

OFFICIALS PRESENT: Danny Dunagan, Zack Thompson, George Wangemann, Sam Couvillon, Barbara Brooks, Juli Clay
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.

Pastor Shon Peppers, First Presbyterian Church Gainesville, delivered the invocation after which the Pledge of Allegiance was recited in unison.

COUNCIL ANNOUNCEMENTS:

Council Member Clay

1. Announced Brenau University will be hosting the Vice-President of Costa Rica.
2. Wished Council Member Wangemann a happy birthday today.

Council Member Brooks

Shared information about the Gainesville Parks & Recreation's inaugural Wilshire Wonderland of Lights located at Wilshire Park. Additional details available on the City's website.

Council Member Thompson

Reported the annual service for leaf pickup has begun and runs through January 2022. Additional details about the service is available on the City's website.

Council Member Wangemann

Commented on the Christmas Parade being outstanding.

Council Member Couvillon

Reiterated other Council Member's points related to current and recent City events and wished Council Member Wangemann a happy birthday noting his birthday was on Friday.

Mayor Dunagan

1. Announced the City Offices will be closed on December 23 and 24 in observance of the Christmas holiday and December 31 in observance of the New Year's holiday.
2. Wished everyone a Merry Christmas and Happy New Year.
3. Commented on the Christmas Parade noting he participated in the judging for the floats and antique cars.

PUBLIC COMMENTS:

Bill Taylor, 1837 Nottingham Drive, commented on his appointment to the Friends of the Parks Board. He thanked the Mayor noting it was time for the City to find a replacement for him. Mayor Dunagan expressed his appreciation for his service on the board and for his previous service as a Gainesville Police Officer for 25 years.

CONSENT AGENDA:

Minutes: November 16, 2021 Mayor/Council Meeting

Motion to approve the minutes accepting edits as presented.

Motion made by Council Member Wangemann

Motion seconded by Council Member Clay

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

RESOLUTION:

GR-2021-15 Authorization to Execute Donation Agreement for Lake Lanier Olympic Park Plaza Pavilion

Motion to adopt the resolution GR-2021-15 as presented.

Motion made by Council Member Brooks

Motion seconded by Council Member Clay

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

Mayor Dunagan recognized Lake Lanier Olympic Park Foundation committee members Mimi Collins, Lila Westmoreland, Dixie Truelove and Mark Bell and expressed appreciation to the foundation, on behalf of the Council, for its continued efforts in supporting the Olympic Park. He commented on their leadership roles, the current capital campaign goals and thanked the local businesses, specifically Northeast Georgia Health System and Turner Wood and Smith, for their contributions and support.

PUBLIC HEARING:

(Tabled at the October 5, 2021 Council Meeting)

Request from Easto Construction to amend a portion of an existing Planned Unit Development (P-U-D) zoning totaling 4.847± acres located southeast of the intersection of Thompson Bridge Road and High Vista Point (a/k/a 2702 High Vista Point, NE). Ward Number: One. Tax Parcel Number(s): 01-100-002-032. Request: 44 residential townhomes.

- ***Proposed Zoning Amendment Ordinance 2021-27***

City Attorney Abb Hayes stated the applicant, with the consent of the neighborhood group, has requested to table the request to the January 18, 2022 Mayor/Council meeting.

Motion to table the request to the January 18, 2022 Mayor/Council Meeting.

Motion made by Council Member Thompson

Motion seconded by Council Member Wangemann

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

Request from Koch Foods of Gainesville, LLC to annex a 0.572± acre tract located on the northwest side of the intersection of Industrial Boulevard and Mitchell Street (a/k/a 966 Industrial Boulevard) and to establish zoning as Heavy Industrial (H-I). Ward Number: Four. Tax Parcel Number(s): 00-050-001-007. Request: Poultry processing plant expansion.

- ***Proposed Annexation Ordinance 2021-30***
- ***Proposed Zoning Ordinance 2021-31***

Request from Koch Foods of Gainesville, LLC to rezone a 0.55± acre tract located between Davis Street and Industrial Boulevard, southwest of Queen City Parkway (a/k/a 911, 913 and 919 Davis Street, SW; 950 Industrial Boulevard, SW) from Residential-II (R-II) to Heavy Industrial (H-I). Ward Number: Four. Tax Parcel Number(s): 01-030-009-001 and 002; 00-030-009-002 (Part). Request: Poultry processing plant expansion.

- ***Proposed Rezoning Ordinance 2021-32***

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

Community and Economic Development Deputy Director Matt Tate reviewed the requests. The Planning and Appeals Board and staff recommended approval with the following three conditions:

1. All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director. All required access / traffic / sidewalk improvements associated with the proposal shall be at the full expense of the property owner.
2. The proposed redevelopment of the subject property shall meet the Gainesville Unified Land Development Code standards including but not limited to access, parking, stormwater, landscaping, fencing and signage.
3. An updated as-built survey/plat combining the subject property and adjacent properties owned by applicant shall be required.

Mr. Hayes opened the floor for comments. There being none, the matter was returned to the governing body for consideration.

Motion to approve Ordinance 2021-30, AN ORDINANCE ANNEXING A 0.572± ACRE TRACT LOCATED ON THE NORTHWEST SIDE OF THE INTERSECTION OF INDUSTRIAL BOULEVARD AND MITCHELL STREET (A/K/A 966 INDUSTRIAL BOULEVARD) ADJACENT TO BUT NOT NOW WITHIN THE CORPORATE LIMITS OF THE CITY OF GAINESVILLE, GEORGIA; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion made by Council Member Thompson

Motion seconded by Council Member Wangemann

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

Motion to approve Ordinance 2021-31, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A 0.572± ACRE TRACT LOCATED ON THE NORTHWEST SIDE OF THE INTERSECTION OF INDUSTRIAL BOULEVARD AND MITCHELL STREET (A/K/A 966 INDUSTRIAL BOULEVARD) AT THE TIME OF ANNEXATION AS HEAVY INDUSTRIAL, WITH CONDITIONS (H-I-c); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES with conditions as presented.

Motion made by Council Member Wangemann

Motion seconded by Council Member Thompson

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

Motion to approve Ordinance 2021-32, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 0.55± ACRE TRACT LOCATED BETWEEN DAVIS STREET AND INDUSTRIAL BOULEVARD, SOUTHWEST OF QUEEN CITY PARKWAY (A/K/A 911, 913 AND 919 DAVIS STREET, SW; 950 INDUSTRIAL BOULEVARD, SW) FROM RESIDENTIAL-II (R-II) TO HEAVY INDUSTRIAL, WITH CONDITIONS (H-I-c); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES with conditions as presented.

Motion made by Council Member Couvillon
Motion seconded by Council Member Brooks

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

Request from the Atlanta Botanical Garden, Inc. to annex a total of 17.032± acres to include a 10.237± acres tract located on the northwest side of the intersections of Lake Hill Drive and Randall Street and Lake Hill Drive and Gary Street; and a 6.795± acres tract located on the west side of the cul-de-sac of Barrett Street, having road frontage on the north side of Riverbend Circle (a/k/a 115 Barrett Street, 102, 104 and 106 Gary Street; 213, 301, 303 and 305 Lake Hill Drive; 0, 100, 101, 102, 103, 104, 105, 106, 107, 109 and 111 Randall Street; 0 Riverbend Circle) and to establish zoning as Planned Unit Development (P-U-D). Ward Number: Two. Tax Parcel Number(s): 00-093-001-003A, 005, 020, 021, 022, 023, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, and 040. Request: Atlanta Botanical Garden expansion.

- ***Proposed Annexation Ordinance 2021-33***
- ***Proposed Zoning Ordinance 2021-34***

Request from the Atlanta Botanical Garden, Inc. to rezone a total of 20.695± acres to include a 13.625± acres tract located on the west side of Lake Hill Drive, having road frontage on the north side of Barrett Street; and a 7.07± acres tract located on the northwest side of the cul-de-sac of Roper Hill Road (a/k/a 103 Gary Street, NE; 1662 Roper Hill Road, NE) from Residential-II (R-II) and General Business (G-B) to Planned Unit Development (P-U-D). Ward Number: Two. Tax Parcel Number(s): 00-093-001-042; 01-084-004-005. Request: Atlanta Botanical Garden expansion.

- ***Proposed Rezoning Ordinance 2021-35***

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

Community and Economic Development Deputy Director Matt Tate reviewed the requests. The Planning and Appeals Board and staff recommended approval with five conditions. He commented on a revision to condition 4 made following the Planning and Appeals Board meeting as a result of concerns expressed by and received from the neighborhood regarding access to Roper Hill Road. The applicant was notified and agreed to the revised condition.

1. The development plan and architectural plan for the proposed access, parking lot and event center must be reviewed and approved by the Community and Economic Development Director prior to the issuance of a permit.
2. A Uniform Sign Plan as identified within Section 9-18-7-4 of the Unified Land Development Code shall be required from the developer and is subject to approval by

- the Community and Economic Development Director. All signs shall be located outside of utility areas and shall not block visibility of vehicular traffic.
3. The proposed parking, event center and all other facilities within the subject property shall be sufficiently screened from the adjacent residential uses. The vegetated buffer areas shall be a minimum of 50-foot wide and the location, size and type of vegetation shall be approved by the Community and Economic Development Director.
 4. All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director in conjunction with the Georgia Department of Transportation if required. All required access/traffic/sidewalk improvements associated with the proposal shall be at the full expense of the property owner/applicant. There shall be no vehicular access allowed from Barrett Street, Riverbend Circle and Roper Hill Road.
 5. An updated as-built survey/plat combining the subject property and adjacent properties owned by applicant shall be required.

City Attorney Hayes opened the floor for comments.

Darrell Rochester, 425 Oak Street, shared details about the project noting they have been working on a solution for parking to allow for larger events. The plan includes an additional 700+ parking spaces and property acquisitions to support the expansion. The intent is for all the tracts to be onto Lake Hill Drive and back on to Cleveland Highway with no access through subdivisions or adjoining neighborhoods. He stated they are in favor of the condition to not allow access to Barrett Street, Riverbend Circle and Roper Hill Road and asked to add that there be an exception for emergency or maintenance purposes such as the City's need to access for sewer system maintenance and/or for the Garden to address issues related to trees and other emergencies. He commented on plans for an event center and the overall project plan to incorporate everything into the City with the same zoning. He ended by stating the Garden is a great asset to the community noting this project is a great addition to solving some of the existing challenges.

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

Upon inquiry, Mr. Tate confirmed an amended condition to include the language for emergency access would need to be added.

Motion to approve Ordinance 2021-33, AN ORDINANCE ANNEXING A TOTAL OF 17.032± ACRES TO INCLUDE A 10.237± ACRES TRACT LOCATED ON THE NORTHWEST SIDE OF THE INTERSECTIONS OF LAKE HILL DRIVE AND RANDALL STREET AND LAKE HILL DRIVE AND GARY STREET; AND A 6.795± ACRES TRACT LOCATED ON THE WEST SIDE OF THE CUL-DE-SAC OF BARRETT STREET, HAVING ROAD FRONTAGE ON THE NORTH SIDE OF RIVERBEND CIRCLE (A/K/A 115 BARRETT STREET; 102, 104 AND 106 GARY STREET; 213, 301, 303 AND 305 LAKE HILL DRIVE; 0, 100, 101, 102, 103, 104, 105, 106, 107, 109 AND 111 RANDALL STREET; 0 RIVERBEND CIRCLE); ADJACENT TO BUT NOT NOW WITHIN THE CORPORATE LIMITS OF THE CITY OF GAINESVILLE, GEORGIA; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion made by Council Member Clay

Motion seconded by Council Member Wangemann

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

Motion to approve Ordinance 2021-34, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A TOTAL OF 17.032± ACRES TO INCLUDE A 10.237± ACRES TRACT LOCATED ON THE NORTHWEST SIDE OF THE INTERSECTIONS OF LAKE HILL DRIVE AND RANDALL STREET AND LAKE HILL DRIVE AND GARY STREET; AND A 6.795± ACRES TRACT LOCATED ON THE WEST SIDE OF THE CUL-DE-SAC OF BARRETT STREET, HAVING ROAD FRONTAGE ON THE NORTH SIDE OF RIVERBEND CIRCLE (A/K/A 115 BARRETT STREET; 102, 104 AND 106 GARY STREET; 213, 301, 303 AND 305 LAKE HILL DRIVE; 0, 100, 101, 102, 103, 104, 105, 106, 107, 109 AND 111 RANDALL STREET; 0 RIVERBEND CIRCLE) AT THE TIME OF ANNEXATION AS PLANNED UNIT DEVELOPMENT, WITH CONDITIONS (P-U-D-c); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES **with conditions as presented to include the amendment to condition 4 read as follows: "All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director in conjunction with the Georgia Department of Transportation if required. All required access/traffic/sidewalk improvements associated with the proposal shall be at the full expense of the property owner/applicant. There shall be no vehicular access, except for emergency and maintenance purposes, allowed from Barrett Street, Riverbend Circle and Roper Hill Road."**

Motion made by Council Member Clay

Motion seconded by Council Member Thompson

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

Motion to approve Ordinance 2021-35, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A TOTAL OF 20.695± ACRES TO INCLUDE A 13.625± ACRES TRACT LOCATED ON THE WEST SIDE OF LAKE HILL DRIVE, HAVING ROAD FRONTAGE ON THE NORTH SIDE OF BARRETT STREET; AND A 7.07± ACRES TRACT LOCATED ON THE NORTHWEST SIDE OF THE CUL-DE-SAC OF ROPER HILL ROAD (A/K/A 103 GARY STREET, NE; 1662 ROPER HILL ROAD, NE) FROM RESIDENTIAL-II (R-II) AND GENERAL BUSINESS (G-B) TO PLANNED UNIT DEVELOPMENT, WITH CONDITIONS (P-U-D-c); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES **with conditions as presented to include the amendment to condition 4 read as follows: "All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director in conjunction with the Georgia Department of Transportation if required. All required access/traffic/sidewalk improvements associated with the proposal shall be at the full expense of the property owner/applicant. There shall be no vehicular access, except for emergency and maintenance purposes, allowed from Barrett Street, Riverbend Circle and Roper Hill Road."**

Motion made by Council Member Clay

Motion seconded by Council Member Wangemann

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

CITY MANAGER ISSUES:

BR-2021-53 S.R. 129 South/S.R. 323 Sanitary Sewer Extension Cost Participation

Agreement

City Manager Bryan Lackey shared some history surrounding a previous agreement to partner with a property owner for sewer service. Since that time a new property owner/developer for property located at 2242 Gaines Mill Road and 2579 Gillsville Highway expressed an interest to connect a proposed residential development onto the City's sanitary sewer system. The proposed resolution authorizes the City to proceed with the agreement.

Motion to adopt resolution BR-2021-53 as presented.

Motion made by Council Member Thompson

Motion seconded by Council Member Brooks

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

CITY ATTORNEY ISSUES:

BR-2021-54 Memorandum of Understanding Regarding Opioid Settlement

City Attorney Abb Hayes stated a number of opioid manufacturers and distributors have reached a settlement with various states and local governments. The proposed resolution represents the City's agreement to be bound by the Memorandum of Understanding between the state of Georgia and other local government entities regarding the National Distributor and J&J Settlements to allow for continued negotiations and to maximize recovery.

Motion to adopt resolution BR-2021-54 as presented.

Motion made by Council Member Brooks

Motion seconded by Council Member Wangemann

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

CITY CLERK ISSUES:

BR-2021-55 2022 Meeting Calendar for the Governing Body

City Clerk Denise Jordan stated the proposed resolution authorizes adoption of the 2022 Council Meeting calendar. Adjustments were made to the calendar to reflect some date changes as received from Council. She requested approval of the calendar with the understanding adjustments can be made throughout the year in accordance with the Open Meetings Act.

Motion to adopt resolution BR-2021-55 as presented.

Motion made by Council Member Thompson

Motion seconded by Council Member Brooks

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

ADJOURNMENT: 6:04 PM

/ag

C. Danny Dunagan, Jr., Mayor

Denise O. Jordan, City Clerk