

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

Mayor Dunagan called the meeting to order at 5:30 PM and served as the presiding officer.

Reverend Kathy Lamon, First United Methodist Church, delivered the invocation after which the Pledge of Allegiance was recited in unison.

PUBLIC COMMENTS:

Maria Palacios, 4347 Pier Haven Lane, stated she was a student at University of North Georgia (UNG) and spoke about the elimination of at-large voting. She commented on the research and a public forum debate about at-large voting. She asked Council to consider eliminating at-large voting so districts can be better represented in strategic planning. In closing, Ms. Palacios indicated attendees supporting the elimination of at-large voting were wearing "End At-Large Voting" stickers.

Andy Mai, 1639 Whiting Drive, commented on his parents being Vietnam refugees sponsored by a Gainesville High School teacher. He commented on how at-large voting affects the way school districts are drawn noting he attended a county school twenty minutes away from his home when he lives within five minutes of a city school. He was told the school maps were reflective of the city ward maps. He asked that Council address this issue.

Sheila Nicholas, 3338 Arbor Walk Drive, Hall County Democratic Committee Chairperson, stated she supported eliminating at-large voting. She commented on a 2014 study conducted by the Leadership Conference on Civil and Human Rights entitled "The Persistent Challenge of Voting Discrimination" which documented voting discrimination occurs most often in local elections. The report identified 148 separate instances of racial discrimination in the United States since 2000 (14 instances in Georgia) which violated the voting rights amendment. She shared some details noting that in all cases, the at-large method diluted the voting strength of minorities. She believed the same applied to the current at-large voting in Gainesville and strongly supported the election of Council Members by the residents of each district.

Ricky Holland, 3016 Cedar Glenn Run, Voter Engagement Project Director, felt he could state many reasons why at-large voting was not effective and that district voting would be more helpful for each elected official. He stated he had previously been an elected official in South Carolina and understands how to change the form of government and commented on the recent change to an elected Mayor. He asked the governing body to consider a change to the at-large voting system noting it would benefit the entire City of Gainesville.

Pablo Picasso Garcia, 914 Sunset Boulevard, stated he was against at-large voting. He commented on running for the Ward 1 Council Member seat in 2013. He also commented on discussions about eliminating at-large voting indicating today was a plea for change. With all that's been said, he felt it was ultimately up to the elected officials to decide and make the change. The current process was holding the city back. He asked that Council remember why they took their position which was to leave the community better than they found it. What better way to do that than to eliminate at-large voting.

Jeffrey Williams, 1011 Summit Street, asked Council to eliminate at-large voting. He stated this voting process was an opportunity to get around the 1965 Voters Right Act. The majority

could elect whomever they wanted without the minority having a voice. He felt the Civic Center votes could veto the minority vote even with 100% voter participation. This was unconstitutional and undemocratic. He believed each representative should represent the district in which they live.

Debra Pilgrim, 4922 Glencove Point, stated she is the Hall County GOP Chairman and a city property owner. She saw merit on both sides of the issue. She feared the proposal for eliminating at-large voting was not for the purest reasons. It was almost a way of segregation. History has shown separate but equal does not work and is not for the higher good of the people. She expressed a need to be cognizant in making sure the intent of this change was for the higher good of the people. She looked forward to hearing more from both sides of this issue and extended an invitation to attend GOP meetings.

Bill Johnson, 4839 Red Oak Drive, Hall County Republican Party Executive Committee, felt district voting would divide the city into smaller segments and, for this reason, he opposed district voting. He was a strong proponent for the current system which reminds the elected officials that they represent the city as a whole.

Mechee Johnson, 1137 Desota Street, stated she favored the elimination of at-large voting. She felt district voting would be more beneficial to the community because the person representing them would be more aware and familiar with the concerns and issues of the area.

Christopher Hendrix, 422 Glenn Street, Director of Be Tough with the Newtown Florist Club, stated he recently attended a meeting about at-large voting and felt it was not right because the smaller person was not being heard. He felt everyone should be heard and have a voice.

Paul Glaze, Oakwood resident, stated he attended the University of North Georgia (UNG) and Brenau University. He offered what he believed to be a helpful rebuttal to some ideas that had been presented. The idea that eliminating at-large voting will create separate but equal institutions was preposterous. He commented on why democracy was established. He felt there was a conflict of interest when voters outside the district have a say about another district's representative. He asked how many times do voting rights act violations need to cite at-large voting before admitting it has been used in a dangerous way. Talk of further division and going back to the intentions of the constitution was unhelpful. Mr. Glaze hoped this would not be given credence.

James Brooks, 728 Summit Street, stated he had listened to all the previous comments. For him, he always felt it was better to have your own. In his opinion, the current system dilutes the power of his representative to represent him.

Mayor Dunagan read the following prepared statement:

This Council has always listened to its citizens' concerns and we appreciate your attendance and comments tonight. We believe in the at-large process for electing each Council Member. This process has served the citizens and the City of Gainesville well. We believe it provides the best opportunity for all residents to be represented. In saying that, this Council wants to do what is best for our community.

Over recent months Council has communicated with citizens regarding this matter, including some of you here tonight. Mr. Gonzalez and I have communicated on several occasions regarding this matter. Most recently, Mr. Gonzalez stated that he would notify the City Council upon reaching the needed threshold of Latino voters in a voting

ward. Once this notification is received by Council, we will be thoughtful in our direction considering both sides of this issue.

Until this time, we continue to encourage all citizens to become involved in your government, including participation in local boards and committees. We believe this will result in a better understanding of how our government operates.

Again, thank you for your comments and participation tonight.

Council Member Figueras polled the attendees to determine the number of county and city residents in attendance. She also asked county residents if they had seen their county district representative in their area.

CONSENT AGENDA:

Minutes: June 11, 2015 Called Mayor/Council Meeting

Minutes: June 11, 2015 Work Session

Minutes: June 16, 2015 Mayor/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:

Second Reading: Ordinance No. 2015-20

Amend Chapter 6-4 Entitled Alcoholic Beverages

Motion to hold second reading on Ordinance 2015-20, AN ORDINANCE TO AMEND CHAPTER 6-4 ENTITLED ALCOHOLIC BEVERAGES OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND THE DEFINITION OF A BREWPUB ; TO AMEND SECTION 6-4-20(a) TO DELETE THE WORDS DIRECTLY OR INDIRECTLY; TO AMEND SECTION 6-4-21 TO ALLOW FACILITY TOURS OF A BREWERY IN ACCORDANCE WITH O.C.G.A. 3-5-38; TO AMEND SECTION 6-4-60 TO DEFINE DISTANCE REQUIREMENTS OF GROCERY STORES FROM SCHOOLS; TO AMEND 6-4-87 TO ADD AN EXCEPTION TO OUTSIDE CONSUMPTION; TO AMEND 6-4-91 TO PROVIDE FOR OPERATION OF A BREWPUB; 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

**Second Reading: Ordinance No. 2015-21
Amend Chapter 6-13 Entitled Sidewalk Café**

Motion to hold second reading on Ordinance 2015-21, AN ORDINANCE TO AMEND CHAPTER 6-13 ENTITLED SIDEWALK CAFES OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND SECTION 6-13-1 THE DEFINITION OF A SIDEWALK CAFÉ; TO DELETE THE WORD “RESTAURANT” AND INSERT IN LIEU THEREOF THE WORD “BUSINESS” IN SECTIONS 6-13-2.(c)(2); 6-13-3(b); 6-13-4; 6-13-4,(a)(b) and (e).

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

RESOLUTIONS:

AR-2015-15 Reappropriation of FY15 Golf Course Funds for Capital Outlay

Director of Golf Rodger Hogan commented on the importance of having fans installed on the greens. He requested the reappropriation of funds from FY2015 to the FY2016 budget for the purchase and installation of the fans. This was an in-house project to be conducted in the winter.

Upon inquiry from Council Member Bruner, Mr. Hogan confirmed several weeks of hot weather could result in loss. He indicated handling this project in-house would save funding.

Motion to adopt the resolution AR-2015-15 as presented.

Motion made by Council Member Figueras
Motion seconded by Council Member Hamrick

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

BR-2015-36 Acceptance of the Oaks on Riverside Streets

Senior Civil Engineer Stan Aiken presented a resolution to accept Oak Tree Hollow and Oak Bend Court into the City's maintenance program. The streets were inspected to determine they were constructed with the approved plan and in accordance with the unified development code. As such, the developer has requested the city take responsibility for the streets.

Upon inquiry from Council Member Hamrick, Mr. Aiken confirmed this included the sidewalks.

Motion to adopt the resolution BR-2015-36 as presented.

Motion made by Council Member Bruner
Motion seconded by Council Member Hamrick

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

BR-2015-37 General Banking

Interim City Manager Melody Marlowe stated it was necessary to adopt a new resolution due to management changes. The proposed resolution authorized the appropriate individuals to transact banking business on behalf of the City.

Motion to adopt the resolution BR-2015-37 as presented.

Motion made by Council Member Hamrick
Motion seconded by Council Member Figueras

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

PR-2015-14 Accept FY16 Legacy Link Grant Contract

Community Service Center Director Phillippa Lewis Moss stated she was seeking authorization to accept the FY16 Legacy Link contract (aka Area Agency on Aging). The contract has been received in excess of 20 years and would provide funding for the Senior Life Center, Meals on Wheels, and the Public Transit System as it pertains to persons with disabilities and aging persons.

Motion to adopt the resolution PR-2015-14 as presented.

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

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

CITY ATTORNEY ISSUES:

Announcement Not to Seek Reappointment

City Attorney Palmour read the following statement announcing he would not seek reappointment as City Attorney.

Over my professional tenure, I have dedicated myself to serving the public in private practice of law, as a Superior Court Judge, and the Gainesville City Attorney. During that time I have watched Gainesville grow from a small town to the center of commerce it is today. During this time, I have always attempted to put the City of Gainesville and its needs first.

As a city, we are always at risk of litigation by the nature of the services we provide. Although we have had our share of litigation, I am most proud of the part I have played in making that the exception rather than the norm. I have endeavored to give the Mayor, the City Council, and the citizens of Gainesville all the best legal advice possible to keep the city on solid legal footing, and I believe we have been most successful.

You and all previous Mayors and Council Members have been a pleasure to work with and it has been an honor to work alongside each of you as Gainesville has grown.

I have decided at this point in my life that it is time for me to focus all of my attention on my private law practice. I will not seek reappointment for City Attorney for 2016 so that I can focus 100% of my time and effort to my private law practice.

Thank you.

Mayor and Council extended words of appreciation for his service.

OTHER BUSINESS:

Invitation to Council Meeting

Council Member Wangemann recognized one individual in attendance as a result of his personal invitation. He reported delivery of 110 invitations this week.

Second Saturday Meeting

Council Member Figueras announced an upcoming Second Saturday meeting on Saturday, July 11th at 9:30 AM at the Fair Street Neighborhood Center and commented on the agenda topics.

EXECUTIVE SESSION:

Mayor Dunagan requested an Executive Session to discuss personnel and real estate matters.

City Attorney Palmour requested an Executive Session to discuss litigation matters.

Motion to close the meeting to enter an Executive Session to discuss personnel, real estate and litigation matters at 6:16 PM.

Motion made by Council Member Bruner

Motion seconded by Council Member Figueras

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

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

STAFF PRESENT: Marlowe, Sheppard, Palmour, Jordan

The following individuals attended a portion of the Executive Session: Janeann Allison and Bill Lewis.

Motion to close the Executive Session and to adjourn the meeting at 6:46 PM.

Motion made by Council Member Wangemann

Motion seconded by Council Member Figueras

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

ADJOURNMENT: 6:46 PM

/ag

C. Danny Dunagan, Jr., Mayor

Denise O. Jordan, City Clerk