

**CITY OF SUWANEE, GEORGIA  
CITY COUNCIL MEETING  
NOVEMBER 15, 2005**

Meeting Location: *Suwanee City Hall*

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

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**5:30 P.M.  
DINNER SESSION**

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**

The Public Hearing opened at 6:30 PM. Hardin Watkins read the procedures for public meetings for the record.

- 1. RZ-2005-012 – Applicant: Mike Farzad. Owner: Norwood Development, LLC. Requests rezoning from C-2 (General Commercial) to C-2A (Special Commercial District – Alcoholic Beverage Sales) to allow for a restaurant with alcohol sales. Site is located in Land Lot 252 of the 7<sup>th</sup> District along Peachtree Industrial Boulevard and contains approximately 1.36 acres.**

Marty Allen, Planning & Economic Development Director, presented the staff analysis as follows: The applicant requests rezoning on a 1.36-acre site from C-2 (General Commercial District) to C-2A (Special Commercial District-Alcohol Beverage Sales) to allow a restaurant with alcohol sales in an existing 17,000 square foot shopping center. The subject property is located on Peachtree Industrial Boulevard south of Tench Road.

The subject property is located along the developing Peachtree Industrial Boulevard commercial and residential corridor. The property is surrounded on three sides (north, west, and south) by a Planned Mixed use Development (Three Bridges - zoned PMUD) that is currently under development. To the east of the subject property, across Peachtree Industrial

Boulevard, are two C-2A zoned shopping centers, a C-3 zoned package store, and a convenience store zoned C-2 with stipulations that allow alcohol sales.

It should be noted that the City's Alcohol Beverage Regulations require distance separation from places that sell alcohol and certain other land uses. The regulations prohibit alcohol sales within 300 feet of a church or 600 feet of a school. It appears that no uses currently exist near the subject property that would prohibit such sales.

The City of Suwanee Future Land Use Plan recommends mixed use village for the subject property. The proposed C-2A zoning is generally consistent with this recommendation

In conclusion, the requested C-2A zoning would be appropriate at this location. The majority of the commercial uses in the area are zoned to allow for alcohol sales. Therefore, the Planning Department recommends approval of the request. The Planning Commission heard the case at the November meeting and recommends approval.

**Support:**

Applicant – Mike Farzard, 1090 Lakeshore Road, Alpharetta, Georgia.

**Opposition:** None

**2. Proposed Use of a Red Light Camera Traffic Enforcement System**

Mayor Masino stated OCGA Section 40-14-21 states that if any municipality uses traffic-control signal monitoring devices, the governing authority must conduct a public hearing on the use of the devices prior to entering into contract for their purchase and use. This public hearing is to take comment on the City's use of red light cameras.

Kristi McCarley, Special Projects Manager, stated the City of Suwanee is considering implementing red light cameras at select intersections throughout the City. Captain Moon and conducted research and detailed information was provided to Council at the January workshop and again at several other workshops over the past summer. Currently Gwinnett County, Cities of Duluth, Snellville and Lilburn are using red light cameras. There are other cities in Georgia have implemented the red light system including Alpharetta, Rome, Marietta, Decatur and Savannah.

The City is interested in the red light system in response to statistics which indicate the number of red light violations is reduced up to 50% and injury crashes are reduced by up to 30%. Statistics also indicate that red light cameras appear to be particularly effective in reducing front end and side "t-bone" collisions, which frequently cause serious injury.

Another benefit is that with cameras monitoring the specific intersections, this will free our officers to patrol other areas of the City and to provide other services.

The intersections under consideration in Suwanee include the following: Highway 317 & I-85, Peachtree Industrial Boulevard & Suwanee Dam Road, Highway 317 & Satellite

Boulevard, Peachtree Industrial Boulevard and McGinnis Ferry, Highway 317 & Horizon/Old Peachtree, and McGinnis Ferry & Highway 23.

The earliest that a red light system would be implemented in Suwanee is February 2006. If the City Council decides to move forward with implementation of a camera system the City would contract with LaserCraft, Inc. LaserCraft would perform the installation of the equipment and assist with management of the system. Gwinnett County went through a competitive bid process and selected LaserCraft. The City is piggy-backing Gwinnett County's contract with LaserCraft.

Representatives from LaserCraft were present: Darlene Hinds and Ron Sergeant, 5680 Oakbrook Parkway, Norcross, GA.

Mr. Sergeant stated the system does not look at the vehicle passing through the intersection until the light turns red. Only the rear of the vehicle is captured in the photograph.

There was no audience participation.

### **3. Exemption of the City Manager's City Vehicle from OCGA Section 36-80-20**

Mayor Masino stated OCGA Section 36-80-20 states that all city-owned vehicles should have a decal that identifies the government entity it belongs too. To be exempt from this section, a public hearing has to be held to notify the public that a certain vehicle will not have the decal. This public hearing is to take comment on exempting the City Manager's vehicle from having a decal.

There was no audience participation.

The Public Hearing closed at 6:40 P.M.

**CITY OF SUWANEE, GEORGIA  
CITY COUNCIL MEETING  
NOVEMBER 15, 2005  
7:00 P.M.**

*Meeting Location: Suwanee City Hall*

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

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**1. Call To Order**

The meeting was called to order by Mayor Masino at 7:02 P.M.

**2. Announcements**

- The next PRIDE Program offered by the Police Department will be held on Saturday, November 19<sup>th</sup> at 9:00 am here at City Hall. This program, designed for teenagers and their parents, is to help reduce the high number of crashes, injuries, and deaths involving teenage drivers. To sign up, you can call Sgt. Elias Casanas or go to [www.suwanee.com](http://www.suwanee.com).
- The annual Caboose Lighting will be Saturday, December 3 in Old Town. The festivities begin at 5:00 pm. Elementary school choruses and the Greater Atlanta Christian School Orchestra will perform. Santa will be there arriving on a tracker-pulled sleigh. Good treats and warm drinks will be served, free of charge.
- The City will participate again this post-holiday season with Gwinnett Clean and Beautiful's "Bring One for the Chipper" campaign, an effort to recycle Christmas trees. The City will accept retired Christmas trees from December 26 through January 7 at a designated location at Town Center Park. If you bring your tree on Jan. 7<sup>th</sup> between 9 am and 4 pm, you will receive a tree seedling.
- Mayor Masino and Council acknowledged City Manager, Hardin Watkins, accomplishment in completing the New York Marathon. Congratulations Hardin!!!

**3. Pledge of Allegiance**

**4. Approval of Minutes**

A. 10/19/05 Council Meeting

***Motion by Councilmember Hassell to approve the 10/19/05 Council Minutes, second by Councilmember Rispin and so carried 6-0.***

**5. Adoption of Agenda as Presented**

*Motion by Councilmember Hassell to adopt the agenda amended to delete Item #7. Appointments to Boards, second by Mayor Pro Tem Brooks and so carried 6-0.*

**6. Special Presentation**

A. Report from the City Auditors, Mauldin and Jenkins

Joel Black of Mauldin & Jenkins presented the 2005 Audit Results and stated that compared to other cities & counties the comments are minimal. He commended Amie Sakmar and her staff for their diligence in preparing the files for the audit. (Copy of audit attached to Minutes.)

**7. Appointments to Boards – deleted from agenda.**

**8. Audience Participation – None.**

**9. OLD BUSINESS – None.**

**10. NEW BUSINESS**

**A. RZ-2005-012 – Applicant: Mike Farzad. Owner: Norwood Development, LLC. Requests rezoning from C-2 (General Commercial) to C-2A (Special Commercial District – Alcoholic Beverage Sales) to allow for a restaurant with alcohol sales. Site is located in Land Lot 252 of the 7<sup>th</sup> District along Peachtree Industrial Boulevard and contains approximately 1.36 acres.**

*Motion by Councilmember Rispin to approve RZ-2005-012, second by Councilmember Burnette and so carried 6-0.*

**B. Consideration of an Ordinance to Provide for the Installation and Maintenance of Automated Traffic Control Devices (Red Light Cameras) and the Enforcement of these Devices**

This ordinance authorizes the use of traffic-control signal monitoring devices within the City, the enforcement of the devices, the penalties associated with the violations, and the process for contesting a violation. ACTION: Consider the ordinance.

*Motion by Councilmember Hassell to approve an Ordinance to Provide for the Installation and Maintenance of Automated Traffic Control Devices (Red Light Cameras) and the Enforcement of these Devices, second by Mayor Pro Tem Brooks and so carried 6-0.*

**C. Consideration of Authorizing the Mayor to Enter into Agreement with LaserCraft, Inc. for the Provision, Installation and Management of an Automated Red Light Traffic Enforcement System**

To move forward with the implementation of red light cameras, the City needs to enter into agreement with a company that provides the equipment and services needed to operate an automated traffic enforcement system. Gwinnett County is under contract with LaserCraft, Inc. for these services and the company will provide the same services and prices to the City of Suwanee. With the assistance of LaserCraft, the Suwanee Police Department has identified 6 potential intersections to install red light cameras. These intersections are: Hwy. 317 and I-85, PIB and Suwanee Dam, Hwy. 317 and Satellite Blvd, PIB and McGinnis Ferry, Hwy. 317 and Horizon/Old Peachtree, and Hwy. 317 and Sawmill/Burnette. This list is included in the agreement. ACTION: Consider authorizing the Mayor to enter into agreement with LaserCraft, Inc. for the provision, installation and management of an automated red light traffic enforcement system.

*Motion by Councilmember Rispin to approve authorizing the Mayor to enter into Agreement with LaserCraft, Inc. for the Provision, Installation and management of an Automated Red Light Traffic Enforcement System, second by Councilmember Hassell and so carried 6-0.*

**D. Consideration of Authorizing the Mayor to Enter into an Intergovernmental Agreement with Gwinnett County Regarding the Access and Use of Equipment for the Operation of an Automated Red Light Traffic Enforcement System**

To move forward with the implementation of red light cameras, the City needs access to traffic signal controllers at intersections to install the needed equipment. All traffic signals and signal controllers are owned and operated by Gwinnett County. The agreement, included in your packet, would provide the City access to the signal equipment in the identified intersections. ACTION: Consider authorizing the Mayor to enter into an intergovernmental agreement with Gwinnett County regarding access and use of equipment for the operation of an automated red light traffic enforcement system.

*Motion by Councilmember Hassell to approve authorizing the Mayor to enter into an Intergovernmental Agreement with Gwinnett County regarding the Access and Use of Equipment for the Operation of an Automated Red Light Traffic Enforcement System, second by Councilmember Landers and so carried 6-0.*

**E. Consideration of Exempting the City Manager's City Vehicle from OCGA Section 36-80-20**

OCGA Section 36-80-20 states that all city-owned vehicles should have a decal that identifies the government entity it belongs too. To be exempt from this section, a public hearing has to be held to notify the public that a certain vehicle will not have the decal. A public hearing was held at 6:30pm to exempt the City Manager's vehicle from having a decal. This exemption will be good for one year. ACTION: Consider exempting the City Manager's city vehicle from OCGA Section 36-80-20.

*Motion by Mayor Pro Tem Brooks to approve Exempting the City Manager's City Vehicle for OCGA Section 36-80-20, second by Councilmember Burnette and so carried 5-1-0 (Councilmember Landers opposed)*

**F. Consideration of a Resolution to Accept Donated Artwork from Ingrid Bolton**

Ingrid Bolton has donated a piece of her artwork to the City. Staff would like to formally accept her donation and recognize her for it. ACTION: Consider approval of the resolution.

*Motion by Councilmember Hassell to approve a Resolution to accept Donated Artwork from Ingrid Bolton, second by Councilmember Rispin, and so carried 6-0.*

Mayor Masino and Councilmember Hassell presented the Resolution to Mrs. Bolton.

**11. CONSENT AGENDA**

**A. Consideration of Authorizing the Mayor to Enter into Agreement with the City of Braselton Regarding the Donation of Surplus Vehicles**

The City of Braselton Police Department acquires a large number of confiscated vehicles from drug-trafficking interdiction activities on I-85. They have agreed to donate these vehicles to the Suwanee Police Department, as needed, on the condition that the vehicles are returned to Braselton once Suwanee is finished using them. ACTION: Consider authorizing the Mayor to enter into agreement with the City of Braselton regarding the donation of surplus vehicles.

**B. Consideration of a Resolution to Adopt a Policy for Rental of the City Hall Council Chambers and the Crossroads Courtroom**

This policy is to provide guidelines and fees for the rental of the Council Chambers at City Hall and the Crossroads Courtroom. ACTION: Consider the resolution.

**C. Consideration of Authorizing the Mayor to Enter into an Intergovernmental Agreement with Gwinnett County Regarding the Use of Inmate Labor for Graffiti Removal**

Gwinnett County has adopted a policy to allow County inmate work crews to be sent within city limits to remove graffiti from private property. An intergovernmental agreement has been drafted by the County to outline the policies and procedures if and when the City chooses to use these services. We expect that our staff/crew will be able to address the problems more quickly, but this will be a good back-up resource. ACTION: Consider authorizing the Mayor to enter into an intergovernmental agreement with Gwinnett County regarding the use of inmate labor for graffiti removal.

**D. Consideration of Change Orders #3 and #4 to the Construction Contract for the Sims Lake Dam Rehabilitation**

Change order #3 is a \$2,000 credit for not replacing the barbed wire fence on the back pasture and for 9 additional days due to weather. Change order #4 is for an additional \$6,697.98 for extra volume of suitable soils. Large quantities of unsuitable soils were found and had to be replaced in excess of those set up in the contract bid documents. The total additional cost is \$4,697.98, leaving the contract total at \$602,700.98. ACTION: Consider approval of change orders #3 and #4.

**E. Consideration of Revisions to the Noise Ordinance**

The changes made to the noise ordinance were discussed at the Workshop. Comparative data is also included in your packet per your request at the Workshop. ACTION: Consider the revisions to the noise ordinance.

**F. Consideration of Waiving the Building Permit Fees for the Richport Properties' Hurricane Relief House**

Richport Properties is going to donate the sale proceeds from a house in Stonecypher to hurricane relief. They have asked the City to partner with them by waiving the building permit fees (\$869), assisting with publicity, and identifying a gulf region City to send the proceeds too. Staff is recommending formal action to waive the building permit fees for the hurricane relief house. ACTION: Consider waiving the building permit fees for the Richport Properties' Hurricane Relief House.

**G. Consideration of a Resolution to Accept a \$500 Monetary Donation from an Anonymous Donor**

A participant of the Citizen's Police Academy is making a \$500 donation to the City. The donor wishes to remain anonymous. Funds to be applied to the Citizen Police Academy. ACTION: Consider approval of the resolution.

**H. Consideration of a Resolution in Support of the McGinnis Ferry Road Extension and McGinnis Ferry Bridge Projects**

Staff sent a letter to Gwinnett County several months ago regarding decorative elements that the City would like to see added to the McGinnis Ferry Road Extension Project. The County is now in the planning stages for the McGinnis Ferry Bridge Project and the City would like to see many of the same decorative elements included. This resolution outlines those elements and the City's support of these projects. ACTION: Consider the resolution.

**I. Consideration of Revisions to the City's Architectural Requirements**

Staff has made changes to the City's architectural requirements. ACTION: Consider the revisions.



**J. Consideration of Revisions to the Ordinance Regarding the Violation of Creating a Hazardous or Offensive Condition on the Roadway**

Staff found an omission in Chapter 54 of the City Code of Ordinances and is recommending revising the chapter. Staff would like to add a section to address violations that create a hazardous or offensive condition on the roadway. ACTION: Consider revisions to the ordinance.

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

**12. City Manager's Report – None.**

**13. Adjournment – Time: 7:25 P.M.**

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

*Approved 12/20/05*