



AGENDA

**Gainesville Mayor/Council Meeting
Tuesday, January 8, 2019, 5:30 PM
Public Safety Complex (Gainesville Justice Center)
Municipal Court Room, 701 Queen City Parkway
Mayor or Mayor Pro Tem Presides**

INVOCATION:

PLEDGE OF ALLEGIANCE:

COUNCIL ANNOUNCEMENTS:

PUBLIC COMMENTS: (20 minutes maximum)

ORGANIZATIONAL MEETING:

- A. Business Resolution-2019-01 Emergency Interim Successors
- B. Appointment: Administrative Hearing Officer
- C. Appointment: Legal Organ
- D. Appointments: Ex-Officio Members to Boards/Committees
- E. Appointment: Georgia Mountains Regional Commission

CONSENT AGENDA:

Minutes

- A. December 10, 2018 SPLOST Meeting
- B. December 13, 2018 Work Session
- C. December 18, 2018 Mayor/Council Meeting

Resolutions

- A. BR-2019-02 Intergovernmental Agreement with Hall County to Provide Inmates for Gainesville Corrections Officers

GENERAL LEGISLATION:

A. Ordinance No. 2019-01

Amend Chapter 6-4 Section 6-4-81 Regarding Hours of Sale for Consumption on Premises of Alcoholic Beverages

AN ORDINANCE TO AMEND SECTION 6-4-81, ENTITLED "HOURS OF SALE," OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE 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.

CITY MANAGER ISSUES:

CITY ATTORNEY ISSUES:

CITY CLERK ISSUES:

EXECUTIVE SESSION:

ADJOURNMENT:

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/3/2019
Presenter: Danny Dunagan
Item of Business: Business Resolution-2019-01 Emergency Interim Successors
Meeting Date: 1/8/2019

Purpose of Request:

The purpose of this resolution is to define the order of succession.

History/Background:

Facts & Issues for Consideration:

The order of succession is established annually during the organizational meeting upon adoption of the Emergency Interim Resolution.

Department Recommendation:

During the December 13, 2018 Work Session, Mayor Dunagan expressed a desire for the order of succession to remain the same subsequently nominating Council Member Couvillon to serve as the Mayor Pro Tem and nominating the remaining elected officials to serve in emergency capacity based upon their tenure of service.

Department Director:

Danny Dunagan

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested: **Source of Funds:**

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
2019-01 Emergency Interim Successors	Resolution

**RESOLUTION BR-2019-01
EMERGENCY INTERIM SUCCESSORS**

WHEREAS, the Georgia Civil Defense Act as amended in 1962 requires the Emergency Interim Successor to be named.

WHEREAS, the governing body annually adopts a resolution identifying the order of succession during emergency situations.

NOW, THEREFORE, BE IT RESOLVED, that the Emergency Interim Successors for the City of Gainesville are designated in the order listed below:

1. Mayor C. Danny Dunagan, Jr.
2. Mayor Pro Tem W. Samuel Couvillon
3. Council Member George Wangemann
4. Council Member Ruth Bruner
5. Council Member Zack Thompson
6. Council Member Barbara Brooks

Adopted this ____ day of _____, 2019.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/3/2019
Presenter: Danny Dunagan
Item of Business: Appointment: Administrative Hearing Officer
Meeting Date: 1/8/2019

Purpose of Request:

The purpose of this request is to reappoint G. Hammond Law, III to serve another one-year term.

History/Background:

Facts & Issues for Consideration:

Section 1-8-1(6) of the Code of Ordinances sets forth a one-year term.

Department Recommendation:

The nomination was presented during the December 13, 2018 Work Session.

Department Director:

Danny Dunagan

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested: **Source of Funds:**

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
☐ 2019 Organizational Meeting Appointment List	Backup Material

ORGANIZATIONAL MEETING APPOINTMENTS

POST	LAST NAME	FIRST NAME	APPOINTED	EXPIRATION	FREQUENCY
City Manager	Lackey	Bryan	11/3/2015 effective 11/30/2015		As Needed
City Attorney	Hulsey, Oliver & Mahar, LLP (Abbott Hayes, Jr.)		10/6/2015 effective 1/1/2016		As Needed
City Auditor	Rushton & Company, CPA		2/18/1997 1/7/2014		As Needed
Chief Judge	Law, III	G. Hammond	1/1/1988 1/7/2014		As Needed
Municipal Court Solicitor	Bishop	Anne Marie	2/16/16 UE 1/9/2018	1/9/2020	2 year appt
Deputy Municipal Court Solicitor	Grant	Inez	4/19/2016 1/9/2018	1/9/2020	2 year appt
Adminstrative Hearing Officer	Law, III	G. Hammond	1/1/1992 1/7/2014 1/6/2015 1/5/2016 1/10/2017 1/9/2018	1/8/2019	Annual
Legal Organ	The Times		1/10/2017 1/9/2018	1/8/2019	Annual

EXPIRATION DATE: First Council Meeting of the year

UPDATED: 1/10/18 ag

"As Needed": Charter states "shall be removed at anytime upon majority vote of the governing body".

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/3/2019
Presenter: Danny Dunagan
Item of Business: Appointment: Legal Organ
Meeting Date: 1/8/2019

Purpose of Request:

The purpose of this request is to reappoint The Times as the Legal Organ.

History/Background:

Facts & Issues for Consideration:

The Times is the only newspaper published daily in Hall County.

Department Recommendation:

Nominated for reappointment during the Decemeber 13, 2018 Work Session.

Department Director:

Danny Dunagan

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested: **Source of Funds:**

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
☐ 2019 Organizational Meeting Appointment List	Backup Material

ORGANIZATIONAL MEETING APPOINTMENTS

POST	LAST NAME	FIRST NAME	APPOINTED	EXPIRATION	FREQUENCY
City Manager	Lackey	Bryan	11/3/2015 effective 11/30/2015		As Needed
City Attorney	Hulsey, Oliver & Mahar, LLP (Abbott Hayes, Jr.)		10/6/2015 effective 1/1/2016		As Needed
City Auditor	Rushton & Company, CPA		2/18/1997 1/7/2014		As Needed
Chief Judge	Law, III	G. Hammond	1/1/1988 1/7/2014		As Needed
Municipal Court Solicitor	Bishop	Anne Marie	2/16/16 UE 1/9/2018	1/9/2020	2 year appt
Deputy Municipal Court Solicitor	Grant	Inez	4/19/2016 1/9/2018	1/9/2020	2 year appt
Administrative Hearing Officer	Law, III	G. Hammond	1/1/1992 1/7/2014 1/6/2015 1/5/2016 1/10/2017 1/9/2018	1/8/2019	Annual
Legal Organ	The Times		1/10/2017 1/9/2018	1/8/2019	Annual

EXPIRATION DATE: First Council Meeting of the year

UPDATED: 1/10/18 ag

"As Needed": Charter states "shall be removed at anytime upon majority vote of the governing body".

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/3/2019
Presenter: Danny Dunagan
Item of Business: Appointments: Ex-Officio Members to Boards/Committees
Meeting Date: 1/8/2019

Purpose of Request:

The purpose of this request is to address the annual ex-officio appointments.

History/Background:

Facts & Issues for Consideration:

The appointments were discussed during the December 13, 2018 and January 3, 2019 Work Sessions.

Department Recommendation:

Appoint the ex-officio members as presented.

Department Director:

Danny Dunagan

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested: **Source of Funds:**

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
 2019 Ex-Officio Appointments	Backup Material

BOARD/COMMITTEE EX-OFFICIO APPOINTMENTS

(One Year Terms)

COMMITTEE	Meeting Schedule	2019
Chicopee Woods Area Park Commission	Quarterly	Bruner
Economic Development Council	Monthly	Mayor
Gainesville-Hall County Development Authority	As Needed	Mayor
Gainesville-Hall County Land Bank Board		Couvillon
Gainesville Redevelopment Authority	As needed	Mayor
Greater Hall Chamber of Commerce Board of Directors	Monthly	Mayor
HALLmark Initiative		Mayor
Airport Advisory Committee	Quarterly	Couvillon
Keep Hall Beautiful/Hall County Green Alliance		Wangemann
Board of Health	Quarterly	Wangemann
Chattahoochee Golf Course Advisory Committee	Monthly	Thompson
Friends of the Park	Monthly	Brooks
Gainesville Non-Profit Development Authority	Quarterly	Brooks
Historic Preservation Commission	Monthly	Wangemann
Housing Authority	Monthly	Wangemann
Main Street Gainesville Advisory Board	Bi-Monthly	Bruner
Parks & Recreation Board	Monthly	Couvillon
Planning and Appeals Board	Monthly	Brooks

1/3/19 dj

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/3/2019
Presenter: Danny Dunagan
Item of Business: Appointment: Georgia Mountains Regional Commission
Meeting Date: 1/8/2019

Purpose of Request:

The purpose of this request is to reappoint Council Member George Wangemann to represent the City of Gainesville.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

The nomination was presented at the December 13, 2018 Work Session.

Department Director:

Danny Dunagan

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested: **Source of Funds:**

Finance Comments:

Administrative Comments:

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 12/27/2018

Presenter:

Item of Business: Consent Agenda Items

Meeting Date: 1/8/2019

Purpose of Request:

The following appointments, minutes and/or resolutions are being considered under the Consent Agenda Section. These items were previously distributed for review and/or discussed. Unless otherwise directed by Mayor and Council, they will not be discussed during this meeting.

If you have questions regarding these documents, please feel free to contact the City Clerk's Office during normal business hours (Monday through Friday from 8:00 AM to 5:00 PM) at 770-535-6865 or via email to cityclerk@gainesville.org.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Department Director:

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/3/2019
Presenter: Denise Jordan
Item of Business: December 10, 2018 SPLOST Meeting
Meeting Date: 1/8/2019

Purpose of Request:

The purpose of this request is to allow the governing body to approve minutes from the referenced meeting.

History/Background:

Facts & Issues for Consideration:

Draft minutes were distributed to the governing body, City Manager, City Attorney and Department Directors for comments/corrections.

Department Recommendation:

Approve the minutes accepting edits as presented.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description

Type

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/3/2019
Presenter: Denise Jordan
Item of Business: December 13, 2018 Work Session
Meeting Date: 1/8/2019

Purpose of Request:

The purpose of this request is to allow the governing body to approve minutes from the referenced meeting.

History/Background:

Facts & Issues for Consideration:

Draft minutes were distributed to the governing body, City Manager, City Attorney and Department Directors for comments/corrections.

Department Recommendation:

Approve the minutes accepting edits as presented.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description

Type

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/3/2019
Presenter: Denise Jordan
Item of Business: December 18, 2018 Mayor/Council Meeting
Meeting Date: 1/8/2019

Purpose of Request:

The purpose of this request is to allow the governing body to approve minutes from the referenced meeting.

History/Background:

Facts & Issues for Consideration:

Draft minutes were distributed to the governing body, City Manager, City Attorney and Department Directors for comments/corrections.

Department Recommendation:

Approve the minutes accepting edits as presented.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested: **Source of Funds:**

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description

Type

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 12/4/2018

Presenter: Bryan Lackey

Item of Business: BR-2019-02 Intergovernmental Agreement with Hall County to Provide Inmates for Gainesville Corrections Officers

Meeting Date: 1/8/2019

Purpose of Request:

Agreement with Hall County to continue to provide inmates for Public Works and Park and Recreation Corrections Officers.

History/Background:

Hall County has historically provided inmate details to the City of Gainesville and would like to update the agreement to continue to provide them in the future.

Facts & Issues for Consideration:

Inmates provide litter pickup and maintenance for the right of way, parks and Alta Vista Cemetery. Continued use of the inmate details helps keep City right of ways, parks and the Alta Vista Cemetery clean.

Department Recommendation:

Approve the resolution/agreement to continue to provide inmates to the City departments.

Department Director:

Chris Rotalsky

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
☐ BR-2019-02 Intergovernmental Agreement with Hall County to Provide Inmate Details	Resolution
☐ IGA with Hall County for inmates	Contract/Agreement/MOU

RESOLUTION BR-2019-02

**INTERGOVERNMENTAL AGREEMENT WITH HALL COUNTY FOR
PROVIDING INMATES FOR CITY OF GAINESVILLE CORRECTIONS OFFICERS**

WHEREAS, the City of Gainesville is a Georgia municipality located within Hall County, Georgia and employs qualified corrections officers; and

WHEREAS, the City of Gainesville utilizes inmate crews from the Hall County Correctional Institution to perform maintenance work in different areas of the City; and

WHEREAS, the City of Gainesville and Hall County would like to enter into an Intergovernmental Agreement to continue this partnership to serve the City of Gainesville in a more efficient manner; and

WHEREAS, the City of Gainesville and Hall County wish to clarify the agreement with Hall County for continuing to provide up to 4 inmates for each of the 5 City of Gainesville Corrections Officers for the purpose of maintaining City right of ways, parks and Alta Vista Cemetery.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby authorizes the Mayor, City Manager and/or City Attorney to execute the Correction Officers Intergovernmental Agreement between the City of Gainesville, Georgia and Hall County, Georgia and any other documents necessary to effectuate the provisions of the Intergovernmental Agreement.

Adopted this _____ day of _____, 2019.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

Corrections Officers Intergovernmental services Agreement

GEORGIA, HALL COUNTY

This Intergovernmental Agreement, entered into this _____ day of _____, 2018 by and between the City of Gainesville, Georgia, a municipal corporation, by and through its duly authorized governing authority, the City Council of Gainesville, Georgia, (hereinafter referred to as "Gainesville") and Hall County, Georgia, a political subdivision of the State of Georgia, by and through its duly authorized governing authority, the Board of Commissioners of Hall County, Georgia (hereinafter referred to as "Hall County", the purpose of which Agreement is to set forth the responsibilities of each party as they concern the operation, funding, and administration of Corrections Officers and inmate crews. The Agreement as it relates to such issues provides as follows:

Whereas, Hall County and Gainesville employ qualified Corrections Officers: and

Whereas, Gainesville has a need for inmate crews from the Hall County Correctional Institution to perform work in different areas of the city, and such crews require the supervision of a qualified Corrections Officer; and

Whereas, it is in the best interest of all citizens and residents of both entities to have such work performed by inmate crews supervised by qualified Corrections Officer; and

Whereas, Hall County and Gainesville would like to participate in a joint agreement as to the use of these inmate crews and Corrections Officers to help serve the citizens of Hall County and Gainesville in a more efficient manner; and

Whereas, Hall County and Gainesville wish to clarify their verbal agreements regarding the future funding of this venture: and

Whereas, these authorities' activities have direct effect on the quality of life and growth within the community.

Now, Therefore, Hall County and the City of Gainesville agree as follows:

1. During the term of the Agreement, Hall County will provide five (5) inmate details consisting of no more than 4 inmates each, when available, to perform work within the City. The inmate detail will be assigned to the City of Gainesville, providing the qualified Corrections Officer(s) to supervise said inmate detail, as well as necessary vehicles, tools and supplies.
2. The term of this Agreement shall commence as of the date of execution by the parties hereto and shall continue until one party terminates this contract by written notice to the other but in no event shall such term exceed 50 years from the initial date of execution hereof. Each party to this Agreement shall have the right to terminate said Agreement with or without cause. Such termination shall be effective upon the ninetieth (90th) day after receipt of written notice to terminate.
3. Neither party hereto shall, without written consent of the other, assign or transfer this Agreement or any rights and obligations hereunder.
4. The terms of this Agreement shall not be altered, amended or modified except in writing signed by duly authorized officer of Hall County and the City of Gainesville.
5. This Agreement shall be construed under the law of the State of Georgia.
6. Any notice or communications hereunder shall be in writing and shall be deemed to have been delivered when deposited in the United States Mail, registered or certified, addressed as follows:

City of Gainesville

Gainesville City Manager
P. O. Box 2496
300 Henry Ward Way, Suite 300
Gainesville, GA 30503

Hall County

County Administrator
P.O. Drawer 1435
Gainesville, GA 30503

Or to such other address as either party may designate for itself by written notice to the other party given from time to time, in the matter herein provided.

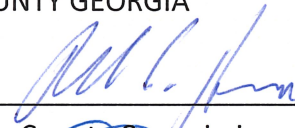
In Witness Whereof, the parties hereto, by and through their Chief Executive Officers,
have executed this agreement the day and year above written.

CITY OF GAINESVILLE, GEORGIA

Mayor,

Attest: _____
City Clerk

HALL COUNTY GEORGIA



Chairman, County Commission

Attest: 
County Clerk

794138-1

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 12/27/2018

Presenter: Angela Sheppard

Item of Business: **Ordinance No. 2019-01**
Amend Chapter 6-4 Section 6-4-81 Regarding Hours of Sale for Consumption on Premises of Alcoholic Beverages
AN ORDINANCE TO AMEND SECTION 6-4-81, ENTITLED "HOURS OF SALE," OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE 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.

Meeting Date: 1/8/2019

Purpose of Request:

To amend Section 6-4-81 and modify the serving time on Sunday from 12:30 pm to 11:00 am.

History/Background:

The "Brunch Bill" was approved by referendum in November 2018. To make the change effective, the City Council must amend the City's alcohol ordinance.

Facts & Issues for Consideration:

The Ordinance will have an effective date beginning Sunday, February 3rd. This is a common effective date for Hall County, Oakwood and Flowery Branch.

Department Recommendation:

Approve the proposed Ordinance amendment.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

	Description	Type
	Ord. 2019-01 Amend Section 6-4-81 Regarding Hours of Sale for Consumption on Premises	Ordinance

Passed: _____

AN ORDINANCE

No. 2019-01

AN ORDINANCE TO AMEND SECTION 6-4-81, ENTITLED "HOURS OF SALE," OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE 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.

BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF GAINESVILLE, GEORGIA, AS FOLLOWS:

SECTION I.

Section 6-4-81 of the Code of Ordinances of the City of Gainesville, Georgia is hereby amended to read as follows:

Sec. 6-4-81. - Hours of sale.

- (a) The hours of sale for consumption by the drink on the premises where sold are from 8:00 a.m. to 1:30 a.m. on Monday through Friday, from 8:00 a.m. on Saturday through 1:30 a.m. on Sunday, and from 11:00 a.m. on Sunday to 1:30 a.m. on Monday.
- (b) All alcoholic beverages shall be removed, from the area of the premises utilized by customers or patrons within forty-five (45) minutes after the closing time for the sale of alcoholic beverages.

SECTION II.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION III.

If any portion of this ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

SECTION IV.

The ordinance is enacted as an amendment to Chapter 6-4 Section 6-4-81 of the Code of Ordinances of the City of Gainesville, Georgia.

ORDINANCE NO. 2019-01

SECTION V.

The effective date of this ordinance shall be February 3, 2019.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk