

CITY OF DAHLONEGA

COUNCIL MEETING MINUTES October 6, 2014

The Dahlonega City Council met in regular session on Monday, October 6th at City Hall. Members present were Roman Gaddis, Michael Clemons, Bruce Hoffman, Terry Peters, Sam Norton and Mitchell Ridley. Also present were City Manager Bill Lewis and City Attorney Doug Parks. Mayor Gary McCullough called the meeting to order at 6:00 p.m. The Pledge to the American Flag and Prayer was led by Mayor Gary McCullough.

AGENDA APPROVAL:

Mayor Gary McCullough asked for a motion to approve the agenda. A motion to approve as written 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.

ANNOUNCEMENTS-PUBLIC COMMENTS:

A resident of River Knoll requested that City Council not pass the Ordinance to license a distillery in the absence of a referendum. He informed that Council would be denying the public their right and further requested that Council not take any action until an opinion was received from the Attorney General.

A resident of Achasta, Mr. Don Trice distributed his presentation to Mayor and Council concerning the license for a distillery. Mr. Trice also requested that the presentation be part of the official minutes. (See Attached)

PUBLIC HEARING:

Mr. Freddie Welch informed Council that he was requesting that three adjoining properties on North Grove Street be rezoned CBD. City Attorney Doug Parks asked Planning Director Chris Head for staff and Planning Commission recommendations. Ms. Head informed that Planning Commission recommended approval. City Attorney Doug Parks asked if anyone was present to speak for or against this request. Hearing none, Mayor McCullough asked for a motion to approve the rezoning. A motion to accept Planning Commission recommendation to rezone was made by Councilman Clemons, seconded by Councilman Norton. Mayor McCullough asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

Ms. Melanie Pruitt, Manager of the event facility owned by Dr. Esperanza Rowell requested that this property be rezoned to CBD. Ms. Head informed that Planning Commission recommended approval of the rezoning. City Attorney Doug Parks asked if anyone was present to speak for or against this request. Hearing none, Mayor McCullough asked for a motion to approve. A motion to approve was made by Councilman Norton, seconded by Councilman Peters. Mayor McCullough asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

Mr. Dana Miles, Attorney for Mallory and Evans requested that the 9.3 acre parcel on Morrison Moore Parkway be rezoned to PUD for student housing. City Attorney Doug Parks asked if anyone was present to speak for or against this request. Mr. Ruston Smith, Attorney for Derrell and Therell West informed Council they owned 9 acres behind the proposed development and have an easement to access their property. Mr. Miles informed that the West brothers have access from Happy Hollow Road but, if need be they will come back with a new plan for access. Planning Director Chris Head informed that Planning Commission recommended approval with the condition of attorney comments concerning the access issue be included in the minutes. After further discussion, Mayor McCullough asked for a motion to approve. A motion to approve was made by Councilman Gaddis, seconded by Councilman Clemons who asked that the same condition from Planning Commission be included in the motion. Mayor McCullough asked for any discussion. Councilman Peters questioned the many variations given on this project to what is normally allowed. Ms. Head informed that the height variance did meet requirements by the Fire Department. Mayor McCullough asked for all in favor to say aye, all opposed like sign, motion carried by the following vote: Voting for the motion: Roman Gaddis, Michael Clemons, Bruce Hoffman, Sam Norton and Mitchell Ridley. Voting against the motion: Terry Peters.

CITIZENS:

City Clerk Lou Stewart informed that Ms. Beth Brightwell had received approval for a wine tasting license in August. Ms. Brightwell has submitted a new application for a name change of the business and change of partnership. Mayor McCullough asked for a motion to approve. A motion to approve was made by Councilman Clemons, seconded by Councilman Norton. Mayor McCullough asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

MINUTE APPROVAL:

Mayor Gary McCullough asked for a motion to approve the minutes of September 3, 2014. A motion to approve as written was made by Councilman Hoffman, 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.

Mayor Gary McCullough asked for a motion to approve the minutes of September 18, 2014. A motion to approve as written was made by Councilman Ridley, seconded by Councilman Hoffman. 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:

Mayor Gary McCullough informed that all departmental reports had been submitted.

RESOLUTION:

Mayor Gary McCullough asked for a motion to approve Resolution 2014-20. This Resolution is a requirement in order to be a Certified City of Ethics. A motion to approve was made by Councilman Clemons, seconded by Councilman Peters. Mayor McCullough asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

ORDINANCES:

Mayor Gary McCullough asked for a motion to re-adopt the Ethics Ordinance 2004-3. This Ordinance must be re-adopted in order to be a Certified City of Ethics. A motion to approve was made by Councilman Norton, seconded by Councilman Ridley. Mayor McCullough asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

Mayor Gary McCullough asked for a motion to approve Ordinance 2014-10, which repeals Ordinance 99-10 which prohibited hunting in the City limits. A motion to approve was made by Councilman Hoffman, seconded by Councilman Gaddis. Mayor McCullough asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

CITY MANAGER:

City Manager Bill Lewis gave Council an overview of the water tank maintenance contract which had been awarded through a bid process. The low bidder was American Tank Maintenance Company which has a proven management history. Mayor McCullough asked for a motion to approve the contract. A motion to approve was made by Councilman Peters, seconded by Councilman Clemons. Mayor McCullough asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

City Manager Bill Lewis informed Council that the DDA Intergovernmental Agreement was the same agreement that had been approved in prior years. Mayor McCullough asked for a motion to approve. A motion was made by Councilman Peters, seconded by Councilman Norton. Mayor McCullough asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

MAYOR COMMENTS:

Mayor Gary McCullough informed Council that the Housing Authority has requested that Claudine Earls be replaced as the City resident on the board with Ms. Janet Tolbert. Ms. Earls has moved and can no longer serve. The City board resident must be reappointed annually. Mayor McCullough recommended that Ms. Tolbert be appointed to the Housing Authority Board. A motion to accept the recommendation was made by Councilman Ridley, seconded by Councilman Gaddis. Mayor McCullough asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

Mayor Gary McCullough informed Council that Ms. Tona McConnell had resigned from the Board of Health and he would like to recommend the appointment of Ms. Vivian Morse for her replacement. Ms. McConnell's term would have expired on December 31, 2017 therefore Ms. Morse will fill her term until that time. Mayor McCullough asked for a motion to approve. A motion to approve the appointment was made by Councilman Gaddis, seconded by Councilman Clemons. Mayor McCullough asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

CITY ATTORNEY COMMENTS:

City Attorney Doug Parks informed Council about the agreement concerning the public depositor's pooled method acknowledgement with United Community Bank. Mayor McCullough asked for a motion to approve. A motion was made by Councilman Peters, seconded by Councilman Hoffman. Mayor McCullough asked for all in favor to say aye, all opposed like sign, motion carried unanimously.

COUNCIL COMMENTS:

Councilman Hoffman reminded Council to send two names each to City Clerk Lou Stewart for appointment recommendation to the Ethic Board.

Mayor McCullough entertained a motion to adjourn the meeting at 6:55 p.m. and was approved by all members present.

APPROVED BY ME THIS _____ DAY OF _____, 2014.

Gary McCullough, Mayor

Attest:

Lou Stewart, City Clerk