

**City of Dawsonville**  
**June 6, 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, Mike Wilson and Mike Sosebee, Kim Cornelison, Dana Miles, Steve Holder and concerned citizens of the City of Dawsonville and Dawson County.

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

**Approval of Minutes:** Councilman Jonathan Cox made a motion to approve the minutes of the regular meeting held May 2, 2005. Mike Wilson seconded the motion, the motion carried unanimously.

**Old Business:**

Planning Commission Appointment: Mike Wilson appointed Claire Sharpe to the Planning Commission. Jonathan Cox made a motion to accept the appointment of Claire Sharpe to the Planning Commission. Tim Wimpey seconded the motion, the motion carried unanimously.

**New Business:**

FEMA/GEMA Funds: Kim Cornelison reported to the City Council that the City has finally received funds from FEMA/GEMA to repair Maple Street back by Mrs. Weaver's home. The funds took a long time to get here because the City mitigated the project to implement upgrade to keep the flooding from creating damage in the future. The City received \$30,798.03.

Downtown Development Authority Appointment: Jonathan Cox made the City Council aware that Dwight Gilleland was no longer able to serve on the DDA and was sent a thank you letter for serving as long as he could. In his stead, Councilman Cox nominated Gil Massey, a city resident who lives on Bent Ridge, to serve on the DDA. Mike Sosebee made a motion to accept the nomination of Gil Massey to the DDA. Mike Wilson seconded the motion. The motion carried unanimously.

GRHOF Lease terms/space provisions: Kim Cornelison informed the Council of the GRHOF Volunteer's desire to negotiate a lease for the purposes of longevity. City Clerk Cornelison explained that the volunteers want to be sure the GRHOF has a long-term home before they complete the bid with the bank on the collateral goods. City Attorney Dana Miles advised the Council that the terms of the lease agreement need to be discussed in Executive Session. Tim Wimpey made a motion to defer this item to Executive Session. Mike Sosebee seconded the motion. The motion carried unanimously.

Application for Parade or Public Assembly – GRHOF – Smokin’ Thunder: Kim Cornelison asked the board to consider the event application. The Fire Marshall and Sheriff have both reviewed the application and approved with the same stipulations as last month’s event. The application addresses all dates with the exception of October. Tim Wimpey made a motion to approve the assembly and parade or public assembly application with the dates as written provided there are no incidents, the City reserve the right of refusal on future dates. Mike Wilson seconded the motion. The motion carried unanimously.

Resolution by Planning Commisison – Ordinance by City Council: Dana Miles explained to the Council that the Planning Commission wants to pass a resolution that requires its members to attend 75% of all Planning Commission meetings. Their resolution would not have force without the City Council passing an ordinance allowing the same thing. Mike Sosebee made a motion to approve the first reading of the ordinance. Mike Wilson seconded the motion; the motion carried unanimously. The City Attorney directed Steve Holder to have the Planning Commission pass the resolution noting that the resolution would not be in effect until the Council’s ordinance passed.

Sign Application – Gathering Place Café: Steve Holder explained to the council the issues surrounding this application. Gathering Place Café is one of three renters in the old Taylor House. The owner of the building wants to hold the request as she intends to submit an application as she would like to submit a signage plan for the three businesses in the building - DS, Gathering Place Café and North Georgia Printing. Jonathan Cox made a motion to table the request until the signage plan is received from the owner. Tim Wimpey seconded the motion. The motion carried unanimously.

Mayor Cox made the Council aware that Gathering Place Café was sent a letter from the City that the sign must come down as well as the property owner. The sign is back up and is not in compliance. Tim Wimpey made a motion to have Steve Holder to issue a citation. Mike Sosebee seconded the motion. The motion carried unanimously.

Impact Fees: Dana Miles addressed the Council and let them know that the council had in the past appointed an Impact Fee Committee. The next step now is to allow the staff to fund a study. The study will help determine the needs, how to assess the impact fee price and how to allocate funds to address the needs. For instance impact fees can help with parks, public safety, roads and sidewalks. Mayor Cox clarified that the fees would be used on future needs; it couldn’t be used to build parks, roads etcetera now. Tim Wimpey made a motion to allow the staff to higher a consultant to compile the impact fee study. Jonathan Cox seconded the motion. The motion carried unanimously.

City Millage Rate Certification for Tax Year 2005: Mayor Cox addressed the council about setting the 2005 millage rate and doing the rollback. Mayor Cox explained that Local Option Sales Tax has to be determined for the past year, then a tax rate is

adopted to equal that amount based on your tax digest. After that, the City call rollback the rate. Jonathan Cox made a motion to authorize the Mayor to complete the millage rate certification and implement the rollback to "0". Mike Sosebee seconded the motion. The motion carried unanimously.

Lease Extension on the Municipal Complex: Dana Miles made the Council aware that the lease for the municipal complex is due to expire at the end of June. Phoenix One is willing to enter into a 120 day extension for the facility with the same terms, which is a dollar a month. City Attorney Miles asked the Council to authorize the Mayor to execute the lease when the final copy is received. Mike Sosebee made a motion to authorize Mayor Cox to execute the lease extension on behalf of the City for 120 days. Jonathan Cox seconded the motion. The motion carried unanimously.

### **Public Hearings:**

#### Ordinance:

An ordinance to establish minimum standards for the maintenance of properties, structures and buildings; to establish penalties for violations; to provide for terms of enforcement; to repeal conflicting regulations; and for other purposes - second hearing.

Dana Miles opened the public hearing by stating that the staff has found the Clean and Green Ordinance that was adopted in 1988. Dana Miles explained that he would recommend going forward with the public hearing but that the council delay action until the two ordinances can be merged together. There are problems with the existing ordinance -- it requires complaints from five individuals or you as the Mayor and Council have to drive around the city to find a "dilapidated building" before you can take any action. This allows the Mayor and council to act as judge and jury over those properties with infractions. There is both a legal and implementation problem with this procedure. The new ordinance suggests turning the enforcement over to the Planning Department.

Dana Miles opened the public hearing: George David addressed the council asked if the ordinance had been published as he didn't feel people really knew what it was or may not know about it. Mr. David felt it was inadequate notice. Mr. David asked if it included everything inside the City Limits and would it include annexed properties. The City attorney affirmed that the public hearing notifying about the ordinance was published. Also, the ordinance would affect everything in the City limits and would be effective whenever a parcel annexed into the City. Mayor Cox suggested the advertising include a statement that the ordinance would be available for review at City Hall.

Betty Turner disapproved based on the principal that every ordinance that is approved takes away some of the property owner's freedoms.

Bill Looper stated that there needs to be bigger advertisements and that he felt citizens were losing their rights. He said he takes care of his property and wants the City to stay out of his affairs.

Dana Miles closed the public hearing. Tim Wimpey made a motion to defer action and to have ample time to review the new version of the ordinance when it is prepared. Jonathan Cox seconded the motion. The motion carried unanimously.

Annexation Request: 05-003 Zoning Amendment: ZA05-002

Gloria Tatum has filed a petition for annexation into the city limits of Dawsonville. This property consisting of 32 acres is located at the intersection of Perimeter Road and Hwy. 9 South. The application is requested a zoning change from RA to a combination of R3 and CHB.

Steve Holder reminded the council that they heard this annexation/rezone request last month, that they had approved it last month, the Planning Commission recommended approval and that it had the following stipulations put on it: dedication of necessary right-of-way for intersection improvements; provide needed easements for utility expansion; and stipulation that the site plan is conceptual only and final submittal must meet all current regulations. Jonathan Cox made a motion to approve the annexation/rezone request. Tim Wimpey seconded the motion; the motion carried unanimously.

Annexation Request: 05-001 Zoning Amendment: ZA05-001

Mark Sosebee Realty has made a request to annex/rezone 4.981 acres identified as TMP92-80 located at 1054 Perimeter Road. The property is currently zoned R1. Applicant requests a zoning change to CIR.

Steve Holder informed the City Council that the Planning Commission recommended denial of this annexation/rezoning request. The Planning Department recommends approval. Some discussion was held regarding the rental house. Steve informed the council that the current zoning regulations allow that the house can be a rental until such time as there are any improvements are made upon the property.

Councilman Wimpey suggested the property owner come back before the Council for site plan approval. Kim Cornelison stated that zoning regulations are in place and that Steve could not authorize any variances from the ordinance.

Mike Sosebee made a declaration that he could not vote on this issue as the applicant is a family member. Jonathan Cox made a motion to approve the the annexation/rezone request of Mark Sosebee. Tim Wimpey seconded the motion. The motion carried unanimously with the people who are eligible to vote.

Ordinance:

An ordinance to amend the Historic Preservation ordinance; to designate property located at 3 Shepherd's Lane, Dawsonville, GA, as a Historical Property; and for other purposes.

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

Zoning Amendment Request: ZA05-004

Everett Management, LLC has made a request to rezone 149 GA Hwy. 9 S, Dawsonville, Georgia, the property formerly known as Hammond Living Center, from OI to CDB for the purpose of establishing a motel.

Steve Holder stated that the Planning Commission recommends approval of the zoning request with the following stipulations: 1) Remaining needed infrastructure be installed as previously required by the County Fire Marshal; and 2) any further improvements following current Land Use Regulations.

Linda Grant spoke about people renting there and paying \$350 a week. Ms. Grant wanted to know what it was going to be – assisted living, apartments or motel?

Rex Gravitt spoke to the Council and said no one is paying \$350 a week; they are paying \$175 a week. When Everett Management took it over, they were renting by the month. Councilman Wimpey asked if all of the property owners were notified. Steve said he pulled the adjoining property owners from the Tax Assessors office and sent notice out that way. Kim Cornelison made the council aware that the current use of the property does not comply with the zoning map and that Everett Management was trying to correct that.

Jonathan Cox made a motion to approve the zoning amendment. Tim Wimpey seconded the motion. The motion carried unanimously.

**Mayor's Report:**

Mayor Cox reminded the council to find their appointments for the stand in's on the Planning Commission. Claire Sharpe has her father George David to stand in for her; the Mayor appointed Duane Roof to stand in for Dr. Ken Breedon, Wilson, Wimpey and Cox still need to get their stand in. Tim Wimpey selected Linda Grant as a stand in for his appointment – Margie Weaver.

**Public Comment:**

Jonathan Cox thanked everyone for all of their help in the Stars, Cars and BBQ event. He invited everyone to come to the DDA meetings the first Thursday of each month.

Annie Dean Samples addressed the Council and stated she supports our Mayor and council and suggested that the ordinance discussed earlier needs to be simple, short, make it understandable and let's communicate.

This Wednesday night at 10:00 p.m. on the history channel, the movie made here some time ago will air – it is called AUTOMANIACS.

The City Clerk announced that the GRHOF Volunteers will need help from the community because they are going to put on the 4<sup>th</sup> of July celebration and fire works display. Please see Annie Dean Samples for more details.

Tim Wimpey made a motion to go into executive session for the purpose of discussion pending litigation. Mike Sosebee seconded the motion; the motion carried unanimously.

Jonathan Cox made a motion to go out of Executive Session; Tim Wimpey seconded the motion; the motion carried unanimously.

There being no further business to attend to, a motion was made by Tim Wimpey to adjourn the meeting at 9:10 p.m. Jonathan Cox seconded the motion; the motion carried unanimously.

Minutes approved this 11<sup>th</sup> day of July, 2005.

---

Joe Lane Cox, Mayor

---

Councilman Jonathan Cox

---

Councilman Tim Wimpey

---

Councilman Mike Sosebee

---

Councilman Mike Wilson

Attested: \_\_\_\_\_  
Kim Cornelison, City Clerk