

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

Mayor Dunagan called the meeting to order.

INVOCATION:

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

PROCLAMATION:

National Police Week

Mayor Dunagan read the proclamation designating May 15 as *Peace Officers' Memorial Day* and proclaiming May 12-18 to be *National Police Week*. The proclamation was presented to Police Chief Brian Kelly.

Chief Kelly expressed appreciation for Council's support. He was proud to accept the proclamation on behalf of the Gainesville Police Department.

Police Officer Griggs Wall commented on the annual event to raise awareness for fallen officers and their families. Officers Griggs Wall, Kevin Holbrook and Mike Huckaby have raised funds and will participate in a 250 mile bike ride from Virginia to Washington DC in support of fallen officers. Council expressed their appreciation.

PUBLIC COMMENTS:

Cale Hatch, 8450 Deliah Way, stated Jerry Gonzales, GALEA, presented data to Council at a previous meeting. He asked if Council wanted to release a statement that agrees with GALEO's data.

Mayor Dunagan stated the information was forwarded to the City's Attorney and there was no statement at this time.

Charles Alvarez, 4425 Plum Cross Court, voiced his concern regarding the at-large voting process. He didn't understand why this scenario was still in effect today. He questioned why a ward could not vote for whomever they wanted as their representative. He felt a person representing a ward should reside there and be a neighbor to the people.

Mayor Dunagan stated this Council represents all of the citizens of the City of Gainesville and not just one ward. He further stated that in the future, if a change were to occur, it should be voted on by the citizens.

Council Member Bruner stated Council Members must live in the ward they represent.

Council Member Figueras commented on the difference between district voting and at-large voting.

Council Member Wangemann felt the at-large voting system encouraged looking at what's best for the entire city.

CONSENT AGENDA:

Alcoholic Beverage License Applications:

- A. Atlanta Beverage Company, 5000 Fulton Industrial Blvd S.W., Atlanta
New application for wholesale of wine and liquor.
- B. Brown's Package Store, 2896 Browns Bridge Road
New application for package sale of beer, wine and liquor.
- C. Mediterranean Wine Merchants, 221 Grogan Drive, Dawsonville
New application for wholesale of wine.

Motion to approve the applications as presented.

Motion made by Council Member Hamrick

Motion seconded by Council Member Figueras

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

Pawnshop License Application:

New application from Ace Cash Express, Inc., 565 Shallowford Rd., Suite E

Motion to approve the application as presented.

Motion made by Council Member Wangemann

Motion seconded by Council Member Bruner

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

Resolutions:

- A. BR-2013-25 Amendment to the Lease Agreement Between the City of Gainesville and Corrections Corporation of America
- B. PR-2013-11 Wessell Park Renovations and Green Street Pool Demolition Project – Award of Contract

Motion to adopt the resolutions as presented.

Motion made by Council Member Bruner

Motion seconded by Council Member Figueras

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

Minutes:

- A. April 16, 2013 Council Meeting

Motion to approve the minutes accepting the 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 and confirmed the hearing had been properly advertised.

Presentation of FY2014 Proposed Budget

City Manager Kip Padgett stated the proposed FY2014 budget had been previously discussed at length. In summary, the recommended budget includes \$29.2 million in revenue and expenditures. The budget includes maintaining current service levels, no tax increase, allows \$120,000 for Council contingency to match the \$30,000 currently used by Parks and Recreation for use of the Lake Lanier Olympic Center and the future funding of the Hall '96 initiative. He stated the capital improvement plan included continuing to address paving projects.

Public Comments regarding proposed budget

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.

Proposed Ordinance

**FY2014 Ad Valorem Tax Rate for the City of Gainesville
(Exclusive of the Gainesville Board of Education)**

Upon Council Member Figueras request, City Manager Kip Padgett indicated the millage rate was set at \$1.77 for General Debt, \$0.79 for Parks & Recreation, \$0.50 for Debt Service for a total of \$3.06 on each \$1,000 of taxable property.

Motion to hold first reading on Ordinance 2013-06, 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 2014; AND OTHER PURPOSES.

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

Mayor Dunagan commended City Manager Kip Padgett and staff on presenting a good budget.

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

PUBLIC HEARING:

Annexation/Zoning Items:

Request from Foote Miller Properties, LLC to rezone a 0.55± acre tract located on the northwest side of the intersection of McEver Road and Gould Road (a/k/a 2944 McEver Road) from Neighborhood Business (N-B) to General Business (G-B). Ward Number: Four. Tax Parcel Number(s): 08-022-000-009. Request: Automotive repair facility.

Planning Manager Matt Tate reviewed the rezoning request. The Planning and Appeals Board voted to approve the request with the following five conditions:

1. An automotive paint and body repair shop or auto sales facility is not an approved use for the subject property.

2. There shall be no junk vehicles, vehicles used for parts or tires stored on the subject property.
3. The applicant/owner shall have the option of orientating the bay doors toward McEver Road only if improved architecturally per the approval of the Community Development Department Director and in keeping with the Gateway Corridor Overlay Zone.
4. All access point design to and from State Route 53 (a.k.a. McEver Road) shall be approved by both the Georgia Department of Transportation (GDOT) and the Gainesville Public Works Department. Any road improvements required for the proposed development shall be the financial responsibility of the owner/developer.
5. An updated as-built boundary survey/plat of the subject property indicating all improvements required for the proposed development shall be recorded prior to obtaining a Certificate of Occupancy.

City Attorney Palmour opened the floor for comments.

FAVOR:

Steve Gilliam, 301 Green Street, stated he represented the applicant. He commented on the applicant's intent on changing the property. It would save in excess of \$30,000 in construction costs. All of the conditions were acceptable to the applicant.

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 hold first reading on Ordinance 2013-07, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 0.55± ACRE TRACT LOCATED ON THE NORTHWEST SIDE OF THE INTERSECTION OF MCEVER ROAD AND GOULD ROAD (A/K/A 2944 MCEVER ROAD) FROM NEIGHBORHOOD BUSINESS (N-B) TO 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 Wangemann

Motion seconded by Council Member Figueras

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

Community Development Block Grant (CDBG) Fifth Program Year 2013 Annual Action Plan

Housing Program Manager Chris Davis briefly reviewed the items associated with the annual submission of the Action Plan to the Housing and Urban Development (HUD). The exact amount of funding is still unknown for Fiscal Year 2013. He used last June's allotment to estimate funding for the proposed activities. Updates to the policy and procedures were included in the Plan Document.

Upon Council Member Figueras' request, Mr. Davis summarized the estimated funding (\$390,000) had been budgeted.

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 PR-2013-12 entitled *Community Development Block Grant (CDBG) Fifth Program Year 2013 Annual Action Plan* as presented.

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

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

EXECUTIVE SESSION:

Mayor Dunagan requested an Executive Session to discuss personnel and litigation matters.

Motion to close the Council Meeting and to enter an Executive Session to discuss personnel and litigation matters at 6:04 PM.

Motion made by Council Member Bruner

Motion seconded by Council Member Wangemann

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

COUNCIL PRESENT: Dunagan, Wangemann, Hamrick, Figueras, Bruner
STAFF PRESENT: Padgett, Sheppard, Palmour, Marlowe, Barnett, Felts, Moss,
Ligon, Tate, Grayson
STAFF ABSENT: Jordan

Motion to close the Executive Session and to continue the Council Meeting at 6:54 PM.

Motion made by Council Member Figueras

Motion seconded by Council Member Wangemann

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

CITY MANAGER'S ISSUES:

Update: Hall Area Transit (HAT)

City Manager Kip Padgett presented two resolutions pertaining to the Hall Area Transit and Community Service Center. He indicated these items were discussed at the Hall County Commission Meeting. In summary, the resolutions would allow the City to become the grantee and assume the liabilities and responsibilities of the fixed route system effective July 1, 2013 and Hall County would continue as the grantee of the Dial-A-Ride program. The June 30, 2014 deadline was inserted at Hall County's request.

Motion to adopt Resolution BR-2013-26 entitled *Authorization to Execute Intergovernmental Agreement Between City of Gainesville and Hall County for Operations and Funding of the Community Service Center* as presented.

Motion made by Council Member Bruner

Motion seconded by Council Member Hamrick

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

Motion to adopt Resolution PR-2013-13 entitled *Authorization for the City of Gainesville to Serve as Grantee for FTA Section 5307 Program* as presented.

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

DISCUSSION:

City Manager Kip Padgett stated this proposed resolution included a letter from the Mayor to the Georgia Department of Transportation's Division of Intermodal program indicating that the City agrees to abide by the Federal Transit Administration's 5307 requirements.

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

Council Member Bruner read the following statement on behalf of the Council:

"The Gainesville City Council believes that the Community Service Center, which has served the citizens of Gainesville and the citizens of Hall County well for over 30 years, is integral to the growth and development of Gainesville and Hall County. Public transit serves a vital role in our community. Many residents utilize transit services to access work, school, health appointments, and important community services. Therefore, we are approving the Intergovernmental Agreement with Hall County to ensure that the critical services offered through the Community Service Center are continued.

We are disappointed by the actions of those Hall County Commissioners who have withdrawn their support of the Community Service Center services including the Senior Center, Meals on Wheels Program, Community Outreach and Public Transit. The decision by the Board of Commissioners to insert a deadline of June 30, 2014 in the Intergovernmental Agreement suggest a lack of commitment to the services of the Community Service Center and leaves the operations of these vital programs uncertain.

While the City Council is not pleased with all of the circumstances leading to this Agreement, we are executing it because it is in the best interest of our community. It will also ensure the continued employment of vital Community Service Center staff. We hope that one day the existence of transit operations and the Community Service Center will no longer be under attack and our employees will not have to live in fear for their jobs. We look forward to a day where we can focus our energies on providing our citizens with the best services possible."

Community Transportation Plan Meeting

Upon request from City Manager Kip Padgett, Traffic Engineer Dee Taylor announced the Community Transportation Plan Meeting would occur on Wednesday, May 8th from 5:30 PM to 7:30 PM at the Gainesville Civic Center. Mr. Taylor provided an overview of the agenda noting it was an open house format. He extended an invitation for all to attend.

Georgia Municipal Association (GMA) Listening Session

City Manager Kip Padgett reminded Council of the GMA District 2 Listening Session on Wednesday, May 8th at 11:30 AM in Dawson County.

OTHER BUSINESS:

Gainesville School Superintendent Selection

Council Member Figueras commented on the selection process for the next Superintendent for the Gainesville City School System. Anyone interested in participating in this process should contact the City School Board Office.

Meeting Announcements

Council Member Figueras announced the following:

1. The Power of Prescription Drug Addiction will be presented at the Hall County School Board office on Thursday, May 16th at 6:00 PM.
2. The Main Street Gainesville's Board Meeting was held earlier in the day.
3. The Second Saturday Meeting (Citizens Information Advisory Roundtable) was held on May 11th at 9:30 AM.

Door-to-Door Invitations to Council Meetings

Council Member Wangemann reported he had knocked on 8,502 doors to personally invite citizens to attend Council Meetings.

No Left Turns on Green Street

Mayor Dunagan reported he attended the Metropolitan Planning Organization (MPO) meeting and asked the Department of Transportation to reconsider "no left turns" on Green Street.

ADJOURNMENT: 7:06 PM

/ag

C. Danny Dunagan, Mayor

Denise O. Jordan, City Clerk