



**Regular Meeting of the Mayor and City Council  
City of Ball Ground, Georgia  
Ball Ground City Hall ~ 7:00 P.M.**

**MINUTES  
August 11, 2022**

**Item 1: Meeting Called to Order**

**Council Members Present:** Vicki Benefield, Dennis Nelson, Lee Prettyman, Kristine Rogers

**Absent – Council Member Andrenia Stoner**

**Staff Present:** City Attorney Darrell Caudill, City Manager Eric Wilmarth, Police Chief Bryon Reeves, Finance Director Donna England, City Planner Chris Luly and City Clerk Karen Jordan.

**Item 2: Pledge of Allegiance**

**Item 3: Approve Agenda**

**Council Member Prettyman put forth a motion, Seconded by Council Member Benefield to amend the agenda by moving Item 8(a) to 3.1.**

**Motion Unanimously Approved.**

**Item 3.1 Consider Adoption of Public Comment Policy**

**City Attorney Darrell Caudill submitted the proposed Public Participation in City Council Meetings Policy for council consideration. He stated that the policy was discussed at length by the Mayor and Council Members at a previous work session. Attorney Caudill then read the policy to those in attendance.**

**Council Member Nelson put forth a motion, Seconded by Council Member Rogers to approve the Public Comment Policy as presented.**

**Motion Unanimously Approved.**

**Item 4: Appearances/Public Comments**

**Dennis Holt of 343 Old Canton Road spoke about his concerns of several traffic issues: one being speeding on Old Canton Road.**

**Mayor Roberts thanked Mr. Holt for his comments.**

**Item 5: Announcements/Informational Items**

**The Vintage Vixens will perform in City Park on August 27, 2022 at 7:00 PM**

**Item 6: Consider Approval of Minutes: July 7, 2022 Work Session  
July 14, 2022 Council Meeting**

Council Member Benefield put forth a motion, Seconded by Council Member Nelson to approve the minutes of the July 7, 2022 Work Session and July 14, 2022 Council Meeting.

Motion Unanimously Approved.

**Item 7: Old Business**

**a) Consider 2<sup>nd</sup> Reading of Amendment to Litter Control Ordinance**

Council Member Benefield put forth a motion, Seconded by Council Member Rogers to table this item of business.

Motion Unanimously Approved.

**b) Consider 2<sup>nd</sup> Reading of Convenience Store Ordinance**

An Ordinance to amend the City of Ball Ground Zoning Ordinances as to the definition of convenience store and gas station and to provide for regulations for gas stations in the City of Ball Ground Zoning Ordinance was considered for a second reading

Council Member Rogers put forth a motion, Seconded by Council Member Benefield to adopt an Ordinance to amend a Section of the City of Ball Ground Zoning Ordinance as related to definitions and regulations for gas stations.

Motion Unanimously Approved.

**Item 8: New Business**

**a) Consider Adoption of Public Comment Policy – See Item 3.1**

**b) Consider 1<sup>st</sup> Reading of Amendment to the Code of Ordinance, City of Ball Ground, Georgia to provide for the application and determination of maximum number and locations of retail liquor package stores; to provide an effective date; to repeal all ordinances and parts of ordinances in conflict herewith; and for other purposes was introduced for consideration.**

City Manager Wilmarth summarized the change to the ordinance which relates to Sec. 4-52.1 – Location of retail liquor/distilled spirits package stores. No new retail establishment selling distilled spirits by the package shall be located within 5,280 feet of an existing retail establishment selling distilled spirits by the package.

Council Member Rogers put forth a motion, Seconded by Council Member Rogers, to approve the first reading of the amendment to this ordinance.

Motion Unanimously Approved.

**Item 9: City Manager Report**

City Manager Wilmarth provided Council Members with an unaudited report of account balances, and statement of revenue and expenditures for the month ended July 31, 2022. The report showed cash on deposit totaled \$2,050,580.03

Chief Reeves presented a written report of the Police Department's activities for the month of May 2022.

**City Manager Wilmarth updated the Mayor and Council Members on activities within the City over the preceding month.**

**Item 10: Mayor Roberts Comments**

**At the September Work Session Mayor Roberts asked for council's consideration to consider discussing the future of the Valley Overlay District. He stated in 2007-2008 development wise things were different. At that time the council felt it was in the best interest of the city to simplify and encourage development in the core city. Half of the downtown buildings were empty, and businesses had closed. We were also losing population. After much discussion the council decided to implement the Valley Overlay District to expedite any potential for new development, but not before holding public hearings to solicit input from city residents.**

**Fast forward to today and things are much different, stated Mayor Roberts. We have accomplished what the intent of the district. Therefore, it is time to reconsider repealing the Valley Overlay District. Mayor Roberts asked that consideration to repeal be put on the September agenda.**

**Item 11: Council Comments**

**Council Members commented on how great the recent concert was and excited to see the large crowd in attendance. Council Member Nelson commented that the crowd behaved nicely and thanked the city staff for all the work they did.**

**Council Member Prettyman asked when fireworks are legal.**

**City Manager Wilmarth stated that except for New Years and Fourth of July they are legal anytime between 10 a.m. and 11:59 p.m.**

**Council Member Prettyman also asked that consideration be given to prohibit on street parking on Beck Street.**

**Mayor Roberts replied that he hoped in future we could add additional parking off Old Canton Rd. for those visiting the Botanical Garden and City Hall. Mayor Roberts also asked the city attorney to review the state law regarding fireworks and consider the city adding additional restrictions to limit the hours they are legal.**

**City Clerk Karen Jordan announced that qualifying for the upcoming November 8, 2022 Municipal Election would begin on Monday, August 15, 2022 and conclude on Wednesday, August 17, 2022. Qualifying hours are 9AM-5PM Monday and Tuesday and 9Am-4:30PM on Wednesday. Qualifying is for three city council seats currently held by Vicki Benefield, Lee Prettyman and Andrenia Stoner.**

**Item 12: Executive Session**

**Council Member Benefield put forth a motion, Seconded by Council Member Rogers to adjourn into Executive Session for the purpose of consulting and meeting with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceeding, or other judicial actions brought or to be brought by or against the City of Ball Ground or a council member or employee or in which he council member or employee may be directly involved; as set forth in O.C.G.A. 40-14-2.**

**Motion Unanimously Approved.**  
**Council Member Nelson put forth a motion, Seconded by Council Member Rogers to adjourn the Executive Session and reconvene back into regular meeting.**

**Motion Unanimously Approved.**

**Item 13: Adjourn**

**There being no further business for council consideration Council Member Prettyman put forth a motion, Seconded by Council Member Benefield to adjourn the meeting.**

**The minutes of this August 11, 2022 City Council Meeting approved this 8<sup>th</sup> Day of September 2022.**