

**MINUTES
CITY COUNCIL REGULAR MEETING
DECEMBER 3, 2012
5:00 P.M.**

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

ROLL CALL: Present were Mayor James Grogan, Councilmember Mike Sosebee, Councilmember Jason Power, Councilmember Angie Smith, Councilmember Chris Gaines, City Attorney Dana Miles, Clerk Bonnie Warne and Public Works Director Gary Barr.

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

AGENDA: Motion to approve the December 3rd agenda: J. Power/M. Sosebee. Motion carried unanimously.

MINUTES OF SPECIAL CALLED MEETING: Motion to approve the minutes of the special called meeting joint with Dawson County held November 5, 2012: C. Gaines/J. Power Vote unanimous in favor.

MINUTES OF REGULAR MEETING: Motion to approve the minutes of the regular meeting held November 13, 2012: M. Sosebee/A. Smith Vote unanimous in favor.

UNFINISHED BUSINESS: Annex 12-001 Hi-5 Consulting, Nancy D. Twyman, Trustee, 2917 HWY 9 N (Tabled at Oct. 1 Mtg.) Motion made to un-table Annex 12-001 to be heard at January 7, 2013 council meeting by C. Gaines/J. Power. Vote unanimous in favor.

NEW BUSINESS:

Water Department Write-offs: Motion to approve the write-offs by M. Sosebee/A. Smith. Vote carried unanimously in favor.

Sheriff and Fire Agreement: Sheriff Agreement is still in process. Motion made to approve the Fire Agreement by M. Sosebee/J. Power. Vote carried unanimously. (Exhibit"A")

Personnel – Budget Amendment: Motion to approve amending the budget to allow for personnel bonuses by M. Sosebee/A. Smith. Vote carried unanimously.

Planning Commission Member: Motion made to appoint Richard Spaeths to the Planning Commission by J. Power/C. Gaines. Vote carried unanimously in favor.

Training: Mayors Day Conference Jan. 25-28 in Atlanta for James G. Motion to approve attending training by C. Gaines/A. Smith. Vote approved unanimously

2013 Appointments: Motion to approve the appointments listed below by M. Sosebee/J. Power. Vote carried unanimously in favor.

- City Clerk – Bonnie Warne
- City Attorney – Dana Miles of Miles, Patterson, Hansford, Tallant, LLC
- Auditor- Alexander, Almand and Bangs, LLP
- Engineer – G. Ben Turnipseed Engineers, Inc.
- Municipal Court Judge – David Wallace
- Emergency Repair/Installation Water/Sewer Infrastructure – Jackie Townley Construction
- Testing of Wastewater – Environmental Management Services
- Geologist – Robert Atkins

Mayor Pro-tem for 2013: Mayor Grogan designated Chris Gaines to continue as Mayor Pro-tem. Motion to approve by M. Sosebee/J. Power. Vote carried in favor (C. Gaines abstained)

Mayor Grogan designated the following Council Board Appointments: Chris Gaines on Chamber of Commerce and DDA, Angie Smith on Family Connection and Jason Power on Dept. of Health Board.

**MINUTES
CITY COUNCIL REGULAR MEETING
DECEMBER 3, 2012
5:00 P.M.**

PUBLIC HEARINGS:

Water and Sewer Ordinance Amendment: Second 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 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 motioned to open by A. Smith. There were approximately 10 people in attendance. Dana Miles presented the second reading of the ordinance. Nobody spoke in favor or opposition. M. Sosebee/J. Power motioned to close the public hearing and the meeting was turned over to the Mayor. Motion made to approve by M. Sosebee/C. Gaines. Vote was unanimously in favor. (Exhibit "B")

Revolving Loan Fund Ordinance: Second 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 motioned to open by J. Power/A. Smith. There were approximately 10 people in attendance. Dana Miles presented the second 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. Motion made to approve the ordinance and amend the budget \$25,000 by C. Gaines/A. Smith. Vote was unanimously in favor. (Exhibit "C")

Energy Excise Tax Ordinance: First Reading

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL FOR THE CITY OF DAWSONVILLE RELATING TO THE PROVISION OF A LOCAL EXCISE TAX ON ENERGY USED IN MANUFACTURING; TO PROVIDE FOR IMPLEMENTATION AND IMPOSITION OF AN EXCISE TAX ON ENERGY SOLD OR USED IN MANUFACTURING; TO PROVIDE FOR RATES; TO PROVIDE FOR A PHASE-IN PERIOD; TO PROVIDE FOR A TIME FOR IMPOSITION; TO PROVIDE FOR RECOVERY OF THE EXCISE TAX; TO PROVIDE FOR ADMINISTRATIVE PROCEDURES; TO PROVIDE FOR AUDITS; TO PROVIDE FOR ALLOWED EXPENDITURES OF THE PROCEEDS; TO PROVIDE FOR TERMINATION; TO PROVIDE AN EFFECTIVE DATE TO COMMENCE COLLECTIONS; TO PROVIDE FOR ADMINISTRATION; TO PROVIDE AUDIT REQUIREMENTS; TO PROVIDE DEFINITIONS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; AND FOR OTHER PURPOSES.

Public hearing was opened by motions of A. Smith/M. Sosebee. There were approximately 10 people in attendance. Dana Miles presented the first reading of the ordinance and mentioned that Dawson County will not be collecting this excise tax. M. Sosebee/J. Power motioned to close the public hearing and the meeting was turned over to the Mayor.

ANNEX 12-002 – Deborah McKee has requested annexation into the city limits of Dawsonville for the .78 acre parcel at 34 Thayer Ridge Dr, TMP 091-038-001. Current zoning is CHB; zoning upon annexation will be HB (Highway Business). 1st Reading

Public hearing was opened by motions of M. Sosebee/J. Power. With approximately 10 people in attendance, Dana Miles presented the first reading of the annexation. Nancy Twyman 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.

**MINUTES
CITY COUNCIL REGULAR MEETING
DECEMBER 3, 2012
5:00 P.M.**

ZA-09-12: Zoning Map Amendment of 0.5 acres for Sheila Clark at 731 Hwy 9 N, TMP D05 002, aka Billy's Restaurant: Current zoning AP (Annexed Property): Rezone to HB (Highway Business).

ZA-10-12-001: Zoning Map Amendment of less than 1 acre for DCBOE at 117 Elliott Village, TMP D06 012: Current zoning AP (Annexed Property): Rezone to INST (Institutional District).

ZA-10-12-002: Zoning Map Amendment of 3.612 acres for DCBOE at 175 Tiger Circle, TMP D03 017.001: Current zoning AP (Annexed Property): Rezone to INST (Institutional District)

ZA-10-12-003: Zoning Map Amendment of less than 1 acre for DCBOE at 103 Elliott Village, TMP D06 011: Current zoning AP (Annexed Property): Rezone to INST (Institutional District)

ZA-10-12-004: Zoning Map Amendment of less than 1 acre for DCBOE at 159 Elliott Village, TMP D06 014: Current zoning AP (Annexed Property): Rezone to INST (Institutional District)

ZA-10-12-005: Zoning Map Amendment of less than 1 acre for DCBOE at 126 Elliott Village, TMP D06 015: Current zoning AP (Annexed Property): Rezone to INST (Institutional District)

ZA-10-12-006: Zoning Map Amendment of less than 1 (one) acre at 81 George's Place, TMP D06 017: Current zoning AP (Annexed Property): Rezone to INST (Institutional District)

ZA-10-12-007: Zoning Map Amendment of less than 1 acre for DCBOE at 144 Elliott Village, TMP D06 018: Current zoning AP (Annexed Property): Rezone to INST (Institutional District)

ZA-10-12-008: Zoning Map Amendment of less than 1 acre for DCBOE at 101 George's Place, TMP D06 020: Current zoning AP (Annexed Property): Rezone to INST (Institutional District)

ZA-10-12-009: Zoning Map Amendment of 3.01 acres for DCBOE at 257 Allen Street, TMP D06 022: Current zoning AP (Annexed Property): Rezone to INST (Institutional District)

Public hearing was opened for ZA-09-12 thru ZA-10-12-009 by motions of A. Smith/M.Sosebee. There were approximately 9 people in attendance. Dana Miles presented each zoning amendment. Nobody spoke in favor or opposition. M. Sosebee/C. Gaines motioned to close the public hearing and the meeting was turned over to the Mayor. Motion made to approve ZA-09-12 and ZA-10-12-001 thru 009 by M. Sosebee/A. Smith. Motion carried unanimously in favor.

REPORTS:

Financial Report: Bonnie Warne, City Clerk, reported that all of the bank accounts balance through October 2012, and the revenue and expenses are in budget.

Public Works: Gary Barr reported that the City streets downtown have been repaved and restriped and a few extra parking spaces were gained.

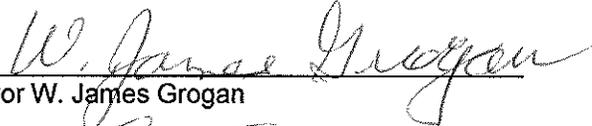
Council Reports: Chris Gaines stated the DDA is moving forward with the revitalization plan and will meet on Dec. 6th on it, and the Family Connection has filled out the paperwork to apply for a grant.

Mayor's Report: Mayor Grogan stated that the streets were repaved and restriped per our agreement with Dawson County which we have increased an additional ½ mile of paving and we pay for the materials. The Tree Lighting was a success with a large turnout. The Moonshine Distillery has been approved for tasting. The City submitted a grant with GDOT for funding. The Fannin Institute is conducting interviews on the vision for downtown. On Dec. 17th there will be a called meeting at 5 p.m.

EXECUTIVE SESSION: At 5:53 p.m. the council motioned to go out of regular session and to go into executive session for the purpose of land acquisition; the motion carried unanimously; M. Sosebee/J. Power.

ADJOURNMENT: At 7:41 p.m. the council motioned to close executive session and reconvene the regular meeting with there being no further business to attend to the meeting adjourned at 7:41 p.m. The motion carried unanimously; J. Power/C. Gaines.

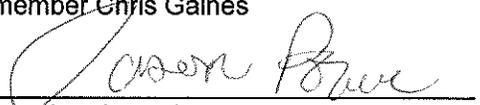
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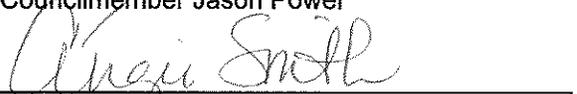
Mayor W. James Grogan



Councilmember Chris Gaines



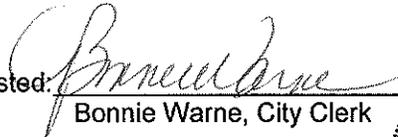
Councilmember Jason Power



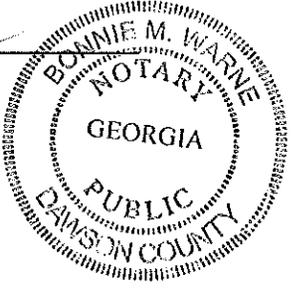
Councilmember Angie Smith



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; Jason Power; Council Member, Angie Smith Council Member and Mike Sosebee, 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 December, 2012.

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

3.
The executive session was called to order at 5:53 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 4 day of December, 2012.

Bonnie M. Warne
Bonnie Warne, City Clerk
Notary Public
My Commission expires: June 14, 2013



**INTERGOVERNMENTAL AGREEMENT
FOR
FIRE PROTECTION**

STATE OF GEORGIA

COUNTY OF DAWSON

This Agreement is hereby made and entered into this 20th day of December, 2012 between the CITY OF DAWSONVILLE, (hereinafter referred to as "CITY"), and DAWSON COUNTY (hereinafter referred to as "COUNTY"), for the purpose of providing and maintaining fire protection within the CITY OF DAWSONVILLE, GEORGIA. The parties hereto hereby agree as follows:

WHEREAS, the CITY does not have the necessary resources, equipment, or personnel to provide independent fire protection services to citizens of the CITY OF DAWSONVILLE; and

WHEREAS, Georgia law permits municipalities to contract for certain services, including fire protection and emergency protection; and

WHEREAS, the Dawson County Fire Department maintains necessary personnel, equipment, and means to provide efficient fire service protection services and emergency services to the citizens of the CITY OF DAWSONVILLE; and

WHEREAS, the parties hereto have determined that this intergovernmental Agreement serves the best interest of all parties and best serves the health, welfare, and safety of the residents and businesses located within the geographical confines of the CITY.

NOW, THEREFORE, in consideration of the premises set forth and the mutual promises hereby made, the covenants and conditions set forth herein, and in

consideration of the terms of this contract as a whole, the parties hereby agree as follows:

1.

TERM OF CONTRACT

This contract shall become effective on January 1, 2013 and shall continue in full force and effect through December 31, 2020, unless terminated in accord with the terms hereof.

2.

SERVICES TO BE PERFORMED BY THE DAWSON COUNTY FIRE DEPARTMENT

The Dawson County Fire Department shall perform the following services for the benefit of the residents and businesses of the CITY OF DAWSONVILLE:

- a) furnish firefighting equipment and personnel for use in combating fire or other casualty that may occur within the geographical boundaries of the CITY OF DAWSONVILLE, GEORGIA;
- b) furnish equipment and personnel to emergency situations within the geographical boundaries of the CITY OF DAWSONVILLE, GEORGIA that may reasonably be anticipated; and
- c) render first aid in case of fire, disaster, or emergency situation within the geographical boundaries of the CITY OF DAWSONVILLE, GEORGIA.

3.

COMPENSATION

The parties hereto hereby acknowledge, consent, and agree that the current distribution of local option sales tax proceeds constitutes substantial benefits to DAWSON COUNTY and provides sufficient consideration to DAWSON COUNTY in an amount equal to the cost of fire

protection services and emergency services required in accord with the terms of this Agreement. DAWSON COUNTY acknowledges receiving substantial benefits under this Intergovernmental Agreement for Fire Protection as set forth herein.

4.

OBLIGATIONS OF THE DAWSON COUNTY FIRE DEPARTMENT

The Dawson County Fire Department shall devote sufficient time and effort to perform the services described in this Agreement. The Dawson County Fire Department shall supply all tools, equipment, manpower, instruments, and other equipment required to perform the services set forth herein.

5.

OBLIGATIONS OF THE CITY

The CITY hereby agrees to comply with all reasonable requests of the Dawson County Fire Department and DAWSON COUNTY necessary to permit the Dawson County Fire Department to perform duties in accord with the terms of this Agreement.

6.

TERMINATION OF AGREEMENT

Any 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 hereby consent and agreement that the Agreement shall be renewed annually beginning January 1, 2014.

7.

DEFAULT

If DAWSON COUNTY defaults in the performance of this Agreement or materially breaches any of the provisions hereof, then the CITY may at its option terminate this Agreement by providing written notification to DAWSON COUNTY.

8.

ENTIRE Agreement

This Agreement supersedes any and all Agreements, both oral and written, between the parties hereto regarding the Dawson County Fire Department rendering fire protection services and emergency services for the benefit of the CITY, and this Agreement contains all of the covenants and Agreements between the parties regarding these services. Each party acknowledges that no representation, inducement, promise, or agreement (written or oral) has been made by either party or by anyone acting on behalf of a party that is not embodied in this Agreement. Any modification of this Agreement shall be effective only if any such modification is in writing and properly executed by the parties hereto.

9.

ADDITIONAL INSTRUMENTS

The CITY and the DAWSON COUNTY hereby agree to properly and promptly endorse, execute, and deliver any instrument or document necessary from time to time to effectuate the provisions of this Agreement.

10.

AUTHORITY

The undersigned parties agree that each party has the authority and permission to execute this Agreement. Further, the parties hereto hereby agree and acknowledge that each respective entity shall be responsible for the obligations as set forth herein.

11.

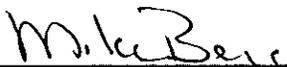
DISCLOSURE AND VOLUNTARY EXECUTION

Each party hereby declares that the foregoing Agreement has been read and each party declares a full understanding of the meaning and implication of each term, condition, promise, covenant, and representation. The parties hereto acknowledge that this Agreement is not the result of any fraud, duress, or undue influence, and each party acknowledges that the execution of this Agreement is a voluntary act that is free of any coercion or duress.

IN WITNESS WHEREOF, the parties hereto have executed this instrument.

DAWSON COUNTY, GEORGIA

ATTEST:



Mike Berg, Chairman



Danielle Yarbrough, County Clerk

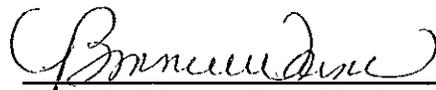
DATE: December 20, 2012

CITY OF DAWSONVILLE

ATTEST:



W. James Grogan, Mayor



Bonnie Warne, City Clerk

DATE: December 3, 2012

FIRST READING 11/13/2012
PUBLISHED 10/24&31 11/21&28
SECOND READING &
PASSED 12/3/2012

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 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.

WHEREAS, the City Council previously enacted the City of Dawsonville Water and Sewer Service Ordinance, the same being codified at Chapter 14, Article 2 of the Code of Dawsonville, Georgia;

WHEREAS, the City Council also previously enacted the City of Dawsonville Finance Ordinance, the same being codified at Chapter 2, Article 4 of the Code of Dawsonville, Georgia;

WHEREAS, the City has completed a water and sewer rate study accomplished by the engineering firm of G. Ben Turnipseed Engineers, Inc.;

WHEREAS, the Council has determined that it is in the best interest of the City of Dawsonville to revise its code to provide for a new water and sewer rate schedule as recommended by the rate study so as to ensure the solvency of the City of Dawsonville's Water and Sewer Department; to provide for an annual exclusion for low income senior citizens; to provide for credit card payment and to make related changes to its Ordinances needed to achieve these purposes.

NOW THEREFORE, pursuant to the authority granted to the City of Dawsonville by its Charter, the Council of the City of Dawsonville hereby ordains as follows:

SECTION 1. REPEAL OF EXISTING §14-22.

§ 14-22 of Chapter 14, Article 2 of the Code of Dawsonville Georgia is repealed in its entirety.

SECTION 2. ENACTMENT OF A NEW §14-22.

There is hereby adopted a new § 14-22 of Chapter 14, Article 2 of the Code of Dawsonville, Georgia that reads as follows:

Sec. 14-22. – Rate schedule.

- (a) All water furnished by the City of Dawsonville to users or property situated within or without the corporate limits shall be metered and computed monthly and paid for at the rates set forth in section 2-110 of this Code, said rates to be first used in computing the monthly bill sent to customers in December 2012.

- (b) All sewer service furnished by the City of Dawsonville to users or property situated within or without the corporate limits shall be computed monthly and paid at the rates set forth in section 2-110 of this Code, said rates to be first used in computing the monthly bill sent out to customers in December 2012.
- (c) Upon the approval of the Water and Sewer Superintendent for the City of Dawsonville, individuals and entities may purchase water in bulk from the City at a rate set out in section 2-110 of this Code.
- (d) Upon annual application to the City Clerk, individuals may be eligible to receive an annual exclusion of 15% from the applicable rates as set forth in section 2-110 of this Code for water and sewer service furnished by the City of Dawsonville to property situated within or without the corporate limits if the applicant meets the following requirements:
 - 1) The applicant is age 65 or older at the time of application with the City Clerk;
 - 2) The applicant has an annual income equal to or less than \$25,000.00; and
 - 3) The applicant is the record owner or lessee of the property to be serviced.
- (e) Applications for annual exclusions under subsection (d) hereinabove shall be filed annually and, upon application, the applicant's qualification for the annual exclusion must be demonstrated by tendering to the City Clerk the following:
 - 1) A valid Georgia driver's license, birth certificate, passport or other government issued identification card demonstrating the applicant's date of birth.
 - 2) A social security statement or tax return demonstrating the annual income of the applicant; and
 - 3) A recorded deed or executed lease demonstrating the applicant's right to possession of the property to be serviced.
- (f) All applications for renewal of annual exclusions provided for in subsection (d) hereinabove shall be submitted from May 1 through and including June 30 of each successive calendar year and if not timely renewed, the exclusion shall lapse on June 30.

SECTION 3. REPEAL OF EXISTING § 2-110, Chapter 14

§ 2-110 of Chapter 2, Article 4 of the Code of Dawsonville Georgia is repealed only as it is applicable to § 14-22 of Chapter 14, Article 2 of the Code of Dawsonville Georgia.

SECTION 4. ENACTMENT OF A NEW §2-110, Limited to Chapter 14 (Utilities) § 14-22 only.

There is hereby adopted a new portion of § 2-110 of Chapter 2, Article 4 of the Code of Dawsonville Georgia applicable to § 14-22 of the Utility Code that reads as follows:

14-22(a). Water Service.

WITHIN THE CORPORATE LIMITS

Residential Water Users	
0 -1,500 gallons, minimum	\$17.25
1,501 – 5,000, per 1,000 gallons	\$4.20
5,001 – 10,000, per 1,000 gallons	\$4.50
>10,000, per 1,000 gallons	\$4.75

Commercial/Industrial Water Users	
0 -1,500 gallons, minimum	\$25.00
1,501 – 5,000, per 1,000 gallons	\$4.50
5,001 – 10,000, per 1,000 gallons	\$5.00
>10,000, per 1,000 gallons	\$5.50

OUTSIDE THE CORPORATE LIMITS

Residential Water Users	
0 -1,500 gallons, minimum	\$26.00
1,501 – 5,000, per 1,000 gallons	\$6.00
5,001 – 10,000, per 1,000 gallons	\$6.50
>10,000, per 1,000 gallons	\$7.00

Commercial/Industrial Water Users	
0 -1,500 gallons, minimum	\$35.00
1,501 – 5,000, per 1,000 gallons	\$5.00
5,001 – 10,000, per 1,000 gallons	\$5.50
>10,000, per 1,000 gallons	\$6.00

14-22(b). Sewer service:

WITHIN THE CORPORATE LIMITS

Residential Sewer Users	
0 -1,500 gallons, minimum	\$20.00
1,501 – 5,000, per 1,000 gallons	\$5.50
5,001 – 10,000, per 1,000 gallons	\$6.00
>10,000, per 1,000 gallons	\$6.50

Commercial/Industrial Sewer Users

0 -1,500 gallons, minimum	\$50.00
1,501 – 5,000, per 1,000 gallons	\$7.00
5,001 – 10,000, per 1,000 gallons	\$7.50
>10,000, per 1,000 gallons	\$8.00

OUTSIDE THE CORPORATE LIMITS

Residential Sewer Users	
0 -1,500 gallons, minimum	\$30.00
1,501 – 5,000, per 1,000 gallons	\$7.00
5,001 – 10,000, per 1,000 gallons	\$7.50
>10,000, per 1,000 gallons	\$8.00

Commercial/Industrial Water Users	
0 -1,500 gallons, minimum	\$60.00
1,501 – 5,000, per 1,000 gallons	\$7.50
5,001 – 10,000, per 1,000 gallons	\$8.00
>10,000, per 1,000 gallons	\$9.50

14-22(c). Bulk water purchase from the City of Dawsonville Water Plant by truck or portable device:

First 1,000 gallons or any portion thereof\$6.50

Any additional 1,000 gallons or any portion thereof\$6.50

(By way of example, if an approved user obtains 700 gallons of water from the City by truck or portable device, the fee charged shall be \$6.50; if an approved user obtains 1,000 gallons of water by truck or portable device the fee charged shall be \$6.50; if an approved user obtains 1,100 gallons of water by truck or portable device the fee charged shall be \$13.00.)

SECTION 5. NO EFFECT AS TO REMAINING PROVISIONS OF § 2-110.

This Amendment specifically restates and incorporates § 2-110 of Chapter 2, Article 4 of the Code of Dawsonville Georgia except as provided herein. To the extent this Amendment repeals and replaces provisions of the previously enacted § 2-110 of Chapter 2, Article 4 of the Code of Dawsonville Georgia, this Amendment shall control.

SECTION 6. REPEAL OF EXISTING §14-25.1

§ 14-25.1 of Chapter 14, Article 2 of the Code of Dawsonville Georgia is repealed in its entirety.

SECTION 7. ENACTMENT OF A NEW §14-25.1.

There is hereby adopted a new § 14-25.1 of Chapter 14, Article 2 of the Code of Dawsonville Georgia, that shall read as follows:

Sec. 14-25.1. Methods of payment.

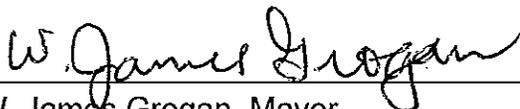
- (a) The City of Dawsonville shall accept as payment for amounts due under this article the following methods of payment:
 - (1) Cash;
 - (2) Check;
 - (3) Money order; or
 - (4) Credit card.
- (b) Nothing in this section shall require the City of Dawsonville to accept a particular type of credit card for the payment of amounts due under this section. The use of a credit card shall be permitted at the discretion of the Mayor and City Council based upon the best interests of the City.
- (c) All surcharges associated with credit card payment of amounts due under this section shall be directly passed through to the customer in the form on a "convenience fee" equal to the amount of the surcharge.

SECTION 8. EFFECTIVE DATE.

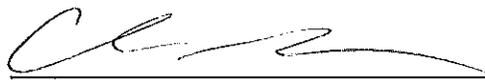
This Ordinance shall become effective upon its approval by the City Council of the City of Dawsonville, Georgia.

APPROVED this 3rd day of December, 2012 by the Mayor and Council of the City of Dawsonville, Georgia.

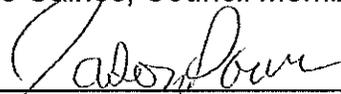
CITY OF DAWSONVILLE



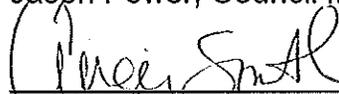
W. James Grogan, Mayor



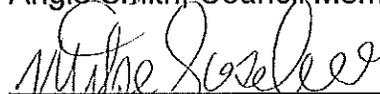
Chris Gaines, Council Member



Jason Power, Council Member

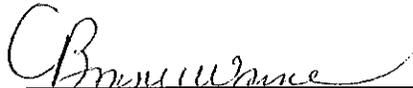


Angie Smith, Council Member

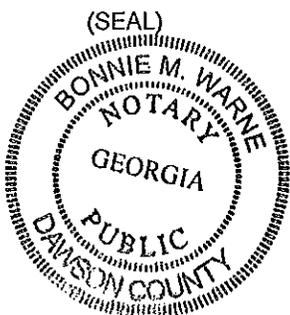


Mike Sosebee, Council Member

ATTESTED TO BY:



Bonnie Warne, City Clerk



FIRST READING	<u>11/13/2012</u>
PUBLISHED	10/24&31 11/21&28
SECOND READING & PASSED	<u>12/3/2012</u>

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.

WHEREAS, the Mayor and Council have determined that it is in the best interest of the City of Dawsonville to create a Downtown Revitalization Revolving Loan Fund (DR RLF) for the limited purpose of furthering the City's efforts to revitalize and enhance downtown areas of the City by providing below-market-rate financing to fund capital projects in downtown areas where DR RLF will spur commercial redevelopment;

NOW THEREFORE, pursuant to the authority granted to the City of Dawsonville by its Charter, the Mayor and Council of the City of Dawsonville hereby ordain as follows:

SECTION 1. Creation of program.

There is hereby created a revolving loan fund (DR RLF) for making limited purpose loans to owners of eligible commercial property within the City. The funds shall be budgeted and established from the City's general fund and shall be in the initial amount of \$25,000.00. Said amount may be increased or decreased in the future by resolution of the Mayor and City Council.

SECTION 2. Objective of program.

The objective of the DR RLF program is to provide loan funds to local small businesses and industry located within the downtown area of the City from public resources. The fund shall be used exclusively for the following purposes:

- (1) To assist such small businesses and industry in the making improvements to the exteriors and roofing of structures located in the City as may be approved by the City Council; or
- (2) To assist such small businesses and industry in making improvements to sidewalks, parking lots, landscaping and other features and fixtures on the real property serving as the location of such small businesses and industry as may be approved by the City Council.

SECTION 3. Scope of program.

The DR RLF program is designed to assist retail, service, commercial, and industrial businesses in the City by providing short term, limited purpose financing. This financial

assistance must result in the meeting of the overall program objectives, including but limited to furthering the City's goal of revitalizing Downtown Dawsonville.

SECTION 4. Promissory Note and Security.

All loans made under the DR RLF program shall be evidenced by a promissory note executed in favor of the City by the business and guaranteed by all principals, including operators, of said business. All promissory notes shall be secured by such collateral as deemed reasonably necessary by the Mayor and City Council to secure the City's creditor position. All legal documentation shall require the approval of the City Attorney.

SECTION 5. Administration.

The DR RLF shall be administrated and implemented by City staff subject to direction from the Mayor and City Council. Loans from said fund shall:

- (1) Not exceed the amount of \$20,000.00 per loan recipient;
- (2) Not bear interest if repaid within 365 days of the date of the promissory note and shall bear interest at the rate of prime plus 2% thereafter;
- (3) Provide for repayment over a period not to exceed two (2) years with a minimum monthly payment of 5% of the original loan amount during the first year and 4% of the original loan amount plus interest in the second year until paid in full; and
- (4) Be made solely for the specific purposes as stated and provided for in this ordinance.

SECTION 6. Eligibility.

The DR RLF program for the City is limited to businesses located within the downtown area of the City as the same may be delineated from time to time by the Council.

SECTION 7. Application for loan.

(a) Applications will be provided by the City to all small businesses and industries interested in the DR RLF upon request. The form of the Application shall be designed by City staff subject to approval by the Mayor.

(b) The applicant must fully address the purpose of the loan and the time schedule for implementation if funded.

- (c) Applicants must also produce the following documentation with an application:
- (1) A current profit and loss statement is required along with one for the past three years (if the business has been operating for that length of time);
 - (2) Tax returns for the prior two years shall be presented by all principals and operators guaranteeing the loan;
 - (3) A letter of commitment from the Applicant must accompany the initial application regarding the intended improvements to be funded by the loan funds;

- (4) Described and documented ownership of collateral and its market value less any outstanding indebtedness or liens; and
- (5) A list of credit references and how they can be contacted.

(d) Drawings, plans and details must be submitted to the Mayor and City Council before loan funds will be released.

(e) Funds awarded under this program must begin to be utilized within 60 days of award. A failure to begin work with the funds within 60 days or to complete the work within 180 days of commencement shall be an event of loan default.

(f) A public hearing by the Mayor and City Council will be required prior to loan approval or denial.

(g) Depending on the type of activity to be undertaken with the loan funds, various federal, state, and local laws may apply. The granting of a DR RLF loan does not constitute a permit for any construction activity.

(h) Applications regarding construction must comply with Davis-Bacon wage rate determinations and adequate environmental assessments.

(i) The Mayor and City Council reserve the right to request and require further information that they deem necessary in order to make a decision as to whether or not to approve an application under this program.

SECTION 8. Approval of loans.

(a) The Mayor and City Council have the final authority to approve a project for funding under the DR RLF program.

(b) The Mayor and City Council will not discriminate due to race, creed, color, age, sex, national origin, sexual orientation or disability in approving loan applications under the DR RLF program.

(c) The Mayor and City Council may consider, but is not limited to, the following guidelines in evaluating the applications submitted for DR RLF loans:

- (1) Credit worthiness, considering equity position and personal guaranty.
- (2) Date of application.
- (3) Additional jobs provided as a result of the loan.
- (4) Impact upon improvement of the downtown area.
- (5) Furtherance of the City's enumerated objective of the loan fund.

SECTION 9. Use of recaptured funds.

All funds recaptured by the City from the DR RLF program shall be accounted for separately and used only for future DR RLF loan purposes until such time as the DR

RLF program is terminated by resolution of the Mayor and Council.

SECTION 10. Use of grant funds.

Grants may be put into the revolving loan fund for and used for the purposes set forth in this ordinance or may segregated for a different purpose specified in the grant and thereafter those segregated funds may be used only for that specified purpose.

SECTION 11. Loan applicant assurances.

The following loan applicant assurances are required under this article:

- (1) It possesses legal authority to apply for the loan and execute the proposed project funded by the loan funds.
- (2) It will comply with all local, state and federal laws and regulations in completing the project funded by loan funds provided under this section.
- (3) It will certify that is has not knowingly and willfully made or used a document or writing containing any false, fictitious, or fraudulent statement or entry.
- (4) The Mayor and the City Council are authorized to check the credit and employment history of the applicant and all guarantors.

SECTION 12. Effective Date.

This Ordinance shall become effective upon its approval by the City Council of the City of Dawsonville, Georgia.

APPROVED this 3rd day of December 2012 by the Mayor and Council of the City of Dawsonville, Georgia.

CITY OF DAWSONVILLE

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

ATTESTED TO BY:

Bonnie M. Warnie
Bonnie Warnie, City Clerk

