

**MINUTES  
CITY COUNCIL REGULAR MEETING  
NOVEMBER 13, 2012  
5:00 P.M.**

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CALL TO ORDER: W. James Grogan called the meeting to order at 5:01 p.m.

OATH OF OFFICE:

Councilmember Angie Smith was sworn in to office by Mayor James Grogan; she subsequently executed the oath of office. Exhibit "A".

Councilmember Mike Sosebee was sworn in to office by Mayor James Grogan; he subsequently executed the oath of office. Exhibit "B".

ROLL CALL: Present were Mayor James Grogan, Councilmember Mike Sosebee, Appointed Councilmember Caleb Phillips (filled in until oath of office), Councilmember Angie Smith, Councilmember Chris Gaines, City Attorney Kevin Tallant and Clerk Bonnie Warne. Absent: Councilmember Jason Power.

INVOCATION AND PLEDGE: Invocation was led by Chris Gaines, followed by the pledge.

AGENDA: Motion to approve the November 13<sup>th</sup> agenda: A. Smith/C. Gaines. Motion carried unanimously.

MINUTES OF REGULAR MEETING: Motion to approve the minutes of the regular meeting held October 1, 2012: C. Gaines/A. Smith. Vote unanimous in favor.

NEW BUSINESS:

Proclamation – Farm Cities Week Nov. 16-22, 2012: Mayor Grogan read the proclamation into the record.

ARC Grant Approved (\$300,000 match): Mayor Grogan informed the Council that we have received final approval of this grant.

DDA Member and Planning Commission Member: Motion to appoint Jeremy Porter to replace Tommy McKee as a new member to the DDA by M. Sosebee/C. Gaines. Vote carried unanimously in favor.

Mayor Grogan stated that there is a vacancy on the Planning Commission and would like suggestions to fill it for the next meeting.

IGA Amendment to pave one mile in City: Motion to approve by M.Sosebee/A. Smith. Motion approved unanimously. Exhibit "C".

Resolution: GA Recreational Trails Grant Program: Motion to approve by C. Gaines/A. Smith. Motion approved unanimously. Exhibit "D".

2013 Calendar of City Council and Planning Commission Meetings: Motion to approve by A. Smith/C. Gaines. Motion approved unanimously. Exhibit "E".

Trainings:

- Debt Administration Online Course for Bonnie: Motion to approve attending training by M.Sosebee/A. Smith. Vote approved unanimously.
- Planning and Zoning Training in Athens for Nalita, Ken Breeden and Pam Bragg: Motion to approve attending training by M.Sosebee/A. Smith. Vote approved unanimously.

PUBLIC HEARINGS:

Water and Sewer Ordinance Amendment: First Reading

AN ORDINANCE TO AMEND THE UTILITIES CODE ON WATER AND SEWER RATES, PAYMENT AND PAYMENT METHODS BY REPEALING EXISTING SECTIONS 14-22 AND 14-25.1; TO PROVIDE FOR NEW SECTIONS 14-22 AND 14-25.1; TO AMEND THE ADMINISTRATION CODE ON FINANCE AND FEE

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SCHEDULES AS TO WATER AND SEWER SERVICE BY AMENDING THE EXISTING SECTION 2-110 SO AS TO PROVIDE FOR NEW RATES APPLICABLE TO SECTION 14-22; TO PROVIDE FOR AN AMENDED SECTION 2-110; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Public hearing was opened by motions of C. Gaines/M. Sosebee. There were approximately 5 people in attendance. Kevin Tallant presented the first reading of the ordinance. Nobody spoke in favor. Ben Trail spoke in opposition of the increase in rates due to economic times being down. M. Sosebee/C. Gaines motioned to close the public hearing and the meeting was turned over to the Mayor.

Revolving Loan Fund Ordinance: First Reading

AN ORDINANCE TO PROVIDE FOR A REVOLVING LOAN FUND FOR MAKING LIMITED PURPOSE LOANS TO LOCAL BUSINESS OWNERS TO STIMULATE DOWNTOWN DAWSONVILLE REVITALIZATION PROJECTS; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Public hearing was opened by motions of A. Smith/C. Gaines. There were approximately 5 people in attendance. Kevin Tallant presented the first reading of the ordinance. Nick Nicodemus spoke in favor. Nobody spoke in opposition. M. Sosebee/A. Smith motioned to close the public hearing and the meeting was turned over to the Mayor.

Energy Excise Tax Ordinance:

Motion to table the first reading until the December 3<sup>rd</sup> meeting, and to hold a special called meeting on December 17<sup>th</sup> at 5:00 p.m. for the second reading by M. Sosebee/A. Smith. Motion carried unanimously.

REPORTS:

Financial Report: Bonnie Warne, City Clerk, reported that all of the bank accounts balance through September 2012. L.O.S.T. revenue was up. We received insurance premium tax of \$126K.

Public Works: Working on applying for some grants.

Council Reports: Chris Gaines reported that the DDA is continuing on the revitalization project, Family Connection is working on a grant for a clubhouse for kids, and the Chamber of Commerce is rebranding their logo.

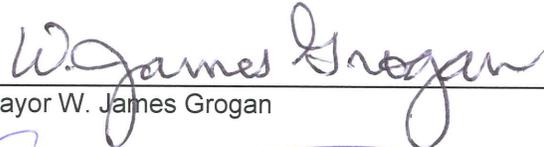
Mayor's Report: Mayor Grogan reported that the Chamber of Commerce is supporting the downtown and tourism and read a proclamation given for the Veterans Day Celebration Nov. 12<sup>th</sup>.

EXECUTIVE SESSION:

At 5:43 p.m. the council motioned to go out of regular session and to go into executive session for the purpose of land acquisition and personnel; the motion carried unanimously; M. Sosebee/A. Smith.

At 7:00 p.m. the council motioned to close executive session and reconvene the regular meeting. The motion carried unanimously; C. Gaines/M. Sosebee.

ADJOURNMENT: There being no further business to attend to the meeting adjourned at 7:00 p.m. The motion carried unanimously; C. Gaines/M. Sosebee.

  
\_\_\_\_\_  
Mayor W. James Grogan

  
\_\_\_\_\_  
Councilmember Chris Gaines

MINUTES  
CITY COUNCIL REGULAR MEETING  
NOVEMBER 13, 2012  
5:00 P.M.

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\_\_\_\_\_  
Councilmember Jason Power

  
\_\_\_\_\_  
Councilmember Angie Smith

  
\_\_\_\_\_  
Councilmember Mike Sosebee

Attested:   
\_\_\_\_\_  
Bonnie Warne, City Clerk



STATE OF GEORGIA  
COUNTY OF DAWSON

AFFIDAVIT OF THE CITY OF DAWSONVILLE MAYOR AND COUNCIL

W. James Grogan, Mayor, Chris Gaines, Council Member; Mike Sosebee; Council Member and Jason Power, Council Member; Angie Smith, 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 13 day of November, 2012.

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

3.  
The executive session was called to order at 5:43 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 3 day of December, 2012. By the City of Dawsonville, Mayor and Council:

W. James Grogan  
W. James Grogan, Mayor

Chris Gaines  
Chris Gaines, Council Member

Jason Power  
Jason Power, Council Member

Angie Smith  
Angie Smith, Council Member

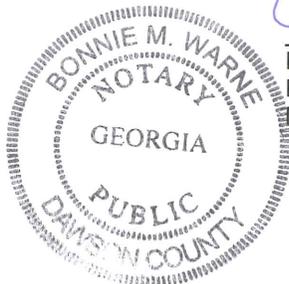
Mike Sosebee  
Mike Sosebee, Council Member

Sworn to and subscribed before me this 3 day of December, 2012.

Bonnie Warne

Bonnie Warne, City Clerk  
Notary Public

My Commission expires: June 14, 2013



Section 3.16. Oath of officers.

Before a person takes any office in the city government, he or she shall take before an officer of the state authorized to administer oaths the following such oath or affirmation:

"I solemnly swear (or affirm) that I will support the Constitution of the United States and of the State of Georgia; that I will in all respects observe the provisions of the Charter and ordinances of the City of Dawsonville; and I will faithfully discharge the duties of councilmember. So help me God."

So affirmed in the presence of the Mayor and Council of the City of Dawsonville, this 13<sup>th</sup> day of November 2012, at the regular meeting of the City Council held at 5:00 p.m., in the G.L. "Pete" Gilleland Council Chambers, 415 Hwy. 53 East, Suite 100, Dawsonville, GA 30534.



Angie Smith, Council Member

Witness:



Bonnie Warne, City Clerk

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So affirmed in the presence of the Mayor and Council of the City of Dawsonville, this 13<sup>th</sup> day of November 2012, at the regular meeting of the City Council held at 5:00 p.m., in the G.L. "Pete" Gilleland Council Chambers, 415 Hwy. 53 East, Suite 100, Dawsonville, GA 30534.



Mike Sosebee, Council Member

Witness:

  
\_\_\_\_\_  
Bonnie Warne, City Clerk

**AMENDMENT TO AGREEMENT PERTAINING TO  
STREET/ROAD REPAIR & MAINTENANCE AND STREET/ROAD CLEANING  
SERVICE DELIVERY STRATEGY FOR  
CITY OF DAWSONVILLE & DAWSON COUNTY**

Dawson County offers Street/Road Repair & Maintenance and Street/Road Cleaning through the Dawson County Public Works Department. These services are performed within the unincorporated area of Dawson County.

The City of Dawsonville offers Street/Road Repair & Maintenance and Street/Road Cleaning through the City of Dawsonville Public Works Department. These services are performed within the incorporated area of Dawson County.

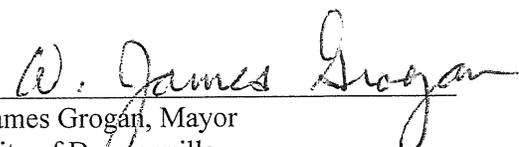
Dawson County and the City of Dawsonville previously entered into an agreement pertaining to Street/Road Repair & Maintenance and Street/Road Cleaning dated October 14, 2008. Dawson County and the City of Dawsonville hereby amend the agreement dated October 14, 2008 pertaining to Street/Road Repair & Maintenance and Street/Road Cleaning in accord with the terms hereof.

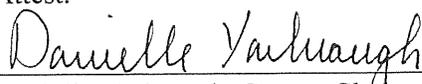
Dawson County agrees to resurface and maintain up to a maximum of 1 mile of incorporated roads per calendar year. The City of Dawsonville agrees to reimburse Dawson County for materials to comply with the terms hereof. The City of Dawsonville agrees to provide a list of incorporated roads to be resurfaced to the Dawson County Public Works Director by April 1 of each year until this Agreement is amended or terminated. Dawson County agrees to include those roads in the County's resurfacing projects and to complete resurfacing of those roads in the same calendar year. Either party may terminate this Agreement at the end of each calendar year by providing written notice to the other party no later than October 1 of each calendar year. If this agreement is not terminated in accord with the terms hereof, then the parties hereto consent and agree that this Agreement shall be renewed annually beginning January 1, 2013. The terms hereof shall terminate immediately and absolutely at such time as appropriated and otherwise unobligated funds are no longer available to satisfy the obligations of Dawson County or the City of Dawsonville under the terms hereof.

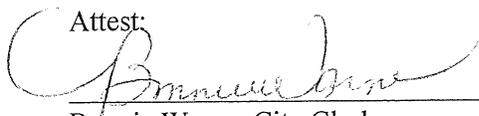
We, the undersigned, agree that the amendment to the agreement pertaining Street/Road Repair & Maintenance and Street/Road Cleaning Service Delivery Strategy set forth herein is an efficient and effective method of delivery of services. There is no duplication of services.

This 4<sup>th</sup> day of October, 2012.

  
\_\_\_\_\_  
Mike Berg, Chairman  
Dawson County Board of Commissioners

  
\_\_\_\_\_  
James Grogan, Mayor  
City of Dawsonville

Attest:  
  
\_\_\_\_\_  
Danielle Yarbrough, County Clerk

Attest:  
  
\_\_\_\_\_  
Bonnie Warne, City Clerk

County Seal:

City Seal:

**RESOLUTION**

**WHEREAS**, the City of Dawsonville is duly constituted under the laws of Georgia; and,

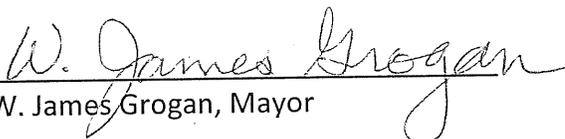
**WHEREAS**, in every case, it is the intention of the City of Dawsonville to develop opportunities for the public good and the general welfare of the citizens of Dawsonville and the State of Georgia; and,

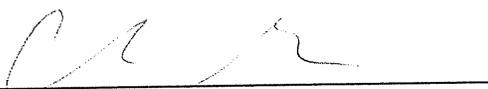
**WHEREAS**, the proposed recreational trail project will provide recreational and educational amenities to residents of the City; and,

**WHEREAS**, the financing of the project through the Georgia Recreational Trails Program is critical to adequately addressing the needs of Dawsonville residents; and

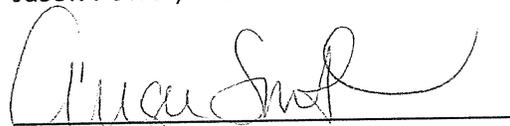
**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council that the City of Dawsonville will seek Georgia Recreational Trails Program funding from the Georgia Department of Natural Resources as a necessary funding component for this project and City staff are authorized and directed to take all action necessary to apply for said funding.

SO RESOLVED and adopted this 13th day of November 2012.

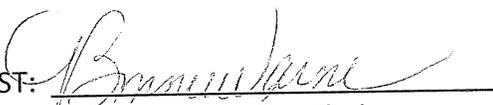
  
W. James Grogan, Mayor

  
Chris Gaines, Council Member

\_\_\_\_\_  
Jason Power, Council Member

  
Council Member, Angie Smith

  
Council Member, Mike Sosebee

ATTEST:   
Bonnie Warne, City Clerk

(SEAL)

# 2013

**City Council Mtg**

5:00 p.m.

**WORK SESSION**

5:00 p.m. (as needed)

**HOLIDAY**

**Planning Commission Mtg**

5:30 p.m. (as needed)

JANUARY...2013						
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 Municipal Election

 Oath of Office