

**MINUTES
CITY COUNCIL REGULAR MEETING
SEPTEMBER 10, 2012
5:00 P.M.**

CALL TO ORDER: W. James Grogan called the meeting to order at 5:02 p.m.

ROLL CALL: Present were Mayor Grogan, Councilmember Caleb Phillips, Councilmember Jason Power, Councilmember Angie Smith, City Attorney Dana Miles and Betty McGehee.

INVOCATION AND PLEDGE: Invocation was led by Caleb Phillips, followed by the pledge.

AGENDA: Motion to approve the September 10th agenda: J. Power/A. Smith. Motion carried unanimously.

MINUTES OF REGULAR MEETING: Motion to approve the minutes of the regular meeting held August 6, 2012: A. Smith/C. Phillips. Vote unanimous in favor.

NEW BUSINESS:

Mayor Pro-Tem Appointment: Nomination of Chris Gaines. Nomination closed and motion to appoint Chris Gaines as mayor pro tem for the remainder of 2012 by J. Power/C. Phillips. Vote unanimous in favor.

Drinking Water 3 Year Contract and Annual Payment for 2012-2013: Motion to approve the contract and payment by J. Power/A. Smith. Motion carried unanimously. (Exhibit "A")

Resolution to Authorize Investment: Amend GA Fund 1 Account Paperwork with new Mayor: Motion to approve the resolution by A. Smith/J. Power. Motion carried unanimously.

City Millage Rate Certification for Tax Year 2012: Motion to adopt the millage rate at 11.773 and roll back by 11.773 to zero by C. Phillips/A. Smith. Vote unanimous in favor.

Trainings:

- Taxation 101 required certification course on Sep 21 for Mayor: Motion to approve attending training by J. Power/C. Phillips. Vote approved unanimously.
- Writing Financial Policies Sep 18 for Bonnie: Motion to approve attending training by A. Smith/C. Phillips. Vote approved unanimously.
- GA Rural Water Annual Conference Oct 29-30 for Mayor, Gary Barr & Russ Chambers: Motion to approve attending training by J. Power/A. Smith. Vote approved unanimously.

PUBLIC HEARINGS:

Alcohol Referendum Ordinance on Sunday Distilled Spirit Sales by Drink: Second Reading

AN ORDINANCE TO AMEND THE CITY OF DAWSONVILLE ALCOHOL ORDINANCE; TO PROVIDE FOR A REFERENDUM ON ON-PREMISES SALES OF ALCOHOLIC DRINKS, INCLUDING DISTILLED SPIRITS, BY EATING ESTABLISHMENTS AND HOTELS WITHIN THE CITY OF DAWSONVILLE ON SUNDAYS BETWEEN THE HOURS OF 12:30 P.M. AND 12:00 MIDNIGHT; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

Public hearing was opened by Attorney Miles. There were approximately 10 people in attendance. Dana Miles presented the second reading of the ordinance request. Glenda Ferguson, chairperson for Board of Elections and Charlie Vincent, Board Member stated concerns and cost. Attorney Miles closed the public hearing and turned the meeting over to the Mayor for a motion.

Motion to post-pone decision until November meeting by J. Power/A. Smith. Motion carried unanimously.

Speed Zone Ordinance Amendment: Second Reading

AN ORDINANCE TO AMEND THE CURRENT SPEED ZONE ORDINANCE OF THE CITY OF DAWSONVILLE, GEORGIA BY ATTACHING A REVISED EXHIBIT A BASED UPON THE LATEST GDOT STUDY OF SPEEDS; AND FOR OTHER PURPOSES.

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Public hearing was opened by Attorney Miles. There were approximately 10 people in attendance. Dana Miles presented the second reading of the ordinance, which no one spoke in favor or against the application. Attorney Miles closed the public hearing and turned the meeting over to the Mayor for a motion.

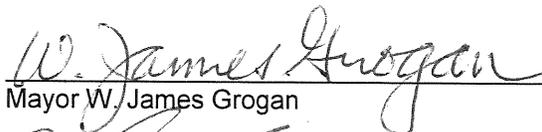
Motion to approve the second reading of the ordinance: J. Power/C. Phillips. Vote carried unanimously. (Exhibit "B")

REPORTS:

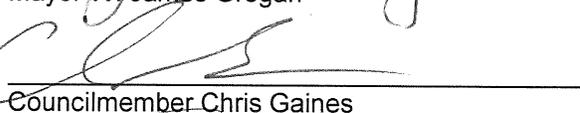
Financial Report: in the Clerks absence, the Mayor reported that all of the bank accounts balance through July 2012. L.O.S.T. proceeds were up by \$9k compared to last year.

Mayor's Report: Mayor Grogan reported that 5 people qualified for the 2 council seats: A.Smith, M.Sosebee, T.Shaide, F.Craft, A.Metzel. The new Chamber of Commerce President, Christie Haynes, wants to work closely with the city. The DDA met with the Fanning Institute to discuss a study on downtown to improve the economic condition. The Distillery started cooking, but a piece of equipment broke and they had to start again and hope to have product by the Moonshine Festival. This year during the Moonshine Festival, Academy Ave. will be closed from HWY 53 to HWY 9.

ADJOURNMENT: There being no further business to attend to the meeting adjourned at 5:54 p.m. The motion carried unanimously; J. Power/A. Smith.



Mayor W. James Grogan



Councilmember Chris Gaines



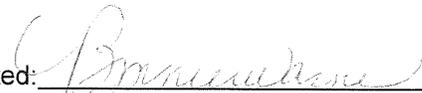
Councilmember Jason Power



Appointed Councilmember Caleb Phillips



Appointed Councilmember Angie Smith

Attested: 

Bonnie Warne, City Clerk

DRINKING WATER LABORATORY AND RELATED SERVICES CONTRACT (< 12,900 Population)

The undersigned water system owner, personally or through its duly authorized agent, (the "owner") hereby agrees to contract with the Georgia Environmental Protection Division, Drinking Water Program, ("EPD") for laboratory and related services consistent with the owner's need to comply with the requirements of the Georgia Rules for Safe Drinking Water Sections 391-3-5-.18, .19, .21, .22, .24, .25, .26, .27, .52 and .53 as they relate to chemical and *Cryptosporidium* (*Crypto*) monitoring and Sections 391-3-5-.18, .23 and .54 as they relate to Coliform and *E.coli* monitoring and includes other required or relevant services that involve repeat testing, monitoring for unregulated contaminants, vulnerability assessments, corrosion control requirements, technical assistance, data, management/transfer and federal reporting, and other services that are deemed either related or pertinent to achieve compliance with the referenced drinking water regulations.

A. The owner acknowledges:

- (1) That entering into this contract is not a condition of or prerequisite to the permit for the public water system nor will entering into this contract stop or prevent EPD from fulfilling its regulatory or enforcement duties to enforce the provisions of the Georgia Safe Drinking Water Act of 1977 and the Georgia Rules for Safe Drinking Water promulgated thereunder. Such activities include but are not limited to issuing failure to monitor violation letters, notices of violations, consent orders, administrative orders and the enactment of civil penalties by the EPD Director as authorized by O.C.G.A. § 12-5-192.
 - (2) That entry into this contract by EPD is meant to facilitate the provision of safe drinking water to the people of Georgia in keeping with the legislative intent and declaration of public policy set forth in O.C.G.A. § 12-5-171.
 - (3) In the event of a change in ownership, this contract is binding on future owners of this public water system for the length of the contract and a copy of this contract must be provided to the new owner.
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B. Under this contract EPD and the owner agree:

- (1) This contract covers a period beginning July 1, 2010, and ending June 30, 2013. Changes in population, number of entry points or classification may affect the amount due in succeeding installments. In the event of a substantial increase in the actual cost to EPD to provide the services required hereunder, EPD shall have the right to increase the annual fee by providing the owner with written notification of the annual fee increase on or before April 30 prior to the year (as defined below) beginning the following July 1. In the event EPD provides notice of an increase to the annual fee, owner shall have the right to terminate this contract by written notice to EPD on or before the June 1 immediately following the notice from EPD.
 - (2) Except as otherwise provided in section B. (1) above, this contract may be amended or terminated by mutual consent of both parties in writing signed by both parties.
 - (3) Except as otherwise provided in section B. (1) above, this contract may be terminated by either party on fifteen (15) days written notice in the event the other party violates any of the terms and conditions of this contract and continues said violation for thirty (30) days after receiving written notice thereof.
 - (4) Every notice required or contemplated by this contract to be given by any party must be made in writing to the signatories of this contract. Any party may change its address for notice by giving the other party notice of the change.
 - (5) The person signing below on behalf of owner represents that s/he is duly authorized and fully empowered to bind the water system owner to this contract.
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C. Under this contract EPD agrees to:

- (1) Provide all laboratory analyses required by the Georgia Rules for Safe Drinking Water, Sections 391-3-5-.18, .19, .21, .22, 24, 25, .26 .27, .52 and .53 for Chemical/*Crypto* monitoring compliance with the exception of analysis for Bromate and Chlorite.
 - (2) For public water systems serving less than 12,900 people, provide all laboratory analyses required by the Georgia Rules for Safe Drinking Water Sections 391-3-5-.18(4), .23 and .54 as they relate to coliform and *E.coli* monitoring.
 - (3) Assume all sample case mailing costs to the address provided by the water system owner using the shipping case purchased from EPD for coliform monitoring. For chemical monitoring, provide sampling containers and instructions and assume all mailing costs of these items to the address provided by the water system owner.
 - (4) Either provide written reports or make available the results of analysis of each sample to the owner or the duly authorized agent.
 - (5) Submit analytical data to the EPD's SDWIS/State data system for reporting monitoring /rule compliance.
 - (6) Provide technical assistance to the public water system owner/operator regarding corrosion control treatment under the Lead/Copper Rule (the cost of engineering, design, equipment, and chemicals for corrosion control are the responsibility of the public water system.)
 - (7) Provide limited vulnerability assessments for organic and inorganic chemical monitoring requirements listed under Sections 391-3-5-.21, .22, and .26 of the Georgia Rules for Safe Drinking Water.
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D. The water system owner agrees to:

- (1) Purchase a sample case from the EPD, for systems electing to participate in the *Coliform / E.coli* testing program, for submitting Coliform and *E.coli* samples to the EPD if the case has not already been purchased.
- (2) Collect all samples required by the Georgia Rules for Safe Drinking Water Sections 391-3-5-.18, .19, .21, .22, .24, .25, .26, .27, .52 and .53 in containers provided by EPD.
- (3) Collect all Coliform and *E.coli* samples required by the Georgia Rules for Safe Drinking Water Sections 391-3-5-.18(4), .23 and .54 using the sample shipping case purchased from EPD in bottles or the emergency sample case provided by EPD.
- (4) Read and follow the sampling instructions when collecting water samples.
- (5) Ship the samples to the EPD laboratory within the time frame specified by the sampling instructions. (The water system owner must pay the cost of shipping these samples to the laboratory).
- (6) Pay the agreed upon fee for the laboratory and related services within 30 days from the date of invoice. Please note, this contract is not an invoice. For convenience an invoice or statement of accounts will follow and payment should be remitted to the address listed on the form.
- (7) Please check ONE of the boxes below for the contracted testing services desired by the system owner.

<input checked="" type="checkbox"/> BOTH Chemical & Coliform 3 annual payments of 5690.	<input type="checkbox"/> Opt for Chemical ONLY 3 annual payments of 5400.	<input type="checkbox"/> Opt for Coliform ONLY 3 annual payments of 290.
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- (8) This contract covers a period beginning July 1, 2010, and ending June 30, 2013. Changes in population, number of entry points or classification may affect the amount due in succeeding installments.

E. This contract covers services for the following facility:

System name: DAWSONVILLE

Located in: DAWSON COUNTY, GA

System classification: SWP C

Telephone #: 706-265-3256
Fax #: 706-265-4214

Owner/agent's administrative mailing address:

Mr. W. James Grogan

DAWSONVILLE

POB 6

DAWSONVILLE, GA 30534-0006

Facility ID#: GA0850000

Current number of Active Service Connections: 932

Current population of water users served: 2424 people

Number of production entry points: 4

Routine TCR samples required: 2 per MN

UPS address: Destination for shipping sample bottles:

Mr. GARY (UPS) BARR

DAWSONVILLE

415 HWY. 53 EAST-SUITE 100

DAWSONVILLE, GA 30534

X W. James Grogan
OWNER'S OR DESIGNATED AGENT'S SIGNATURE

X W. James Grogan

PRINT ABOVE NAME HERE

X Mayor
TITLE

X Brenda Muller
WITNESS

X 08 / 22 / 2012
MONTH DATE YEAR

The foregoing contract is accepted on behalf of EPD
this 22 day of August, 2012

F. Allen Barnes, Director
Environmental Protection Division

Return signed contract to:
Erik Kind, Drinking Water Program
2 Martin Luther King Jr. Dr., S.E.
Suite 1362 East Tower
Atlanta, GA 30334-9000
Phone: 404-656-5660 or 404-656-2750
E-mail: erik.kind@dnr.state.ga.us Fax #: 404-651-9590

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	60' north of Perimeter Rd (South Dawsonville City Limits)	05.57	47' south of Howard Road	06.37	00.80	45
SR 9	Dawsonville	47' south of Howard Road	06.37	183' north of Robinson Road	07.01	00.64	35
SR 9 *** SCHOOL ZONE ***	Dawson County Middle School	610' north of State Route 53	06.69	348' south of Robinson Road	06.91	00.22	35
SR 9	Dawsonville	183' north of Robinson Road	07.01	578' south of Perimeter Rd (North Dawsonville City Limits)	07.13	00.12	45
SR 9WE	Dawsonville	State Route 9	00.00	State Route 9	00.11	00.11	25
SR 53	Dawsonville	48' west of Creekstone Ln (West Dawsonville City Limits)	08.25	594' east of Creekstone Lane	08.38	00.13	55
SR 53	Dawsonville	594' east of Creekstone Lane	08.38	129' east of Howser Mill Road	08.70	00.32	45
SR 53	Dawsonville	129' east of Howser Mill Road	08.70	State Route 9	08.92	00.22	35
SR 53	Dawsonville	<i>This section of roadway runs common with State Route 9 from MP 08.92 to MP 09.07 for a total of 00.15 Miles</i>					
SR 53	Dawsonville	State Route 9	09.07	590' east of Main St.	09.58	00.51	35
SR 53	Dawsonville	590' east of Main St.	09.58	87' west of Jack Heard Road (East Dawsonville City Limits)	09.69	00.11	45

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:

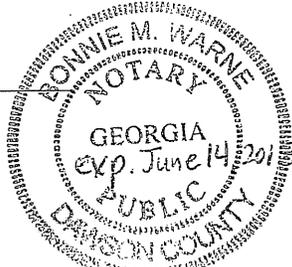
W James Grogan
Mayor

[Signature]
City Council Members

Sworn and Subscribed before me

This 11 day of September, 2012.

Bonnie M. Warne
NOTARY PUBLIC



Expires
June 14, 2013

FIRST READING: 8/6/2012
SECOND READING 9/10/2012
PUBLICATION DATES 8/11/12, 8/18/12
8/22/12, 8/29/12

**SPEED ZONE ORDINANCE
CITY OF DAWSONVILLE, GEORGIA**

**AN ORDINANCE TO AMEND THE CURRENT SPEED ZONE ORDINANCE OF THE
CITY OF DAWSONVILLE, GEORGIA BY ATTACHING A REVISED EXHIBIT A
BASED UPON THE LATEST GDOT STUDY OF SPEEDS; 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 recently been completed by the Georgia Department of Transportation (“GDOT”) 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 update its Speed Zone Ordinance as passed on February 1, 2010 based upon the most recent GDOT study completed in July 2012 and as reflected in the attached Exhibit A.

NOW THEREFORE, the Council of the City of Dawsonville hereby ordains and enacts a revision to the Speed Zone Ordinance of the City of Dawsonville by attaching a new Exhibit A as follows:

Section 1. Adoption of a new Exhibit A (2200-07-2012).

The Code of the City of Dawsonville, Georgia is hereby amended to establish a new Exhibit A to Article III of Chapter 13 of the same, said Article being entitled “Speed Zones” and said exhibit being enumerated as “2200-07-2012”. Exhibit A is attached hereto and incorporated herein by express reference.

Section 2. Ratification of Existing Ordinance.

Except as provided in Section 1 by replacing the existing Exhibit A with a new revised Exhibit A, the Speed Zone Ordinance as adopted by the City on February 1, 2010 is ratified, reaffirmed and remains in full force and effect.

Section 3. Effective Date.

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

SO ADOPTED, this 10 day of September, 2012.

W. James Grogan
James Grogan, Mayor

Chris Gaines, Councilmember

Jason Power
Jason Power, Councilmember

Angie Smith
Angie Smith, Appointed Councilmember

Caleb Phillips
Caleb Phillips, Appointed Councilmember



Attested:

Bonnie Warne
Bonnie Warne, City Clerk