



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

**PUBLIC HEARING  
City of Ball Ground - Comprehensive  
Plan Briefing, Public Hearing and Notice  
of Transmittal**

Mayor Roberts called the Public Hearing to order. He stated the purpose of the meeting was to brief residents on the contents of the Comprehensive Plan and to provide an opportunity for residents to make final suggestions, additions, or revisions before submitting the plan to the Regional Commission. This is the second of two meetings required.

Mr. Dennis Holt , 343 Old Canton Rd, expressed his concern about the high density shown for the Historic District. He stated he did not want the Historic District to look like a subdivision and asked for less density to be considered.

No further comments.

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**City Council Meeting Minutes**

**Item 1: Meeting Called to Order by Mayor Roberts**

**Council Members Present: Scott Barnes, Vicki Benefield, Dennis Nelson, Kristine Rogers, and Annette Homiller**

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

**Recognize Veteran of the Month – Michael (Mike) J. Murphy**

**Council Member Nelson stated due to health reasons he and Council Member Scott Barnes visited Mr. Murphy earlier to recognize him as Veteran of the Month and to present him with a proclamation and challenge coin. Mr. Murphy was a Sp4 Military Policeman while serving in United States Army during the Vietnam War.**

**Item 2: Pledge of Allegiance was led by Vivian Murphy, Wife of Michael (Mike) J. Murphy**

**Mrs. Murphy thanked everyone for recognizing her husband and for all who had a part in it, and for all who had a part in the construction of the Veterans Memorial.**

**Item 3: Approve Agenda**

**Council Member Nelson put forth a motion, Seconded by Council Member Barnes to approve the agenda with the following add on of Item 8 (k) Consider approval to transmit the Comprehensive Plan to the Atlanta Regional Commission.**

**Motion Unanimously Approved.**

**Item 4: Appearances/Public Comments**

Mr. David Boone, owner of Feathers Edge Vineyards, expressed his distaste for some of the projects going on in Ball Ground and ways to make them better.

Mayor Roberts thanked Mr. Boone for his comments.

**Item 5: Announcements/Informational Items**

June 15 at 10 AM – Ribbon Cutting of Police Department

June 24 at 9:49 PM – Annual Fireworks Display. The Fly Betty Band will perform beginning at 7:00PM prior to the fireworks.

**Item 6: Consider Approval of Minutes: May 11, 2023**

Council Member Barnes put forward a motion, Seconded by Council Member Rogers to approve the minutes of the May 11, 2023 Council Meeting as submitted in writing by the City Clerk.

Motion Unanimously Approved.

**Item 7: Old Business - None**

**Item 8: New Business**

- a) Consider adoption of an incorporation clause for the purpose of compliance with the Georgia Zoning Procedures Law

Council Member Rogers put forth a motion, Seconded by Council Member Homiller to adopt the following clause for the purpose of compliance with the Georgia Zoning Procedure Law:

This article is intended to comply with the provisions of the Georgia Zoning Procedure Law O.C.G.A. §36-66-1 et seq., which Act is incorporated by reference in its entirety into this article. Where any provision of this article is in conflict with any provision of the law, the law shall control. Where this article is incomplete in having failed to incorporate a provision necessarily required for the implementation of the law, such provision of the law, so as to meet the mandate of the law, shall be fully complied with.

Motion Unanimously Approved.

- b) Consider A Cherokee Co. Cooperation Agreement Notification of Intent for Currently Participating Municipalities

Council Member Benefield put forth a motion, Seconded by Council Member Barnes to enter into a Cooperation Agreement Notification of Intent with Cherokee County. The agreement states the City of Ball Ground elects to be included as part of the Urban County designation for Cherokee County for the three-year period beginning January 1, 2024, through December 31, 2026.

Motion Unanimously Approved.

- c) **Consider Acceptance of Donated Property identified as tract 1 consisting of 0.15 acres.**

**Council Member Benefield put forward a motion, Seconded by Council Member Rogers to accept donated property identified as Tract 1 consisting of 0.15 acres or 6,608 square feet, more or less and further identified as all that tract of parcel of land lying and being in Land Lots 11 & 2 of the 3<sup>rd</sup> Section, Cherokee County, Georgia, and being more particularly described in a deed from Hunter Trail, LLC and Ball Ground Partners to the City of Ball Ground.**

**Motion Unanimously Approved.**

- d) **Consider Acceptance of Donated Property identified as tract 2 consisting of 0.67 acres.**

**Council Member Rogers put forward a motion, Seconded by Council Member Benefield to accept donated property identified as Tract 2 consisting of 0.67 acres or 29,432 square feet, more or less and further identified as all that tract or parcel of land lying and being in Land Lot 11 of the 3<sup>rd</sup> District, 2<sup>nd</sup> Section, Cherokee County, Georgia, and being more particularly described in a deed from Hunter Trail, LLC and Ball Ground Partners to the City of Ball Ground.**

**Motion Unanimously Approved.**

- e) **Consider Acceptance of Donated Property identified as tract 3 consisting of 0.79 acres.**

**Council Member Barnes put forward a motion, Seconded by Council Member Benefield accept donated property identified as Tract 3 consisting of 0.79 acres or 34,413 square feet, more or less and further identified as all that tract or parcel of land lying and being in Land Lots 11 & 2 of the 3<sup>rd</sup> District, 2<sup>nd</sup> Section, Cherokee County, Georgia and being more particularly described in a deed from Hunter Trail, LLC and Ball Ground Partners to the City of Ball Ground.**

**Motion Unanimously Approved.**

- f) **Consider Acceptance of Dedication of property/right of way identified as tract 1 consisting of 0.47 acres.**

**Council Member Homiller put forward a motion, Seconded by Council Member Rogers to approve the dedication of property/right of way identified as Tract 1 consisting of .47 acres or 20,487 square feet more or less and further identified as all that tract or parcel of land lying and being in Land Lots 11 & 12 of the 3<sup>rd</sup> District, 2<sup>nd</sup> Section, Cherokee County, Georgia and being more particularly described in a deed from Hunter Trail, LLC. to the City of Ball Ground**

**Motion Unanimously Approved.**

- g) **Consider Acceptance of Dedication of property/right of way identified as tract 2 consisting of 0.12 acres.**

**Council Member Rogers put forward a motion seconded by Council Member Benefield to approve the dedication of property/right of way identified as Tract 2 consisting of 0.12 acres or 5,062 square feet more or less and further described as all that tract or parcel of land lying and being in Land Lots 11 & 12 of the 3<sup>rd</sup> District, 2<sup>nd</sup> Section, Cherokee County Georgia, and being more**

particularly described in a deed from Hunter Trail, LLC to the City of Ball Ground.

**Motion Unanimously Approved.**

- h) **Consider Abandonment of property identified as tract 3 consisting of .41 acres.**

**Council Member Rogers put forward a motion, Seconded by Council Member Homiller to abandon Tract 3 consisting of 0.41 or 17,923 square feet, more or less and further described as tract or parcel of land lying and being in Land Lots 11 & 12 of the 3<sup>rd</sup> District, 2<sup>nd</sup> Section, Cherokee County, Georgia, and being more particularly described in a deed from the City of Ball Ground to Hunter Trail, LLC.**

**Motion Unanimously Approved.**

- i) **Consider Abandonment of property identified as tract 4 consisting of .18 acres.**

**Council Member Barnes put forward a motion, Seconded by Council Member Homiller to abandon Tract 4 consisting of 0.18 or 7,601 square feet, more or less and further described as tract or parcel of land lying and being in Land Lot 11 of the 3<sup>rd</sup> District , 2<sup>nd</sup> Section, Cherokee County, Georgia and more particularly described in a deed from the City of Ball Ground to Hunter Trail, LLC.**

**Motion Unanimously Approved.**

- j) **Application for Retail Package Sales of Beer, Wine and Liquor**  
**Applicant: Sopan Ballground, LLC/DBA Somras - Bhavinkumar Mahendrabhal Patel**  
**Location: 8051 Ball Ground Hwy., Suite B**

**Council Member Homiller put forward a motion, Seconded by Council Member Rogers to accept the first reading of the application.**

**A discussion followed during which the applicant's representative stated that the proposed construction would consist of the liquor store, dry cleaner, coffee shop and sports bar. He indicated the owner would operate the liquor store but would lease out the additional spaces for the stated uses.**

**Council Member Rogers asked if everything was to be constructed at one time or would the project be in phases.**

**The representative stated everything would be built at the same time.**

**Council members asked legal counsel if they could table the application if they didn't have all the necessary construction information by the second reading. Legal Counsel advised that they could table the request at the July meeting if they felt they still needed more information.**

**The motion passed 4-1 to accept the first reading of the application. Council Member Benefield voted in opposition.**

- k) **Consider Transmittal of Comprehensive Plan to the Atlanta Regional Commission and Georgia Department of Community Affairs**

**Council Member Benefield put forth a motion, Seconded by Council Member Barnes to approve transmittal of the comprehensive plan update to the Atlanta Regional Commission.**

**Motion Unanimously Approved.**

**Item 9: City Manager Comments**

**City Manager Wilmarth provided Council Members with an unaudited report of account balances, and statement of revenue and expenditures for the month ended May 31, 2023. The report showed cash on deposit totaled \$2,549,28**

**Chief Reeves presented a written report of the Police Department's activities for the month of May 2023.**

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

**Item 10: Mayor Roberts**

**Mayor Roberts explained to residents in attendance that most of the questions between the elected officials and staff take place at the monthly work sessions. He asked if any elected officials or residents had any further comments. None were received.**

**Item 11: Council Comments**

**Item 12: Public Comments - None**

**Item 14: Executive Session (If Needed)**

**Item 15: Adjourn**

**There being no further business for Council discussion Council Member Barnes put forth a motion, Seconded by Council Member Rogers to adjourn the meeting. Motion unanimously approved.**

**The minutes of this June 8, 2023 City Council Meeting unanimously approved this 13<sup>th</sup> Day of July 2023.**

**Respectfully submitted by:  
Karen L. Jordan  
City Clerk**