

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 Wangemann delivered the invocation after which the Pledge of Allegiance was recited in unison.

SPECIAL RECOGNITION:

Gainesville High School Girls and Boys Golf Teams

Golf Team Coaches Clay McDonald and Bryson Worley attended the meeting to commend the team members for a championship win. They thanked the City for the support that has been shown. Council extended words of congratulations.

CONSENT AGENDA:

Minutes: February 21, 2012

Motion to approve the minutes excepting edits as presented.

Motion made by Council Member Figueras

Motion seconded by Council Member Wangemann

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

BUDGET HEARING:

City Attorney Palmour reviewed the public hearing process.

Presentation of FY2013 Proposed Budget

City Manager Kip Padgett stated this was the same budget that was previously presented for \$27.9 million. It is consistent with Council's direction to keep service levels the same, meet road paving needs and employee retention. It includes a millage roll-up to address debt obligation from previous years and Parks & Recreation Agency needs as well as other needs. He indicated the Department Directors were present to address questions.

City Attorney Palmour opened the floor for comments.

Mike Parker, Flowery Branch, stated the budget is a conflicting time for people. He wanted a strong government with civic responsibility for the citizens and involvement from those living in the community. He felt there was a lack of information about the services that are being cut, specifically mentioning the Healthy Babies Program and the Gainesville Cares Program. In closing, he felt the responsibility lied with the government and felt Council should move forward with the millage roll-up.

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

Motion to postpone second reading until the second Council Meeting in July.

Motion made by Council Member Hamrick
Motion died due to lack of a second

**Second Reading: Ordinance No. 2012-13
FY2013 Ad Valorem Tax Rate for the City of Gainesville
(Exclusive of the Gainesville Board of Education)**

Motion to hold second reading on Ordinance 2012-13, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GAINESVILLE, GEORGIA, TO FIX THE AD VALOREM TAX RATE FOR THE CITY OF GAINESVILLE, GEORGIA EXCLUSIVE OF ACTIVITIES OF THE GAINESVILLE BOARD OF EDUCATION FOR THE FISCAL YEAR 2013; AND OTHER PURPOSES.

Motion made by Council Member Bruner
Motion seconded by Council Member Figueras
Votes favoring the motion: Dunagan, Figueras, Bruner
Oppose: Wangemann, Hamrick

Council Member Figueras commented on the millage rates noting it is the leanest budget she had seen in a very long time.

**Second Reading: Ordinance No. 2012-14
FY2013 Ad Valorem Tax Rate for the Gainesville Board of Education**

Motion to hold second reading on Ordinance 2012-14, 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 2013; AND OTHER PURPOSES.

Motion made by Council Member Figueras
Motion seconded by Council Member Bruner
Votes favoring the motion: Dunagan, Wangemann, Figueras, Bruner
Oppose: Hamrick

Council Member Wangemann stated the budget was a good budget. There are, in his opinion, sufficient monies to bring the millage rate down slightly to the same rate as last year. He felt there was something in the budget for everyone except the tax payer. The recommended budget was good and would take care of the needs of the staff, citizens and all employees of the City of Gainesville.

Mayor Dunagan felt the budget addressed some dire capital needs. There are many other needs to be addressed.

Council Member Hamrick stated the main capital need was police vehicles. The budget includes \$650,000 that would be financed through a lease purchase agreement. He indicated there was \$4 million available in the reserve fund but we're going to borrow money to purchase police cars. He also commented on the paving issue noting there was \$1.2 million already appropriated in Capital Improvements.

Upon direction from the Mayor, the City Manager addressed the capital projects in terms of sidewalks. He deferred to Mrs. Marlowe regarding the lease purchase.

Chief Financial Officer Melody Marlowe stated the City has participated in a pool of financing through the Georgia Municipal Association (GMA) for several years which has been used historically for police vehicles.

Resolution AR-2012-09 Adoption of Fiscal Year 2013 Budget

Motion to adopt the resolution as presented.

Motion made by Council Member Hamrick

Motion seconded by Council Member Figueras

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

GENERAL LEGISLATION:

Second Reading: Ordinance No. 2012-12
Amend Chapter 1-6 Entitled Personnel

Motion to hold second reading on Ordinance 2012-12, AN ORDINANCE TO AMEND CHAPTER 1-6 ENTITLED "PERSONNEL" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND SECTION 1-6-50 TO ESTABLISH A MERIT PERSONNEL ADMINISTRATION IN WHICH ALL PERSONNEL MATTERS OF THE CITY SHALL BE DETERMINED SOLELY ON THE BASIS OF MERIT AND QUALIFICATIONS, WITHOUT REGARD TO RACE, COLOR, SEX, AGE, NATIONAL ORIGIN, DISABILITY OR POLITICAL AFFILIATION; TO AMEND SECTION 1-6-51 TO PROVIDE FOR THE ADOPTION OF EMPLOYEE POLICIES AND PROCEDURES; 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 Bruner

Motion seconded by Council Member Figueras

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

RESOLUTIONS:

BR-2012-21 Amendment to Personnel Policies and Procedures

Human Resources/Risk Manager Cindy Mallet stated recent changes to the Charter required staff to revisit some items to reestablish practice. The proposed resolution would change the Personnel Policies. This was a recommitment to the appeal process that does not change the right of employees to file appeals. She requested Council's approval of the new policies to implement the change.

Motion to adopt the resolution as presented.

Motion made by Council Member Wangemann

Motion seconded by Council Member Hamrick

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

**PR-2012-29 Bureau of Justice Assistance Bulletproof Vest Partnership Grant Program
FY12-13**

Major Paul Sherman provided a brief overview of the grant program noting 32 vests will need replacement in the next 24 months at a cost of \$16,800. Participation in the grant reduces the City's cost to \$8,400.

Motion to adopt the resolution as presented.

Motion made by Council Member Figueras
Motion seconded by Council Member Bruner

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

ANNEXATION / ZONING:

**Second Reading: Ordinance No. 2012-15
Annex 2.3± acres at 1198 Marler Street**

Motion to hold second reading on Ordinance 2012-15, AN ORDINANCE ANNEXING 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); 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 Figueras
Motion seconded by Council Member Bruner

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

**Second Reading: Ordinance No. 2012-16
Zone 2.3± acres at 1198 Marler Street**

Motion to hold second reading on Ordinance 2012-16, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON 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) AT THE TIME OF ANNEXATION AS HEAVY INDUSTRIAL (H-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 Hamrick

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

Second Reading: Ordinance No. 2012-17
Annex 0.68± acres at 1868 Thompson Bridge Road

Motion to hold second reading on Ordinance 2012-17, AN ORDINANCE ANNEXING 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); 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 Figueras

Motion seconded by Council Member Wangemann

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

Second Reading: Ordinance No. 2012-18
Zone 0.68± acres at 1868 Thompson Bridge Road

Motion to hold second reading on Ordinance 2012-18, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON 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) AT THE TIME OF ANNEXATION AS GENERAL BUSINESS (G-B); 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 Bruner

Motion seconded by Council Member Figueras

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

Second Reading: Ordinance No. 2012-19
Annex 68.223± acres at 601 White Sulphur Road

Motion to hold second reading on Ordinance 2012-19, AN ORDINANCE ANNEXING 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); 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 Figueras

Motion seconded by Council Member Bruner

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

**Second Reading: Ordinance No. 2012-20
Zone 68.223± acres at 601 White Sulphur Road**

Motion to hold second reading on Ordinance 2012-20, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON 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) AT THE TIME OF ANNEXATION AS PLANNED UNIT DEVELOPMENT, WITH CONDITIONS (P-U-D-c); 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

**Second Reading: Ordinance No. 2012-21
Abandon 0.39± acres unopened portion at Walker Street**

Motion to hold second reading on Ordinance 2012-21, AN ORDINANCE OFFICIALLY DISCONTINUING, CLOSING AND ABANDONING, WITH CONDITION, A 0.39± ACRE (465± LINEAR FEET) UNOPENED PORTION OF WALKER STREET RIGHT-OF-WAY; WITH ALL ACREAGE BEING LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF GAINESVILLE, GEORGIA; TO RESERVE A UTILITY EASEMENT THE FULL WIDTH OF THE RIGHTS-OF-WAY TO CONSTRUCT AND MAINTAIN EXISTING AND FUTURE UTILITIES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion made by Council Member Wangemann

Motion seconded by Council Member Bruner

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

PUBLIC HEARINGS:

Adoption of the Annual Update to the Capital Improvements Element (CIE) and Short Term Work Program.

City Attorney Palmour conducted the public hearing process.

Special Projects Manager Jessica Tullar stated the Council is required to adopt an annual update. Specifically, this resolution officially adopts the annual impact fee update and update to the 2004 short term work program. The resolution will also allow the document to be transmitted to the Georgia Mountains Regional Commission (GMRC) for final approval.

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

Motion to adopt Resolution BR-2012-22 entitled *Adoption of the Annual Update to the Capital Improvements Element (CIE) and Short Term Work Program* as presented.

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

Action taken by the Gainesville Planning and Appeals Board on June 12, 2012 and new items to be referred to the Planning and Appeals Board.

Community Development Director Rusty Ligon stated there was one item to be referred to the July 3rd Council Meeting for an annexation request and there were two rezoning request items to be referred to the July 10th Planning and Appeals Board meeting.

This report contains **(A)** action taken by the Planning and Appeals Board during their public hearing held on **June 12, 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 **July 10, 2012**:

A. Planning and Appeals Board Actions for 06/12/12:

- 1) **Recommended approval** of the request from **Noe Bran** to annex a 0.86± acre tract located east of Atlanta Highway having road frontage on Hall Street and Hospital Drive (a/k/a **1 Hall Street**) and to establish zoning as Light Industrial (L-I).
Ward: Four
Tax Parcel Number(s): 00-132-005-019
Request: Church

****Please note that the following referred items reflect the new ward boundaries as approved through the recent redistricting process.***

B. New items to be referred to the Planning and Appeals Board for 07/10/12:

- 1) Request from **America's Home Place, Inc.** to rezone a 4.711± acres tract located on the east side of Dawsonville Highway, across from Beechwood Boulevard (a/k/a **0, 1122, 1138, 1162 and 1198 Dawsonville Highway**) from Residential-II (R-II), Office and Institutional (O-I) and General Business (G-B) to General Business (G-B).
Ward: One
Tax Parcel Number(s): 01-115-001-003A, 004, 005, 006 (Part) and 055 (Part)
Request: Retail business, restaurant and vehicle services
- 2) Request from **Jonathan Pope** to rezone a 0.25± acre parcel located on the south side of North Avenue, west of its intersection with Green Street (a/k/a **135 North Avenue NW**) from Neighborhood Conservation (N-C) to Residential and Office (R-O).
Ward: Four
Tax Parcel Number(s): 01-040-004-001
Request: Law office

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 Bruner

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

CITY MANAGER'S ISSUES:

Georgia Emergency Management Agency Georgia Search and Rescue Program

Fire Chief Jon Canada stated this is a continuation of the Georgia Search and Rescue Program. The department had been involved in purchasing equipment and getting the truck in service. As part of the commitment, the department can obtain funding from the state to maintain the program. The grant award was \$23,500 for the truck, equipment maintenance and the canine unit. Chief Canada requested approval to receive the funds and to allow the City Manager to execute the documents. The program did not require a match.

Motion to adopt Resolution PR-2012-30 as presented.

Motion made by Council Member Bruner

Motion seconded by Council Member Figueras

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

EXECUTIVE SESSION:

City Manager Kip Padgett requested an Executive Session to discuss real estate matters.

Motion to close the Council Meeting and to enter an Executive Session to discuss real estate at 5:59 PM.

Motion made by Council Member Wangemann

Motion seconded by Council Member Bruner

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

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

Motion to close the Executive Session and to continue the Council Meeting at 6:19 PM.

Motion made by Council Member Figueras

Motion seconded by Council Member Wangemann

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

OTHER BUSINESS:

Purchase Property at 622 Main Street (Hall County Jail)

City Manager Kip Padgett presented a resolution to acquire property located at 622 Main Street, Gainesville, Georgia. The purchase was from Hall County in the amount of \$7.2 million.

Motion to adopt Resolution BR-2012-23 as presented.

Motion made by Council Member Bruner
Motion seconded by Council Member Hamrick

DISCUSSION:

Council Member Wangemann stated he fully supports the concept of the jail going away. He opposed the purchase because it can put the tax payer at risk. If Corrections Corporation of America leaves the jail, the debt service will be left with the tax payer. The debt service level in the millage rate would increase.

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

Council Member Figueras

Applauded Katherine Rice at Kay Cleaners for her contributions to the community.

Council Member Wangemann

Commented on a community cleanup on Saturday in Newtown.

Council Member Hamrick

Complimented Dan Owens and Gary Kansky for addressing citizen concerns.

American Legion Pavilion

Mayor Dunagan commented on being approached by a member of the American Legion to raise money to improve the pavilion. A group is willing to raise the money and work on the renovation to bring the area back to its original state. He contacted the Community Development and they found and applied for a grant but did not receive funding. The Mayor asked if the City would consider helping the Legion on the renovation. They plan to create a memorial for veterans in the future. The cost would be \$25,000 which could come from the Council contingency fund.

Council Member Hamrick asked if this could be discussed in a future work session. He didn't know if the City could do this legally.

City Attorney Palmour stated the City was prohibited from making contributions to charitable organizations unless it received some service.

Council agreed to discuss the matter at a future work session.

ADJOURNMENT: 6:29 PM

DJ:ag

C. Danny Dunagan, Mayor

Denise O. Jordan, City Clerk