

# **CITY OF DACULA**

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

## **COUNCIL MEETING**

### **MINUTES**

November 4, 2021

#### **I. CALL TO ORDER AND ROLL CALL OF MEMBERS:**

Mayor King called the November 4, 2021 Council Meeting to order at 7:40 p.m. and a roll call 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  
Greg Chapel, City Marshal  
Angelica Schaper, Court Administrator  
Amy Morris, Accounts Payable  
Courtney Mahady, Administrative Clerk  
Chris Parks, Public Works Supervisor

#### **II. INVOCATION:**

Mark Chandler gave invocation.

#### **III. PLEDGE OF ALLEGIANCE:**

Mayor Trey King led the Pledge of Allegiance.

#### **IV. MINUTES:**

##### **1. Approval of the Minutes from the Regular Meeting on October 7, 2021.**

Mayor King called for a motion to approve the minutes of the regular Council meeting on October 7, 2021.

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

**V. OLD BUSINESS:**

None

**VI. NEW BUSINESS:**

- 2. PUBLIC HEARING: 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.

Councilman Haynes, Jr. motioned to open the public hearing. Councilwoman Mitchell seconded. Motion passed unanimously.

City consultant, Joey Murphy, presented the staff report for the application for rezoning from R-1200 Single-Family Residential to C-2 General Business. Mr. Murphy stated staff recommended approval with conditions. The below conditions were read into the record.

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.

*Comment in opposition:*

Karla Price, 415 McMillan Road, Dacula, GA 30019, expressed her concern with the 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.

Wayne Davis, 426 McMillan Road, Dacula, GA 30019, had questions regarding the rezoning application and the differences between C-1 and C-2 zoning.

Mr. Murphy responded and explained that the difference was the intensity of the commercial properties and the square footage of the structure.

Councilman Spain motioned to close the public hearing. Councilman Williams seconded. Motion passed unanimously.

- 3. 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 staff recommended conditions.

Councilwoman Mitchell motioned to table application 2021-CD-RZ-06 to the December 2, 2021 Meeting. Councilman Haynes, Jr. seconded.

Councilman Williams and Councilman Spain voted against Councilwoman Mitchell's motion

Mayor King voted to break the tie in favor of tabling the application to the December 2, 2021 meeting. The motion carried to table application to December 2, 2021. (vote 3-2)

- 4. Security cameras for Maple Creek Park and Maintenance Facility**

Mayor King called for a motion to approve the security camera installation project as proposed in the amount of \$15,384.

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

- 5. Revision of License Fee Ordinances - Insurance Companies**

Mayor King called for a motion to amend the City Code of Ordinances Article IV – Section 12-108 – 12-114 as presented by staff effective January 1, 2022.

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

## **6. 2022 Tax Collection**

Mayor King called for a motion to terminate the contract with the Tax Commissioner and authorize notice to be provided to the Tax Commissioner in accordance with the terms of the Agreement.

Councilman Haynes, Jr. motioned to terminate the contract with the Gwinnett County Tax Commissioner. Councilman Williams seconded. Motion passed unanimously.

## **VII. STAFF COMMENTS:**

Heather Coggins, Assistant City Administrator, thanked all of the poll workers and city staff for their hard work during the election on November 2, 2021.

Chris Parks stated the company the City ordered a recycling truck from earlier this year updated the delivery date to the first week of December 2021.

## **VIII. MAYOR AND COUNCIL COMMENT(S):**

Mayor and Council also thanked everyone for their hard work during the election held on November 2, 2021.

## **IX. PUBLIC COMMENTS:**

David Stone, 2491 2<sup>nd</sup> Avenue, Dacula, GA 30019, inquired about constructing brick columns along Broad Street to prohibit cars from driving into his store.

## **X. EXECUTIVE SESSION: Personnel matters, pending litigation, real property**

Councilman Spain motioned to exit regular session and enter executive session. Councilman Williams seconded. Motion passed unanimously. Regular session adjourned and executive session began for the purposes of personnel matters, pending litigation, and real property matters at 8:28 p.m.

Councilman Spain motioned to exit executive session and reconvene regular session. Councilwoman Mitchell seconded. Motion passed unanimously. Regular session reconvened at 8:56 p.m.

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

## **XI. ADJOURNMENT:**

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Councilman Haynes, Jr. motioned to adjourn. Councilman Spain seconded. Motion passed unanimously.  
Meeting adjourned at 8:57 p.m.

*Minutes approved*

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*Date*

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*Signature*