

OFFICIALS PRESENT: Danny Dunagan, Ruth Bruner, George Wangemann, Sam Couvillon, Zack Thompson, Barbara Brooks
STAFF PRESENT: Bryan Lackey, Angela Sheppard, Abb Hayes, Denise Jordan, Alisa Grayson

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

Cesar Cardenas, Tabernacle Oakwood, delivered the invocation after which the Pledge of Allegiance was recited in unison.

RECOGNITION:

Clerk of the Year Award

Mayor Dunagan recognized City Clerk Denise Jordan for receiving the *Clerk of the Year Award* at the Georgia Municipal Association's Annual Convention. Council, City Manager Lackey and Assistant City Manager Sheppard congratulated Mrs. Jordan on this prestigious award and extended words of appreciation.

COUNCIL ANNOUNCEMENTS:

Council Member Wangemann

1. Recognized citizens attending as a result of his personal invitation.
2. Reported a citizen's request for a traffic light at Browns Bridge Road and Florence Drive.
3. Reported he was close to knocking on 13,000 doors as a result of his door knocking efforts over the past 6 or 7 years.
4. Commented on community cleanup efforts indicating information was available on the Keep Hall Beautiful Facebook page.

Council Member Thompson

Thanked Minister Cardenas and his congregation for attending and sharing in tonight's meeting.

CONSENT AGENDA:

Resolutions

- A. PR-2016-29 FY2016 Street Resurfacing Project - Award of Contract
- B. PR-2016-30 Riverside Drive Water Treatment Plant Chemical System Improvements – Award of Construction Contract
- C. PR-2016-31 Water Meter Maintenance and Automated Meter Reading Program (AMRP)

City Manager Bryan Lackey provided a brief overview of each resolution item.

Motion to adopt the resolutions as presented.

Motion made by Council Member Wangemann
Motion seconded by Council Member Bruner

Votes favoring the motion: Bruner, Wangemann, Couvillon, Thompson, Brooks

APPOINTMENTS:

Ethics Committee - Position held by Nathaniel Burton

Motion to appoint Linda Hutchens to serve a four-year term on the Ethics Committee.

Motion made by Council Member Brooks

Motion seconded by Council Member Wangemann

Votes favoring the motion: Bruner, Wangemann, Couvillon, Thompson, Brooks

GENERAL LEGISLATION:

Second Reading: Ordinance No. 2016-13

Amend Chapter 3-5 entitled Offenses-Miscellaneous as it Pertains to Disorderly Conduct

Motion to hold second reading on Ordinance 2016-13, AN ORDINANCE TO AMEND CHAPTER 3-5 ENTITLED "OFFENSES-MISCELLANEOUS" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE; TO AMEND SECTION 3-5-4 BY ELIMINATING IT IN ITS ENTIRETY AND SUBSTITUTING IN ITS PLACE THE LANGUAGE SET FORTH BELOW; 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 Wangemann

Votes favoring the motion: Bruner, Wangemann, Couvillon, Thompson, Brooks

Second Reading: Ordinance No. 2016-14

Amend Chapter 3-5 entitled Offenses-Miscellaneous as it Pertains to Loitering

Motion to hold second reading on Ordinance 2016-14, AN ORDINANCE TO AMEND CHAPTER 3-5 ENTITLED "OFFENSES-MISCELLANEOUS" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE; TO AMEND SECTION 3-5-13 BY ELIMINATING IT IN ITS ENTIRETY AND SUBSTITUTING IN ITS PLACE THE LANGUAGE SET FORTH BELOW; 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 Brooks

Motion seconded by Council Member Thompson

Votes favoring the motion: Bruner, Wangemann, Couvillon, Thompson, Brooks

PUBLIC HEARING(S):

Annexation/Zoning Items

Request from David Pierce Family, LP to annex a 0.68± acre tract located on the north side of West Side Drive, east of its intersection with West Carter Street (a/k/a 0 and 1510 West Side Drive), and to establish zoning as Residential-II (R-II). Ward Number: Five. Tax Parcel Number(s): 00-126-011-008 and 009. Request: Sewer for two existing single-family homes.

City Attorney Hayes called for the public hearing, confirmed the proper advertisement had occurred and outlined the public hearing process.

Senior Planner Jason Justice reviewed the application and related details. The Planning and Appeals Board recommended approval with the following conditions:

1. The exterior appearance of the subject properties shall be improved by the removal of all indoor furniture and appliances displayed outdoors, metal siding material used for screening, and debris.
2. There shall be no yard parking for any motor vehicles within the subject properties. All vehicles shall be parked on a hard surface which may include concrete, asphalt or an approved pervious surface material. All other areas shall be stabilized with new vegetation which may include the addition of grass, shrubs, mulch and other landscape materials acceptable to the Community Development Department Director.
3. The preceding zoning conditions shall be required to be addressed by the property owner within 60 days of the effective date of the annexation.

Upon inquiry from the City Attorney, Mr. Justice stated the Planning staff recommended 120 days in the third condition. The Planning and Appeals Board changed it to 60 days.

Attorney Hayes opened the floor for comments.

FAVOR:

Property owner David Pierce, 3331 Chestatee Road, requested that the third condition be changed back to 120 days to allow time for cleanup and improvements. He commented on the issues to be addressed and indicated the additional time was needed.

There being no other comments, the hearing was closed and the matter was returned to the governing body for consideration.

Motion to hold first reading on Ordinance 2016-15, AN ORDINANCE ANNEXING A 0.68± ACRE TRACT LOCATED ON THE NORTH SIDE OF WEST SIDE DRIVE, EAST OF ITS INTERSECTION WITH WEST CARTER STREET (A/K/A 0 AND 1510 WEST SIDE DRIVE); 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; and first reading on Ordinance 2016-16 with conditions as recommended by staff, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A 0.68± ACRE TRACT LOCATED ON THE NORTH SIDE OF WEST SIDE DRIVE, EAST OF ITS INTERSECTION WITH WEST CARTER STREET (A/K/A 0 AND 1510 WEST SIDE DRIVE)

AT THE TIME OF ANNEXATION AS RESIDENTIAL-II, WITH CONDITIONS (R-II-c); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion made by Council Member Couvillon

Motion seconded by Council Member Wangemann

Votes favoring the motion: Bruner, Wangemann, Couvillon, Thompson, Brooks

NOTE: The governing body approved the request with conditions 1 and 2 remaining as stated above and with condition 3 changing as follows: "The preceding zoning conditions shall be required to be addressed by the property owner within *120 days* of the effective date of the annexation."

Request from Oak Hall Companies, LLC to annex a 26.2± acres tract located east of Dawsonville Highway and on the north side of the intersection of Strickland Drive and Sportsman Club Road, with road frontage on Karen Lane (a/k/a 0 and 2209 Karen Lane; 2106, 2234 and 2242 Sportsman Club Road; and 2049 Strickland Drive) and to establish zoning as Planned Unit Development (P-U-D). Ward Number: One. Tax Parcel Number(s): 00-109-003-001, 004, 005; 00-109B-000-001, 002A and 036. Request: Active adult community.

City Attorney Hayes stated no public hearing was needed for this item. The applicant withdrew the application on June 1, 2016 prior to the Planning and Appeals Board Meeting. It was noted the applicant was barred from reapplying for a period of six months from date of withdrawal.

Request from Spring Road Group, LLC to annex a 10.06± acres tract located on the northeast side of Spring Road, east of its intersection with McEver Road and having road frontage at the terminus of Pine Circle Drive (a/k/a 2360, 2370, 2374, 2376, 2380, 2400 and 2410 Spring Road), and to establish zoning as Residential-II (R-II). Ward Number: Five. Tax Parcel Number(s): 08-005-000-041, 042 and 045. Request: Active adult community.

City Attorney Hayes called for the public hearing and confirmed the proper advertisement had occurred.

Senior Planner Jason Justice provided a brief overview of the application request. The Planning and Appeals Board and Planning staff recommended approval with the following conditions:

1. The development standards within the narrative, site plan and architectural renderings submitted with the applicant's annexation application shall be made part of the zoning ordinance, and shall be subject to the Community Development Director approval.
2. The approved use for the property shall be limited to an active adult community for seniors not to exceed 110 units as stated within the applicant's narrative. The residential units may include detached single-family homes, townhomes, condominiums, duplex and multi-family apartments.
3. All exterior walls of all buildings shall be constructed of a combination of stucco or fiber cement siding and a minimum of 50% brick and/or stone. No vinyl siding shall be allowed excluding soffit areas.

4. The front and rear of all buildings shall present an architectural front elevation finish as presented within the photographs and architectural rendering provided with the zoning application.
5. The owner / developer of the property shall provide a minimum 25-foot wide evergreen vegetated buffer along the property lines adjacent to the single-family properties. Additional evergreen buffer trees shall be planted within the perimeter buffer area where needed. The intent of the buffer is to supplement the existing vegetation with buffer trees to provide for an effective buffer. The spacing, size and type of trees planted shall be subject to Community Development Department Director approval.
6. Access points, interior roadways, sidewalks, decorative streetlights, storm sewers, and garbage pick-up for the development shall be provided and maintained by the property owner/developer.
7. Access point and design of Spring Road and Pine Circle Drive shall be reviewed and approved by the Gainesville Public Works Department and Hall County Public Works Department. All road improvements associated with access to the subject property and found to be within the scope of the proposed development shall be at the full expense of the owner/developer.
8. Any and all unoccupied nonconforming uses, structures and/or situations shall be removed and corrected within ninety (90) days of the effective date of the annexation ordinance in accordance with applicable provisions of the Unified Land Development Code.
9. An updated as-built boundary survey/plat of the subject property, indicating all improvements and conditions of zoning shall be made a part of any final plat and recorded prior to obtaining a Certificate of Occupancy.

Attorney Hayes opened the floor for comments.

FAVOR:

Farid Termei, 3453 Holcomb Bridge Road, Norcross, stated they had no objections to the proposed conditions noting he was available for any questions.

There being no other comments, the hearing was closed and the matter was returned to the governing body for consideration.

Motion to hold first reading on Ordinance 2016-17, AN ORDINANCE ANNEXING A 10.06± ACRES TRACT LOCATED ON THE NORTHEAST SIDE OF SPRING ROAD, EAST OF ITS INTERSECTION WITH MCEVER ROAD AND HAVING ROAD FRONTAGE AT THE TERMINUS OF PINE CIRCLE DRIVE (A/K/A 2360, 2370, 2374, 2376, 2380, 2400 AND 2410 SPRING ROAD); 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; and first reading on Ordinance 2016-18 with conditions, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A 10.06± ACRES TRACT LOCATED ON THE NORTHEAST SIDE OF SPRING ROAD, EAST OF ITS INTERSECTION WITH MCEVER ROAD AND HAVING ROAD FRONTAGE AT THE TERMINUS OF PINE CIRCLE DRIVE (A/K/A 2360, 2370, 2374, 2376, 2380, 2400 AND 2410 SPRING ROAD) AT THE TIME OF ANNEXATION AS RESIDENTIAL-II, WITH CONDITIONS (R-II-c); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion made by Council Member Bruner
Motion seconded by Council Member Brooks
Votes favoring the motion: Bruner, Wangemann, Couvillon, Thompson, Brooks

EXECUTIVE SESSION:

City Manager Bryan Lackey requested an Executive Session to discuss real estate matters.

Motion to enter Executive Session to discuss real estate matters at 6:06 PM.

Motion made by Council Member Wangemann
Motion seconded by Council Member Brooks
Votes favoring the motion: Bruner, Wangemann, Couvillon, Thompson, Brooks

OFFICIALS PRESENT: Danny Dunagan, Ruth Bruner, George Wangemann, Zack Thompson,
Barbara Brooks

STAFF PRESENT: Bryan Lackey, Angela Sheppard, Abb Hayes, Denise Jordan,
Janeann Allison, Alicia Page

Council Member Couvillon recused himself from the Executive Session.

Motion to close the Executive Session and adjourn the Council Meeting at 6:26 PM.

Motion made by Council Member Thompson
Motion seconded by Council Member Couvillon
Votes favoring the motion: Bruner, Wangemann, Thompson, Brooks

ADJOURNMENT: 6:26 PM

/ag

C. Danny Dunagan, Jr., Mayor

Denise O. Jordan, City Clerk