

COUNCIL PRESENT: Bruner, Dunagan, Wangemann, Hamrick, Figueras
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.

PROCLAMATION:

Fire Prevention Week and National Fallen Firefighters Memorial Service

Ed Rigel, President of the Sons of the American Revolution (SAR), introduced members of the Chapter in attendance. He read a statement regarding the mission of SAR to recognize public safety personnel and expressed his appreciation to the City's public safety employees, specifically calling attention to the Fire Department.

Mayor Bruner thanked Mr. Rigel for their efforts then read the proclamation proclaiming October 9 – 15, 2011 to be Fire Prevention Week and October 16, 2011 to be National Fallen Firefighters Memorial Service.

PRESENTATION:

Fire Safety Commendation Medal

Ed Rigel, President of the Sons of the American Revolution, recognized and presented Fire Deputy Jerome Yarbrough with the Fire Safety Commendation Medal.

SPECIAL RECOGNITION:

Police Department – Recipient of Governor's Challenge Awards

Police Chief Brian Kelly provided a summary of the awards that were received on September 23, 2011 from the Governor's Office of Highway Safety which are noted below:

- Speed Awareness
- Bicycle/Pedestrian Safety
- 1st place Category 4 for Municipal Law Enforcement (51-100 Certified Officers)
- Governor's Cup

The Chief recognized Sergeant Dale Cash for his work that was the catalyst for allowing the department to win the Governor's Cup.

Council extended words of appreciation.

CONSENT AGENDA:

Minutes:

- A. July 20, 2011 Council Meeting
- B. July 28, 2011 Council Meeting
- C. August 2, 2011 Council Meeting

Motion to approve the minutes accepting the edits as presented.

Motion made by Council Member Dunagan
Motion seconded by Council Member Wangemann
Vote – 5 favor

Resolutions:

- A. PR-2011-33 Authorize Acceptance of Monetary Award Certificates from the Georgia Governor's Office of Highway Safety
- B. PR-2011-34 2011 Justice Assistance Grant (JAG) Acceptance

Motion to adopt the resolutions as presented.

Motion made by Council Member Dunagan
Motion seconded by Council Member Hamrick
Vote – 5 favor

APPOINTMENTS:

Friends of the Parks

(To address position held by Angela Sheppard)

Motion to appoint Gary Gaines to serve as a representative for a three-year term on the Friends of the Parks.

Motion made by Council Member Figueras
Motion seconded by Council Member Hamrick
Vote – 5 favor

GENERAL LEGISLATION:

Proposed Ordinance

FY2012 Ad Valorem Tax Rate Board of Education

Motion to hold first reading on Ordinance 2011-15, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GAINESVILLE, GEORGIA, TO FIX THE AD VALOREM TAX RATE FOR THE GAINESVILLE BOARD OF EDUCATION FOR THE FISCAL YEAR 2012; AND OTHER PURPOSES:

Motion made by Council Member Dunagan
Motion seconded by Council Member Wangemann

DISCUSSION:

Council Member Hamrick commended the Board of Education for their action to lower the millage rate.

Mayor Bruner agreed with Mr. Hamrick and stated the roll back was in regards to debt service.

Vote – 5 favor

PUBLIC HEARINGS:

City Attorney Palmour reviewed the public hearing process and confirmed the items had been properly advertised.

Annexation / Zoning Hearing:

Request from the Gainesville City Schools to abandon 0.58± acre portion of School Street right-of-way located between its intersection with Fair Street and High Street having a zoning classification of Residential-II (R-II). Ward Number: Three. Request: Abandonment of right-of-way.

Director of Community Development Rusty Ligon reviewed the application. The purpose of the request was for the future construction of the new Fair Street Elementary School. A portion of the property would be deeded to the City School System to provide additional space for an upper level class wing as well as student emergency access and green space. The Planning and Appeals Board voted to approve the request with the following condition:

The existing 12-inch and 6-inch water main located within the subject portion of School Street right-of-way to be abandoned shall be maintained with a twenty-foot (20') wide water line easement (10-feet on both sides of the centerline of the pipe). The required easements shall be recorded by plat and referenced to within the deed provided by the applicant or property owner.

City Attorney Palmour opened the floor for comments. There being none, the matter was returned to Council for a decision.

Motion to hold first reading on Ordinance 2011-16, AN ORDINANCE OFFICIALLY DISCONTINUING, CLOSING AND ABANDONING, WITH CONDITION, A 0.58± ACRE PORTION OF SCHOOL STREET RIGHT-OF-WAY; WITH ALL ACREAGE BEING LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF GAINESVILLE, GEORGIA; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion made by Council Member Dunagan
Motion seconded by Council Member Figueras
Vote – 5 favor

Redistricting Hearing:

Home Rule Ordinance 2011-02 Amendment to Ward Boundaries

City Clerk Denise Jordan stated the monitors displayed the existing map and the proposed map. A Home Rule Ordinance 2011-02 had been prepared based upon the motion at the last Council Meeting. The legal description within the ordinance and the attachments pertained to the map known as PROP2RE.

City Attorney Palmour opened the floor for comments. There being none, the matter was returned to Council for a decision.

Motion to hold first reading on Home Rule Ordinance 2011-02, A HOME RULE ORDINANCE AMENDING THE CHARTER OF THE CITY OF GAINESVILLE, GA (GA. LAWS 1979, P. 3302, AS AMENDED) AT CHAPTER 6, ELECTIONS, SECTION 6.13, WARDS, IN ACCORDANCE WITH THE STANDARDS AND PROCEDURES SET FORTH AT O.C.G.A. SECTION 36-35-4.1 FOR THE PURPOSE OF REAPPORTIONING ELECTION DISTRICTS BASED UPON PUBLICATION OF THE 2010 U. S. DECENNIAL CENSUS; TO ESTABLISH NEW ELECTION DISTRICT BOUNDARIES FOR FUTURE ELECTION OF CITY COUNCIL IN COMPLIANCE WITH REQUIREMENTS OF THE U. S. CONSTITUTION, THE GEORGIA CONSTITUTION, AND PERTINENT LAWS; TO PROVIDE FOR PRECLEARANCE OF THE NEW ELECTION DISTRICTS IN ACCORDANCE WITH SECTION 5 OF THE VOTING RIGHTS ACT OF 1965, AS AMENDED; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion made by Council Member Dunagan

Motion seconded by Council Member Figueras

DISCUSSION:

Council Member Hamrick called attention to the minutes that were approved noting on July 28th, Ms. Sosebee, Hall County Elections Office, emphasized the cost effectiveness in having the same map for both elected bodies. The other matter to consider was minimizing confusion among the voters. He commented on efforts to improve the black ratio in Ward 3. He thought Plan 3 did that and felt there should be common boundaries, i.e., use the boundaries approved by the School Board.

Council Member Dunagan stated the legislature would need to approve the Board of Education's map. He hoped the legislature and the Board of Education would consider the map approved by the Council when making a decision.

Vote – 3 favor, 2 opposed (Bruner, Hamrick)

COUNCIL'S ISSUES:

Council Member Figueras

1. Asked each candidate running for public office to attend a forum on Saturday, October 8th, at the Fair Street Neighborhood Center. The purpose was to introduce the candidates and to allow them to state why they are seeking office.
2. Announced the HealthSmart Expo would be sponsored by Greater Hall Chamber of Commerce. There will be a booth to accept/release information about efforts to reduce Childhood Obesity.

3. Reported attendance and shared information related to the Georgia Municipal Employee Benefit System and the Main Street Board Meetings. Communication and Tourism Director Catiel Felts was asked to share information about the annual Christmas ornament.
4. Reported two requests for recycling bins.

Mayor Bruner

1. Shared information about upcoming meetings/events (Transportation Roundtable Meeting and Mule Camp Market).
2. Thanked Council for attending the Community Helpers Day at Gainesville Elementary School.

Council Member Wangemann

1. Distributed 168 invitations to the Council Meeting. Two people were in attendance. He distributed 4,008 invitations since he started this project.
2. Provided a Community Cleanup Report indicating Keep Hall Beautiful had collected over 40,000 pounds of trash since January 1st. He also provided information about upcoming cleanup efforts.
3. Announced America Recycles Day will be held on November 5th at the Hall County Farmer's Market.

EXECUTIVE SESSION:

City Manager Kip Padgett requested an Executive Session to discuss personnel matters.

Motion to close the Council Meeting at 6:14 PM to enter an Executive Session to discuss personnel.

Motion made by Council Member Figueras

Motion seconded by Council Member Wangemann

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

COUNCIL PRESENT: Bruner, Dunagan, Wangemann, Hamrick, Figueras

STAFF PRESENT: Padgett, Sheppard, Palmour, Jordan

Motion to close the Executive Session at 6:32 PM.

Motion made by Council Member Wangemann

Motion seconded by Council Member Hamrick

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

ADJOURNMENT: 6:32 PM

DJ:ag

Ruth H. Bruner, Mayor

Denise O. Jordan, City Clerk