

MINUTES
CITY COUNCIL REGULAR MEETING
SEPTEMBER 8, 2008
7:00 P.M.

CALL THE MEETING TO ORDER: Mayor Pro-tem Mike Wilson called the meeting to order at 7:00 p.m.

ROLL CALL: Those present included Mayor Pro-tem Mike Wilson, Council Members Jonathan Cox, Linda Grant, and Mike Sosebee; staff present were Dana Miles, City Attorney, Kim Cornelison, City Administrator/Clerk, and Steve Holder, Planning Director. Mayor Cox was absent.

INVOCATION AND PLEDGE: Invocation was led by Steve Holder followed by the pledge of allegiance.

APPROVAL OF MINUTES:

Council approved the minutes from the called meeting held August 25, 2008; motion by Linda Grant; seconded by Jonathan Cox, the motion carried unanimously.

NEW BUSINESS:

Alcohol Ordinance Violation Hearing: Fajita Grill #2: Dana Miles opened the hearing; council heard evidence from Kim Cornelison, City Administrator/Clerk. Mrs. Cornelison stated that on June 6, 2008 the Department of Revenue and local law enforcement tested restaurants and retail sales locations throughout the city and county. On that date an employee of Fajita Grill #2 was cited and found to be in violation of the city's ordinance in two areas: First, she did not have a license to serve; second, she served to a minor without carding the individual.

Art Macias, manager of Fajita Grill, spoke on behalf of the restaurant. He stated his normal practice was to take new hires to get their license on Wednesdays. During this time he was building another store out at Big Canoe and did not get her to the sheriff's department. He said she did violate the ordinance and was terminated immediately. They have instituted the policy of i.d.'ing everyone regardless of age unless you are a regular customer that has been i.d.'d before and that they know; they are also testing with underage friends and family to be sure they are being carded.

Councilman Cox asked Mr. Macias what he would do if he was on the council in regards to this situation. Councilman Cox stated that the council will not tolerate this type of action and that the community and other restaurateurs to understand this and get the message. He further stated that the council is not out to hurt local business because he knew that this was not Art Macias, the owner who did this directly, but one of his employees.

Mr. Macias stated that they had paid a fine to the state and felt that a suspension would be in order.

Councilman Cox stated that he appreciated Mr. Macias being very forthright with the council. Kim Cornelison reiterated that Art Macias has always been very good to work with, was honest about the infractions and never tried to deny anything. He called the clerk the next day after the violation to make her aware of everything.

Councilmember Linda Grant made a motion to suspend Fajita Grill #2's alcohol license be suspended for one week (seven days) starting Wednesday, September 10th. Jonathan Cox seconded the motion; the motion carried unanimously.

Parade/Public Assembly Application: Dawson County High School Homecoming Parade – Thursday, October 16, 2008, 4:30 – 5:30 p.m. (Stipulations: certificate of insurance and DOT approval.)

Steve Holder presented the application stating that everything was in order and requested approval with the noted stipulations. Council unanimously approved the application. Jonathan Cox made the motion; Mike Sosebee seconded the motion. Motion carried unanimously.

Parade/Public Assembly Application: GRHOF Inductee Banquet – Friday, October 24, 2008 set up in the morning; event time 6 p.m. – midnight. (Stipulations: Fire Marshal approval.)

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Steve Holder presented the application stating that the application is complete including Fire Marshal approval. Jonathan Cox made a motion to approve; Linda Grant seconded. The motion carried unanimously.

Parade/Public Assembly Application: Kare for Kids – 41st Annual Mountain Moonshine Festival, October 24, 25, 26, 2008, 6:00 a.m. – 7:30 p.m. (Stipulations: Fire Marshal, Sheriff, DOT approval and certificate of insurance.)

Steve Holder presented the application requesting approval with the stipulations of receiving approval of the Fire Marshal, the Sheriff and GDOT. Mike Sosebee made a motion to approve; Jonathan Cox seconded. The motion carried unanimously.

Budget Amendments: Kim Cornelison presented a spreadsheet of budget amendments on the general fund. She stated the largest line item is a request to use reserve funds to pay for road improvements of approximately \$170,00.00. (Copy attached.)

Council unanimously approved the budget amendments. Jonathan Cox made the motion; Linda Grant seconded. The motion carried unanimously.

PUBLIC HEARING:

Ordinance of the City of Dawsonville prohibiting the retail sale and distribution of novelty lighters; to provide for severability; to repeal conflicting ordinances; and for other purposes. (First hearing September 8, 2008; second hearing October 6, 2008.)

Dana Miles informed the council of the collaborative effort he and County Attorney Homans have had on this ordinance that the Fire Marshal requested both agencies adopt. The purpose was to have the enforcement provisions to be the same both in the city and the county.

Dana Miles opened the public hearing; there were approximate 13 people in attendance. No one spoke in favor or in opposition of the ordinance.

Mike Sosebee made a motion to approve the first reading; Jonathan Cox seconded. The motion carried unanimously.

Ordinance to amend the Zoning Ordinance of the City of Dawsonville, Georgia, to delete the provision for special flood hazard areas; to adopt a new section providing for the establishment of special flood hazard areas, to provide for an effective date, and for other purposes. (First hearing September 8, 2008; second hearing October 6, 2008.)

Dana Miles informed the council of the need to amend the ordinance to reflect the most current special flood hazard area maps. Currently the ordinance recognizes a specific set of dated maps. The modification will allow for whatever version is current.

Dana Miles opened the public hearing; there were approximate 13 people in attendance. No one spoke in favor or in opposition of the ordinance.

Linda Grant made a motion to approve the first reading; Jonathan Cox seconded. The motion carried unanimously.

Kim Cornelison made the council aware of the need to convene an executive session for the purpose of discussion potential and pending litigation.

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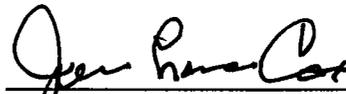
Jonathan Cox made a motion to adjourn the regular meeting and go into executive session at 7:25 p.m.
Linda Grant seconded the motion. Motion carried unanimously.

EXECUTIVE SESSION:

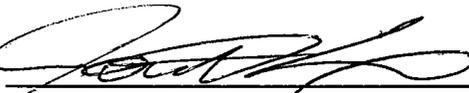
Dana Miles informed the council of the Gold Creek LLC Chapter 11 bankruptcy; brought the council up-to-date on Etowah Water & Sewer Authority in regards to service delivery strategy agreements; and apprised council of the DDA resolution, appointment process and vacancies.

Council adjourned executive session at 7:55 p.m. Motion by Jonathan Cox; second by Linda Grant.
Motion carried unanimously.

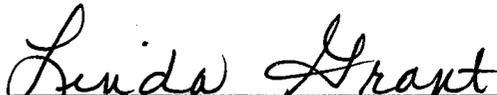
ADJOURNMENT: There being no further business, Jonathan Cox made a motion to adjourn the meeting at 7:55 p.m. Second by Linda Grant; the motion carried unanimously.



Joe Lane Cox, Mayor



Councilmember Jonathan Cox



Councilmember Linda Grant



Councilmember Mike Sosebee



Councilmember Mike Wilson

Attested: 

Kim Cornelison, City Clerk

STATE OF GEORGIA
COUNTY OF DAWSON.

AFFIDAVIT OF THE CITY OF DAWSONVILLE MAYOR AND COUNCIL

Joe Lane Cox, Mayor, Jonathan Cox, Council Member; Linda Grant, Council Member, Mike Sosebee; Council Member and Mike A. Wilson, Council Member; being duly sworn, state under oath that the following is true and accurate to the best of their knowledge and belief:

1. The City of Dawsonville Council met in a duly advertised meeting on the 8th day of September, 2008.

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

3. The executive session was called to order at 7:35 a.m./p.m.

4. The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law:

1 Consultation with the City Attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the City or any officer or employee or in which the City or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1);

 Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and ;

 Discussion of future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4);

 Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a City officer or employee as provided in O.C.G.A. § 50-14-3(6);

 Other as provided in:

This 8th day of September, 2008.

Joe Lane Cox, Mayor

Jonathan Cox, Council Member

Linda Grant, Council Member

Mike Sosebee, Council Member

Mike A. Wilson, Council Member

Kim Cornelison, City Clerk
Notary Public



Sworn to and subscribed before me this 8th day of September

My Commissioner expires: August ~~18~~, 2008
14, 2012

My Commission Expires
August 14, 2012

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GL Account #	Description	Current Year Actual	Current Year Budget	Balance	Budget Amendment	Notes
Revenues						
100-0000-311710	ELECTRICITY FRANCHISE FEES	0.00	(55,000.00)	(55,000.00)		Feb-09
100-0000-311730	GAS FRANCHISE FEES	2,609.34	(4,400.00)	(1,790.66)		
100-0000-311750	TV CABLE FRANCHISE FEES	0.00	(5,900.00)	(5,900.00)		Feb-09
100-0000-311760	TELEPHONE FRANCHISE FEES	0.00	(18,000.00)	(18,000.00)		Jan-09
100-0000-311790	GARBAGE FRANCHISE	3,108.00	(2,500.00)	608.00	608.00	
100-0000-313100	LOCAL OPTION SALES TAX	570,275.82	(905,900.00)	(335,624.18)		
100-0000-314100	HOTEL/MOTEL TAX	2,233.08	(2,700.00)	(466.92)		
100-0000-314200	ALCOHOLIC BEVERAGE EXCISE TAX	37,142.85	(50,000.00)	(12,857.15)		
100-0000-316100	BUSINESS & OCCUPATION TAXES	24,064.96	(2,200.00)	21,864.96	21,800.00	
100-0000-316200	INSURANCE PREMIUM TAX	4,560.00	(40,000.00)	(35,440.00)		Oct-08
100-0000-316300	FINANCIAL INSTITUTIONS TAX	23,019.00	(25,000.00)	(1,981.00)	-1,981.00	
100-0000-321100	ALCOHOLIC BEVERAGE LICENSE	30,925.00	(29,500.00)	1,425.00	1,425.00	
100-0000-322210	ZONING & LAND USE FEES	10,603.10	(5,000.00)	5,603.10	5,603.10	
100-0000-322230	SIGN PERMIT	725.00	(1,500.00)	(775.00)		
100-0000-322240	VARIANCE APPLICATION FEE	300.00	0.00	300.00	300.00	
100-0000-322990	PARADE/PUBLIC ASSEMBLY	50.00	(100.00)	(50.00)		
100-0000-323100	BUILDING PERMIT	17,806.69	(50,000.00)	(32,193.31)		
100-0000-323111	CO INSPECTION	840.00	(50.00)	790.00	790.00	
100-0000-323130	PLUMBING INSPECTION	1,816.00	(350.00)	1,466.00	1,466.00	
100-0000-323140	ELECTRICAL INSPECTION	2,894.15	(1,500.00)	1,394.15	1,394.15	
100-0000-323160	AIR CONDITIONING INSPECTION	2,151.00	(1,800.00)	351.00	351.00	
100-0000-323900	OTHER - LAND DISTURBING	8,546.00	(1,000.00)	7,546.00	7,546.00	
100-0000-323901	OTHER - PLAN REVIEW	710.00	(1,000.00)	(290.00)		
100-0000-334200	HEALTH GRANT	1,000.00	0.00	1,000.00	1,000.00	
100-0000-341400	MISC REVENUE/COPIES/PRINTING	618.97	(300.00)	318.97	318.97	
100-0000-342200	FIRE PROTECTION SERVICE	10,036.35	(2,000.00)	8,036.35	8,036.35	
100-0000-349300	BAD CHECK FEE	25.00	0.00	25.00	25.00	
100-0000-351170	MUNICIPAL COURT	0.00	(2,000.00)	(2,000.00)		
100-0000-361000	INTEREST INCOME	10,942.49	(40,000.00)	(29,057.51)	-20,000.00	
100-0000-381000	RENTAL INCOME	10,400.00	(15,600.00)	(5,200.00)		
100-0000-389000	MISCELLANEOUS	0.00	(100.00)	(100.00)		
100-0000-391000	OPERATING TRANSFER IN	26,755.28	0.00	26,755.28		Jan - Aug
100-4200-336000	LOCAL GOVERNMENT GRANT	0.00	(165,000.00)	(165,000.00)		
101-0000-334310	STATE GRANT CAPITAL DIRECT	0.00	(30,000.00)	(30,000.00)		
101-0000-381000	RENTAL INCOME	14,000.00	(36,000.00)	(22,000.00)		
200-0000-313200	SPLOST IV	0.00	(210,000.00)	(210,000.00)		
200-0000-361000	INTEREST	386.35	(500.00)	(113.65)		
710-0000-347200	ACTIVITY FEES	20,765.50	(25,000.00)	(4,234.50)		

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	Total Revenues	839,309.93	(1,729,900.00)	(890,590.07)	28,682.57
Expenses					
100-1100-511000	COUNCIL SALARIES	19,525.00	30,000.00	10,475.00	
100-1100-512100	GROUP INSURANCE	20,454.00	28,000.00	7,546.00	390.00
100-1100-512200	TAXES: SUTA, FICA, FUTA	1,341.24	2,400.00	1,058.76	-390.00
100-1300-511000	MAYOR SALARIES	17,700.00	30,000.00	12,300.00	-3,500.00
100-1300-512100	GROUP INSURANCE	4,261.50	5,000.00	738.50	682.00
100-1300-512200	TAXES: SUTA, FICA, FUTA	1,354.05	2,300.00	945.95	-682.00
100-1500-511000	SALARIES - ADMINISTRATION	50,062.13	96,280.00	46,217.87	-16,280.00
100-1500-512100	GROUP INSURANCE	8,299.36	9,200.00	900.64	
100-1500-512200	TAXES: SUTA, FICA, FUTA	5,392.58	11,287.00	5,894.42	
100-1500-512400	RETIREMENT CONTRIBUTIONS	18,079.98	16,000.00	(2,079.98)	2,079.98
100-1500-512700	WORKERS COMP	5,035.00	8,000.00	2,965.00	-2,965.00
100-1500-521201	PROFESSIONAL LEGAL/ACCOUNTING	48,079.64	100,000.00	51,920.36	
100-1500-521202	PROFESSIONAL ENGINEERING/OTHER	0.00	500.00	500.00	
100-1500-521300	TECHNICAL SERVICES	2,540.18	5,500.00	2,959.82	
100-1500-522110	GARBAGE SERVICES	0.00	350.00	350.00	
100-1500-522200	REPAIRS AND MAINTENANCE	0.00	300.00	300.00	
100-1500-523000	OTHER PURCHASED SERVICES	7,790.00	10,000.00	2,210.00	
100-1500-523100	INSURANCE OTHER THAN EMPLOYEE	32,816.00	50,000.00	17,184.00	-17,184.00
100-1500-523200	COMMUNICATIONS	4,256.21	9,500.00	5,243.79	
100-1500-523300	ADVERTISING	2,653.00	4,500.00	1,847.00	
100-1500-523400	PRINTING AND BINDING	465.00	500.00	35.00	
100-1500-523500	TRAVEL	9,152.84	10,000.00	847.16	
100-1500-523600	DUES AND FEES	1,492.13	1,500.00	7.87	
100-1500-523700	EDUCATION AND TRAINING	2,407.00	5,000.00	2,593.00	
100-1500-531100	SUPPLIES	12,033.50	18,000.00	5,966.50	
100-1500-531200	ENERGY/UTILITIES	1,313.06	4,000.00	2,686.94	-1,000.00
100-1500-531300	FOOD	1,134.27	4,000.00	2,865.73	-1,500.00
100-1500-531600	SMALL EQUIPMENT	0.00	500.00	500.00	
100-1500-531700	OTHER SUPPLIES	0.00	10,000.00	10,000.00	
100-3100-521101	LAW ENFORCEMENT ADMINISTRATION	60,000.00	130,000.00	70,000.00	
100-3100-521102	FIRE ADMINISTRATION	20,000.00	44,000.00	24,000.00	
100-3100-523000	OTHER PURCHASED SERVICES	0.00	3,500.00	3,500.00	-3,500.00
100-3100-531100	SUPPLIES	14,232.00	0.00	(14,232.00)	14,232.00
100-4200-511000	SALARIES - STREETS	23,908.31	44,000.00	20,091.69	-20,091.69
100-4200-512100	GROUP INSURANCE	4,023.35	6,000.00	1,976.65	-1,976.65
100-4200-512200	TAXES: SUTA, FICA, FUTA	1,667.17	3,300.00	1,632.83	-1,632.82
100-4200-521201	PROFESSIONAL LEGAL/ACCOUNTING	2,770.84	2,000.00	(770.84)	770.84
100-4200-521202	PROFESSIONAL ENGINEERING/OTHER	6,629.42	2,000.00	(4,629.42)	4,629.42
100-4200-521300	TECHNICAL SERVICES	2,243.00	300.00	(1,943.00)	1,943.00

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100-4200-522140	STREET SWEEPING GROUNDS UPKEEP	434.00	750.00	316.00		
100-4200-522200	REPAIRS AND MAINTENANCE	81,328.06	60,000.00	(21,328.06)	21,328.06	
100-4200-522320	RENTAL EQUIPMENT & VEHICLES	0.00	200.00	200.00	-200.00	
100-4200-523300	ADVERTISING	0.00	200.00	200.00	-200.00	
100-4200-523600	DUES & FEES	0.00	25.00	25.00	-25.00	
100-4200-531100	SUPPLIES	8,272.98	4,000.00	(4,272.98)	4,272.98	
100-4200-531200	ENERGY/UTILITIES	21,958.52	27,500.00	5,541.48	5,000.00	
100-4200-531300	FOOD	0.00	25.00	25.00		
100-4200-541400	CAPITAL OUTLAY: INFRASTRUCTURE	168,173.43	0.00	(168,173.43)		Reserves
100-4200-542100	CAPITAL OUTLAY: MACH & EQUIPME	7,944.00	0.00	(7,944.00)	7,944.00	
100-6200-523000	OTHER PURCHASED SERVICES	476.00	1,200.00	724.00	-724.00	
100-6200-523300	ADVERTISING	0.00	200.00	200.00	-200.00	
100-6200-531100	SUPPLIES	0.00	350.00	350.00	-350.00	
100-6200-531300	FOOD	0.00	500.00	500.00	-500.00	
100-6200-541200	CAPITAL OUTLAY: SITE IMPROVEME	0.00	20,000.00	20,000.00	-20,000.00	
100-7400-511000	SALARIES - PLANNING & ZONING	49,415.00	90,000.00	40,585.00		
100-7400-512100	GROUP INSURANCE	8,158.82	9,000.00	841.18	3,200.00	
100-7400-512200	TAXES: SUTA, FICA, FUTA	3,594.99	7,000.00	3,405.01		
100-7400-521201	PROFESSIONAL LEGAL/ACCOUNTING	5,386.38	25,000.00	19,613.62	-10,000.00	
100-7400-521202	PROFESSIONAL ENGINEERING/OTHER	902.92	5,000.00	4,097.08	-2,000.00	
100-7400-521300	TECHNICAL SERVICES	17,272.25	15,000.00	(2,272.25)	2,272.25	
100-7400-522200	REPAIRS AND MAINTENANCE	61.49	1,000.00	938.51	-500.00	
100-7400-523200	COMMUNICATIONS	248.86	1,000.00	751.14		
100-7400-523300	ADVERTISING	380.00	750.00	370.00		
100-7400-523400	PRINTING AND BINDING	142.20	500.00	357.80		
100-7400-523500	TRAVEL	1,209.48	1,000.00	(209.48)	209.48	
100-7400-523600	DUES & FEES	560.00	375.00	(185.00)	185.00	
100-7400-523700	EDUCATION & TRAINING	452.00	2,600.00	2,148.00	-1,000.00	
100-7400-531100	SUPPLIES	983.26	7,000.00	6,016.74	-2,500.00	
100-7400-531200	ENERGY/UTILITIES	1,275.31	1,500.00	224.69	500.00	
100-7400-531300	FOOD	123.51	100.00	(23.51)	25.00	
100-7400-531400	BOOKS & PERIODICALS	316.00	250.00	(66.00)	66.00	
100-7400-531600	SMALL EQUIPMENT	0.00	5,000.00	5,000.00	-5,000.00	
100-7500-521201	PROFESSIONAL LEGAL /ACCOUNTING	21,545.61	0.00	(21,545.61)	21,545.61	
100-7500-523000	OTHER PURCHASED SERVICES	0.00	12,000.00	12,000.00	-12,000.00	
100-7500-523300	ADVERTISING	81.90	0.00	(81.90)	81.90	
100-7640-521000	PROFESSIONAL & TECHNICAL SERVI	0.00	11,000.00	11,000.00	-11,000.00	
100-9999-999999	CONTINGENCY	0.00	11,421.00	11,421.00	-11,421.00	
101-1500-521300	TECHNICAL	325.00	500.00	175.00		
101-1500-522200	REPAIRS & MAINTENANCE	19,374.98	15,000.00	(4,374.98)	5,000.00	
101-1500-531100	SUPPLIES	2,059.99	2,500.00	440.01		
101-1500-531200	ENERGY - UTILITIES	40,382.86	63,000.00	22,617.14		

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101-1500-541300	CAPITAL OUTLAY BUILDINGS	8,607.50	0.00	(8,607.50)	8,700.00
101-1500-541301	CAPITAL OUTLAY - DMC PARKING L	(10,757.22)	0.00	10,757.22	
101-1500-581000	PRINCIPAL	53,380.53	78,149.00	24,768.47	4,000.00
101-1500-582000	INTEREST	73,043.94	140,083.00	67,039.06	-27,000.00
200-4200-541400	CAPITAL OUTLAY: SIDEWALKS	0.00	210,000.00	210,000.00	
710-6172-521300	TECHNICAL SERVICES	7,400.00	13,000.00	5,600.00	-5,000.00
710-6172-521310	TECH SER: CREDIT CARD SERVICE	70.00	150.00	80.00	
710-6172-522140	STREET SWEEPING GROUNDS UPKEEP	0.00	200.00	200.00	
710-6172-522300	RENTALS	140.00	0.00	(140.00)	1,000.00
710-6172-523200	COMMUNICATIONS	52.79	400.00	347.21	
710-6172-523300	ADVERTISING	921.00	2,400.00	1,479.00	
710-6172-523400	PRINTING & BINDING	42.80	300.00	257.20	
710-6172-523600	DUES AND FEES	300.00	55.00	(245.00)	250.00
710-6172-531100	SUPPLIES	2,434.38	2,500.00	65.62	
710-6172-531300	FOOD	0.00	7,500.00	7,500.00	
710-6172-531500	INVENTORY FOR RESALE	450.00	0.00	(450.00)	450.00
	Total Expenses	1,012,037.28	1,564,900.00	552,862.72	-69,564.64
	Net Income	(172,727.35)	(165,000.00)	(337,727.35)	98,247.21