

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

Mayor Dunagan called the meeting to order.

INVOCATION:

Dr. Hugh Cauthen, retired United Methodist Minister, delivered the invocation after which the Pledge of Allegiance was recited in unison.

SPECIAL RECOGNITION:

Post Employment Recognition

Mayor Dunagan recognized retiree Janet Sims for 25 years, 1 month and 27 days of service. He read a testimonial and presented her with a token of appreciation. Council extended words of appreciation.

CONSENT AGENDA:

Alcoholic Beverage License Application
King Food Mart, 1041 Athens Street
New application for package sale of beer.

Motion to adopt the application as presented.

Motion made by Council Member Hamrick
Motion seconded by Council Member Figueras

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

Resolutions:

- A. AR-2013-13 Authorization to Increase Budgeted Project Amount for Rescue 22 Fleet Replacement Vehicle
- B. BR-2013-35 Amendment to Contract Agreement with Immigration and Custom Enforcement (ICE)
- C. BR-2013-36 FAA Remote Communication Outlet (RCO) Memorandum of Agreement
- D. PR-2013-28 Corrugated Metal Sanitary Sewer Replacements Design and Bidding Services
- E. PR-2013-29 Hancock Dry Storage Buildings

Motion to adopt the resolutions as presented.

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

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

Minutes: August 6, 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, Hamrick, Figueras, Bruner, Wangemann

ANNEXATION / ZONING:

Second Reading: Ordinance No. 2013-13

Annex 76.05± acres at 3121 Browns Bridge Road and 3110 Montgomery Drive

Motion to hold second reading on Ordinance 2013-13, AN ORDINANCE ANNEXING A 76.05± ACRES TRACT LOCATED ON THE SOUTHWEST AND SOUTHEAST CORNER OF THE INTERSECTION OF BROWNS BRIDGE ROAD AND MONTGOMERY DRIVE (A/K/A 3121 BROWNS BRIDGE ROAD AND 3110 MONTGOMERY DRIVE); 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. (Amendment to City Limit Boundary)

Motion made by Council Member Bruner

Motion seconded by Council Member Hamrick

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

Council Member Wangemann asked if additional amenities could be built for the new residents that will be living in the new homes to be constructed.

Brian Rochester stated property has been set aside for future amenities. There were no plans for additional amenities at this time because the existing amenities exceed the industry standard.

Upon inquiry from Council Member Figueras, Mr. Rochester stated he had been in discussion with Mr. Ken Stanford.

Second Reading: Ordinance No. 2013-14

Zone 76.05± acres at 3121 Browns Bridge Road and 3110 Montgomery Drive

Motion to hold second reading on Ordinance 2013-14, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A 76.05± ACRES TRACT LOCATED ON THE SOUTHWEST AND SOUTHEAST CORNER OF THE INTERSECTION OF BROWNS BRIDGE ROAD AND MONTGOMERY DRIVE (A/K/A 3121 BROWNS BRIDGE ROAD AND 3110 MONTGOMERY DRIVE) AT THE TIME OF ANNEXATION AS PLANNED UNIT DEVELOPMENT, WITH CONDITIONS (P-U-D-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 Hamrick

Motion seconded by Council Member Figueras

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

Second Reading: Ordinance No. 2013-15

Amend Planned Unit Development Zoning of 3.422± acres at 1006 and 1012 Enota Ave NE and 1271, 1285 and 1299 Yonah Ave NE

Motion to hold second reading on Ordinance 2013-15, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY AMENDING THE EXISTING PLANNED UNIT DEVELOPMENT ZONING ON A 3.422± ACRES TRACT LOCATED SOUTH OF THE INTERSECTION OF ENOTA AVENUE AND YONAH AVENUE, AND ACROSS FROM THE INTERSECTION OF ENOTA AVENUE AND WALKER STREET (A/K/A 1006 AND 1012 ENOTA AVENUE NE AND 1271, 1285 AND 1299 YONAH AVENUE NE); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (Amendment to the Zoning Map)

Motion made by Council Member Figueras

Motion seconded by Council Member Hamrick

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

Second Reading: Ordinance No. 2013-16

Rename Kids Way

Motion to hold second reading on Ordinance 2013-16, AN ORDINANCE TO RENAME THE 1.3174± ACRES (798± LINEAR FEET) OF RIGHT-OF-WAY KNOWN AS KIDS WAY, WHICH INTERSECTS THE SOUTH SIDE OF CLARKS BRIDGE ROAD, JUST EAST OF LIMESTONE PARKWAY, TO GABRIEL DRIVE.

Motion made by Council Member Bruner

Motion seconded by Council Member Hamrick

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

REPORT:

Community Development, Planning Division

Action taken by the Gainesville Planning and Appeals Board on August 13, 2013 and new items to be referred to the Planning and Appeals Board.

Community Development Director Rusty Ligon stated there was one annexation request to refer to the September 3rd Council Meeting and three items to refer to the September 10th Planning and Appeals Board Meeting which included a variance, an annexation and a rezoning 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 **August 13, 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 **September 10, 2013**.

A. Planning and Appeals Board Actions for 08/13/13:

- 1) **Recommended approval** of the request from **FD Group, LLC** to annex a 1.01± acres tract located on the west side of Atlanta Highway, south of Pearl Nix Parkway (a/k/a **420 Atlanta Highway**) and to establish zoning as General Business (G-B).
Ward Number: Five
Tax Parcel Number(s): 00-128-003-025
Request: Family Dollar store

B. New items to be referred to the Planning and Appeals Board for 09/10/13:

- 1) Request from **Charles Rex Scott, Jr.** to vary the left side yard building setback requirement on a 0.463± acre tract located at the south side of the intersection of Tommy Aaron Drive and Rienzi Court (a/k/a **505 Rienzi Court NW**), having a zoning classification of Residential-I-A (R-I-A).
Ward Number: One
Tax Parcel Number(s): 01-107-001-121
Request: Closet addition
- 2) Request from **Foote & Miller Properties, LLC** to annex a 2.72± acres tract located on the north side of Browns Bridge Road, southwest of Corporate Drive (a/k/a **2420 Browns Bridge Road**) and to establish zoning as General Business (G-B).
Ward Number: Five
Tax Parcel Number(s): 08-007-001-032 (part)
Request: Existing car dealership
- 3) Request from **Donald E. Hammond** to rezone a 2.59± acres tract located on the west side of McEver Road, south of Gould Road (a/k/a **3030 McEver Road**) from Office and Institutional (O-I) to Neighborhood Business (N-B).
Ward Number: Four
Tax Parcel Number(s): 08-022-000-042 and 046
Request: Existing and proposed office and retail uses

Motion to accept the report as presented and to refer the new items to the Planning and Appeals Board.

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

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

OTHER BUSINESS:

Island Annexations

Council Member Hamrick stated there was a previous motion to proceed with the remaining annexations with a date certain. He realizes there's a need to have discussion with other agencies and service departments to provide a seamless annexation. He expressed a desire to amend the motion to eliminate the date certain. This would allow staff to proceed with the annexations and establish a schedule.

Majority vote to amend the motion of July 16, 2013 by directing staff to move forward with annexing the remaining islands with no date certain and directing staff to establish a schedule for completion.

Motion made by Council Member Hamrick

Motion seconded by Council Member Bruner

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

Oppose: Wangemann

OTHER BUSINESS:

Visit to Norcross

Council Member Bruner reported she and Main Street Manager Regina Mansfield traveled to Norcross to visit with the Mayor and tour their Main Street downtown area. It was a beneficial and profitable trip.

Resignation of Mayor

Mayor Dunagan stated, pursuant to Georgia law, he was resigning from his position as a Council Member for the reason of qualifying for the elected Mayor position.

Vacant Ward 1 Council Seat

Council Member Figueras stated she had anticipated Mayor Dunagan's resignation. After reviewing the newly adopted Charter, she contemplated the next steps. She asked Council to consider allowing her to take the lead role for finding someone to fill the seat for the remaining four months. Council concurred. She also asked Council to start thinking about who they would like to consider for the position.

Council Member Bruner stated the Charter indicates the Council will appoint someone to fill a vacancy when there's less than a certain amount of time remaining in the term.

Council Member Figueras indicated the appointment would be announced at a later date.

ADJOURNMENT: 5:51 PM

DJ/ag

Robert L. Hamrick, Mayor Pro Tempore

Denise O. Jordan, City Clerk