

MINUTES
CITY COUNCIL WORK SESSION AND REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, May 20, 2019
5:30 P.M.

1. **CALL TO ORDER:** Mayor Mike Eason called the meeting to order at 5:30 pm.
2. **ROLL CALL:** Present were Councilmember Jason Power, Councilmember Mark French, Councilmember Stephen Tolson, Councilmember Caleb Phillips, City Attorney Dana Miles, City Manager Bob Bolz, City Clerk Beverly Banister, Deputy City Clerk Tracy Smith, Public Works Operations Manager Trampas Hansard, Planning Director Robbie Irvin, Finance Administrator Hayden Wiggins and Human Resource Manager Donna Blanton.
3. **INVOCATION AND PLEDGE:** Invocation and Pledge were led by Councilmember Power.
4. **ANNOUNCEMENTS:** No announcements
5. **APPROVAL OF THE AGENDA:** Motion to remove item #18 General Fund Reserves Recommendation made by S. Tolson; second by C. Phillips. Vote carried unanimously in favor.

Motion made by M. French to remove the Executive Session due to not being briefed on any topics; motion died due to lack of a second.

Motion to approve the agenda as amended made by J. Power; second by S. Tolson. Vote carried three in favor (Power, Tolson Phillips) with one opposed (French).
6. **PUBLIC INPUT:** No comments from the public.
7. **CONSENT AGENDA:** Motion to approve the consent agenda for the following items (a, b) made by S. Tolson; second by J. Power. Vote carried unanimously in favor.
 - a. Approve Minutes – Regular Meeting and Executive Session held May 6, 2019 – **passed 4-0**
 - b. Approve Postponement of Ethics Board Appointment to June 3, 2019 – **passed 4-0**
8. **EMPLOYEE OF THE MONTH AND SERVICE AWARDS:** Mayor and Council presented the May Employee of the Month Award to Trampas Hansard. Service awards were presented to Westin Lee for two years of service, Beverly Banister for four years of service and Nalita Copeland for eight years of service.
9. **PROCLAMATION - NATIONAL PUBLIC WORKS WEEK, MAY 19 – 25, 2019:** Mayor read the proclamation and presented it with the Council to the Public Works Department. Exhibit "A"
10. **ANX C9-00252 and ZA C9-00252:** James E. Bottoms has petitioned to annex into the city limits of Dawsonville the 80 acre tract known as TMP 068 055, located at 0 Cleve Wright Road, with a request to rezone from County Zoning of RA (Residential Exurban/Agriculture) to City Zoning of RA (Restricted Agriculture). Public Hearing Dates: Planning Commission on May 13, 2019 and City Council on May 20, 2019. City Council for a decision on June 3, 2019.

Motion to open the public hearing made by M. French; second by C. Phillips. Vote carried unanimously in favor. Planning Director Robbie Irvin read and presented the annexation and rezone; the Planning Commission approved the request. No one spoke in favor or opposition. Motion to close the public hearing made by M. French; second by S. Tolson. Vote carried unanimously in favor. Item will be presented to Council on June 3, 2019 for a decision.
11. **ANX C9-00253 and ZA C9-00253:** Jamie McCracken has petitioned to annex into the city limits of Dawsonville the property known as TMP 090 095, located at 551 Gold Bullion Drive West, with a request to rezone from County Zoning of RPC (Residential Planned Community) to City Zoning of PUD (Planned Unit Development). Public Hearing Dates: Planning Commission on May 13, 2019 and City Council on May 20, 2019. City Council for a decision on June 3, 2019.

Motion to open the public hearing made by J. Power; second by C. Phillips. Vote carried unanimously in favor. Planning Director Robbie Irvin read and presented the annexation and rezone; the Planning Commission approved the request. No one spoke in favor or opposition. Motion to close the public hearing made by J. Power; second by C. Phillips. Vote carried unanimously in favor. Item will be presented to Council on June 3, 2019 for a decision.

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12. **ANX C9-00256 and ZA C9-00256**: Anthony Tarnacki has petitioned to annex into the city limits of Dawsonville the property known as TMP 090 083, located at 143 Gold Bullion Drive West, with a request to rezone from County Zoning of RPC (Residential Planned Community) to City Zoning of PUD (Planned Unit Development). Public Hearing Dates: Planning Commission on May 13, 2019 and City Council on May 20, 2019. City Council for a decision on June 3, 2019.

Motion to open the public hearing made by M. French; second by C. Phillips. Vote carried unanimously in favor. Planning Director Robbie Irvin read and presented the annexation and rezone; the Planning Commission approved the request. No one spoke in favor or opposition. Motion to close the public hearing made by M. French; second by C. Phillips. Vote carried unanimously in favor. Item will be presented to Council on June 3, 2019 for a decision.

13. **ZA C9-00267**: Mostafa Elahy has requested an amendment to the zoning stipulations for TMP D02 001 and TMP 083 038 082 consisting of 9.14 acres total, located at 280 Maple Street South. Hearing Dates: Planning Commission – May 13, 2019 and City Council – May 20, 2019.

Motion to open the public hearing made by C. Phillips; second by J. Power. Vote carried unanimously in favor. Planning Director Robbie Irvin read and presented the zoning amendment request. He stated the property was originally zoned R-6 (Multifamily Residential) from R-3 in 2007 with the following stipulations:

- i. Dedicate five feet of property along Maple Street for additional ROW
- ii. Provide restrictive covenants identifying project as “active adult” community
- iii. Extend pavement along Maple Street from southern property line to Stegall street intersection a width of two feet
- iv. Design/build a minimum of twenty percent of livable dwellings to met standards as described in the Universal Design Standards Manual

The applicant wishes to have conditions two and four removed; these conditions would restrict the project to an “active adult” community which would require additional building standards to be met. The applicant does not wish to limit the project to “active adult”. The Planning Commission recommends denying the request. Councilmember Phillips asked for the acreage difference; Irvin responded the original was 15 acres and this is 9.14 acres. Councilmember Phillips stated the applicant is not reducing the number of units for the original 15 acres, he is just utilizing less acreage for the same density.

The following citizens spoke in favor of the zoning amendment request:

- Mostafa Elahy, 435 Clubfield Drive, Roswell, GA – He stated there is more of a need for general public affordable housing than senior living; the request does not include a change of density. He spoke about traffic concerns and presented his own traffic study of ten citizens from nearby residences which concluded there was no traffic issue on Maple Street. He stated specifics from the Dawsonville Comprehensive Plan regarding a survey with respect to housing. He also said they planned to have some plans where the master bedroom would be on the main floor.
- John Drew, 102 River Sound Lane, Dawsonville – He stated he is the real estate agent representing the property owners. He stated the property will have lower density than it is currently zoned and will contain quality and affordable housing. The plans include garages which will help eliminate parking on the streets. He stated the property next door on Stegall has two mobile homes, the adjacent property has three sheds and another property next door is also zoned R-6.

Councilmember Phillips asked if the property next door which is zoned R-6, if it's the same piece of this property; Robbie Irvin replied yes, and Mr. Drew said three properties were all zoned R-6 together originally.

- Warren Welch, 63 Wehunt Road, Dawsonville – He stated he is the real estate agent assisting Mr. Elahy with the purchase of the property. He spoke about working with Mr. Elahy previously and stated he builds a quality home. He stated the most opposition seems to be regarding the density; however, the density has already been approved. He felt if the request isn't approved, the property could become apartments; he stated affordable housing would seem to be a better option.

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He pointed out the streets would be wider than Pearl Chambers, amenities would include a picnic area, playground, and a dog park. He stated it is a well thought out project which would allow multi-generational living and again stated the project meets the density requirements.

- Arlene McClure, 772 Stowers Road West, Dawsonville – She stated she is the property owner and spoke about the plans for the property prior to the recession.

The time to speak in favor of the request was exhausted. Motion to increase the public hearing time by five minutes was made by C. Phillips; second by M. French. Vote carried unanimously in favor.

She continued to speak in favor stating the need for affordable housing so people could live and work in Dawson County; she also feels it will improve the overall look of Maple Street.

- David Anderson, 1040 Blacks Mill Road, Dawsonville – He stated he is the civil engineer working with the builder and spoke about the need for affordable housing for the working class people. He also stated the back four acres of the property has a creek running through it and would be left natural because it would be difficult to develop it.

The following individual spoke in opposition of the zoning amendment request:

- Shon Geddes, 5745 Hendrix Road, Cumming – Spoke about his concern with removing the active adult stipulation and the increase of traffic along Maple Street; he requested a traffic study be done. He noted his opposition to the removing of the stipulation of active adult and the Planning Commission's recommendation to deny. He stated if the project should get approved, he would like a privacy fence and holly bushes installed along the portion that borders his property to prevent citizens from cutting through. He also stated, if approved, he recommends a pool for the community be considered as a stipulation, a de-acceleration lane and a sidewalk to Stegall Place.

Mayor Eason invited the applicant to speak again in response to the opposition:

- Mostafa Elahy, 435 Clubfield Drive, Roswell, GA – He stated he tried to reach Mr. Geddes to speak with him about the project and stated the neighborhood he is looking to create will be much better than anything currently on Maple Street. He said there will be screens in place to separate the neighborhood from the Stegall Place property and would take care of the requirements for a pool if that was a stipulation.

Motion to close the public hearing made by S. Tolson; second by C. Phillips. Vote carried unanimously in favor. Councilmember Power asked Planning Director Robbie Irvin for an explanation of the fourth stipulation; Irvin stated it is regarding handicap accessible construction that is related to the active adult stipulation. Mayor Eason stated Council will consider a decision at the June 3, 2019 meeting.

14. **ZA C9-00268:** Larry Lowman has requested a zoning amendment for a 5 acre portion of TMP 068 022, located at Reece Road and Elliott Family Parkway, from R1 (Single Family Residential) to LI (Light Industrial). Hearing Date: Planning Commission – May 13, 2019 and City Council May 20, 2019.

Planning Director Robbie Irvin read the zoning amendment request. Motion to open the public hearing made by M. French; second by J. Power. Vote carried unanimously in favor. Planning Director Irvin gave the staff report stating the request is for a utility trailer manufacturing business; the Planning Director and the Planning Commission is recommending approval. No one spoke in opposition to the request and one individual spoke in favor:

- Larry Lowman, 233 Hwy 9 South, Dawsonville – He stated he builds utility trailers for food trucks and works with several franchises and currently has a contract to build 1100 units which would employ some residents. He also stated he cleaned up the property and will modify the structures on the property to their original state. The manufacturing will be done inside a building and the finished trucks will be stored outside for a short time until picked up or delivered.

Motion to close the public hearing made by J. Power; second by C. Phillips. Vote carried unanimously in favor. Mayor Eason stated Council will consider a decision at the June 3, 2019 meeting.

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15. To Hear the City of Dawsonville Proposed Budget FY 2019-2020

Motion to open the public hearing made by M. French; second by J. Power. Vote carried unanimously in favor. Finance Administrator Hayden Wiggins stated he presented the proposed budget at the last meeting and answered some questions from Council; he asked if anyone had additional questions or input and none were stated. No one spoke in favor or opposition to the proposed budget. Motion to close the public hearing made by C. Phillips; second by J. power. Vote carried unanimously in favor.

16. AUDITING SERVICES RFP RECOMMENDATION: Motion to table this item until June 3, 2019 made by S. Tolson; second by M. French. Vote carried unanimously in favor.

17. COMMITTEE FOR DESIGN GUIDELINES: Mayor Eason restated the purpose of this committee and he asked Anna Tobolski, a member of the Planning Commission, to announce who is willing to serve on this committee. She stated the following members have an interest: Angie Smith from the HPC, Scott Morgan from the Dawson County School district, Georgann Schmalz from the Dawson County Women's Club, Christie Moore from the Dawson County Chamber of Commerce and Karen Smith from Abbott Creek Nursery. She spoke more about the goal of the committee and stated the importance of the City of Dawsonville residents' input to gather an understanding of their opinion. Mayor Eason stated he would like to nominate Dwight Gilleland from Dawson Hardware and asked Council to consider nominations for a future meeting and intends to have a member of the Planning Commission and the DDA to be a part of the committee.

18. Removed from agenda.

19. AIRPORT UPDATE – PHIL EBERLY: Phil Eberly, the City's airport consultant, gave an update on the airport and stated the City had an opportunity with the Elliott's to take over their airport which included a donation from the Elliott's that equated to a match of about 90% for an FAA grant. This would allow the City to take ownership with FAA rules to control the operation of the facility; it would not require any type of debt service and the existing revenue from the airport would pay day to day costs so the City's budget would not be impacted negatively. The FAA has asked the City if they would commit to funding on their own to be later reimbursed; however, that is not an acceptable option for the City. The City had an agreement with the Elliott's to deed the runway in the City's name while waiting for funding which was good for one year, however, while it was in place the Elliott's could not maintain their runway; the agreement has since lapsed and will be reconsidered when the funding is available from the FAA. The City has a clear line of what is acceptable to move forward, and the Elliott's are aware of it and will be taking care of their facility until the opportunity becomes available with the FAA funding. Regarding the timing, it is unlikely the funding will be available this fiscal year so perhaps 2020. In response to Mayor Eason's question regarding the type of airport this would be, Mr. Eberly explained the airport has been operating for 40 years as a general aviation airport with small to medium sized aircraft and is classified as B2 which is defined by the wingspan and approach speeds. The City would continue to operate it as such, and the facility could not accommodate anything larger.

20. INTRODUCTION OF SEC. 2-110 FEE SCHEDULE CHANGES: Mayor Eason spoke about consolidating all of the City's fees into one area as opposed to having to search in various places throughout the City's code to locate fees; in addition; some of the fees have changed. He encouraged Council to review the fee schedule and to contact staff with any questions or concerns.

21. NIGHTLY RENTAL HOMES INSIDE CITY LIMITS: Mayor Eason spoke about the use of residential properties for nightly rental through such outlets as Airbnb and VRBO and wanted to discuss if any restrictions or qualifiers needed to be in place. Attorney Miles stated the question becomes whether the City wanted to allow residential homes to be used for commercial use. Mayor Eason said this has become popular with homeowners and he'd like the City to decide and define what they'd like to see happen. Councilmember Phillips stated we should look at our ordinance and enforce it accordingly; Councilmember French asked about obtaining a business license and Attorney Miles said it should be subject to a business license.

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- 22. DESIGN AND COST ESTIMATES FOR CHASE ELLIOTT DISPLAY:** Mayor Eason spoke about recognizing local drivers by designing custom displays at the GRHOF and he mentioned the desire to upgrade the GRHOF making it more of a destination for visitors to our City. The City is looking at options to achieve this goal and will be presenting proposals in a future meeting.
- 23. CITY-AMICALOLA FARMERS MARKET AGREEMENT:** Mayor Eason spoke about the agreement with the City and the Amicalola Farmers Market to have their vendors sell their items at the City's Farmers Market. The agreement has been presented to Christie Moore at the Dawson County Chamber of Commerce and once agreed upon the items will come to Council for approval.
- 24. IMPACT OF VAPING AND TOBACCO USE ORDINANCE:** Mayor Eason spoke about some questions and concerns about homes located next to churches, schools or a City property; it does not mean you cannot smoke on your property. The purpose of the ordinance is to protect children and the health of our citizens on those properties; however, the properties can identify their own smoking area if they so desire. A concern has also come from business selling vaping supplies regarding where the items are located for sale within the business and whether a person could smoke outside a convenient store located near an existing school, church or City property. Attorney Miles said as we look into and hear further from citizens and business owners, the Council may desire to amend the current ordinance. Councilmember Phillips recognizes there are some items to work through concerning our local business.

Motion to waive the fees for existing businesses already selling vaping products (currently there are four of them) effective immediately for this year made by C. Phillips; second by M. French. Vote carried unanimously in favor.

25. BOB BOLZ, CITY MANAGER:

- Farmer's Market Bids due May 28, 2019
- Main Street Park Landscape Phase I Bids due May 29, 2019
- Main Street Park Restroom Bid is scheduled to go out next week
- Plans are available for the revised parking at City Hall
- Plans for parking options on Academy Avenue are being developed
- Winter Storage Building project is moving forward; the grading is complete, and the shelters will be installed by the end of the fiscal year
- Cost estimate for the design of angled parking for downtown from Davis Engineering is \$2,850.00

26. HAYDEN WIGGINS, FINANCE ADMINISTRATOR: Financial reports representing fund balance and activity provided through April 30, 2019. No questions or comments from Council.

27. ROBBIE IRVIN, PLANNING DIRECTOR:

- A variance request for a 7-foot rear setback reduction was granted at 115 Thorndale Lane for the purpose of installing a patio roof. No objections from surrounding property owners and the setback reduction will not cause any adverse impact.
- A variance request for a 6-foot rear setback reduction was granted at 132 Harrier Drive for the purpose of installing a swimming pool. No objections from surrounding property owners and the setback reduction will not cause any adverse impact

MAYOR AND COUNCIL REPORTS

Councilmember Phillips reported on meeting with several HOAs along with Mayor Eason and Councilmember Tolson and their main issues are with signs concerning speed, a roundabout and children at play signs; Trampas Hansard stated the signs have been ordered and should be completely installed by next week.

EXECUTIVE SESSION:

At 6:54 p.m. a motion to close regular session and go into executive session for Pending or Potential Litigation, Real Estate Acquisition and/or Personnel was made by S. Tolson; second by C. Phillips. Vote carried unanimously in favor.


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At 7:38 p.m. a motion to close executive session and resume regular session was made by C. Phillips; second by J. Power. Vote carried unanimously in favor.

ADJOURNMENT:

At 7:39 p.m. a motion to adjourn the meeting was made by M. French; second by S. Tolson. Vote carried unanimously in favor.

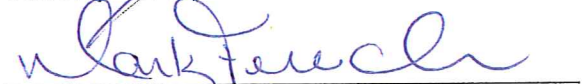
By: CITY OF DAWSONVILLE


Mike Eason, Mayor


Caleb Phillips, Councilmember Post 1


Stephen Tolson, Councilmember Post 2


Jason Power, Councilmember Post 3


Mark French, Councilmember Post 4



Attested:


Beverly A. Banister, City Clerk

STATE OF GEORGIA
COUNTY OF DAWSON

AFFIDAVIT OF THE CITY OF DAWSONVILLE MAYOR AND COUNCIL

Mayor Michael Eason, Councilmember Jason Power, Councilmember Caleb Phillips, Councilmember Stephen Tolson, 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 the May 20, 2019.
2. During such meeting, the Board voted to go into closed session.
3. The executive session was called to order at 6:54 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);

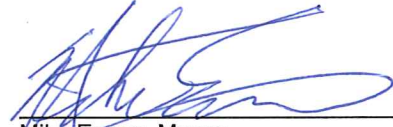
Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and _____;

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 20th day of May 2019; By the City of Dawsonville, Mayor and Council:


Mike Eason, Mayor

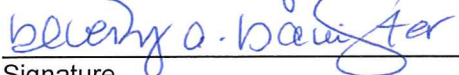

Caleb Phillips, Councilmember Post #1


Stephen Tolson, Councilmember Post #2


Jason Power, Councilmember Post #3


Mark French, Councilmember Post #4

Sworn to and subscribed before me this 20 day of May, 2019.


Signature

Notary Public
My Commission expires: 02.18.2020



Beverly A. Banister
NOTARY PUBLIC
Dawson County, Georgia
My Commission Expires
February 18, 2020



Proclamation

National Public Works Week

May 19-25, 2019



WHEREAS, public works infrastructure, facilities and services are of vital importance to sustainable communities and to the health, safety and well-being of the people of the City of Dawsonville; and,

WHEREAS, such facilities and services could not be provided without the dedicated efforts of public works professionals, engineers, managers and employees from State and local units of Government and the private sector, who are responsible for and must plan, design, build, operate, and maintain the transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential to serve our citizens; and,

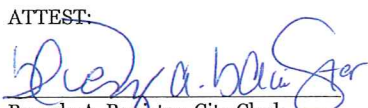
WHEREAS, it is in the public interest for the citizens, civic leaders and children in the United States of America to gain knowledge of and to maintain a progressive interest and understand the importance of public works and public works programs in their respective communities,

WHEREAS, the year 2019 marks the 59th annual National Public Works Week sponsored by the American Public Works Association be it now,

RESOLVED, I, Mike Eason, Mayor of the City of Dawsonville, do hereby designate the week May 19-25, 2019 as National Public Works Week; and I urge all our people to join with representatives of the American Public Works Association and government agencies in activities and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they have made to our national health, safety, welfare and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Dawsonville to be affixed on this 20th day of May, 2019.


Mike Eason, Mayor

ATTEST:

Beverly A. Banister, City Clerk

