

Minutes

CITY COUNCIL MEETING
TUESDAY, DECEMBER 21, 2021

Meeting Location: City Hall, 330 Town Center Avenue, Council Chambers

Attendees: Linnea Miller, Mayor Pro Tem
Larry Pettiford, Councilmember
Peter Charpentier, Councilmember
Marty Allen, City Manager
Robyn O'Donnell, City Clerk
Gregory Jay, City Attorney

Absent: James M. Burnette, Jr., Mayor
Beth Hilscher, Councilmember
Heather Hall, Councilmember

DINNER SESSION – 5:30 PM
BIG SPLASH ROOM

City Council Informal Session

Agenda review and informal discussion among City Councilmembers and staff. Food provided for Elected Officials and staff. No action to be taken during the session.

COUNCIL MEETING – 6:30 PM
COUNCIL CHAMBERS

A. Call to Order

Mayor Pro Tem Miller called the meeting to order at 6:30 p.m.

B. Public Hearing

1. Alcohol Beverage License for Bacchus Café Inc., 3103 Lawrenceville Suwanee Road Suite A

Hak Soo Kim applied for an alcohol license for Bacchus Cafe Inc., dba 88 Sushi & Roll, located at 3103 Lawrenceville Suwanee Rd, Suite A. The Business Services Department recommends approval.

Applicant representative Sun Ye, 3103 Lawrenceville Suwanee Road, Suite A, appeared before Council. No one spoke in support or opposition.

2. Alcohol Beverage License for Vice Bar and Bistro LLC, 45 Satellite Blvd. NW, Suite G

Due to new management, Olusegun Ashadele applied for an alcohol license for Vice Bar & Bistro located at 45 Satellite Blvd NW, Suite G. The Business Services Department recommends approval.

Applicant Olusegun Ashadele, 45 Satellite Blvd., NW, Suite G, appeared before Council. No one spoke in support or opposition.

3. SUP-2021-002 – Owner/Applicant: Phuong Do

The applicant requests a Special Use Permit to allow for a beauty salon including therapeutic massage as a home occupation in a single-family home in the R-85 (Residential Single-Family District) zoning district. The site is located at 60 Ruby Forest Parkway and contains approximately 0.35 acres. Mr. Josh Campbell addressed Council with details of the request, noting that the Planning Department recommended approval with conditions, and the Planning Commission voted to recommend denial of the request.

Ms. Phoung Do, the applicant, was in attendance. Due to a language barrier, the applicant's representative, Mr. Doug Summers, 6900 Roswell Road, Sandy Springs, addressed Council on the applicant's behalf. Mr. Summers explained that Ms. Do submitted the request due to health issues and business downturn due to Covid-19. Mr. Summer expressed Ms. Do's desire to adhere to zoning rules, the HOA covenants, and the city's conditions. Councilmember Charpentier asked for confirmation that the business would be in the garage the vehicles parked outside the garage and Mr. Summers confirmed this.

Speakers in opposition included:

Holly Balint, 277 Dogwood View Lane – Ms. Balint's concerns included having people repeatedly coming to the home for the business would be setting precedent for business owners in the neighborhood. Ms. Balint does not feel that these business conditions are appropriate for the neighborhood.

Anthony Yeager, 4189 Roberts Cove Terrace – Mr. Yeager does not feel the business is appropriate for the neighborhood due to the possibility of street parking and activity.

Scott Mayorga, 154 Azalea Chase Drive – Mr. Mayorga stated that approval of this permit would create a precedent for all neighborhoods in Suwanee. He said it would be a degrading situation for all homeowners, it would degrade property values, and increase traffic. Mr. Mayorga showed photos to Council of 1) the city's public notice sign laying on the ground, not upright, stating that it had been that way for more than one week, and 2) trash by the homeowner's front door, stating it has been there for over one year. Mr. Mayorga felt this was evidence that the homeowner has no willingness to abide by neighborhood covenants or regulatory issues. Other concerns included the ability of the Georgia Department of Public Health to provide regular inspections of the business and the safety of chemical disposal.

Mario Spiteri, 355 Ruby Forest Parkway – Mr. Spiteri's concerns included the business using the swim/tennis area parking lot, as well as the potential of commercial signage being used within a residential neighborhood.

Leslie Mayorga, 154 Azalea Chase Drive – Ms. Mayorga’s concerns included the business using the swim/tennis area parking lot, as well as transient movement in the neighborhood increasing crime.

Sally Watson, 4169 Treemont Lane – Ms. Watson stated the HOA covenants infer that it should not be apparent that a business is being operated out of a residential home. Allowing the applicant’s business to have up to 8 customers per day would make it apparent that a business was being conducted at that location.

Mr. Summers addressed the concerns stating that it is within a residential neighborhood to allow common home occupations, which the business falls under. If there is concern about increased commercialization in the area then that should be taken up with the HOA and stated that it doesn’t give a good reason for her request to be denied.

- 4. SUP-2021-003 – Owner: Sok Lee. Applicant: Auto Planet Sales & Rentals, LLC**
The applicant requests a Special Use Permit to allow for an auto rental business in the C-2A (Special Commercial District) zoning district. The site is located at 145 Satellite Boulevard and contains approximately 1.76 acres. The Planning Department recommends approval with conditions. The Planning Commission also recommends approval. The Planning Commission struck out the first three words of Condition Number 1, therefore would recommend, if Council chooses to approve, that the request is approved with the Planning Commissions conditions. Per the request of Councilmember Charpentier, Mr. Campbell explains that Condition #1 gives more specificity of 10 parking spaces that the business can use for car rental parking spaces.

Applicant’s representative, Doug Kang, 2227 Duluth Highway, appeared before Council. No one spoke in support or opposition.

C. Announcements

1. Eat Local this Holiday Season! The City of Suwanee is challenging its citizens to put their money where their fork is by eating local this holiday season. Eat at City of Suwanee restaurants and breweries from December 1 through January 31, and save your receipts. Once you have accumulated \$100 worth of food, beverage, or even gift card receipts, bring them to the Suwanee Welcome Center and trade them in for your very own 2022 Mr. Eggwards calendar!
2. Our annual Bring One for the Chipper Christmas tree recycling program will begin on December 26th and run through January 8th. Bring your undecorated tree to Sims Lake Park to drop off. Volunteers will be available to assist with unloading, as well as handing out seedlings (while supplies last) from 9 am to 4 pm Saturday, January 8th.
3. Suwanee’s Winter Farmers Market is happening twice monthly. Come and enjoy the great outdoors at Town Center Park from 9am – noon. Stop by and enjoy fresh local winter produces such as lettuces, greens, potatoes, carrots baked goods and a variety of other delicious local flavors. Upcoming Farmers Market dates are January 15th and January 29th.

4. Join us for the 8th annual Suwanee Half Marathon and Old Town 5k on February 20th presented by Performance Race Services along with the City of Suwanee. To register visit SuwaneeHalf.com. These races will benefit the Suwanee Public Arts Program.

D. Pledge of Allegiance

E. Approval of Agenda

Motion to approve the Agenda by Councilmember Charpentier, second by Councilmember Pettiford and so carried 3-0.

F. Approval of Minutes

1. November 4, 2021 Council Workshop
2. November 16, 2021 Council Meeting

Motion to approve both sets of Minutes by Councilmember Pettiford, second by Councilmember Charpentier and so carried 3-0

G. Audience Participation

Mr. Jake Gleghorn, 665 Village Field Court, spoke to Council requesting the city offer more electric car charging stations, stating that he feels it would increase visitors to the parks and restaurants.

Karen Omar, 667 Scales Road, noted concern for street parking on Scales Road, although signs located on Scales Road heading north indicate that there shall be no parking on the street. She asked Council if signage could also be erected in the opposite direction to enforce no parking in the street. Mayor Pro Tem Miller stated that City Manager Marty Allen would contact Ms. Omar regarding the issue.

Sandra Watson, 673 Scales Road, additionally noted concern for street parking on Scales Road. Ms. Watson feels there is no way for emergency vehicles to come through with cars parked on the street.

Peggy Johnson, 3964 Calaboose Street, additionally noted concern for street parking on Scales Road.

Mario Spiteri, 355 Ruby Forest Parkway, inquired as to when the construction on Buford Highway would be completed. Mayor Pro Tem Miller explained that it is a Georgia Department of Transportation project. Mr. Josh Campbell noted that there is no completion date at this time.

Daphne Cooper, 3950 Cherry Ridge Walk, expressed concern regarding the light on Buford Highway located at George Pierce Park, noting that the timing needs to be adjusted. Mayor Pro Tem Miller stated that the city will look into the issue with the Georgia Department of Transportation.

NEW BUSINESS

- H. Consider Alcohol Beverage License for Bacchus Café Inc., 3103 Lawrenceville Suwanee Road Suite A**

Motion to approve by Councilmember Charpentier, second by Councilmember Pettiford and so carried 3-0.

- I. Consider Alcohol Beverage License for Vice Bar and Bistro LLC, 45 Satellite Blvd. NW, Suite G**

Motion to approve by Councilmember Pettiford, second by Councilmember Charpentier and so carried 3-0

- J. Consider SUP-2021-002 Special Use Permit to Allow for Beauty Salon Including Therapeutic Massage in R-85 Zoning District**

Councilmember Charpentier motioned to deny SUP-2021-002, second by Councilmember Pettiford and so carried 3-0.

- K. Consider SUP-2021-003 Special Use Permit to Allow for Auto Rental Business in C-2A Zoning District**

Councilmember Pettiford motioned to approve SUP-2021-003 with the amended conditions of the Planning Department, second by Councilmember Charpentier and so carried 3-0.

- L. Consider Certifying Results of General Election**

Council will adopt a resolution to certify the results of the November 2nd general election, and subsequent November 30th run-off election. Results are as follows:

November 2, 2021 General Election:

Council Post 3

Linnea Miller (incumbent) – 960

Unopposed

Council Post 4

Beth Hilscher (incumbent) – 972

Unopposed

Council Post 5

Peter Charpentier (incumbent) – 485

Jonathan Marcantonio – 167

David Martinez – 595

November 30, 2021 General Run-Off Election:

Council Post 5

Peter Charpentier (incumbent) – 607

David Martinez – 575

Motion to certify the results of the General Election and General Run-Off Election by Councilmember Pettiford, second by Councilmember Charpentier and so carried 3-0.

M. Consider Revised City of Suwanee Speed Zone Ordinance

The State DOT is changing the speed limit on portions of Buford Highway within the city limits of Suwanee. Accordingly, the City must revise its speed zone ordinance and list of approved roadways on which speed detection devices may be used.

Motion to approve by Councilmember Charpentier, second by Councilmember Pettiford and so carried 3-0.

N. Consider Alcohol Ordinance Changes

House Bill 879 allows for the governing authority to authorize Sunday sales of malt beverages, wine, and distilled spirits by the drink from 12:30 pm to 11:30 pm to an extended time of 11:00 am to 12:00 midnight.

Motion to approve by Councilmember Pettiford, second by Councilmember Charpentier and so carried 3-0.

O. Consider Adoption of the Suwanee Pedestrian and Bicycle Loop and Sidewalk Feasibility Study

Motion to approve by Councilmember Charpentier, second by Councilmember Pettiford and so carried 3-0.

P. Consider Maintenance Agreement with Parkside HOA for Town Center Pond

The city has been negotiating with the Parkside HOA regarding responsibility for maintenance of the Town Center Pond and the surrounding improvements. The land belongs to the city but serves as an amenity for the Parkside Neighborhood. They have agreed to handle maintenance of the landscaping and the costs associated with providing electrical and water services to the property. The city is taking responsibility for the functionality of the pond and maintaining the stairs and the sidewalk loop around the pond.

Motion to approve by Councilmember Pettiford, second by Councilmember Charpentier and so carried 3-0.

Q. Consider Access Easements Agreement for Trail Through Pierce Point Amenity Area

For some time, the city has been negotiating with the Pierce Point HOA in order to obtain easements through the HOA parking lot for the trail that leads to the Suwanee Creek Greenway, and for the Suwanee Creek Greenway. The HOA has provided the easements the city needs. The city needs to formally accept the easements.

Motion to approve by Councilmember Charpentier, second by Councilmember Pettiford and so carried 3-0.

R. Accept Land Donation

Accept donation of approximately 17.25 acres of land along Suwanee Creek from East Buford LLC.

Motion to accept the land donation by Councilmember Pettiford, second by Councilmember Charpentier and so carried 3-0.

S. Consent Agenda

1. Approve Year End Contract Renewals

A number of annual contracts expire on or around December 31st.

2. Approve Staff Position Resolution Authorization

Staff proposed to restore a position to the Municipal Court operations. This is a full-time administrative position.

3. Approve Contract with Beyond Measure for Greenway Boardwalk Repairs

Inspection of the greenway boardwalk & bridge revealed an extensive need for board replacement and repairs. Beyond Measure has submitted a bid for the project in the amount of \$80,473.63.

4. Approve Contract with Base Roofing for Town Center Stage Building Roof Replacement

The roof on the stage building in Town Center Park requires replacement due to leaks and other damages. Base Roofing has submitted a bid for the project in the amount of \$39,800.00.

Councilmember Charpentier motioned to approve the Consent Agenda with items 1 – 4 included, second by Councilmember Pettiford and so carried 3-0.

T. Executive Session: None

U. Adjournment

Motion to adjourn at 7:12 p.m. by Councilmember Charpentier, second by Councilmember Pettiford and so carried 3-0.

Approved January 25, 2022