

CITY OF DAHLONEGA

COUNCIL MEETING MINUTES March 3, 2014

The Dahlonega City Council met in regular session on Monday, March 3, 2014 at City Hall. Members present were Mitchell Ridley, Sam Norton, Terry Peters, Bruce Hoffman, Michael Clemons and Roman Gaddis. Also present were City Manager Bruce Georgia and City Attorney Doug Parks. Mayor Gary McCullough called the meeting to order at 6:00 p.m.

AGENDA APPROVAL:

Councilman Norton made a motion to amend the agenda to add after #5A a Public Hearing for the request of Sara White, seconded by Councilman Gaddis. Mayor McCullough asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

Mayor McCullough asked for a motion to approve the agenda. A motion to approve was made by Councilman Norton, seconded by Councilman Hoffman. Mayor McCullough asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

AUDIT PRESENTATION:

Mr. Chris Hollifield of Rushton & Company gave a summary presentation of the 2013 audit. He informed that a clear opinion letter on the City was issued. He further informed Council of the statistics of the General and Water and Sewer Fund. Mr. Hollifield stated that the City had done a good job on internal controls, compliance and budget strategy. Mayor McCullough thanked Mr. Hollifield and staff for their help during the audit process.

PUBLIC HEARING:

City Attorney Doug Parks asked applicant Ms. Sara White to come forward and present her request to Council. Ms. White informed she was requesting approval for her home to be rezoned from R1 to B1. She further informed that her home fronts North Park Street and North Chestatee Street. She has no plans to change the use at this time however; she plans to put the property on the market soon. The Planning and Zoning Commission met and recommended the property be zoned B1 with the condition that it only be a Bed & Breakfast with access on North Chestatee to North Grove Street. At this time, Mr. Parks asked if there was anyone to speak in favor of this application. With no one coming forward, Mr. Parks asked if there was anyone to speak in adverse of this application. Mary Ellen Moore came forward and questioned if the zoning was changed from R1 to B1, according to Article 14, this could be anything from a dry cleaners, convenient store, or banks therefore; if zoning is changed will it be exclusive to a Bed & Breakfast. City Attorney Doug Parks asked if anyone else wanted to comment on the application, with no comments Mr. Parks informed it would know go back to Council for their decision. Mayor McCullough asked for a motion. A motion was made by Councilman Gaddis to accept the recommendation of the Planning & Zoning Commission, seconded by Councilman Clemons. Mayor McCullough asked for any discussion. Councilman Norton asked Planning Director Chris Head if the stipulation was only for a Bed &

Breakfast. Ms. Head answered that was correct. Mayor McCullough informed if there was a request for the property to be anything else other than a Bed & Breakfast, it must go back before Planning & Zoning and City Council. Mayor McCullough asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

CITIZENS:

Mayor McCullough informed that Mr. Jon C. Stone had applied for a beer/wine package sales license for Mug Me located on Main Street. He further informed that all paperwork was in order with no issues. A motion for approval was made by Councilman Clemons, seconded by Councilman Norton. Mayor McCullough asked for any discussion, hearing none, he asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

Mayor McCullough informed that Ms. Anna Getz had applied for a beer/wine consumption on premises license for Corkscrew Café located on Main Street. He further informed that all paperwork was in order with no issues. A motion for approval was made by Councilman Gaddis, seconded by Councilman Ridley. Mayor McCullough asked for any discussion, hearing none, he asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

Mayor McCullough informed that Charles Wehunt had applied for a beer/wine package sales license for Charlie's Grocery located on Morrison Moore Parkway. He further informed that all paperwork was in order with no issues. A motion for approval was made by Councilman Hoffman, seconded by Councilman Norton. Mayor McCullough asked for any discussion, hearing none, he asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

Mayor McCullough informed that the UNG Alumni Association had applied for a special event permit for an All Alumni Mixer function. A motion for approval was made by Councilman Clemons, seconded by Councilman Norton. Mayor McCullough asked for any comments, hearing none, he asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

Mayor McCullough informed that the UNG Alumni Association had applied for a special event permit for an Alumni Soccer Game & Picnic. A motion for approval was made by Councilman Clemons, seconded by Councilman Norton. Mayor McCullough asked for any comments, hearing none, he asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

Mayor McCullough informed that Mr. Miguel Quiroz Morales the owner of Don Pollo had requested that the sixty (60) day waiting period placed on the issuance of his beer/wine license be reduced to thirty (30) days. Mr. Robert Broome, Attorney for Mr. Morales requested that the City grant the license. At this time, Councilman Ridley made a motion to issue a provisional license for ninety (90) days, seconded by Councilman Hoffman. Mayor McCullough asked for any discussion. Councilman Norton informed with reviewing previous issues, he feels that it is pertinent that the applicant understands what he can and cannot do. He further informed that an alcohol license is a privilege not a right and as a previous business owner you are responsible to know what is happening in your establishment. Councilman Norton also asked the applicant if he was aware that the ordinance prohibited giving away free drinks, regardless of gender and promoting drinking games. Mr. Morales replied, yes that he was aware. Councilman Norton encouraged Mr. Morales to be responsible and for him and his employees to be aware of the alleged violations and become familiar with the ordinance in order to have a good record during this ninety (90) day probationary period. Mayor McCullough informed Mr. Morales if there were any violation of the ordinance during this ninety (90) day period, his alcohol license will be revoked. Mr. Broom asked what the

process would be after the ninety (90) days. City Clerk Lou Stewart informed at the end of the ninety (90) days with no ordinance violations, the applicant would need to return to the Clerk's office and a permanent license for the current calendar year would be issued. Councilman Peters informed that he felt a separate hearing should be scheduled to hear the issues and give Council time to be properly prepared to address the questions before them. Mayor McCullough asked for all in favor of a ninety (90) day provisional license and with no violations during that time, then be given his permanent license to say aye, all opposed like sign, motion carried by the following vote: Voting for the motion was Roman Gaddis, Michael Clemons, Bruce Hoffman, Sam Norton and Mitchell Ridley. Voting against the motion: Terry Peters.

MINUTE APPROVAL:

Mayor McCullough asked for a motion to approve the minutes of February 3, 2014. A motion was made by Councilman Clemons, seconded by Councilman Norton. Mayor McCullough asked for any corrections or additions, hearing none, he asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

Mayor McCullough asked for a motion to approve the minutes of February 20, 2014. A motion was made to approve as written by Councilman Norton, seconded by Councilman Peters. Mayor McCullough asked for any corrections or additions, hearing none, he asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

DEPARTMENT REPORTS:

Councilman Hoffman questioned Planning Director Chris Head concerning the report submitted where a restaurant on Memorial Drive had applied for a sign permit but no business license had been issued. Ms. Head informed that was correct they had applied for a sign permit first and have a few items that must be inspected before business license is issued. Councilman Hoffman also questioned the building where Caruso's was located being divided into three areas. Ms. Head informed that the owner had stated they had three potential tenants however; at this time they were waiting for the build out plan. Councilman Hoffman requested that Ms. Head send Council updates on these businesses.

RESOLUTION 2014-2 - BUDGET AMENDMENT FOR FISCAL YEAR 2014-DDA:

A motion to approve Resolution 2014-2 was made by Councilman Clemons, seconded by Councilman Norton. Mayor McCullough asked for any discussion, hearing none he asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

RESOLUTION 2014-3 - BUDGET AMENDMENT FOR FISCAL YEAR 2013-HOTEL/MOTEL:

Interim Finance Director Sabrina Cape informed Council this amendment is needed because the Hotel/Motel collections were more than anticipated and state law requires that an amendment to the budget be made. Mayor McCullough asked what the total increase in collections were. Ms. Cape informed that \$140,000.00 dollars was budgeted and \$154,565.00 dollars is the actual amount collected. A motion to approve Resolution 2014-3 was made by Councilman Peters, seconded by Councilman Gaddis. Mayor McCullough asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

MAYOR COMMENTS:

Mayor McCullough informed that the Historical Preservation Commission needed someone to serve and requested Council to email or call him if they wanted to make a recommendation.

COUNCIL COMMENTS:

Councilman Norton asked Public Works Director Ricky Stewart for an update on the Morrison Moore Parkway turn lane. Mr. Stewart informed that the contractor had met with Code Enforcement Tim Martin, had utility lines spotted and left some of their equipment. They should begin work at any time.

At this time, DDA Director Joel Cordle distributed the new 2013 Activity Report that was designed by DDA Project Coordinator Rebecca Shirley.

Mayor McCullough congratulated Matt Aiken as the new Publisher for the Dahlonega Nugget.

Mayor McCullough entertained a motion to adjourn the meeting at 6:35 p.m. A motion was made by Councilman Clemons, seconded by Councilman Peters and approved by all members present.

APPROVED BY ME THIS _____ DAY OF _____, 2014.

Gary McCullough, Mayor

Attest:

Lou Stewart, City Clerk