

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

Mayor Dunagan called the meeting to order.

Reverend Kai Horn, Trinity CME Church, delivered the invocation after which the Pledge of Allegiance was recited in unison.

Mayor Dunagan commented on a friendly wager with Flowery Branch Mayor Miller whereby the Mayor representing the losing team from the Gainesville versus Flowery Branch football game agreed to wear the opponents t-shirt to their next Council Meeting. Flowery Branch Mayor Miller thanked Mayor Dunagan for being a man of his word.

**PRESENTATION:**

**Salvation Army Kettle Days**

Lieutenant Matt Cunningham commented on the history of the red kettles. They will be in various locations throughout the community until December 24<sup>th</sup>. He commented on their purpose noting the collections were not limited to use for the Christmas season.

**PROCLAMATION:**

**National Family Month**

Council Member Wangemann read a proclamation declaring the month of November to be *National Family Month*. It was presented to representatives from two churches: The Church of Jesus Christ of Latter Day Saints and New Walk Church. Dwayne Payne, Jerry Deaton, Linda Richards and Beatrice Shirley received the proclamation.

**CONSENT AGENDA:**

**Minutes**

- A. August 7, 2012 Council Meeting
- B. August 13, 2012 LOST Meeting
- C. August 21, 2012 Council Meeting
- D. August 28, 2012 LOST Meeting
- E. August 28, 2012 Energy Excise Tax Meeting
- F. August 30, 2012 Called Council Meeting
- G. September 4, 2012 Council Meeting
- H. September 13, 2012 Called Council Meeting
- I. September 18, 2012 Council Meeting Minutes

**Motion to approve the minutes excepting edits as presented.**

Motion made by Council Member Bruner

Motion seconded by Council Member Wangemann

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

**Resolutions:**

- A. PR-2012-51 U. S. Department of Justice Byrne Justice Assistance Grant Acceptance 2012
- B. PR-2012-52 Grelove, LLC., Sanitary Sewer Extension Request

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

Motion made by Council Member Hamrick

Motion seconded by Council Member Figueras

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

**APPOINTMENTS:**

**Friends of the Parks - Position currently held by Glenn Austin**

**Motion to reappoint Glenn Austin to serve another three-year term on the Friends of the Parks Board.**

Motion made by Council Member Bruner

Motion seconded by Council Member Figueras

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

**Friends of the Parks - Position currently held by Sally Meadors**

**Motion to appoint Erika Walker to serve a three-year term on the Friends of the Parks Board.**

Motion made by Council Member Bruner

Motion seconded by Council Member Figueras

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

**Friends of the Parks - Position currently held by Ben Hawkins**

**Motion to appoint Gina Miller to serve a three-year term on the Friends of the Parks Board.**

Motion made by Council Member Bruner

Motion seconded by Council Member Wangemann

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

**Friends of the Parks - Position currently held by Dennis Ingle**

**Motion to reappoint Dennis Ingle to serve another three-year term on the Friends of the Parks Board.**

Motion made by Council Member Bruner

Motion seconded by Council Member Wangemann

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

**Planning and Appeals Board - At-Large position currently held by George Hokayem**

**Motion to reappoint George Hokayem to serve another two-year term on the Planning and Appeals Board.**

Motion made by Council Member Hamrick

Motion seconded by Council Member Figueras

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

**Planning and Appeals Board - Ward 2 position currently held by Dexter Stanley**

**Motion to reappoint Dexter Stanley to serve another two-year term on the Planning and Appeals Board.**

Motion made by Council Member Hamrick

Motion seconded by Council Member Figueras

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

**Planning and Appeals Board - Ward 4 position currently held by Jane Fleming**

**Motion to reappoint Jane Fleming to serve another two-year term on the Planning and Appeals Board.**

Motion made by Council Member Wangemann

Motion seconded by Council Member Bruner

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

**Planning and Appeals Board - Ward 5 position currently held by John Snyder**

**Motion to reappoint John Snyder to serve another two-year term on the Planning and Appeals Board.**

Motion made by Council Member Bruner

Motion seconded by Council Member Figueras

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

**GENERAL LEGISLATION:**

**Second Reading: Ordinance No. 2012-27  
Amendment to Chapter 6-4 Entitled Alcoholic Beverages**

**Motion to hold second reading on Ordinance 2012-27, AN ORDINANCE TO AMEND TITLE 6 ENTITLED "LICENSES, PERMITS AND BUSINESS REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND THE DEFINITION OF SCHOOL AS PROVIDED IN SECTION 6-4-26; TO AMEND SECTION 6-4-28(a) TO REMOVE THE DISTANCE REQUIREMENTS FOR DISPENSING MALT BEVERAGES AND/OR WINE NEAR COLLEGES AND UNIVERSITIES; TO AMEND SECTION 6-4-28(c) TO REMOVE THE DISTANCE REQUIREMENTS FOR DISPENSING DISTILLED SPIRITS NEAR A COLLEGE BUILDING OR COLLEGE CAMPUS; TO AMEND THE HEADING OF SECTION 6-4-38 TO DELETE REFERENCE TO THE GEORGIA MOUNTAINS CENTER; TO AMEND SECTION 6-4-38(a), (c), (e), (f) AND (g) TO DELETE REFERENCE TO THE GEORGIA MOUNTAINS CENTER; TO AMEND SECTION 6-4-38(a),(c(1)), (c(4)), (e), (f), AND (g) TO DELETE REFERENCES TO THE GEORGIA MOUNTAIN CENTER; TO AMEND SECTION 6-4-50 TO DELETE REFERENCE TO THE GEORGIA MOUNTAIN CENTER. 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 Bruner

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

**Oppose: Wangemann**

**Second Reading: Ordinance No. 2012-28  
Amendment to Title 6 to Provide Chapter 6-16 Entitled Licenses, Permits and Business Requirements (Pawn Shop Ordinance)**

**Motion to hold second reading on Ordinance 2012-28, AN ORDINANCE BY THE MAYOR AND CITY COUNCIL FOR THE CITY OF GAINESVILLE, GEORGIA TO AMEND TITLE 6 TO PROVIDE CHAPTER 16 ENTITLED "LICENSES, PERMITS AND BUSINESS REQUIREMENTS" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO PROVIDE CHAPTER 6-16 ENTITLED "PAWNBROKERS AND SECONDHAND DEALERS"; TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR ENFORCEMENT; TO PROVIDE FOR PERMITTING; TO PROVIDE FOR APPLICATION PROCEDURES; TO PROVIDE FOR A RECORD OF TRANSACTIONS; TO PROVIDE FOR DISPOSAL OF ARTICLES; TO PROVIDE FOR AGE REQUIREMENTS; TO PROVIDE FOR DISPOSITION OF LOST OR STOLEN ITEMS; TO PROVIDE FOR APPEALS; TO PROVIDE FOR VIOLATIONS; TO PROVIDE PENALTIES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES **as amended.****

Motion made by Council Member Hamrick

Motion seconded by Council Member Bruner

DISCUSSION:

City Manager Kip Padgett read the language that was added to the ordinance.

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

**Second Reading: Ordinance No. 2012-29  
Annex 2.36± acres at 1800 Athens Highway**

**Motion to hold second reading on Ordinance 2012-29**, AN ORDINANCE ANNEXING A 2.36± ACRES TRACT LOCATED AT THE SOUTHEAST SIDE OF THE INTERSECTION OF ATHENS HIGHWAY AND OLD COUNTY DUMP ROAD, ACROSS FROM ITS INTERSECTION WITH ATHENS STREET (**A/K/A 1800 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.

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. 2012-30  
Zone 2.36± acres at 1800 Athens Highway**

**Motion to hold second reading on Ordinance 2012-30**, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A 2.36± ACRES TRACT LOCATED AT THE SOUTHEAST SIDE OF THE INTERSECTION OF ATHENS HIGHWAY AND OLD COUNTY DUMP ROAD, ACROSS FROM ITS INTERSECTION WITH ATHENS STREET (**A/K/A 1800 ATHENS HIGHWAY**) AT THE TIME OF ANNEXATION AS GENERAL BUSINESS, WITH CONDITIONS (G-B-c); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion made by Council Member Bruner  
Motion seconded by Council Member Wangemann

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

**Second Reading: Ordinance No. 2012-31  
Abandon 0.115± acres unopened portion of Longstreet Circle**

**Motion to hold second reading on Ordinance 2012-31, AN ORDINANCE OFFICIALLY DISCONTINUING, CLOSING AND ABANDONING, WITH CONDITION, A 0.115± ACRE (5,027 SQUARE FEET) UNOPENED CUL-DE-SAC PORTION OF LONGSTREET CIRCLE; WITH ALL ACREAGE BEING LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF GAINESVILLE, GEORGIA; TO RESERVE A 30-FOOT WIDE PERPETUAL SANITARY SEWER EASEMENT FOR THE OPERATION OF MAINTENANCE OF THE EXISTING MAIN; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

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. 2012-32  
Amendment to Title 10, Chapter 10-1-61 Entitled Schedule of Fees as it pertains to Pawnbrokers**

**Motion to hold second reading on Ordinance 2012-32, AN ORDINANCE TO AMEND TITLE 10, CHAPTER 10-1-61 ENTITLED "SCHEDULE OF FEES" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA TO AMEND SECTION 10-1-61(1) TO ADD A REGULATORY FEE FOR A PAWNBROKER AND A FEE FOR THE CHANGE OF LOCATION, MANAGING AGENT AND/OR REGISTERED AGENT; 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**

**CITY MANAGER'S ISSUES:**

**Project Resolution 2012-53**

**Authorization to Apply for Georgia Recreational Trails Grant**

City Manager Kip Padgett stated the proposed resolution was to request authorization to apply for a Georgia Recreational Trails Grant for the Midtown Greenway. The application deadline is December 1<sup>st</sup>. Staff was applying for \$100,000 which required a 20% match. This will be used to purchase property owned by CSX.

**Motion to approve the Resolution PR-2012-53 as presented.**

Motion made by Council Member Figueras

Motion seconded by Council Member Hamrick

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

**EXECUTIVE SESSION:**

City Manager Kip Padgett requested an executive session to discuss real estate and litigation matters.

**Motion to close the Council Meeting to enter an Executive Session to discuss real estate and litigation matters at 5:51 PM.**

Motion made by Council Member Wangemann

Motion seconded by Council Member Bruner

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

COUNCIL PRESENT: Dunagan, Wangemann, Hamrick, Figueras, Bruner  
STAFF PRESENT: Padgett, Sheppard, Palmour, Marlowe, Jordan  
OTHERS PRESENT: Tread Syfan, Tim Evans

**Motion to close the Executive Session and continue the Council Meeting at 6:38 PM.**

Motion made by Council Member Bruner

Motion seconded by Council Member Wangemann

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

**OTHER BUSINESS:**

**Council Member Figueras**

1. Mentioned Access to a Better Tomorrow and the Santa Sleigh Fund.
2. Commented on recent headlines in the local media by making a statement about the expansion of the county landfill. She asked the question, "Will corrections be made to existing landfills that emit substances?"

**Mayor Dunagan**

Wished staff and citizens a happy and safe Thanksgiving.

**ADJOURNMENT: 6:40 PM**

DJ:ag

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C. Danny Dunagan, Mayor

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Denise O. Jordan, City Clerk