

**MINUTES
CITY OF SUWANEE, GEORGIA
CITY COUNCIL PUBLIC HEARING & MEETING
APRIL 27, 2010**

Meeting Location: City Hall, 330 Town Center Avenue

Attendees: Dave Williams, Mayor
Jace Brooks, Mayor Pro Tem
Jimmy Burnette, Councilmember
Daniel F. Foster, Councilmember
Richard I. Goodman, Councilmember
Kevin McOmer, Councilmember
Marty Allen, City Manager
Elvira Rogers, City Clerk
Gregory Jay, City Attorney

**5:30 P.M.
DINNER SESSION
Big Splash Room - Room 2302**

1. 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.
PUBLIC HEARING
Council Chambers – Room 2101**

Mayor Williams opened the Public Hearing and read the procedures for Public Meetings for the record.

2. Buford Highway Concept Plan

Josh Campbell, Planning Director stated early in 2009 Council adopted the Comprehensive Plan which included a study of the Buford Highway corridor. After public comment and display of the Plan, it is scheduled for Council action this evening. Adoption of the Plan does not mean there will be immediate changes to Buford Highway. The City will be seeking funding through LCI funding which is anticipated to allow for implementation. There was no audience comment.

3. Request for Alcohol License: Maracas Cantina

Marty Allen, City Manager, stated that staff has completed the review and all paperwork is in order.

The applicant, Janice Toms, 124 Foxbrush Circle, Alpharetta, GA 30022 was present and stated this will be a Mexican Restaurant and Cantina located at 320 Town Center Avenue, Suite C-8. There was no audience comment.

- 4. AMD-2010-001 - A proposed amendment to the City of Suwanee Zoning Ordinance to modify Article III Definitions and Article V Zoning District Development and Use Regulations in order to eliminate the requirement for a Special Use Permit for Barber Shops and Beauty Shops in residential districts.**

Josh Campbell, Planning Director, stated this amendment eliminates the requirement for a Special Use Permit for Barber Shops and Beauty Shops as home occupations in residential districts. The City recently adopted the Performance Based Home Occupation Ordinance and staff determined these uses should not require a Special Use Permit and recommended eliminating that requirement in R-100, R-140, R-85, RMD, RM-75 and IRD zoning districts. The Planning Commission recommends approval of the change 3-0. There was no audience comment.

- 5. AMD-2010-002 - A proposed amendment to the City of Suwanee Zoning Ordinance to modify Article III Definitions and Article XV Parking Regulations, Section 1501 and to create Section 1509 Shared/Mixed-Use Parking to establish procedures for meeting or reducing parking requirements through shared parking arrangements and/or providing a mix of appropriate uses.**

Josh Campbell, Planning Director, stated this amendment establishes procedures for meeting or reducing parking requirements through shared parking arrangements and/or providing a mix of appropriate uses. The Planning Commission recommends approval as presented. There was no audience comment.

- 6. RZ-2010-001 – Applicant: John Thomas Partners, LLC. Owner: First Covenant Bank. Requests a rezoning from PMUD (Planned Mixed Use District) to PMUD with a change of conditions (to allow for construction of 43 townhomes). The site is located in Land Lot 208 of the 7th District along Park Pass Way and contains approximately 4.49 acres.**

Josh Campbell, Planning Director, stated the P&Z recommended approval 5-0. The applicant has requested a deferral for an additional month in order to obtain additional information. There was no audience comment.

- 7. RZ-2010-002 – Applicant: American Towers, Inc. Owner: Benny R. Sims. Requests a rezoning from C-2 (General Commercial District) to M-1 (Light Industrial District) to allow for expansion of a legal nonconforming telecommunications tower. The site is located at 3185 Smithtown Town Road and contains approximately 0.47 acres.**

Councilmember Foster recused himself from this item. Josh Campbell, Planning Director, stated this rezoning is to allow for expansion of a legal non-conforming

telecommunications tower. The existing tower is located at 3185 Smithtown Road and contains approximately 0.47 acres. The applicant does not intend to add to the height of the tower. Only additional users will be added. The Planning Department recommends approval with conditions. The Planning Commission recommends approval with modified conditions. Mr. Campbell stated that staff recommends, should the Council approve the request, it be approved with the Planning Commission modified conditions.

Support: Kate Bargnesi, 10 Presidential Way, Woburn, MA 01801 represented the applicant. Ms. Bargnesi stated the Tower has been at this location since 1997 and there is no intent to put up a new tower or add to the height.

Opposition: Michael Harper, 3535 Sentry View Trace, Suwanee, GA 30024. Mr. Harper stated he objects the addition of anything to the tower. He moved from Columbus, OH and would like his neighborhood and entrance to remain as it is. This corporation could move further North on I-85 and construct a tower. This should not be rezoned to light industrial.

There was no additional audience comment.

The Public Hearing closed at 7 P.M. with a 10 minute recess with the Council Meeting to begin thereafter.

7:00 P.M.
CITY COUNCIL MEETING
Council Chambers – Room 2101

8. Call to Order

Mayor Williams called the meeting to order at 7:15 P.M.

9. Announcements

- *Make plans to join our downtown Suwanee merchants this Thursday evening. Good meals, good deals, and good times will be promoted when the downtown merchants host Toast @ Town Center, a new regular event through which Town Center merchants will offer special deals, entertainment, and in-store events on the last Thursday of the month from April-October. The first 2010 Toast @ Town Center is scheduled for 5-10 p.m. Thursday, April 29. During Toast @ Town Center, patrons will be able to bring drinks purchased at Town Center restaurants – coffee, sodas, beer, and wine – from shop to shop and within the park. As part of the April 29 festivities, Ameriprise Financial will host the band Chin Dig from 6-9 p.m.*
- *The Suwanee Farmers Market opens for the season on Saturday, May 1 with fresh produce, edible delights, colorful flowers, and handmade natural products. In addition to its traditional Saturday morning hours, the market will, for the first*

time, also be open Tuesday evenings. The Suwanee Farmers Market will feature about two dozen vendors at Town Center Park every Saturday and Tuesday from May 1- October 12 (except for September 18). The market will be open from 8 am-noon Saturdays and 4-7 p.m. Tuesdays. At the May markets, you can probably expect to find arugula, beets, broccoli, cabbage, cauliflower, collards, English peas, greens, kale, lettuce, mustard greens, onions, radishes, spinach, and turnips.

- *After visiting Saturday's farmer's market, head over to the Suwanee Creek Greenway or Sims Lake Park to see if you can find one of the Art on a Limb pieces. Mini canvases of Suwanee landmarks will bloom along Suwanee's trails throughout the month of May as part of the City's Art on a Limb program. Begun in 2005, this annual finders-keepers treasure hunt combines Suwanee's enthusiasm for art and nature. Two pieces of artwork will be hidden along the Greenway and at Sims Lake Park each day. Those who find the artwork may keep it. This year's Art on a Limb pieces, created by local artist and Suwanee resident Vickie Johnson, are mini canvases that feature five different Suwanee landmarks: City Hall, Suwanee First United Methodist Church, the caboose, former barn at White Street Park, and Town Center.*
- *The City is currently participating in the annual Great American Cleanup campaign, which runs through May 31. The purpose of this campaign is to encourage community wide spring-cleaning through enhanced code enforcement efforts. The City will conduct a code enforcement sweep of all neighborhoods and business districts, citing issues with outside storage, trash and debris, inoperable or unlicensed vehicles, tall grass and weeds, and exterior property in need of repairs*
- *We are pleased to announce that the City Hall was officially designated a LEED "Certified" building by the U.S. Green Building Council. City Hall was constructed using sustainable materials and practices. This is not only good for the environment but is also expected to save the City in long-term operating costs.*

10. Pledge of Allegiance

Troop 827 from Saint Monica's Catholic Church.

11. Approval of Minutes

a. March 23, 2010 Council Meeting

Motion to approve by Councilmember Goodman, second by Mayor Pro Tem Brooks and so carried 6-0.

b. March 29, 2010 Called Council Meeting

Motion to approve by Councilmember McOmber, second by Councilmember Goodman, and so carried 6-0.

12. Special Recognition

a. Police Annual Awards

Officer of the Year - 2009: Officer Simon Byun - Officer Byun was chosen for this award by a vote of his peers.

Civilian Employee of the Year - 2009: Communications Officer Michelle Shepard - Chosen for this award by a vote of her peers.

Chief's Award: Lt. Dan Clark - Efforts toward the department's successful State re-certification.

Merit Awards: Officer Keith Kerr, Officer Joe Carter, Officer Tina Harmon, Officer Rob McCoy and Sergeant Robert Thompson - All four officers were on the same shift. The officers went above and beyond in attempts to save a young 3 month old child. These officer's attempt at CPR until the arrival of Gwinnett County Med 13 as well as their compassion and kindness to the family make them a credit to the Law Enforcement profession.

Merit Award: Officer Elton Hassell - Officer Hassell went above and beyond in an attempt to save a 13 year old girl. His compassion and kindness to the family make him a credit to the Law Enforcement Profession.

Merit Award: Sergeant Shane Edmisten, Sergeant Bryan Hickey, Captain Cass Mooney, Deputy Chief Janet Moon - All 4 officers are recognized for their key role and efforts toward the State re-certification .

Merit Award: Sergeant Elias Casanas - For his work with the Citizens Police Academy, P.A.C.T. Program, Explorer Program, P.R.I.D.E. Program, SALT/TRIAD group, Carfit for Seniors, Child Safety Seat Checks, and all special events.

Also, Chief Jones recognized Officer Elias Casanas for 20-years of service to the City and Suwanee Police Department.

c. Meggitt

Meggitt of Suwanee has loaned a Meggitt Training System to the Police Department. This system has controlled weapons that allow Police personnel to conduct simulated weapons training. The City recognized Meggitt for this long-term loan. Mayor Williams presented a certificate of appreciation to Larry Sunderland of Meggitt. Meggitt currently employs about 200 people.

13. Consider City Solicitor Appointments

Motion to "Table" by Councilmember Foster, second by Councilmember Goodman and so carried 6-0.

14. Adoption of Agenda as Presented

Motion to Adopt the agenda by Councilmember Goodman, second by Councilmember Burnette and so carried 6-0.

15. Audience Participation - None

OLD BUSINESS

- 16. Consider RZ-2010-001 – Applicant: John Thomas Partners, LLC. Owner: First Covenant Bank. Requests a rezoning from PMUD (Planned Mixed Use District) to PMUD with a change of conditions (to allow for construction of 43 townhomes). The site is located in Land Lot 208 of the 7th District along Park Pass Way and contains approximately 4.49 acres.**

Motion to Postpone to the May 25, 2010 Meeting by Mayor Pro Tem Brooks, second by Councilmember McOmber and so carried 6-0.

NEW BUSINESS

- 17. Consider Adoption of the Buford Highway Concept Plan.**

Motion to adopt by Councilmember Burnette, second by Mayor Pro Tem Brooks and so carried 6-0.

- 18. Consider Request for Alcohol License: Maracas Cantina.**

Motion to approve by Councilmember Foster, second by Councilmember Goodman and so carried 6-0.

- 19. Consider AMD-2010-001 - A proposed amendment to the City of Suwanee Zoning Ordinance to modify Article III Definitions and Article V Zoning District Development and Use Regulations in order to eliminate the requirement for a Special Use Permit for Barber Shops and Beauty Shops in residential districts.**

Motion to approve by Councilmember McOmber, second by Councilmember Burnette and so carried 6-0.

- 20. Consider AMD-2010-002 - A proposed amendment to the City of Suwanee Zoning Ordinance to modify Article III Definitions and Article XV Parking Regulations, Section 1501 and to create Section 1509 Shared/Mixed-Use Parking to establish procedures for meeting or reducing parking requirements through shared parking arrangements and/or providing a mix of appropriate uses.**

Motion to approve by Mayor Pro Tem Brooks, second by Councilmember Goodman and so carried 6-0.

- 21. Consider RZ-2010-002 – Applicant: American Towers, Inc. Owner: Benny R.**

Sims. Requests a rezoning from C-2 (General Commercial District) to M-1 (Light Industrial District) to allow for expansion of a legal nonconforming telecommunications tower. The site is located at 3185 Smittown Town Road and contains approximately 0.47 acres.

Motion to approve by Councilmember Goodman, second by Councilmember Burnette. Mayor Pro Tem Brooks called for discussion to add Planning Commission conditions to the approval. Councilmember Goodman amended the motion, Councilmember Burnette amended the second and the rezoning was approved with Planning Commission conditions 5-0. (Councilmember Foster recused himself from action on this item).

22. Consider Revision to Fee Schedule

Staff is in the process of installing the LiveScan fingerprinting machine. Staff recommends adding a fee of \$50.00 to the City's fee schedule to cover the cost of fingerprinting and transmitting the prints to GCIC.

Motion to approve by Councilmember Foster, second by Councilmember Burnette and so carried 6-0. Mayor Williams clarified this cost is necessary to offset cost that will be incurred by using the new technology with LiveScan.

23. Consider Authorizing Staff to Submit Pre-Application to Georgia Environmental Facilities Authority (GEFA) for Inclusion on the 2010 State Revolving Fund Green Project List.

Staff is evaluating water system projects that may be eligible for grant funding and seeks authorization to submit for pre-qualification in order to remain eligible. If awarded, staff proposes to submit a loan application for water system efficiency improvement projects. This loan would offer 50% forgiveness of the principal.

Motion to adopt by Councilmember Burnette, second by Councilmember Goodman and so carried 6-0.

24. Consider Authorizing Mayor to Enter into an Agreement with a Provider for Property and Casualty Insurance Coverage and Risk Management Services

Motion to authorize the Mayor to enter into Agreement with Willis Insurance Company (GIRMA), second by Councilmember Goodman and so carried 6-0.

25. City Manager's Report - None

26. Executive Session: Legal, Personnel, and/or Real Estate Issues (if necessary)

Motion by Mayor Pro Tem Brooks to ENTER Executive Session for Legal, Personnel and Real Estate matters by Councilmember Goodman, and so carried 6-0.

Note: Mayor Williams had to leave during Executive Session.

Motion to EXIT Executive Session by Councilmember Foster, second by Councilmember Burnette, and so carried 5-0.

- a. Motion by Councilmember McOmber to authorized the City Manager to enter an agreement with property owner discussed in Executive Session not to exceed the amount discussed, second by Councilmember Burnette and so carried 5-0.***

Motion by Councilmember Burnette to remove Item 13 - Solicitor Appointments from "Table", second by Councilmember McOmber and so carried 5-0.

b. Solicitor Appointments

Solicitor Appointments: Staff recommended the following appointments:

- Elizabeth Reisner – Chief Solicitor for Julie Potts vacancy
- Kimberly “Kim” McCluney for Mihae Park vacancy
- James “Jim” Miskell for Matthew Crosby vacancy
- Rodney Harris for Elizabeth Reisner vacancy

Motion to approve the staff recommended appointments by Councilmember Foster, second by Councilmember Goodman, and so carried 5-0.

27. Adjournment – 9:36 P.M.

Motion to Adjourn by Councilmember McOmber, second by Councilmember Burnette and so carried 5-0.

Approved 05/25/2010