

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

Mayor Dunagan called the meeting to order.

INVOCATION:

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

SPECIAL RECOGNITIONS:

If I Were Mayor.....Essay Contest

Mayor Dunagan recognized Madeline Cole, Gainesville Middle School, for winning the Georgia Municipal Association's (GMA) Essay Contest. Council expressed words of appreciation.

Post Employment Recognition

Mayor Dunagan read a retirement testimonial honoring Charles Newman who retired from the Police Department with 22 years and 29 days of service. Council and Police Chief Brian Kelly extended words of appreciation.

PROCLAMATIONS:

Wyc Orr and North Georgia Community Foundation

Council Member Bruner read a proclamation honoring E. Wyc Orr and the North Georgia Community Foundation for their efforts to eliminate the waiting list for the Meals on Wheels Program.

Mr. Orr expressed his appreciation for the opportunity to serve the community and indicated the heroes are those who took action to help the program.

Council, Commission Chairman Richard Mecum, Jim Mathis, Phillippa Lewis Moss and Milon Christman expressed appreciation.

PUBLIC COMMENTS:

Charles Alvarez, 4425 Plum Frost Court, reported he attended the meeting two weeks ago and did not feel he received an adequate response to his question. He asked if Gainesville was in compliance with the 1965 Voters Act in regards to at-large voting and if yes, he expressed a desire to see the facts for the basis of that decision.

Mayor Dunagan stated the City's Attorney confirmed the City is in compliance and is planning to respond to Georgia Association of Latino Elected Officials (GALEO).

Council Member Figueras felt everything was on file at the Hall County Elections Office. She recommended that Mr. Alvarez contact them to obtain the information he is seeking which included voter information.

Council Member Wangemann felt the Justice Department would have expressed a concern if Gainesville was not in compliance. He also noted the City has been operating this way for a very long time.

Mr. Alvarez stated the last time this was an issue was approximately 15 years ago and the decision was made with a small margin.

Cale Hatch, 8405 Deliah Way, looked forward to hearing the discussions and hoped they would be positive. He agreed that this wasn't an issue that should be resolved in a Council Meeting. He felt this was an issue for the citizens to determine after hearing the facts. He suggested a binding referendum question be placed on the next election ballot.

CONSENT AGENDA:

Resolutions:

- A. AR-2013-09 Regarding Third Quarter Budget Adjustment for Fiscal Year 2013
- B. PR-2013-14 Selection of Key Advisors, Inc. and Bleakley Advisory Group for the Completion of the Convention Center and Hotel Feasibility Study

Motion to adopt the resolutions as presented.

Motion made by Council Member Bruner

Motion seconded by Council Member Hamrick

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

Minutes:

- A. May 2, 2013 Called Council Meeting

Motion to approve the minutes accepting the edits as presented.

Motion made by Council Member Wangemann

Motion seconded by Council Member Figueras

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

ALCOHOLIC BEVERAGE LICENSE APPLICATION:

AJ's Food Fun & Friends, 322 Spring Street

New application for consumption on the premises of beer, wine and liquor

City Marshall Debbie Jones read the following statement:

"A new application for the consumption of beer, wine and liquor has been filed for AJ's Food Fun and Friends located at 322 Spring Street. This application was made by the new owner Doug Singleton and Kristin Restauri. Within a week of the new ownership, there was a reported issue of alleged over serving and disorderly conduct which calls into question the need for further investigation of the current applicant's experience and

education as it relates to alcohol sales. I would like to request that Council table this matter until the June 18th Council Meeting to allow time to monitor the operation of the establishment at which time I will report to Council my findings.”

Motion to table the application until the June 18th Council Meeting.

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

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

APPOINTMENTS:

Chicopee Woods Area Park Commission

Motion to reappoint Frank Armstrong to serve another three-year term on the Chicopee Woods Area Park Commission.

Motion made by Council Member Bruner

Motion seconded by Council Member Figueras

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

Historic Preservation Commission

Motion to reappoint Richard (Dick) Bachman to serve another three-year term on the Historic Preservation Commission.

Motion made by Council Member Bruner

Motion seconded by Council Member Hamrick

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

Motion to reappoint Kevin Meyer to serve another three-year term on the Historic Preservation Commission.

Motion made by Council Member Figueras

Motion seconded by Council Member Wangemann

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

ANNEXATION / ZONING:

**Second Reading: Ordinance No. 2013-07
Rezone 0.55± Acres at 2944 McEver Road**

Motion to hold second 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. (Amendment to Zoning Map)**

Motion made by Council Member Wangemann
Motion seconded by Council Member Figueras
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 FY2014 proposed budget totaled \$29.2 million. It maintains the current city service levels while providing over \$1 million for paving and addressing public safety needs. A tax increase was not recommended in this budget.

Public Comments regarding proposed budget

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

Resolution AR-2013-10 Adoption of Fiscal Year 2014 Budget

Motion to adopt the resolution AR-2013-10 as presented.

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. 2013-06
FY2014 Ad Valorem Tax Rate for the City of Gainesville
(Exclusive of the Gainesville Board of Education)

Council Member Figueras stated the millage rates were set at \$1.77 for General Debt, \$0.79 for Parks & Recreation, \$0.50 for Debt Service for a grand total of \$3.06.

Motion to hold second 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 Figueras
Votes favoring the motion: Dunagan, Wangemann, Hamrick, Figueras, Bruner

REPORT:

Community Development, Planning Division

Action taken by the Gainesville Planning and Appeals Board on May 14, 2013 and new items to be referred to the Planning and Appeals Board.

Community Development Director Rusty Ligon stated there was one code amendment request to refer to the June 4th City Council Meeting and one item to refer to the June 11th Planning and Appeals Board Meeting consisting of a variance request.

This report contains **(A)** action taken by the Planning and Appeals Board during their public hearing held on **May 14, 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 **June 11, 2013**.

A. Planning and Appeals Board Actions for 05/14/13:

- 1) **Conditionally approved** the request from **Chris Recknor, M.D.** to vary the sign illumination requirements to allow an electronic message board sign on an existing monument sign on a 3.81± acres parcel located on the southeast side of the intersection of Limestone Parkway and Windward Lane (a/k/a **2350 Limestone Parkway NE**) having a zoning classification of Office and Institutional (O-I).
Ward Number: Two
Tax Parcel Number(s): 09-124-000-086
Request: Electronic message board sign
- 2) **Recommended approval** of the request from the **City of Gainesville** to amend the Unified Land Development Code for the City of Gainesville, Georgia. The proposed amendments are to amend Table 9-5-2 of Article 9-5 entitled "Dimensional Requirements for Residential Zoning Districts" and Table 9-6-2 of Article 9-6 entitled "Dimensional Requirements for Nonresidential Zoning Districts" to incorporate minimum road frontage requirements; to amend Section 9-18-7-3 of Article 9-18 entitled "Banners" to provide for better clarity; to amend Section 9-22-2-22 of Article 9-22 entitled "Incorporation Clause" to provide for better clarity.

B. New items to be referred to the Planning and Appeals Board for 06/11/13:

- 1) Request from **Life Point Church** to vary the height and illumination requirements to allow a freestanding sign with an electronic message board on a 16.4± acres tract located on the northeast side of Pine Valley Road, north of its intersection with White Sulphur Road (a/k/a **1537 Pine Valley Road**), having a zoning classification of Residential-I-A (R-I-A).
Ward Number: Two
Tax Parcel Number(s): 09-121-000-008
Request: Electronic message board sign

Motion to accept the report as presented.

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:

Project Resolution 2013-15

Terminal Area Improvement Project Award of Contract

City Manager Kip Padgett stated the proposed resolution awarded a contract for \$401,733.89 and allowed the project to proceed.

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

CITY ATTORNEY ISSUES:

City Attorney Palmour commented on contributions by Wyc and Lynn Orr to the establishment of Georgia's Public Defenders System. He also has contributed to the State Bar of Georgia, its legal system and to attorneys throughout the state. Mr. Palmour expressed his appreciation.

OTHER BUSINESS:

Schrieber Foods, Inc.

Council Member Figueras expressed concern about Schrieber leaving the City of Gainesville. She felt this was a big loss to the community.

Disaster Preparedness

Council Member Wangemann commented on what happened in Oklahoma indicating these were two large disasters. He suggested that David Kimbrell update the Council on disaster preparedness.

Police Chief Kelly commented on a monthly meeting that occurs to discuss these matters.

ADJOURNMENT: 6:17 PM

DJ:ag

C. Danny Dunagan, Mayor

Denise O. Jordan, City Clerk