

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.

Pastor Jose Solorio, Laborers of Christ Church, delivered the invocation after which the Pledge of Allegiance was recited in unison.

PUBLIC COMMENTS:

Glenda Pierce, Gainesville resident, shared some concerns she had regarding the Alta Vista Cemetery. She commented on flowers being stolen from the graves noting several others have the same complaint. There was an issue with the front gates not closing and she felt repairs were necessary. She also commented on the grounds not being kept as well as in the past. Mrs. Pierce shared ideas from other cities for addressing these problems.

CONSENT AGENDA:

Resolutions

- A. BR-2015-51 Authorize Intergovernmental Agreement with Hall County to Collect Library Impact Fees for County
- B. BR-2015-52 Intergovernmental Agreement with Hall County for Purchase and Installation of Bandalong Litter Trap
- C. PR-2015-29 Accept FY15 GEMA Georgia Search and Rescue (GSAR) Grant
- D. PR-2015-30 FY2016 Water Main Extensions and Improvements - Design and Bidding Services
- E. PR-2015-31 FY2016 Water Service Connections

Interim City Manager Melody Marlowe reviewed each item.

Motion to adopt the resolutions as presented.

Motion made by Council Member Hamrick

Motion seconded by Council Member Figueras

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

APPOINTMENTS:

City Attorney

Motion to appoint Hulseley, Oliver & Mahar, LLP to serve as the City Attorney effective January 1, 2016.

Motion made by Council Member Bruner

Motion seconded by Council Member Figueras

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

City Attorney Palmour read the following statement:

I would like to thank all of the current and all previous Mayors and Council Members who have supported and trusted me to serve as the Gainesville City Attorney.

Mr. Hayes is an excellent choice to serve as my successor and I will use my 30 years of experience as Gainesville's City Attorney to support him in his transition.

Although I will no longer be serving as City Attorney after December, I will be focusing 100% of my efforts on my private law practice.

Council extended words of appreciation to Mr. Palmour.

PUBLIC HEARING(S):

Public Hearing Regarding Proposed Property Tax Increase

Interim City Manager presented the information indicating the City received the certified digest and reassessment report from Hall County. The rollback millage rate was calculated as required by law. As a result of the calculations, staff recommends a rollback of 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 opened the floor for comments.

Renee Gerrell, 493 Piedmont Court, stated she was frustrated that the City School System was able to do a full rollback but the City was unable to the same. She felt the law for Parks and Recreation was almost 100 years old and could be reevaluated. She was further frustrated about having to pay more for debt service on items purchased without public input and specifically mentioned the jail. Ms. Gerrell felt there were other ways to generate revenue other than a tax increase. She hoped in the future the City would be more restrictive in the spending.

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

Second Reading: Ordinance No. 2015-30
FY2016 Ad Valorem Tax Rate - City of Gainesville

Motion to hold second 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 FOR THE FISCAL YEAR 2016; AND OTHER PURPOSES.

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

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.

**Second Reading: Ordinance No. 2015-31
FY2016 Ad Valorem Tax Rate - Board of Education**

Motion to hold second 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

Annexation/Zoning Public Hearing Items

Mayor Dunagan reviewed the public hearing process.

Request from Jordan and Jordan to annex a 0.89± acre tract located on the west side of Goetz Circle at its terminus (a/k/a 2860 Goetz Circle) and to establish zoning as Residential-I (R-I). Ward Number: Two. Tax Parcel Number(s): 09-110-000-008 (Part). Request: Access for a single-family subdivision.

Planning Manager Matt Tate reviewed the application request. The Planning and Appeals Board recommended approval with the following five conditions:

1. The proposed subdivision shall be limited to a maximum of 16 single-family lots.
2. The proposed development shall meet or exceed the Infill Residential Development standards as required by the Unified Land Development Code and each home shall be a minimum of 1,800 square feet of heated floor space.
3. The proposed separate community boat storage shall be permitted within the easement area of the subject property, pending approval of Georgia Power, and must be screened by landscaping to the satisfaction of the Community Development Department Director.
4. The owner/developer shall disclose the existence of industrial activities on adjacent and nearby properties as part of the purchase/sale agreement with potential buyers. Said disclosure shall state: "Owners, occupants, and users of property shown are hereby informed of the impacts associated with industrial practices which may take place on adjacent and nearby property including, but not limited to noise, odors, dust, traffic and the operation of machinery. Therefore, owners, occupants and users of the property should be prepared to expect the effects of such practices."
5. All conditions of zoning shall be made a part of any final plat created for the subdivision.

Mayor Dunagan opened the floor for comments.

FAVOR:

Eddie Hughes, 3209 Dunlap Drive, stated the sole purpose of the request was to give a smoother and less environmentally impactful access to the previously approved 16 lot subdivision. He was available to answer any questions.

Motion to hold first reading on Ordinance 2015-32, AN ORDINANCE ANNEXING A 0.89± ACRE TRACT LOCATED ON THE WEST SIDE OF GOETZ CIRCLE AT ITS TERMINUS (A/K/A 2860 GOETZ CIRCLE); ADJACENT TO BUT NOT NOW WITHIN THE CORPORATE LIMITS OF THE CITY OF GAINESVILLE, GEORGIA; REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (Amendment to City Limit Boundary)

Motion made by Council Member Hamrick

Motion seconded by Council Member Figueras

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

Motion to hold first reading on Ordinance 2015-33, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A 0.89± ACRE TRACT LOCATED ON THE WEST SIDE OF GOETZ CIRCLE AT ITS TERMINUS (A/K/A 2860 GOETZ CIRCLE) AT THE TIME OF ANNEXATION AS RESIDENTIAL-I, WITH CONDITIONS (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 Figueras

Motion seconded by Council Member Bruner

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

Request from the Caddis Acquisition Partners, LLC to amend the existing Planned Unit Development (P-U-D) zoning on a 9.5± acres tract located on the west side of White Sulphur Road, north of its intersection with Jesse Jewell Parkway (a/k/a 0 Limestone Parkway NE). Ward Number: Two. Tax Parcel Number(s): 09-123-000-019 (Part). Request: Senior assisted living facility.

Planning Manager Matt Tate stated the applicant withdrew the application prior to the Planning and Appeals Board meeting.

Motion to accept the applicant's request to withdraw the application request.

Motion made by Council Member Figueras

Motion seconded by Council Member Wangemann

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

Request from Hands on Healing, Inc. for a Special Use on a 0.22± acre tract located on the west side of Green Street, south of its intersection with Forrest Avenue (a/k/a 431 Green Street NW), having a zoning classification of Residential and Office (R-O). Ward Number: Four. Tax Parcel Number(s): 01-024-004-032. Request: Therapeutic massage and exercise therapy office.

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

The existing monument sign shall not be replaced or structurally modified except for the sign face area depicting the name of the business.

Mayor Dunagan opened the floor for comments.

FAVOR:

Rick Bates, 3564 Ridge Drive, stated he and his wife have had the business for approximately five years and were looking to relocate for better visibility and better access for their clients. He was available for questions.

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

Motion to adopt the resolution ZR-2015-02 as presented.

Motion made by Council Member Bruner

Motion seconded by Council Member Hamrick

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

CITY CLERK ISSUES:

2015 Municipal Election Update

City Clerk Denise Jordan announced the November 3rd Election was recently advertised in *The Times*. Early voting would begin on October 12th at the Hall County Election Office.

OTHER ISSUES:

Second Saturday Meeting

Council Member Figueras announced the Second Saturday meeting on October 10th at 9:30 AM at the Fair Street Neighborhood Center indicating it would be another opportunity to meet the candidates for the upcoming Municipal election.

EXECUTIVE SESSION:

Interim City Manager Melody Marlowe requested an Executive Session to discuss real estate matters.

Mayor Dunagan requested an Executive Session to discuss personnel matters.

Motion to close the meeting to enter an Executive Session to discuss real estate and personnel matters at 5:54 PM.

Motion made by Council Member Wangemann

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

Assistant City Manager Sheppard and City Attorney Palmour attended part of the executive session.

Motion to close the Executive Session and to close the meeting at 6:42 PM.

Motion made by Council Member Couvillon

Motion seconded by Council Member Wangemann

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

ADJOURNMENT: 6:42 PM

/ag

C. Danny Dunagan, Jr., Mayor

Denise O. Jordan, City Clerk