

**MINUTES
CITY COUNCIL REGULAR MEETING
AUGUST 3, 2009
7:00 P.M.**

CALL THE MEETING TO ORDER: Mayor Cox called the meeting to order at 7:00 p.m.

ROLL CALL: Those present included Mayor Cox, Council Members Jonathan Cox, Mike Wilson, Linda Grant, and Mike Sosebee. Staff present included Dana Miles, Kim Cornelison, and Bonnie Warne.

INVOCATION AND PLEDGE: Invocation was led by Linda Grant, followed by the pledge.

APPROVAL OF MINUTES:

Council approved the minutes from the regular meeting held July 6, 2009; motion by L. Grant, second by M. Wilson.

NEW BUSINESS:

Proposed Intergovernmental Agreement for Fueling Station: Dana Miles presented a draft of a proposed intergovernmental agreement between the city, county and school board, regarding the city using the fueling station. The presentation was for informational purposes only because the agreements between the school board and county still need to be finalized. Ultimately, the agreement would provide that the city be an end user to fuel all city vehicles and equipment through the fueling center at .05 cents above cost.

Motion by L. Grant to table the agreement until the next council meeting; second by M. Sosebee, the motion carried.

Request to abandon and sell the remaining square footage of West Second St. to DCBOC: Kevin Tanner made a brief presentation to the county asking for the abandonment and sale of the balance of West Second St. to the Commission so that they can proceed with the new courthouse project.

The council concurred that the road is no longer used by the public and that it only serves as access to the county courthouse and the old jail. Motion by J. Cox to move forward with the abandonment and sale of the road; second by M. Sosebee, the motion carried.

Oath of Elections Superintendent: Dana Miles administered the Oath of Elections Superintendent to Kim Cornelison.

Authorization to expend SPLOST funds for sidewalk along Hwy. 53: Mayor Cox asked the council for authorization to utilize SPLOST funds to finish the sidewalk from the end of the Bojangles sidewalk along Hwy. 53 to Allen St. The Clerk made the council aware that the quote is from Townley Construction Company, Inc. in the amount of \$17,808.22. Townley won the bid (April 14, 2009 bid opening) on the TE grant project and utilized the same pricing schedule of this project.

Motion by M. Sosebee to authorize expending the requested funds for the sidewalk project; second by L. Grant, the motion carried.

Amend Agenda: M. Sosebee made a motion to amend the agenda to include a contract for the sale of surplus property; M. Wilson seconded the motion, the motion carried.

Dana Miles presented the contract from Sammons & Associates, of Georgia, LLC to allow for the sale of the following items: Craftsman Series Dodge Race Truck, three Hall of Fame panels, a faux tool chest and faux dynamometer shop equipment. These are items that are no longer needed by the museum.

M. Sosebee made a motion to authorize the sale and enter into the agreement; M. Wilson seconded it. The motion carried.

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PUBLIC HEARINGS:

To hear Alcoholic Beverage License Application: Adam Fowler D/B/A Adam's Little Italy has made application for a consumption on the premises license for Adam's Little Italy located at 415 Hwy. 53 East, Suite 110, Dawsonville, Georgia. Hearing: Monday, August 3, 2009.

Dana Miles presented the Alcoholic Beverage License Application and opened the public hearing. There were approximately 19 people in attendance and no one spoke in favor or opposition to the application. L. Grant made a motion to approve the alcoholic beverage application; J. Cox seconded, the motion carried.

To hear ZA-06-09-133: Dawson County Board of Commissioners has requested a Zoning Map Amendment for 11.55 acres of land off Shoal Creek Road, TMP 092B-019, 1.008, 1.009. Current zoning is CBD; applicant has requested a rezoning of INST (Institutional District) for the new Dawson County Courthouse and Administration Building. Hearing: Monday, August 3, 2009.

Commission Chair Mike Berg made a request to rezone property that the new courthouse project will be utilizing and to clear up the zoning differences making everything INST (institutional).

M. Sosebee made a motion to approve the zoning request. L. Grant seconded; the motion carried.

To hear Annexation Petition: ANX09-002 – Ken Newell, on behalf of the Resources Interaction Council D/B/A Ric-Rack, has made application to annex 0.518 acres, located at 829 Hwy. 9 North in to the City of Dawsonville. The subject property is currently zoned C-CB in the county and would be HB in the City. First Hearing: Monday, August 3, 2009; second hearing Monday, September 14, 2009.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 19 people present and no one spoke in favor or opposition of the petition.

J. Cox made a motion to approve the annexation and zoning classification. M. Wilson seconded the motion, the motion carried.

To hear Annexation Petition: ANX09-001 – Matthew Richardson, on behalf of the Amicalola Propane, Inc. has made application to annex that portion of 0.864 acres, located at 558 Hwy. 9 North which lies in the county, in to the City of Dawsonville. The subject property is currently zoned VCR in the county and would be CIR in the City. *Note: This is a split parcel – partially in the city and the county. The annexation would bring the balance of the parcel in to the city. First Hearing: Monday, August 3, 2009; second hearing Monday, September 14, 2009.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 19 people present and no one spoke in favor or opposition of the petition.

M. Sosebee made a motion to approve the annexation. L. Grant seconded the motion, the motion carried.

To hear ZA-06-09-135: Matthew Richardson, on behalf of Amicalola Propane, Inc. has requested a Zoning Map Amendment of 0.864 acres of land located at 558 Hwy. 9 North, TMP D05-029. Current zoning for that portion of property located in the city is HB; current zoning for that portion of property located in the county is VCR. Applicant has requested a zoning of CIR (Commercial Industrial Restricted) upon annexation for the relocation of Amicalola Propane, Inc. Hearing: Monday, August 3, 2009.

Dana Miles presented the Zoning Amendment and opened the public hearing. There were approximately 19 people present and no one spoke in favor or opposition of the request.

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The zoning administrator and clerk clarified that the whole parcel, consisting of 0.864 acres, was being amended. The property zoned VCR in the county and the property zoned HB in the City to CIR.

M. Sosebee made a motion to approve the zoning request. J. Cox seconded; the motion carried.

MAYOR'S REPORT:

Mayor announced that the TE grant sidewalk project is ready to start.

Bojangles is coming and in construction, Adam's Little Italy is open, and Zack's Wings hopes to open this week. Mr. Wok is still building out and Bear Tavern, which is located at Taft Fouts old building, is coming soon too.

EXECUTIVE SESSION:

L. Grant made a motion to go in to executive session for the purpose of discussing potential or pending litigation. The motion was seconded by Mike Wilson; motion carried.

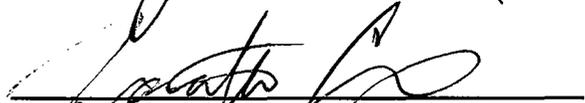
At approximately 7:35 p.m. the council met in executive session to discuss potential litigation dealing with water production and service area, and to discuss the Hamryka v. City of Dawsonville, et. al case.

At 8:10 p.m. Mike Sosebee made a motion to close executive session and reconvene regular session. Linda Grant seconded the motion; the motion carried unanimously.

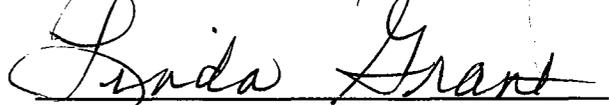
ADJOURNMENT: There being no further business to attend to, Mike Sosebee made a motion to adjourn, seconded by Linda Grant. Meeting adjourned at 8:10 p.m.



Joe Lane Cox, Mayor



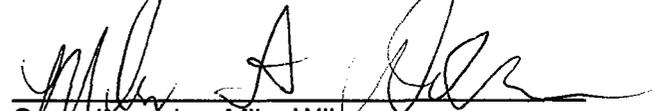
Councilmember Jonathar Cox



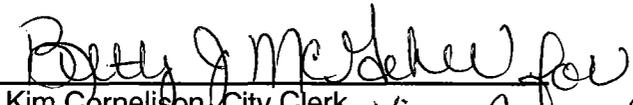
Councilmember Linda Grant

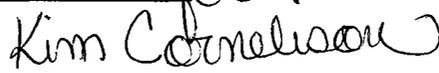


Councilmember Mike Sosebee



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 3rd day of August, 2009.

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:

X 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 3 day of August, 2009.

City of Dawsonville, Mayor and council

Joe Lane Cox
Joe Lane Cox, Mayor

Jonathan Cox
Jonathan Cox, Council Member

Linda Grant
Linda Grant, Council Member

Mike Sosebee
Mike Sosebee, Council Member

Mike A. Wilson
Mike A. Wilson, Council Member

Kim K. Cornelison
Kim Cornelison, City Clerk
Notary Public



Sworn to and subscribed before me this 3 day of August, 2009.

My Commission expires: August 14, 2012