

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

National Prematurity Day Proclamation

Mayor Dunagan read a proclamation proclaiming November 17, 2018 to be *Prematurity Awareness Day* and presented it to representatives of the March of Dimes.

COUNCIL ANNOUNCEMENTS:

Council Member Brooks

Read a proclamation proclaiming November 4, 2018 to be *Retired Educators Day* and presented it to Angela Middleton.

Council Member Wangemann

Read a proclamation proclaiming November 2018 to be *Family Month in Gainesville*.

CONSENT AGENDA:

Appointments: Building Board of Appeals – Position held by Doug Magnus
Appointments: Cemetery Committee – Positions held by Bill Coates and Ben Mason
Appointments: Planning and Appeals Board - Positions held by Ryan Thompson,
Richard White, Jane Fleming and Carmen Delgado

Motion to appoint Vincent Davis to replace Doug Magnus on the Building Board of Appeals; reappoint Bill Coates and Ben Mason to serve another term on the Cemetery Committee; and reappoint Ryan Thompson, Richard White, Jane Fleming and Carmen Delgado to serve another term on the Planning and Appeals Board.

Motion made by Council Member Bruner

Motion seconded by Council Member Thompson

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

Minutes: October 2, 2018 Mayor/Council Meeting

Minutes: October 11, 2018 Work Session

Minutes: October 16, 2018 Mayor/Council Meeting

Motion to approve the minutes accepting edits as presented.

Motion made by Council Member Wangemann

Motion seconded by Council Member Brooks

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

Resolutions:

- A. BR-2018-53 Amend Retirement Plan A Plan Document Pertaining to Section 6.01 and Section 8.01
- B. BR-2018-54 General Banking
- C. BR-2018-55 Property Acquisition from Koch Foods of Gainesville, LLC
- D. PR-2018-22 85 Gainesville Business Park - United States Army Corp. of Engineers Permit Application
- E. PR-2018-23 Pilgrim's Pride Shop with a Cop Donation

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

Motion to adopt the resolutions as presented.

Motion made by Council Member Thompson

Motion seconded by Council Member Wangemann

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

PUBLIC HEARING(S):

Business Resolution-2018-56

Bond Issuance for The Landings of Gainesville

City Attorney Abb Hayes confirmed the public notice was properly advertised and called for the public hearing noting the hearing was a requirement of the Internal Revenue Code.

Shaney Lokken, Parker Poe, LLC, 1180 Peachtree St, Atlanta, stated she served as Bond Counsel for the project. She briefly commented on the project noting additional funding was necessary for a total amount not to exceed \$3 million. The project was expected to be completed by the end of the year.

City Attorney Hayes opened the floor for comments. There being none, the hearing was closed and the matter returned to the governing body for consideration.

Motion to adopt the resolution BR-2018-56 as presented.

Motion made by Council Member Wangemann

Motion seconded by Council Member Brooks

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

Annexation/Zoning Items

Request from the City of Gainesville to amend Chapter 9-8-7 entitled "Midtown Overlay Zone" of the Unified Land Development Code for the City of Gainesville, Georgia to include additional prohibited and permitted uses and to provide for minimum front yard setback requirements within the Midtown Overlay Zone.

City Attorney Abb Hayes called for the public hearing.

Planning Manager Matt Tate summarized the request noting the purpose was to include additional prohibited and permitted uses within the overlay as well as to include a minimum front yard set-back requirement.

Motion to approve Ordinance No. 2018-25, AN ORDINANCE TO AMEND ARTICLE 9-8 OF THE UNIFIED LAND DEVELOPMENT CODE OF THE CITY OF GAINESVILLE, GEORGIA, ENTITLED "OVERLAY ZONES" BY RETITLING SECTION 9-8-7-6 FROM "PERMITTED USES" TO "PROHIBITED AND PERMITTED USES;" BY AMENDING SECTION 9-8-7-6 TO PROHIBIT AND PERMIT SPECIFIC USES; BY AMENDING SECTION 9-8-7-7 ENTITLED "PROPERTY DESIGN STANDARDS" TO ADD SUBSECTION (e); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES with an amendment to the prohibited use for gas stations to read as "Gas stations (located on lots less than 2 acres in size)".

Motion made by Council Member Thompson

Motion seconded by Council Member Wangemann

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

Votes opposing the motion: Brooks

Request from David Gijon to annex a 0.12± acre tract located southeast of the intersection of Ralston Street and Hazel Street (a/k/a 1509 Ralston Street) and to establish zoning as Residential-I (R-I). Ward Number: Four. Tax Parcel Number(s): 00-130-001-020. Request: Single-family home.

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

Planning Manager Matt Tate briefly reviewed the request. The Planning and Appeals Board and staff recommended approval of the request.

City Attorney Hayes opened the floor for comments. There being none, the hearing was closed and the matter returned to the governing body for consideration.

Motion to approve Ordinance No. 2018-26 as presented, AN ORDINANCE ANNEXING A 0.12± ACRE TRACT LOCATED SOUTHEAST OF THE INTERSECTION OF RALSTON STREET AND HAZEL STREET (A/K/A 1509 RALSTON STREET); 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 Brooks

Motion seconded by Council Member Bruner

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

Motion to approve Ordinance No. 2018-27 as presented, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A 0.12± ACRE TRACT LOCATED SOUTHEAST OF THE INTERSECTION OF RALSTON STREET AND HAZEL STREET (A/K/A 1509 RALSTON STREET) AT THE TIME OF ANNEXATION AS RESIDENTIAL-I (R-I); 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

Request from Hydro Extruder, LLC to annex a 10.98± acres tract located northeast of the intersection of Old Oakwood Road and Mountain View Road (a/k/a 2829 Mountain View Road) and to establish zoning as Light Industrial (L-I). Ward Number: Four. Tax Parcel Number(s): 08-012-008-002. Request: Future industrial expansion.

Request from Hydro Extruder, LLC to annex a 11.29± acres tract located southeast of the intersection of Old Oakwood Road and Mountain View Road (a/k/a 2949 Old Oakwood Road) and to establish zoning as Light Industrial (L-I). Ward Number: Four. Tax Parcel Number(s): 08-012-008-004. Request: Future industrial expansion.

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

Planning Manager Matt Tate reviewed the two applications which together totaled a little more than 22 acres. The Planning and Appeals Board and staff recommended conditional approval with the following four conditions:

1. Prior to a land development permit application being submitted for the subject properties, the property owner shall be required to submit a site plan review application for a public hearing before the Planning and Appeals Board.
2. A minimum fifty foot (50') wide vegetated buffer consisting of existing vegetation and additional evergreens trees shall be required along the perimeter of the subject properties adjacent to any single-family use along Old Oakwood Road and Mountain View Road. Driveways and powerline easements are exempt from this requirement. The intent of the buffer is to supplement the existing vegetation with buffer trees to provide for an effective buffer. The location, spacing, size and type of trees planted shall be subject to Community Development Department Director approval.
3. A Traffic Impact Study shall be required with the submittal of the site plan review application if determined necessary by the Gainesville Public Works Department Director.
4. All access point design for the subject property shall require review and approval by Hall County and the Gainesville Public Works Department Director. All required access/traffic/sidewalk improvements associated with the proposal or any additional improvements identified within the Traffic Impact Study, if determined necessary, shall be at the full expense of the property owner.

City Attorney Hayes opened the floor for comments.

Attorney Donald Hunt, 430 North Avenue, spoke on behalf of the applicant. He commented on the purchase of the property for future expansion. They were comfortable with the conditions and felt it was a fair resolution to ensure opportunities for both the applicant and other property owners in the area as it pertains to the future development of the site.

OPPOSITION:

Kathy McDonald, 2844 Mountain View Road, stated her property is directly across from the property being acquired. She felt everything that had been presented seemed reasonable. However, she was concerned with the impact the expansion would have on the community.

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

Motion to approve Ordinance No. 2018-28 as presented, AN ORDINANCE ANNEXING A 10.98± ACRES TRACT LOCATED NORTHEAST OF THE INTERSECTION OF OLD OAKWOOD ROAD AND MOUNTAIN VIEW ROAD (A/K/A 2829 MOUNTAIN VIEW 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 to amend condition 1 of the zoning ordinance by adding “so that the Planning and Appeals Board can review the site plan in light of the factors set forth in Section 9-22-2-12 of the Unified Land Development Code to ensure that the site plan is appropriate for the subject properties.

Motion made by Council Member Couvillon

Motion seconded by Council Member Thompson

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

Motion to approve Ordinance No. 2018-29, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A 10.98± ACRES TRACT LOCATED NORTHEAST OF THE INTERSECTION OF OLD OAKWOOD ROAD AND MOUNTAIN VIEW ROAD (A/K/A 2829 MOUNTAIN VIEW ROAD) AT THE TIME OF ANNEXATION AS LIGHT INDUSTRIAL, WITH CONDITIONS (L-I-c); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSE amending condition 1 to add the following language: “so that the Planning and Appeals Board can review the site plan in light of the factors set forth in Section 9-22-2-12 of the Unified Land Development Code to ensure that the site plan is appropriate for the subject properties”.

Motion made by Council Member Bruner

Motion seconded by Council Member Wangemann

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

Motion to approve Ordinance No. 2018-30 as presented, AN ORDINANCE ANNEXING A 11.29± ACRES TRACT LOCATED SOUTHEAST OF THE INTERSECTION OF OLD OAKWOOD ROAD AND MOUNTAIN VIEW ROAD (A/K/A 2949 OLD OAKWOOD 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.

Motion made by Council Member Bruner

Motion seconded by Council Member Wangemann

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

Motion to approve Ordinance No. 2018-31, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A

11.29± ACRES TRACT LOCATED SOUTHEAST OF THE INTERSECTION OF OLD OAKWOOD ROAD AND MOUNTAIN VIEW ROAD (A/K/A 2949 OLD OAKWOOD ROAD) AT THE TIME OF ANNEXATION AS LIGHT INDUSTRIAL, WITH CONDITIONS (L-I-c); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES **amending condition 1 to add the following language: “so that the Planning and Appeals Board can review the site plan in light of the factors set forth in Section 9-22-2-12 of the Unified Land Development Code to ensure that the site plan is appropriate for the subject properties”.**

Motion made by Council Member Wangemann

Motion seconded by Council Member Brooks

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

ADJOURNMENT: 6:10 PM

/ag

C. Danny Dunagan, Jr., Mayor

Denise O. Jordan, City Clerk