

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.

ORGANIZATIONAL MEETING:

Appointment of Mayor Pro Tem (1 Year Term)

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

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

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

Emergency Interim Successors Resolution

Motion to adopt Business Resolution BR-2013-01 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 Bruner
Motion seconded by Council Member Figueras

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

2013 Council Meeting and Work Session Calendar

Motion to adopt the 2013 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 the 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 Wangemann
Motion seconded by Council Member Bruner

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

Designation of Official Organ

Motion to designate *The Times* as the official organ for 2013.

Motion made by Council Member Wangemann

Motion seconded by Council Member Hamrick

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

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 Figueras

Motion seconded by Council Member Hamrick

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

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 Figueras

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

Appointment of the Auditor (Indefinite Term)

Motion to reappoint Rushton and Company to serve as the City Auditor for an indefinite term.

Motion made by Council Member Bruner

Motion seconded by Council Member Figueras

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

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 Figueras

Motion seconded by Council Member Bruner

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

Appointment to Loan Review Committee (Indefinite Term)

Motion to reappoint Council Member Bruner to serve on the Loan Review Committee for an indefinite term.

Motion made by Council Member Figueras

Motion seconded by Council Member Wangemann

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

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

Motion to appoint the following as 2013 Ex-Officio Members for a one-year term:

Mayor Dunagan to the Chicopee Woods Area Park Commission

Mayor Dunagan to the Economic Development Council

Mayor Dunagan to the Gainesville-Hall County Development Authority

Mayor Dunagan to the Gainesville Redevelopment Authority

Mayor Dunagan to the Greater Hall Chamber of Commerce Board of Directors

Mayor Dunagan to the HALLmark Initiative

Council Member Hamrick to the Airport Advisory Committee

Council Member Wangemann to the Beautification Steering Committee

Council Member Hamrick to the Chattahoochee Golf Course Advisory Committee

Council Member Wangemann to the Friends of the Parks

Council Member Figueras to the Gainesville Non-Profit Development Foundation

Council Member Bruner to the Historic Preservation Commission

Mayor Dunagan and Council Member Figueras 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 Wangemann

Motion seconded by Council Member Bruner

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

STATE OF THE CITY:

Mayor Dunagan read the following statement regarding the City of Gainesville:

“On behalf of the Gainesville City Council I am pleased to inform you Gainesville is in strong financial position as the New Year begins. Generally speaking, all revenue items are tracking ahead of last year. Operating results for FY12 were the best since 2008. Another sign of our financial strength during these times was an improved credit rating and a positive outlook issued -- achieved partly due to an increase in management reserves in accordance with the Governmental Accounting Standards Board (GASB) as well as the city’s economic development activity.

The City of Gainesville is very fortunate to have such diversified sources of revenue with property taxes making up only 19% of the city’s funding. The total revenues from the Local

Option Sales Tax and Permit Fees are the best they have been since 2008, an indicator that our local economy is on the rebound.

In September, Garner Economics named Gainesville the 11th in the nation for Employment Growth since September 2010. In FY12, the City of Gainesville reported significant numbers in manufacturing including more than 1100 new jobs, 705 retained jobs, and an investment of more than \$125 million.

This Council is proud of the City's employees for their dedication and their continued effort to make Gainesville a better place to live, work, and play. I will mention a few of the accomplishments over the past year.

- Under our Community Development Department, the total number of permits and associated revenues remain steady at a five year high. Commercial activity within the City has been stable while single-family residential construction has doubled since 2011. Noteworthy developments completed over this past year include the ProCare Corporate Office Building off I-985, the Georgia Mountain Food Bank, P.K. Dixon Field House, and the Buffalo Wild Wings Restaurant. The 68-acre New Holland Market development, which will be anchored by a Kroger grocery store with fuel center, is under construction off Limestone Parkway and set to be operational by 2014. Also, the Council established a Tax Allocation District for Lakeshore Mall to assist the developers in a make-over of the current mall. Council and staff are excited to see Gainesville's Mall being renovated. Belk has signed a new lease and has just completed a \$2 million renovation to their existing store. Also, Dick's Sporting Goods will be joining the tenants this summer with JC Penney planning a complete renovation of their store in 2013. After adopting a new vision for the City's future in 2030, the first phase of the Midtown Greenway opened and began moving forward on the remaining phases of the project. The Pedestrian Bridge officially opened in a ceremony in September showing how important connectivity is for our community.
- There's not a week that goes by that we don't hear about the traffic in Gainesville. You'll be glad to know we are working with the Gainesville-Hall Metropolitan Planning Organization to complete a comprehensive transportation study by September. The plan will include both traditional and non-traditional solutions for Gainesville's traffic issues.
- Gainesville Parks and Recreation was named Agency of the Year for the 8th time in 10 years and more than 165,000 people visited the Frances Meadows Center.
- The Georgia Mountains Center was leased to Brenau University and will now serve as home to Brenau's graduate health care programs.
- The Community Service Center saw the Meals on Wheels Program extend independent life for over 500 Hall County seniors. I had the opportunity to see firsthand that this program does so much more for our seniors than just deliver a meal. More than 13,000 guests and clients were served through the Senior Life Center and Hall Area Transit streamlined their routes and implemented the bike to bus program.
- The Public Utilities Department celebrated a victory for Lake Lanier in 2012 when the United States Supreme Court announced its refusal to consider the appeal of a ruling

made by the 11th Circuit Court of Appeals. That ruling overturned the so called Judge Paul Magnuson ruling and stated that water supply was a designated purpose of Lake Lanier. The Supreme Court's refusal to consider the case ensures that the State of Georgia, Metropolitan Atlanta and Gainesville/Hall County can all rely on this resource for affordable, plentiful and reliable drinking water.

- Gainesville Police solved an 11-year-old homicide case, rolled out the new Patrol cars with updated electronics/graphics packages, and purchased as well as deployed two infrared handheld devices to use in the location of missing persons.
- The Fire Department oversaw the installation of the new Georgia Search and Rescue Taskforce Team.
- The Public Works Department upgraded street signs to new federal standards on all major corridors, completed the installation of speed tables in Sherwood Forest, developed a vehicle replacement policy, and hired the City's first airport manager. To address some of our road conditions, the City spent \$1 million to pave all or parts of 31 streets during FY2012. We also performed complete reconstruction of Willow Ridge Drive and a portion of Old Flowery Branch Road. For FY2013, the City is planning to spend \$1.3 million on paving and roadway construction projects. This will include all or part of 20 streets.
- Golf rounds at Chattahoochee Golf Course were up last year with more than 28,000 rounds of golf played. Upcoming tournaments include the NGA Tour's Milton Martin Honda Classic in March and the Yamaha Senior Open in May.
- Through the efforts of our Main Street Gainesville Program and staff, more than 76,000 people enjoyed events on the downtown square.

We are more fortunate than many communities across the country, but I wouldn't call it luck. Our success is based, in part, on the relationships we have with neighboring cities, Hall County, our local legislative delegation, those of you who call Gainesville home, and a team of dedicated employees who are constantly looking for ways to improve services.

This Year is another opportunity for us to work harder for the common good. The door to City Hall is always open and this Council is only a phone call or email away. I feel comfortable speaking for the entire Council when I say thank you for your continued support and the important role you play in moving Gainesville forward. We do live in the greatest City in the United States of America."

CONSENT AGENDA:

Minutes:

1. December 18, 2012 Council Meeting
2. December 27, 2012 Called Council Meeting

Motion to adopt the minutes accepting the 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. AR-2013-01 Authorizing Funds for Green Street Pool Demolition and Wessell Park Court Renovations
- B. BR-2013-02 Procedures for Adopting Ordinances

Motion to adopt the resolutions as presented.

Motion made by Council Member Wangemann
Motion seconded by Council Member Figueras

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

GENERAL LEGISLATION:

Second Reading: Ordinance No. 2012-37

Amendment to Chapter 3-5 Entitled "Offenses - Miscellaneous" as it pertains to Loitering

Motion to hold second reading on Ordinance 2012-37, AN ORDINANCE TO AMEND CHAPTER 3-5 ENTITLED "OFFENSES – MISCELLANEOUS" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND SECTION 3-5-13 ENTITLED "LOITERING AND IDLING" TO ADD THAT IT SHALL BE UNLAWFUL FOR ANY PERSON TO BE LOITERING WITHIN ANY PUBLIC BUILDING OR FACILITY OR UPON ANY LOCATION WITHIN THE CITY NORMALLY USED BY THE PUBLIC OR CONSIDERED CITY PROPERTY; 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 ATTORNEY ISSUES:

BR-2013-03

Complaint for Interpleader for Property Located at 1714 Sawgrass Cove

Attorney Palmour stated the proposed resolution allows him to file for an interpleader with the Hall County Court System to secure funds in excess of past due taxes for said property. Several people are claiming the excess funds. When this happens, documents must be filed in court to determine who will receive the excess funds.

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

EXECUTIVE SESSION:

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

Motion to close the Council Meeting to enter an Executive Session to discuss litigation matters at 5:48 PM.

Motion made by Council Member Bruner

Motion seconded by Council Member Wangemann

Council Members voting in favor of the motion were Dunagan, Wangemann, Hamrick, Figueras and Bruner.

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

STAFF PRESENT: Padgett, Sheppard, Palmour, Ligon, Randall, 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

Council Members voting in favor of the motion were Bruner, Dunagan, Hamrick and Figueras.

OTHER ISSUES:

Council Member Figueras announced the Second Saturday Meeting, i.e., the Citizens Involvement Advisory Roundtable, would occur this weekend at the Fair Street Neighborhood Center. She mentioned the scheduled agenda items.

ADJOURNMENT: 6:21 PM

DJ/ag

C. Danny Dunagan, Mayor

Denise O. Jordan, City Clerk