

**MINUTES  
CITY COUNCIL MEETING  
TUESDAY, AUGUST 28, 2012**

*Meeting Location: City Hall, 330 Town Center Avenue*

Attendees: Jimmy Burnette, Mayor  
Daniel F. Foster, Mayor Pro Tem  
Richard I. Goodman, Councilmember  
Doug Ireland, Councilmember  
Kevin McOmbler, Councilmember  
Marty Allen, City Manager  
Elvira Rogers, City Clerk  
Gregory Jay, City Attorney

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**5:30 P.M.  
DINNER SESSION  
BIG SPLASH ROOM, #2302**

**City Council Informal Session**

*Informal discussion among City Councilmembers and staff. Food provided for Elected Officials and staff. No action to be taken during session.*

**6:30 P.M.  
COUNCIL MEETING  
COUNCIL CHAMBERS**

**A. Call to Order**

Mayor Burnette opened the Public Hearing and read the procedures for Public Hearings for the record.

**B. Public Hearing**

**1) 2012 Millage Rate**

Marty Allen, City Manager, presented a PowerPoint presentation. We have received our 2012 tax consolidation information from Gwinnett County. After analyzing the data, staff recommends a rate of 4.93 mills, which would be a 0.72-mill reduction from the current rate of 5.65. There was no audience comment.

- 2) RZ-2012-002 – Applicant/Owner: Suwanee Junction, LLC. Requests a rezoning from PMUD (Planned Mixed Use Development) to PMUD to modify the conditions of zoning to allow for single family homes. The site is located on Village Field Court across from Village Field Place and Lassen Court and contains approximately 1.75 acres**

Josh Campbell, Planning Director, presented the staff analysis. This condition of zoning is associated with the Village Grove project. The request is to convert a portion of the plan from townhomes to single family residence. This has been done on another section of the development and has been successful. There will be some sight modification with this request. Staff and Planning Commission recommended approval with recommended conditions.

Support: Ron Sprinkle, 1664 ?Court, Atlanta, GA. represented the applicant. The applicant is in support of the recommendations. The requested modifications have been tested across the street and have been successful.

Opposition: None.

- 3) **RZ-2012-003 – Applicant: Michael O’Connell. Owner: James E. Adams. Requests a rezoning from R-100 (Residential Single Family) to PMUD (Planned Mixed Use Development) to allow for a personal care home and single family residence. The site is located at 4545 Suwanee Dam Road and contains approximately 4.38 acres**

Josh Campbell, Planning Director, presented the staff analysis. Mr. Campbell stated the applicant requests to use an existing residence for a personal care home and their primary residence. The personal care home will teach young adults with autism. Hours of operation will be 9 -5 Monday through Saturday. There is an accessory structure on the site intended for use. There are no changes anticipated for the house or the site demographics. The Future Land Use Plan identifies this property as PMUD. Staff has proposed a number of conditions that would limit the site use. Planning Commission recommended approval with an additional condition to require an additional Certificate of Occupancy from Planning and Inspections prior to occupying the site.

Support: Jeff Little, 1550 Beaver Ruin Road represented the applicant. Mary O’Connell, 4545 Suwanee Dam Road, Suwanee, GA. Ms. O’Connell stated she is a retired teacher. She worked with the Gwinnett County School System for 17+ years, working with autistic students. The personal care home will work with adults. The adults will be screened. This venture is to allow autistic adults to not lose the skills they have obtained in the school setting in order to live independently.

Mr. Little stated they have looked at a number of other properties. This property gives a natural setting no an institutional feel for those participating in the program. There is no desire to change the property.

Opposition: None.

- 4) **Alcohol Beverage License: Gulf Coast Grill, 3463-A Lawrenceville Suwanee Road, Suite A-101**

Marty Allen, City Manager, stated that Gulf Coast Grill has applied for a license for the on-premise consumption of beer, wine, and distilled spirits. Amy Elizabeth Fitzpatrick is the proposed licensee. The finance department recommends approval of this license.

**5) Alcohol Beverage License: Suwanee Pizza Tavern, 1500 Peachtree Industrial Blvd, Bldg. 600, Suite 150**

Marty Allen, City Manager stated that Suwanee Pizza Tavern has applied for a license for the on-premise consumption of beer, wine, and distilled spirits. Melissa Dean is the proposed licensee. The finance department recommends approval of this license.

Mayor Burnette closed the Public Hearing with the Council Meeting to begin after a short recess.

**C. Announcements**

- 1) The Suwanee Police Department will host a grand opening ceremony, tour, and demonstrations at its new training facility/substation in the Suwanee Gateway from 4-7 p.m. September 10. The community is invited to the ceremony at 2996 Lawrenceville-Suwanee Road. The 7,100-square-foot building provides the Suwanee Police Department with office space for its training and community relations officers, a firing range, and training facilities that will serve law enforcement personnel from throughout the region.
- 2) Registration is now available for the annual Suwanee Day 5K and 10K Classic, to be run Saturday, September 8. Participants also may choose to take part in a non-competitive 25-mile bike ride or 1K kids' fun run. Hosted by BodyPlex, all Suwanee Day Classic activities will begin and end at Town Center Park. Registration is available at [www.suwaneeday.com](http://www.suwaneeday.com) or [www.active.com](http://www.active.com).
- 3) After the Suwanee Day Classic, we'll be in the final countdown to Suwanee Day! This year's annual "celebration of community" will be Saturday, September 15<sup>th</sup>. An important change to note, this year's parade, with a theme of "Catch a Dream" will begin at 9:00 am, rather than at 10:00 as in past years. Following the parade, over 200 exhibitors will be open in Town Center Park, including arts, craftspeople, and food vendors. Live entertainment will begin at 10:30 and be nearly non-stop all day with a performance by The Smithereens rounding out the day at 8:15. If you'd like an insider's look at Suwanee's biggest (and most fun) day of the year, we need volunteers. Volunteer sign-up is at [www.suwaneeday.com](http://www.suwaneeday.com).
- 4) If the end of Suwanee Day leaves you wanting more entertainment, Movie Tavern is where you'll want to be on Monday, September 17<sup>th</sup>. The City of Suwanee is partnering with South Arts' Southern Circuit Tour of Independent Filmmakers and Movie Tavern to bring a series of six independent films to the community from

September-April. The first film to be shown is an award-winning documentary about the National Senior Olympics. Christopher Rufo's Age of Champions will premiere in Suwanee on September 17 at 7:00 pm, followed by a discussion and reception with the filmmaker. Tickets may be purchased at Movie Tavern or on their website, www.movietavern.com. For more details on upcoming movies, please see www.suwanee.com or check the August issue of CrossRoads.

- 5) 2012 Suwanee SculpTour now available on iTunes.
- 6) The September 25<sup>th</sup> meeting will be at 7:30 P.M.

**D. Pledge of Allegiance** – Led by Troop 827 from St. Monica's

**E. Approval of the Agenda**

**Motion by Mayor Pro Tem Foster to approve with an addition after Item M to Consider the I-85 Landscape Project, second by Councilmember Ireland and so carried 6-0.**

**F. Approval of Minutes**

- 1) **July 12, 2012 Called Council Meeting**
- 2) **July 24, 2012 Council Meeting**

*Motion to approve the July 12 and July 24 Minutes by Councilmember Goodman, second by Councilmember McOmber and so carried 6-0.*

**G. Consider Solicitor Appointment**

*Motion by Mayor Pro Tem Foster to approve appointment of Kristal Holmes as Associate Solicitor, second by Councilmember Hilscher and so carried 6-0.*

**H. Audience Participation**

Margie Cook, 1342 Riverview Run Lane, Suwanee, GA. Ms. Cook spoke concerns related to the Peachtree Industrial Road Intersection at McGinnis Ferry Road. She referenced an incident brought to the attention of the City recorded in the February 28, 2012 meeting, during audience comment. She also referenced letters March 2, 2012 and March 6, 2012. She stated that a joint meeting was held on March 27<sup>th</sup> at the corner at the Rite Aid. There was no communication until June 12, 2012 when she and her husband received a letter from Gwinnett County. (All letters attached with excerpts read by Ms. Cook highlighted.) Ms. Cook stated she received a call from Mr. Conroy's office on August 27, 2012 stating there were no funds available.

Ms. Cook asked Council to instruct the City Manager to begin implementation of this project immediately. "Action is required now."

- Tom McConnell, 3795 Smithtown Road, Suwanee, GA. Mr. McConnell stated there have been 5 car crashes within 300 feet of Suwanee Elementary School.

These accidents have happened at and near the dangerous “S” curve between the former Evergreen Church property and the school zone. The safety of the parents, children, and school buses are at high risk. Also, he has received an estimate of several thousand dollars to replace the trees on his property mowed down by the vehicle. Mr. McConnell requested a warning sign – “dangerous curve”; he requested an electronic speed limit sign along Smithtown from Westbrook Road to the school zone; police presence needed along Smithtown Road. He stated he would like to meet with Council to expedite this request.

On a separate concern, Mr. McConnell stated that he was eating at Corralejo and a police officer came by and instructed the owner to quiet down the outside music. He stated that the music was not loud. He requested someone from the City contact the owner regarding this matter.

- Linda Fleming, 527 Main Street, Suwanee, GA. Ms. Fleming addressed concern regarding timing of providing information to citizens related to Historic Preservation. She also stated that information was placed in mailboxes and inside screen doors. Finally, she stated the last two DDA meetings were canceled. She expressed concern that 4 contiguous boundaries were omitted from information presented to the National Registry.

## **NEW BUSINESS**

### **I. Consider the 2012 Millage Rate**

*Motion by Councilmember Goodman to establish the millage rate at 4.93, second by Councilmember McOmber and so carried 6-0. Votes: Burnette – yes; Foster – yes; Goodman – yes; Hilscher – yes; Ireland – yes; McOmber – yes*

### **J. Consider RZ-2012-002 – Applicant/Owner: Suwanee Junction, LLC. Requests a rezoning from PMUD (Planned Mixed Use Development) to PMUD to modify the conditions of zoning to allow for single family homes. The site is located on Village Field Court across from Village Field Place and Lassen Court and contains approximately 1.75 acres**

*Motion by Mayor Pro Tem Foster to approve RZ-2012-002 with condition, second by Councilmember Ireland and so carried 6-0. Votes: Burnette – yes; Foster – yes; Goodman – yes; Hilscher – yes; Ireland – yes; McOmber – yes*

### **K. Consider RZ-2012-003 – Applicant: Michael O’Connell. Owner: James E. Adams. Requests a rezoning from R-100 (Residential Single Family) to PMUD (Planned Mixed Use Development) to allow for a personal care home and single family residence. The site is located at 4545 Suwanee Dam Road and contains approximately 4.38 acres**

*Motion to approve RZ-2012-003 by Councilmember McOmber, second by Councilmember Goodman and so carried 6-0. Councilmember Ireland called for*

*amendment to add condition, second by Mayor Pro Tem Foster and so carried 6-0. Motion by Councilmember McOmber to amend approval of RZ-2012-003 to include the conditions, second by Ireland and so carried 6-0. Votes: Burnette – yes; Foster – yes; Goodman – yes; Hilscher – yes; Ireland – yes; McOmber – yes*

**L. Consider Alcohol Beverage License: Gulf Coast Grill, 3463-A Lawrenceville Suwanee Road, Suite A-101**

*Motion to approve by Mayor Pro Tem Foster, second by Councilmember Hilscher and so carried 6-0. Votes: Burnette – yes; Foster – yes; Goodman – yes; Hilscher – yes; Ireland – yes; McOmber – yes*

**M. Consider Alcohol Beverage License: Suwanee Pizza Tavern, 1500 Peachtree Industrial Blvd, Bldg. 600, Suite 150**

*Motion to approve by Councilmember Goodman, second by Councilmember Hilscher and so carried 6-0. Votes: Burnette – yes; Foster – yes; Goodman – yes; Hilscher – yes; Ireland – yes; McOmber – yes*

**ITEM ADD: I-85 Landscape Project – Consider authorizing the Mayor to enter into a Contract with Brickman Group as the low bidder for the construction and maintenance of the I-85 Landscape Project**

*Motion by Councilmember Goodman to authorize the Mayor to enter into contract with Brickman Group, second by Mayor Pro Tem Foster and so carried 6-0. Votes: Burnette – yes; Foster – yes; Goodman – yes; Hilscher – yes; Ireland – yes; McOmber – yes*

**N. Consent Agenda**

**1) Authorize Mayor to Execute a Contract with Middle Georgia Water Systems, Inc. in an Amount of \$29,200 for the Town Center Park Irrigation Well**

*Staff has negotiated a contract with Middle Georgia Water Systems, Inc. to drill a second well at Suwanee Creek so that the two wells together can provide the needed water supply to irrigate Town Center Park. The contract amount is \$29,200.*

**2) Approve Ordinance to Amend Harvest Farm Board Bylaws**

*The Harvest Farm Managing Board has requested that Council amend its bylaws to change its Vice-Chair position to a Chair-Elect position. This will allow for additional training and support for the incoming Chairs. Additionally, this Board has a sunset date of December 31, 2012. Staff recommends extending the sunset an additional five years to 2017.*

**3) Approve Revision #1 to the Council Protocol Manual**

*Council adopted the Protocol Manual in August 2011. Staff has reviewed the manual and drafted proposed revisions to ensure the information is current.*

*Motion by Councilmember Ireland to approve the Consent Agenda, second by Councilmember Goodman and so carried 6-0. Votes: Burnette – yes; Foster – yes; Goodman – yes; Hilscher – yes; Ireland – yes; McOmber – yes*

**O. Executive Session: Legal, Personnel, and/or Real Estate Issues – No Executive Session**

**P. Adjournment – 7:30 P.M.**

*Motion by Councilmember Goodman, second by Councilmember Ireland and so carried 6-0. Votes: Burnette – yes; Foster – yes; Goodman – yes; Hilscher – yes; Ireland – yes; McOmber – yes*

*Approved 09/25/2012*