

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 Dr. Terry Walton, Gainesville First United Methodist Church, delivered the invocation.

OATH OF OFFICE:

City Clerk Denise Jordan administered the Oath of Office to Council Member Hamrick, Ward 2; Council Member Figueras, Ward 3; and Council Member Bruner, Ward 5. All three were reelected during the November 3, 2011 election process.

ORGANIZATIONAL MEETING:

Appointment of Mayor (2 Year Term)

Motion to appoint C. Danny Dunagan, Jr. to serve a two-year term as Mayor.

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

Mayor Dunagan expressed his appreciation and his acceptance speech was noted as follows:

Council, thank you for electing me as Mayor. I am honored and humbled to represent our great city as its 57th Mayor. I am looking forward to working with each one of you and our staff for the betterment of Gainesville and its citizens.

I want to thank Ruth Bruner for her outstanding service and her leadership as Mayor. She led this city well and left some big shoes to fill. Ruth, thank you for all you did to move this city forward during some tough times.

Next, I want to thank Kip Padgett and his entire staff for their support and continued dedication to Gainesville. Gainesville's staff is second to none and I appreciate all that they do.

The last couple of years have been economically challenging for all of us. Utilizing cost cutting measures, including the consolidation of departments. Council, in cooperation with our city manager and his staff has streamlined our city government. We successfully trimmed expenses while maintaining the same quality of service that the citizens of Gainesville have been accustomed to.

As we go into this new year, we will take what we've learned over the last couple of years. We will continue moving forward and capitalizing on new opportunities. We will see the many projects that are in the pipeline finished and confront the issues that lie ahead. Let me just mention a few.

The completion of the pedestrian bridge is in the final stage of connecting Midtown to Downtown, a dream we have had since discussions of revitalizing Midtown that began in 2000. The development of the City View Project is moving forward as we speak.

Midtown: We will continue to focus on the redevelopment of this area. With the completion of the Midtown Greenway, a trail that will eventually connect Lake Lanier to Gainesville State College, the multi-use facility we are in tonight, is the stimulus needed to begin the redevelopment in this area. There are projects being discussed now in this area that will dramatically change Midtown as we know it.

The recent announcement of Brenau University's interest in locating its Allied Health Services School in the Georgia Mountains Center is exciting. Projections are for 700 graduate students plus staff. This joint venture of Brenau and the city could be very well the catalyst that downtown Gainesville has needed. Making Brenau a part of the Gainesville square family should have a positive impact on existing businesses, attract new business and offer the possibility of greater downtown living.

Gainesville's Comprehensive Plan, a road map to how this city will develop in the future, is in its final stages. Staff and Council are looking at the possibility of adding new Tax Allocation Districts and Opportunity Zones to further attract business into the city by offering payroll tax credits and bond financing opportunities.

The talks and planning for the future of the Rowing Venue, a goal of Mayor Bruner's, needs to continue and we need to explore how this venue can be enhanced to its full potential. We have other areas on the lake that the city operates that need to be explored for developing. The dialogue with the Corps of Engineers has already started about those possibilities.

Traffic: I am asking Council, staff and the Metropolitan Planning Organization to develop a plan for correcting the city's traffic problems. There are streets and intersections in this city where at certain times traffic moves at a snail's pace. As the city continues to grow, it is imperative that we begin to work toward correcting areas that are problematic. One area of concern is congestion within the neighborhoods created by motorists taking short cuts in order to avoid areas of traffic congestion -- a dangerous and potentially deadly scenario. Traffic plans such as this take time and money. We must start planning now to get ready for the future.

Water: There has been much discussion regarding water and Lake Lanier over the past several years. The recent Federal Appeals Court ruling solidified what we already knew - water supply is one of the intended uses of Lake Lanier. That ruling, coupled with the Cedar Creek Reservoir, will satisfy Gainesville's present and future water needs for many years in the future. The city supports a regional and state approach to the Glades Reservoir project; however, there are many questions about this project and how it integrates with other local and regional water providers throughout the state. For the good of all citizens, these questions need to be answered quickly. In closing, I wish to thank the citizens of Gainesville for the privilege of serving as a member of your City Council.

To the members of this Council, I thank you again for the confidence you have shown in me by electing me Mayor. There is no doubt in my mind that we live in the best city in America. I trust that each one of these Council Members and staff share my belief.

Together with you, the citizens of Gainesville, we will continue to keep our city a beautiful,

progressive and safe place to live. A place we can all call home and be proud of.

Appointment of Mayor Pro Tem (1 Year Term)

Motion to appoint George Wangemann to serve a one-year term as Mayor Pro Tem.

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

Emergency Interim Successors Resolution

Motion to adopt Business Resolution BR-2012-01 naming the Emergency Interim Successors as follows: Mayor C. Danny Dunagan, Jr.; Mayor Pro Tem George Wangemann; Council Member Robert L. Hamrick; Council Member Myrtle W. Figueras; and Council Member Ruth H. Bruner.

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

2012 Council Meeting and Work Session Calendar

Motion to adopt the 2012 Council Meeting and Work Session Calendar as presented scheduling Council Meetings on the first and third Tuesday of each month at 5:30 PM in the Municipal Court Room within the Gainesville Justice Center and scheduling Work Sessions on Thursday preceding each Council Meeting at 9:00 AM in the City Manager's Conference Room located in the Administration Building.

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

Designation of Official Organ

Motion to designate *The Times* as the legal organ for 2012.

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

Appointment of City Manager (Indefinite Term)

Motion to reappoint Kip Padgett as the City Manager for an indefinite term.

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

Appointment of City Attorney (1 Year Term)

Motion to reappoint James E. (Bubba) Palmour, III as the City Attorney for a one-year term.

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

Appointment of Municipal Court Judge (2 Year Term)

Motion to reappoint G. Hammond Law, III as the Municipal Court Judge for a two-year term.

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

Appointment of Municipal Court Solicitor (2 Year Term)

Motion to appoint Theodore (Ted) Grana Cassert as the Municipal Court Solicitor for a two-year term.

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

Appointment of Municipal Court Solicitor (2 Year Term)

Motion to appoint John Breakfield as the Municipal Court Solicitor for a two-year term as needed in Mr. Cassert's absence.

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

Appointment of Administrative Hearing Officer (1 Year Term)

Motion to reappoint G. Hammond Law, III to serve as the Administrative Hearing Officer for a one-year term.

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

Appointment to Georgia Mountains Regional Commission

Motion to reappoint Council Member Wangemann to serve another one-year term on the Georgia Mountains Regional Commission.

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

Appointment to Loan Review Committee

Motion to reappoint Council Member Bruner to serve another one-year term on the Loan Review Committee.

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

Appointment of Council Members as Ex-Officio Members to the Boards/Committees

Motion to appoint the following as 2012 Ex-Officio Members for a one-year term:

**Council Member Hamrick to the Airport Advisory Committee
Council Member Wangemann to the Beautification Steering Committee
Mayor Dunagan to the Chicopee Woods Area Park Commission
Mayor Dunagan to the Economic Development Council
Council Member Wangemann to the Friends of the Parks
Mayor Dunagan to the Gainesville-Hall County Development Authority
Council Member Figueras to the Gainesville Non-Profit Development Authority
Mayor Dunagan to the Gainesville Redevelopment Authority
Council Member Hamrick to the Golf Course Advisory Committee
Mayor Dunagan to the Greater Hall Chamber of Commerce Board of Directors
Mayor Dunagan to the HALLmark Initiative
Council Member Bruner to the Historic Preservation Commission
Mayor Dunagan to the Housing Authority
Council Member Figueras to the Main Street Gainesville Advisory Board
Council Member Bruner to the Parks and Recreation Board
Council Member Figueras to the Planning and Appeals Board**

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

CONSENT AGENDA:

Minutes: December 6, 2011 Council Meeting

Motion to adopt the minutes accepting the edits as presented.

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

PUBLIC HEARING:

Annexation / Zoning Items:

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

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.

Director of Community Development Rusty Ligon reviewed the application noting the applicant was proposing to amend the existing planned development with conditions in order to make modifications to the existing arboretum. The Planning and Appeals Board voted to approve the request with the following five conditions:

1. The proposed redesign of the entrance to the subject property including the realignment of Lake Hill Drive at its intersection with the subject property and Cleveland Highway are subject to review and approval from the Gainesville Community Development Department Director, Gainesville Public Works Director and if warranted, the Georgia Department of Transportation. All road improvements shall be at the owner's expense.
2. The proposed interior private drive/road shall not be adopted into the City of Gainesville maintenance system unless brought up to City of Gainesville standards at the owner's expense. Furthermore, in the absence of curb and gutter the developer, at their own expense, will install and maintain ditches, bioswales and detention facilities sufficient to eliminate erosion caused by development and runoff, as approved by the City of Gainesville Public Works Director.
3. Any proposed stream buffer variance shall only be considered on a site by site basis once full plans have been produced in order to know the magnitude of potential damage from encroachment. Any encroachment within 25-feet of a stream will require a stream buffer variance from the State.
4. The subject property shall be limited to two monument entrance signs (one on each side of the entrance to the subject property). Each monument sign shall not exceed eight (8) feet in height, sixty (60) square feet in size with indirect illumination. Other internal way finding signage shall be allowed which may include monument or banner/vertical pole signs not to exceed 32-square feet in sign face area.

5. The proposed public uses/exhibits within the subject property shall be sufficiently screened from the adjacent residential uses with native vegetation where needed as approved by the Community Development Department Director.

City Attorney Palmour opened the floor for comments.

FAVOR:

Harold Rochester, Rochester and Associates, 425 Oak Street, stated he represented the Garden. He commented on the need for some criteria modifications in the design noting their clear objective was to preserve as much natural vegetation as possible. He felt this could be accomplished by conducting a thorough evaluation and by using the City's design criteria. He commented on the Gardens concerns with the entrance road and the other necessary modifications. He stated the property was intended for the community's enjoyment and for educational purposes. They were in agreement with all the proposed conditions with a modification to condition four as it pertained to signage. Mr. Rochester distributed photographs of the proposed signage and reviewed the information. He proposed changing the size of the sign from sixty (60) feet to two-hundred (200) feet for visibility purposes. The proposal had been discussed with the planning staff and they were in agreement.

There being no further comments, the hearing was closed and the matter was returned to Council for a decision.

Community Development Director Rusty Ligon confirmed the change in the size of the sign was acceptable.

Motion to hold first reading on Ordinance 2012-01, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY AMENDING THE EXISTING PLANNED UNIT DEVELOPMENT 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); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (Amendment to the Zoning Map) with conditions including a modification of condition four.

Motion made by Council Member Wangemann

Motion seconded by Council Member Bruner

Vote – 5 favor

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.

Community Development Director Rusty Ligon reviewed the application. The Planning and Appeals Board voted to approve the request with the following conditions:

1. The daycare use of the subject property shall be limited to a maximum of 80 children.
2. The owner/applicant shall obtain all required building permits and all other associated permits prior to the expansion of the existing daycare facility.

3. The owner/applicant shall provide a vegetative buffer between the subject property and the neighboring Richmond Townhomes along a portion of the northerly property line. The buffer shall consist of a staggered row of Leyland Cypress, Arborvitae Green Giant or Cryptomeria evergreen trees at a minimum planted height of 5 to 7 feet. The final installation, placement, and maintenance of the buffer shall be subject to Community Development Department Director approval.

City Attorney Palmour opened the floor for comments.

FAVOR:

Camille Viera, 2661 Shady Valley Road, stated she was the Director of the daycare and they had moved to the current location about one year ago. They noticed a need for a low income daycare in the area. This was an effort to provide early childhood education to prepare the children for school. She stated there was sufficient space on the property to prevent traffic problems.

OPPOSE:

Nancy Carper, 3023 Bentley Park Circle, stated this operation has been totally intolerable for the past year. She cited constant daily traffic problems along with gangs and noise problems. She commented on a recent food delivery from Georgia Food Bank that caused severe traffic problems. She stated the facility was not adequate for 80 children. Ms. Carper asked Council to consider this and come out to take a look for themselves.

There being no other comments, Attorney Palmour closed the hearing and returned the matter to Council for a decision.

Council Member Bruner inquired with Mr. Ligon about the complaints at which time he stated the space could accommodate up to 80 children. A site inspection was conducted and passed. The site development does not require any additional traffic measures.

Council Member Figueras reported attending the Planning Board meeting. She felt the use was appropriate.

Motion to adopt Resolution ZR-2012-01 allowing a Special Use on an 8.19± acres tract located at 2920 Florence Drive for a daycare center within a church serving more than 18 persons within an Office and Institutional (I-O) zoning district with conditions as presented.

Motion made by Council Member Figueras
Motion seconded by Council Member Bruner
Vote - 4 favor, 1 oppose (Wangemann)

CITY MANAGER'S ISSUES:

City Manager Kip Padgett congratulated Mayor Dunagan and Mayor Pro Tem Wangemann on their appointments and Council Members Bruner, Figueras and Hamrick on their reelection.

CITY ATTORNEY ISSUES:

City Attorney Palmour thanked Council for his reappointment and congratulated Council Members on their reelections.

CITY CLERK ISSUES:

City Clerk Denise Jordan congratulated Council on their reelections.

ADJOURNMENT: 6:21 PM

DJ/ag

C. Danny Dunagan, Mayor

Denise O. Jordan, City Clerk