

**REGULAR MEETING  
DAHLONEGA CITY COUNCIL  
JULY 7, 2008**

**CALL TO ORDER:**

The Dahlongega City Council met in regular session at City Hall on July 7, 2008. Council members present were Michael Clemons, Terry Peters, Sam Norton, Guy Laboa and Gerald Lord. Mayor Gary McCullough called the meeting to order at 6:00 p.m. and opened with prayer. Guy Laboa requested everyone to stand for the Pledge to the American Flag. Mayor McCullough recommended that the agenda be amended to include the DDA Report and an Executive Session to discuss a pending legal matter. A motion was made by Terry Peters to approve this recommendation. The motion seconded by Sam Norton and approved by all members present.

**PUBLIC HEARING:**

City Attorney Doug Parks advised that a Public Hearing was scheduled for Dahlongega Partners, LLC concerning their application for a PUD amendment for property located on Pine Tree Road and Mechanicsville Road. Dahlongega Partners have requested a postponement of the hearing pending receipt of a housing study and completion of a traffic study. These studies are scheduled to be completed in October and they requested to be placed on the City Council Agenda for November, 2008. Mr. Parks asked for a recommendation from John Bell. Mr. Bell advised that he is with the Architectural Firm of Lord, Aeck and Sargent. Dahlongega Partners, LLC filed an application to amend 56.17 acres of the approved PUD to permit the construction of 152 multi-family housing units. Each unit will have four bedrooms. This proposal exceeds 125 new residential units and a DRI review by the GMRDC was required. The DRI advised that this project was approved only if the applicants submitted additional documentation including a formal traffic study and documentation that the applicants submit a housing study documenting the need for this amount of new student housing. The applicants were asked for these documents two months ago. Mr. Bell stated that there is nothing to be gained by granting a four month continuance as these documents should have already been provided. Mr. Bell also advised that the applicants can reapply to the Dahlongega Planning and Zoning Commission for a PUD site plan amendment once this documentation is available. Mr. Bell recommended that the request for continuance be denied. A motion was made by Guy Laboa to approve this recommendation. The motion was seconded by Sam Norton and approved by all members present. Guy Laboa advised that if they reapply it does not mean that the city is obligated to approve the application. Al Cavalier spoke on behalf of adjoining property owners. He expressed their concerns that if any improvements are made to the drainage system and detention areas, the costs for improvements would be paid by the developers. The Dahlongega Planning and Zoning Commission recommended denial of the application for PUD Amendment filed by Dahlongega Partners, LLC. A motion was made by Michael Clemons to approve this recommendation. The motion was seconded by Guy Laboa and approved by all members present.

**MINUTE APPROVAL:**

A motion was made by Guy Laboa to approve the minutes of the regular Council Meeting held on June 5, 2008. This motion was seconded by Sam Norton and approved by all members present.

**CITIZENS:**

Johnny Ariemma requested that the council allow the Dahlonge Square Villa to keep the vinyl windows that have recently been installed. The Dahlonge Historical Preservation Commission considered the request but deferred ruling on whether the vinyl windows could be used in lieu of wooden windows. Mr. Ariemma advised that a wooden screen would be placed over the vinyl windows. Gerald Lord stated that he was concerned that granting this request would show that the council is not following the historical preservation guidelines. John Bell was requested to give a recommendation. Mr. Bell advised that he had consulted with his staff concerning this matter and they advised that permanent wooden screens would resolve this issue. Developers are encouraged to use certain materials but if the regulations do not state that they are required to use certain materials it is very difficult to enforce. Mr. Bell recommended that the wording be changed in the ordinance but recommended that the request be granted contingent upon the installation of the wooden screens. Dahlonge Historical Preservation Commission Chair Susan Newell advised that the Commission did not receive sufficient information initially concerning this request. Ms. Newell recommended that the ordinances be updated and that the application be changed to read that any and all exterior modifications must be approved by the Historical Preservation Commission. Mr. Ariemma stated that initially he planned to restore and preserve all the original materials possible including the wooden windows but found them to be in very poor condition. Fire Chief Ed Eggert examined the old windows and determined them to be inoperable and recommended the new windows. A motion was made by Michael Clemons to allow the wood screen to cover the vinyl materials on the windows already installed. This motion was seconded by Guy Laboa and approved by the following vote count: Voting for the motion were Laboa, Clemons, Norton and Peters. Gerald Lord voted against the motion.

**DEPARTMENT REPORTS:**

Mayor Gary McCullough advised that reports have been received from the Dahlonge Planning and Code Enforcement Departments concerning activities of those departments during the month of June, 2008. Dahlonge Historical Preservation Commission Chair Susan Newell advised that the Commission approved a sign application submitted by Thomas and Company per e-mail communications. They also approved sign applications for Vintage Music, Lifetime Bikes, Tilena's Treasure Box, Johnny Ariemma and Mary Kienel. Building alterations were approved for Magical Threads. Chamber of Commerce Director Gary Powers presented a report from the Chamber for activities during the month of July, 2008. Mr. Powers stated that July was a very busy month. He reported that the July 4<sup>th</sup> Celebration was a huge success and he thanked Mayor McCullough and Guy Laboa for their participation in the celebration. The July 4<sup>th</sup> Parade had over one hundred entries and the fireworks were spectacular. He announced that staff

members will be participating in training and conferences during the month of August. The 20<sup>th</sup> Anniversary Six Gap Bike Race will be held in Dahlonega on September 28. Registrations for the bike race are up thirty percent over last year. A Business Expo and Job Fair will be held August 19 at Lumpkin County High School. Mohawk employees will be notified of the date for the job fair. Plans are already being made for Old Fashioned Christmas. Appalachian State Bank has agreed to sponsor Old Fashioned Christmas for the next three years. Mr. Powers advised that hotel-motel tax receipts have increased forty-eight percent over last year. Mr. Powers also distributed information concerning ads that have been published concerning Dahlonega during June and visitation rates for the Chamber. DDA Chair Gayle Jones gave the Dahlonega Downtown Development Authority/Better Hometown Program Activity Report. Some of the highlights of the report were outlined including the fact that the DDA scheduled and promoted meetings, completed preparation and began implementation of the 10 year Downtown Master Plan. The plan has now been completed and will be presented to county authorities. They also produced the first DDA Downtown Business Reception and awards for downtown businesses. A historic preservation training event was held for downtown's partner agencies. Members of the DDA are continuing to work with the Merchant's Association and Chamber of Commerce to promote tourism. Mayor McCullough stated that he appreciates the accomplishments of the DDA.

**CITY MANAGER'S COMMENTS:**

City Manager Bill Lewis advised that Project C was presented to the Council several months ago. This project will divert waste water from the new water treatment plant, Porter Village, The Summit, and future development away from downtown to Morrison Moore Parkway and into the waste water trunk line connecting to the waste water treatment plant. The project will extend the life of existing sewer lines in the downtown by removing the flows from current development and diverting the wastewater flows from the new water plant away from downtown. The current cost estimate is \$1,600,000 which includes a 30 percent contingency. In order to complete this project in-house labor will be used by hiring two temporary employees. Mr. Lewis recommended that the project be done in house. The estimated cost is \$1,052,700 which includes a 20 percent contingency and the cost for two temporary construction workers and engineering fees. The force main portion of the project will be done in house and the gravity flow portion of the line will be contracted. Mr. Lewis estimated that \$500,000 GEFA funds could be used and cash of \$552,700. A motion was made by Michael Clemons to approve this recommendation. The motion was seconded by Guy Laboa and approved by all members present. Guy Laboa recommended that the two temporary employees be made aware that their position is only temporary.

The council was informed of the requirement to call for a special election to fill the unexpired term for Bill Scott. The council had agreed to hold this election on the November 4<sup>th</sup> General Election date and Lumpkin County officials have agreed to add this one item to their ballots. The council was advised that a service contract with the county is required. Also the Justice Department is requiring that a Resolution be approved to change the method of voting to electronic. Action is also required to set the qualifying fee since the salary has increased since the last election. The qualifying fee at

three percent would be \$144.00. A motion was made by Gerald Lord to call for the special election to be held November 4, to approve the attached Resolution and Service Contract, to set the qualifying fee at \$144.00 and to approve City Clerk Janet Jarrard as qualifying clerk for the election. This motion was seconded by Terry Peters and approved by all members present.

Mr. Lewis advised that bids were solicited on the Hancock Park Pavilion. The bids were solicited on a design build basis. The design was the one created by city staff and approved by City Council. The building will be rock and wood construction with men's and women's restroom and storage room. The style of the building will be on the order of the Madelyn Anthony Park Structure. The lowest bid was Tommy Tritt Construction at \$89,359.00. Mr. Tritt was given notice to begin the project on July 7. Mr. Lewis asked for action to ratify this bid. A motion was made by Sam Norton to ratify this action. The motion was seconded by Michael Clemons and approved by all members present. The structure should be completed within sixty days.

Mr. Lewis advised that JJ & G Engineering recommends that the Timken Force Main Contract be awarded to Strack Contractors in the amount of \$498,697.97. The contract must be awarded by July 17 in order to meet the requirements of the grant funding from EIP/CDBG and ARC Grant Funds. A motion was made by Gerald Lord to approve this recommendation. The motion was seconded by Terry Peters and approved by all members present. Mr. Lewis advised that grant funds and the city's contribution will be reduced due to the fact that the contract was lower than originally estimated.

The council was informed that Urban Collage has proposed to conduct a 30-day feasibility study at a cost not to exceed \$9,000.00 to evaluate and compare three prospective sites for a new city hall building. A motion was made by Gerald Lord to approve the attached proposal. The motion was seconded by Sam Norton and approved by all members present. Guy Laboa recommended that a statement be added to the proposal to advise that the agreement only applies to preliminary evaluation of the potential city hall site and does not include a space analysis for design and construction of a new city hall building.

**MAYOR'S COMMENTS:**

Mayor Gary McCullough recommended that J. L. Collins be reappointed to the Dahlonga Planning and Zoning Commission. A motion was made by Michael Clemons to approve this recommendation. The motion was seconded by Gerald Lord and approved by all members present.

**COUNCIL'S COMMENTS:**

Sam Norton commended Gary McCullough and Guy Laboa for their work at the July 4<sup>th</sup> Festival. Guy Laboa recommended that the square be closed from 10:00 a.m. until 3:00 p.m. for the next July 4<sup>th</sup> Festival.

Mayor McCullough recommended that a letter be written in opposition to the proposed 180 ft. cell tower to be located at the top of Crown Mountain. A motion was made by Michael Clemons to approve this recommendation. The motion was seconded by Guy Laboa and approved by all members present.

**EXECUTIVE SESSION:**

A motion was made by Michael Clemons to adjourn to Executive Session to discuss pending litigation. This motion was seconded by Terry Peters and approved by all members present. The Executive Session was adjourned at 7:45 and the regular session was reconvened. A motion was made by Terry Peters to authorize City Attorney Doug Parks to negotiate with the plaintiff's council in regard to a legal matter. This motion was seconded by Guy Laboa and approved by all members present.

**ADJOURNMENT:**

The meeting was adjourned at 7:55 p.m.

APPROVED BY ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008.

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MAYOR

Attest:

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CITY CLERK