

CITY OF DACULA

442 Harbins Rd
P. O. Box 400
Dacula, GA, 30019

COUNCIL MEETING

MINUTES

December 2, 2021

I. CALL TO ORDER AND ROLL CALL OF MEMBERS:

Mayor King called the December 2, 2021 Council Meeting to order at 7:00 p.m. and a roll of the members was taken. A quorum was present. He welcomed everyone to the meeting.

Council Members Present:

Trey King, Mayor
Sean Williams, Council
Daniel Spain, Council
Ann Mitchell, Council
Denis W. Haynes, Jr., Council

City Staff Present:

Heather Coggins, Assistant City Administrator
Jack Wilson, City Attorney
Courtney Mahady, Administrative Clerk
Angelica Schaper, Court Administrator
Amy Morris, Accounts Payable
Amy White, City Marshal
Chris Parks, Public Works Supervisor

II. INVOCATION:

Marshal Amy White gave the invocation.

III. PLEDGE OF ALLEGIANCE:

Mayor Trey King led the Pledge of Allegiance

IV. MINUTES:

1. Approval of the Minutes from the Regular Council Meeting on November 4, 2021

Mayor King called for a motion to approve the minutes of the regular Council meeting on November 4, 2021.

Councilman Spain motioned to approve. Councilwoman Mitchell seconded. Motion passed unanimously.

2. Approval of the Minutes from the First Budget Public Hearing on November 4, 2021

Mayor King called for a motion to approve the minutes of the First Budget Public Hearing on November 4, 2021.

Councilman Williams motioned to approve. Councilwoman Mitchell seconded. Motion passed unanimously.

V. OLD BUSINESS:

- 3. Rezoning Application: 2021-CD-RZ-04**, Applicant: Starlight Homes of Georgia, LLC c/o Mahaffey, Pickens, Tucker, LLP, Owner(s): Ernest Walker Cain, Jr. and James H. Wilbanks requests rezoning from R-1200 Single-Family Residential District to TRD Transitional Residential District. The property is located in Land Lot 275, Parcel 001 of the 5th District and contains 74.04 acres more or less. (Public hearing was held on October 7, 2021)

Mayor King read amended Condition #20 into the record.

20. To allow for the installation of necessary infrastructure and to plan and provide for services to accommodate new residents, no more than 30 residential building permits shall be issued prior to the end of 2022, and no more than 100 additional permits will be issued by the end of 2023. All remaining permits may be available to be issued in 2024.

Mayor King called for a motion to approve or deny application 2021-CD-RZ-04 with conditions as amended.

Councilman Haynes, Jr. motioned to approve as amended. Councilman Williams seconded. Motion passed unanimously.

1. The property shall be developed in accordance with the conceptual site plan prepared by Christopher Planning & Engineering dated August 10, 2021, revised September 14, 2021 and with the provided zoning conditions. Any substantial deviation from the approved conceptual plan and/or remaining conditions of zoning shall be resubmitted to the City Council for consideration. The City Administrator shall determine what constitutes substantial deviation.
2. The open space shall not be subdivided and shall be owned and maintained by a mandatory homeowners association. The deed to the mandatory homeowners association shall require that the open space be perpetually maintained.
3. The developer shall submit the Final Plat to the City of Dacula prior to the issuance of any building permits.
4. The maximum number of dwelling units shall not exceed 173.

5. The minimum heated floor area per dwelling unit shall be 1,800 square feet for one-story units and 2,000 square feet for two-story units.
6. The front and side façades of all dwelling units shall consist primarily of brick or stone with architectural treatments utilizing other masonry products of fiber cement siding. The rear façade of the dwelling units shall be constructed of brick, stone, stucco, concrete fiber, or similar material.
7. All dwelling units shall have at least a two-car garage.
8. 5-foot wide sidewalks shall be constructed on both sides of the internal subdivision streets.
9. 5-foot wide sidewalks shall be constructed along the entire property frontage of Stanley Road.
10. Provide a decorative entrance feature with landscaping at each subdivision entrance to include a decorative fence to extend 100 feet of both sides of the Stanley Road entrance(s). Fencing shall be wrought-iron style with stacked stone or brick columns spaced every 30 feet. Provide a minimum 10-foot wide landscape strip along the entire property frontage of Stanley Road. Subject landscape strip shall include understory plantings and a 6-foot high landscape berm with a minimum of two (2), 6-foot high decorative trees planted every 15 linear feet. The tree species shall be approved by the City Administrator prior to planting. Any dead or diseased trees or plantings shall be removed and replaced with like kind materials. The subject landscape strip/berm shall be maintained by the mandatory homeowners association. The subject entrance feature and landscape plan along Stanley Road shall be submitted to the City for review and approval.
11. Provide a left turn lane on Stanley Road at the subdivision entrances subject to City of Dacula approval. A standard deceleration lane with appropriate taper and adequate right-of-way shall be required. Prior to the issuance of a development permit, a sight distance certification shall be provided that meets required distance for the speed limit posted on Stanley Road. The developer shall be limited to two curb cuts.
12. Underground utilities shall be provided throughout the development.
13. The development shall include an amenity area with a swimming pool, cabana with restrooms, playground, and adequate parking. The cabana shall be finished to match the façades of the adjacent dwelling units.
14. Provide a mail kiosk center with a minimum of one (1) postal box for each dwelling unit and a minimum of ten (10) parking spaces.
15. Street light service fees and maintenance are the responsibility of the mandatory homeowners association.
16. All grassed areas except the open space/common area shall be sodded. The open space/common area shall be hydro-seeded or sodded.
17. Each building lot shall have a minimum of two (2) decorative trees (maple, oak, birch, elm, etc.) at least 3 inches in diameter (DBH).

18. Incorporated into the declaration of restrictive covenants of the mandatory homeowners association will be a statement limiting the number of leased or rented homes to no more than thirty percent (30%) of the total number of units in the development. The declaration shall also require owners wishing to lease their property to obtain a written permit to rent or lease from the homeowners association.
19. All lots shall abide by the City of Dacula's undisturbed stream buffer and impervious setback requirements as stated in Section 1504 of the Zoning Resolution.
20. To allow for the installation of necessary infrastructure and to plan and provide for services to accommodate new residents, no more than 30 residential building permits shall be issued prior to the end of 2022, and no more than 100 additional permits will be issued by the end of 2023. All remaining permits may be available to be issued in 2024.

4. Rezoning Application: 2021-CD-RZ-06, Applicant: City of Dacula, Owner: City of Dacula requests rezoning from R-1200 Single-Family Residential District to C-2 General Business District. The property is located in Land Lot 301, Parcels 009, 009A, and 010 of the 5th District and contains 12.03 acres more or less.

Mayor King called for a motion to approve or deny application 2021-CD-RZ-06 with conditions.

Councilman Spain motioned to approve. Councilman Williams seconded. Motion passed unanimously.

1. The following uses in the C-2 Zoning district shall be prohibited and made part of the owner's restrictive covenants: Adult entertainment establishments, automotive body repair shops, automotive muffler, brake, tune-up, oil change, repair shops or tire stores, automotive sales or service facilities, boat sales establishments, boarding and rooming houses, building supply centers, contractor's offices with outdoor storage, equipment rental sales or service, hotels or motels, lawnmower repair shops, storage lots, machine/welding/radiator repair shops, mobile home leasing or sales lots, taxicab or limousine services, vehicle rental establishments.
2. No outdoor storage shall be permitted.
3. Parking lot and security lighting shall be directed in towards the property so as to minimize the adverse impact on neighboring properties.
4. All trash dumpsters shall be screened by an enclosure using the same exterior building material as the adjacent occupied buildings. Pickup shall be limited to the hours of 7:00 a.m. to 9:00 p.m. Monday through Saturday.
5. A 5-foot wide sidewalk shall be constructed/replaced on the property frontage of Harbins Road, McMillan Road, and Sanjo Street.
6. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site without appropriate permit(s). No decorative balloons or hot-air balloons shall be displayed on the site.
7. Human sign spinners and/or twirlers shall be prohibited.

VI. NEW BUSINESS:

5. 2021 General Election Results

Election Superintendent, Heather Coggins, read the official 2021 General Election results into the minutes pursuant to O.C.G.A § 21-2-497. The City of Dacula certified the election results as followed:

Mayor to succeed Hugh D. King III:

Hugh D. King III – 309
Wade Anthony – 165
No Vote – 0
Voided/Spoiled Ballots – 1
Write-Ins – 1

Council Member to succeed Daniel Spain:

Daniel Spain – 388
No Vote – 92
Voided/Spoiled Ballots – 1
Write-Ins – 2

Council Member to succeed Denis W. Haynes, Jr:

Denis W. Haynes, Jr. – 391
No Vote – 92
Voided/Spoiled Ballots – 0
Write-Ins – 2

Provisional Ballots Rejected – 69

Spoiled Ballots – 1

Total Ballots Issued – 546

6. Adoption of the FY-2022 Proposal and Revised FY-2021 Budget Adjustment

Mayor King called for a motion to approve the adoption of the FY 2022 Budget proposal and amended FY 2021 Budget and authorize the Mayor to execute the Budget Resolution.

Councilman Haynes, Jr. motioned to adopt. Councilwoman Mitchell seconded. Motion passed unanimously.

7. Waste Management contract renewal

Mayor King called for a motion to renew the contract with Waste Management and authorize the Mayor and Assistant City Administrator to sign and execute all necessary documents.

Councilman Spain motioned to renew the contract. Councilman Williams seconded. Motion passed unanimously.

8. Rector, Reeder & Lofton, PC Audit Engagement Letter Approval

Mayor King called for a motion to renew the contract with Rector, Reeder & Lofton, PC. and authorize the Mayor and Assistant City Administrator to sign and execute all necessary documents.

Councilwoman Mitchell motioned to renew the contract. Councilman Spain seconded. Motion passed unanimously.

9. Hebron Church Road Asphalt Improvement Project bid results

Mayor King called for a motion to award the Hebron Church Road Asphalt Improvement Project bid to Allied Paving Contractors, Inc. in the amount of \$191,000 and authorize the Mayor and Assistant City Administrator to execute all necessary documents to move forward with the project.

Councilman Williams motioned to award. Councilman Haynes, Jr. seconded. Motion passed unanimously.

VII. STAFF COMMENTS:

None

VIII. MAYOR AND COUNCIL COMMENT(S):

Mayor and Council thanked Heather Coggins and staff for all of their hard work on the Budget and Elections.

IX. PUBLIC COMMENTS:

Karla Price, 415 McMillan Road, Dacula, GA 30019, expressed her concern with the 2021-CD-RZ-06 rezoning application and felt the Council should reconsider zoning the property to C-1 rather than C-2, which would allow for another city park. Ms. Price also had concerns of the impact the C-2 General Business zoning would have on McMillan Road where her property is located.

X. EXECUTIVE SESSION: Personnel matters

Councilman Williams motioned to exit regular session and enter executive session. Councilman Spain seconded. Motion passed unanimously. Regular session adjourned and executive session began for the purposes of personnel matters at 7:22 p.m.

Councilman Spain motioned to exit executive session and reconvene regular session. Councilman Haynes, Jr. seconded. Motion passed unanimously. Regular session reconvened at 7:49 p.m.

City Attorney, Jack Wilson, reported there were no votes taken in executive session. The Council met to discuss personnel matters as allowed by the Open Meetings Act.

Mayor King called for a motion to amend the agenda to add personnel items.

Councilman Williams motioned to amend agenda to add personnel items. Councilwoman Mitchell seconded. Motion passed unanimously.

XI. APPROVAL TO HIRE NEW EMPLOYEES:

Mayor King requested a motion to hire Alethia Hyman as the City Tax Clerk at a yearly rate of \$42,000 with benefits effective Monday, December 13, 2021 and Dana Stump as Planning & Zoning Administrative Assistant at a yearly rate of \$42,000 with benefits effective Monday, December 20, 2021.

Councilman Haynes, Jr. motioned to hire Ms. Hyman and Ms. Stump. Councilman Williams seconded. Motion passed unanimously.

Mayor King called for a motion to amend the agenda to allow additional public comment.

Councilman Haynes, Jr. motioned to approve. Councilman Williams seconded. Motion passed unanimously.

Public comment

Wade Anthony, 1717 Rolling View Way, Dacula, GA 30019, thanked Mayor King for being a worthy opponent. He then expressed appreciation to Ms. Coggins and staff for running a successful election.

XII. ADJOURNMENT:

Councilman Haynes, Jr. motioned to adjourn. Councilman Spain seconded. Motion passed unanimously. Meeting adjourned at 7:53 p.m.

Minutes approved

Date

Signature