

**MINUTES  
CITY OF SUWANEE, GEORGIA  
CITY COUNCIL PUBLIC HEARING & COUNCIL MEETING  
DECEMBER 22, 2009**

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

Attendees: Dave Williams, Mayor  
Jimmy Burnette, Mayor Pro Tem  
Daniel F. Foster, Councilmember  
Richard Goodman, Councilmember  
Kevin McOmber, Councilmember  
Marty Allen, City Manager  
Phyllis Edmond, Human Resources Manager for City Clerk  
Gregory Jay, City Attorney

Absent: Jace Brooks, Councilmember  
Elvira Rogers, City Clerk

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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 the public hearing to order at 6:37 p.m. and read the procedures for public meetings for the record.

**2. Request for Change in Licensee of Alcohol Beverage License: Antigua Tex Mex, 415 Peachtree Industrial Boulevard, Suite 100**

*Antigua Tex Mex has applied for a change in licensee for their alcohol beverage license. The new licensee is Aidan Joseph Murphy. Staff recommends approval.*

**3. Request for New Alcohol Beverage License: Tokyo Steak House, 2825 Rolling Pin Lane**

*Tokyo Steak House has applied for a new license to serve beer, wine, and distilled spirits. Ms. Xiu Mei Gao is the licensee. Staff recommends approval.*

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

**4. Call to Order**

Mayor Williams called the meeting to order at 7:05 p.m.

**5. Announcements**

- *We're proud to announce that the City of Suwanee is the only community in Gwinnett County and one of only nine in metro Atlanta to be certified "green" by the Atlanta Regional Commission (ARC). The ARC's Green Communities certification program recognizes communities that have taken measures to reduce their environmental footprint and promote sustainability. In awarding the certification, the ARC considers 61 criteria. A few of Suwanee's efforts noted by the ARC include:*
  - *Requiring that all new City-owned buildings larger than 5,000 square feet be LEED certified.*
  - *Adoption of a lights out/power down policy requiring employees to turn off lights and all other non-essential electronic equipment when not in use.*
  - *City Hall's Energy Star-rated cool roof.*
  - *The City's Open Space initiative and protection of 9 percent of total land area as greenspace.*
  - *Implementation of a green fleet policy, no idling policy, and environmentally preferable purchasing policy.*
  - *The Suwanee Farmers Market.*
  - *Suwanee's encouragement of mixed-use redevelopment and implementation of smart-growth practices in the Downtown Master Plan.*
  
- *Plot applications for the inaugural season at Suwanee's community garden, Harvest Farm at White Street Park, are now available online at [www.suwanee.com](http://www.suwanee.com) - look under Hot Links on the homepage or on the Community Garden page. Plots in this new organic community garden, expected to be one of the largest in the Southeast when it opens this spring, are available to City of Suwanee residents as well as non-residents. The application deadline is January 15 for City residents, who also receive a discount on the plot fee. Non-residents must apply by February 1. When the garden opens in the spring, approximately 60 plots of varying sizes will be available.*
  
- *As a reminder, applications are due December 31 for our 2010 Snap Suwanee photo competition. Snap Suwanee is an ongoing contest of photos taken at identifiable Suwanee locations that convey a sense of the community. Approximately a dozen winning photos will be selected and exhibited at City Hall throughout most of 2010. For more details and the application, please visit the What's New/Events section at [www.suwanee.com](http://www.suwanee.com).*

**6. Pledge of Allegiance**

**7. Approval of Minutes**

**a. November 12, 2009 Called City Council Meeting**

*Motion by Councilmember Goodman to approve the November 12, 2009 Council Meeting Minutes, second by Councilmember McOmber and so carried 5-0*

**b. November 24, 2009 City Council Meeting**

*Motion by Councilmember McOmber to approved the November 24, 2009 Council Meeting Minutes, second by Mayor Pro Tem Burnette and so carried 5-0*

**8. Special Recognition**

**a. Dr. Ron Perry**

Dr. Perry, owner of Gwinnett Urgent Care, was recognized for donating 3500 flu shots in 2008 and 4500 flu shot in 2009 to citizens for canned goods that were donated to various organizations. Dr. Perry supports various youth groups in the area. Mayor Williams presented Dr. Perry with a proclamation and proclaimed Wednesday, December 23, 2009 as Dr. Perry Day.

**b. Lynne DeWilde**

Lynne DeWilde, City of Suwanee's Public Information Officer, received the "Community Relations Award" from the Gwinnett Convention and Visitor's Bureau for her professionalism, creativity and vision in assisting the Gwinnett Convention and Visitor's Bureau and the Gwinnett Tourism industry.

**9. Special Presentation: FY 09 Report from City Auditors, Mauldin & Jenkins**

*Joel Black of Mauldin & Jenkins was in attendance and presented the results from the FY 09 audit.*

**10. 2009 Appointments**

**a. Planning Commission**

*The terms for Earl Mitchell, Joy Mitchell, and Jodi Nevels expire December 31, 2009. The appointments for these positions will be for two-year terms, to expire December 31, 2011.*

*Motion by Councilmember Foster to approve re-appointments until December 31, 2011, second by Councilmember Goodman and so carried 5-0.*

**b. Zoning Board of Appeals**

*The terms for Larry Pettiford and Ryan Neilan, as well as one vacant position, expire December 31, 2009. The appointments for these positions will be for two-year terms, to expire December 31, 2011. There is an additional vacant position on this board, with a term expiring December 31, 2010.*

*This item died due to lack of a motion.*

**c. Downtown Development Authority**

*The DDA has nominated Dax Flinn and Robert Rohloff to fill their two vacant positions. These terms will expire December 31, 2010.*

***Motion by Mayor Pro Tem Burnette to accept nominations, second by Councilmember McOmber and so carried 5-0.***

**d. Public Arts Commission**

*Staff recommends the following appointments for two-year terms, to expire December 31, 2011: Dick Goodman; Cherie Heringer; Linnea Miller; and Earl Mitchell. Per Gregory Jay's direction, the motion for these appointments should be made "to the Public Arts Commission, as presently existing or as subsequently reauthorized" due to the sunset on this commission.*

***Motion by Councilmember Foster to accept nominations, second by Councilmember Goodman and so carried 5-0.***

**e. Urban Redevelopment Authority**

*The positions held by Carol Hassell, Sandra Watson, and Bill Thee expired in August. Staff recommends re-appointing each of them for a two-year term, to expire December 31, 2011.*

***Motion by Councilmember Goodman to accept re-appointments, second by Mayor Pro Tem Burnette and so carried 5-0.***

**f. Municipal Court**

*The Municipal Court is appointed on an annual basis. Staff recommends the following re-appointments, to expire December 31, 2010:*

- i. Chief Judge: Mark Lewis*
- ii. Assistant Chief Judge: Bill Brogdon*
- iii. Associate Judge: Claude Mason*
- iv. Associate Judge: Laura Tate*
- v. Chief Solicitor: Julie Potts*
- vi. Associate Solicitors: Luther Beck; Matthew Crosby; Paul Groth; Mihae Park; Elizabeth Marie Reisner; and Jennifer White.*

***Motion by Councilmember Foster to accept re-appointments, second by Mayor Pro Tem Burnette and so carried 5-0.***

**g. City Attorney**

*The City Attorney is appointed on an annual basis. Staff recommends re-appointing Gregory Jay for a term to expire December 31, 2010.*

*Motion by Councilmember McOmber to re-appointment the City Attorney, second by Mayor Pro Tem Burnette and so carried 5-0.*

**11. Adoption of Agenda as Presented**

*Motion by Councilmember Foster to accept the agenda adding item 16.a. to “authorize the mayor to execute a change order not to exceed \$25,000 to Reeves Drilling for well drilling for the water system, second by Councilmember McOmber and so carried 5-0.*

**12. Audience Participation-None**

**NEW BUSINESS**

**13. Consider Request for Change in Licensee of Alcohol Beverage License: Antigua Tex Mex, 415 Peachtree Industrial Boulevard, Suite 100**

*Motion by Councilmember Goodman to approve change in licensee of alcohol beverage license to Antigua Tex Mex, second by Mayor Pro Tem Burnette and so carried 5-0.*

**14. Consider Request for New Alcohol Beverage License: Tokyo Steak House, 2825 Rolling Pin Lane**

*Motion by Mayor Pro Tem Burnette to approve new alcohol license to Tokyo Steak House, second by Councilmember Goodman and so carried 5-0.*

**15. Consider Resolution/Ordinance to Reauthorize the Public Arts Commission**

*Staff recommends reauthorizing the Public Arts Commission for an additional five years, with a sunset of December 31, 2014.*

*Motion by Councilmember Goodman to approve the resolution/ordinance to re-authorize Public Arts Commission for an additional five years, second by Councilmember McOmber and so carried 5-0.*

**16. Consider Amendment to Soil Erosion, Sedimentation and Pollution Control Ordinance**

*The State of Georgia has amended the Georgia Erosion and Sedimentation Act and accordingly we need to amend our Soil Erosion, Sedimentation and Pollution Control Ordinance.*

*Motion by Councilmember McOmber to amend the Georgia Erosion and Sedimentation Act, second by Mayor Pro Tem Burnette and so carried 5-0.*

**16a. Authorize the Mayor to execute a change order not to exceed \$25,000 to Reeves Drilling for well drilling for well system**

*Motion by Councilmember Foster to authorize the Mayor to execute a change order not to exceed \$25,000 to Reeves Drilling, second by Mayor Pro Tem Burnette and so carried 5-0.*

**17. Consent Agenda**

**a. Authorize Mayor to Execute Documents for GEFA Loan**

*The Georgia Environmental Facilities Authority (GEFA) has submitted the loan contract and associated documents for execution by the Mayor. The loan totals \$480,044, with a 40% loan forgiveness of \$192,017, and will pay for improvements to the water system. A staff briefing and copy of the documents were included in Tab D of the workshop packet; no changes have been made.*

**b. Adopt Revised 2010 Council Schedule**

*As discussed at workshop, staff has revised the 2010 Council schedule, which was adopted last month. At the request of Council, the dates for budget workshops and the retreat have also been added. The revised schedule is included in Tab 17.*

*Motion to approve the Consent Agenda by Councilmember McOmber, second by Councilmember Goodman, and so carried 5-0.*

**18. City Manager's Report-Nothing to report**

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

*No Executive Session issues.*

**20. Adjournment-7:46 P.M.**

**Motion to adjourn by Councilmember Foster, second by Councilmember McOmber and so carried 5-0.**

**Approved 01/26/2010**