

MINUTES
CITY OF SUWANEE, GEORGIA
CITY COUNCIL MEETING
DECEMBER 16, 2003

Meeting Location: Suwanee City Hall

Present: Nick Masino, Mayor
Jace Brooks, Councilmember
Jimmy Burnette, Councilmember
Carol Hassell, Councilmember
Alan Landers, Mayor Pro Tem
Jeannine Rispin, Councilmember
Gregory Jay, City Attorney
Hardin Watkins, City Manager
Elvira Rogers, City Clerk

6:30 P.M.
PUBLIC HEARING

The Public Hearing was called to order by Mayor Masino. City Manager, Hardin Watkins, read the procedures for public meetings for the record.

1. 2003-2004 Comprehensive Plan Annual Update

Josh Campbell, City Planner stated this is the first of two public hearings to be heard as part of the process of amending the Comprehensive Plan. It is required by the Minimum Standards and Procedures for Local Comprehensive Planning. Mr. Campbell stated the Comprehensive Plan is to be updated every five years and the City updates the plan annually.

There was no audience participation and the Public Hearing closed at 6:40 P.M.

7:00 P.M.
CITY COUNCIL MEETING

1. Call To Order

Mayor Masino called the meeting to order at 7:05 PM.

2. Announcements

• **Suwanee Better Parks Campaign**

The Suwanee Better Parks Campaign has raised approximately \$110,000 to date. The Soiree was a huge success bringing in about \$60,000 through the live and silent auction. Sponsorships of park elements are still available. Contact Denise Brinson for additional information.

- **New Addition**

Thanks to the generosity and support of the Suwanee Day 2003 Committee, the City has purchased one of the CowParade Atlanta cows that "grazed" throughout the metro Atlanta area this summer as public art for one of its new parks. *Chattahoochee* is a life-size, painted fiberglass cow that reflects the ever-changing landscape of the Chattahoochee River. The Suwanee Day Committee donated to the City \$1,500 in proceeds from this year's annual family festival in order to purchase a CowParade Atlanta cow. *Chattahoochee*, who is temporarily on display in the lobby of City Hall, was created by Marietta artist Shannon Brickey.

- **The Best of Suwanee**

The November/December issue of *Gwinnett Magazine* lists the "Best of Gwinnett 2003" in more than 60 categories, and Suwanee is well-represented. The magazine deemed Suwanee the "best residential address," adding that people "told us that Suwanee is a great place to live." In addition, the annual Suwanee Day festival received an honorable mention in the "Best Local Festival" category and Old Town Suwanee was recognized in the "Best Downtown Area" category. Congratulations to the other Suwanee businesses and individuals who made the "Best of Gwinnett 2003" list either as the top choice or an honorable mention.

3. Pledge of Allegiance

Representatives from Scout Troops #827 and #1830 assisted Mayor Masino.

4. Approval of Minutes

A. 11/6/03 Called Meeting

Motion by Councilmember Hassell to approve 11/6/03 Minutes, second by Councilmember Rispin and so carried 5-0-1 (Councilmember Burnette).

B. 11/18/03 Council Meeting

Motion by Councilmember Hassell to approve 11/18/03 Minutes, second by Councilmember Burnette and so carried 6-0.

5. Adoption of Agenda as Presented

Motion by Councilmember Hassell to amend the agenda by adding New Business Item E. Breedlove land donation and adopt the agenda, second by Councilmember Burnette and so carried 6-0.

6. Special Presentations

A. PACT Neighborhood Recognition

The Forest Plantation and Stoneridge Subdivisions were recognized as a PACT Neighborhood. The designated officer, Shannon Hitchcock presented the award.

7. Audience Participation

Dustin Graham, 3422 Windwood Lane, Duluth, GA, stated he represented 850 massage therapists. He stated concerns regarding the Massage Ordinance. Mayor Masino stated that recent recommendations presented by Mr. Graham have been reviewed by the City Attorney and considered. Councilmember Hassell stated this is not a new ordinance.

8. OLD BUSINESS

A. Consideration of the Revised Massage Establishment Ordinance

This item was postponed at the November Council Meeting. Council specifically asked about the closing time established by Gwinnett County. Their ordinance provides that massage establishments must close by 10:00 P.M. Gregory Jay has included a closing time of 9:30 P.M. in the City's revised ordinance. ACTION: Consider the ordinance.

Motion by Councilmember Hassell to approve the Revised Massage Establishment Ordinance, second for discussion by Councilmember Rispin.

Gregory Jay stated revisions to the ordinance have been made as follows: Section 22-160, which deals with the records kept by the license, the last sentence in section (a) should read: "The City of Suwanee Code Enforcement Office or Police Department shall be entitled to verify that such records and information is maintained by the licensee.

Councilmember Hassell amended the motion to approve the Revised Massage Establishment Ordinance as discussed, amended second by Councilmember Rispin, and so carried 6-0.

9. NEW BUSINESS

A. Authorization for the Mayor to Enter into Agreement with Neel Schaffer for the Design of the Pedestrian Underpass

Six bids were received for design services on the pedestrian underpass. The review team consisted of Hardin Watkins, Marty Allen, Councilmember Jimmy Burnette, and Mayor Nick Masino. The team evaluated each company's bid on their skill level, experience and price. They are recommending Neel Schaffer with a bid of \$79,850. ACTION: Consider authorizing the Mayor to enter into agreement with Neel Schaffer for design services.

Motion by Councilmember Burnette to authorize the Mayor to Enter into Agreement with Neel Schaffer for the Design of the Pedestrian Underpass, second by Councilmember Brooks and so carried 6-0.

B. Consideration of Approval of Change Order #1 for Settles Bridge Road Sidewalk Project

Change Order #1 increases the original contract price by \$3,991.55 and extends the contract date by 24 days. The increased costs are due to: saw cutting the depth of asphalt was expected at 6" but was at 12" and we paid for 50% of the difference; a 2 foot beauty strip was created at one location; one portion of sidewalk had to be widened to match an adjacent development; irrigation repairs were made at three locations; graded base material and placement for driveways; and additional concrete driveway placement to improve driveway transitions. Due to the contract extension of 24 days, there is a decreased cost of \$2,400. ACTION: Consider the change order.

Motion by Councilmember Rispin to approve Change Order #1 for Settles Bridge Road Sidewalk Project, second by Mayor Pro Tem Landers and so carried 6-0.

C. Consideration of Approval of Budget Adjustments

1. The Water Fund

The City received a GEFA Loan in the amount of \$380,000 for the water system improvement project. This adjustment creates the budget for these monies so they can be expended appropriately. ACTION: Consider the budget adjustments.

Motion by Councilmember Brooks to approve Fund Budget Adjustments, second by Councilmember Burnette and so carried 6-0.

2. The Open/Green Space Fund

These adjustments are essentially to clean up the various accounts within this fund and to account for the additional expense needed for the performance stage in Town Center Park. There is an overall increase in revenue projections of \$166,585 from interest earned on unspent bond proceeds, a GA DOT grant, and a tax reimbursement from the Farm parcel. The \$166,585 was added to various line items within several project accounts to balance on the expenditure side. ACTION: Consider the budget adjustments.

Motion by Councilmember Hassell to approve the Open/Green Space Fund Budget Adjustments, second by Councilmember Brooks and so carried 6-0.

D. Consideration of the Parade and Public Assembly Ordinance

This item was originally discussed in the context of our park regulations along with items such as handbilling and demonstrations in public places. City Attorney, Gregory Jay has reviewed our Code of Ordinances and found that the City lacks a scheme to regulate and permit parades or public assemblies. Gregory has worked with Chief Jones to prepare a draft ordinance for Council consideration. ACTION: Consider the ordinance.

Motion by Mayor Pro Tem Landers to adopt the Parade and Public Assembly Ordinance, second by Councilmember Hassell and so carried 6-0.

E. Consideration of acceptance of Property Donation by Cecil Breedlove subject to Environmental Phase I Study

Motion by Councilmember Hassell to accept Cecil Breedlove's donation of 1/8 interest of real property adjacent to Suwanee Creek subject to an acceptable Phase I Environmental Report and to authorize the Mayor and/or City Manager to execute any documents in furtherance of associated real property donation, second by Councilmember Rispin and so carried 6-0.

10. City Manager's Report

A. November Financial Reports

11. Land Acquisition Update (possible Executive Session) – None.

12. Adjournment

Motion by Councilmember Brooks to adjourn, second by Councilmember Hassell and so carried 6-0. Time: 7:25 P.M.