

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

The Mayor position was vacated upon the resignation of the Ward 1 Council Member in August. Per the Charter, the Mayor Pro Tem has the rights and privileges of the Mayor in his absence. Mayor Pro Tem Hamrick called the meeting to order.

Captain Matt Cunningham, Salvation Army, delivered the invocation after which the Pledge of Allegiance was recited in unison.

### **SPECIAL RECOGNITION:**

#### **Post Employment Recognition**

Council recognized Barbara Mason for 25+ years of service. Council Member Figueras read a testimonial and Mayor Pro Tem Hamrick presented Mrs. Mason with tokens of appreciation. Public Utilities Director Kelly Randall extended words of appreciation.

#### **The Georgia Family – Friendly Partnership School Award**

Gainesville City School System Board of Education Member Sammy Smith stated the team along with the faculty, staff and student body earned a prestigious award - *The Georgia Family – Friendly Partnership School Award*, sponsored by the Ritz Carlton Company.

Dr. Matt Maynor, Principal of Enota Multiple Intelligence Academy, provided a brief summary surrounding the criteria and the benefits of receiving the award. He stated the school was one of four winners. Team members Maria Olalde, Jennifer Westbrook and Tina Santos were also in attendance.

Council extended words of appreciation.

### **PUBLIC COMMENTS:**

**Roger Nott, Stephen Circle**, commented on the Council's consideration of the Memorandum of Understanding concerning Glades Reservoir. He indicated he had read the most recent document. He stated very seldom will there be a need for this reservoir and felt it was an amenity lake. He briefly commented on storage capacity and the water level. Mr. Nott was strongly against building the lake and was glad the City did not pledge support of the project.

**Lauren Joy, Atlanta**, indicated she worked for the Southern Environmental Law Center and was speaking on their behalf as well as on behalf of the Georgia Water Coalition. She felt there had already been discussion indicating why Gainesville should not support and pledge money for this project. She commented on the possibility of a county-wide property tax as a funding source for this project which meant there was still a chance that Gainesville residents would pay for this project. Ms. Joy urged Council not to vote in support of the resolution and to not support the Glades Reservoir.

**CONSENT AGENDA:**

**Alcoholic Beverage License Applications**

**Cosa Nostra Italian Kitchen, Inc., 212 Spring Street**

City Manager Kip Padgett stated this was a new application for consumption on the premises of beer and wine which was in order.

**Motion to approve the application as presented.**

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

**Votes favoring the motion: Hamrick, Figueras, Bruner, Wangemann, Segars**

**Fast & Friendly, 1680 Park Hill Drive**

City Manager Kip Padgett stated this was a new application for the packaged sale of beer which was in order.

**Motion to approve the application as presented.**

Motion made by Council Member Figueras

Motion seconded by Council Member Wangemann

**Votes favoring the motion: Hamrick, Figueras, Bruner, Wangemann, Segars**

**Meeks Grocery, 309 Atlanta Highway**

City Manager Kip Padgett stated this was a new application for the packaged sale of beer which was in order.

**Motion to approve the application as presented.**

Motion made by Council Member Bruner

Motion seconded by Council Member Figueras

**Votes favoring the motion: Hamrick, Figueras, Bruner, Wangemann, Segars**

**Pawnshop License Application**

**Pawn International, Inc., 106 Atlanta Highway**

City Manager Kip Padgett stated this was a new application noting it was in order.

**Motion to approve the application as presented.**

Motion made by Council Member Wangemann

Motion seconded by Council Member Bruner

**Votes favoring the motion: Hamrick, Figueras, Bruner, Wangemann, Segars**

**Resolutions**

- A. AR-2013-15 Regarding First Quarter Budget Adjustment for Fiscal Year 2014
- B. AR-2013-16 Regarding Reappropriation Budget Adjustment for Fiscal Year 2014
- C. BR-2013-44 Alcohol Beverage Franchise for Gainesville Civic Center
- D. BR-2013-45 GMEBS/Plan B Retirement Plan Amendment to Change Secretary

- E. BR-2013-46 Intergovernmental Agreement Between the City of Gainesville and Jackson County Water & Sewerage Authority
- F. PR-2013-41 2014 Community Home Investment Program (CHIP) Grant Application
- G. PR-2013-42 Declaration of Surplus Property
- H. PR-2013-43 FY2014 Local Maintenance and Improvement Grant (LMIG)
- I. PR-2013-44 Request to Execute FY14 VITA Grant Contract
- J. PR-2013-45 Water Distribution System Storage Tanks Maintenance Program – Award of Contract (2<sup>nd</sup> Term)

City Manager Kip Padgett provided a brief overview of each resolution.

**Motion to adopt the resolutions as presented.**

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

**Votes favoring the motion: Hamrick, Figueras, Bruner, Wangemann, Segars**

**Minutes: November 5, 2013 Council Meeting**

**Motion to approve the minutes accepting the edits as presented.**

Motion made by Council Member Wangemann

Motion seconded by Council Member Bruner

**Votes favoring the motion: Hamrick, Figueras, Bruner, Wangemann, Segars**

**GENERAL LEGISLATION:**

**Proposed Ordinance**

**Amendment to Chapter 1-7 Entitled Recreation and Parks as it Pertains to Weapons in Parks**

**Motion to hold first reading on Ordinance 2013-24, AN ORDINANCE TO AMEND CHAPTER 1-7 ENTITLED RECREATION AND PARKS OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND SECTION 1-7-2(4) TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON TO POSSESS ANY EXPLOSIVE SUBSTANCE (INCLUDING FIREWORKS) OR DISCHARGE ANY FIREARM WITHIN THE CITY PARKS OF THE CITY UNLESS EXPRESSLY AUTHORIZED BY THE MAYOR AND CITY COUNCIL; 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 Figueras

Motion seconded by Council Member Wangemann

**Votes favoring the motion: Hamrick, Figueras, Bruner, Wangemann, Segars**

**Second Reading: Ordinance No. 2013-23  
Amendment to Chapter 4-2 Entitled Cemeteries**

**Motion to hold second reading on Ordinance 2013-23, AN ORDINANCE TO AMEND CHAPTER 4-2 ENTITLED "CEMETERIES" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND SECTION 4-2-10 TO CHANGE THE COMPOSITION AND TERMS OF SERVICE OF THE CEMETERY COMMITTEE; 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: Hamrick, Figueras, Bruner, Wangemann, Segars**

**RESOLUTIONS:**

**BR-2013-47**

**Memorandum of Understanding (MOU) for Water Supplies  
(Tabled from the October 1, 2013 Council Meeting)**

**Motion to remove the resolution from the table.**

Motion made by Council Member Figueras

Motion seconded by Council Member Wangemann

**Votes favoring the motion: Hamrick, Figueras, Bruner, Wangemann, Segars**

Public Utilities Director Kelly Randall reviewed the changes to the resolution since the October meeting. He indicated the resolution would be submitted to Hall County for their approval.

Council Member Bruner asked if the application submitted by Hall County to the state had changed.

**Motion to approve the resolution BR-2013-47 as presented.**

Motion made by Council Member Figueras

Motion seconded by Council Member Segars

**DISCUSSION:**

Council Member Bruner felt there were still a lot of unanswered questions. She appreciated staff making modifications.

**Votes favoring the motion: Hamrick, Figueras, Wangemann, Segars**

**Votes opposing the motion: Bruner**

**BR-2013-48**

**Ratification, Duties and Term of Service of the Cemetery Advisory Committee**

City Manager Kip Padgett stated the proposed resolution reestablished the Cemetery Advisory Committee.

**Motion to approve the resolution BR-2013-48 as presented.**

Motion made by Council Member Figueras

Motion seconded by Council Member Wangemann

**Votes favoring the motion: Hamrick, Figueras, Bruner, Wangemann, Segars**

**APPOINTMENTS:**

**Cemetery Advisory Committee**

Council made a motion and second for each position to be filled. The action was as follows:

**Ward 1**

**Motion to appoint Nancy Keleman to serve as Ward 1 Representative for a one-year term on the Cemetery Advisory Committee**

Motion made by Council Member Figueras

Motion seconded by Council Member Wangemann

**Ward 2**

**Motion to appoint Dr. Bill Coates to serve as Ward 2 Representative for a two-year term on the Cemetery Advisory Committee**

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

**Ward 3**

**Motion to reappoint Gholston Peoples to serve as Ward 3 Representative for a three-year term on the Cemetery Advisory Committee**

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

**Ward 4**

**Motion to appoint Margaret Howington to serve as Ward 4 Representative for a one-year term on the Cemetery Advisory Committee**

Motion made by Council Member Wangemann

Motion seconded by Council Member Figueras

**Ward 5**

**Motion to appoint Ben Mason to serve as Ward 5 Representative for a two-year term on the Cemetery Advisory Committee**

Motion made by Council Member Bruner

Motion seconded by Council Member Figueras

Votes favoring the motions: Hamrick, Figueras, Bruner, Wangemann, Segars

**REPORT:**

**Community Development, Planning Division**

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

Community Development Director Rusty Ligon stated there were no items to refer to the December 3<sup>rd</sup> Council Meeting and there was one rezoning item to refer to the December 10<sup>th</sup> Planning and Appeals Board Meeting. The report was noted as follows:

This report contains **(A)** action taken by the Planning and Appeals Board during their public hearing held on **November 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 **December 10, 2013**.

**A. Planning and Appeals Board Actions for 11/12/13:**

- 1) **Conditional approval** of the request from **Tennent Slack** to vary the right side yard building setback requirement on a 0.70± acre tract located on the south side of the intersection of Heritage Road and Heritage Place, east of the intersection of Riverside Drive and Heritage Road, having road frontage on the northwest side of Blue Ridge Drive (a/k/a **1466 Heritage Road NE**), having a zoning classification of Residential-I (R-I).  
Ward Number: One  
Tax Parcel Number(s): 01-092-003-044  
Request: Carport addition
- 2) **Conditional approval** of the request from **David and Mamie Coker** to vary the right side yard building setback requirement on a 0.38± acre tract located on the west side of Prior Street, north of its intersection with Park Street (a/k/a **0 and 423 Prior Street NE**), having a zoning classification of Residential-II (R-II).  
Ward Number: Two  
Tax Parcel Number(s): 01-038-003-021 and 027  
Request: Patio cover
- 3) **Partial approval** of the request from **Georgia Truss, LLC** to vary the stream protection buffer requirement on a 3.65± acres property located on the west side of Murphy Boulevard near its terminus, south of its intersection with Browns Bridge Road (a/k/a **2360 Murphy Boulevard**), having a zoning classification of Light Industrial (L-I).  
Ward Number: Five  
Tax Parcel Number(s): 08-007-003-008 (part)  
Request: Expand an existing industrial use
- 4) **Approved withdrawal** of the request from **Georgia Truss, LLC** to annex a 3.34± acres tract located on the west side of Murphy Boulevard near its terminus, south of its intersection with Browns Bridge Road (a/k/a **0 and 2384 Murphy Boulevard**) and to establish zoning as Light Industrial (L-I).  
Ward Number: Five  
Tax Parcel Number(s): 08-007-003-008F, 027 and 028

Request: Sewer to expand an existing industrial use

**B. New items to be referred to the Planning and Appeals Board for 12/10/13:**

- 1) Request from **Michael Slate** to rezone a 0.67± acre tract located on the north side of Lanier Avenue, between Thompson Bridge Road and Walker Street (a/k/a **971 Lanier Avenue NE**) from Residential-I (R-I) to Residential and Office (R-O).

Ward: Two

Tax Parcel Number(s): 01-087-004-014

Request: Professional office use

**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 Wangemann

**Votes favoring the motion: Hamrick, Figueras, Bruner, Wangemann, Segars**

**CITY MANAGER'S ISSUES:**

**AR-2013-17**

**Request Use of CSC Fund Balance to Offset FY14 Sequestration Cuts**

City Manager Kip Padgett stated the proposed request was to use the Community Service Center's fund balance to offset the FY14 sequestration cuts in the amount of \$84,755 to fund the shortfalls of the Meals on Wheels, Senior Life Center and Coordinated Transportation Programs.

**Motion to approve the resolution AR-2013-17 as presented.**

Motion made by Council Member Bruner

Motion seconded by Council Member Figueras

**Votes favoring the motion: Hamrick, Figueras, Bruner, Wangemann, Segars**

**CITY CLERK ISSUES:**

**Election Results**

City Clerk Denise Jordan presented the certified election results indicating there were 13,814 registered voters and 1,861 votes cast which was the equivalent of a 13.47% turnout. The election results are summarized in the table below.

Candidate	Office Sought	Votes Cast
Alvarez	Mayor	110
Dunagan	Mayor	1,145
Harkrider	Mayor	212
Johnson	Mayor	383
Couvillon	Council, Ward 1	1,241
Wangemann	Council, Ward 4	1,458
Mercer	Education, Ward 1	687
Diaz	Education, Ward 4	132

Mrs. Jordan stated the results were certified and submitted to the Secretary of State by the Hall County Elections Office.

**OTHER ISSUES:**

**Mailings from Water Companies**

Council Member Figueras commented on a letter regarding water lines. She asked that Public Utilities staff review the information for legitimacy. She also urged citizens to be aware when receiving utility related information that does not bear the City of Gainesville logo.

**ADJOURNMENT: 6:14 PM**

DJ/ag

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Robert L. Hamrick, Mayor Pro Tempore

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Denise O. Jordan, City Clerk