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

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

Council Member George Wangemann delivered the invocation after which the Pledge of Allegiance was recited in unison.

PRESENTATION(S):

Georgia Power
Darryl Snyder, Georgia Power, commented on the importance of the energy efficiency initiative and its partnership with the City of Gainesville. Cathy Parker, Georgia Power, stated energy efficiency is the key and Georgia Power pays you to be energy efficient. She provided a brief overview of the cost saving measures put into place by Parks and Recreation Facility Operations Manager, Ken Rovinelli. She presented a check in the amount of $10,221.60 to Parks and Recreation Agency for the outstanding work that was done.

STATE OF THE CITY:

Mayor Dunagan provided the State of the City on behalf of the Council. He read the following prepared State of the City report:

The City of Gainesville finances are strong. The City is very fortunate to have diversified sources of revenue. While experiencing only slight increases in revenue, we are holding the line on expenditures, and continue to protect our financial reserves.

New development and redevelopment within our community continues to grow the tax digest. Sales tax revenue has experienced a decrease due to changes in the law regarding taxation of motor vehicles and a decrease in the percentage share of the total collections in Hall County. This decrease in revenue is more than offset by increases in other revenue sources. Fiscal Year 2014 departmental expenditures were at essentially the same level as fiscal year 2008, prior to the recession.

In December, the City refinanced its Public Utilities debt, saving more than $6.8 million dollars over the remaining life of the debt. The City's outstanding credit rating allowed for very low interest rates. Bond rating agencies attributed this to sound financial performance, strong management and healthy reserves. And, barring any unforeseen circumstances, Gainesville's Public Utilities will be debt free by the year 2028.

Master planning efforts are underway for Downtown - 1600 acres of property on Fulenwider Road, and Roosevelt Square - one of Gainesville's most historic locations. We have hammer ready projects for more than $2 million dollars secured in grant funding last year ranging from $560,000 for transportation to $1 million for housing.

We are extremely proud of the success of each of our departments. Our Fire Department received an Insurance Service Organization (I S O) rating of Class One, one of only five

in the state and less than 100 in the Nation. This designation means lower insurance cost for businesses and homeowners.

Our Community Development Department was one of ten cities in the state to receive the inaugural Plan First designation from the Georgia Department Community of Affairs recognizing their proven track record of implementing their comprehensive plan and a good history of plan development. New residential and commercial building permit numbers broke all previous records. And their work in housing renovation and rehabilitation is setting new standards for our community.

The Police Department implemented a records management system to process more than 7500 reports annually. By mid-March every patrol officer will be equipped with a body camera. It will enable them to record their activities providing protection for the officer and the citizens. The cameras are being purchased with seizure funds.

Our Public Utilities Department received platinum awards representing 10 years with no violations. They also received the *Program of the Year* Award from the Georgia Association of Water Professionals for storm water management. And, the American Society of Civil Engineers named the second phase of the Midtown Greenway *Project of the Year* for storm water controls which involve treating runoff water from downtown before it's discharged into the tributary of Flat Creek. Public Utilities will continue working on stream bank restoration on Flat Creek.

The Community Service Center staff kept $500,000 in tax returns in Hall County through the work of the Volunteer Income Tax Assistance Program. They have also partnered with the Georgia Mountain Food Bank to address nutritional gaps among older adults in our community.

This past year, our Public Works Department completed multiple projects including the addition of new sidewalks and major cemetery improvements. They will soon begin improving local intersections as part of Gainesville's Transportation Master Plan and currently have almost 6 miles of road resurfacing planned at a cost of $2 million. Sixty-three thousand dollars has been earmarked for the repair, replacement, and construction of new sidewalks. Using our Public Works Department manpower, this may accomplish as much as 1.25 miles of sidewalks within the city.

A study funded jointly by the City and County found that Lee Gilmer Airport could support larger general aviation aircraft to land. The FAA has approved the study and given the okay for these larger aircraft to land. In the past, larger corporate planes were diverted to other airports.

More than 750,000 people visited our parks and recreation facilities last year. We expect this number to continue to increase. Their programs and events helped contribute more than $8 million in economic impact to Gainesville. It's no surprise they were named Agency of the Year in the State for the 11th time in 15 years.

Partnerships, both public and private, are very important to the success of our community. We work with the Greater Hall Chamber of Commerce to provide Economic Development support for our City. Based on their latest report, capital investment in new and expanded industry projects in Gainesville alone topped the Fifty Million Dollar mark creating more than 500 jobs.

Downtown merchants invested $2.8 million in their businesses last year and created 30 new jobs. The Downtown Square is averaging over a 95% occupancy rate. Our Main Street Program works closely with these businesses to promote a vibrant downtown. Last year over 50 events were held downtown with over 80,000 people attending them.

Our Hotel/Motel tax continues to climb and is on track to surpass all previous records. Improvements continue at the Lake Lanier Olympic Venue. The City of Gainesville and Hall County worked with the original Hall 96 committee last year to re-establish and restructure the venue operation and hire a facility manager. This venue is the only facility in the state still being used as its original purpose left over from the '96 Olympics. In 2014, there were 5 major events at the venue that resulted in a three million dollar economic impact for our area. They were just awarded the 2016 Pan Am games with more major events to be announced. Over 10,000 Athletes will train or compete at the venue next year.

As your Mayor and Council you depend on us to provide clean drinking water, quick response times for police and fire, and playgrounds for families. We can't do this without your support. I would like to ask you to please consider voting in favor of the upcoming Special Purpose Local Option Sales Tax. A yes vote on SPLOST will mean the replacement of Fire Station #2, a facility built in the early 50's that is too small to house the newer fire trucks being built today. Phase I of a youth sports complex (the first new ball field since 1984 when the population of the City was just over 15,000 as compared today with almost 38,000) and some greatly needed infrastructure improvements for Gainesville.

A report was given to the Council from Public Works that just to bring all the roads in the City to a passing grade by GaDOT standards would cost an estimated $20 million. We know this can't be done all at once, but with the passage of the SPLOST vote on March 17 much can be accomplished, while also addressing some traffic congestion problems throughout our City. If this SPLOST is approved, a Citizens' Advisory Committee will be created to oversee how the money is spent in Hall County and all of its municipalities.

In closing, 2014 was a much better year than the past few years. 2015 promises to be even a better year. I can assure every Citizen of Gainesville that your City Council, along with the dedicated Staff, will make sure that the City operates as efficiently as possible while still maintaining the service that our citizens deserve and expect. I want to thank the Citizens of Gainesville for all your support, this City Council for your leadership and dedication, and Kip Padgett (City Manager) and his entire staff, for their commitment and hard work in making Gainesville the great City that it is, a place to Work, Live, and Play and be proud to call home.

PUBLIC COMMENTS:

Montine Whelchel-Smith, 517 Chamblee Court commented on concerns with the parking at Center Street, Chamblee Court and Prior Street. The hospital owns the land. She asked if the City Council could recommend that the hospital take the portion of the land on the south side to build a three tier parking deck. Another concern was traffic light turn signals at E. E. Butler Parkway and Martin Luther King, Jr. Blvd.; at Jessie Jewel Parkway and Summit Street; and at College Avenue and E. E. Butler Parkway. Lastly, Ms. Whelchel-Smith asked how to get eateries to come on her side of town. She asked if the City Council could appeal to companies to come to the south side. She appreciated the Wal-Mart and Kroger being there.

Council Member Figueras asked Ms. Whelchel-Smith to present her requests in writing to forward to the Public Works department.

Bill Brooksher, 974 Virginia Avenue, commented on the traffic light to be installed at the new Wal-Mart located on Thompson Bridge Road. It appeared Wal-Mart went through the highest process to get the traffic light approved. He stated he had filed several records requests for the traffic study but was unable to obtain one. He commented on the current traffic problems on Thompson Bridge Road. After making an appeal to the new Commissioner at the Department of Transportation (DOT), he was amazed to find out the City had requested the traffic light. He felt there needed to be a review of the traffic study by the City at minimum. He asked the Council to delay approval of the traffic light until a review was completed.

Assistant Public Works Director Chris Rotalsky stated the traffic signal at the location has been discussed quite a bit. The location was on a Department of Transportation (DOT) route. As such, the DOT has control. He commented on the application document being a mechanism used to identify the municipality responsible for the operation of the signal and maintaining it from that point forward. He also commented on there being staff changes at the DOT District Office noting there were communication issues. Mr. Rotalsky stated the DOT's permitting document indicated the location met warrants for a signal. Traffic conflicts from the City not allowing the developer to install the signal could be a potential liability to the City. He commented on there being some traffic conflicts in this area and at least one accident had occurred. DOT agreed to complete a warrant study prior to one year after the signal installation. If it does not meet warrants, the signal would be removed.

Upon inquiry from Council Member Bruner, Mr. Rotalsky stated the document signed by the City was a "one form fits all" form. In this instance the form was used as a tool to identify the municipality responsible for the power and the maintenance of the traffic signal.

Charity Wang, 1380 Montrose Drive, stated her son, Jacob, wanted to ask a question. Jacob asked why there were no sidewalks on his street or other streets around the City. They were concerned about fitness and walking. Mayor Dunagan stated there was a sidewalk plan with hopes to address the entire City. There were plans to do 1.25 miles this year.

Council Member Wangemann commented on promoting physical fitness.

Matt Vrahiotes, 7570 Bill Wilson Road, Alto stated his family owns a space located at 300 Spring Street. He commented on 95% of the downtown spaces being filled noting the other 5% was owned by his family. He was starting Hall County's first farm winery and wanted to respond about the revisions to the alcohol ordinances. He commented on renovating the space to open as a tasting room for the winery and thanked the Council for reviewing the changes.

Joe Diaz, 500 Oakland Drive, thanked the Council for consideration of the changes to the alcohol ordinances. He commented on positive changes being made on the Square. He commented on Section 6-4-82 of the Code Book regarding food ratio and asked that it be abolished completely or at least loosened. He also commented on Section 6-4-63 of the Code Book regarding no consumption on the premises expressing a desire for it to reflect the needs and desires of the citizenry. He thanked the Council for their work over the past few years that have made a positive impact.

CONSENT AGENDA:

Alcoholic Beverage License Applications: Marco's Pizza, 1294 Thompson Bridge Road, Suite 102
New application for beer and wine consumption license.

Motion to approve the application as presented.

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

Resolutions
A. PR-2015-02 Accept Georgia Emergency Management Agency - Georgia Search and Rescue Grant
B. PR-2015-03 Acceptance of Check from Georgia Power for Energy Efficient Cost Savings

City Manager Kip Padgett provided a brief overview of each resolution.

Motion to approve the application as presented.

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

Minutes: January 15, 2015 Work Session

Motion to approve the minutes accepting the edits as presented.

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

APPOINTMENTS:

Parks and Recreation Board
Position currently held by Joe Biddy

Motion to appoint Cooper Embry to serve on the Parks and Recreation Board replacing Joe Biddy.

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

GENERAL LEGISLATION:

City Manager Kip Padgett stated four proposed ordinances were introduced by the Assistant City Manager Angela Sheppard and her team at the work session.

Assistant City Manager Angela Sheppard provided a brief overview of the various proposed amendments to the ordinances noted as follows:

Proposed Ordinance Amendment to Chapter 6-4 Entitled Alcoholic Beverages

- Updated the ordinance to be more in line with State Law including distance requirements
- Changed the approval process for applications so they will be approved administratively by the City Marshal
- Added the ability to impose a monetary administrative penalty for violations of the ordinance
- Allowed decisions of the Administrative Hearing Officer to be final unless appealed to Superior Court
- Allows Georgia Farm Winery Tasting Rooms to sell wine by the package and Georgia Farm Wine for consumption on the premises
- Modified the provision of samples at growler stores to allow a total of 24 ounces to be sampled comprised of at least 4 different varieties
- Allowed businesses other than restaurants to obtain a consumption on premises license, to include retail and non-profit organizations
- Allowed an exemption to sales ratios for businesses that meet select criteria
- Allowed the outside consumption of alcoholic beverages at city sponsored events and within open air cafes
- Allowed malt beverage and/or wine package dealers to obtain a temporary limited license that would allow consumption on the premises subject to certain conditions
- Allowed home brew special events
- Added minimum age requirements for the sale of alcoholic beverages in the unopened package

Proposed Ordinance Amendment to Title 10 Entitled Schedule of Fees as it Pertains to Alcoholic Beverages

- Established a license fee for a Georgia Farm Winery Tasting Room
- Established a license fee for a Brewpub
- Established a fee to obtain a Temporary Limited License and for a Home Brew Special Event

Proposed Ordinance Amendment to Chapter 1-7 Entitled Recreation and Parks

- Allows the sale, possession or consumption of alcoholic beverages on park property after approval by the Parks and Recreation Board when connected with a permitted special event

Proposed Ordinance Amendment to Chapter 3-5 Entitled Offenses-Miscellaneous

- Prohibits the outdoor consumption of alcoholic beverages except as provided for in Chapter 1-7 and Chapter 6-4

Proposed Ordinance
Amendment to Chapter 6-4 Entitled Alcoholic Beverages

Motion to hold first reading on Ordinance 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 Bruner
Motion seconded by Council Member Figueras
Votes favoring the motion: Hamrick, Figueras, Bruner, Couvillon
Votes opposing the motion: Wangemann

Proposed Ordinance
Amendment to Title 10 Entitled Schedule of Fees as it Pertains to Alcoholic Beverages

Motion to hold first reading on Ordinance 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 CODIFICTION; 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

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

Motion to hold first reading on Ordinance 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 CODIFICTION; 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

Proposed Ordinance
Amendment to Chapter 3-5 Entitled Offenses-Miscellaneous

Motion to hold first reading on Ordinance 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 CODIFICTION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

DISCUSSION:

Council Member Wangemann stated many of the ordinances are being changed to be brought in line with State law. This was a drastic change to the City's alcoholic beverage ordinances. He wasn't sure the changes were good for the community and he was convinced this was all about the money. These ordinances encourage more drinking which was not good for a family oriented community like Gainesville, GA. He commented on a personal tragedy involving a drunk driver. He stated these types of incidents concern him. Although this will bring additional fees/revenues, it will also be more difficult and pressing on public safety services.

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

PUBLIC HEARING(S):

Annexation/Zoning Item
Request from David P. Johnson to rezone a 1.458± acres tract located on the southwest side of the intersection of Virginia Circle and Thompson Bridge Road (a/k/a 1537 and 1551 Thompson Bridge Road NW; 135 Virginia Circle NW) from Residential-I (R-I) to Neighborhood Business (N-B), with a special use. Ward Number: Two. Tax Parcel Number(s): 01-088-002-004, 005 and 006. Request: Restaurant with drive thru and retail building.

Mayor Dunagan stated the applicant requested to address the Council prior to opening up for a public hearing.

Steve Gilliam, 1450 Heritage Road, represented the applicant. He stated this request was previously tabled to allow changes to the proposal. He commented on the changes that were made. They met with staff and the Planning and Appeals Board recommended denial. They have reviewed the Council comments noted in the news media. The applicant and developer agreed to eliminate the Virginia Circle access. He requested to table the request for another month for further changes with the elimination of Virginia Circle.

Motion to table the request until the March 3, 2015 Council Meeting.

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

CITY MANAGER ISSUES:

Opposition to HB 14 and HB 170
City Manager Kip Padgett distributed a joint letter to be signed between the City and County to the delegation in opposition of HB 14 and HB 170 that have been filed and have the potential to negatively impact local government.

Recycling Program
Communications and Tourism Director Catiel Felts commented on changes to the recycling program. She stated the City was about to begin a huge marketing campaign surrounding recycling as it pertained to acceptable and non-acceptable items. Plastic bags were the number one offender. The contractor has warned the City about this offense. Also food contaminated articles cannot be recycled. Upon inquiry from Council Member Bruner, Ms. Felts confirmed additional recycling containers can be requested by contacting the City's solid waste division.

OTHER ISSUES:

Businesses on the South Side
Council Member Figueras reiterated Ms. Whelchel-Smith's comments indicating there appeared to be no interest in businesses locating on the south side of Gainesville. She felt the Council should do more to encourage more businesses in this area.

Parking Deck on Prior Street
Council Member Figueras commented on the parking issues in the Church Street Manor area. Since the property was privately owned, the Council could only encourage the property owner to not replace the people with the parking lot.

State of the City Address
Council Member Hamrick commended Mayor Dunagan on the State of the City report.

ADJOURNMENT: 6:25 PM

/ag

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C. Danny Dunagan, Jr., Mayor

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Denise O. Jordan, City Clerk