

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

Post Employment Recognition

Mayor Dunagan recognized retirees Vincent Evans, Bradley Clark and Janice Leonard for their service to the City. Together they had a total accumulative service of 86 years, 1 month and 3 days. Council, City Manager Kip Padgett and Public Works Director David Dockery extended words of appreciation.

PROCLAMATION:

Career and Technical Education Month

Mayor Dunagan read a proclamation declaring February 2013 to be *Career and Technical Education Month*. He presented the proclamation to Lanier Technical College representatives Russell Vandiver, Chris Perkins, Dave Parish and Jeff Fitzpatrick. Council extended words of appreciation.

CONSENT AGENDA:

Pawnshop License Applications:

- A. E-Z Pawn and Loan, 1110 Dawsonville Highway
- B. First American Title Lending of Georgia, 199 John Morrow Parkway
- C. Georgia Auto Pawn, 644 Jesse Jewell Parkway
- D. Great American Pawn and Title, Inc., 565 Shallowford Road, Ste E
- E. I-Loan, 1301 Browns Bridge Road
- F. Lanier Jewelry and Loan, 1310 E. Dawsonville Highway
- G. Loan Max, 628 Jesse Jewell Parkway
- H. Lock N Load, LLC, 250 B Dawsonville Highway
- I. Pappy's Pawn, 1511 Browns Bridge Road
- J. Pawn Mart, 1168 Jesse Jewell Parkway
- K. Title Max of Gainesville #1, 537 Shallowford Road
- L. Title Max of Gainesville #2, 215 Jesse Jewell Parkway

Motion to approve the applications as presented.

Motion made by Council Member Bruner

Motion seconded by Council Member Wangemann

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

Minutes:

A. February 5, 2013 Council Meeting

Motion to approve the minutes accepting the edits as presented.

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

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

Resolutions:

A. BR-2013-09 Authorization to Execute Letter of Agreement with the Georgia Department of Economic Development for a Feasibility Study

B. BR-2013-10 GMA Lease Supplement for Financing Leeboy Asphalt Paver

Motion to adopt the resolutions as presented.

Motion made by Council Member Hamrick

Motion seconded by Council Member Wangemann

DISCUSSION:

City Manager Kip Padgett stated a revised resolution for item A had been provided establishing a not to exceed threshold of \$25,000 on the feasibility study. If the work exceeds said amount, further discussion would occur with Council.

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

GENERAL LEGISLATION:

Proposed Ordinance

Amend Chapter 6-19 entitled "Atmos Energy Corporation"

Motion to hold first reading on Ordinance 2013-01, AN ORDINANCE TO AMEND CHAPTER 6-19 ENTITLED "ATMOS ENERGY CORPORATION, KENTUCKY/MID-STATE DIVISION" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO APPROVE THE ASSIGNMENT OF THE GAS FRANCHISE FROM ATMOS ENERGY CORPORATION, KENTUCKY/MID-STATE DIVISION TO LIBERTY ENERGY (GEORGIA) CORPORATION, PURSUANT TO GAINESVILLE MUNICIPAL CODE 6-19-10(c); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

City Manager Kip Padgett stated the proposed ordinance transfers and assigns the franchise fee from Atmos Energy to Liberty Energy upon completion of sale.

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

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

Proposed Ordinance

Amend Chapter 9-20-4 entitled "Structures Dangerous to Public Health"

Motion to hold first reading on Ordinance 2013-02, AN ORDINANCE TO AMEND CHAPTER 9-20-4 ENTITLED "STRUCTURES DANGEROUS TO PUBLIC HEALTH" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND SECTION 9-20-4-10 TO PROVIDE FOR INJUNCTIONS AGAINST AN ORDER OF A PUBLIC OFFICER TO REPAIR, CLOSE OR DEMOLISH UNFIT BUILDINGS OR STRUCTURES; TO ADD SECTION 9-20-4-11 TO PROVIDE THAT NO PROVISION IN THIS CHAPTER SHALL BE CONSTRUED AS PREVENTING THE TAKING OF UNFIT BUILDINGS OR STRUCTURES BY EMINENT DOMAIN; TO ADD SECTION 9-20-4-12 TO PROVIDE FOR THE USE OF REVENUES, GRANTS AND DONATIONS TO REPAIR OR DEMOLISH UNFIT BUILDINGS OR STRUCTURES; 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 Hamrick

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

REPORT:

Community Development, Planning Division

Action taken by the Gainesville Planning and Appeals Board on February 12, 2013 and new items to be referred to the Planning and Appeals Board.

Community Development Director Rusty Ligon stated there was one item to refer to the March 5th Council Meeting including one rezoning request and there were two items to refer to the March 12th Planning and Appeals Board meeting consisting of one rezoning request and one road abandonment request. The report was noted as follows:

This report contains **(A)** action taken by the Planning and Appeals Board during their public hearing held on **February 12, 2013**, 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 **March 12, 2013**:

A. Planning and Appeals Board Actions for 02/12/13:

- 1) **Recommended conditional approval** of the request from **America's Home Place, Inc.** to rezone a 25.11± acres tract located on the east side of Dawsonville Highway across from Beechwood Boulevard, having road frontage along Ahaluna Drive and Lakeshore Circle (a/k/a **0 and 1198 Dawsonville Highway; 1162 Lakeshore Circle and 1232 Ahaluna Drive**) from Residential-I (R-I), Residential-II (R-II) and Office and Institutional (O-I) to General Business (G-B).
Ward Number: One
Tax Parcel Number(s): 01-114-001-002A; 01-115-001-006 (Part), 007B (Part) and 055 (Part)
Request: Commercial shopping center

B. New items to be referred to the Planning and Appeals Board for 03/12/13:

- 1) Request from **Ketan / Gopalji Patel** to rezone a 1.26± acres tract located on the east side of Park Hill Drive, north of Lakeview Drive (a/k/a **1572, 1582 and 1586 Park Hill Drive NE**) from Residential-II (R-II) and Office and Institutional (O-I) to General Business (G-B).
Ward Number: Two
Tax Parcel Number(s): 01-080-001-008, 009 and 010
Request: Professional office and commercial uses

Motion to accept the report as presented.

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:

Citizens' Government Academy

City Manager Kip Padgett reminded everyone of the Citizens' Government Academy. The first class was scheduled for March 4th at 6:00 PM at the Fair Street Neighborhood Center.

Communications and Tourism Manager Catiel Felts commented on registration information.

OTHER BUSINESS:

Housing Summit

Council Member Figueras announced the Housing Summit will be held on Friday, February 22nd, 9 AM – 12 PM at the Oakwood Career Center. It was open to everyone providing housing services.

ADJOURNMENT: 5:58 PM

DJ/ag

C. Danny Dunagan, Mayor

Denise O. Jordan, City Clerk