

**CITY OF SUWANEE, GEORGIA
CITY COUNCIL MEETING
SEPTEMBER 25, 2007**

Meeting Location:

Dinner Session – City Hall Conference Room (373 Highway 23)

Public Hearing and City Council Meeting - Crossroads Center (323 Highway 23)

Attendees: Nick Masino, Mayor
Jimmy Burnette, Mayor Pro Tem
Jace Brooks, Councilmember
Dan Foster, Councilmember
Kevin McOmber, Councilmember
Jeannine Rispin, Councilmember
Marty Allen, Interim City Manager
Elvira Rogers, Administrative Services Director
Gregory Jay, City Attorney

**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**

Mayor Masino opened the Public Hearing at 6:30 P.M. Marty Allen, Interim City Manager read for the record the procedures for Public Hearings.

- 1. AN-2007-002 - Applicant: Mahaffey Pickens Tucker, LLP. Owner: Lawrenceville Suwanee Associates, Inc. Requests annexation and rezoning from R-100 (Unincorporated Gwinnett County, Single Family Residential District) to R-100 (City of Suwanee, Residential Single Family District) for a single family residence. Site is located on parcels 023 and 026 in Land Lot 168 of the 7th District on Burnette Road west of Autumnbrooke Way and contains approximately 4.59 acres.**
- 2. RZ-2007-004 - Applicant: Mahaffey Pickens Tucker, LLP. Owner: Lawrenceville Suwanee Associates, Inc. Requests annexation and rezoning from R-100 (Unincorporated Gwinnett County, Single Family Residential District) to R-100 (City of Suwanee, Residential Single Family District) for a single family residence. Site is located on parcels 023 and 026 in Land Lot 168 of the 7th District on Burnette Road west of Autumnbrooke Way and contains approximately 4.59 acres.**

Josh Campbell, Principal Planner, presented the staff analysis as follows: The applicant requests annexation and zoning of two parcels totaling approximately 4.59 acres of land from R-100 (unincorporated Gwinnett County – Residential Single Family District) to R-100 (City of Suwanee –

Residential Single Family District). Both parcels are undeveloped. The site is located on Burnette Road south of Satellite Boulevard. The subject property is on the City's target list for annexation.

Georgia law requires properties to be zoned within the municipality concurrently with the annexation proceedings.

The subject property is surrounded by residential uses and an undeveloped site zoned for a mixed use project. As the property is outside of the City limits, it is not shown on the City's Future Land Use Plan. Gwinnett County's Future Land Use Map recommends office/professional uses for the property. However, the applicant indicates they have no plans to develop the property other than allowing for the road from the adjacent mixed use project to run through the property. As such, approval as R-100 which reflects the existing zoning in the County would be appropriate.

If the City Council chooses to annex the subject property, approval as R-100 would be the most suitable category. Therefore, the Planning Department recommends approval as R-100. The Planning Commission recommended approval.

Support:

- Applicant: Beth Blalock, 1550 North Brown Road, Lawrenceville, GA 30043. Ms. Blalock requested approval of the annexation and rezoning.

Opposition: None.

- 3. AN-2007-003 - Applicant: Mahaffey Pickens Tucker, LLP. Owner: Jun & Jenny Investment, LLC and Suwanee Station Group, LLC. Requests annexation and rezoning from C-2 (Unincorporated Gwinnett County, General Business District) to C-2A (City of Suwanee, Special Commercial District - Alcoholic Beverage Sales) to allow for an existing commercial center. Site is located on a portion of parcel 040 in Land Lot 152 of the 7th District at the intersection of Lawrenceville-Suwanee Road and Old Peachtree Road and contains approximately 8.0 acres.**
- 4. RZ-2007-005 - Applicant: Mahaffey Pickens Tucker, LLP. Owner: Jun & Jenny Investment, LLC and Suwanee Station Group, LLC. Requests annexation and rezoning from C-2 (Unincorporated Gwinnett County, General Business District) to C-2A (City of Suwanee, Special Commercial District - Alcoholic Beverage Sales) to allow for an existing commercial center. Site is located on a portion of parcel 040 in Land Lot 152 of the 7th District at the intersection of Lawrenceville-Suwanee Road and Old Peachtree Road and contains approximately 8.0 acres.**

Josh Campbell, Principal Planner, presented the staff analysis as follows: The applicant requests annexation and rezoning of an approximately 8.0 acres parcel from C-2 (unincorporated Gwinnett County – General Commercial District) to C-2A (City of Suwanee – Special Commercial District – Alcohol Sales) for an existing approximately 60,000 square foot shopping center. The site is located off the southwest intersection of Lawrenceville-Suwanee Road and Old Peachtree Road/Horizon Drive.

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. There is a church on an adjacent parcel, but it is farther than 300 feet away.

Georgia law requires properties to be zoned within the municipality concurrently with the annexation proceedings.

The subject property is located on the east side of the highly commercialized I-85 business district. The site is surrounded by commercial and religious uses. As the property is outside of the City limits, it is not shown on the City's Future Land Use Plan. Gwinnett County's Future Land Use Map recommends commercial uses for the property. The proposed C-2A zoning district is consistent with this designation.

It should be noted that in unincorporated Gwinnett the C-2 zoning district allows for alcohol sales; therefore, the C-2A zoning district in Suwanee is more comparable to Gwinnett's C-2 district than Suwanee's C-2 district.

As such, if the City Council chooses to annex the subject property, approval as C-2A would be the most suitable category. Therefore, the Planning Department recommends approval as C-2A. The Planning Commission recommended approval.

Support:

- Applicant: Beth Blalock, 1550 North Brown Road, Lawrenceville, GA 30043. Ms. Blalock stated the site currently has a restaurant with alcohol sales. If the site is annexed, C-2A zoning is requested to maintain alcohol sales for the restaurant. Ms. Blalock requested approval of the annexation and rezoning.

Opposition: None.

5. RZ-2007-007 - Applicant/Owner: Sung Eun Park. Requests rezoning from C-1 (Neighborhood Commercial District) to R-100 (Residential Single Family District) to allow for use of an existing structure as a single family residence. Site is located in Land Lot 210 of the 7th District at 641 Buford Highway and contains approximately 0.71 acres.

Josh Campbell, Principal Planner, presented the staff analysis as follows: The applicant requests rezoning from C-1 (Neighborhood Commercial District) to R-100 (Single Family Residential District) to allow for the use of an existing structure on the property as a single-family residence. The parcel is approximately 0.71 acres and contains a 1,776 square foot building. There is no certificate of occupancy for the building, so it is currently unusable as either commercial or residential. A gravel driveway south of the building provides access onto Buford Highway.

The property is zoned commercially. The current owner has run into numerous challenges regarding development of the site for commercial uses (sewer, access, zoning conditions, etc.). As such, the applicant seeks to rezone the property back to residential for use as a residence.

The subject property has an extensive zoning history. It was originally zoned R-100. In 1989 it was rezoned to C-2. It was zoned back to R-100 in 1998, back to C-2 in 1999, to C-1 with conditions in 2004. Now the applicant is requesting rezoning back to R-100.

The site has been historically used as a single family residence. The site is suitable for single family residential uses. A mixture of office, commercial, and residential uses and zoning districts surround the subject property. To the north of the subject property is a commercial parcel developed with a billboard. To the south and west of the subject parcel are several single-family residences zoned R-100 (Single-Family Residential District).

The City's Future Land Use Plan recommends office uses for this site. The proposed residential use is not consistent with this designation.

In light of the existing surrounding uses and the challenges for developing the site as commercial, the applicant's proposal is appropriate. If approved conditions should be included to ensure that the existing structure is used and made safe for residential occupancy. Therefore, the Planning Department recommends approval with conditions. The Planning Commission recommended approval.

Support: The applicant was present but chose not to present.

Opposition:

- Jack Baggett, P. O. Box 286, Lawrenceville, Georgia 30046. Mr. Baggett states he is owner of the property just north of this case along Buford Highway. The Planning Commission had recommended there not be an extra buffer between the site and his property.

6. RZ-2007-008 - Applicant: Mahaffey Pickens Tucker, LLP. Owner: S & P Castellum Group, Inc. Requests a rezoning from C-2 (General Commercial District) to C-2A (Special Commercial District) to allow for a restaurant with alcohol sales. Site is located in Land Lot 152 of the 7th District on Gwinco Boulevard near the intersection with Lawrenceville-Suwanee Road and contains approximately 3.88 acres.

Josh Campbell, Principal Planner, stated he met with the applicant yesterday and the concept plan has been substantially changed. The plan presented to the City and Planning Commission was recommended for approval with conditions. The plan discussed yesterday contained a shopping center instead of a restaurant. Therefore, the recommendations by staff and the Planning Commission may no longer be relevant. The applicant will bring the revised plans back to staff.

Support:

- Applicant: Beth Blalock, 1150 North Brown Road, Lawrenceville, GA. The site plan is being revised. Postponement is requested for 30 days.

Opposition: None.

7. RZ-2007-009 (Change of Conditions) - Applicant: Jolly Development Corporation, Inc. Owner: Three Bridges LLC. Requests a rezoning from PMUD (Planned Mixed Use Development District) to PMUD with a change of conditions (to allow for an additional 3,800 square feet of office/commercial uses). The site is located in Land Lot 252 of the 7th District along Peachtree Industrial Boulevard north of Suwanee Dam Road and contains approximately 61.54 acres.

Josh Campbell, Principal Planner, presented the staff analysis as follows: The applicant seeks a change of zoning conditions on 3.68 acres of an approximately 61.54-acre planned mixed use project to allow for the development of an additional 3,800 square feet of commercial uses. The subject property is located north and east of the Suwanee Dam Road/Peachtree Industrial Boulevard intersection.

The applicant is currently developing a planned mixed use project that includes 293 residential units on Tract I and approximately 156,000 square feet of commercial and office uses spread over 4 tracts (Tract II, III, IV, and V). The applicant is seeking to increase the allowable non-residential development on "Tract III" from 40,000 square feet to 43,800 square feet. The applicant is proposing approximately 43,800 square feet of commercial and office uses and 194 parking spaces. The

proposed parking is more than enough for the site. The subject property is suitable for the proposed additional 3,800 square feet of commercial or office uses.

The subject property is surrounded by a mixture of commercial, residential, and educational uses. The proposed increase of 3,800 square feet of commercial/office uses should not adversely impact any of the surrounding or nearby uses.

The subject property is part of the Suwanee Junction Character Area, which anticipates a mixture of low and medium level intensity of development with the most intensive development closest to Peachtree Industrial Boulevard. Medium intensity development permits 10,000 square feet of floor area per acre for office uses and 8,000 square feet of floor area per acre commercial uses. The addition of 3,800 square feet to 40,000 square feet of commercial/office uses along Peachtree Industrial Boulevard is still consistent with the intensity of development anticipated for this area in the comprehensive plan.

In conclusion, the location for the proposed increase in square footage is the appropriate location for the most intensive development and the additional 3,800 square feet of commercial/office uses would still be consistent with a medium level of intensity. The Planning Department and Planning Commission recommended approval with conditions of RZ-2007-009.

Support:

- Mike Smith, 3935 Lakefield Court, Suwanee, GA. Mr. Smith stated the PMUD was rezoned in 2004 with several components to include office condominium, commercial retail and office above. In hind-sight, the proposal would have been less specific for each pod leaving flexibility for final design. The scope is to try to get back 3800 sq. ft. of office space.

Councilmember Rispin asked when this project construction would move forward. Mr. Smith stated in the next couple months.

Mayor Masino inquired about the office occupancy rate. Mr. Smith stated the offices sold out immediately. Office space is becoming a premium in this area.

Councilmember Foster asked if there is a different mix of clientele bordering Peachtree Industrial Boulevard as opposed to the rear side of the complex. Mr. Smith stated on the office, insurance and retail who desire signage seek the frontage use.

Mayor Masino stated the back side of the development needs to be considerate of the residents with lighting and signage. Mr. Smith stated he has made contact with the residents.

Opposition: None.

- 8. RZ-2007-010 (Change of Conditions) - Applicant/Owner: Opus South Corporation. Requests a rezoning from PMUD (Planned Mixed Use Development District) to PMUD with change of conditions (to reduce the minimum allowed unit size for a multi-family unit from 800 square feet to 600 square feet and to amend access requirements for a required trail). The site is located in Land Lot 169 of the 7th District along Lawrenceville-Suwanee Road between Satellite Boulevard and Burnette Road and contains approximately 148.32 acres.**

Josh Campbell, Principal Planner, stated the applicant did not attend the Planning Commission meeting due to miscommunication. The Planning Commission postponed the request until the October meeting.

There was no audience participation.
The Public Hearing closed at 6:56 P.M.

7:00 P.M.
CITY COUNCIL MEETING

1. Call To Order

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

2. Announcements

- The Suwanee Farmers Market continues this Saturday, September 29th at Town Center Pak from 8 a.m. – Noon. Due to popular demand, the Farmers Market has been extended for each Saturday through October 14th.
- Next Friday, October 5th, marks the conclusion of the Suwanee Smooth Jazz First Friday Concert Series featuring Brian Clay. Join us at 7 p.m. at Town Center Park. Bring blankets, chairs, picnics, and friends to the concert; however, no alcohol may be brought into Town Center Park. Food, beer, and wine will be available for purchase, with vendors set to open at 5:30 p.m.
- We have a new art exhibit here in Crossroads Center. This is the “Windows of the Heart” exhibit featuring 17 paintings by Earl Aldridge. The exhibit will run through the end of the year and is open for public viewing from 8 a.m.-5 p.m. weekdays.
- Now through October 15th, we are accepting nominations for the first annual Swan-ee Awards program. The Swan-ee Awards program will honor special efforts to undertake aesthetically attractive construction or renovation projects in the City of Suwanee. These projects might include, but are not necessarily limited to, new construction, renovated buildings, landscaping, sustainable/long-term developments, “clean-up” projects, and public art. More information on this new awards program can be found at Suwanee.com
- The Greenway pedestrian bridge is in place. This bridge will connect the Greenway to Town Center Park.
- The City received the Planning & Zoning Award. Georgia Planning Association recognized the City for its innovative and effective planning process for mixed use analysis.
- Sims Lake groundbreaking upcoming.
- Pedestrian Tunnel groundbreaking upcoming.

For information on all upcoming events, please visit www.suwanee.com

3. Pledge of Allegiance

4. Approval of Minutes

A. August 15, 2007 Called Meeting

Motion by Councilmember McOmber to approve the August 15, 2007 Called Council Meeting Minutes with one revision, second by Councilmember Rispin and so carried 6-0.

- B. August 28, 2007 Council Meeting
Motion by Councilmember Foster approve the August 28, 2007 Council Meeting Minutes, second by Councilmember McOmber and so carried 6-0.

5. Adoption of Agenda as Presented

Motion by Councilmember Foster to adopt the Agenda adding Legal Update to Item #12, second by Councilmember Rispin for discussion. Amended motion by Councilmember Foster to adopt the Agenda as presented adding Legal Update to Item #13. Executive Session, second by Councilmember Rispin and so carried 6-0.

6. Special Recognition

- A. Dr. Kimberly Smith, new Suwanee Elementary Principal
Mayor Masino and Mayor Pro Tem Burnette presented Dr. Kimberly Smith with a Proclamation recognizing her service to the City and Suwanee Elementary School. Mayor Masino proclaimed October 7, 2007 as Dr. Kimberly Smith Day.
- B. David Sergio, Downtown Development Authority
Mayor Masino and Mayor Pro Tem Burnette recognized Mr. Sergio for his service to the Suwanee Downtown Development Authority since its inception. Mr. Sergio was presented a Proclamation and September 26, 2007 was proclaimed as David Sergio Day.

7. Appointment to Municipal Court

The Municipal Court is currently functioning with three Solicitors (Julie Potts, Lead Solicitor; Paul Groth; and Jennifer White). Shawn Bratton who was appointed in 2006 has requested to be moved to an “as needed” basis. Julie Potts has recommended Lisa M. Moultrie for appointment as a Solicitor.

Motion by Councilmember Foster to appoint Lisa M. Moultrie as Solicitor in Suwanee Municipal Court, second by Mayor Pro Tem Burnette and so carried 6-0.

8. Audience Participation – None.

9. OLD BUSINESS

- A. AN-2007-002 - Applicant: Mahaffey Pickens Tucker, LLP. Owner: Lawrenceville Suwanee Associates, Inc. Requests annexation and rezoning from R-100 (Unincorporated Gwinnett County, Single Family Residential District) to R-100 (City of Suwanee, Residential Single Family District) for a single family residence. Site is located on parcels 023 and 026 in Land Lot 168 of the 7th District on Burnette Road west of Autumnbrooke Way and contains approximately 4.59 acres.

Motion by Mayor Pro Tem Burnette to approve AN-2007-002, second by Councilmember Brooks and so carried 6-0.

- B. RZ-2007-004 - Applicant: Mahaffey Pickens Tucker, LLP. Owner: Lawrenceville Suwanee Associates, Inc. Requests annexation and rezoning from R-100 (Unincorporated Gwinnett County, Single Family Residential District) to R-100 (City of Suwanee, Residential Single

Family District) for a single family residence. Site is located on parcels 023 and 026 in Land Lot 168 of the 7th District on Burnette Road west of Autumnbrooke Way and contains approximately 4.59 acres.

Motion by Councilmember Brooks to approve RZ-2007-004, second by Mayor Pro Tem Burnette and so carried 6-0.

- C. AN-2007-003 - Applicant: Mahaffey Pickens Tucker, LLP. Owner: Jun & Jenny Investment, LLC and Suwanee Station Group, LLC. Requests annexation and rezoning from C-2 (Unincorporated Gwinnett County, General Business District) to C-2A (City of Suwanee, Special Commercial District - Alcoholic Beverage Sales) to allow for an existing commercial center. Site is located on a portion of parcel 040 in Land Lot 152 of the 7th District at the intersection of Lawrenceville-Suwanee Road and Old Peachtree Road and contains approximately 8.0 acres.

Motion by Councilmember Brooks to approve AN-2007-003, second by Mayor Pro Tem Burnette and so carried 6-0.

- D. RZ-2007-005 - Applicant: Mahaffey Pickens Tucker, LLP. Owner: Jun & Jenny Investment, LLC and Suwanee Station Group, LLC. Requests annexation and rezoning from C-2 (Unincorporated Gwinnett County, General Business District) to C-2A (City of Suwanee, Special Commercial District - Alcoholic Beverage Sales) to allow for an existing commercial center. Site is located on a portion of parcel 040 in Land Lot 152 of the 7th District at the intersection of Lawrenceville-Suwanee Road and Old Peachtree Road and contains approximately 8.0 acres.

Motion by Mayor Pro Tem Burnette to approve RZ-2007-005, second by Councilmember McOmber and so carried 6-0.

- E. Consideration of Authorizing Mayor Pro Tem to Enter into Agreement with Partnership Gwinnett, Inc. for Long-Term Strategic Community and Economic Development

The Gwinnett Chamber of Commerce, along with partners in government, education, healthcare and business, has developed Partnership Gwinnett: A Shared Vision for the Future. Partnership Gwinnett is developing a long-term strategic community and economic development plan for Gwinnett County.

Motion by Councilmember Foster to authorize the Mayor Pro Tem to enter into Agreement with Partnership Gwinnett, Inc., for Long-Term Strategic Community and Economic Development, second by Councilmember Brooks and so carried 5-0-1 (Masino Abstained).

10. NEW BUSINESS

- A. RZ-2007-007 - Applicant/Owner: Sung Eun Park. Requests rezoning from C-1 (Neighborhood Commercial District) to R-100 (Residential Single Family District) to allow for use of an existing structure as a single family residence. Site is located in Land Lot 210 of the 7th District at 641 Buford Highway and contains approximately 0.71 acres.

Motion by Councilmember Brooks approve with Planning Commission conditions RZ-2007-007, second by Councilmember McOmber and so carried 6-0.

- B. RZ-2007-008 - Applicant: Mahaffey Pickens Tucker, LLP. Owner: S & P Castellum Group, Inc. Requests a rezoning from C-2 (General Commercial District) to C-2A (Special Commercial

District) to allow for a restaurant with alcohol sales. Site is located in Land Lot 152 of the 7th District on Gwinco Boulevard near the intersection with Lawrenceville-Suwanee Road and contains approximately 3.88 acres.

Motion by Councilmember Foster to postpone RZ-2007-008 to the October Council Meeting, second by Councilmember Brooks and so carried 6-0.

- C. RZ-2007-009 (Change of Conditions) - Applicant: Jolly Development Corporation, Inc. Owner: Three Bridges LLC. Requests a rezoning from PMUD (Planned Mixed Use Development District) to PMUD with a change of conditions (to allow for an additional 3,800 square feet of office/commercial uses). The site is located in Land Lot 252 of the 7th District along Peachtree Industrial Boulevard north of Suwanee Dam Road and contains approximately 61.54 acres.

Motion by Councilmember McOmber to approve RZ-2007-009 (Change of Conditions), second by Councilmember Rispin and so carried 6-0.

- D. RZ-2007-010 (Change of Conditions) - Applicant/Owner: Opus South Corp. Requests a rezoning from PMUD (Planned Mixed Use Development District) to PMUD with change of conditions (to reduce the minimum allowed unit size for a multi-family unit from 800 square feet to 600 square feet and to amend access requirements for a required trail). The site is located in Land Lot 169 of the 7th District along Lawrenceville-Suwanee Road between Satellite Boulevard and Burnette Road and contains approximately 148.32 acres. [P64]

Motion by Mayor Pro Tem Burnette to postpone RZ-2007-010, second by Councilmember Brooks and so carried 6-0.

- E. Consideration of Authorizing Mayor to Enter into Agreement with Commission for Accreditation of Law Enforcement Agencies, Inc. for National Accreditation of Suwanee's Police Department

Entering into contract with the Commission for Accreditation of Law Enforcement Agencies, Inc. (CALEA) is the first step towards national accreditation of Suwanee's Police Department. ACTION: Authorize the Mayor to Enter into Agreement with Commission for Accreditation of Law Enforcement Agencies, Inc. for National Accreditation of Suwanee's Police Department. Chief Mike Jones shared a brief summary of the CALEA process with the attendees.

Motion by Mayor Pro Tem Burnette to authorize the Mayor to enter into Agreement with Commission for Accreditation for Law Enforcement Agencies, Inc., for National Accreditation of the Suwanee Police Department, second by Councilmember Foster and so carried 6-0.

- F. Consideration of Resolution Adopting Language for Permanent Protection of Greenspace and Authorizing the Mayor to Execute Documents to Protect Properties

By placing a restrictive covenant on the property, the City can preserve and maintain in perpetuity our parks and open spaces. ACTION: Consider the resolution. Councilmember Foster read the resolution identifying the five (5) tracts listed below as shown in Exhibit A:

- **Sims Lake Park Property.** An approximately 62-acre tract located on the west side of Suwanee Dam Road just north of Settles Bridge Road. Said land consists of land known as tax parcel number 7-276-008.

- **Suwanee Creek Park.** An approximately 85-acre tract located on the east side of Buford Highway just north of Suwanee Creek Road. Said land consists of land known as tax parcel number 7-209-011.
- **Town Center Park.** An approximately 10-acre tract located on the southeastern corner of the intersection of Lawrenceville-Suwanee Road and Buford Highway. Said land consists of land known as tax parcel 7-236-198.
- **Delay Tract.** An approximately 38-acre tract located on both sides of Suwanee Dam Road just south of Peachtree Industrial Boulevard. Said land consists of land known as tax parcel number 7-236-067.
- **Farm Tract.** An approximately 7-acre tract located on the west side of Buford Highway just north of McGinnis Ferry Road. Said land consists of land known as tax parcel number 7-210-008.

Motion by Councilmember McOmber to adopt a Resolution outlining language for permanent protection of greenspace and authorizing the Mayor to execute documents to protect properties, second by Councilmember Brooks and so carried 6-0.

G. Consideration of Opus Corporation’s Modified Overall Sign Master Plan

Opus has an approved Mater Sign Plan. They seek approval of a modified plan. ACTION: Consider the modification.

Motion by Mayor Pro Tem Burnette to approve the Opus Corporation Modified Overall Sign Master Plan, second by Councilmember Brooks and so carried 5-1 (Foster).

11. CONSENT AGENDA

A. Approve Pre-Qualified Contractors for Construction of Sims Lake Park

The selection subcommittee recommended four construction firms for pre-qualification for Sims Lake Park. The four contractors that have been pre-qualified to bid on the project are Hogan, Astra, VanWinkle and Gay Construction. ACTION: Approve the pre-qualified contractors.

B. Approve the Ordinance Modifying the City’s Billiards Regulations

Gregory Jay has provided an ordinance regarding modification of the City’s billiards regulations. ACTION: Approve the ordinance.

C. Approve Reclassification of Principal Planner Position

ACTION: Approve the reclassification.

Motion by Councilmember Brooks to approve the Consent Agenda, second by Councilmember Foster and so carried 6-0.

12. City Manager’s Report – None.

Mayor Masino expressed appreciation to Marty Allen for accepting the position of Interim City Manager as the search continues.

13. Executive Session: Personnel Issues and Legal Matters

Motion by Councilmember Rispin to ENTER Executive Session, second by Councilmember Foster and so carried 6-0. Time: 7:44 P.M.

Motion by Councilmember Foster to EXIT Executive Session, second by Councilmember Brooks and so carried 6-0. Time: 10:25 P.M.

No Action Taken

14. Adjournment – Time: 10:26 P.M.

Motion by Councilmember McOmber to Adjourn, second by Councilmember Brooks and so carried 6-0.

Approved 10/23/2007