

**MINUTES  
CITY COUNCIL REGULAR MEETING  
JANUARY 4, 2010  
7:00 P.M.**

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**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 Calvin Byrd, Mike Wilson, James Grogan, and Mike Sosebee. Staff included Kevin Tallant, Kim Cornelison, Gary Barr and Russ Chambers.

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

**APPROVAL OF MINUTES:**

Council approved the minutes from the regular meeting held December 7, 2009. Motion by Mike Sosebee, second by Mike Wilson; the motion carried unanimously.

**NEW BUSINESS:**

Mike Sosebee made a motion to amend the agenda to include a Historic District Sign Application. Mike Wilson seconded; the motion carried unanimously and the item was added to New Business.

Proposed changes to the Personnel Policy: Kevin Tallant presented changes in the city's personnel policy, most of which were necessitated by changes in federal law. The first is under section 2.18 which provides for the prevention of discrimination. Federal law was passed regarding the Genetic Information Non-discriminatory Act (GINA) which means you cannot discriminate against someone based upon their genetic information.

The second change is under Section 3.6.5.1 and deals with changes to the Family Medical Leave Act (FMLA) regarding the care of injured or ill active duty service persons or for families who are undergoing military exigency.

The third change is under section 4.2 Equal Employment Opportunity (EEO) and includes changes related to the GINA laws enacted by the federal government.

The final change in section 3.5.1 (I) provides staff the opportunity to sell up to 80 hours of personal leave time back to the city, provided an employee had a minimum of 120 hours in their personal leave bank. Currently the city has a buy back policy of 40 hours per year.

Mayor Cox asked the council if they would like to proceed with drafting these changes in ordinance form for formal adoption. Mike Sosebee made a motion to move forward with the personnel policy changes. James Grogan seconded the motion; the motion carried unanimously.

Historic District Sign Application – Bulldog Auto Sales, 103 Hwy. 9 North: Kim Cornelison presented the sign application stating everything was in order. Calvin Byrd made a motion to approve the sign application; Mike Wilson seconded the motion. The motion carried unanimously.

**PUBLIC HEARINGS:**

Ordinance Charter Amendment: To hear an ordinance to amend the charter of the City of Dawsonville to provide for a procedure for setting a calendar of regular meeting dates and times; to provide a provision for calling special meetings, and for other purposes. Final hearing.

Kevin Tallant opened the public hearing stating that the purpose of the ordinance allows the council to annually set their meeting schedule and time of the meeting without the need to amend the charter each year. There were approximately 12 people in attendance and there was no public comment either for or against the ordinance. He subsequently closed the public hearing and turned the meeting back over to the Mayor.

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Mayor Cox called for a motion. Mike Wilson made a motion to approve the ordinance to amend the charter. James Grogan seconded the motion; the motion carried unanimously.

Adoption of 2010 meeting schedule and time: Kim Cornelison presented the proposed 2010 meeting schedule and Mayor Cox suggested a meeting time of 5:00 p.m.

James Grogan made a motion to approve the 2010 meeting calendar (attached as Exhibit "A") and to set the meeting time at 5:00 p.m. Mike Wilson seconded the motion. The motion carried unanimously.

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.

Kevin Tallant opened the public hearing stating that the purpose of the ordinance is to establish speed zones within the city; there were approximately 12 people in attendance and there was no public comment either for or against the ordinance. 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 ordinance; Mike Wilson seconded the motion; the motion carried unanimously.

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.

Kevin Tallant opened the public hearing regarding ANX-09-005; there were approximately 12 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 first reading of the Annexation Ordinance. Mike Wilson 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.

Kevin Tallant opened the public hearing regarding ZA-09-09-142; there were approximately 12 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. Mike Sosebee made a motion to approve the zoning amendment application. Mike Wilson seconded the motion; the motion carried unanimously.

**STAFF REPORTS:**

Update on Sewer Line Rehabilitation Project: Gary Barr brought the council up-to-date on the sewer line rehab project. He informed the council that the majority of work has been in the old part of town and did not interrupt any business because the process used (liner product) was less intrusive. The liner will extend the life of the lines by 50 years. The project included relining 8513 feet of old line, most of which was concrete lines, the liner product is inserted, and sets up like PVC pipe once the resins are activated.

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The project included upgrading 2,891 feet of new 12 inch line and 569 feet of 8 inch line as well. The sewer system was installed in 1963 – during the process 40 unutilized taps were closed off which inturn stopped infiltration in to the system.

The project included relining two service lines and seven point repairs were performed on the main line which encompassed digging up the line and replacing five to seven foot sections of pipe. Fourteen manholes were raised that were below ground level. They were brought up to grade and cement placed around them to make smooth roads. Three taps were replaced that were damaged going in to the mains and one final major fix is scheduled for next Tuesday – it will be to replace a portion of line that has been crushed in the Burts Crossing I. The residents will be notified via a letter letting them know when the work will commence and how long the work is expected to take.

Update on Well Development Project: Gary Barr reported that two test wells have been completed and appear to be good. Water quality tests are in process and requests are pending to use class 900 PVC instead of steal casing – because these are municipal wells there are more stringent requirements on them to prevent surface water infiltration.

The Director expects to have full reports in the next few months on the project.

**MAYOR'S REPORT:**

Local Option Sales Tax: Mayor Cox asked Kim Cornelison to give a report on LOST proceeds. Kim Cornelison made the council aware of past LOST revenues and the role they play in circumventing the city from assessing an ad valorem tax. When comparing the data captured since 2005, revenues peaked in 2007 at \$908,586. Subsequently they declined by nearly 9 percent in 2008 and another 4 percent in 2009 for an overall decline in collections of approximately 13 percent or \$112,738.45 over two years. These shortfalls have been made up in fiscal management practices such as personnel reductions and strong controls on expenditures. Schedule of historical LOST proceeds is attached as Exhibit "B".

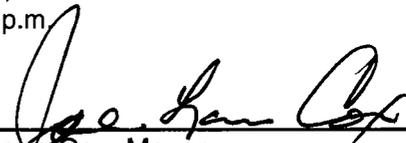
Mayor Cox followed-up stating that the City of Gainesville did a business licenses audit and they reported nearly 300 businesses that are not paying any tax. There is the potential for legislation to be introduced in this session for cities and counties to collect their own sales tax.

Appointment to Chamber of Commerce: Mayor Cox appointed James Grogan to represent the city at the Chamber of Commerce.

Appointment to Community Forum: Mayor Cox appointed James Grogan to represent the city at the quarterly Community Forum.

Poverty Simulation: Mayor Cox asked the council to participate in a poverty simulation exercise that will be held at Veterans Memorial Park and is hosted by the Family Connection. The event will be Thursday, January 28, 2010 from 3:30 – 5:30 p.m. Please call Family Connection to register your attendance.

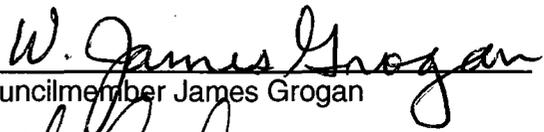
**ADJOURNMENT:** There being no further business to attend to, Mike Sosebee made a motion to adjourn, seconded by Mike Wilson. Meeting adjourned at 7:46 p.m

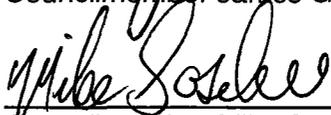
  
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Joe Lane Cox, Mayor

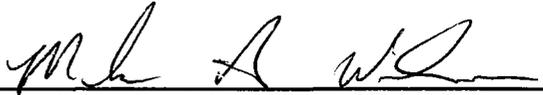
  
\_\_\_\_\_  
Councilmember Calvin Byrd

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Councilmember James Grogan

  
Councilmember Mike Sosebee

  
Councilmember Mike Wilson

Attested:   
Kim Cornelison, City Clerk

| 2005     |            | 2006     |            | 2007     |            | 2008       |            | 2009       |            |
|----------|------------|----------|------------|----------|------------|------------|------------|------------|------------|
| Date     | Credit Amt | Date     | Credit Amt | Date     | Credit Amt | Date       | Credit Amt | Date       | Credit Amt |
| 1/1/05   |            | 1/1/06   |            | 1/1/07   |            | 1/1/08     |            | 1/1/09     |            |
| 1/28/05  | 50,347.68  | 1/23/06  | 62,066.58  | 1/22/07  | 73,564.10  | 1/23/2008  | 80,044.68  | 1/21/2009  | 68,404.93  |
| 2/28/05  | 56,800.67  | 2/21/06  | 74,935.38  | 2/21/07  | 82,627.98  | 2/21/08    | 86,123.21  | 2/23/09    | 85,738.18  |
| 3/23/05  | 47,704.59  | 3/21/06  | 64,439.79  | 3/16/07  | 69,524.26  | 3/21/08    | 50,770.21  | 3/23/09    | 57,745.09  |
| 4/21/05  | 49,255.38  | 4/21/06  | 60,375.12  | 4/24/07  | 61,839.45  | 4/21/2008  | 64,646.83  | 4/21/2008  | 44,752.32  |
| 5/21/05  | 54,806.67  | 5/23/06  | 60,875.64  | 5/22/07  | 71,080.40  | 5/21/2008  | 78,446.39  | 5/21/2009  | 87,469.28  |
| 6/9/05   | 990.58     | 5/31/06  | 1,691.83   | 6/1/07   | 1,764.82   |            | 0.00       |            |            |
| 6/9/05   | 52,013.62  | 6/21/06  | 63,832.69  | 6/21/07  | 85,814.87  | 6/21/2008  | 68,374.21  | 6/30/2009  | 61,552.72  |
| 7/31/05  | 55,482.51  | 7/21/06  | 66,833.84  | 7/23/07  | 79,421.85  | 7/29/2008  | 72,357.31  | 7/30/2009  | 57,998.68  |
| 8/22/05  | 57,241.80  | 8/27/06  | 71,119.38  | 8/21/07  | 67,914.88  | 8/21/2008  | 69,512.98  | 8/28/2009  | 71,434.53  |
| 9/21/05  | 55,300.11  | 9/21/06  | 79,554.47  | 9/21/07  | 89,118.68  | 9/22/2008  | 65,247.71  | 9/29/2009  | 67,281.98  |
| 10/21/05 | 57,310.84  | 10/23/06 | 77,085.08  | 10/22/07 | 72,258.59  | 10/22/2008 | 62,387.12  | 10/21/2009 | 60,384.26  |
| 11/22/05 | 56,343.51  | 11/22/06 | 85,885.74  | 11/21/07 | 76,314.93  | 11/21/2008 | 67,860.06  | 11/25/2009 | 62,655.24  |
| 11/30/05 | 1,162.64   | 11/30/06 | 1,517.45   | 12/5/07  | 1,627.08   |            | 0.00       | 12/5/2009  | 4,512.47   |
| 12/21/05 | 56,436.84  | 12/21/06 | 51,873.71  | 12/21/07 | 75,714.55  | 12/21/2008 | 62,793.06  | 12/30/2009 | 65,918.31  |
| Total    | 651,197.44 | Total    | 822,086.70 | Total    | 908,586.44 | Total      | 828,563.77 | Total      | 795,847.99 |

County Code City Code  
42 1690

| 2009       | 2008       | 2007       | 2006       | 2005       |
|------------|------------|------------|------------|------------|
| 795,847.99 | 828,563.77 | 908,586.44 | 822,086.70 | 651,197.44 |

80,022.67 Difference between 2007 to 2008  
32,715.78 Difference between 2008 to 2009

Year to date collection  
comparison by year

| 2009       | 2008       | 2007       | 2006       |
|------------|------------|------------|------------|
| 795,847.99 | 828,563.77 | 908,586.44 | 822,086.70 |

0.03948493 Percentage difference 2009/2008  
0.08807381 Percentage difference 2008/2007  
0.12755874

# 2010

| JANUARY...2010 |    |    |    |    |    |    |
|----------------|----|----|----|----|----|----|
| S              | M  | T  | W  | T  | F  | S  |
|                |    |    |    |    |    | 2  |
| 3              |    | 5  | 6  | 7  | 8  | 9  |
| 10             | 11 | 12 | 13 | 14 | 15 | 16 |
| 17             |    | 19 | 20 | 21 | 22 | 23 |
| 24             |    | 26 | 27 | 28 | 29 | 30 |
| 31             |    |    |    |    |    |    |

| FEBRUARY...2010 |    |    |    |    |    |    |
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| 7               | 8  | 9  | 10 | 11 | 12 | 13 |
| 14              |    | 16 | 17 | 18 | 19 | 20 |
| 21              | 22 | 23 | 24 | 25 | 26 | 27 |
| 28              |    |    |    |    |    |    |

| MARCH...2010 |    |    |    |    |    |    |
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| 7            | 8  | 9  | 10 | 11 | 12 | 13 |
| 14           |    | 16 | 17 | 18 | 19 | 20 |
| 21           | 22 | 23 | 24 | 25 | 26 | 27 |
| 28           | 29 | 30 | 31 |    |    |    |

| APRIL...2010 |    |    |    |    |    |    |
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| 11           | 12 | 13 | 14 | 15 | 16 | 17 |
| 18           |    | 20 | 21 | 22 | 23 | 24 |
| 25           | 26 | 27 | 28 | 29 | 30 |    |

| MAY...2010 |    |    |    |    |    |    |
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| 2          |    | 4  | 5  | 6  | 7  | 8  |
| 9          | 10 | 11 | 12 | 13 | 14 | 15 |
| 16         |    | 18 | 19 | 20 | 21 | 22 |
| 23         | 24 | 25 | 26 | 27 | 28 | 29 |
| 30         |    |    |    |    |    |    |

| JUNE...2010 |    |    |    |    |    |    |
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| 6           |    | 8  | 9  | 10 | 11 | 12 |
| 13          | 14 | 15 | 16 | 17 | 18 | 19 |
| 20          |    | 22 | 23 | 24 | 25 | 26 |
| 27          | 28 | 29 | 30 |    |    |    |

| JULY...2010 |    |    |    |    |    |    |
|-------------|----|----|----|----|----|----|
| S           | M  | T  | W  | T  | F  | S  |
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| 4           |    | 6  | 7  | 8  | 9  | 10 |
| 11          |    | 13 | 14 | 15 | 16 | 17 |
| 18          |    | 20 | 21 | 22 | 23 | 24 |
| 25          | 26 | 27 | 28 | 29 | 30 | 31 |

| AUGUST...2010 |    |    |    |    |    |    |
|---------------|----|----|----|----|----|----|
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| 8             | 9  | 10 | 11 | 12 | 13 | 14 |
| 15            |    | 17 | 18 | 19 | 20 | 21 |
| 22            | 23 | 24 | 25 | 26 | 27 | 28 |
| 29            | 30 | 31 |    |    |    |    |

| SEPTEMBER...2010 |    |    |    |    |    |    |
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| 5                |    | 7  | 8  | 9  | 10 | 11 |
| 12               |    | 14 | 15 | 16 | 17 | 18 |
| 19               |    | 21 | 22 | 23 | 24 | 25 |
| 26               | 27 | 28 | 29 | 30 |    |    |

| OCTOBER...2010 |    |    |    |    |    |    |
|----------------|----|----|----|----|----|----|
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| 10             | 11 | 12 | 13 | 14 | 15 | 16 |
| 17             |    | 19 | 20 | 21 | 22 | 23 |
| 24             | 25 | 26 | 27 | 28 | 29 | 30 |
| 31             |    |    |    |    |    |    |

| NOVEMBER...2010 |    |    |    |    |    |    |
|-----------------|----|----|----|----|----|----|
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| 7               | 8  | 9  | 10 |    | 12 | 13 |
| 14              |    | 16 | 17 | 18 | 19 | 20 |
| 21              | 22 | 23 | 24 |    |    | 27 |
| 28              | 29 | 30 |    |    |    |    |

| DECEMBER...2010 |    |    |    |    |    |    |
|-----------------|----|----|----|----|----|----|
| S               | M  | T  | W  | T  | F  | S  |
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| 5               |    | 7  | 8  | 9  | 10 | 11 |
| 12              | 13 | 14 | 15 | 16 | 17 | 18 |
| 19              |    | 21 | 22 |    |    | 25 |
| 26              | 27 | 28 | 29 | 30 |    |    |