

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

Mayor Dunagan called the meeting to order.

Council Member Hamrick delivered the invocation after which the Pledge of Allegiance was recited in unison.

SPECIAL RECOGNITION:

If I Were Mayor....Essay Contest – Local Winners

Communication and Tourism Director Catiel Felts commented on the Georgia Municipal Association's Essay Contest indicating they are judged locally and statewide. Ali Waggoner (Gainesville Middle School) and Zach Ginac (North Georgia Christian School) were recognized for having the best essays submitted this year from Gainesville. Both students read their essays and were congratulated. Mrs. Felts commented on an ice cream party at the school to express appreciation for participating in this contest. Council extended words of appreciation.

PROCLAMATION:

Donate Life Month

Mayor Dunagan read a proclamation declaring the month of April 2012 to be Donate Life Month.

CITIZEN'S ISSUES:

Bill Taylor, 1837 Nottingham Drive, extended appreciation for the speed breakers in their community. He stated the results were immediate and the workers did an excellent job.

Jean Brannon expressed concerns about citizens having pit bulls as pets noting her grandchild was mauled recently. She expressed a desire for restrictions or a ban on these dogs. She had submitted a similar request to Representative Carl Rogers and volunteered to circulate a petition if that was the appropriate course of action. She also felt there was no protection under the leash laws.

Mike Parker, 6728 Willowood Trail, Flowery Branch, stated he attended a Hall County Commission meeting a few days ago where there was discussion of combining city and county government. He was against that action and felt there shouldn't be one body making decisions over a broad area. He hoped the Council would be against this action.

CONSENT AGENDA:

Resolutions:

- A. BR-2012-13 Retirement Plan A Contractual Agreement for Actuarial Services
- B. BR-2012-14 Gainesville/Hall Area Transit Drug and Alcohol Policy
- C. BR-2012-15 Quit Claim Deed Between the City of Gainesville and MACM Investments
- D. BR-2012-16 City of Ethics Recertification

Motion to adopt the resolutions as presented.

Motion made by Council Member Figueras

Motion seconded by Council Member Wangemann

Votes favoring the motion: Dunagan, Wangemann, Hamrick, Figueras, Bruner

GENERAL LEGISLATION:

Proposed Ordinance

Amendment to Chapter 6-2 Entitled "Occupation Tax"

Motion to hold first reading on Ordinance 2012-10, AN ORDINANCE TO AMEND CHAPTER 6-2 ENTITLED "OCCUPATION TAX" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND THE OCCUPATION TAX AMOUNT PROVIDED IN SECTION 6-2-4(c)(1); TO DELETE IN ITS ENTIRETY THE ADMINISTRATION FEE PROVIDED IN SECTION 6-2-4(c)(2); TO AMEND SECTION 6-2-24 TO DELETE THE ADMINISTRATIVE FEE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Chief Financial Officer Melody Marlowe stated the ordinance would increase fees for occupation tax. It was a tiered tax based upon the number of employees. The average increase was 4.5% (\$20) with the initial tier being a \$10 increase from the current rate.

Motion made by Council Member Hamrick

Motion seconded by Council Member Figueras

DISCUSSION:

Mayor Dunagan stated this fee was initiated by the additional regulations associated with the immigration bill.

Council Member Wangemann stated he would normally be opposed to increased fees except that funding was needed to pay for the additional staff required to handle administrative responsibilities associated with the bill. He requested discussion with the state to ask if they would pay the cost associated with this bill. It may be a good law but it was not good to pass the expense on to others.

Council Member Bruner stated this was an unfunded mandate.

Votes favoring the motion: Dunagan, Wangemann, Hamrick, Figueras, Bruner

Proposed Ordinance

Amendment to Chapter 10 Entitled "Schedule of Fees" (Inspections and Permits)

Motion to hold first reading on Ordinance 2012-11, AN ORDINANCE TO AMEND CHAPTER 10 ENTITLED "SCHEDULE OF FEES" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND SECTION 10-1-91 ENTITLED "BUILDING CODE"; TO AMEND SECTION 10-1-92 ENTITLED "ELECTRICAL CODE"; TO AMEND SECTION 10-1-93 ENTITLED "GAS CODE"; TO AMEND SECTION 10-1-95 ENTITLED "HEATING, VENTILATING AND AIR CONDITIONING PERMIT FEES"; TO AMEND SECTION 10-1-97 ENTITLED "PLUMBING CODE"; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Community Development Director Rusty Ligon stated this ordinance was in response to the Council's desire for the Inspections Division to be self-sustaining. It was noted that many of the fees had not been adjusted in twenty years. The proposed ordinance would be effective July 1st.

Motion made by Council Member Bruner

Motion seconded by Council Member Figueras

DISCUSSION:

Council Member Figueras stated each department needs to be able to stand alone.

Votes favoring the motion: Dunagan, Wangemann, Hamrick, Figueras, Bruner

ANNEXATION / ZONING:

Second Reading: Ordinance No. 2012-08

Annex 14.03± Acres at 0 and 2145 Athens Highway

Motion to hold second reading on Ordinance 2012-08, AN ORDINANCE ANNEXING A 14.03± ACRES PARCEL LOCATED ON THE EAST SIDE OF ATHENS HIGHWAY, SOUTH OF ITS INTERSECTION WITH WILSON DRIVE (A/K/A **0 AND 2145 ATHENS HIGHWAY**); ADJACENT TO BUT NOT NOW WITHIN THE CORPORATE LIMITS OF THE CITY OF GAINESVILLE, GEORGIA; REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (Amendment to City Limit Boundary)

Motion made by Council Member Hamrick

Motion seconded by Council Member Figueras

Votes favoring the motion: Dunagan, Wangemann, Hamrick, Figueras, Bruner

**Second Reading: Ordinance No. 2012-09
Zone 14.03± Acres at 0 and 2145 Athens Highway**

Motion to hold second reading on Ordinance 2012-09, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A 14.03± ACRES TRACT LOCATED ON THE EAST SIDE OF ATHENS HIGHWAY, SOUTH OF ITS INTERSECTION WITH WILSON DRIVE (A/K/A 0 AND 2145 ATHENS HIGHWAY) AT THE TIME OF ANNEXATION AS LIGHT INDUSTRIAL (L-I); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (Amendment to Zoning Map)

Motion made by Council Member Wangemann

Motion seconded by Council Member Bruner

Votes favoring the motion: Dunagan, Wangemann, Hamrick, Figueras, Bruner

REPORT:

Community Development, Planning Division

New items to be referred to the Planning and Appeals Board.

Community Development Director Rusty Ligon stated there were no items to be referred to the May 1st Council Meeting and four items to be referred to the May 8th Planning and Appeals Board Meeting consisting of three annexation requests and one road action request.

This report contains **(A)** action taken by the Planning and Appeals Board during their public hearing held on **April 10, 2012**, 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 **May 8, 2012**:

A. Planning and Appeals Board Actions for 04/10/12:

This meeting was cancelled since the applicant withdrew the only request on the agenda.

B. New items to be referred to the Planning and Appeals Board for 05/08/12:

- 1) Request from the **City of Gainesville Public Utilities Department** to annex a 2.3± acres tract located on the southwestern corner of the intersection of Marler Street and Hancock Avenue (a/k/a **1198 Marler Street**) and to establish zoning as Heavy Industrial (H-I).

Ward: Three

Tax Parcel Number: 01-031-004-002 (Part)

Request: Public Utilities shop/office

- 2) Request from **WAG Properties, Inc.** to annex a 0.68± acre tract located on the east side of Thompson Bridge Road, south of its intersection with Sandridge Court (a/k/a **1868 Thompson Bridge Road**) and to establish zoning as General Business (G-B).

Ward: One

Tax Parcel Number: 00-097-001-020

Request: Transportation logistics brokerage

- 3) Request from **Pacolet Milliken Enterprises, Inc.** to annex a 68.223± acres tract located on the north and south side of Jesse Jewell Parkway, between and across from its intersection with Limestone Parkway and White Sulphur Road (a/k/a **601 White Sulphur Road**) and to establish zoning as Planned Unit Development (P-U-D).
Ward: Two and Three
Tax Parcel Number: 09-123-000-008 (Part)
Request: Commercial / office / multi-family development
- 4) Request from **Eddie Martin Sr.** to abandon a 0.39± acre (465± linear feet) unopened portion of Walker Street right-of-way located north of its intersection with Virginia Avenue having a zoning classification of Residential-I (R-I).
Ward Number: One
Request: Abandonment of right-of-way

Upon inquiry from Council Member Hamrick, Mr. Ligon elaborated on one of the annexation application which addressed a 55 acre tract off of Limestone Parkway.

Council Member Hamrick felt this was a signal that the economy is improving. This was good news.

Motion to accept the report as presented.

Motion made by Council Member Bruner

Motion seconded by Council Member Figueras

Votes favoring the motion: Dunagan, Wangemann, Hamrick, Figueras, Bruner

OTHER ISSUES:

Georgia Mountains Regional Commission Meeting

Council Member Wangemann announced the Georgia Mountains Regional Commission meeting would be held on April 26th in Cornelia. He commented on the agenda and invited elected officials to attend.

Street Signs at Robinhood Trail

Council Member Wangemann reported he received a complaint about too many street signs on Robinhood Trail.

Spring Chicken Festival/Midtown Greenway Ribbon Cutting

Council Member Figueras commented on the Spring Chicken Festival and the Midtown Greenway Ribbon Cutting on April 28th.

Alliance for Literacy Spelling Bee

Council Member Bruner commented on the Spelling Bee to benefit Alliance for Literacy planned for April 24th.

EXECUTIVE SESSION:

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

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

Motion made by Council Member Bruner

Motion seconded by Council Member Figueras

Votes favoring the motion: Dunagan, Wangemann, Hamrick, Figueras, Bruner

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

STAFF PRESENT: Padgett, Sheppard, Palmour, Jordan

Motion to close the Executive Session and adjourn the Council Meeting at 6:35 PM.

Motion made by Council Member Wangemann

Motion seconded by Council Member Bruner

Votes favoring the motion: Dunagan, Wangemann, Hamrick, Figueras, Bruner

ADJOURNMENT: 6:35 PM

DJ:ag

C. Danny Dunagan, Mayor

Denise O. Jordan, City Clerk