

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.

Minister Zach Fitzpatrick, Lawrenceville United Methodist Church, delivered the invocation after which the Pledge of Allegiance was recited in unison.

CONSENT AGENDA:

Alcoholic Beverage License Applications:

Chattahoochee Golf Grill, 301 Tommy Aaron Drive

New application for consumption on the premises of beer and wine.

Citgo Food Mart, 2127 Athens Highway

New application for beer package license.

Dos Gringos Mexican Restaurant, 1856 Thompson Bridge Road

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

Motion to approve the application as presented.

Motion made by Council Member Hamrick

Motion seconded by Council Member Couvillon

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

Resolutions:

- A. BR-2014-33 Amend and Add to the City of Gainesville Personnel Policies and Procedures Manual
- B. BR-2014-34 Authorization to Change Insurance Provider for Basic Life/AD&D Insurance, Voluntary Life, Third Party Administration of Short Term Disability, and Voluntary Long Term Disability
- C. BR-2014-35 Authorization to Change Insurance Provider for Dental and Vision Insurance and Cancer, Accident, and Critical Illness
- D. PR-2014-47 319(h) Project Contract with Georgia Environmental Protection Division
- E. PR-2014-48 Flat Creek Stream Restoration Cargill to Gainesville Mill - Phase I
- F. PR-2014-49 Flat Creek WRF - DAF Unit Study
- G. PR-2014-50 FY 2015 Local Maintenance and Improvement Grant (LMIG)
- H. PR-2014-51 SR 284 Clarks Bridge Utility Relocation

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, Couvillon

APPOINTMENTS:

Gainesville Non-Profit Development Foundation, Inc.

Motion to reappoint Camille Viera and Leroy Summerour for a one-year term on the Gainesville Non-Profit Development Board.

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

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

Motion to reappoint Dick Young, Emory Turner and Carlyle Cox for a two-year term on the Gainesville Non-Profit Development Board.

Motion made by Council Member Figueras

Motion seconded by Council Member Hamrick

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

Motion to reappoint Audrey Simmons for a one-year term on the Gainesville Non-Profit Development Board.

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

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

NOTE: Gainesville Non-Profit Development Foundation, Inc. appointments continued under City Clerk Issues.

GENERAL LEGISLATION:

Proposed Ordinance

Amend Chapter 6-4 Entitled Alcoholic Beverages

City Marshall Debbie Jones reviewed the changes to be implemented upon the adoption of the ordinance. In summary, the proposed ordinance will (1) define and exempt art shops from the brown bagging ordinance; (2) amend special event permits in regards to for profit organizations to allow consumption on premises and retail package dealers to obtain these permits; (3) allow consumption on premises and retail package stores to cater alcoholic beverages; (4) define and regulate breweries.

Motion to hold first reading on Ordinance 2014-23, AN ORDINANCE TO AMEND CHAPTER 6-4 ENTITLED ALCOHOLIC BEVERAGES OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND SECTION 6-4-45 ENTITLED BROWN BAGGING TO PROVIDE THAT SECTION 6-4-45 DOES NOT APPLY TO AN ART SHOP OR PRIVATE FUNCTION; TO AMEND SECTIONS 6-4-47(B) AND 6-4-47(G) ENTITLED SALES BY FOR-PROFIT ORGANIZATIONS TO ALLOW THE ISSUANCE OF TEMPORARY EVENT PERMITS TO CONSUMPTION ON PREMISES AND RETAIL PACKAGE LICENSEES AND TO DELETE THE GEORGIA MOUNTAIN CENTER FROM SUBSECTION (G); TO AMEND SECTION 6-4-50(A)(1) TO ALLOW ISSUANCE OF CATERING LICENSES TO CONSUMPTION ON PREMISES AND RETAIL PACKAGE LICENSEES; TO AMEND SECTION 6-4-50(B)(3) AND 6-4-50(C)(2) BY DELETING SAID SUBSECTIONS; TO ADD SECTION 6-4-52 TO ALLOW ISSUANCE OF MALT BEVERAGE

AND HARD CIDER BREWERY LICENSES; 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, Couvillon

Votes opposing the motion: Wangemann

Proposed Ordinance

Amend Chapter 1-7 Entitled Recreation and Parks

Director of Parks and Recreation Melvin Cooper reviewed the changes to be implemented upon adoption of the ordinance indicating it updates the code in regards to damage to park property by allowing citations to be issued.

Motion to hold first reading on Ordinance 2014-24, AN ORDINANCE TO AMEND CHAPTER 1-7 ENTITLED RECREATION AND PARKS OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND SUBPARAGRAPH (6) OF SECTION 1-7-2 ENTITLED PROHIBITED ACTS WHICH CAUSE A DISTURBANCE OR ENGAGE IN ANY ACTIVITY WHICH UNREASONABLY INTERFERES WITH THE INTENDED USE OF AN ENJOYMENT OF A PARK; TO AMEND SUBPARAGRAPH (8) OF SECTION 1-7-2 ENTITLED PROHIBITED ACTS WHICH CAUSE DEFACE, REMOVE DAMAGE OR ALTER PROPERTY IN THE PARKS; TO ADD SUBPARAGRAPH (18) TO SECTION 1-7-2 TO PROVIDE THAT TENNIS COURTS ARE TO BE USED FOR INTENDED PURPOSES EXCEPT AS AUTHORIZED BY THE DIRECTOR OF THE PARKS AND RECREATION OR HIS DESIGNEE. 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 Hamrick

Motion seconded by Council Member Wangemann

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

Second Reading: Ordinance 2014-22

Amend Chapter 6-10 Entitled Adult Entertainment

Motion to hold second reading on Ordinance 2014-22, AN ORDINANCE TO AMEND CHAPTER 6-10 ENTITLED ADULT ENTERTAINMENT ESTABLISHMENTS OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; BY DELETING SECTION 6-10-25. "ENTITLED ADVERTISING AND POSTING;" 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:

Annexation/Zoning Item

City Attorney Palmour reviewed the public hearing process and confirmed the advertisement had been properly advertised in the legal organ.

Request from Pap Datta to rezone a 1.04± acres tract located on the northwest side of the intersection of Parker Street and Maple Street (a/k/a 510, 514 and 520 Maple Street SW) from General Business (G-B) to Light Industrial (L-I), with a special use. Ward Number: Three. Tax Parcel Number(s): 01-011-003-005 and 011. Request: Brewery

Planning Manager Matt Tate reviewed the application using a power point presentation to support the discussion. The Planning and Appeals Board, along with staff, recommended approval with one condition. Mr. Tate stated a rezoning ordinance and a special use resolution were to be considered. If there was a desire to approve the request, the resolution should be tabled until the next meeting for consideration after adoption of the ordinance.

Upon inquiry, Mr. Tate stated there was a landscaping requirement for this development.

Upon inquiry as to the name of the company, Mr. Tate stated LNB stood for Left Nut Brewery.

FAVOR:

Ashesh Banerjea, Richmond, VA, stated he is a business partner with Mr. Datta. He expressed excitement about doing business in this area. He was available to answer questions.

Rick Foote, resident of Hall County, stated they wanted to be a part of the reawakening of Midtown Gainesville. He commented on the various city improvements noting they wanted to locate in Gainesville. He also commented on LNB being more than just a brewery and what it had to offer. Mr. Foote stated they shared in the revitalization efforts, the mission and vision of the Council. They sought to be community partners by supporting community and charity events. He enjoyed visiting craft breweries and felt this would be a tourist draw. They envisioned working with the Gainesville Convention & Visitors Bureau. Mr. Foote commented on an alternative location that would not have the same impact as Midtown Gainesville. He stated he received supportive comments from downtown business owners. Upon inquiry, he commented on initial and future staffing for the business.

Council Member Wangemann asked if there could be consideration for renaming the business.

Jack Griffith, physician and investor for the business, stated he hoped to provide honey for the honey beer. He also hoped in five years people would not be able to imagine the City without this business. He understood Council Member Wangemann's concern. He felt this would be a good business.

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

Motion to hold first reading on Ordinance 2014-25, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 1.04± ACRES TRACT LOCATED ON THE NORTHWEST SIDE OF THE INTERSECTION OF PARKER STREET AND MAPLE STREET (A/K/A 510, 514 AND 520 MAPLE STREET SW) FROM GENERAL BUSINESS (G-B) TO LIGHT INDUSTRIAL, WITH CONDITION (L-I-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 Bruner
Motion seconded by Council Member Figueras

DISCUSSION:

Council Member Hamrick agreed with Council Member Wangemann's concerns regarding the name of the business.

Council Member Couvillon stated he met with the business owner and didn't think they chose the name half-heartedly.

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

NOTE: The Mayor voted to provide the fourth affirmative vote as required by the Charter.

Motion to table the resolution for a special use until the second reading of the ordinance at the scheduled meeting on October 21st.

Motion made by Council Member Bruner
Motion seconded by Council Member Figueras
Votes favoring the motion: Dunagan, Figueras, Bruner, Couvillon
Votes opposing the motion: Hamrick, Wangemann

NOTE: The Mayor voted to provide the fourth affirmative vote as required by the Charter.

Council Member Hamrick asked for a review of the Charter to clarify the Mayor's voting powers. City Clerk Denise Jordan read Charter Section 2.22 in its entirety and Charter Section 2.29 (1).

CITY MANAGER ISSUES:

Request to Retire a K-9

Interim Chief Carol Martin stated a recent evaluation of the K-9's, indicated Viago had approximately six months of service time left with the department. She requested permission to retire the K-9. Replacement would not occur at this time.

City Manager Padgett stated policy allowed the dog to be released to its handler if approved by the Council.

Council was comfortable with the recommendation.

EXECUTIVE SESSION:

City Manager Kip Padgett requested an Executive Session to discuss litigation and personnel matters.

Motion to close the Council Meeting to enter an Executive Session to discuss litigation and personnel matters at 6:02 PM.

Motion made by Council Member Figueras

Motion seconded by Council Member Wangemann

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

OFFICIALS PRESENT: Dunagan, Hamrick, Figueras, Bruner, Wangemann, Couvillon

STAFF PRESENT: Padgett, Sheppard, Palmour, Jordan, Allison

Motion to close the Executive Session and continue the meeting at 6:45 PM.

Motion made by Council Member Figueras

Motion seconded by Council Member Wangemann

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

OTHER BUSINESS:

Revisit Gainesville Non-Profit Development Foundation, Inc. Appointments

City Clerk Denise Jordan asked Council to revisit the Gainesville Non-Profit Development Foundation, Inc. appointments to consider the nomination of Broughton Cochran.

Motion to reappoint Broughton Cochran for a two-year term on the Gainesville Non-Profit Development Board.

Motion made by Council Member Bruner

Motion seconded by Council Member Figueras

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

Mayors' Day Conference

City Clerk Denise Jordan reported information regarding the Mayors' Day Conference was available for consideration.

Legislative Policy Council Meeting

Council Member Bruner commented on the Legislative Policy Council meeting at Lake Lanier Island on October 9, 2014.

Recognition of Judge Law

Council Member Figueras commended Judge Law on receiving an honor from Judge Fuller. City Manager Kip Padgett stated staff was working on a proclamation to present in the near future.

Domestic Violence Breakfast

Council Member Figueras commented on the domestic violence breakfast.

Second Saturday Meeting

Council Member Figueras announced the Second Saturday meeting on October 11th at 9:30 AM at the Fair Street Neighborhood Center would provide an opportunity for all candidates to introduce themselves to the community.

Article in Georgia Trend Publication

Council Member Figueras commented on an article in the Georgia Trend publication.

ADJOURNMENT: 6:49 PM

DJ/ag

C. Danny Dunagan, Jr., Mayor

Denise O. Jordan, City Clerk