OFFICIALS PRESENT: Danny Dunagan, Sam Couvillon, George Wangemann, Ruth Bruner, 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.

Reverend Robert S. King, St. Paul United Methodist Church, delivered the invocation after which the Pledge of Allegiance was recited in unison.

PRESENTATIONS / RECOGNITIONS:

Gainesville-Hall Development Authority Community Service Recognition
Friends of Gainesville Parks and Greenway's Community Service Recognition
Parks and Recreation Community Service Recognition
Mayor Dunagan recognized and expressed appreciation to the members of the referenced boards/committees for their community volunteer service and dedication to the City. He presented tokens of appreciation to the following:

Gainesville-Hall Development Authority Members: Perry Barnett, Elisabeth Baldwin Cooper Embry, Allen Nivens, Jackie Walters-Slaughter and Philip Wilheit

Friends of Gainesville Parks and Greenway's Members: Casey Cochran, Lynn Kearns, Gina Miller, Chris Morgan, Jeff Morrison, Becky Nix and Harriette Taylor

Parks and Recreation Members: Jerry Castleberry, Kristin Daniel, Susan Daniell, Cooper Embry, Jeffrey Goss, Bruce Miller, John Simpson, Sam Richwine and Chris Romberg

COUNCIL ANNOUNCEMENTS:

Council Member Brooks
1. Welcomed Pastor Robert S. King to Gainesville.
2. Announced First Baptist Church on Martin Luther King, Jr. Boulevard will be celebrating their 180th anniversary.

Council Member Wangemann
Stated a community cleanup will occur on October 20th.

Council Member Couvillon
Commented on Georgia Pre-K Week noting several elected officials would be reading at the local elementary schools.

Council Member Thompson
Asked everyone to remember to support the downtown businesses during the downtown construction.

PUBLIC COMMENTS:

Mr. Arturo Adame, 2943 Broome Road, commented on the aggressive solicitation ordinance. He felt a more long term solution should be put in place to address the homeless problem before

putting a ban in certain areas. He felt more pathways, resources, rehabilitation and other efforts were needed to reintegrate the homeless back into society.

Reverend Corey L. Brown, Flowery Branch resident, stated he was the Pastor at St. Luke Church. He commented on being concerned with the urban camping ordinance and shared that the Atlanta jail systems were overrun because of similar ordinances. Various organizations (i.e., United Way, churches, Newtown Florist Club, etc.) are working together on this issue but it is a long term problem. Better and more creative solutions are needed. He closed by stating there is a sense of fear among the homeless population in response to these ordinances.

Mr. Mike Parker, Hall County resident, spoke on the issue of homelessness. He commented on the circumstances of a homeless friend then recommended Council work on addressing the prevention of homelessness.

Ms. Rose Johnson, 2211 Martin Luther King Jr. Blvd., expressed her opposition to the panhandling/urban camping ordinance. She wanted to understand the justification/basis for the proposed changes. She felt these ordinances along with the loitering ordinance will completely push away those who have no home. She also commented on the repercussions of the arrests for panhandling and the perception that there would be an unfair burden on Hall County.

CONSENT AGENDA:

Appointments: Gainesville-Hall County Land Bank
To Appoint Three (3) Gainesville Representatives

Motion to appoint Doug Carter to serve a four-year term, Willie Mitchell to serve a four-year term and Carlyle Cox to serve a two-year term on the Gainesville-Hall County Land Bank.

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

Appointments: Gainesville Non-Profit Development Foundation
Positions held by Dick Young, Rebina Warthen, Broughton Cochran, and Carlyle Cox

Motion to reappoint Dick Young, Rebina Warthen, Broughton Cochran, and Carlyle Cox to serve another term on the Gainesville Non-Profit Development Foundation.

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

Minutes: September 13, 2018 Work Session
Minutes: September 18, 2018 Mayor/Council Meeting

Motion to approve the minutes accepting edits as presented.

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

Resolution: BR-2018-46 Purchase of City Property - Dixon Drive

City Manager Bryan Lackey provided a brief overview of the resolution.

Motion to adopt the resolution as presented.

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

GENERAL LEGISLATION:

Ordinance No. 2018-19
Amend Section 1-5-74(1)(a) Regarding Composition of the Gainesville-Hall County Land Bank Board
City Attorney Abb Hayes stated the proposed amendment is to correct a typographical error within the ordinance to clarify the number of appointments Hall County will make to the Land Bank Board. This correction will provide consistency with the intergovernmental agreement and ordinances concerning the Land Bank.

Motion to approve Ordinance No. 2018-19, AN ORDINANCE TO AMEND SECTION 1-5-74(1)(a), ENTITLED "BOARD, EXECUTIVE DIRECTOR AND STAFF," OF ARTICLE 5, ENTITLED "GAINESVILLE-HALL COUNTY LAND BANK," OF CHAPTER 1-5, ENTITLED "BOARDS & COMMISSIONS," OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA BY ELIMINATING SECTION 1-5-74(1)(a) IN ITS ENTIRETY AND REPLACING IT AS SET FORTH BELOW IN ORDER TO ENSURE SECTION 1-5-74(1)(a) IS CONSISTENT WITH THE INTERGOVERNMENTAL CONTRACT BETWEEN THE CITY OF GAINESVILLE AND HALL COUNTY REGARDING THE GAINESVILLE-HALL COUNTY LAND BANK AND TO ENSURE THAT SECTION 1-5-74(1)(a) IS CONSISTENT WITH HALL COUNTY ORDINANCES REGARDING THE GAINESVILLE-HALL COUNTY LAND BANK; 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 Thompson
Motion seconded by Council Member Brooks
Votes favoring the motion: Couvillon, Wangemann, Bruner, Thompson, Brooks

Ordinance No. 2018-20
Amend Chapter 3-5 Entitled Offenses - Miscellaneous to Add Section 3-5-21 Urban Camping
Ordinance No. 2018-21
Amend Chapter 3-5 Entitled Offenses - Miscellaneous to Add Section 3-5-22 Aggressive Solicitation
City Manager Bryan Lackey stated the proposed ordinances were new sections to the code noting staff had been working on them for the past few months due to complaints. There has been concern about officers not having the right tools in place to address the situations. He discussed the purpose and intent for establishing the ordinances noting the urban camping ordinance was not a city wide ban. It is limited to public places when complaints arise. He felt these were the right steps to put in place at this time.

Upon inquiry from Council Member Brooks, Mr. Lackey confirmed the purpose was to provide the Gainesville Public Safety Officers with tools to address certain situations and to provide individuals with the help they need. There are some limitations.

Council Member Thompson stated the goal is not to arrest or fine an individual but to provide help.

Mr. Lackey commented on the aggressive solicitation ordinance noting most of the complaints received have been regarding this matter. He stated the intent is not to arrest/fine a person but to offer available resources that may be needed.

Upon inquiry from Council Member Brooks, Mr. Lackey confirmed the ordinance pertains to public owned property.

Council Member Couvillon stated the ultimate goal was to provide assistance where needed.

Upon inquiry, Mr. Lackey further commented on the matter noting every situation will be handled on a case by case basis and evaluated as such to address the need.

Ms. Brooks expressed concern about cooking/open fires in public places.

Motion to approve Ordinance No. 2018-20, AN ORDINANCE TO AMEND CHAPTER 3-5 ENTITLED "OFFENSES-MISCELLANEOUS" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE; TO CREATE A SECTION 3-5-21 IN ARTICLE 1 TO PROHIBIT URBAN CAMPING AND OTHER IMPROPER USES OF PUBLIC PROPERTY; 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 Couvillon

DISCUSSION:

Council Member Couvillon stated the public comments did not fall on deaf ears. He was hopeful the City Manager's explanations calmed some fears.

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

Ordinance No. 2018-21
Amend Chapter 3-5 Entitled Offenses - Miscellaneous to Add Section 3-5-22 Aggressive Solicitation

Motion to approve Ordinance No. 2018-20, AN ORDINANCE TO AMEND CHAPTER 3-5 ENTITLED "OFFENSES-MISCELLANEOUS" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE; TO CREATE A SECTION 3-5-22 IN ARTICLE 1 TO PROHIBIT AGGRESSIVE SOLICITATION AND OTHER TYPES OF SOLICITATION; 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 Couvillon

Motion seconded by Council Member Thompson

Council Member Bruner stated ordinances can be changed or amended as needed noting she felt this was a good step.

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

PUBLIC HEARING(S):

City Attorney Abb Hayes reviewed the public hearing process.

NOTE: City Attorney Hayes recused himself and left the meeting room at 6:09 PM.

Request from Limestone Greenway, LLC to annex a 75.12± acres tract located on the southwest side of the intersection of Jesse Jewell Parkway and Limestone Parkway, having road frontage on Lakeview Drive, Highland Street, Spring Street and Victory Street (a/k/a 0 and 2065 Limestone Parkway) and to establish zoning as Planned Unit Development (P-U-D). Ward Number: Two. Tax Parcel Number(s): 00-082-003-001. Request: Mixed-use development.

Mayor Dunagan conducted the public hearing.

Planning Manager Matt Tate summarized the application request. The Planning and Appeals Board and staff recommended approval with the following conditions.

1. The development standards within the applicant's narrative, concept plan and architectural renderings shall be made part of the zoning ordinance, and shall be subject to the Community Development Director approval. Any zoning conditions adopted as part of this zoning ordinance that conflict with the applicant's narrative, concept plan and architectural renderings shall take precedence over the applicant's development standards.
2. Prohibited uses for the subject property shall include extended stay hotels, motels/hotels with rooms accessed from the exterior of the building, adult novelty stores group homes, crisis centers, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, tobacco or vaping stores, tire stores, auto parts stores, auto body shops, automobile sales establishments, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like. A gas station shall be prohibited except for the proposed outparcel lot at the corner of Jesse Jewell Parkway and Limestone Parkway.
3. Apartments, townhomes and condominiums are an approved use for the multi-family residential portion of the proposal. The applicant may receive an occupancy permit for no more than 100 apartment, townhome or condominium units prior to receiving an occupancy permit for the construction of at least 35,000 square feet of the proposed commercial space.
4. In addition to the proposed buffers stated as part of this proposal, a minimum 25-foot wide buffer shall be required along Lakeview Drive for the entire development. The buffer shall contain a mixture of evergreen and deciduous trees. The Community Development Director shall have the final determination on the number, location and type of trees to be planted.
5. The proposed erosion control and water quality measures for the development shall at minimum meet the Georgia Storm Water Management Manual requirements. The developer shall also construct additional bioretention facilities within the development

strategically designed and located to minimize sedimentation and to filter runoff from yards, pavement, and buildings, with the goal of minimizing the amount of unfiltered runoff, fertilizer, and other contaminants entering Lake Lanier from the development. The City of Gainesville shall approve the final design of all water quality measures.

6. All service areas, loading areas, ground or roof top HVAC equipment shall be screened from view from all adjacent residential uses, public and private roads.
7. All of the front yards of the proposed new single-family residential dwellings shall be sodded with grass. In addition, the rear of the proposed single-family homes fronting Lakeview Drive and Highland Street shall be designed with exterior architectural features to resemble a front facade.
8. All required access/traffic/sidewalk improvements associated with the proposed development shall be reviewed and approved by the Georgia Department of Transportation and the Gainesville Public Works Director and any additional improvements shall be at the full expense of the Developer.
9. The Developer shall meet all requirements of the Georgia Department of Transportation, but at a minimum shall construct the following roadway improvements identified in the Traffic Impact Study dated March 29, 2018:
    a) Limestone Parkway at Beverly Road – Construction of a separate eastbound exclusive right turn lane on Beverly Road. A protected/permissive left turn phasing for the northbound left turn volume on Limestone Parkway will need to be evaluated and submitted for review and approval by the Georgia Department of Transportation.
    b) Limestone Parkway at Kroger Access – An addition of the fourth approach for the Limestone Greenway site will need to be approved and permitted by the Georgia Department of Transportation. The existing northbound U-turn lane on Limestone Parkway will be restriped as a left turn lane. The signal at the intersection will need to be upgraded for the addition of the fourth approach. The existing southbound right turn lane and northbound left turn lane should be lengthened to satisfy Georgia Department of Transportation auxiliary lane length standards. A protected/permissive left turn phasing for the northbound left turn lane will need to be evaluated and submitted for review and approval by the Georgia Department of Transportation.
    c) Limestone Parkway at Jesse Jewell Parkway – An addition of a southbound right turn lane on Limestone Parkway in order to accommodate a shared through/right plus a new exclusive right turn lane. Overlap phasing of the intersection will need to be evaluated and submitted for review and approval by the Georgia Department of Transportation.
10. In addition to the identified roadway improvements, the newly constructed Limestone Greenway roadway should include either a center turn lane or a raised median with left turn lanes into the retail access.
11. The roundabout shown on the proposed concept plan shall be required per the approval of the Gainesville Public Works Director.
12. Improvements at the signalized intersections should include video detection and fiber connection to the City's ITS facility.
13. All new streets, alleys, driveways and sidewalks shall meet the standards within Article 9-13-10 of the City's Unified Land Development Code, but shall be privately maintained. Pervious paving, not including gravel, may be allowed for the single-family homes per the approval of the Gainesville Public Works Director.
14. All new streets shall include a minimum 5' sidewalk along both sides of the street, in accordance with Section 9-13-9-26 of the City's Unified Land Development Code. In addition, a minimum 5' wide sidewalk shall be constructed along Lakeview Drive for the entire length of the subject property. A crosswalk shall be provided from the subject property across Lakeview Drive to the existing side/rear entrance to the Gainesville Middle School and Frances Meadows Aquatic Center. The Gainesville Public Works Director

shall have the final determination on the exact design and location of the new sidewalk and crosswalk.

15. There shall be no access allowed from the subject property onto Lakeview Drive except for the road proposed for the single-family homes.

Upon inquiry, Mr. Tate confirmed this was a phased development project, discussed access points and the required buffer along Lakeview Drive.

Mayor Dunagan opened the floor for comments.

FAVOR:

Wendell Starke, 1750 Riverside Drive, stated he represented Limestone Greenway LLC. The proposed project was described well by the staff. The areas of contention involve access which he briefly discussed. He looked forward to proceeding noting they are planning and designing a project that complies with all the environmental requirements as well as all of the local, state and federal regulations. He felt this project would benefit the City and County. He asked for approval.

Frank Norton, Jr., 434 Green Street, stated he is part of an investment group for the single-family portion of the development. The intent is to develop a gated high quality single-family rental community designed specifically for the medical resident program. He believed the features of this development acts as a great buffer and transition from the historic character of the New Holland Mill.

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

Motion to approve Ordinance No. 2018-22, AN ORDINANCE ANNEXING A 75.12± ACRES TRACT LOCATED ON THE SOUTHWEST SIDE OF THE INTERSECTION OF JESSE JEWELL PARKWAY AND LIMESTONE PARKWAY, HAVING ROAD FRONTAGE ON LAKEVIEW DRIVE, HIGHLAND STREET, SPRING STREET AND VICTORY STREET (A/K/A 0 AND 2065 LIMESTONE PARKWAY); 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.

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

Motion to approve Ordinance No. 2018-23, with conditions as set forth by staff, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A 75.12± ACRES TRACT LOCATED ON THE SOUTHWEST SIDE OF THE INTERSECTION OF JESSE JEWELL PARKWAY AND LIMESTONE PARKWAY, HAVING ROAD FRONTAGE ON LAKEVIEW DRIVE, HIGHLAND STREET, SPRING STREET AND VICTORY STREET (A/K/A 0 AND 2065 LIMESTONE PARKWAY) AT THE TIME OF ANNEXATION AS PLANNED UNIT DEVELOPMENT, WITH CONDITIONS (P-U-D-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 Wangemann

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

Council Member Brooks extended appreciation to Mr. Stark and his team for redoing this plan to support the needs of the City and Lakeview Drive residents.

NOTE: City Attorney Hayes returned to the meeting at 6:10 PM.

Request from KRM 2016 LLC for a special use on a 0.82± acre tract located on the north side of Washington Street, west of West Academy Street (a/k/a 520 Washington Street, NW), having a zoning of Neighborhood Business (N-B). Ward Number: Four. Tax Parcel Number(s): 01-026-001-046. Request: Five duplex apartments.

City Attorney Abb Hayes called for the public hearing and confirmed the public notice was properly advertised.

Planning Manager Matt Tate summarized the application request. The Planning and Appeals Board and staff recommended approval with the following four conditions:

1. The proposed duplex structures shall be generally consistent with the standards depicted on the architectural elevations and pictures provided with this special use application to include a mixture of exterior brick, cementitious siding materials and minimum 3:12 pitched roof.
2. Prior to a permit being issued, the developer/property owner shall exhaust all reasonable measures to provide for inter-parcel vehicular access with the adjacent property/access drive located to the west. Documentation shall be provided to the Gainesville Public Works Director in this regard.
3. All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director, and approval of said design shall be required prior to issuance of a building permit. All required access / traffic / sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.
4. An updated as-built boundary survey/plat of the subject property, indicating all improvements required for the proposed use, shall be recorded prior to obtaining a Certificate of Occupancy.

City Attorney Hayes opened the floor for comments.

Darryl Rochester, Rochester and Associates, stated he represented KRM 2016 LLC. He briefly commented on the project noting it was basically to expand the property from four units to ten units. The intent was to build Charleston style homes with dedicated parking and a private courtyard. He reserved the remainder of his time for rebuttal.

Council Member Thompson asked questions about connectivity and pricing for the rentals.

Council Member Brooks expressed concern about traffic at the intersection.

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

Motion to approve the resolution ZR-2018-01, with conditions as set forth by staff as presented.

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

CITY MANAGER ISSUES:

LED Lights on the Pedestrian Bridge
City Manager Bryan Lackey encouraged everyone to drive through the pedestrian bridge area to see the new LED lights on the bridge. These lights have the advantage of changing colors. This month's color is pink in recognition of Breast Cancer Awareness Month.

Upcoming City Events
City Manager Bryan Lackey announced upcoming events in the downtown area:

- Howl-O-Ween on the Square on October 6
- Mule Camp from October 12 - 14
- Free concert featuring Drivin' N Cryin' on October 13 in Roosevelt Square

He encouraged everyone to support our downtown businesses especially during the construction period.

CITY ATTORNEY ISSUES:

Business Resolution 2018-47
Property Acquisition for Hall Area Transit - 701 Main Street
City Manager Bryan Lackey stated the proposed resolution involves a project that Community Service Center Director Phillippa Lewis Moss has worked on for several years involving the use of federal funds related to transit facilities. Immediate action is needed on an agreement with the property owners for the purchase of the property which is located adjacent to the existing Hall Area Transit facility. The funding was 80% Federal, 10% State and 10% Local. The total project amount is $177,500. Approximately $18,000 was budgeted in the General Fund.

Motion to adopt the resolution as presented.

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

Business Resolution 2018-48
Lease to Friends of ITNLanier, Inc.
City Attorney Abb Hayes stated the proposed resolution is for the lease of office space at the Community Service Center to the Friends of ITNLanier, Inc.

City Manager Bryan Lackey briefly commented on Friends of ITNLanier using space at the Community Service Center since being displaced from their previous location at the Featherbone Communiversity. With the purchase of the new property, staff felt it would be beneficial to offer them a lease since they are a transportation service and feels this fits well with the future of the micro-transit the city is headed towards.

Mr. Hayes stated the lease provided for a 30 day termination period and does not bind the city for a long period of time.

Motion to adopt the resolution as presented.

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

EXECUTIVE SESSION:

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

Motion to enter an Executive Session at 6:34 PM to discuss real estate and litigation matters.

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

OFFICIALS PRESENT:	Dunagan, Couvillon, Wangemann, Bruner, Thompson, Brooks
STAFF PRESENT:	Lackey, Sheppard, Hayes, Ligon, Jordan
OTHERS PRESENT:	Burns Marlowe

Motion to close the Executive Session at 7:27 PM.

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

ADJOURNMENT: 7:27 PM

/ag

_____
C. Danny Dunagan, Jr., Mayor

_____
Denise O. Jordan, City Clerk