

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 Evelyn Johnson, Bethel AME Church, remembered Edna Stephens, a Gainesville resident whose life tragically ended during the September 11<sup>th</sup> attack in Washington, DC. She thanked Memorial Park Funeral Home for the monument erected in remembrance of Mrs. Stephens. Then, Reverend Johnson delivered the invocation after which the Pledge of Allegiance was recited in unison.

**PRESENTATION:**

**Attendance Awareness Month Proclamation**

Mayor Dunagan read a proclamation declaring September 2015 to be *Attendance Awareness Month*. The proclamation was presented to Wanda Creel, Gainesville City School Superintendent. Ms. Creel introduced her team of Social Workers (Jarod Anderson, Ursula Harris and Shannon Lewis) who work diligently to assure students are at school. She extended words of appreciation to the Council for their collaborative efforts.

**PUBLIC COMMENTS:**

**Jerry Gonzalez**, Executive Director of Georgia Association of Latino Elected Officials (GALEO), stated today marked the start of Hispanic Heritage month in recognition of the great pride, history and culture that Hispanics contribute to the community. He hoped September 15<sup>th</sup> would be embraced in the future as the kickoff date of a month long celebration.

Mr. Gonzalez provided the following demographic statistics of the City's population noting the information was received from the *American Community Survey 2009 -2013*:

<b>Latino</b>	<b>White</b>	<b>Black</b>	<b>Other</b>
42%	38%	16%	5%

He stated this level of diversity was not reflected within city government and shared the following statistics:

	<b>White</b>	<b>Black</b>	<b>Hispanic</b>	<b>Asian</b>
Fire Department	93%	5%	2%	0%
Police Department	79%	11%	9%	2%
All Other City Capacities	87%	8%	4%	1%

Council Member Couvillon asked if there was knowledge of the Hispanic population being denied the opportunity for a job.

Mr. Gonzalez stated he was simply presenting the numbers and was not implying anything other than he felt the city could do a better job of soliciting.

Mr. Couvillon requested for the Fire and Police Chief to provide the Council with a report of their recruiting efforts.

**Diana Vela, 2718 Summer Creek Drive**, a University of North Georgia (UNG) student, stated she was against at-large voting and strongly supported the belief that it affects the Latino/Mexican-American community. It hurt her to see how much her community needs help. She commented on the absence of the normal amenities i.e., decent streets, playgrounds, parks, sidewalks, etc. in her community. She felt this was due to at-large voting which produced unequal representation. She requested the elimination of at-large voting and shared a scary experience that occurred one night along a dark area of Atlanta Highway.

Council Member Bruner asked Ms. Vela to provide staff with her information so that the problem could be researched.

**Margaret Dowdy, Cumberland Valley Road**, commented on the easement to relieve congestion on Green Street. She asked Council to take time to review this before moving forward. She didn't feel the residents on her street realized the status of the project and was concerned about the affect it would have on property values. Ms. Dowdy commented on the consent agenda item regarding the infrastructure improvement grant and asked for a chance to discuss it before moving forward. She requested an opportunity for the residents to speak on this issue.

Mayor Dunagan stated this project was in the preliminary stages and the consent agenda item was to apply for a grant to study the roads. He assured Ms. Dowdy information would be provided and public hearings would be held when closer to the planning process.

Public Works Director David Dockery introduced Richard Fangmann, Pond and Company, the firm responsible for developing the 2013 Gainesville Transportation Plan. Mr. Dockery stated the purpose of the project was to improve east to west connectivity. At this point in time, the department was applying for grant funding. The last time they went through this process had an 18 month window from submission to notification of the award.

**Debbie Reeves, Cumberland Valley Road**, asked if the grant money would be earmarked for this specific project. Mayor Dunagan confirmed the grant funding would be used for the study and design. She also expressed concern with the project impacting Enota School.

**Indira Islas, 815 Harrison Square**, stated she represented the Latino community and felt at-large voting was unfair because it takes away the rights of minorities which was an injustice. She commented on an incident while engaging in volunteer work that involved a dog being hit by a speeding car. She felt the elimination of at-large voting would allow speed bumps to be installed and prevent future incidents.

**Alejandro Ramirez, GALEO representative**, stated the Catalina Homeowners Association President had requested speed bumps and reduced speed limits for the subdivision. Two children had been injured by speeding cars. He also expressed concerns regarding poor lighting. To date, the pleas for changes have been unanswered.

**Roger Escalante, 983 Nix Court**, spoke with the assistance of Mr. Ramirez as his translator. He distributed a handout consisting of photographs of the streets in his subdivision. Mr. Ramirez began by stating he was against the at-large voting system which made him a second class citizen. He commented on the concerns with lighting as well as other issues, i.e., potholes, no sidewalks and grass/bush/tree maintenance. Since purchasing his house in 2004, no one

had checked the condition of the street. As a tax payer, he was upset and asked Council to eliminate at-large voting.

**CONSENT AGENDA:**

**Resolutions**

- A. AR-2015-17 Funding for Vehicle Purchase for Communications and Tourism
- B. BR-2015-48 Clothing Donation
- C. BR-2015-49 Sanitary Sewer Service at White Sulphur Road and State Route 365
- D. CR-2015-03 Closing of Streets and Downtown Square for 2015 Mule Camp Market
- E. PR-2015-26 Approve FY16 Coordinated Transportation Contract
- F. PR-2015-27 Authorization to Apply for Georgia Transportation Infrastructure Improvement Grant
- G. PR-2015-28 FY16-17 Bureau of Justice Assistance Bulletproof Vest Partnership Grant Acceptance

Interim City Manager Melody Marlowe briefly summarized 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**

**Minutes: August 27, 2015 Work Session**

**Minutes: September 1, 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**

**RESOLUTIONS:**

**Business Resolution 2015-50 Authorization to Enter Into a Real Estate Sales Contract**

Mayor Dunagan stated the proposed resolution was for the sale of four tracts of property adjacent to the Chattahoochee Golf Course. Bids were solicited. Approval of the resolution authorized the city to enter into a real estate contract with the Norton Agency. Proceeds from the sale would go into the General Fund.

**Motion to adopt the resolution BR-2015-50 as presented.**

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

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

**ANNEXATION/ZONING:**

**Second Reading: Ordinance 2015-28  
Rezone 0.28± Acres at 1230 Myrtle Street SW**

**Motion to hold second reading on Ordinance 2015-28**, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 0.28± ACRE TRACT LOCATED ON THE NORTH SIDE OF MYRTLE STREET, NORTHEAST OF ITS INTERSECTION WITH AIRPORT DRIVE AND RALSTON STREET (A/K/A 1230 MYRTLE STREET SW) FROM GENERAL BUSINESS (G-B) TO RESIDENTIAL-II, WITH CONDITIONS (R-II-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

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

**Second Reading: Ordinance 2015-29  
Amend ULDC Chapter 9-2-2 Entitled Definitions of “Consumer Fireworks,” “Consumer Fireworks Retail Sales Facility,” and “Fireworks”**

**Motion to hold second reading on Ordinance 2015-29**, AN ORDINANCE TO AMEND TITLE 9 ENTITLED “UNIFIED LAND DEVELOPMENT CODE” OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO AMEND CHAPTER 9-2-2, ENTITLED “GENERAL DEFINITIONS” TO PROVIDE FOR DEFINITIONS OF “CONSUMER FIREWORKS,” “CONSUMER FIREWORKS RETAIL SALES FACILITY,” AND “FIREWORKS;” TO AMEND TABLE 9-6-1 ENTITLED “PERMITTED AND SPECIAL USES FOR NONRESIDENTIAL ZONING DISTRICTS,” TO SPECIFY CONSUMER FIREWORKS RETAIL SALES FACILITY AS A PERMITTED USE IN CERTAIN NONRESIDENTIAL ZONING DISTRICTS; 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 Wangemann

Motion seconded by Council Member Figueras

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

**PUBLIC HEARING:**

**Public Hearing advertised for 6:00 PM regarding Proposed Property Tax Increase**

Interim City Manager Melody Marlowe presented the information noting the certified digest and reassessment report was received from the Hall County Tax Commissioner and Hall County Tax Assessor’s Office. As required by Georgia law, the calculations to rollback millage rates had been computed. A millage rate rollback for the General Government entity resulted in no tax increase for the general fund. However, due to the special tax established for the recreation systems in 1924 (no less than 0.75 mills), the rollback rate for Parks and Recreation entity produced a tax increase. In addition, an increase in the millage rate for the Debt Service entity was necessary to provide funding to retire outstanding debt and support large capital

purchases. It was the recommendation of staff to rollback the 2015 millage rate from 3.02 mills to 2.98 mills for the City. The breakdown by entity was as follows:

General Government	1.63 Mills
Parks and Recreation	0.75 Mills
Debt Service	<u>0.60</u> Mills
TOTAL	2.98 Mills

**Public Comments Regarding Proposed Property Tax Increase**

Mayor Dunagan reviewed the public hearing process after which he opened the floor for comments. There being none, the hearing was closed and the matter was returned to Council for a decision on the proposed ordinances.

**Proposed Ordinance**  
**FY2016 Ad Valorem Tax Rate - City of Gainesville**

**Motion to hold first reading on Ordinance 2015-30**, AN ORDINANCE BY THE GOVERNING AUTHORITY OF THE CITY OF GAINESVILLE, GEORGIA, TO FIX THE AD VALOREM TAX RATE FOR THE CITY OF GAINESVILLE, GEORGIA EXCLUSIVE OF ACTIVITIES OF THE GAINESVILLE BOARD OF EDUCATION.

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

**DISCUSSION:**

Council Member Hamrick stated the city must accept the county's evaluation. It was his understanding that there was no increase in the evaluation which would actually be a reduction in the tax rate.

Council Member Figueras restated the rollback was from 3.02 mills to 2.98 mills noting this was really a tax rollback and not an actual tax increase. Compliance with the 1924 law made this appear to be a tax increase.

Council Member Wangemann saw this as being a tax increase which was the purpose for holding the public hearing. He commented on the School Board's significant reduction in their millage rate and felt the city should be in line with them. He stated the tax increase was due to large capital purchases with the biggest one being the jail (\$7.2 million). He voted against the purchase of the jail and would vote against the tax increase.

**Votes favoring the motion: Dunagan, Hamrick, Figueras, Bruner**

**Votes opposing the motion: Wangemann, Couvillon**

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

**Proposed Ordinance**  
**FY2016 Ad Valorem Tax Rate - Board of Education**

**Motion to hold first reading on Ordinance 2015-31**, AN ORDINANCE OF THE GOVERNING AUTHORITY OF THE CITY OF GAINESVILLE, GEORGIA, TO FIX THE AD VALOREM TAX RATE FOR THE GAINESVILLE BOARD OF EDUCATION FOR THE FISCAL YEAR 2016; AND OTHER PURPOSES.

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

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

Mayor Dunagan agreed it was a tax increase. However, it was necessary to keep the city safe financial stable.

**ADJOURNMENT: 6:15 PM**

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C. Danny Dunagan, Jr., Mayor

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Denise O. Jordan, City Clerk