

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

Mayor Bruner called the meeting to order.

The Pledge of Allegiance was recited in unison after which Pastor Ben Haupt, Good Shepherd Lutheran Church, delivered the invocation.

**CONSENT AGENDA:**

**Minutes:**

A. November 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 Wangemann  
**Vote – 5 favor**

**Resolutions:**

- A. BR-2011-38 Workers' Compensation Insurance
- B. BR-2011-39 RPB – Adoption of Master Defined Benefit Retirement Plan Document  
(Amended and Restated with Amendments Effective July 1, 2011)
- C. BR-2011-40 Intergovernmental Agreement with Hall County Regarding Fiber Installation
- D. BR-2011-41 Public Safety Intergovernmental Services Agreement Cooperative 9-1-1  
Emergency Public Safety Answering Point Between Hall County and the City  
of Gainesville
- E. BR-2011-42 Intergovernmental Agreement with Hall County Regarding Solid Waste  
Tipping Fees
- F. BR-2011-43 Ratification, Duties and Composition of the Lee Gilmer Memorial Airport  
Advisory Committee
- G. PR-2011-47 FY2011 Road Paving Project Award of Contract
- H. PR-2011-48 Addition of Banks Street, Grove Street and Maple Street to FY2010 Road  
Paving Project

**Motion to adopt the resolutions as presented.**

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

**Alcoholic Beverage License Applications:**

- A. G&P Package, 1664 Park Hill Drive – New Application for package sale of beer, wine and liquor.
- B. Racetrac #597, 2410 Cornelia Highway – New Application for package sale of beer and wine.

**Motion to approve the applications as presented.**

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

**APPOINTMENTS:**

**Gainesville Redevelopment Authority  
Position currently held by Jay Jacobs**

**Motion to appoint George Hokayem to serve a four-year term on the Redevelopment Authority.**

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

**Gainesville Redevelopment Authority  
Position currently held by Lorry Schrage**

**Motion to appoint Carol Burrell to serve a four-year term on the Redevelopment Authority.**

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

**Gainesville Redevelopment Authority  
Position currently held by Dale Jaeger**

**Motion to appoint Joe Wood, Jr. to serve a four-year term on the Redevelopment Authority.**

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

**Gainesville Redevelopment Authority  
Position currently held by Mike Whitmire**

**Motion to reappoint Mike Whitmire to serve another four-year term on the Redevelopment Authority.**

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

**GENERAL LEGISLATION:**

**Second Reading: Ordinance 2011-18  
Amendment to Alcoholic Beverages**

**Motion to hold second reading on Ordinance 2011-18**, 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.

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

**Second Reading: Ordinance 2011-20  
Amendment to Solid Waste**

**Motion to hold second reading on Ordinance 2011-20**, 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.

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

**REPORT:**

**Community Development, Planning Division**

*Action taken by the Gainesville Planning and Appeals Board on December 13, 2011 and new items to be referred to the Planning and Appeals Board.*

Community Development Director Rusty Ligon stated there were two items to be referred to the January 3<sup>rd</sup> Council Meeting including one zoning amendment and one special use request and there were three items to be referred to the January 10<sup>th</sup> Planning and Appeals Board meeting including one variance and two rezoning requests.

This report contains **(A)** action taken by the Planning and Appeals Board during their public hearing held on **December 13, 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 **January 10, 2012**:

**A. Planning and Appeals Board Actions for 12/13/11:**

- 1) **Recommended conditional approval** of the request from **The Atlanta Botanical Garden, Inc.** to amend the existing Planned Unit Development (P-U-D) zoning on a 167.99± acres tract located west of Lake Hill Drive NE at its intersection with Cleveland Highway (a/k/a **351 Lake Hill Drive**).  
Ward Number: Two  
Tax Parcel Number(s): 01-093-001-041  
Request: Amend existing development standards for an existing arboretum
- 2) **Recommended conditional approval** of the request from **Rescate 2000, Inc.** for a Special Use on a 8.19± acres tract located on the southwest side of Florence Drive, south of its intersection with Browns Bridge Road (a/k/a **2920 Florence Drive SW**), having a zoning classification of Office and Institutional (O-I).  
Ward Number: Four  
Tax Parcel Number(s): 08-015-005-029  
Request: Daycare center within a church serving more than 18 children

**B. New items to be referred to the Planning and Appeals Board for 01/10/12:**

- 1) Request from **Patton Land Surveying** to vary the left side yard building setback requirement on a 1.26± acres tract located on the south side of Overlook Drive, southeast of its second intersection with Club Drive (a/k/a **197 Overlook Drive NW**), having a zoning classification of Residential-I-A (R-I-A).  
Ward Number: One  
Tax Parcel Number(s): 01-103-001-006  
Request: Carport addition
- 2) Request from **Dennis and Jill Momper** to rezone a 0.51± acre tract located on the east side of Prior Street, northeast of its intersection with Park Street (a/k/a **430 Prior Street NE**) from Residential-II (R-II) to Residential and Office (R-O).  
Ward Number: Two  
Tax Parcel Number(s): 01-038-004-013  
Request: Single-family residential and professional office

- 3) Request from **Medical Arts Properties 2.0, L.P.** to rezone a 3.54± acres tract located on the east side of Fairbanks Drive, southeast of its intersection with Meeks Drive (a/k/a **0 Fairbanks Drive SW**) from Planned Unit Development with conditions (P-U-D-c) to Office and Institutional (O-I).  
Ward Number: Four  
Tax Parcel Number(s): 08-031A-004-083  
Request: Medical office

**Motion to accept the report as presented and to refer 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:**

**Council Member Wangemann**

Invited 32 people to the meeting. He will continue the effort to encourage people to attend.

**Council Member Dunagan**

Invited everyone to attend a reception for the incoming Mayor on January 3, 2012 from 4:30PM to 5:30PM in the lobby of the Gainesville Public Safety Complex.

**Council Member Hamrick**

Commended City Manager for working with the County Administrator on the Solid Waste issue.

**CITY MANAGER'S ISSUES:**

City Manager Kip Padgett reminded Council the next meeting was scheduled for January 3, 2012.

**ADJOURNMENT: 5:42 PM**

DJ/ag

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Ruth H. Bruner, Mayor

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Denise O. Jordan, City Clerk