

**MINUTES**  
**CITY COUNCIL REGULAR MEETING**  
**G.L. Gilleland Council Chambers on 2<sup>nd</sup> Floor**  
**Monday, December 2, 2024**  
**5:00 P.M.**

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1. **CALL TO ORDER:** Mayor Walden called the meeting to order at 5:00 pm.
2. **ROLL CALL:** Present were Councilmember William Illg, Councilmember Sandy Sawyer, Councilmember Mark French, Councilmember Caleb Phillips, City Attorney Kevin Tallant, City Manager Bob Bolz, City Clerk Beverly Banister, Public Works Director Trampas Hansard, Utility Director Jacob Barr, Finance Director Robin Gazaway, Downtown Development Director Amanda Edmondson and Planning Director Ron Haynie.
3. **INVOCATION AND PLEDGE:** Invocation and pledge were led by Councilmember Illg.
4. **ANNOUNCEMENTS:** The Mayor invited the public to the 165<sup>th</sup> Anniversary Celebration of the City to be held this evening at the Gordon Pirkle Room starting at 6:00 pm. He also wished the City Manager, Bob Bolz, a Happy Birthday.
5. **APPROVAL OF THE AGENDA:** Motion to approve the agenda as presented made by M. French; second by W. Illg. Vote carried unanimously in favor.
6. **PUBLIC INPUT:** None
7. **CONSENT AGENDA:** Motion to approve the consent agenda for the following items (a-c) made by W. Illg; second by S. Sawyer. Vote carried unanimously in favor.
  - a. Approve Minutes
    - Regular Meeting and Work Session held November 18, 2024
  - b. Approve Equipment Lease Agreement for Printer in Planning & Zoning
  - c. Approve FY 2025 Local Maintenance and Improvement Grant (LMIG): ***Approved project to soil cement, repave and repair sidewalks on Maple Street South and to approve a 30% match of \$14,817.96 out of the FY 2025 budget; funding will be combined with FY 2023 and FY 2024 LMIG funding.***

**BUSINESS**

8. **PROCLAMATION: CELEBRATING THE 165<sup>TH</sup> ANNIVERSARY OF THE CITY OF DAWSONVILLE:** Mayor Walden read the proclamation.
9. **FY 2023-2024 FINANCIAL AUDIT PRESENTATION BY ALEXANDER, ALMAND & BANGS:** Rachel Miller, CPA from Alexander, Almand & Bangs, presented the audit report of the City's financial statements of the governmental activities for the fiscal year July 1, 2023 through June 30, 2024 and reviewed some key areas of the audit. The City received a clean opinion of the financial statements.

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***City Manager Bolz read a proclamation he just received from Representative Will Wade concerning the celebration of the City's 165th anniversary.***

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10. **RESOLUTION NO. R2024-06: ADOPT THE DAWSON COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN:** Motion to approve Resolution No. R2024-06 as presented made by C. Phillips; second by M. French. Vote carried unanimously in favor. (Exhibit "A")
11. **CONSIDERATION OF CITY HALL EARLY CLOSURE ON DECEMBER 17, 2024:** Motion to approve the closure of City Hall on Tuesday, December 17, 2024 from 11:30 am – 4:30 pm to accommodate for a Christmas luncheon for the staff and to pay the staff for the time off made by M. French; second by S. Sawyer. Vote carried unanimously in favor.

**MAYOR AND COUNCIL REPORTS:**

Councilmember Illg stated the weather is cold and to check on your neighbors.

Councilmember Sawyer announced she attended Leadership Dawson this month with Downtown Director Edmondson. The theme was poverty and they visited Rick-Rack, the Senior Center and participated in a poverty simulation. She invited Director Edmondson to share her thoughts on the day. Director Edmondson stated how hard it is for families and individuals to get by in these times and she is thankful for the community and the many resources provided within Dawson County.

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Mayor Walden expressed his appreciation for all who helped with the Christmas program and was grateful to see the community come out for the event.

**EXECUTIVE SESSION**

At 5:20 p.m. a motion to close regular session and go into executive session for real estate acquisition, pending/potential litigation and/or personnel was made by M. French; second by W. Illg. Vote carried unanimously in favor.

At 5:47 p.m. a motion to close executive session was made by M. French; second by W. Illg. Vote carried unanimously in favor.

Motion to resume regular session was made by M. French; second by C. Phillips. Vote carried unanimously in favor.

**RESERVED FOR POTENTIAL ACTION ON EXECUTIVE SESSION ITEMS, IF NEEDED**

Attorney Tallant explained he is requesting the City's approval of a resolution in support of the City of Milton's efforts to have the Georgia Supreme Court take up a case in which the City was issued a judgement against them for an object that was in it's right-of-way.

Motion to approve Resolution No. R2024-07 in support of the City of Milton made by W. Illg; second by C. Phillips. Vote carried unanimously in favor. (Exhibit "B")

**ADJOURNMENT**


At 5:50 p.m. a motion to adjourn the meeting was made by S. Sawyer; second by M. French. Vote carried unanimously in favor.

**Approved this 16<sup>th</sup> day of December 2024**

By: CITY OF DAWSONVILLE

  
\_\_\_\_\_  
John Walden, Mayor

  
\_\_\_\_\_  
Caleb Phillips, Councilmember Post 1

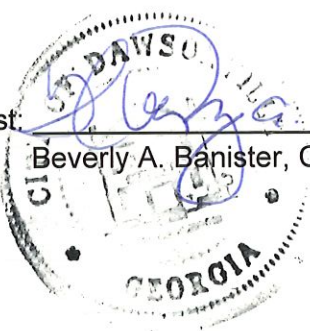
  
\_\_\_\_\_  
William Illg, Councilmember Post 2

  
\_\_\_\_\_  
Sandra Sawyer, Councilmember Post 3

  
\_\_\_\_\_  
Mark French, Councilmember Post 4

Attest:

  
\_\_\_\_\_  
Beverly A. Banister, City Clerk



STATE OF GEORGIA  
COUNTY OF DAWSON

AFFIDAVIT OF THE CITY OF DAWSONVILLE MAYOR AND COUNCIL

Mayor John Walden, Councilmember Caleb Phillips, Councilmember William Ilig, Councilmember Sandra Sawyer and Councilmember Mark French; 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 December 2, 2024.
2. During such meeting, the Board voted to go into closed session.
3. The executive session was called to order at 5<sup>20</sup> 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: (check all that apply)

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(b)(1);

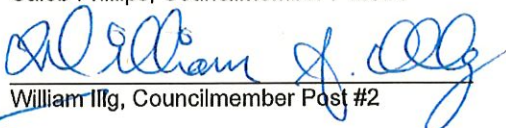
Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a City officer or employee as provided in O.C.G.A. § 50-14-3(b)(2);

Other \_\_\_\_\_ as provided in: \_\_\_\_\_.

This 2<sup>nd</sup> day of December 2024; By the City of Dawsonville, Mayor and Council:

  
\_\_\_\_\_  
John Walden, Mayor

  
\_\_\_\_\_  
Caleb Phillips, Councilmember Post #1

  
\_\_\_\_\_  
William Ilig, Councilmember Post #2

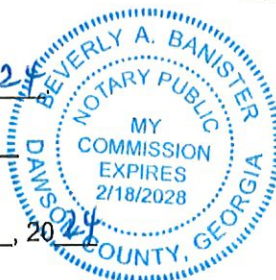
  
\_\_\_\_\_  
Sandra Sawyer, Councilmember Post #3

  
\_\_\_\_\_  
Mark French, Councilmember Post #4

Sworn to and subscribed before me this  
2 day of December, 2024

  
\_\_\_\_\_  
Signature Notary Public

My Commission expires: Feb 18, 2024



**RESOLUTION NO. R2024-06**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DAWSONVILLE TO ADOPT THE DAWSON COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN 2024-2029 UPDATE**

**WHEREAS**, Dawson County and the City of Dawsonville recognize that it is threatened by a number of different natural and man-made hazards that can result in loss of life, property loss, economic hardship and threats to public health and safety; and

**WHEREAS**, the Federal Emergency Management Agency (FEMA) has required that every county and municipality have a pre-disaster mitigation plan in place, and requires the adoption of such plans in order to receive funding from the Hazard Mitigation Grant Program; and

**WHEREAS**, a Hazard Mitigation Plan is a community's plan for evaluating hazards, identifying resources and capabilities, selecting appropriate actions, and developing and implementing the preferred mitigation actions to eliminate or reduce future damage in order to protect the health, safety and welfare of the residents in the community; and

**WHEREAS**, the Dawson County Multi-Jurisdictional Hazard Mitigation Plan 2024 – 2029 Update has been prepared in accordance with FEMA requirements at 44 CFR 201.6; and

**WHEREAS**, the Plan will be updated every five years;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of Dawson County, Georgia and the Mayor and Council of the City of Dawsonville each meeting in respective session, that:

1. Dawson County, Georgia, the City of Dawsonville have adopted the Dawson County Multi-Jurisdictional Hazard Mitigation Plan 2024 – 2029 Update; and
2. It is intended that the Plan be a working document and is the first of many steps toward improving rational, long-range mitigation planning and budgeting for Dawson County and the City of Dawsonville.

**PASSED, APPROVED AND ADOPTED** by the Mayor and Council of the City of Dawsonville, Georgia in regular session this 2 day of December, 2024.

**MAYOR AND DAWSONVILLE CITY COUNCIL**

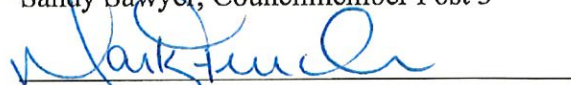
By: \_\_\_\_\_

John Walden, Mayor

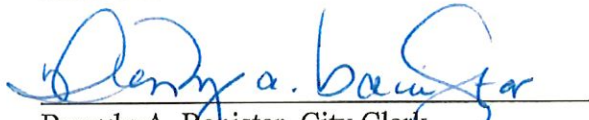
\_\_\_\_\_  
Caleb Phillips, Councilmember Post 1

  
\_\_\_\_\_  
William Illg, Councilmember Post 2

  
\_\_\_\_\_  
Sandy Sawyer, Councilmember Post 3

  
\_\_\_\_\_  
Mark French, Councilmember Post 4

ATTEST:

  
\_\_\_\_\_  
Beverly A. Bahister, City Clerk



**RESOLUTION NO. R2024-07**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DAWSONVILLE, GEORGIA (The "CITY") AUTHORIZING PARTICIPATION IN AN AMICUS BRIEF IN THE CHANG V. CITY OF MILTON APPEAL**

**WHEREAS**, there is presently pending before the Court of Appeals and/or Supreme Court of Georgia an appeal of a civil lawsuit that, at the trial court level, was referred to as Chang, et. al. v. City of Milton, State Court of Fulton County, Case No. 18EV004442;

**WHEREAS**, the case involves a claim of liability against the City of Milton for personal injuries due to a 2016 vehicle collision with a fixed obstruction (a masonry planter) located on City-owned right of way where the obstruction was outside the motoring lanes of travel;

**WHEREAS**, the masonry planter had been at the same location since 1992 and had never been the subject of a complaint or prior accident;

**WHEREAS**, at the trial court, the City of Milton was found to be partially at fault and a jury awarded money damages against the City of Milton of \$35,000,000;

**WHEREAS**, the Court of Appeals affirmed the findings of the trial court, City of Milton v. Chang, et. al., 2024 WL 4195584 (Chang appellate ruling);

**WHEREAS**, the Court of Appeals ruled that the "*planter...was a hazard for vehicles leaving the travel lanes*" and that its presence "*renders the use of these thoroughfares more hazardous*;"

**WHEREAS**, the CITY is concerned by the Court of Appeals decision finding that a municipality may be liable for fixed obstructions located outside the motoring lanes of travel where the obstruction had never been the subject of a prior collision or complaint;

**WHEREAS**, the CITY believes the Court of Appeals decision is inconsistent with existing legal precedent and should be overturned; and,

**WHEREAS**, the CITY believes the financial implications of the Court of Appeals decision could be devastating for Georgia municipalities.

**NOW THEREFORE BE IT RESOLVED**, that the CITY does hereby authorize participation in an amicus brief before the Georgia Supreme Court asking that the Chang appellate ruling be taken by the Supreme Court and reversed. An amicus brief so tendered may include the City's name as a participating party.

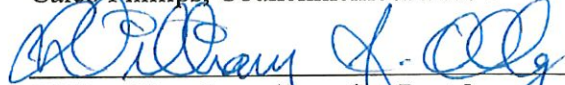
This 2<sup>nd</sup> day of December, 2024.

*(Signatures on following page)*

**MAYOR AND DAWSONVILLE CITY COUNCIL**

By:   
John Walden, Mayor

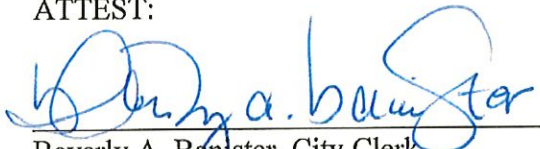
  
Caleb Phillips, Councilmember Post 1

  
William Illg, Councilmember Post 2

  
Sandy Sawyer, Councilmember Post 3

  
Mark French, Councilmember Post 4

ATTEST:

  
Beverly A. Banister, City Clerk

