

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

Mayor Dunagan called the meeting to order and served as the presiding officer.

Apostle Roderick Hughey, Pastor of Voices of Faith Church, delivered the invocation after which the Pledge of Allegiance was recited in unison.

PRESENTATIONS:

Meritorious Service Awards

Police Chief Brian Kelly presented a Meritorious Service Award to Officer Travis Barnette. He read the certificate which summarized the details of life saving actions occurring on February 7, 2014. He also presented a Meritorious Service Award to Lieutenant Shawn Welsh and read a certificate summarizing the details of life saving actions occurring on March 9, 2014. The Chief placed lapel pins on the uniforms of both officers.

CONSENT AGENDA:

Alcoholic Beverage License Application
129 Package Store, 2126 Athens Highway

New application for package of beer, wine, and liquor.

City Manager Kip Padgett presented the application indicating it was in order.

Motion to approve the application as presented.

Motion made by Council Member Figueras

Motion seconded by Council Member Hamrick

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

Resolutions:

- A. AR-2014-06 Correction of Misclassification of Fire Rescue Unit 22 Being Funded with Impact Fees
- B. BR-2014-07 Amendment of Retirement Plan A Plan Document Regarding Re-Employment of Plan A Retirees
- C. BR-2014-08 Authorization to Execute Easement Agreement with Hall County for Central Hall Multi-Use Trail
- D. CR-2014-01 Authorization to Waive the Sale of Alcohol for Public Consumption
- E. PR-2014-11 Approval of Local DCA Homeless Assistance Program Application
- F. PR-2014-12 Authorization to Sponsor Cooper Pants Factory Historical Marker
- G. PR-2014-13 Governor's Office of Highway Safety 2015 Incentive Grant
- H. PR-2014-14 Governor's Office of Highway Safety Acceptance of Monetary Award Certificate for 2012

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

Motion to adopt the resolutions as presented.

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

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

Minutes: February 18, 2014 Council Meeting

Minutes: March 4, 2014 Council Meeting

Minutes: March 18, 2014 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: Hamrick, Figueras, Bruner, Wangemann, Couvillon

GENERAL LEGISLATION:

Proposed Ordinance

Amend Chapter 6-16 Entitled "Licenses, Permits and Business Requirements"

Motion to hold first reading on Ordinance 2014-04, AN ORDINANCE TO AMEND CHAPTER 6-16 ENTITLED LICENSES, PERMITS AND BUSINESS REQUIREMENTS OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO DELETE SECTION 6-16-13 (d) ENTITLED MISCELLANEOUS AND SECTION 6-16-14 ENTITLED LOCATION OF OPERATION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

City Marshall Debbie Jones stated the proposed amendment would remove the distance requirement from the ordinance in its entirety.

Upon inquiry from Council Member Figueras, Ms. Jones stated there were approximately 18 pawnshops in the city and confirmed this change would allow a pawnshop on every corner.

Council Member Wangemann felt the law of supply and demand would address this situation.

Motion made by Council Member Wangemann
Motion seconded by Council Member Hamrick

Votes favoring the motion: Hamrick, Wangemann, Couvillon, Dunagan

Votes opposing the motion: Figueras, Bruner

NOTE: In accordance with the Charter, the Mayor voted on this business item to provide the fourth affirmative vote.

**Second Reading: Ordinance No. 2014-03
Amend Chapter 6-4 Entitled "Alcoholic Beverages"**

Motion to hold second reading on Ordinance 2014-03, AN ORDINANCE TO AMEND CHAPTER 6-4 ENTITLED ALCOHOLIC BEVERAGES OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND SECTION 6-4 TO DEFINE A GROWLER; TO ADD SECTION 6-4-51 TO PROVIDE FOR THE FILLING OF GROWLERS AND THE CONSUMPTION OF SAMPLES OF TAP BEERS. 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 Bruner

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

Votes opposing the motion: Wangemann

PUBLIC HEARING:

Transmittal of the Annual Update to the Capital Improvements Element (CIE)

City Attorney Palmour confirmed the appropriate advertisements had been published and reviewed the public hearing process.

Special Projects Manager Jessica Tullar stated this item was in conjunction with the annual audit of the Impact Fee Program required for submittal to the Department of Community Affairs (DCA). She noted the grand totals for the Parks and Recreation Capital Improvements Project List had been updated since the Work Session.

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 BR-2014-09 entitled *Transmittal of the Annual Update to the CIE* as presented.

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

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

Request from Waffle House Inc. to amend a condition of zoning for a 3.21± acres tract located at the southwest side of the intersection of Clarks Bridge Road and Limestone Parkway (a/k/a 2551 Limestone Parkway NE), having a zoning classification of General Business (G-B). Ward: Two. Tax Parcel Number: 09-125-000-118. Request: Waffle House Restaurant.

Planning Manager Matt Tate reviewed the application indicating the amendment was specifically made in condition one. Staff recommended an amendment to condition two as well. The conditions were read as follows:

1. The architecture of the smaller proposed buildings adjacent to the residential homes under construction and the institutional facilities shall be residential in appearance with a pitched roof, as indicated on the attached photographs, and shall be subject to Planning Division approval. Relief shall only be given from requiring a pitched roof upon buildings being constructed with a parapet, false mansard roof, or other decorative architectural elements to screen flat roof surfaces and roof equipment from public view. In addition, when a flat roof is constructed, all exterior walls of the building shall be constructed with either a four sided brick or brick-like facade, rock, stone or a mixture thereof.
2. Additional evergreen trees shall be planted along the westerly property line adjacent to the residential properties in order to provide for a solid buffer. The trees shall consist of a mixture of Cryptomeria and Leyland Cypress trees at a minimum height of six feet (6') upon installation. The final number and location of trees shall be subject to the approval of the Community Development Department Director.
3. An updated as-built boundary survey/plat of the subject property, indicating all improvements required for the proposed nonresidential development, shall be recorded prior to obtaining a Certificate of Occupancy for the nonresidential use.

Upon inquiry, Mr. Tate confirmed the Council was being asked to decide on an amendment regarding a pitched roof. He also confirmed the decision included a condition for additional vegetation and that a Waffle House could be built at this location without action by the Council.

Council Member Wangemann asked if staff viewed the request as an improvement.

City Attorney Palmour opened the floor for comments.

FAVOR:

Sal Nappo, 5986 Financial Drive, Norcross, spoke on behalf of Waffle House. He provided insight about the reason for the request and expressed agreement with staff's recommendations.

There being no other comments, the matter was returned to the Council for a decision.

Motion to hold first reading on Ordinance 2014-05, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY AMENDING THE CONDITIONS OF ZONING FOR A 3.21± ACRES TRACT LOCATED AT THE SOUTHWEST SIDE OF THE INTERSECTION OF CLARKS BRIDGE ROAD AND LIMESTONE PARKWAY (A/K/A 2551 LIMESTONE PARKWAY NE), HAVING A ZONING CLASSIFICATION OF 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 the Zoning Map)

Motion made by Council Member Bruner

Motion seconded by Council Member Hamrick

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

CITY MANAGER'S ISSUES:

Community Development Director Rusty Ligon reported receiving a rezoning application from Polestar Development, LLC., for property located at 1435 Thompson Bridge Road which is the existing sight of Lanier Plaza Shopping Center. He provided a brief overview of the application

noting the request was to rezone a portion of the property from Residential II to Regional Business. The applicant expressed a desire to take advantage of the city's fast track process. This process saves the applicant one month of time and requires approval of the Council as well as a Special Called Meeting of the Planning and Appeals Board.

Motion to proceed with fast track process for a rezoning application filed by Polestar Development LLC.

Motion made by Council Member Wangemann

Motion seconded by Council Member Bruner

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

Votes opposing the motion: Couvillon

OTHER ISSUES:

Council Member Figueras

1. Commented on the Masters Series at the Featherbone Communiversity.
2. Commended the Public Works and Public Utilities Department staff for the level of detail provided during the Public Utilities Department Workshop.
3. Reported brush not being picked up on one side of Watson Circle.
4. Announced the Great American Cleanup would be on Saturday, April 12th.
5. Invited the community to attend the Second Saturday Meeting (aka Citizens Information Advisory Roundtable) on April 12th at 9:30 AM
6. Commented on the Fair Street Walk on March 31st.

Council Member Wangemann

Provided details about the Great American Cleanup noting this is a community-wide event.

Mayor Dunagan

Recognized the members of Citizen Government Academy and Leadership Hall attending the meeting.

ADJOURNMENT: 6:04 PM

DJ/ag

C. Danny Dunagan, Jr., Mayor

Denise O. Jordan, City Clerk