

# CITY OF DACULA

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

## COUNCIL MEETING

### MINUTES

April 6, 2023

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

Mayor Trey King called the April 6, 2023 Council Meeting to order at 7:04 p.m. and a roll call of the members was taken. A quorum was present. He welcomed everyone the meeting.

#### **Council Members Present:**

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

#### **City Staff Present:**

Jack Wilson, City Attorney  
Brittini Nix, City Administrator  
Courtney Mahady, Administrative Clerk  
Heather Coggins, Assistant City Administrator of Finance & Human Resources  
Dana Stump, Administrative Assistant for Planning & Zoning  
Angelica Schaper, Court Administrator  
Alethia Hyman, City Tax Clerk  
Renee Cooke, Front Desk Clerk  
Amy White, City Marshal

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

Amy White gave invocation.

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

Mayor King led the Pledge of Allegiance

Mayor then called for a motion to amend the agenda to include Bid awardment for Janitorial Services as item #12a under the consent agenda.

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

**IV. PROCLAMATION:**

1. Georgia Cities Week Announcement

Mayor King read the Proclamation to encourage citizens to participate in a Georgia Cities Week activity during the month of April. The activity is a coloring page for school-aged children. Mayor King stated that the coloring pages would be displayed during the May 4, 2023 Council Meeting.

**V. CONSENT AGENDA:**

2. Approval of the Minutes from the Regular Meeting on March 2, 2023
3. 431 Harbins Road settlement with Gwinnett County
4. Ordinance to amend Chapter 12, Article 1 - Business Licenses and Regulations
5. Adopt Travel & Expense Policy
6. Bid results for 2050 Comprehensive Plan
7. Security improvements for City facilities
8. Logo and Style Guide Proposal
9. Appoint Courtney Mahady as Pension Secretary
10. Appoint Courtney Mahady as Open Records Officer
11. Intergovernmental Agreement for Elections Equipment
12. Refund authorization request
- 12a. Bid awardment for Janitorial Services

Councilwoman Mitchell requested to remove item #5 from the consent agenda.

Councilman Haynes, Jr. motioned to approve the consent agenda with the exception of item #5. Councilman Spain seconded. Motion passed unanimously.

Mayor King called for a motion to table item #5 to the May 4, 2023 meeting.

Councilwoman Mitchell motioned to table item #5 to May 4, 2023. Councilman Haynes, Jr. seconded. Motion passed unanimously

**VI. OLD BUSINESS:**

*None*

**VII. NEW BUSINESS:**

- 13. PUBLIC HEARING: 2023-CD-RZ-01, 2023-CD-SE-01, 2023-CD-SUP-01;** Applicant: Gary L. Wilson, Jr., Owner: All Investments, LLC requests rezoning from C-1 Neighborhood Commercial District to C-2 General Business District, requests a special exception for an automotive muffler, brake and tune-up shop, and requests special use permits for auto body repair, and automotive sales and associated service facilities. The property is located in Land Lot 302A of the 5th District and contains 0.46 acres more or less.

Councilman Williams motioned to open the public hearing. Councilwoman Mitchell seconded. Motion passed unanimously.

City Administrator, Brittini Nix, present the staff report for the rezoning, special exception, and special use permit applications. The applicant requested rezoning from C-1 Neighborhood Commercial District to C-2 General Business District, requested a special exception for an automotive muffler, brake and tune-up shop, and requested special use permits for auto body repair, and automotive sales and associated service facilities. Ms. Nix stated staff recommended approval with conditions of the requested rezoning, special exception, the special use permit for automotive sales and associated service facilities, and denial of the special use permit for auto body repair.

*Comment in favor*

Karen McDaniel, 681 Providence Club Drive, Monroe, GA 30656, on behalf of the applicant, stated that measures would be taken to ensure the property would be compliant with the state and that the property would remain clean for the surrounding properties in regards to the requested auto body repair shop.

*Questions/Comments*

Councilman Haynes, Jr. inquired about the intent of the automotive sales request from the applicant.

Ms. McDaniel stated the intent of the auto sales is to permit the sale of vehicles that have been abandoned by owners who are unable to afford the necessary repairs. She said that this was a great method to reimburse the store for part of the expenses.

Mayor King inquired about what was going to be done to mitigate the fumes from the paint that is used to spray the cars.

Ms. McDaniel stated that the owner would work with the state and what they require to make sure they were in compliance.

Councilman Spain motioned to close the public hearing. Councilman Haynes, Jr. seconded. Motion passed unanimously.

- 14. Rezoning Application: 2023-CD-RZ-01**, Applicant: Gary L. Wilson, Jr., Owner: All Investments, LLC requests rezoning from C-1 Neighborhood Commercial District to C-2 General Business District. The property is located in Land Lot 302A of the 5th District and contains 0.46 acres more or less.

Councilman Williams motioned to approve with staff recommended conditions [listed below]. Councilman Spain seconded. Motion passed unanimously.

#### Concept Plan and Land Use

1. Any substantial deviation from the conditions of zoning shall be resubmitted to the Mayor and City Council for consideration. The City Administrator shall determine what constitutes substantial deviation.
2. Any modifications to the existing property improvements (ex: paint, repairs, additions, concrete, asphalt, etc.) shall be reviewed and approved by the City.
3. Outdoor storage shall only be allowed within the screened rear portion of the site. Outdoor storage includes, but not limited to, automobiles for sale, automobiles for service, junk vehicles vehicle parts, and machinery. All items must be located on a hard surface excluding contained gravel.
4. Outdoor display of parts, new or used tires, junked vehicles or other materials is prohibited. No outside loudspeakers shall be allowed.
5. All automotive mechanical services shall be contained within the proposed structure.

#### Architectural Design

6. New structures or building expansion shall have the following: exterior facades constructed of brick, stone or stucco, and mechanical, HVAC and like systems shall be screened from street level on all sides by an opaque wall of brick, stucco, or split faced block. Final architectural plans and color palate shall be submitted to the City for approval.
7. Exterior walls of primary and accessory structures shall be maintained free from holes, breaks, loose or rotting materials and shall be maintained weatherproof and properly surface coated as needed to prevent deterioration. All exterior surfaces, including, but not limited to, doors, door and window frames, cornices, porches and trim shall be maintained in good repair. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints shall be maintained weather-resistant and watertight. Color palate shall be submitted to the City for approval.
8. Roofs of buildings shall be maintained so that they are structurally sound and in a safe condition and have no defects which might admit rain or cause dampness in the interior portions of a building. All portions, additions or sections of a roof, including, but not limited to, the fascia, eave, soffit, sheathing, rafter tail, barge rafter, vent screening, gutter, downspout, roof jack, and metal flashing, shall be complete with all trim strips, moldings, brackets, braces and supports

attached or fastened in accordance with common building practices. Gutters must be free of vegetation and in good repair. Roof drainage shall be adequate to prevent rainwater from causing dampness or deterioration in the walls or interior portion of the building.

9. The outdoor storage area in the rear shall be screened by a 6-foot high wooden privacy fence or a black chain link fence with opaque green, brown, or black slates. The fence shall be enhanced with a 10-foot wide landscape strip subject to review and approval by the City of Dacula.

#### Landscaping and Parking

10. A four-foot tall split-rail fence shall be installed along the perimeter of the front parking area where it abuts to McMillan Road right-of-way. The fence shall be submitted to the City for approval prior to the issuance of a fence permit.
11. The required undisturbed buffer along the south side property line shall be eliminated and replaced with fencing and a 10-foot wide landscape strip (see condition #6).
12. The addition of a paved parking lot or entrance / exit drives shall have the following: a parking lot landscape plan submitted to the City for approval. At a minimum, the landscape plan shall include monument sign location and should insure that each parking island / strip will have a minimum of two (2) ornamental shade trees. All parking area trees shall be a minimum of 2-inch dbh caliper.
13. 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. Dumpster enclosures shall remain closed, locked, and in good repair at all times.
14. Specimen trees on-site shall be saved when feasible.
15. A hydrology study or compliance letter from a licensed Georgia Engineer shall be required prior to the installation, modification or addition of any impervious / hard surfaces on the subject property.
16. All hard surfaces must be in good repair and maintained in a passable condition so as to allow safe vehicular and pedestrian ingress and egress. Impassable includes, but not limited to, cracking, reflection cracks, deterioration, depression (pothole), sinkholes, rutting, raveling, shoving, upheaval, peeling, root cracks, and uneven surfaces.
17. A minimum of thirteen (13) marked parking spaces shall be required for customer and employee parking. Said spaces shall not be used for the sale, repair, dismantling, or servicing or storing of any vehicle, equipment, materials, or supplies.

#### Signage and Advertising

18. Oversized signs or billboards shall not be permitted.
19. Ground signage shall be limited to one monument-type sign and shall not be located within the right-of-way. The monument sign shall not exceed a maximum of 5-foot in height and shall be constructed with a brick base (minimum two feet in height) matching the materials of the buildings. Neon signs shall be prohibited. The monument sign shall not impede site distance along McMillan Road. Sign location and design are subject to review and approval by the City of Dacula.

20. Blinking, exposed neon, portable, inflatable and temporary signage shall be prohibited.
21. 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.
22. Live human advertisement shall be prohibited within the subject area. This includes, but is not limited to, sign spinners, twirlers, dancers, clowns, and / or other similar temporary advertising methods commonly provided by costumed or animated humans.

#### Transportation and Infrastructure

23. Parking lot lighting shall be directed in toward the property so as not to shine directly onto adjacent properties.
24. All new utility lines shall be located underground. The developer shall be responsible for the relocation of public or private utilities and stormwater infrastructure.
25. Utilities shall be placed on the developer's property whenever possible, appropriate access and maintenance easements shall be filed at the time of final plat approval for any one parcel or section of the subject development.
26. All vehicular access must meet the City of Dacula's project access improvement standards of a public road. All improvements shall be provided by the developer/owner.

**15. Special Exception Application: 2023-CD-SE-01**, Applicant: Gary L. Wilson, Jr., Owner: All Investments, LLC requests a special exception for an automotive muffler, brake and tune-up shop. The property is located in Land Lot 302A of the 5th District and contains 0.46 acres more or less.

Councilman Haynes, Jr. motioned to approve with staff recommended conditions [listed below].  
Councilman Spain seconded. Motion passed unanimously.

#### Concept Plan and Land Use

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Architectural Design

6. New structures or building expansion shall have the following: exterior facades constructed of brick, stone or stucco, and mechanical, HVAC and like systems shall be screened from street level on all sides by an opaque wall of brick, stucco, or split faced block. Final architectural plans and color palate shall be submitted to the City for approval.
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Landscaping and Parking

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- 16. Special Use Permit Application: 2023-CD-SUP-01**, Applicant: Gary L. Wilson, Jr., Owner: All Investments, LLC requests special use permit for auto body repair. The property is located in Land Lot 302A of the 5th District and contains 0.46 acres more or less.

Councilwoman Mitchell motioned to approve with staff recommended conditions [listed below]. Councilman Haynes, Jr. seconded. Vote was 3-0 with Councilman Williams voting against.

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**17. Special Use Permit Application: 2023-CD-SUP-01**, Applicant: Gary L. Wilson, Jr., Owner: All Investments, LLC requests special use permit for automotive sales and associated service facilities. The property is located in Land Lot 302A of the 5th District and contains 0.46 acres more or less.

Councilman Haynes, Jr. motioned to approve with staff recommended conditions [listed below].  
Councilman Williams seconded. Motion passed unanimously.

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26. All vehicular access must meet the City of Dacula's project access improvement standards of a public road. All improvements shall be provided by the developer/owner.

#### **VIII. STAFF COMMENTS:**

None

**IX. MAYOR AND COUNCIL COMMENT(S):**

Councilwoman Mitchell commemorated Heather Coggins on her years of service and hard work with the City and wished her well in her next venture.

Councilman Haynes, Jr. wished Ms. Coggins good luck in her future endeavors and thanked her for all of her help over the years.

Mayor King expressed his appreciation to Ms. Coggins for everything that she has done for the city and wished her success in her next venture.

**X. PUBLIC COMMENTS:**

City Tax Clerk, Alethia Hyman, 442 Harbins Road, Dacula, GA 30019, expressed her gratitude and appreciation to Ms. Coggins for her knowledge and value to the City. Ms. Hyman stated that she would be missed and wished her well in her next career.

**XI. EXECUTIVE SESSION: Personnel Matters**

Councilman Spain motioned to exit regular session. Councilwoman Mitchell seconded. Motion passed unanimously. Regular session adjourned and executive session began for the purposes of personnel matters at 7:43 p.m.

Councilman Haynes, Jr. motioned to exit executive session and reconvene regular session. Councilwoman Mitchell seconded. Motion passed unanimously. Regular session reconvened at 8:04 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.

**XII. ADJOURNMENT:**

Councilman Spain motioned to adjourn. Councilman Haynes, Jr. seconded. Motion passed unanimously. Meeting adjourned at 8:05 p.m.

Minutes approved

\_\_\_\_\_  
Date  
\_\_\_\_\_  
Signature

May 4, 2023

Courtney Mahady