studies.

Councilman Cox stated in operating this building the expenses are going down, we are generating revenue out here, it's a state of the art building for Dawsonville and we need to move forward with it. It's common sense.

Mayor Cox stated that first off we need to know how much space the volunteers would need and how much space we would have left to rent or lease to anybody.

Charles Samples said the group would like to have the Hall of Fame, the Race Track area. Mayor Cox stated by doing that you'd be taking two thirds of the building. In order the City to pay the utilities and payment on it we have got to have income. We've offered for you to use the common area, the Hall of Fame, the theater.

David Sosebee said the whole deal is that it is going to take money to keep it all up. The burnout deal is the only niche the volunteers have had to make any money. The volunteers want to help the City by showing a negative cost for the museums area.

A citizen spoke up and said that Mark Byrd's question was not answered. He wanted an answer from Councilman Wimpey as to whether or not he was for or against it. The citizen asked if, as proposed by Councilman Wimpey, the purchase of the building went out for citizen vote, would Councilman Wimpey be for it then? Councilman Wimpey stated that at this point in time he is against it. The citizen said regardless of whether it goes to the people or not then you are going to vote against it. Councilman Wimpey said he'd vote for it to go to the people.

Sarah Sosebee said do you really think that the common person has enough knowledge about this to vote intelligently. No, they do not.

Angela Daniel said she could not understand why it would be a citizen vote

A citizen spoke out saying that the council is going to fool around and then somebody else will come in and buy the facility and make it in to something that going to make a lot of money.

Mark Byrd asked Councilman Wimpey why he wouldn't be for it.

Wimpey said he figured if it was going to be a go that the Wallace Group or Phoenix One would have kept it as they have plenty of management experience. They could have turned this building around. Wimpey said he doesn't think that the City is qualified to turn it around and that it is a gamble. Say everything failed and we imposed a city tax. If you borrow the money you have to pay it back.

Councilman Sosebee said taxes are going to come one way or the other.

Councilman Cox said if you've got an asset, if it doesn't make it, you can turn around and sell it.

A citizen spoke out and said with six acres on improved property is at least \$300,000 in the downtown area. Raw property is going for \$50,000 an acre. There is a house on Perimeter Road with a condemned house on it they are wanting over \$50,000 for the property without infrastructure on it. Your sitting here with six acres of improved property if you built it for \$75 a square foot your at 3 million dollars plus the improvement to the property. For 2.5 million dollars I think is a no brainer.

Councilman Wimpey said it's like this. I'd like to live in a larger house but I can't afford it. I think the City can't afford it. I was elected to watch out for the residents of the City of Dawsonville.

Councilman Cox stated that there are over 700 news homes coming to the City. We cannot run this city as if it is still only 200 people when we get 2000.

A citizen stated that you can't run it with no taxes.

Another citizen stated that an impact fee needs to be imposed on all of the new houses being built.

David Sosebee stated he felt the council would be one of the wisest in the County if they purchase this property. Considering the 1.9 million dollar expenditure the county made for land next to the garbage dump. Let's see how much they get once they get water and sewer in place over there.

Mayor Cox said we set aside this time for public comment and work session. Do I have consensus that if the City goes forward with purchasing the building that you will stand behind the council. The Mayor asked for a show of hands. Nearly all citizens stood or raised their hands. The Mayor asked for those opposed to please show hands.

Arlene McClure stood and addressed the council stating she sent a memo to the council that had a lot of questions she had. Arlene said some questions were answered here tonight. She agreed that a lot of money can be wasted on studies. Sometime her head spins when she hears about the amount it costs to do studies. But within your own circle, the bank, the Wallace's, the obvious intelligent people here, you have a lot of resources. Like what is going on here tonight. You can talk ideas around. The only figure I've heard is the 2.5 million dollars to purchase the building. In the memo I sent you I did some rough calculations. I don't know what interest rate you would have.

Councilman Cox told Arlene McClure that her calculations were very incorrect. Councilman Cox explained that there are different options available to municipalities that the common citizens cannot get. The council has looked at GEFA loans, some long range planning; Mr. Miles has been conducting a lot of these studies for us. We cannot hash all that out in this forum.

Ms. McClure wanted to know if those figures were available for the public. Cox told her not until a decision is reached. McClure wanted to know what the annual expense would be and how do you anticipate paying back the loan. Have you gotten build out costs? Can you assure property owners that this purchase would not entail ad valorem in the future?

Councilman Cox stated that it would not entail a huge ad valorem. McClure stated that before you as a council makes that decision that things should be out to the public.

Councilman Cox stated there may be a remote possibility of 3 mils some 3 to 5 years from now if it is necessary. He felt that amount was not exorbitant. And he didn't think it will ever come to pass to pay this facility.

McClure asked how much that 3 mils would generate. Councilman Cox replied more than enough to take care of this building.

Councilman Cox stated it's a situation that the citizens elected this group of people to make these decisions. I'm personally 100% behind purchasing this building.

McClure stated that she felt more information was needed to make a decision of this magnitude; it could have a huge negative impact or it could have a positive impact.

Mayor Cox stated that we've got between 800 and 1000 people in the City and none of them have asked for costs estimates or studies. Yet you come up here from Sandy Springs or wherever and you want to know what it is going to cost you. The people that's lived here all their lives they sit back holding their heads up saying we'll back you; we'll do whatever it takes.

The Mayor received a round of applause.

Charlie Auverman asked the Mayor if he could briefly present some information to the citizens. Mr. Auverman received a call from a member of the House of Representatives in Atlanta. The representative wanted to know if the citizens would support a proclamation for "Bill Elliott Day" as they are enacting a proclamation for Dale Earnhart day. Mr. Auverman said they wanted to know two things: First, are people interested in having "Bill Elliott Day", and if so, what day would be appropriate to do so? The citizens spoke up and said October 8th would be the best day because that it's Bill's birthday.

Mayor Cox closed the work session. Told everyone the regular meeting will convene in five minutes.

Minutes approved this 4th day of April, 2005.

Joe Lane Cox, Mayor

Councilman Jonathan Cox

Councilman Tim Wimpey

Councilman Mike Sosebee

Councilman Mike Wilson

Attested: _____
Kim Cornelison, City Clerk