

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

NOTE: The items considered during this meeting were rescheduled from the February 17, 2015 Mayor/Council Meeting which was cancelled due to inclement weather.

Mayor Dunagan called the meeting to order at 3:00 PM and served as the presiding officer.

Council Member Sam Couvillon delivered the invocation after which the Pledge of Allegiance was recited in unison.

CONSENT AGENDA:

Resolutions

- A. BR-2015-13 Memorandum of Understanding Between the City of Gainesville, Main Street Gainesville and the Department of Community Affairs
- B. BR-2015-14 Modification of the Corporate Hangar Lease Agreement Template
- C. BR-2015-15 Naming of Facility in Memory of Elbert L. Cabbell
- D. BR-2015-16 Oppose the State of Georgia's Transportation Funding Act of 2015
- E. PR-2015-04 Amendment to 2010, 2011, 2012 and 2013 Community Development Block Grant (CDBG) Annual Action Plans
- F. PR-2015-05 Lakeside Water Treatment Plant Sodium Hypochlorite Tank Replacement
- G. PR-2015-06 Riverside Drive Water Treatment Plant Chemical System Improvements – Detailed Design, Permitting, and Bidding Services Award

Motion to remove item B from the consent agenda.

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

There was some discussion about the process for removing items from the consent agenda and whether the item could be considered during the same meeting.

Votes favoring the motion: Bruner, Wangemann, Couvillon

Votes opposing the motion: Figueras, Hamrick

Motion failed due to the lack of four affirmative votes required by the Charter.

Chief Financial Officer Melody Marlowe provided a brief overview of each consent agenda resolution.

Motion to adopt the consent agenda resolutions as presented.

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

Minutes: January 16, 2015 Mayor/Council Retreat
Minutes: January 20, 2015 Mayor/Council Meeting

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

APPOINTMENTS:

Appointment of the Assistant City Attorney

Motion to appoint John Breakfield to serve as the Assistant City Attorney.

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 No. 2015-02
Amendment to Chapter 6-4 Entitled Alcoholic Beverages**

Motion to hold second reading on Ordinance No. 2015-02, AN ORDINANCE TO DELETE CHAPTER 6-4 ENTITLED ALCOHOLIC BEVERAGES OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA IN ITS ENTIRETY; TO ENACT A NEW CHAPTER 6-4 ENTITLED ALCOHOLIC BEVERAGES; TO REGULATE THE SALE, LICENSING, AND CONSUMPTION OF THE SALE OF ALCOHOLIC BEVERAGES 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 Hamrick

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

Votes opposing the motion: Wangemann

**Second Reading: Ordinance No. 2015-03
Amendment to Title 10 Entitled Schedule of Fees as it Pertains to Alcoholic Beverages**

Motion to hold second reading on Ordinance No. 2015-03, AN ORDINANCE TO AMEND TITLE 10 ENTITLED SCHEDULE OF FEES OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO REPEAL SECTION 10-1-63 ENTITLED "ALCOHOLIC BEVERAGE FEES AND EXCISE TAXES" IN ITS ENTIRETY AND INSERT IN LIEU THEREOF A NEW SECTION 10-1-63 ENTITLED "ALCOHOLIC BEVERAGE FEES AND EXCISE TAXES"; 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 Bruner

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

Second Reading: Ordinance No. 2015-04

Amendment to Chapter 1-7 Entitled Recreation and Parks as it Pertains to Alcoholic Beverages

Motion to hold second reading on Ordinance No. 2015-04, AN ORDINANCE TO AMEND CHAPTER 1-7 ENTITLED RECREATION AND PARKS OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO REPEAL SUBPARAGRAPH FIVE (5) AND SUBPARAGRAPH FOURTEEN (14) OF SECTION 1-7-2 ENTITLED "PROHIBITED ACTS" IN ITS ENTIRETY AND INSERT IN LIEU THEREOF A NEW SUBPARAGRAPH FIVE (5) AND SUBPARAGRAPH FOURTEEN (14) OF SECTION 1-7-2; 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 Figueras

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

Second Reading: Ordinance No. 2015-05

Amendment to Chapter 3-5 Entitled Offenses-Miscellaneous

Motion to hold second reading on Ordinance No. 2015-05, AN ORDINANCE TO AMEND CHAPTER 3-5 ENTITLED OFFENSES-MISCELLANEOUS OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO REPEAL SECTION 3-5-9 ENTITLED "CONSUMPTION OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY" IN ITS ENTIRETY AND INSERT IN LIEU THEREOF A NEW SECTION 3-5-9 ENTITLED "OUTDOOR CONSUMPTION OF ALCOHOLIC BEVERAGES"; 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, Wangemann, Couvillon

REPORT:

Community Development, Planning Division

Action taken by the Gainesville Planning and Appeals Board on February 10, 2015 and new items to be referred to the Planning and Appeals Board.

Community Development Director Rusty Ligon stated there were no items to be referred to the March 3rd Council Meeting and there were two items to refer to the March 10th Planning and Appeals Board meeting consisting of one variance and one special use 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 **February 10, 2015**, 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 **March 10, 2015**.

A. Planning and Appeals Board Actions for 02/10/15:

- 1) **Accepted the withdrawal** of the request from **Medical Arts Properties, LP** to abandon a 0.58± acre (561± linear feet) portion of right-of-way known as Broad Street, intersecting Prior Street and Spring Street, and having a zoning classification of Planned Unit Development (P-U-D) and General Business (G-B).

Ward Number: Three

Request: Abandonment of right-of-way

NOTE: This item was tabled at the October 14, 2014 PAB meeting until the February 10, 2015 PAB meeting.

B. New items to be referred to the Planning and Appeals Board for 03/10/15:

- 1) Request from **BGW Dental Group, Dr. Richard Bennett** to vary the sign illumination requirements to allow an electronic message board sign on a 2.32± acres parcel located on the northeast side of the intersection of Downey Boulevard and Vine Street (a/k/a **1215 and 1221 Vine Street NE**) having a zoning classification of Office and Institutional (O-I).

Ward Number: Three

Tax Parcel Number(s) 01-064-002-002

Request: Electronic message board sign

- 2) Request from **Nilanjan Datta** for a Special Use on a 39.7± acres tract located on the northwest side of the intersection of Atlanta Highway and Chicopee Mill Road (a/k/a **2100 Atlanta Highway SW, Building 3, Suite A**), having a zoning classification of Light Industrial (L-I).

Ward Number: Four

Tax Parcel Number(s): 08-011-000-003 (Part)

Request: Micro-brewery

Motion to accept the report as presented.

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

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

CITY MANAGER ISSUES:

Appropriation Resolution 2015-01

2015 Winter Storm – Tree and Debris Cleanup and Removal

Public Works Director David Dockery stated all roads were passable and indicated the scope of work would be tremendous for the next few weeks. He commented on the proposed resolution to outsource for assistance with debris cleanup which authorized increasing the Public Works Engineering Division budget by \$50,000 (transfer from the General Fund contingency). The resolution also authorized the City Manager to sign the necessary paperwork.

Mayor Dunagan extended appreciation to the department for getting the roads operational again.

Mr. Dockery stated there was still a lot of work to be completed and asked for the community's patience. He thanked the Public Utilities Department assisting with the cleanup effort.

Motion to adopt the resolution AR-2015-01 as presented.

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

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

OTHER BUSINESS:

Arbor Day Event

Council Member Wangemann commented on the Arbor Day Celebration noting the city was presented with a 2014 Tree City USA Award.

Temporary Modification to Debris Removal Ordinances

Public Works Director David Dockery recommended a temporary modification to the curbside debris removal ordinances as it pertains to the amount of curbside vegetation that can be put out by the citizens. The recent storm created a situation where citizens need these services above/beyond what is normally allowed. He recommended removing the limitations through the end of March.

Motion to accept the recommendation of the Public Works Director to temporarily modify the debris removal ordinance by removing the limitation on the volume of curbside debris allowed through the end of March.

Motion made by Council Member Wangemann

Motion seconded by Council Member Figueras

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

Second Saturday Meeting

Council Member Figueras commended staff for their involvement in the Second Saturday Meeting.

ADJOURNMENT: 3:19 PM

DJ/ag

C. Danny Dunagan, Jr., Mayor

Denise O. Jordan, City Clerk