

COUNCIL PRESENT: Bruner, Wangemann, Hamrick, Figueras
COUNCIL ABSENCE: Dunagan
STAFF PRESENT: Padgett, Sheppard, Palmour, Felts, Jordan, Grayson

Mayor Bruner called the meeting to order.

The Pledge of Allegiance was recited in unison after which Council Member Wangemann delivered the invocation.

SPECIAL RECOGNITION:

Post Employment Recognition

Randall Caudle and Randall Hulseley, both from the Public Utilities Department, were in attendance to celebrate their service to the City. William Heaton, David Miller and Gina Sherman were unable to attend. The five individuals represented 124 years, 9 months and 26 days of service. Words of appreciation were extended by the Public Utilities Department and the Council. The Mayor presented tokens of appreciation.

INTRODUCTION:

City Manager Kip Padgett introduced Steve Watson as the Chief Appraiser for Hall County. Mr. Watson stated there is a lot of work to be done in regards to appraising and assessing property. There are significant reductions to the property tax digest. Assessment notices were mailed on Friday, May 13th. There is a 45 day appeal process. He commented on changes relevant to Senate Bill 346. There have been changes to the appeal process as well.

CONSENT AGENDA:

Minutes:

- A. March 1, 2011 Council Meeting
- B. March 15, 2011 Council Meeting

Motion to adopt the minutes accepting the edits as presented.

Motion made by Council Member Figueras
Motion seconded by Council Member Hamrick
Vote – 4 favor, 1 absent (Dunagan)

Resolutions:

- A. BR-2011-____ Sunday Alcohol Sales Referendum Question
- B. CR-2011-____ Authorization to Waive the Sale of Alcohol for Public Consumption
- C. PR-2011-13 Amendment to Upper Chattahoochee Basin Group Agreement
- D. PR-2011-14 Biological Stream Monitoring and Evaluation
- E. PR-2011-15 U.S. Department of Justice, Office of Community Oriented Policing Services
COPS Hiring Program (CHP)

Council Member Wangemann requested to remove items A and B for a separate discussion and approval.

Motion to adopt resolutions for items C, D and E as presented excluding resolution items A and B.

Motion made by Council Member Hamrick
Motion seconded by Council Member Wangemann
Vote – 4 favor, 1 absent (Dunagan)

BR-2011-12

Sunday Alcohol Sales Referendum Question

(Noted as Item A under the Resolution section of the Consent Agenda)

Motion to adopt the resolution as presented.

Motion made by Council Member Hamrick
Motion seconded by Council Member Figueras
Vote – 3 favor, 1 oppose (Wangemann), 1 absent (Dunagan)

CR-2011-02

Authorization to Waive the Sale of Alcohol for Public Consumption

(Noted as Item B under the Resolution section of the Consent Agenda)

Motion to adopt the resolution as presented.

Motion made by Council Member Figueras
Motion seconded by Council Member Hamrick
Vote – 3 favor, 1 oppose (Wangemann), 1 absent (Dunagan)

ALCOHOLIC BEVERAGE LICENSE APPLICATIONS:

Beau Alexander's Wine and Gifts, 105 Bradford Street

City Manager Kip Padgett stated this was an application to change the business name. The application was in order.

Motion to approve the application as presented.

Motion made by Council Member Figueras
Motion seconded by Council Member Wangemann
Vote – 4 favor, 1 absent (Dunagan)

Pueblos Mexican Cuisine, 1310 Dawsonville Highway

City Manager Kip Padgett stated this was a new application for consumption on the premises of beer, wine and liquor. The application was in order.

Motion to approve the application as presented.

Motion made by Council Member Hamrick
Motion seconded by Council Member Figueras
Vote – 4 favor, 1 absent (Dunagan)

APPOINTMENT:

Chicopee Woods Area Park Commission

Position currently held by Emily (Sissy) Lawson

Motion to reappoint Emily (Sissy) Lawson to serve another three year term on the Chicopee Woods Area Park Commission.

Motion made by Council Member Figueras
Motion seconded by Council Member Wangemann
Vote – 4 favor, 1 absent (Dunagan)

GENERAL LEGISLATION:

Proposed Ordinance

Amendment to Poolrooms Ordinance and Schedule of Fees

City Manager Kip Padgett stated this was discussed in work session. City Marshal Debbie Jones was present to address questions.

Council Member Figueras inquired about the ten year waiting period referenced in Section C. Mrs. Jones stated this was a regional amount noting it could be changed if so desired. She also stated it could be appealed to the Municipal Court Judge. Ms. Figueras asked that staff revisit this to confirm the ten year period was appropriate.

Motion to hold first reading on Ordinance 2011-05, AN ORDINANCE TO AMEND SECTION 6-7-3 OF CHAPTER 6-70 ENTITLED "POOL ROOMS REGULATED" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO DELETE SECTION 6-7-3 ENTITLED "POOL ROOMS REGULATED" IN ITS ENTIRETY AND INSERT IN LIEU THEREOF A NEW SECTION 6-7-3 ENTITLED "POOL ROOMS REGULATED"; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion made by Council Member Hamrick
Motion seconded by Council Member Figueras
Vote – 4 favor, 1 absent (Dunagan)

**Proposed Ordinance
Amendment to Industrial Surcharge Fees**

Motion to hold first reading on Ordinance 2011-06, AN ORDINANCE TO AMEND CHAPTER 10 ENTITLED "SCHEDULE OF FEES" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND SECTION 10-1-17 (g)(1-4); SECTION 10-1-17 (h)(1) TO REVISE FEES CHARGE; SECTION 10-1-19 TO REVISE FEES CHARGE; TO REPEAL CONFLICTING ORDINANCES: AND FOR OTHER PURPOSES.

Motion made by Council Member Wangemann
Motion seconded by Council Member Figueras
Vote – 4 favor, 1 absent (Dunagan)

REPORT:

Community Development, Planning Division

Action taken by the Gainesville Planning and Appeals Board on May 10, 2011 and new items to be referred to the Planning and Appeals Board.

Director of Community Development Rusty Ligon stated there were two items to refer to the June 7th Council Meeting consisting of one rezoning request and one special use request. There were three items to refer to the June Planning and Appeals Board meeting consisting of one variance, one rezoning and one special use request. The report was noted as follows:

This report contains **(A)** action taken by the Planning and Appeals Board during their public hearing held on **May 10, 2011**, and **(B)** all new items, including variance requests, received by Planning Division staff to be referred by City Council to the Planning and Appeals Board for consideration during the public hearing to be held on **June 14, 2011**:

A. Planning and Appeals Board Actions for 05/10/11:

- 1) **Conditionally approved** the request from **ICCL, LLC** to vary the rear yard buffer width requirement and the location and number of parking spaces on a 13.0± acres tract located on the west side of McEver Road, north of its intersection with Donna Way (a/k/a **3100 McEver Road SW**), having a zoning classification of Residential-I (R-I), Office and Institutional (O-I) and Planned Unit Development (P-U-D).
Ward Number: Four
Tax Parcel Number(s): 08-022-000-012
Request: VA medical clinic
- 2) **Approved** the request from **Jake Brown** to vary the front yard setback requirement on a 1.75± acres tract located on the southwest corner of the intersection of Browns Bridge Road and Old Flowery Branch Road (a/k/a **2407 Browns Bridge Road**), having a zoning classification of General Business (G-B).
Ward Number: Four
Tax Parcel Number(s): 08-007-002-004
Request: Expansion of new car dealership

- 3) **Recommended approval** of the request from the **Fair Street Area NPU Steering Committee** to rezone a total of 252 parcels consisting of 65.11± acres located between the southeast side of Jesse Jewell Parkway and E. E. Butler Parkway, having road frontage along Cloverdale Avenue; Carlton Street; Collins Street; Desota Street; Dunbar Place; Elm Street; Emily Street; Fair Street; Harvey Street; High Street; Hobbs Alley; Martin Luther King, Jr. Boulevard; McBride Street; McDonald Street; Mill Street; Norwood Street; Patricia Drive; and Summit Street, from Residential-II (R-II) and Planned Unit Development (P-U-D) to Neighborhood Conservation (N-C).

Ward Number: Three

Tax Parcel Number(s):

01-021-001-023, 023A, 023B, 024, 025, 026, 027;
01-021-002-001, 002, 010, 011, 012, 013, 013A, 014, 016;
01-021-003-001, 002, 003, 004, 005, 006, 009, 013;
01-021-006-002, 003, 004, 005, 006, 007, 008, 009, 010;
01-021-007-001, 002, 003, 004, 005, 006, 008, 010, 011, 011A, 012, 015, 018, 019, 020, 023A, 024, 025, 026, 027, 028, 029, 030;
01-021-008-001, 001A, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013;
01-021-009-001, 002, 003, 004, 007;
01-034-001-002, 003, 004, 008, 009, 010, 014;
01-034-002-001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011;
01-034-003-002, 003, 004, 005, 006, 007, 008, 009, 010, 010A, 011, 012, 013, 014, 015, 016, 017;
01-034-004-001, 002, 003, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023;
01-034-005-001, 002A, 003A, 003B, 004, 005, 007, 008, 008A, 008B, 008C, 008D, 009, 010, 011, 012, 013;
01-034-006-001, 001A, 002, 004, 011, 012, 013, 014, 015, 016, 017, 018;
01-034-007-011, 012, 013, 014A, 014B, 014C, 014D, 014E, 014F, 015, 016A, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 033;
01-034-008-001, 002, 004, 005, 006, 007, 010, 011, 012;
01-035-002-042, 043, 044;
01-035-004-001, 002, 003, 004, 005, 006, 007;
01-035-005-004, 005, 006;
01-060-001-001A, 002, 004, 005, 007, 008, 009, 010, 011, 011A, 012, 014, 016, 017, 018, 019, 033, 034;
01-060-002-001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016;
01-060-003-001, 002, 003, 004, 005, 006, 007, 008

Request: Neighborhood Conservation District

- 4) **Recommended conditional approval** of the request from **Kauffman Tire, Inc.** for a Special Use on a 1.19± acres tract located between southwest corner of the intersection of Dawsonville Highway and Green Hill Circle (a/k/a **801 and 805 Dawsonville Highway**), having a zoning classification of Regional Business (R-B).

Ward Number: Five

Tax Parcel Number(s): 01-116-002-053 and 086

Request: Automotive tire and service store

B. New items to be referred to the Planning and Appeals Board for 06/14/11:

- 1) Request from **RP 601 Broad St., LLC** to vary the frontage landscape strip width requirement, open space requirement and the impervious surface area requirement on a 1.27± acres tract located on the northwest side of Broad Street, south of its intersection with Prior Street (a/k/a **601 Broad Street SE**), having a zoning of Office and Institutional (O-I) .

Ward Number: Two

Tax Parcel Number(s): 01-023-002-017C

Request: Circular driveway and parking additions for medical offices

- 2) Request from **Jamie Collins** to rezone a 1.419± acres tract located on the northeast side of Thompson Bridge Road, north of its intersection with Lanier Avenue (a/k/a **1452, 1464 and 1472 Thompson Bridge Road NE**), from Residential-I (R-I) and Neighborhood Business (N-B) to General Business (G-B).
Ward Number: One
Tax Parcel Number(s): 01-087-004-008, 009 and 010
Request: Taco Bell restaurant with drive-thru

- 3) Request from **One Eleven, LLC** for a Special Use on a 0.27± acre tract located on the east side of Thompson Bridge Road, south of its intersection with Oak Tree Drive (a/k/a **996 Thompson Bridge Road NE**), having a zoning classification of Neighborhood Business (N-B).
Ward Number: Two
Tax Parcel Number(s): 01-068-001-018A
Request: Drive-thru coffee restaurant

Motion to accept the report as presented.

Motion made by Council Member Figueras
Motion seconded by Council Member Hamrick
Vote – 4 favor, 1 absent (Dunagan)

COUNCIL'S ISSUES:

Council Member Hamrick

Commended Parks and Recreation on their marketing plan for rental facilities. He felt this information should be used citywide.

Council Member Figueras

Thanked City Manager Kip Padgett for attending the One Community Meeting.

Mayor Bruner

Reported she would be out of town Wednesday and Thursday for the Georgia Municipal Association Legislative Council.

Council Member Wangemann

1. Reported a citizen asked how to get training for proper installation of child safety seats.
2. Commented on a Community Cleanup effort in Flowery Branch.
3. Delivered 166 invitations to the meeting.

EXECUTIVE SESSION:

City Manager Kip Padgett requested an executive session to discuss personnel, potential litigation and real estate.

Motion to close the Council Meeting to enter an Executive Session to discuss personnel, potential litigation and real estate at 5:57 PM.

Motion made by Council Member Wangemann

Motion seconded by Council Member Hamrick

Council Members voting in favor of the motion were Bruner, Wangemann, Hamrick and Figueras

COUNCIL PRESENT: Bruner, Wangemann, Hamrick, Figueras

COUNCIL ABSENT: Dunagan

STAFF PRESENT: Padgett, Sheppard, Palmour, Jordan

Motion to close the Executive Session to adjourn the Council Meeting at 6:39 PM.

Motion made by Council Member Hamrick

Motion seconded by Council Member Figueras

Council Members voting in favor of the motion were Bruner, Wangemann, Hamrick and Figueras

ADJOURNMENT: 6:39 PM

DJ:ag

Ruth H. Bruner, Mayor

Denise O. Jordan, City Clerk