

**MINUTES
CITY COUNCIL REGULAR MEETING
APRIL 2, 2012
5:00 P.M.**

CALL THE MEETING TO ORDER: Mayor Pro-tem W. James Grogan called the regular meeting to order at 5:00 p.m.

ROLL CALL: Those present included Mayor Pro-Tem Grogan, Councilmembers Calvin Byrd, Jason Power and Chris Gaines, City Attorney Dana Miles, City Clerk Bonnie Warne, Public Works Director Gary Barr, Nalita Copeland, Permit Technician and Trampas Hansard, Public Works Assoc.

INVOCATION AND PLEDGE: Invocation was led by Jason Power, followed by the pledge.

APPROVAL OF THE AGENDA: Motion to approve the agenda by Calvin Byrd; seconded by Jason Power. Vote carried unanimously in favor.

APPROVAL OF MINUTES OF REGULAR MEETING: Motion to approve the minutes of the regular meeting held March 5, 2012 by Chris Gaines; seconded by Jason Power. Vote unanimous in favor.

APPROVAL OF THE WORK SESSION MINUTES: Motion to approve the minutes of the work session held March 15, 2012 by Calvin Byrd; seconded by Chris Gaines. Vote unanimous in favor.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Presentation: Proclamation in Honor of Joe Lane Cox by Jennifer Baker and Linda Williams on behalf of the Dawson County Chamber of Commerce Board and staff. Judy and the Cox family were invited to come forward as Jennifer read the proclamation into the minutes. The proclamation was subsequently presented to the City and the Cox family. James Grogan thanked the Cox family for being here. Attached as Exhibit "A"

Appointment for Mayor: Dana Miles stated that with the vacancy of Mayor, you need to appoint one of your Members to serve as Appointed Mayor. Under the City Charter, there is a designated preference that the Mayor Pro-Tem be appointed to that position. Calvin Byrd motioned to appoint Mayor Pro-tem James Grogan as Appointed Mayor until July 31st; seconded by Jason Power. Vote carried unanimously in favor.

Resolution for Special Election for Mayor – Dana Miles read into the minutes the resolution for the purpose of calling a special election on July 31, 2012 to fill the unexpired term of Mayor Joe Lane Cox (deceased); to set dates for qualification; to request the continued assistance of the Dawson County Board of Elections in conducting this special election on July 31, 2012; and for other purposes. Motion by Calvin Byrd to approve the resolution; seconded by Chris Gaines. Vote carried unanimously in favor. Attached as Exhibit "B"

Appoint City Representative to Family Connection Board: James Grogan motioned to appoint Chris Gaines to the Family Connection Board; seconded by Jason Power. Motion passed unanimously.

Resolution for GA Cities Week April 22-28, 2012: James Grogan read the resolution recognizing GA Cities Week April 22-28, 2012 into the minutes. Motion to adopt the resolution by Jason Power; seconded by Chris Gaines. Vote carried unanimously. Attached as Exhibit "C"

GDOT Safety Improvement Program: James Grogan mentioned that this is a grant type program joint with Dawson County for safety improvements like road striping and road sign replacement/placement. Chris Gaines motioned to proceed with the GDOT Safety Improvement Program in conjunction with Dawson County; seconded by Calvin Byrd. Vote carried unanimously. Attached as exhibit "D"

Training: Accounts Payable Training April 24 in Gainesville for Sara Beacham. Motion to approve attending training by Calvin Byrd; seconded by Jason Power. Vote approved unanimously.

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Work Session change from April 19 to April 26, 2012: James Grogan stated that work sessions are the 3rd Thursday of the month and that due to a conflict, requests the date be moved to April 26th. Dana Miles requested this to be a special meeting as well as a work session so a vote may be taken if needed. Jason Power motioned to change the work session date and make it a special meeting; seconded by Calvin Byrd. Motion passed unanimously.

PUBLIC HEARINGS:

To hear Deannexation Petition ANX-12-001: Jack B. Forester and Cynthia Forester have made a request to deannex approximately 30.02 acres of land, more or less, out of the corporate limits of the City of Dawsonville. The subject property is located at 2807 Highway 9N Dawsonville, Georgia 30534. The property is also identified by its tax map parcel no., being 091-002.

James Grogan stated that this deannexation petition ANX-12-001 was withdrawn by letter from the owners, Mr. and Mrs. Forester. They plan to file a zoning change and variance to that piece of property.

To hear ZA-3-8-2012: City initiated Zoning Map Amendment of 4.7 acres at TMP D02-027 and 1 acre at TMP D02-027-001, at 3 Shepherds Lane, also known as Peach Brandy Cottage. Current zoning PCS.

James Grogan mentioned that the City initiated rezone to be withdrawn. Calvin Byrd motioned to withdraw the zoning map amendment ZA-3-8-2012; seconded by Jason Power. Motion carried unanimously.

Ratification of Zoning Map Errors: Tax map Parcels D02-027, D02-027-001, D04-005, D04-006, D04-007, D04-008 and D04-009.

Bonnie Warne informed the Council that we have received information back from the mapmaker, Georgia Mountains Regional Commission (GMRC), who created our map in 2004. Based on this information, there was an error in the color coding by the mapmaker on the zoning map of the following parcels: TMP D02-027, D02-027-001, D04-005, D04-006, D04-007, D04-008 and D04-009. The error on the zoning map showed the parcels color coding as PCS. The correct color coding is HB. No changes were made to the zoning classification of each of the parcels.

Calvin Byrd motioned to correct the zoning map errors of the listed parcels on our zoning map; seconded by Jason Power. Motion carried unanimously.

STAFF REPORT:

Financial Report: Bonnie Warne, City Clerk, reported that all of the bank accounts balance through February 2012, with no discrepancies. The February Local Option Sales Tax we received was an increase of about \$7K from last year. The revenues and expenses fall within budget except for the enterprise fund that we are working on. The Activity Around Town report shows the business licenses issued (13 still need to renew for 2012), franchise fees received and permits issued for the first quarter of 2012.

Public Works: Gary Barr reported that all is good. Ben Turnipseed is working on the grant information.

MAYOR REPORT:

On the Mayor report, James Grogan reported that our garbage contract with Advanced Disposal came up for renewal on March 31st. At the request of the clerk to get this contract on a calendar year, we asked if Advanced Disposal would extend the contract until Dec. 31st at no increased cost. Rebid will be this Fall.

James Grogan made the suggestion that the community room next to the council chambers be renamed the Joe Lane Cox Community Room. The dedication could be done at 5:45 p.m. before the GMRC meeting on May 31st. Calvin Byrd motioned to rename the community room to the Joe Lane Cox Community Room; seconded by Jason Power. Motion carried unanimously.

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Bonnie Warne reported that during GA Cities Week we have a few activities the City asked the schools to participate in. The 6th grade was asked to write an essay on "If I were Mayor, I would..." and grades 1-5 can enter in a coloring contest with the theme of Magic in the Cities. Winners and runners up will be chosen from those submitted. We will also be inserting a word search in the newsletter.

James appreciated the Chamber of Commerce for the Proclamation to Joe Lane Cox.

COUNCIL REPORTS:

James Grogan stated that the topics discussed at the Chamber meeting were a debate in June, a transportation referendum discussion on the 4th, golf tournament in June, a Scottish Terrier event on May 18th and 19th, and the Race Trac ribbon cutting. The GRHOF gave complimentary tickets to Race Trac and the Joe Lane car is on loan there until late April.

Calvin Byrd mentioned that at the GMRC meeting they had GA Grown discuss Agri-tourism and that the next meeting will be the legislative dinner on May 31st.

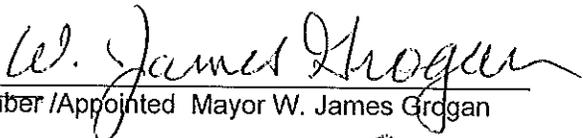
Chris Gaines said that they had a DDA meeting last month with the new board members in place. They discussed a recommendation for a code enforcement officer to put an effort into cleaning up downtown in line with our codes. They plan to meet next month to pursue the Better Hometown Programs.

EXECUTIVE SESSION:

At 5:42 p.m. the council motioned to go out of regular session and to go into executive session for the purpose of pending litigation and personnel; the motion carried unanimously; Calvin Byrd/Jason Power.

At 6:45 p.m. the council motioned to close executive session and reconvene the regular meeting. The motion carried unanimously; Calvin Byrd/Jason Power.

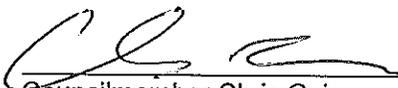
ADJOURNMENT: There being no further business to attend to the meeting adjourned at 6:45 p.m. The motion carried unanimously; Calvin Byrd/Jason Power.



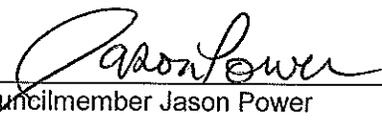
Councilmember /Appointed Mayor W. James Grogan



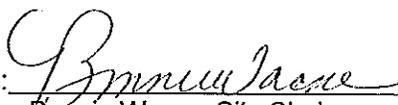
Councilmember Calvin Byrd



Councilmember Chris Gaines



Councilmember Jason Power

Attested: 

Bonnie Warne, City Clerk

Dawson County Chamber of Commerce

**Proclamation of Appreciation
for Outstanding Civic Service**

Joe Lane Cox

WHEREAS, Joe Lane Cox served Dawson County Georgia as Probate Judge from 1977 until 1980

WHEREAS, Joe Lane Cox served Dawson County Georgia as the Sole Commissioner from 1981 until 1992

WHEREAS, Joe Lane Cox served as Chairman of the thirteen county Georgia Mountains Regional Commission from 1987 until 1989 and 2005 until 2006

WHEREAS, Joe Lane Cox served as the Mayor of Dawsonville, Georgia from 2004 until his death in 2012

WHEREAS, Joe Lane Cox was a visionary leader who laid the groundwork for quality business development, such as but not limited to, implementing zoning at a time when it was not understood or appreciated; he was a servant leader who had the courage to stand by his convictions regarding what he deemed the best outcome for the community

NOW, THEREFORE, I, Jennifer Baker, chairman for the Dawson County Chamber of Commerce join my fellow members of the board of directors and do hereby proclaim our appreciation to Mayor Joe Lane Cox for a lifetime of outstanding civic leadership and service.

In this great City of Dawsonville, Georgia, I hereto set my seal on this
Second day of April, Two Thousand and Twelve.

Seal

Jennifer Baker, Chairman 2012
Dawson County Chamber of Commerce

Attest

Linda Williams, President
Dawson County Chamber of Commerce

A RESOLUTION OF THE CITY OF DAWSONVILLE GEORGIA FOR THE PURPOSE OF CALLING A SPECIAL ELECTION ON JULY 31, 2012 TO FILL THE UNEXPIRED TERM OF MAYOR JOE LANE COX (DECEASED); TO SET DATES FOR QUALIFICATION; TO REQUEST THE CONTINUED ASSISTANCE OF THE DAWSON COUNTY BOARD OF ELECTIONS IN CONDUCTING THE SPECIAL ELECTION ON JULY 31, 2012; AND FOR OTHER PURPOSES.

WHEREAS, on Tuesday, November 8, 2011, at a regularly scheduled municipal election the registered voters of the City of Dawsonville, Georgia re-elected Joe Lane Cox to a four year term as Mayor beginning January 1, 2012 through December 31, 2015;

WHEREAS, Joe Lane Cox has served the City of Dawsonville with honor, loyalty and distinction as Mayor from January 1, 2004 until his passing to be with the Lord on March 9, 2012;

WHEREAS, due to the death of Joe Lane Cox, a vacancy is created in the office of Mayor for the City of Dawsonville which in accord with the City Charter and state law must be filled by a Special Election for his remaining term of office;

WHEREAS, the City of Dawsonville has an agreement in place with the Dawson County Board of Elections to conduct City of Dawsonville Municipal Elections pursuant to Article 9, § 3, Paragraph 1, of the Georgia Constitution;

WHEREAS, there is also scheduled to be a primary election conducted by Dawson County on Tuesday, July 31, 2012 and pursuant to state law that date is authorized by the Georgia Secretary of State as an official voting date for special elections in Georgia;

WHEREAS, in accord with the City Charter and Ordinances, state law and as authorized by the Georgia Secretary of State, qualification dates for the Special Election to fill the unexpired term of Mayor Joe Lane Cox should be set for May 23-25, 2012 and the qualification fee will be \$741.00;

WHEREAS, the technology now exists which will allow the registered voters of the City of Dawsonville to vote in their precinct, even if they do not reside in the City precinct for the purpose of County-wide elections thus enabling registered voters of the City to vote at the same time and location on both City and County-wide races/issues;

AND WHEREAS, notice of this Resolution for Calling for a Special Election to fill the unexpired term of Mayor Joe Lane Cox (deceased) has been advertised in the legal organ of the City of Dawsonville as required by Georgia law and will be sent to the Department of Justice as required by Federal law.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Dawsonville, Georgia, as follows:

Section 1. A Special Election is hereby called for July 31, 2012 to fill the unexpired term of Mayor Joe Lane Cox. The individual elected at the Special Election will be sworn in as the Mayor of

Dawsonville on August 6, 2012 at the regularly scheduled monthly Council meeting and will serve until December 31, 2015 or until his/her successor is duly elected and sworn into office.

Section 2. Qualification dates for the Special Election are set for May 23, 2012 beginning at 9:00 a.m. through 4:30 p.m. each day concluding on May 25, 2012 at the Office of the Dawson County Board of Elections, located at 96 Academy Avenue, Dawsonville, Georgia 30534. The Qualification fee for the office of Mayor is \$741.00 made payable by check or money order to the City of Dawsonville.

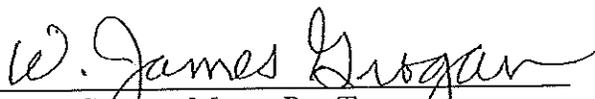
Section 3. In accord with the existing Intergovernmental Agreement, the assistance of the Dawson County Board of Elections is requested to conduct this Special Election and all costs or charges related solely to the expense of the Special Election shall be paid by the City of Dawsonville. As the technology now exists that will allow all City registered voters to vote on the City Special Election at the same time and place as they vote on County-wide primary races currently scheduled for July 31, 2012, the City requests the Board of Elections to utilize that technology to encourage voter participation in the election process.

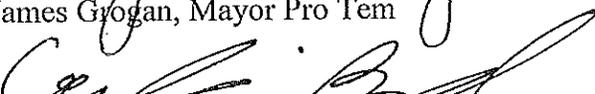
Section 4. All prior resolutions or actions of the City in conflict with this Resolution are hereby repealed.

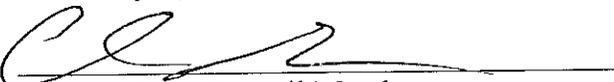
Section 5. This Resolution shall be and remain in full force and effect from and after its date of adoption.

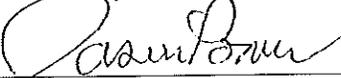
Adopted this 2 day of April, 2011.

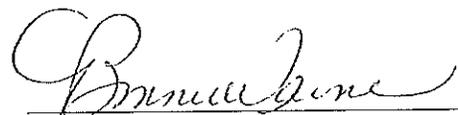
CITY OF DAWSONVILLE, GEORGIA


James Grogan, Mayor Pro Tem


Calvin Byrd, Council Member


Chris Gaines, Council Member


Jason Power, Council Member


Attest: Bonnie Warne, City Clerk

**A RESOLUTION OF THE CITY OF DAWSONVILLE
RECOGNIZING GEORGIA CITIES WEEK, APRIL 22-28, 2012,
AND ENCOURAGING ALL CITIZENS TO SUPPORT THE
CELEBRATION AND CORRESPONDING ACTIVITIES.**

WHEREAS, city government is the closest to most citizens, and the one with the most direct daily impact upon its residents; and

WHEREAS, city government is administered for and by its citizens, and is dependent upon public commitment to and understanding of its many responsibilities; and

WHEREAS, city government officials and employees share the responsibility to pass along their understanding of public services and their benefits; and

WHEREAS, Georgia Cities Week is a very important time to recognize the important role played by city government in our lives; and

WHEREAS, this week offers an important opportunity to spread the word to all the citizens of Georgia that they can shape and influence this branch of government which is closest to the people; and

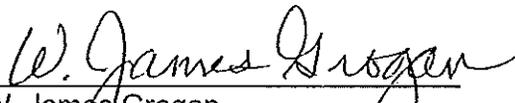
WHEREAS, the Georgia Municipal Association and its member cities have joined together to teach students and other citizens about municipal government through a variety of different projects and information; and

WHEREAS, Georgia Cities Week offers an important opportunity to convey to all the citizens of Georgia that they can shape and influence government through their civic involvement.

NOW, THEREFORE, be it resolved that the City of Dawsonville declares April 22 – 28, 2012 as **GEORGIA CITIES WEEK**. Be it further resolved that the City of Dawsonville encourages all citizens, city government officials, and employees to do everything possible to ensure that this week is recognized and celebrated accordingly.

SO RESOLVED, ADOPTED AND APPROVED, this 2nd day of April, 2012.

CITY OF DAWSONVILLE

By: 
W. James Grogan
Mayor Pro-Tem, City of Dawsonville

Attested to:

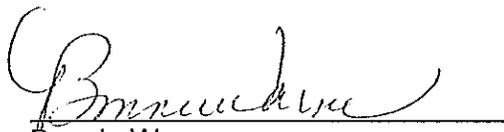

Bonnie Warne
City Clerk, City of Dawsonville

EXHIBIT "C"



DAWSON COUNTY Public Works

March 22, 2012

Community
Development

Re: GDOT Off-System Safety Improvement Program

Engineering

Dear City of Dawsonville:

Facilities

It is my pleasure to bring to your attention a program that Dawson County is looking to participate in that could also benefit the City of Dawsonville. Each GDOT District receives funding from the Federal level for "Off-System Safety Improvements". The funding can be used for:

Fleet Maintenance

- Striping and other pavement markings (such as stop bars)
- Sign replacement and placement of new signs
- Raised pavement markers (RPMs)

Roads/Bridges

It is Dawson County's intention to apply for this funding in three rounds. The first round would be for striping, rpms, and other pavement marking, which would be applied for in 2012 and potentially funded in 2013. The second round would be for replacement of existing signage (specifically to meet current retro-reflectivity standards), which would be applied for in 2013 and potentially funded in 2014. The third round would be for corridor studies which would identify areas that are in need of new signage which could also be applied for in 2013 and potentially funded in 2014 or 2015.

Transfer Station

This was not described to me as a grant, however it works very much like one. There is no match requirement. In fact, we can request funding for engineering and inspection that would pay for some of the engineering on the front end, and then inspections on the back end, which could be up to 5% of the overall "grant" award.

In order to request and then qualify for this funding, a detailed road striping and signage inventory has to be prepared. We have found this to be a time consuming part of the process. However, the obvious benefit is so great, we have had no other choice other than to pursue this funding and dedicate the time necessary to produce the data GDOT needs to grant the funding.

I have been in close contact with Brent Cook, PE – GDOT District I Engineer, and Keith Canup – Owner of Georgia Mountain Traffic Solutions, Inc. and part time employee of GDOT. They are helping to guide me through this process and help secure the funding we need to make substantial safety improvements to our roads. I have had initial communications with Trampas Hansard with the City of Dawsonville to brief him on this opportunity.

25 Justice Way
Suite 2228
Dawsonville, GA 30534
Phone 706-216-4621
Fax 706-531-2711

EXHIBIT "D"



Community
Development

Engineering

Facilities

Fleet Maintenance

Roads/Bridges

Transfer Station

To take full advantage of this funding and to make all roads in our community safer, I would like to invite the City of Dawsonville to be a part of this great project. I intend to work closely with Dawsonville staff in collecting and presenting the pertinent data to GDOT. Brent Cook informed me that Dawson County would have to be the primary applicant for both the County and the City. "Off-system" means any public road that's not a State Road. Therefore, to simplify things, GDOT has requested that each County be the primary applicant and represent each City within the County.

I am excited about this opportunity to work with the City of Dawsonville and make all of our roads safer. Again, the application process can be cumbersome given the amount of detailed information that has to be provided, but I will be happy to help however I can. If you have any questions about this program, please do not hesitate to call me.

Sincerely,

Corey Guthrie, PE, CFM

Dawson County Public Works

Engineering Director

25 Justice Way
Suite 2228
Dawsonville, GA 30534
Phone 706-216-4621
Fax 706-531-2711

EXHIBIT "D"

STATE OF GEORGIA
COUNTY OF DAWSON

AFFIDAVIT OF THE CITY OF DAWSONVILLE MAYOR AND COUNCIL

W. James Grogan, Appointed Mayor, Calvin Byrd, Council Member; Chris Gaines; Council Member and Jason Power, 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 2 day of April, 2012.

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

The executive session was called to order at 5:30 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 2 day of April, 2012. By the City of Dawsonville, Mayor and Council:

W. James Grogan
W. James Grogan, Appointed Mayor

Calvin Byrd
Calvin Byrd, Council Member

Chris Gaines
Chris Gaines, Council Member

Jason Power
Jason Power, Council Member

Sworn to and subscribed before me this 2 day of April, 2012.



Bonnie Warne
Bonnie Warne, City Clerk
Notary Public

My Commission expires: June 14, 2013