

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 Hamrick delivered the invocation.

PROCLAMATION:

100th Anniversary of AT&T Telecom Pioneers

Ms. Evelyn Brown, Vice President, provided some history about the organization noting they were formerly known as the Southern Bell Pioneers. She also commented on some of the projects the organization has accomplished.

Mayor Bruner read a joint City/County Proclamation declaring November 2nd to be the 100th Anniversary of the AT&T Telecom Pioneers.

CONSENT AGENDA:

Minutes:

- A. August 4, 2011 Council Meeting
- B. August 8, 2011 Council Meeting

Motion to approve the minutes as presented accepting the edits.

Motion made by Council Member Figueras
Motion seconded by Council Member Wangemann

Vote – 5 favor

Resolutions:

- A. BR-2011-26 Renew and Extend the Intergovernmental Agreement Between Hall County, Georgia and the City of Gainesville for the Joint Operation and Maintenance of Allen Creek Soccer Complex
- B. BR-2011-27 Retirement Plan A Plan Document Revision Amending Article VI Section 6.01 (Pop-Up Option)
- C. BR-2011-28 Retirement Plan A Plan Document Revision Amending Article VIII Section 8.01(c) (Ex-Officio Members)
- D. CR-2011-___ Authorization to Waive the Sale of Alcohol for Public Consumption for First Fridays – November 2011 thru September 2012
- E. PR-2011-35 Water Distribution System Storage Tanks Maintenance Program Award of Contracts
- F. PR-2011-36 Telemetry System Improvements
- G. PR-2011-37 Lakeside Water Treatment Plant Sodium Hypochlorite Generation System Project
- H. PR-2011-38 FY2012 Emergency Management Performance Grant Acceptance
- I. PR-2011-39 Authorization to Accept GDOT TE Funds – Midtown Trail

Council Member Hamrick requested to remove item D for separate discussion.

Motion to adopt resolutions A, B, C, E, F, G, and H as presented excluding item D.

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

CR-2011-04

Authorization to Waive the Sale of Alcohol for Public Consumption for First Fridays – November 2011 thru September 2012

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

DISCUSSION:

Council Member Hamrick commented on the Main Street Program not being responsible for entertainment at these events. He attended the September event and was disappointed that the retail merchants were not open. He wanted to know the reason for continuing this event if no entertainment was provided.

Main Street Manager Angela Thompson stated a few retailers were open in September. She also stated some of the businesses were affected positively and wanted to continue the First Friday events. They didn't feel entertainment was necessary during the winter months.

Council Member Figueras stated she attended the Main Street meeting and heard some of the owners' testimonies about the additional sales that were gained.

Council Member Wangemann stated he didn't have a problem with the businesses remaining open but he had a concern about offering the alcohol. He felt families and alcohol did not mix.

Motion to adopt the resolution as presented.

Motion made by Council Member Dunagan
Motion seconded by Council Member Figueras
Vote – 3 favor, 2 oppose (Wangemann, Hamrick)

APPOINTMENTS:

Personnel Board

Ward 1 - Position currently held by Richard Huff

Motion to reappoint Richard Huff to serve another three-year term on the Personnel Board.

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

Personnel Board

Ward 2 - Position previously held by George Hope

Motion to appoint Bill Taylor to serve a three-year term on the Personnel Board.

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

Personnel Board

Ward 4 - Position currently held by John Snyder

Motion to reappoint John Snyder to serve another three-year term on the Personnel Board.

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

Planning and Appeals Board

At-Large - Position currently held by Dean Dadisman

Motion to reappointment Dean Dadisman to serve another two-year term on the Planning and Appeals Board.

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

Planning and Appeals Board

Ward 1 – Position currently held by Doyle Johnson

Motion to reappoint Doyle Johnson to serve another two-year term on the Planning and Appeals Board.

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

Planning and Appeals Board

Ward 3 – Position currently held by Connie Rucker

Motion to reappoint Connie Rucker to serve another two-year term on the Planning and Appeals Board.

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

GENERAL LEGISLATION:

**Second Reading: Ordinance 2011-15
FY2012 Ad Valorem Tax Rate Board of Education**

Motion to hold second 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 Figueras
Motion made by Council Member Dunagan
Vote – 5 favor

**Second Reading: Ordinance 2011-16
Abandon a 0.58± acre portion of School Street Right-of-Way**

Motion to hold second 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 Wangemann
Vote – 5 favor

PUBLIC HEARING:

Redistricting Hearing:

City Attorney Palmour reviewed the public hearing process.

City Clerk Denise Jordan stated the purpose of the public hearing was to consider an amendment to the map that defines the ward boundaries. She stated Ordinance 2011-02 was prepared with a legal description and attachments corresponding to the map known as PROP2RE. A public hearing and first reading occurred at the October 4, 2011 Council Meeting. Council was asked to consider second reading of Ordinance 2011-02 after the scheduled public hearing.

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

**Second Reading: Home Rule Ordinance 2011-02
Amendment to Ward Boundaries**

Motion to hold second 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
Vote – 3 favor, 2 oppose (Bruner, Hamrick)

City Clerk Denise Jordan indicated the process moving forward allowed staff 30 days to submit a preclearance letter to the Department of Justice.

REPORT:

Community Development, Planning Division

Action taken by the Gainesville Planning and Appeals Board on October 11, 2011 and new items to be referred to the Planning and Appeals Board.

Community Development Director Rusty Ligon stated there were no items to refer to the November 1st Council meeting and one item, a zoning amendment request, to refer to the November 8th Planning and Appeals Board meeting.

This report contains **(A)** action taken by the Planning and Appeals Board during their public hearing held on **October 11, 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 **November 8, 2011**:

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

- 1) **Conditionally approved** the request from **Welcomb and Berlinda Lipscomb** to vary the front yard setback along Center Street from 30-feet to 16-feet on a 0.24± acre tract located on the southwest side of the intersection of Center Street and Fair Street (a/k/a **518 Fair Street**), having a zoning classification of Neighborhood Conservation (N-C).
Ward Number: Three
Tax Parcel Number(s): 01-022-008-020
Request: Carport addition

B. New items to be referred to the Planning and Appeals Board for 11/08/11:

- 1) Request from **Harbor Station Associates, LLC** to amend the existing Planned Unit Development (P-U-D) zoning on a 10.35± acres tract located west of Thompson Bridge Road, north of Minor Road (a/k/a **2601 Thompson Bridge Road NW**).
Ward Number: One
Tax Parcel Number(s): 01-100-001-002A
Request: 26 Single-family residential lots

Motion to accept the report as presented and to refer the new items to the Planning and Appeals Board.

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

COUNCIL'S ISSUES:

Mayor Bruner

1. Expressed her condolences to the family of Mayor Margaret Ballard, City of Cornelia.
2. Commented on a Community's Future meeting that discussed methods to attract and retain businesses (economic development).
3. Commented on the upcoming Alliance for Literacy Fund Raiser designed to benefit adults who are learning to read.

Council Member Wangemann

1. Provided a report on the Community Cleanup effort in Ward 3.
2. Delivered 152 invitations for today's meeting.

Council Member Figueras

1. Commented on a speaking engagement at Lakeview Academy.
2. Commented on the Georgia Municipal Employee Benefit System (GMEBS) meeting and presented information to City Manager Kip Padgett for distribution to the appropriate staff.
3. Thanked everyone that participated in the Walk to School event.
4. Commended the Communication and Tourism Department for their assistance with a Childhood Obesity booth at the HealthSmart Event.
5. Shared the Mayor's Motorcade information.

Council Member Hamrick

Reminded everyone of early voting.

CITY CLERK ISSUES:

Precinct Information

City Clerk Denise Jordan shared information about the early voting. She reviewed the options for obtaining election and voting information.

EXECUTIVE SESSION:

City Manager Kip Padgett requested an Executive Session to discuss litigation, real estate and personnel matters.

Motion to close the Council Meeting at 6:03 PM to enter an Executive Session to discuss litigation, real estate and personnel matters.

Motion made by Council Member Dunagan

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

NOTE: Melody Marlowe and Cindy Mallett attended from 6:03 PM to 6:40 PM.

Motion to close the Executive Session at 6:45 PM and to continue the Council Meeting.

Motion made by Council Member Dunagan

Motion seconded by Council Member Figueras

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

OTHER BUSINESS:

Joint Municipal Association Meeting

City Manager Kip Padgett reminded Council of the upcoming Joint Municipal Association meeting on Monday in Clermont at 6:00 PM.

ADJOURNMENT: 6:45 PM

DJ:ag

Ruth H. Bruner, Mayor

Denise O. Jordan, City Clerk