

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

Mayor Dunagan called the meeting to order at 5:34 PM and served as the presiding officer.

Chaplain Darryl Dale delivered the invocation after which the Pledge of Allegiance was recited in unison.

CITIZEN COMMENTS:

Shabnam Jindani, owner of Fast and Friendly located at 1680 Park Hill Drive, expressed concerns about the low gas prices at the Kroger's and Quik Trip. This had been ongoing for approximately six months and was negatively impacting small businesses.

ORGANIZATIONAL MEETING:

BR-2015-01 Emergency Interim Successors

Motion to adopt resolution BR-2015-01 naming the Emergency Interim Successors as follows: Mayor C. Danny Dunagan, Jr.; Mayor Pro Tem Robert L. Hamrick; Council Member Myrtle W. Figueras; Council Member Ruth H. Bruner; Council Member George Wangemann; and Council Member Warren Samuel Couvillon.

Motion made by Council Member Wangemann

Motion seconded by Council Member Bruner

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

BR-2015-02 Council Meeting - Work Session Calendar

Motion to adopt resolution BR-2015-02 to set the 2015 Council Meeting and Work Session Calendar as presented scheduling Council Meetings on the first and third Tuesday of each month at 5:30 PM in the Municipal Court Room within the Gainesville Justice Center and scheduling Work Sessions on the Thursday preceding each Council Meeting at 9:00 AM in the Bill William's Conference Room located in the Administration Building.

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

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

BR-2015-03 2015 Planning and Appeals Board Meetings

Motion to adopt resolution BR-2015-03 establishing the 2015 Planning and Appeals Board Meeting Calendar as presented.

Motion made by Council Member Bruner

Motion seconded by Council Member Wangemann

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

Designation of Official Organ

Motion to reappoint *The Times* to serve as the Official Organ for 2015.

Motion made by Council Member Wangemann

Motion seconded by Council Member Hamrick

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

Appointment of City Attorney

Motion to reappoint the Law Office of James E. Palmour, III to serve as the City Attorney.

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

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

Appointment of the Assistant City Attorney

Motion to reappoint the Law Office of Hulsey, Oliver & Mahar, LLP to serve as the Assistant City Attorney.

Motion made by Council Member Wangemann

Motion seconded by Council Member Figueras

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

Appointment of Administrative Hearing Officer

Motion to reappoint G. Hammond Law, III to serve another one-year term as the Administrative Hearing Officer.

Motion made by Council Member Figueras

Motion seconded by Council Member Wangemann

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

Appointment to Georgia Mountains Regional Commission

Motion to reappoint Council Member Wangemann to serve another one-year term on the Georgia Mountains Regional Commission.

Motion made by Council Member Hamrick

Motion seconded by Council Member Figueras

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

Appointment to the Gainesville-Hall '96 Board

Motion to reappoint Council Member Bruner to serve another one-year term on the Gainesville-Hall '96 Board.

Motion made by Council Member Figueras

Motion seconded by Council Member Wangemann

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

Appointment of Elected Officials as Ex-Officio Members on Boards/Committees

Motion to appoint the following to serve as 2015 Ex-Officio Members for a one-year term:

**Council Member Bruner to the Chicopee Woods Area Park Commission
Mayor Dunagan to the Economic Development Council
Mayor Dunagan to the Gainesville-Hall County Development Authority
Mayor Dunagan to the Gainesville Redevelopment Authority
Mayor Dunagan to the Greater Hall Chamber of Commerce Board of Directors
Mayor Dunagan to the HALLmark Initiative
Council Member Hamrick to the Airport Advisory Committee
Council Member Wangemann to the Beautification Steering Committee
Council Member Couvillon to the Chattahoochee Golf Course Advisory Committee
Council Member Bruner to the Friends of the Parks
Council Member Figueras to the Gainesville Non-Profit Development Foundation
Council Member Hamrick to the Historic Preservation Commission
Mayor Dunagan and Council Member Figueras to the Housing Authority
Council Member Couvillon to the Main Street Gainesville Advisory Board
Council Member Couvillon to the Parks and Recreation Board
Council Member Figueras to the Planning and Appeals Board**

Motion made by Council Member Bruner

Motion seconded by Council Member Hamrick

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

CONSENT AGENDA:

Minutes: December 2, 2014 Council Meeting Minutes

Minutes: December 16, 2014 Council Meeting Minutes

Motion to approve the minutes accepting the edits as presented.

Motion made by Council Member Bruner

Motion seconded by Council Member Figueras

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

GENERAL LEGISLATION:

Second Reading: Ordinance 2014-30

Amend Chapter 10-1 Entitled Price of Cemetery Lots, Burial Fees

Motion to hold second reading on Ordinance 2014-30, AN ORDINANCE TO AMEND CHAPTER 10-1 ENTITLED PRICE OF CEMETERY LOTS, BURIAL FEES OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND SECTION 10-1-1.(a) TO PROVIDE FOR CEMETERY GRAVE SPACE FEES; TO AMEND SECTION 10-1-1.(b)(1)(a-d) TO PROVIDE THE PRICE OF CEMETERY GRAVE SPACES AND BURIAL PERMITS; TO AMEND SECTION 10-1-1.(2) TO PROVIDE THAT THE GOVERNING BODY OF THE CITY SET BURIAL PERMIT FEES; TO AMEND SECTION 1 10-1-1.(3a) TO PROVIDE MAUSOLEUM CRYPT PRICES; TO AMEND SECTION 10-1-1.(3c) TO

PROVIDE MAUSOLEUM NICHE SPACES; TO AMEND SECTION 10-1-1. TO ADD SUB-PARAGRAPH (3d,1-4) TO PROVIDE THE PRICE FOR OPENING AND CLOSING FEES ASSOCIATED WITH THE FINAL DISPOSITION OF REMAINS; 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, Couvillon

PUBLIC HEARING(S):

Mayor Dunagan reviewed the public hearing process and confirmed each item was properly advertised.

Annexation/Zoning Items

Request from Reuben Black to rezone a 0.85± acre tract located on the east side of Longview Drive, southeast of its intersection with Springway Drive (a/k/a 1058 and 1064 Longview Drive NW) from Planned Unit Development (P-U-D) to Residential-I (R-I). Ward Number: Two. Tax Parcel Number(s): 01-074-003-015 and 021A. Request: Single-family residential.

Planning Manager Matt Tate reviewed the application. The Planning and Appeals Board and staff recommended approval of the request with the following condition:

The subject properties shall be combined by plat and recorded in order to bring the property into conformity. The property may be subdivided in the future upon meeting the requirements of the Gainesville Unified Land Development Code.

Upon inquiry, Mr. Tate confirmed the property may be subdivided in the future if the applicant so desired as long as it met R-I standards.

Mayor Dunagan opened the floor for comments.

FAVOR:

Attorney Chris Elrod, 4209 Oakwood Road, represented the applicant. He commented on the request noting the applicant was attempting to reestablish the original zoning. They felt it met the standards and would not adversely affect the nearby or adjacent properties. The existing P-U-D zoning is no longer feasible.

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

Motion to hold first reading on Ordinance 2015-01, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 0.85± ACRE TRACT LOCATED ON THE EAST SIDE OF LONGVIEW DRIVE, SOUTHEAST OF ITS INTERSECTION WITH SPRINGWAY DRIVE (A/K/A 1058 AND 1064 LONGVIEW DRIVE NW) FROM PLANNED UNIT DEVELOPMENT (P-U-D) TO RESIDENTIAL-I, WITH CONDITION (R-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 Hamrick

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

Request from Treadwell and Deborah Syfan to amend the existing Planned Unit Development (P-U-D) zoning on a 5.376± acres tract located at the cul-de-sac end of Greystone Road, west of Tommy Aaron Drive (a/k/a 3585 and 3589 Greystone Road NW). Ward Number: One. Tax Parcel Number(s): 10-105-006-001B and 045. Request: Four (4) single-family residential lots.

Planning Manager Matt Tate reviewed the application. The Planning Staff recommended approval with three conditions. The Planning and Appeals Board recommended denial of the request. Mr. Tate reviewed the conditions.

Mayor Dunagan opened the floor for comments.

FAVOR:

Tread Syfan, 700 Lindsey-Baker Court, stated he and his wife Deborah were the property owners. He commented on the acquisition and plans for development of the property. Due to economic changes and other reasons, they've decided to renovate the existing house and make it their residence. As such, they were requesting the P-U-D zoning be amended to allow one additional lot. By doing so, they could center the existing house and have three lots available for sale. He stated each lot would be at least one acre and the houses would be built at the back of the property. The size of the lots was comparable to six of the other sixteen existing lots on Greystone. They hoped the lots would sell for \$100,000 to \$130,000. Mr. Syfan stated his neighbors were not happy with this request. Each neighbor received a letter explaining the request. He felt the neighbors were against growth/change and was unsure how they would be affected. He stated zoning was about striking a reasonable balance between controlling land use for public health, safety and general welfare and protecting the right of reasonably unrestricted use of private property. The houses to be built on his lots will be more compatible than other houses in the area. He felt one lot would have little to no effect on the neighbors. Mr. Syfan asked real estate expert Frank Norton to address the compatibility of the lots and possible effects to the adjoining neighbors.

Frank Norton Jr. 434 Green Street, stated he was the CEO of the Norton Agency and had been in this line of business for 37 years. It was his professional opinion that subdividing the property to allow one additional lot does not negatively affect the surrounding properties. The change would not create a cluster home configuration. He commented on the development and the demand for Country Club lots. He felt the proposed development would fit in the character of a Country Club neighborhood.

Mr. Syfan commented on an agreement that restricted subdividing the lots indicating he could not find record of the agreement. He also indicated they (the additional lots) would not cause more silt to flow into the lake. Mr. Syfan stated he was asking for one more lot with all lots being at least 1 acre in size which would be comparable to six of the sixteen lots on Greystone. The Planning staff determined the proposed lots were consistent in size with adjacent/nearby properties and the proposed use would have minimal impact. He felt not having another lot to

sell would have a negative financial effect on his family. He requested to reserve time for rebuttal.

OPPOSE:

There was a request to allow those unable to speak to submit written comments to the Council. Those opposing the request were asked to stand and be recognized.

Dave Gleason, 3012 Chattahoochee Trace, stated he was the President of Lake Lanier-Knickerbocker Protective Association (LLKPA), a non-profit organization dedicated to stopping unnatural sedimentation into the lake. He distributed copies of a formal written response with signed petitions and asked that they become a part of the zoning request. He stated in 2002, the City of Gainesville accepted responsibility for the upkeep of the lake and the damn on East Lake Road. The association had no objection to the expansion of the existing parking. Subdividing the properties created a concern about silt in the lake. He referenced pictures showing damage to the lake over a 10 year period. He stated the LLKPA requested the Council give the lake a chance, take the recommendation of the Planning and Appeals Board or at least delay approval until a qualified authority can determine that the request will not degrade the lake any further.

Upon inquiry from Council Member Couvillon, Mr. Gleason commented on the cause of degradation to the lake from 1996 to 2005. He also confirmed the location of Mr. Syfan's property to the lake referenced on the pictures.

Jack Cary, 3530 Greystone Road, provided a brief history on the acquisition and development of the property. He commented on the original purchases being made by sealed bid and the property being divided into sixteen lots. He stated the property owners made an agreement restricting subdividing the lots any further.

Mike Casper, 3570 Greystone Road, stated he was delighted when Tread and Deborah Syfan purchased the land in 2003. Following the purchase, Mr. Syfan proposed to annex into the City and subdivide the property into three lots. The neighborhood was concerned and initially opposed the application. After many discussions and assurances, the neighborhood withdrew their opposition. Mr. Casper commented on a setback offered by Mr. Syfan which was recorded in 2007. He did not understand how a recorded setback could be changed. He also commented on there being two deeds that indicate the Syfan's sold lot #3 shortly after the setback was established.

Mr. Casper stated records show the property is currently owned by Regions Bank which is not shown in the application.

Mayor Dunagan stated this was an issue between the property owners.

Mr. Tate confirmed applications required authorization from all property owners and confirmed approval was granted by Regions Bank.

Mr. Casper stated Ms. Lake, Realtor, submitted her opinion indicating further subdivision of the lot would be detrimental to the surrounding property owners. The property owners felt the integrity of the neighborhood does not fit with this plan. They were concerned and upset with the changes requested by the applicant.

REBUTTAL:

Mr. Syfan stated they will comply with all storm water regulations as applicable. The lot will have a negligible impact on the storm water and the lake. He commented on not being aware of any agreement when the property was purchased. He stated Attorney Steven Gilliam had provided an opinion regarding the restrictive covenants which was provided to the Council.

Council Member Figueras questioned whether this was more of an issue of trust with the neighborhood.

Mr. Syfan stated he had explained the circumstances surrounding the request for the additional lot.

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

Motion to hold first reading on the proposed request.

Motion made by Council Member Wangemann
Motion seconded by Council Member Couvillon

DISCUSSION:

Council Member Couvillon commented on his position of being personally affected by this request. He did not feel another lot would make a drastic difference.

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

The request was denied due to lack of four affirmative votes.

OATH OF OFFICE:

Police Chief

City Manager Kip Padgett administered the oath of office to newly appointed Chief of Police Carol Martin. He extended his appreciation to the selection team that assisted him in the process.

Police Chief Carol Martin gave the following speech:

Thank you to the members of the City Council and city management for this opportunity. I am honored and extremely humbled to be selected as the Chief of Police for the Gainesville Police Department. When I started here 28 years ago, the thought that someday I would be selected as Chief for this department never crossed my mind.

The past 28 years of my life have been dedicated to this department and in those years I have been very fortunate to have worked with supervisors and fellow employees that instilled in me that without our community's support we fail as a department. In 1829, Sir Robert Peel, considered to be the founder of modern policing, developed nine Principles of Policing. One of the nine principles is simply "To maintain at all times a relationship with

the public that gives reality to the historic tradition that the police are the public and that the public are the police, the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.”

Simply stated we are all citizens in this community, whether we live or work here. We have to work together, we have to talk together and we have to listen together to improve the quality of life and maintain a safe community for all. We want to continue to earn the trust of our citizens. Communication is our fundamental key in building and maintaining a strong relationship with all citizens. I am confident; we will succeed in this area.

Our officers and members of the Department go above and beyond their duties by performing small deeds such as paying for an unknown person’s meal, providing Christmas for a child, checking on our homeless or taking care of a stray animal. To a lot of people these may seem small and not noteworthy but sometimes it’s the smallest deeds that help a person get through the day. A small deed changed my life. When I applied here, I hadn’t heard anything and I was giving up hope to be hired. I called the HR department and I spoke to Opal and I told her to forward my application to another agency. I had never met or spoken with her before that day. Instead of just checking a box and hanging up, she took the time to make a phone call to Chief Forrester. That afternoon I had an interview and my life was changed. I challenge all the members of this department to make a positive change in someone’s life.

As it is with the community, an open line of communication within our own department is a must in order for us to continue to be one of the best agencies in law enforcement today. I look forward to working with each of you as we strive to protect and serve and you make me proud to say I am a member of the Gainesville Police Department.

I want to thank you all for being here for this special occasion in my life as this is a once in a lifetime opportunity for me. Many of you in attendance have influenced and guided me throughout my career and have helped me to become the person that I am today.

A special thank you goes to my family and friends for standing by and supporting me over the years. I know it’s not been easy. But without all of your strength and encouragement I would not be where I am today.

Thank you again.

It was noted Chief Carol Martin was the first female Chief of Police in history for the City of Gainesville. Her son, Kasey Martin, pinned the Chief’s badge on her uniform.

The Mayor and Council extended words of appreciation.

OTHER BUSINESS:

Second Saturday Meeting

Council Member Figueras announced the Second Saturday Meeting would be held on Saturday, January 10th at 9:30 AM at the Fair Street Neighborhood Center. The topic would include discussions with law enforcement.

Citizen Ruby Brawner commended Police Chief Carol Martin on her appointment to Police Chief.

ADJOURNMENT: 6:50 PM

/ag

C. Danny Dunagan, Jr., Mayor

Denise O. Jordan, City Clerk