

**MINUTES  
CITY OF SUWANEE, GEORGIA  
PUBLIC HEARING AND CITY COUNCIL MEETING  
MARCH 23, 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 McOmber, 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 - 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 called opened the Public Hearing at 6:35 p.m. and read the procedures for Public Hearings.

**2. Request for Alcohol Beverage License - Mellow Mushroom, 320 Town Center Avenue, Suite 1**

*Mellow Mushroom Pizza Bakers has applied for a license for on-premise consumption of beer, wine, and distilled spirits for their new location at 320 Town Center Avenue, Suite 1. Ms. Nancy Jill Johnson has applied as the licensee. The Finance Department has reviewed the application and recommends approval.*

The applicant was present. Ms. Jill Johnson, 891 Vedado Way NE, Atlanta, GA 30308. Ms. Johnson stated she had a very pleasant experience working with City staff.

There were no other comments and the Public Hearing closed at 6:43 p.m.

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

**3. Call to Order**

Mayor Williams called the meeting to order at 7:02 p.m.

**4. Announcements**

- Harvest Farm is the recipient of three recent grants, totaling \$1,500. The first is a \$500 grant from the Georgia Master Gardeners Association for a partnership with the Garden and a Peachtree Ridge H.S. special education class. This grant covers the class's plot rental fee, as well as curriculum and materials for one of our founding gardeners, Rosalie Tubre to teach weekly at the school. The second is a \$500 grant from the Gwinnett Master Gardeners Association to cover the costs of planting a butterfly and hummingbird garden in White Street Park. Lastly, the National Gardening Association issued a Youth Garden Grant to Harvest Farm. This grant is in the form of a \$500 Home Depot card that can be used for gardening tools and other supplies. Ms. Tubre was instrumental in applying for all three of these grants and we appreciate her dedication!
- Harvest Farm offered its first educational class, Organic Gardening, in February with over 100 people attending. Based on requests from the participants, we are holding a class on Square Foot Gardening. This class will be on Saturday, March 27 and Monday, March 29 at 9:30 am in the Council Chambers. The same material will be presented in each session. The class is free and open to anyone, regardless of whether they have a plot in Harvest Farm.
- There are many great reasons to visit the Suwanee Gateway, but this week, the City of Suwanee and Gateway merchants are now offering the best reason yet: You could win FREE stuff! The City of Suwanee is coordinating a Get It in the Gateway campaign this week through which participants may win daily prizes and register for a grand prize package valued at more than \$1,000; all prizes have been provided by the participating businesses. Clues to participating businesses will be posted daily on the City of Suwanee's Facebook page and via our website. The clues will direct those taking part to the day's featured businesses where they can register for daily prizes, which range from a Vera Bradley bag to restaurant gift cards to salon services. Everyone who registers for daily prizes will be included in the grand prize drawing, which will take place Monday, March 29. For clues or more information, become a fan of the City of Suwanee Facebook page or visit [www.suwanee.com](http://www.suwanee.com).
- Also happening this week...don't miss Thursday's dedication of Shimmering Echoes, the newly installed suspended sculpture in City Hall. The reception begins at 6:00 pm at City Hall. At 7:00 pm, artist Koryn Rolstad and Tad Leithead, chairman of the Atlanta Regional Commission, will lead a panel discussion on public art.

- Planning is well underway for Suwanee’s Arts in the Park event, to be held Saturday, May 22. With a theme of “The Art of Making Art,” the event offers artists a unique opportunity to educate the public about various art forms. Artists are encouraged to demonstrate and/or educate festival attendees about their art. Best of Show cash prizes will be offered based on originality, presentation, and display of goods as well as interaction with attendees, craftsmanship, and skill. Applications are available online at [www.suwanee.com](http://www.suwanee.com) and are due by April 15.
- Last Friday (March 19), the City officially opened the renovated Police Building located at 373 Highway 23. Mayor Williams thanked the citizens for their support.

**5. Pledge of Allegiance**

*A Boy Scout Troop from St. Monica’s Catholic Church presented the colors and lead the Pledge.*

**6. Approval of Minutes**

**a. February 23, 2010 Council Meeting**

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

**7. Special Recognition**

**a. Dick Cunningham, Ippolito’s**

*Amy Doherty joined Mayor Williams and presented the Gold Award for Best Sponsor that was recently awarded to Mr. Cunningham by the Southeast Festival and Events Association. Mr. Cunningham received the award for his support at Suwanee Day 2009, where he provided food for fifty soldiers who were a part of the Suwanee Day celebration. The soldiers received a gourmet meal at “Frank’s Place” at no cost. The soldiers shipped out the next month. This nomination beat out Budweiser and the Macon Cherry Blossom Festival. Mr. Cunningham has been a Suwanee Day sponsor for the past five years.*

**b. Community Garden Founders Committee**

*The Council recognized the CGFC for their work over the past nine months – assisting with the planning and design of Harvest Farm, developing operating policies and guidelines, establishing an ongoing educational series, and creating opportunities for community volunteers. Jessica Roth assisted with this recognition.*

**8. Adoption of Agenda as Presented**

*Motion by Councilmember Foster to adopt the agenda with the following changes: Add Item 18b. Approval of the Stipulation and Agreement concerning ongoing Service Delivery Strategy litigation between Gwinnett County and its cities; and, Add Item 18c. Consider authorizing staff to apply for a \$50,000 Pepsi Refresh Grant to Build an Accessible Tree house at White Street Park, second by Councilmember Burnette and so carried 6-0.*

## **9. Audience Participation**

- Andy Littig, 835 Allen Lake Lane, Suwanee, GA.  
Mr. Littig informed Council that Scouts are always looking for projects, especially Eagle Projects. Mayor Williams informed Mr. Littig that the City Manager is the best contact with the City.
- Richard Trice, 5155 Meadowbrook Circle, Suwanee, GA.  
Former Mayor Trice expressed a challenge to White Street Park plot owners; he announced an upcoming Golf Tournament and expressed thanks to City Attorney, Gregory Jay, on behalf of the Suwanee Business Alliance for his assistance in resolving a matter.

## **NEW BUSINESS**

### **10. Consider Request for Alcohol Beverage License - Mellow Mushroom, 320 Town Center Avenue, Suite 1**

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

### **11. Consider Arbor Day Proclamation**

*In honor of Arbor Day and to maintain Tree City USA status, the City will hold a celebration at White Street Park. As part of the celebration, staff and citizens will be planting fruit trees in the future orchard area. The actual date for the celebration will be announced at a later date, as it is intended to coincide with the next volunteer work day at Harvest Farm. Councilmember Burnette stated this year will be the 20 year celebration. There are thriving trees around the city (Martin Farm Park, Main Street, etc.). There are about 30 communities who have celebrated Arbor Day for this length of time.*

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

### **12. Consider Earth Hour Proclamation**

*The Earth Hour Committee of the City of Atlanta is requesting that the City of Suwanee join in shutting off the lights in City Hall and any other government buildings for one hour (8:30 - 9:30 p.m.) on March 27, 2010 to show our commitment towards fighting climate change.*

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

### **13. Consider Adoption of 2009 Comprehensive Plan Update**

*Staff has conducted an annual update to the Comprehensive Plan. The update is intended to acknowledge new capital improvements, incorporate the policies from the*

*Downtown Suwanee Master Plan, provide an update to the Future Land Use Map and review rezoning/special use permit decisions for consistency with the comprehensive plan. The plan also includes a Short Term Work Program/Implementation chapter and portions of the Downtown Suwanee Master Plan. The entire Downtown Suwanee Master Plan is incorporated by reference.*

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

**14. Consider Adoption of 2010-2014 Short Term Work Program**

*Based on discussion at the February 4-6 Council retreat and the February 27 Capital Projects Workshop, staff has prepared a draft version of the 2010-2014 Short Term Work Program (STWP). Staff seeks Council approval on this item to continue development of the FY 11 budget and 2011-2015 Capital Improvements Program. In addition to the traditional table format of the STWP, staff has developed two new sections for the document – one is an overview explaining the purpose and format of the STWP and the other is a detailed written description of each project. The 2009 Report of Accomplishments has also been incorporated into the document.*

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

**15. Consider Adoption of Fund Balance Policy**

*During the Council work retreat, Council and staff discussed revising the current fund balance policy to conform with GASB 54 standards. Staff has prepared a revision that creates a stabilization account for the general fund, based on four months of budgeted expenditures and transfers. The remaining fund balance would be placed in an “unassigned” account, for new programs or positions or for one-time capital investments.*

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

**16. Consider Adoption of Ordinance Creating the Harvest Farm Managing Board**

*With the pending opening of Harvest Farm Community Garden, it is time to transition from the temporary Community Garden Founders Committee to a permanent managing board. As the garden is intended to be self-managed and community-supported, this board will be responsible for its general management and oversight, among other responsibilities. Staff has prepared a draft ordinance that creates a seven-member managing board, outlines its responsibilities and membership requirements, etc.*

***Motion to adopt by Councilmember Foster, second by Councilmember McOmber and so carried 6-0.***

**17. Consider Appointments to the Harvest Farm Managing Board**

*The City has solicited applications from the 2010 Harvest Farm plot holders. Eleven applications were received for the seven positions. A list of recommended appointees: **Term to Expire 12/31/2010:** Sara Kleinfeld, Kim Thompson, Deborah Thornton; **Term to Expire 12/31/2011:** Chantez Daya, Jeannine Haynes, Boo Dirsch Hynes, Rosalie Tubre; **ExOfficio Appointees:** Dan Foster, City Council, Jessica Roth, City Staff*

***Motion to appoint the members by reference by Councilmember Foster, second by Councilmember Burnette and so carried 6-0.***

**18. Consider Adoption of White Street Park Rules**

*With the pending opening of White Street Park, Council needs to adopt the rules for this park. Staff has prepared a draft recommendation, based on rules from the other City parks and the adopted rules for Harvest Farm Community Garden.*

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

**18b. Approval of the Stipulation and Agreement concerning ongoing Service Delivery Strategy litigation between Gwinnett County and its cities**

***Motion by Councilmember Foster to approve the Stipulation Agreement subject to approval by City Attorney with changes or and adjustments as recommended by counsel, second by Councilmember Goodman and so carried 6-0.***

*Mayor Williams stated this stipulation allows consent to the narrowing of issues related to SDS negotiations.*

**18c. Consider Authorizing Staff to Apply for a \$50,000 Pepsi Refresh Grant to Build an Accessible Tree House at White Street Park**

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

**19. Consent Agenda – Approved 6-0**

**a. Approval of Temporary Alcohol Beverage License for May 8, 2010 Majic Concert**

*The Alcohol Beverage Ordinance requires the issuance of a temporary alcohol permit to vendors who wish to sell alcohol beverages during events. The City Council must approve these licenses. Rob Frazer from Premier Event Management has applied as the licensee for this event.*

**b. Approve Declaration of Surplus Items and Authorize Staff to Host an Internet-based Public Auction of Surplus Items**

*Staff has prepared a list of surplus items, many from the recent renovation of the Police Station and Crossroads. Staff recommends conducting another surplus sale through Govdeals.com, beginning March 28 and lasting for seven days. In order to*

*proceed with the sale, Council must declare the items as surplus.*

**c. Approval of Third Quarter FY10 Budget Adjustments**

*Staff has prepared third quarter adjustments to the FY10 budget for Council consideration. The adjustments were detailed in Tab B of the workshop packet; no changes have been made.*

- Addition of a contract manager for the Farmer's Market, to be funded by the farmers' registration fees.*
- Transfer of \$240,000 from the general fund balance to the storm drainage fund for the Settles Point Road emergency repairs.*
- Reclassification of Suwanee Day line item expenditures; no increase in total budget.*
- Creation of a new fund for the Harvest Farm Community Garden, with a total budget of \$8,900 for FY10. The fund is set up for the garden to be self-supporting; all of the revenues come from the plot fees, the Whole Foods and other donations, and some small grants the garden has received.*
- Reductions to the Hotel/Motel Tax fund to account for less-than-anticipated revenues*

**d. Authorize Mayor to Execute Change Order #5 with Blue Frog Construction, LLC in the Amount of \$13,897.00 for the Crossroads Renovation Project**

*The scope of the Crossroads renovation was changed to accommodate some additional work, largely painting and re-carpeting. Blue Frog Construction, LLC has submitted Change Order #5 in the amount of \$13,897.00 to reflect this change. Approval of this change order will bring the construction to \$94,978.27, under the approved budget of \$118,780.00.*

***Motion to approve the Consent Agenda by Councilmember Burnette, second by Mayor Pro Tem Brooks and so carried 6-0.***

**20. City Manager's Report - None**

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

***Motion by Councilmember McOmber to ENTER Executive Session for the purpose of Legal, Personnel and Real Estate Matters, second by Councilmember Burnette and so carried 6-0. (Note: Mayor Williams had to leave for another appointment during Executive Session.)***

***Motion by Councilmember Burnette to EXIT Executive Session for the purpose of Legal, Personnel and Real Estate Matters, second by Councilmember Goodman and so carried 5-0.***

***Motion by Councilmember Foster to authorize the City Manager to explore acquisition of property discussed in reference in Executive Session and to enter into any***

*agreement to conduct due diligence, second by Councilmember McOmber and so carried 5-0.*

**22. Adjournment – 8:53 p.m.**

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

*Approved 04/27/2010*