

**MINUTES
CITY COUNCIL REGULAR MEETING
MAY 3, 2010
5:00 P.M.**

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

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

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

APPROVAL OF MINUTES:

Council approved the minutes from the regular meeting held April 5, 2010. The motion carried unanimously; Byrd/Wilson.

OLD BUSINESS:

Downtown Development Authority Appointments: Mayor Pro Tem Byrd asked the council for approval to appoint Chuck Leachman to the Downtown Development Authority; further stating that Mr. Leachman is a resident of Shoal Creek Ridge.

Council approved the appointment. The motion carried unanimously; Sosebee/Grogan.

NEW BUSINESS:

Barricade Quotes: Kim Cornelison presented a quote to purchase various types of barricades to help provide protection to pedestrians during public events head downtown. The best value of the three quotes received is from Crowd Control Warehouse for a total of \$9,593.00. Quote summary attached as Exhibit "A".

Staff requests approval to purchase from the lowest quote – Crowd Control Warehouse for a total of \$9,593.00 and to make any necessary budget amendments.

Council approved the purchase and authorized budget amendments as needed. The motion carried 2-1 with Sosebee opposed. Grogan/Wilson.

Board of Health Appointment: Mayor Pro Tem Byrd presented the appointment of Councilmember Mike Wilson as the Board of Health Appointment. The motion carried unanimously; Sosebee/Grogan. Appointment affidavit attached as Exhibit "B".

National Day of Prayer Proclamation: Kim Cornelison read the proclamation in to the minutes, council approved. The motion carried unanimously; Sosebee/Wilson. Proclamation attached as Exhibit "C".

Gresham Motorsports Park Proposal: Kim Cornelison presented a request from Gresham Motorsports Park where they would like to be designated as the "Official Track" of the Georgia Racing Hall of Fame. In turn it would be reciprocal relationship where the GRHOF would provide certain items and likewise GMP would provide certain items to the benefit of each entity. Proposal is attached as Exhibit "D".

Council approved the reciprocal relationship. The motion carried unanimously; Wilson/Sosebee.

R.E.A.D. sponsorship of a team: Mayor Pro Tem Byrd asked the council if they would like to participate or sponsor a team for the "Are You Smarter Than a 10 Year Old" to help support the Adult Literacy Program. He suggested seeking students from Lanier Tech to field a team.

Council approved sponsoring a team. The motion carried unanimously; Grogan/Wilson.

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Resolution adoption Water Conservation Plan: Gary Barr presented a Water Conservation Plan that is required to be adopted by the Council as a component of acquiring the ground water permit issued by the EPD. It has a tremendous amount of information in it regarding system management, identifying water conservation measures, drought contingency plan, implementation of water conservation measures, analysis of benefits and costs, public education in promoting water conservation, long ranging and evaluation of strategies. It also has the wellhead protection plan in it which is designed to protect our wells and water. A copy of the resolution is attached as Exhibit "E".

Council approved adopting the resolution for the water conservation plan. The motion carried unanimously; Sosebee/Grogan.

Historic District Sign Application: North Georgia Outfitters has made an application to install a sign in the historic district. Greg Gordon approached the council asking to modify the application and add more signage to the historic building.

Council approved the original application and referred Mr. Gordon to submit any additional signage to staff to analyze and subsequently submit for approval. The motion carried unanimously; Sosebee/Wilson.

Historic District Sign Application: Tri-Star Trophy has made an application to install a sign in the historic district. Council approved the application. The motion carried unanimously; Sosebee/Wilson.

Utility Billing Account Write-offs: Kim Cornelison presented utility billing accounts from 2009 that have, after substantial effort to collect, never been paid. She requested authorization to write off \$2,859.74 in uncollected debt. She further stated that these customers are placed on a spreadsheet to track. Subsequently every new applicant for service is verified against the spreadsheet to determine if they were a prior customer with an outstanding balance. If they are, we require payment of the outstanding debt. Council approved authorizing debt from 2009 to be written off of the books. The motion carried unanimously; Sosebee/Grogan.

Proposed change to Utility Billing Ordinance re: non-payment provision: Kim Cornelison presented proposed changes to the utility billing ordinance to provide for clearer terms of billing, disconnects for accounts carrying a balance over a certain dollar value, termination criteria, and payment plan provisions for applicants who do owe the city money.

Council authorized the City Attorney to draft the proposed changes in ordinance form.

Request to purge Records – 2004 FY: Kim Cornelison asked council for authorization to purge records for 2004. Council approved the request. The motion carried unanimously; Sosebee/Wilson. Records list is attached as Exhibit "F".

PUBLIC HEARINGS:

Utility Ordinance Amendment: To hear an ordinance to amend Article II of the Utilities Ordinance of the City of Dawsonville Georgia to provide for the regulation of high strength wastewater; to provide for a surcharge for high strength wastewater; to provide for a method to calculate surcharges; to provide for testing and measurement of wastewater; to provide for severability; to provide for an effective date; and for other purposes. Public Hearings: First reading April 5, 2010; second reading May 3, 2010.

Dana Miles presented the ordinance stating that the city's engineer provided the technical language and information and his firm drafted the ordinance. Subsequently he opened the public hearing. There were approximately 20 people in attendance. Mark Sosebee, Gold Creek Foods and Mike Isner spoke in opposition. Gary Barr spoke in favor of the proposed ordinance.

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The council voted to table this item and hold one more public hearing at the next city council. The City Attorney reminded Councilman Sosebee that he must abstain from voting as he has a conflict of interest. The motion carried 2-0-1 with Sosebee abstaining.

Proposed 2010/2011 Budget Hearing: Kim Cornelison presented the first reading of the proposed 2010/2011 budget. Mayor Pro Tem Byrd asked the council to meet with the clerk before the next meeting if they had any issues or questions with the budget before the next meeting.

COUNCIL REPORT:

Community Forum Report: James Grogan stated that the Forum has changed the format of the meetings, assigning a block of time to agencies so that they can use the block of time to report what they felt was necessary instead of giving a report from each department within the agency. The last 30 to 40 minutes of the forum will be used to discuss future plans.

STAFF REPORT:

Public Works Report: Gary Barr introduced Russ Chambers stating that Chambers initiated the application to enter a contest for the city's water system through GAWP. Subsequently the whole public works team collaborated to ensure that the water treatment facilities were in top notch shape.

Russ Chamber presented a power point presentation, attached as Exhibit "G".

MAYOR'S REPORT:

Letter from Census: Mayor Pro Tem Byrd read a thank you letter from the Census Bureau, thanking the city for allowing them to utilize space at city hall for a Census Rep to be onsite to help the public. Further, the city continues to host the Census Bureau so that they may train their field representatives. A copy of the letter is attached as Exhibit "H".

EXECUTIVE SESSION:

At 6:15 p.m. Councilman Grogan made a motion to go in to executive session for the purpose of discussing potential or pending litigation. Councilman Wilson seconded; the motion carried unanimously.

Executive session convened at 6:23 p.m. after a brief break.

Council determined the need to convene a called meeting to hold executive session within the next few weeks.

At 7:02 p.m. council closed executive session. The motion carried unanimously; Sosebee/Wilson.

At 7:02 p.m. council reconvened the regular meeting. The motion carried unanimously; Sosebee/Grogan.

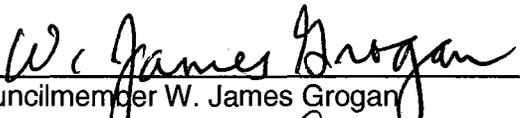
ADJOURNMENT: There being no further business to attend to the meeting adjourned at 7:03 p.m. The motion carried unanimously; Sosebee/Grogan.

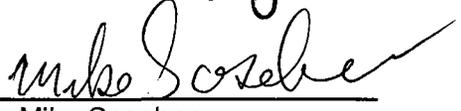


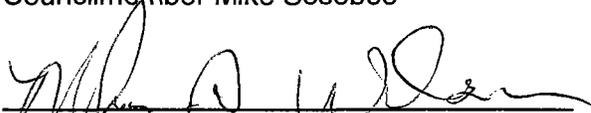
Joe Lane Cox, Mayor

MINUTES
CITY COUNCIL REGULAR MEETING
MAY 3, 2010
5:00 P.M.


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 3 day of May, 2010.

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

3.
The executive session was called to order at _____ 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 3rd day of May, 2010.

City of Dawsonville, Mayor and council

Absent
Joe Lane Cox, Mayor

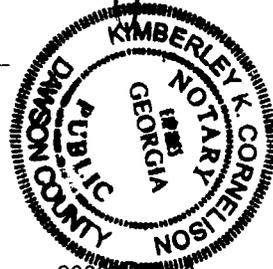
Calvin Byrd
Calvin Byrd, Council Member
Mayor Pro-tem

W. James Grogan
James Grogan, 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 3rd day of May, 2010.

My Commission expires: August 14, 2012

BARRICADE QUOTE

CROWD CONTROL WHSE SAFETY ZONE SPEC. TRAFFIC SAFETY STORE

| | | | | |
|----|--|-----------------------|-------------------|----------------------|
| | | | | |
| 20 | A-CADE (8 FOOT) | \$1,080.00 | \$1,489.00 | \$878.00 |
| | RAILS FOR A-CADES | included in price | included in price | \$479.00 |
| | | | | |
| 7 | TYPE III BARRICADE (10 FT) | \$1,288.00 | \$1,450.05 | \$1,921.50 |
| | | | | |
| 60 | ORANGE PEDESTRIAN BARRICADES (7.5 FT.) | \$5,400.00 | unavailable | \$8,397.00 |
| | | | | |
| 70 | SANDBAGS | unavailable | \$60.00 | \$140.00 |
| | | | quantity of 100 | |
| 20 | FLASHING BARR. LIGHTS | \$860.00 | \$258.00 | \$388.60 |
| 40 | 6 VOLT BATTERIES | one set included/unit | \$86.00 | 3 VOLT BATT INCLUDED |
| | | | | |
| | | | | |
| | SHIPPING | \$965.00 | FREE SHIPPING | \$924.56 |
| | TOTAL PRICE | \$9,593.00 | \$3,343.05 | \$13,128.66 |
| | | | | |
| | | | | |
| | | | | |
| ** | ALL BARRICADES ARE ENGINEER GRADE WITH ONE SIDE REFLECTIVE** | | | |

Exhibit "A"



Dawson County Health Department

PO Box 245, 54 Hwy. 53 E, Dawsonville, GA 30534

PH: 706-265-2611 FAX: 706-265-1636 • www.phdistrict2.org

Public Health
Prevent. Promote. Protect.

David N. Westfall, M.D., MPH, CPE, Health Director

STATE OF GEORGIA

COUNTY OF

I, Mike A Wilson, solemnly swear that I will faithfully and impartially discharge my duty as a member of the Board of Health for the County of Dawson in accordance with the laws of the State of Georgia, to the best of my skill and knowledge; and I do further solemnly swear and affirm that I am not the holder of any public money due this State unaccounted for, and that I am not the holder of any office of trust under the government of the United States, any other state or any foreign state which I, by the laws of the State of Georgia, am prohibited from holding, and that I am otherwise qualified to hold said office according to the Constitution and the Laws of Georgia, and that I will support the Constitution of the United States and of this State, so help me God.

Mike A Wilson
Member, Board of Health

Sworn and subscribed before the undersigned this 5th day of May, 2010.

Kimberly K. Cornelison
Notary Public

SEAL

My Commission Expires
August 14, 2012

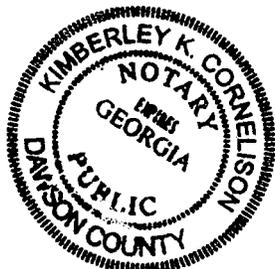


Exhibit "B"



Proclamation

National Day of Prayer
Thursday, May 6, 2010



WHEREAS, America trusts in the abiding power of prayer and asks for the wisdom to discern God's will in times of joy and of trial. As we observe this National Day of Prayer, we recognize our dependence on the Almighty, we thank Him for the many blessings He has bestowed upon us, and we put our country's future in His hands.

WHEREAS, From our Nation's humble beginnings, prayer has guided our leaders and played a vital role in the life and history of the United States. Americans of many different faiths share the profound conviction that God listens to the voice of His children and pours His grace upon those who seek Him in prayer. By surrendering our lives to our loving Father, we learn to serve His eternal purposes, and we are strengthened, refreshed, and ready for all that may come.

WHEREAS, On this National Day of Prayer, we ask God's continued blessings on our city, county and country. This year's theme, "**Prayer... For Such A Time As This**" and is based on the verse from Nahum 1:7 which states: "The LORD is good, a refuge in times of trouble. He cares for those who trust in Him"

WHEREAS, The Congress, by Public Law 100-307, as amended, has called on our Nation to reaffirm the role of prayer in our society by recognizing each year a "National Day of Prayer."

NOW, THEREFORE, I, JOE LANE COX, Mayor of the City of Dawsonville, do hereby proclaim May 6, 2010, as a National Day of Prayer. I ask the citizens of our City to give thanks, each according to his or her own faith, for the freedoms and blessings we have received and for God's continued guidance, comfort, and protection. I invite all Americans to join in observing this day with appropriate programs, ceremonies, and activities.

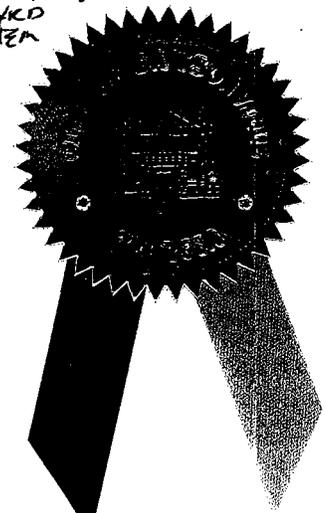
IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of May, 2010, and encourage our citizens to observe this occasion with appropriate respect and consideration.


Joe Lane Cox, Mayor
CALVIN BYRD
MAYORPROTECTOR

Attest:


Kim Cornelison, City Clerk

EXHIBIT "C"



Proposal from Gresham Motorsports Park to have a reciprocal relationship with the City for the benefit of the Georgia Racing Hall of Fame and Gresham Motorsports Park.

Georgia Racing Hall of Fame to provide –

“Official Track” status of Hall of Fame to GMP

Free GMP display space in front of the Hall of Fame for Moonshine Festival

Free GMP display space at other relevant Hall of Fame functions/events

Free Meeting Room at the Hall of Fame for One GMP Function annually

GMP Display at Hall of Fame

Distribution of GMP literature at the Hall of Fame

Logo link to www.GreshamMotorsportsPark.com from Hall of Fame web site

Sale of GMP event tickets at a discounted price with a portion of the ticket price to be donated back to the Hall. Example - \$20 ticket to be sold to Hall members/visitors for \$15 with \$5 to be donated back to the Hall by GMP

GMP to provide Hall of Fame –

Presenting partner of Hall of Fame Night/Race at GMP

One Annual event for the Hall of Fame at GMP (Car show, picnic, parade laps)

2 – Hall of Fame Donation Fundraisers annually at GMP race event

Free Display space at annual Hall of Fame Race Night at GMP and two other GMP race events.

Publicity for Hall of Fame in GMP news releases

Logo link to Hall to Fame from GMP website

GMP to display/distribute GRHOF Brochures/Fliers

Legends Fence banner for remainder of 2010 season and all of 2011 season – Banner to be 6’ x 8’ and to be provided by Hall.

**A RESOLUTION OF THE CITY OF DAWSONVILLE, GEORGIA,
ADOPTING A WATER CONSERVATION PLAN TO PROTECT THE
NATURAL RESOURCES OF THE CITY.**

WHEREAS, the City of Dawsonville, Georgia realizes the need to implement a water conservation plan to protect the natural resources of the City and comply with Georgia Environmental Protection Division guidelines for permitting groundwater withdrawals; and

WHEREAS, the Mayor and City Council have authorized the development of a Water Conservation Plan for the City of Dawsonville dated April 2010; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Dawsonville, Georgia that the Water Conservation Plan for the City, dated April 2010, as prepared by G. Ben Turnipseed Engineers, Inc. is hereby approved and adopted on this 3rd day of May, 2010.

This resolution was passed by a vote of 3 to 0 at a Council Meeting held May 3, 2010.

CITY OF DAWSONVILLE

By: Absent
Joe Lane Cox, Mayor

Calvin Byrd
Calvin Byrd, Mayor Pro Tem

W. James Grogan
W. James Grogan

Mike Sosebee
Mike Sosebee

Attested to:

Kim K. Cornelison
Kim Cornelison
City Clerk, City of Dawsonville

Mike Wilson
Mike Wilson

EXHIBIT "E"

Request to Purge Documents from 2004 FY

The following 12 boxes of historical records are ripe for document destruction under the city's records retention ordinance:

- 1) council meeting minute bucket files
- 2) Accounts payable files
- 3) Accounts receivable files
- 4) Bank statements
- 5) Meter reading sheets
- 6) Receipt books
- 7) Telephone message logs
- 8) Calendars
- 9) Utility Billing – billing and transaction reports
- 10) Utility Billing – stubs and receipt tapes
- 11) General Fund cash receipting reports
- 12) Adjustment logs
- 13) Budget files
- 14) Occupational taxes – insurance records

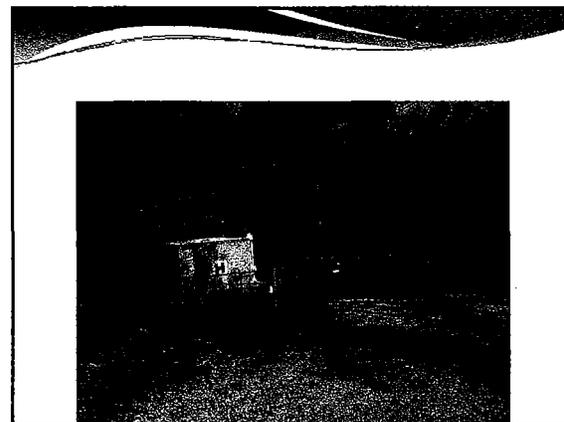
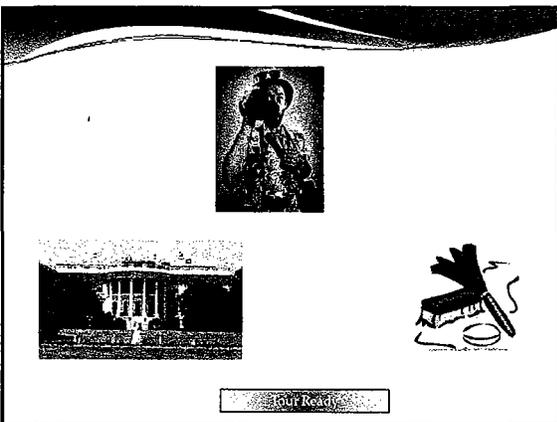
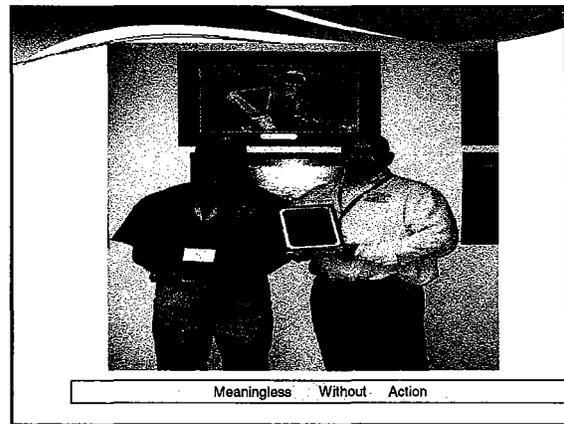
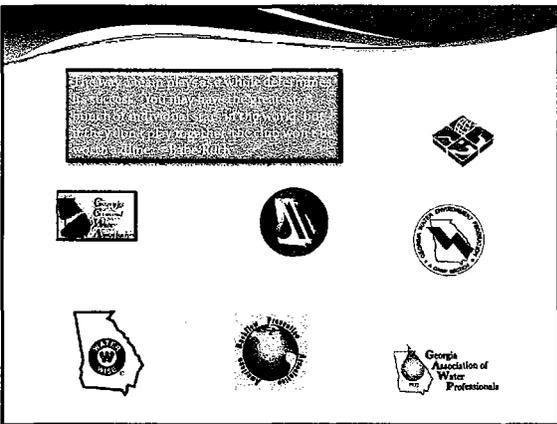
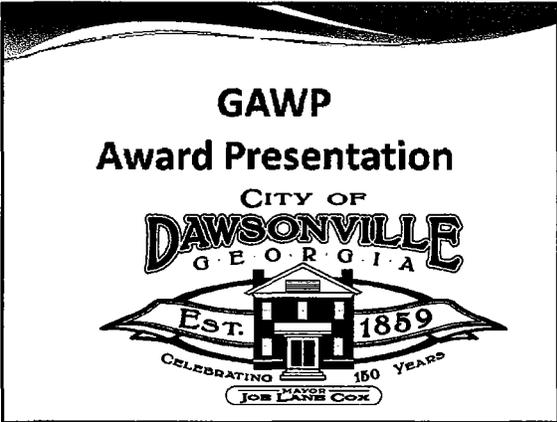
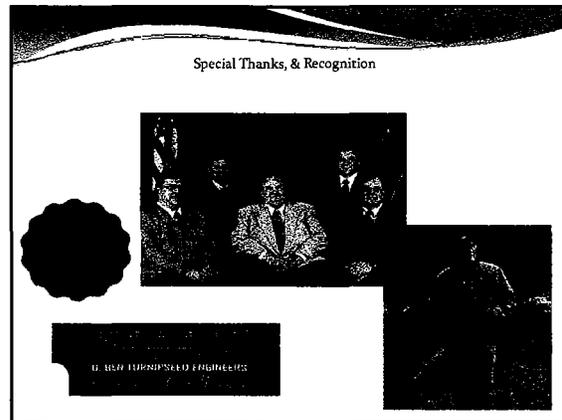
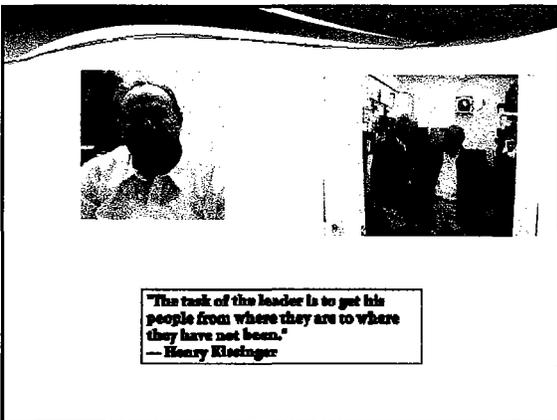
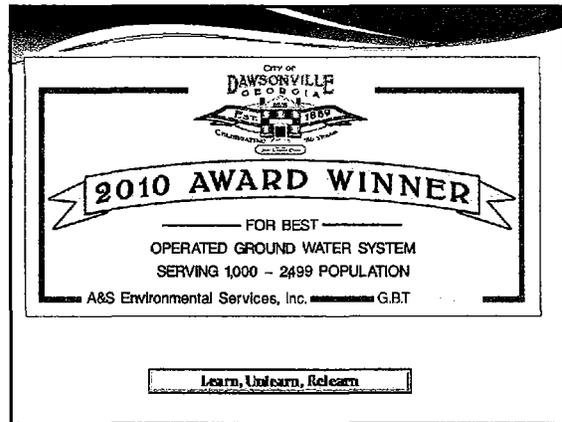
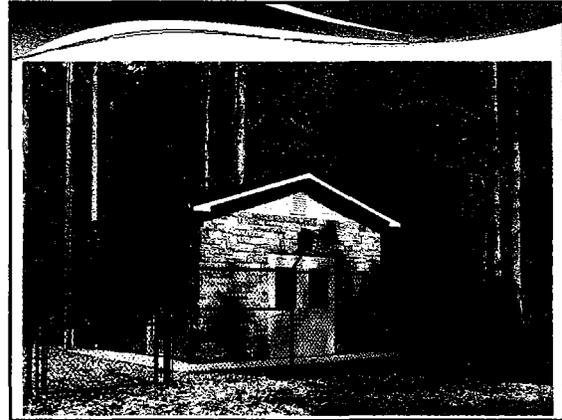


EXHIBIT "G"





U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. Census Bureau
Atlanta Regional Census Center
Gainesville Early Local Census Office

April 19, 2010

City of Dawsonville
415 Highway 53 East
Dawsonville, GA

Thank you for donating space for our Be Counted Operation for the past few weeks. We appreciate you allowing us the use of your facility to help with the 2010 Census.

Your support will be of great benefit to your community. We hope we can continue our partnership with you in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "James Canen". The signature is written in a cursive style with a large initial "J" and "C".

James Canen
Assistant Manager
Quality Assurance