



## **ACTION AGENDA**

Gainesville City Council Meeting  
Tuesday, December 6, 2011, 5:30 PM  
Public Safety Complex (Gainesville Justice Center)  
Municipal Court Room, 701 Queen City Parkway  
Mayor or Mayor Pro Tem Presides

**COUNCIL PRESENT:**  
**STAFF PRESENT:**

**Bruner, Dunagan, Wangemann, Hamrick, Figueras  
Padgett, Sheppard, Palmour, Felts, Jordan, Grayson**

### **PLEDGE OF ALLEGIANCE:**

### **INVOCATION:**

### **SPECIAL RECOGNITION:**

- Meals on Wheels Fundraising Efforts
- National Law Enforcement Challenge Award

### **CITIZEN'S ISSUES:**

### **CONSENT AGENDA:**

#### **Minutes:**

- A. November 1, 2011 Council Meeting

**Unanimous vote to adopt the minutes accepting the edits as presented.**

#### **Resolutions:**

- A. AR-2011-20 Regarding First Quarter Budget Adjustment for Fiscal Year 2012  
B. AR-2011-21 Authorization of Establishment of Airport Manager Position  
C. BR-2011-33 Amendment Regarding Pension Protection Act  
D. BR-2011-34 Amendment Allowing Sick Leave Conversion to Retirement Credit - RPA  
E. BR-2011-35 Amendment Allowing Sick Leave Conversion to Retirement Credit - RPB  
F. BR-2011-36 Citizens' Advisory Committee for Hall County Environmental Management System (EvMS)  
G. BR-2011-37 Acceptance of The Gardens Subdivision Streets by the City of Gainesville  
H. PR-2011-44 Accept FY12 Volunteer Income Tax Assistance (VITA) Grant for \$7,500  
I. PR-2011-45 FY2012 Water Meter Replacement Project Additional Project Funds  
J. PR-2011-46 FY2012 Automated Meter Reading Project Additional Project Funds

**Unanimous vote to adopt the resolutions as presented.**

**Alcoholic Beverage License Applications:**

A. Texaco At Lakeshore, 272 Dawsonville Hwy

**Unanimous vote to approve the application as presented.**

**APPOINTMENTS:**

- Historic Preservation Commission
  - Ward 2 - Position held by Jim Walters

**Unanimous vote to reappoint Jim Walters to serve another three-year term as Representative of Ward 2 on the Historic Preservation Commission.**

- Ward 3 - Position held by Linda Hutchens

**Unanimous vote to appoint Cheryl Bush to serve a three-year term as Representative of Ward 3 on the Historic Preservation Commission.**

- Ward 5 - Position held by Kathy Amos

**Unanimous vote to appoint Jack Bailey to fill the unexpired term of Kathy Amos on the Historic Preservation Commission.**

- Parks and Recreation Board
  - Ward 4 – Position previously held by Jody Cooley

**Unanimous vote to appoint Susan Daniel to serve a five-year term as Representative of Ward 4 on the Parks and Recreation Board.**

- Ward 4 – Position held by Joe Bidy

**Unanimous vote to reappoint Joe Bidy to serve another five-year term as Representative of Ward 4 on the Parks and Recreation Board.**

**GENERAL LEGISLATION:**

**Proposed Ordinance**

**Amendment to Alcoholic Beverages**

AN ORDINANCE TO AMEND CHAPTER 6-4 ENTITLED “ALCOHOLIC BEVERAGES” OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO PROVIDE GENERAL REGULATIONS FOR A LICENSE HOLDER FOR THE SALE, CONSUMPTION, REPORTING, PROHIBITED ACTS AND REVOCATION OF ALCOHOLIC BEVERAGE LICENSES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Unanimous vote to hold first reading on Ordinance 2011-18 as presented.**

**Proposed Ordinance**

**Amendment to Solid Waste**

AN ORDINANCE TO AMEND CHAPTER 4-3 ENTITLED “SOLID WASTE” OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND THE DEFINITION

OF COMMERCIAL ESTABLISHMENT; TO DELETE THE DEFINITION OF OFFICIAL CODE OF GEORGIA; TO PROVIDE A DEFINITION FOR, COMMERCIAL HAULER, MULTI-FAMILY DWELLING, SINGLE-FAMILY DWELLING AND FRANCHISEE; TO REPEAL SECTION 4-3-3 AND INSERT IN LIEU THEREOF A NEW SECTION 4-3-3; TO REPEAL SECTION 4-3-4 AND INSERT IN LIEU THEREOF A NEW SECTION 4-3-4; TO REPEAL SECTION 4-3-7 AND INSERT IN LIEU THEREOF A NEW SECTION 4-3-7; TO REPEAL SECTION 4-3-8 AND INSERT IN LIEU THEREOF A NEW SECTION 4-3-8; TO REPEAL SECTION 4-3-10 AND INSERT IN LIEU THEREOF A NEW SECTION 4-3-10; TO REPEAL SECTION 4-3-11 AND INSERT IN LIEU THEREOF A NEW SECTION 4-3-11; TO REPEAL SECTION 4-3-12 AND INSERT IN LIEU THEREOF A NEW SECTION 4-3-12; TO REPEAL SECTION 4-3-13 AND INSERT IN LIEU THEREOF A NEW SECTION 4-3-13; TO REPEAL SECTION 4-3-16 AND INSERT IN LIEU THEREOF A NEW SECTION 4-3-16; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Unanimous vote to hold first reading on Ordinance 2011-19 as presented.**

**Second Reading: Ordinance 2011-17  
Sunday Alcohol Sales**

AN ORDINANCE TO AMEND CHAPTER 6-4 ENTITLED "ALCOHOLIC BEVERAGES" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND 6-4-30(b)(8) TO PROVIDE THAT THE CITY MARSHAL SHALL APPROVE THE CHANGE OF THE MANAGING AGENT OF A LICENSED ESTABLISHMENT; TO AMEND SECTION 6-4-36(5)a.1. TO CHANGE THE HOURS OF SALE OR MALT BEVERAGES AND WINE; TO AMEND SECTION 6-4-36(b)1., 3., AND 4. TO CHANGE THE HOURS OF SALES OF DISTILLED SPIRITS; TO DELETE SECTION 6-4-37 IN ITS ENTIRETY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

First Reading:	<u>11/15/2011</u>
Published:	<u>11/18/2011</u>
Passed:	<u>12/06/2011</u>

**Unanimous vote to hold second reading on Ordinance 2011-17 as presented.**

**PUBLIC HEARINGS:**

**Planning and Appeals Board**

- 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

Council Action: NONE  
(Withdrawn Prior to Planning and Appeals Board Meeting)

**COUNCIL'S ISSUES:**

**CITY MANAGER'S ISSUES:**

**CITY CLERK'S ISSUES:**

**Proposed Ordinance  
Amendment to Solid Waste**

AN ORDINANCE TO AMEND CHAPTER 4-3 ENTITLED "SOLID WASTE" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND THE DEFINITION OF COMMERCIAL ESTABLISHMENT; TO DELETE THE DEFINITION OF OFFICIAL CODE OF GEORGIA; TO PROVIDE A DEFINITION FOR BUSINESS, COMMERCIAL HAULER, MULTI-FAMILY DWELLING, PERSON, SINGLE-FAMILY DWELLING AND FRANCHISEE; TO AMEND SECTION 4-3-3 ENTITLED CITY RESPONSIBLE FOR SANITATION SERVICES GENERALLY; TO AMEND SECTION 4-3-4 ENTITLED COMMERCIAL OPERATIONS AND HAULERS; TO AMEND SECTION 4-3-7 ENTITLED PREPARATION AND STORAGE OF REFUSE FOR COLLECTION; TO AMEND SECTION 4-3-8 ENTITLED ITEMS AND MATERIALS REQUIRING ADDITIONAL FEES FOR COLLECTION; TO AMEND SECTION 4-3-10 ENTITLED SOLID WASTE PLAN REQUIRED FOR BUILDING PERMIT; TO AMEND SECTION 4-3-11 ENTITLED BILLING PROCEDURE; TO AMEND SECTION 4-3-12 ENTITLED UNAUTHORIZED USE OF DUMPSTERS AND PROHIBITING SCAVENGING; TO AMEND SECTION 4-3-13 ENTITLED LITTER CONTROL; TO AMEND SECTION 4-3-16 ENTITLED NONPAYMENT OF FEES DEEMED VIOLATION REQUIRING TERMINATION OF COLLECTION AND WATER SERVICE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Unanimous vote to hold first reading on Ordinance 2011-20 as presented.**

**EXECUTIVE SESSION:**

**ADJOURNMENT: 6:14 PM**

/ag