

**MINUTES
CITY COUNCIL REGULAR MEETING
FEBRUARY 1, 2010
5:00 P.M.**

CALL THE MEETING TO ORDER: Mayor Cox called the meeting to order at 5:00 p.m.

ROLL CALL: Those present included Mayor Cox, Council Members Calvin Byrd, Mike Wilson, James Grogan, and Mike Sosebee. Staff included Dana Miles, Kim Cornelison, Bonnie Warne, Gary Barr, Trampas Hansard and Russ Chambers.

INVOCATION AND PLEDGE: Invocation was led by Councilman Wilson, followed by the pledge.

APPROVAL OF MINUTES:

Council approved the minutes from the regular meeting held January 4, 2010. Motion by Mike Wilson, second by Mike Sosebee; the motion carried unanimously.

OLD BUSINESS:

Adoption of Final Audit: (6 months Jan 1 – June 30, 2010) Mayor Cox informed the council that the audit was the six month audit in order to adjust to the new fiscal year (July 1 – June 30). In December Angela Smith presented the draft audit in detail with the understanding that the audit had a final review process to go through. She sent a letter and final audit stating that there were no changes made to the draft version presented in December.

James Grogan made a motion to approve the final audit; Mike Wilson seconded. The motion carried unanimously.

NEW BUSINESS:

Road Dedication Bond Presentation: Maple Street Town Homes Development - Pearl Chambers Drive, Pearl Chambers Court, and Pearls Way. HOA requests a one year bond.

Kim Cornelison presented the council with a bond for the aforementioned roads in the Maple Street Town Homes subdivision. She asked, on behalf of the HOA, if the bond could be limited to 12 months instead of 15 months. She further stated that the neighborhood was under the impression that these roads were dedicated some time ago. If the 12 month bond is acceptable then one year from now the dedication would come before the council for final acceptance. The only issue up tonight is the request of the HOA asking if a 12 month bond is acceptable.

Calvin Byrd made a motion to approve the bond for 12 months; Mike Sosebee seconded. The motion carried unanimously.

Community Forum Report: Councilman James Grogan gave a brief report on the Community Forum he attended on behalf of the City.

GMRC Meeting Report: Councilman Calvin Byrd reported on the January GMRC meeting held at the City of Oakwood.

PUBLIC HEARINGS:

Speed Zone Ordinance: To hear an ordinance to repeal the current speed zone ordinance of the City of Dawsonville, Georgia; to enact a new speed zone ordinance for the City of Dawsonville, Georgia; to establish speed zones and regulations regarding the same within the city limits of the City of Dawsonville, Georgia; to provide for definitions, to provide for enforcement; to establish permitted detection devices; and for other purposes.

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Dana Miles stated that the purpose of the ordinance is because the Department of Transportation has completed an updated study of all streets within the city where they would allow detection devices, including state roads. The city is required by state law, to amend the existing ordinance to comply with whatever speeds limits GDOT has set. He opened the public hearing where approximately 15 people were in attendance; there was no public comment. He subsequently closed the public hearing and turned the meeting back over to the Mayor.

Mayor Cox called for a motion. Mike Sosebee made a motion to approve the second reading and adoption of the ordinance; James Grogan seconded. The motion carried unanimously. A copy of the ordinance is included as Exhibit "A".

ANX-09-005: Ric-Rack Charity Thrift Store by Kenneth Newell has requested annexation for the 0.158 acre parcel at Perimeter Road, a portion of TMP D05-004. Currently zoned: VCR in the County. The applicant has requested a rezoning of HB (Highway Business District). City Council hearing dates: January 4, 2010 and February 2, 2010.

Dana Miles opened the public hearing regarding ANX-09-005; there were approximately 15 people in attendance and no one spoke in favor or opposition of the annexation application. He subsequently closed the public hearing and turned the meeting back over to the Mayor.

Mayor Cox called for a motion. Mike Sosebee made a motion to approve the second reading and adoption of the Annexation Ordinance. Calvin Byrd seconded the motion; the motion carried unanimously.

ZA-09-09-142: Ric-Rack Charity Thrift Store by Kenneth Newell has requested a zoning map amendment for the 0.158 acre parcel at Perimeter Road, a portion of TMP D05-004. Currently zoned: VCR in the County. The applicant has requested a rezoning of HB (Highway Business District) upon annexation.

Dana Miles opened the public hearing regarding ZA-09-09-142; there were approximately 15 people in attendance and no one spoke in favor or opposition of the zoning amendment. He subsequently closed the public hearing and turned the meeting back over to the Mayor.

Mayor Cox called for a motion. James Grogan made a motion to approve the zoning amendment application. Mike Wilson seconded the motion; the motion carried unanimously.

Development Code Ordinance Amendment: To hear an ordinance an ordinance to amend the development code to provide for the earlier posting of the maintenance bond which must be posted prior to the acceptance of any road, water, sewer, or stormwater management system by the City of Dawsonville. Public Hearings: First reading February 1, 2010; second reading March 1, 2010.

Dana Miles stated that this ordinance change requires a development, when they are at 20 percent build out, to post a bond for maintenance and performance of the total cost of infrastructure. Under the existing code, the bond is not required to be posted until the development is nearly complete. If a developer runs out of money, as has been the case in some city subdivisions, and the developer didn't complete a final top of asphalt or some other requirement of infrastructure, then home owners are stuck with the burden of trying to complete infrastructure needs. Essentially, the change protects the homeowners. When the bond is posted up front of the project, then the city could call in the bond to complete the improvements.

Mr. Miles opened the public hearing, where approximately 15 people were in attendance. There was no public comment and the hearing was closed and the meeting turned over to the Mayor.

Mayor Cox called for council action. Mike Sosebee made a motion to approve the first reading of the ordinance; Mike Wilson seconded. The motion carried unanimously.

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Personnel Policy Amendment: To hear an ordinance to amend the personnel policy of the City of Dawsonville Georgia, to provide for military exigency leave, to provide for military caregiver leave, to provide for non-discrimination based upon genetic information, to provide for compensation, to provide for an effective date and for other purposes. Public Hearings: First reading February 1, 2010; second reading March 1, 2010.

Dana Miles stated that the personnel ordinance amendment addresses changes in both federal and state employment law.

Mr. Miles opened the public here, where approximately 15 people were in attendance. There was no public comment and the hearing was closed and the meeting turned over to the Mayor.

Mayor Cox called for council action. James Grogan made a motion to approve the first reading of the ordinance; Mike Wilson seconded. The motion carried unanimously.

STAFF REPORTS:

Update on Sewer Line Rehabilitation Project: Gary Barr and two of his staff members, Trampas Hansard and Russell Chambers, gave a presentation on the sewer line upgrade project stating that the work is now complete. In an effort to use all of the grant funds from USDA Rural Development, but more importantly to provide the best service to city customers possible. Trampas Hansard presented a pictorial guide of the lining process. He explained the process from the beginning to the very end when the line was put back in to service. Starting with running a camera through the lines to installing the CIPP (cured in place pipe); including the steam injection curing process.

Kim Cornelison reported that Gary Barr originally asked for \$150,000 in enterprise funds to be used in conjunction with the remaining grant funds. It appears the project came in at \$27,000 over the grant funds which is a significant savings when compared to the original amount Mr. Barr asked for. A copy of the presentation is attached hereto as Exhibit "B".

MAYOR'S REPORT:

Gold Creek Road Closing – Culvert: Mayor Cox reported that he and Kim Cornelison had met with the homeowners regarding the road issue. Mayor Cox asked Mrs. Cornelison to bring the council uptodate on this issue.

The Clerk reported that she had several conversations with both Regions Bank officials as well as Bickers Construction Company. The contractor was required to provide documentation for the Corp of Engineers regarding whether or not permits were required on the repair. They did provide the correspondence which stated no permits were necessary from the Corp. Mr. Bickers faxed in his Land Disturbance Permit; fees are expected to be paid on Tuesday the 2nd. Once the permit and requisite documentation is taken care of they will subsequently mobilize and be on the job. Mr. Bickers expected them to be on site Tuesday.

The issue arose because the bank acquired initial bids to replace the current pipe with the same size. The County provided a hydrology study to the city factoring in the 100 year flood plane which showed that the pipes were undersized. The increased pipe size affected the overall job cost which in turn had to be approved by bank officials. Once they received pictures from the homeowners depicting the significant deterioration to the road which was now a huge crevice and utilities were no exposed, the bank expedited the approval process.

EXECUTIVE SESSION:

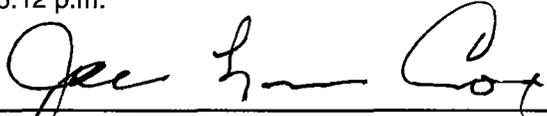
At 5:49 p.m. Mike Sosebee made a motion to go in to executive session to discuss pending litigation. Mike Wilson seconded; the motion carried unanimously.

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Mr. Miles brought the council up-to-date on three pending cases: Hamryka v. City; the Gold Creek rezoning case, and Butler v. City.

At 6:12 p.m. Mike Sosebee made a motion to adjourn executive session and return to regular session. Mike Wilson seconded. The motion carried unanimously.

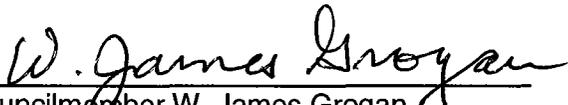
ADJOURNMENT: There being no further business to attend to, Mike Sosebee made a motion to adjourn, seconded by Calvin Byrd. Meeting adjourned at 6:12 p.m.



Joe Lane Cox, Mayor



Councilmember Calvin Byrd



Councilmember W. James Grogan



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, Calvin Byrd, Council Member; James Grogan, 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 1st day of February, 2010.

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

3.
The executive session was called to order at 5:49 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:

- 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 1st day of February, 2010.

City of Dawsonville, Mayor and council

Joe Lane Cox
Joe Lane Cox, Mayor

Calvin Byrd
Calvin Byrd, Council Member

W. James Grogan
James Grogan, Council Member

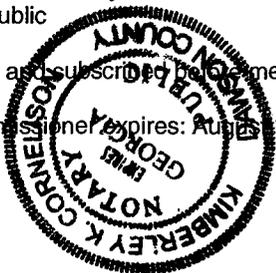
Mike Sosebee
Mike Sosebee, Council Member

Mike A. Wilson
Mike A. Wilson, Council Member

Kim H. Cornelison
Kim Cornelison, City Clerk
Notary Public

Sworn to and subscribed before me this 1st day of February, 2009. 2010

My Commission Expires: August 14, 2012



FIRST READING 1-4-2010
SECOND READING 2-1-2010
PUBLICATION DATES 12-9/14/23/30-2009
1-20-10
1-27-10

**SPEED ZONE ORDINANCE
CITY OF DAWSONVILLE, GEORGIA
ORDINANCE NO.: ORD 10-02**

AN ORDINANCE TO REPEAL THE CURRENT SPEED ZONE ORDINANCE OF THE CITY OF DAWSONVILLE, GEORGIA; TO ENACT A NEW SPEED ZONE ORDINANCE FOR THE CITY OF DAWSONVILLE GEORGIA; TO ESTABLISH SPEED ZONES AND REGULATIONS REGARDING THE SAME WITHIN THE CITY LIMITS OF THE CITY OF DAWSONVILLE GEORGIA; TO PROVIDE FOR DEFINITIONS, TO PROVIDE FOR ENFORCEMENT; TO ESTABLISH PERMITTED DETECTION DEVICES; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to O.C.G.A. § 40-6-183, the City Charter of the City of Dawsonville, and other powers vested in the City, the City is authorized to regulate speed zones and establish speeding regulations within the corporate limits of the City of Dawsonville;

WHEREAS, a traffic and engineering study, required by law, has been completed by the Georgia Department of Transportation regarding speeds traveled on the roads, streets, highways and other public ways within the City of Dawsonville described in this Ordinance;

WHEREAS, the City desires to permit the use of speed detection devices, including radar and laser detection devices on the roads, streets, highways and other public ways within the City of Dawsonville, hereinafter described;

WHEREAS, pursuant to State Law, it shall be unlawful to use speed detection devices on the roads, streets, highways and other public ways within the City of Dawsonville, which are not specifically described within this ordinance; AND

WHEREAS, the City desires for the Dawson County Sheriff's Office, the Georgia State Patrol, and any other sworn law enforcement officers acting within their scope of duty and within their jurisdiction to enforce the speed zone regulations established by this ordinance.

NOW THEREFORE, the Council of the City of Dawsonville hereby ordains and enacts the Speed Zone Ordinance of the City of Dawsonville, as follows:

Section 1. Repealer

The Speed Zone Ordinance of the City of Dawsonville, Georgia enacted on July 5, 1994, is hereby repealed in its entirety, and in its place is enacted a new Speed Zone Ordinance of the City of Dawsonville, as follows.

Section 2. Speed Zone Ordinance Enacted

The Code of the City of Dawsonville, Georgia is hereby amended to establish a new Article III of Chapter 13 of the same, said Article to be entitled "Speed Zones" and to read as shown in the document attached hereto as **Exhibit A**.

13.32. *School Zones*: For purposes of any school zone enforcement, said enforcement shall be as shown in the document attached hereto as **Exhibit A**.

13.33. *Signage*: Signs for all on-system speed zones shall be erected and maintained by the Georgia Department of Transportation. Signs for all off-system speed zones shall be erected and maintained by the City of Dawsonville, Georgia. Signage for all speed zones shall be designed, located, and erected so as to comply with Georgia law.

13.34. *Speed Detection Devices*: It shall be permissible to use speed detection devices for speed zone enforcement in any of the above described speed zones. Speed detection devices include all those devices encompassed within Title 40, Chapter 14, Article II, of the Official Code of Georgia Annotated. It shall not be permissible to use speed detection devices in areas not described as a speed zone above.

13.35. *Unauthorized Changes*: Any unauthorized changes to this ordinance shall cause this ordinance to be void in its entirety.

13.36. *Enforcement*: Enforcement of this ordinance shall be by any sworn law enforcement officer acting within his scope of duties and within his jurisdictional limits at the time of enforcement. Enforcement personnel for this ordinance shall include, but

shall not be limited to, the Dawson County Sheriff's Office, and the Georgia State Patrol.

Section 3. Repeal of Conflicting Ordinances.

All ordinances, resolutions, and speed zone lists or any parts thereof in conflict with this ordinance are hereby repealed.

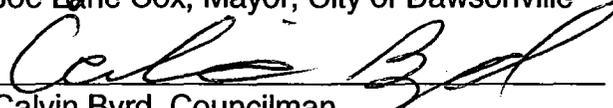
Section 4. Effective Date.

This Speed Zone Ordinance shall take effect and be in force from and after adoption, the public welfare demanding it.

SO ADOPTED, this 1st day of February, 2010.



Joe Lane Cox, Mayor, City of Dawsonville



Calvin Byrd, Councilman



James Grogan, Councilman



Mike Sosebee, Councilman



Mike Wilson, Councilman

Attested:



Kim Cornelison, City Clerk

**LIST OF ROADWAYS
for
CITY OF DAWSONVILLE**

ON-SYSTEM

STATE ROUTE	WITHIN THE CITY/TOWN LIMITS OF and/or School Name	FROM	MILE POINT	TO	MILE POINT	LENGTH IN MILES	SPEED LIMIT	
SR 9	Dawsonville	South City Limits	06.14	.25 mile south of State Route 53	06.52	00.38	45	
SR 9	Dawsonville	.25 mile south of State Route 53	06.52	State Route 53	06.77	00.25	35	
SR 9	Dawsonville	State Route 53	06.77	North City Limits	06.89	00.44	35	
SR 9	Dawsonville	Shoal Creek Road	06.89	SR 53	07.00	00.11	25	
SR 9	Dawsonville	SR 53	07.00	North City Limits	07.21	00.21	35	
SR 53	Dawsonville	West Dawsonville City Limits	08.71	.25 mile east of the City Limits	08.96	00.25	45	
SR 53	Dawsonville	.25 mile east of the City Limits	08.96	State Route 9	09.19	00.23	35	
SR 53	Dawsonville	<i>This section of roadway runs common with State Route 9 from MP 09.19 to MP 09.30 for a total of 00.11 Miles</i>						
SR 53	Dawsonville	State Route 9	09.30	East City Limits	09.85	00.55	35	

OFF-SYSTEM

ROAD NAME	WITHIN THE CITY/TOWN LIMITS OF and/or School Name	FROM	TO	LENGTH IN MILES	SPEED LIMIT
Perimeter Road	Dawsonville	Dawsonville City Limits (400' west of Melody Lane)	Shoal Creek Road (County Road 224)	00.55	35
Shoal Creek Road	Dawsonville	600' south of Perimeter Road	Dawsonville City Limits(250' North of Shoal Creek Ridge Drive)	00.43	35

*****SCHOOL ZONE HOURS ARE EFFECTIVE*****

A.M. from 45 minutes prior to commencement time to 15 minutes after commencement time –
SCHOOL DAYS ONLY

P.M. from 15 minutes prior to dismissal time to 45 minutes after dismissal time –
SCHOOL DAYS ONLY

ALL LISTS AND PARTS OF LISTS IN CONFLICT WITH THIS LIST ARE HEREBY REPEALED.

Signature of Governing Authority:

Mayor

City Council Members

Sworn and Subscribed before me
This _____ day of _____, _____.

NOTARY PUBLIC

SEWER REHABILITATION



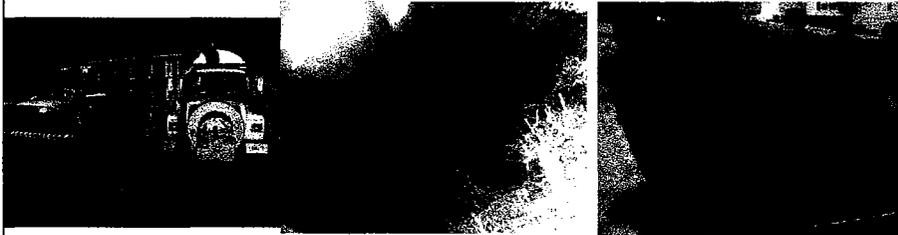
Objectives & Goals

- ❖Waste Water System to have adequate potential in the future
- ❖To have a dependable system that will last another 50 years
- ❖To stop inflow & Infiltration
- ❖To have a video & location of every line in system

Point Repairs



Number of repairs = 8 major



CIPP

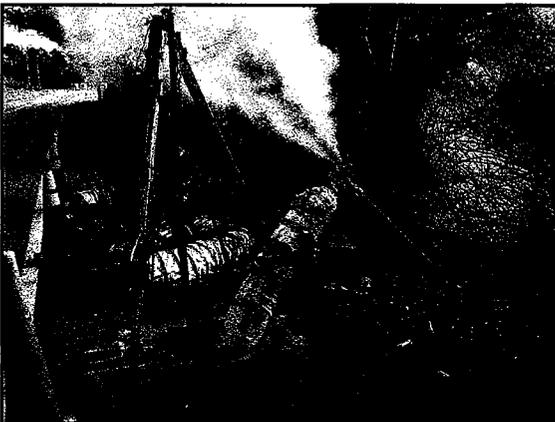
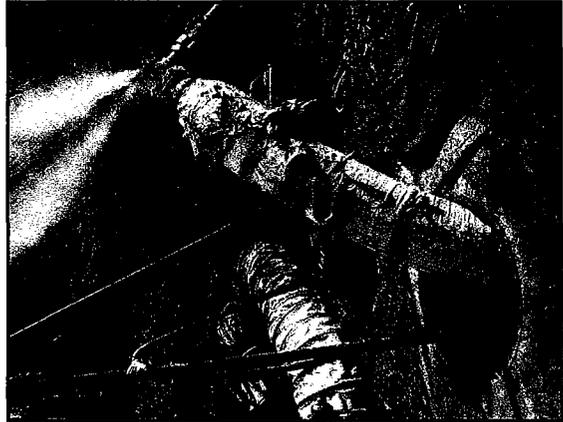


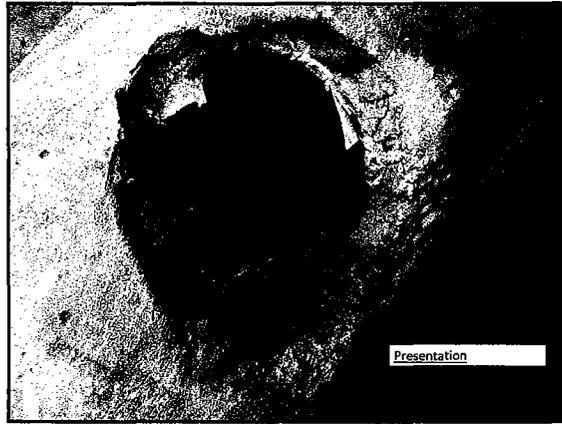
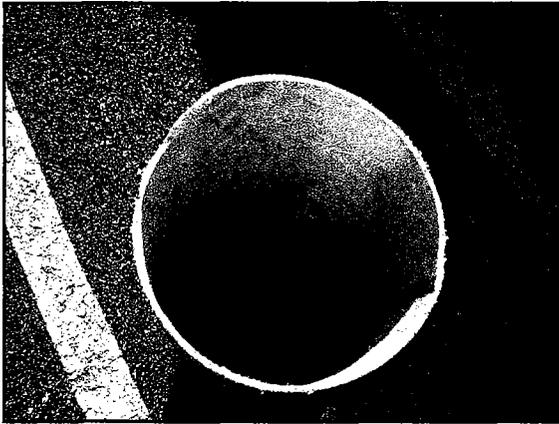
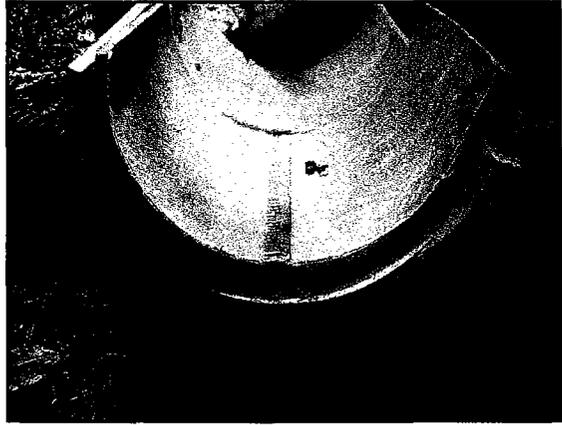
- Feet of Liner In Place 8,513'
- Taps Found =90
- Taps Closed 39
- Left Active 51

Pictures





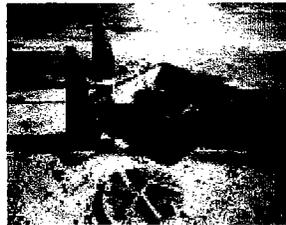
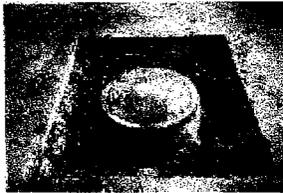




Manhole riser's



☐ Number of Manhole raised =12



8" upgraded to 12" inch



Linear Feet of 12 inch installed 2,472' sdr 26 pvc
159' of Ductile iron 12"
260' of steel 12" Aerial



Questions & Answers

