

**MINUTES  
CITY OF SUWANEE, GEORGIA  
PUBLIC HEARING & CITY COUNCIL MEETING  
DECEMBER 18, 2008**

*Meeting Location:*

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

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

Attendees: Dave Williams, Mayor  
Jimmy Burnette, Mayor Pro Tem  
Jace Brooks, Councilmember  
Daniel F. Foster, Councilmember  
Kevin McOmber, Councilmember  
Jeannine Rispin, Councilmember  
Marty Allen, City Manager  
Elvira Rogers, City Clerk  
Gregory Jay, City Attorney

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

**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 PM  
PUBLIC HEARING**

Mayor Williams opened the Public Hearing at 6:35 P.M. Councilmember Foster read the procedures for Public Meetings for the record.

**2. Public Hearing on Potential Introduction of Local Legislation Amending Section 5.11 of the Charter to Provide for Election by Majority as Opposed to Plurality**

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

**7:00 PM  
COUNCIL MEETING**

**3. Call To Order**

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

#### 4. Announcements

- For the third consecutive year, the City of Suwanee has obtained the Distinguished Budget Presentation Award from the Government Finance Officers Association (GFOA) of the United States and Canada. This award recognizes Suwanee's 2009 annual budget, which began July 1. Suwanee's finance department also has been recognized by GFOA for five consecutive years with a Certificate of Achievement for Excellence in Financial Reporting for its Comprehensive Annual Financial Report. Suwanee's budget documents and comprehensive financial reports may be viewed on the Economic Development/Reports & Regulations page of the City website.
  
- The City of Suwanee honored four renovation projects and a newly constructed office building earlier this month when it presented its annual Swan-ee Awards. Established last year, the Swan-ee Awards recognize construction, renovation, and landscaping projects that are aesthetically pleasing and enhance the Suwanee community. The 2008 recipients were:
  - *Pastors Sam and Sandy Gasaway for design and renovation over a seven-year period of the Christian Worship Center on White Street.*
  - *Jeannette Pierce and Sherri Coffman for renovation of their Davis Street home.*
  - *Mother and son co-owners of Revival Salon, Joy and Cody Smith, for their makeover of what is purported to be the oldest building in Suwanee.*
  - *Dr. Bill and Sheila Williams for expansion and renovation of the Suwanee Dental Care office building on Suwanee Dam Road.*
  - *Zebra Construction Co. for construction of its new 23,160 square foot headquarters building in Swiftwater Park.*
  
- The City will host its annual "Bring One for the Chipper" Christmas tree recycling program at Sims Lake Park on Suwanee Dam Road. The program will begin December 26 and run through January 3. The park is open from sunrise to sunset each day and residents can discard their trees in the designated area in the parking lot.
  
- We are proud to recognize Captain Cass Mooney of the Police Department for his acceptance into the FBI National Academy. The Academy is an invitation-only professional course of study for U.S. and law enforcement leaders. Captain Mooney will participate in a 10-week course, beginning in January, in Quantico, VA. Upon his graduation in March, he will join an elite group that has completed the Academy, estimated to be the top 1% of law enforcement leaders from around the world. Captain Mooney serves as the commander of the Field Operations Bureau and has worked for Suwanee for over 11 years. We congratulate Captain Mooney on this outstanding achievement and his dedication to Team Suwanee.
  
- The City is hosting a design competition for artwork to be featured in its annual Art on a Limb program. Samples of proposed artwork must be submitted by Monday, February 16, 2009. Art on a Limb is a month-long initiative designed to celebrate and bring attention to the arts as well as the natural beauty of Suwanee's parks. Through the program, two pieces of original artwork, especially created for the City of Suwanee, are placed along the Suwanee Creek Greenway or at other Suwanee parks each day

throughout the month of May. Those who find the art pieces get to keep the unique treasures. Previous Art on a Limb pieces have included ceramic orbs, original paintings on small pieces of Suwanee's old water tower, nature-themed ceramic tiles, and gourds painted to resemble birds. For more information and an application form, visit the City of Suwanee website or contact Events Coordinator Amy Doherty.

## 5. Pledge of Allegiance

Members of Scout Troop 538 led the Pledge.

## 6. Approval of Minutes

a) November 13, 2008 Called City Council Meeting

*Motion by Councilmember Foster to approve the November 13, 2008 Called City Council Meeting Minutes, second by Councilmember Brooks and so carried 6-0.*

b) November 25, 2008 City Council Meeting

*Motion by Mayor Pro Tem Burnette to approve the November 25, 2008 City Council Meeting Minutes, second by Councilmember Rispin and so carried 6-0.*

## 7. Adoption of Agenda as Presented

*Motion by Councilmember Rispin to adopt the agenda deleting the Executive Session, second by Councilmember Brooks and so carried 6-0.*

## 8. Special Recognition

a) Eric Behning, President of Suwanee Business Alliance

Mr. Behning is the outgoing president of the Suwanee Business Alliance and has served for the past two years. Mayor Williams presented him with a Proclamation and declared December 19, 2008 as Eric Behning Day.

b) Kimberly Larson, Graduate Intern for Chief Executive Department

Miss. Larson has served as intern for the Chief Executive Department for the past two summers. She recently completed a history project for the City and will graduate with her MPA on Friday. Jessica Roth, Assistant to the City Manager presented her with a plaque in appreciation of her service to the City.

## 9. 2009 Appointments

a) Planning Commission

*The two-year terms for Pete Charpentier and Tony Manners expire at the end of the year. They are eligible for re-appointment to a two-year term to expire December 31, 2010.*

*Motion by Councilmember Foster to appoint Pete Charpentier and Tony Manners to the Planning Commission with terms to expire December 31, 2010, second by Councilmember Rispin and so carried 6-0.*

b) Zoning Board of Appeals

*The two-year terms for Bill Thee and Winshp Rees expire at the end of the year. They are eligible for re-appointment to a two-year term to expire December 31, 2010.*

***Motion by Councilmember Foster to appoint Bill Thee and Winship Rees to the Zoning Board of Appeals with terms to expire December 31, 2010, second by Mayor Pro Tem Burnette and so carried 6-0.***

c) Public Arts Commission

*In an effort to create staggered terms, the following members of the Public Arts Commission were appointed to a term set to expire on December 31: Vickie Johnson; Jim Rodeghiero; and Alison Nalley Starnes. They are eligible for re-appointment to a two-year term, to expire December 31, 2010.*

***Motion by Councilmember McOmber to re-appoint Vickie Johnson, Jim Rodeghiero and Alison Nalley Starnes to the Public Arts Commission with terms to expire December 31, 2010, second by Councilmember Brooks and so carried 6-0.***

d) Municipal Court

*The Municipal Court is appointed on an annual basis. Staff recommends the following re-appointments, to expire on December 31, 2009:*

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

***Motion by Mayor Pro Tem Burnette to re-appoint the list above with terms to expire December 31, 2009, second by Councilmember Foster and so carried 6-0.***

e) Ethics Board

*The Ethics Board includes a pool of 12 Council appointees who are each serving a term set to expire on December 31, 2008. The Code of Ethics specifies that the terms for the pool shall be two years. The following list of appointees will expire December 31, 2010:*

- *John Green (Williams)*
- *Vacant (Williams)*
- *Steve Brooks (Burnette)*
- *Jeanette Pierce (Burnette)*
- *DeWayne Davis (Rispin)*
- *Rob Sumner (Rispin)*
- *David Buckel (McOmber)*
- *Tom Griffin (McOmber)*
- *Karen Krotz (Brooks)*
- *Vacant (Brooks)*
- *Mike Harris (Foster)*
- *Ron Larro (Foster)*

f) **City Attorney**

*The City Attorney is appointed on an annual basis. Staff recommends re-appointing Gregory Jay for a term to expire December 31, 2009.*

***Motion by Councilmember Brooks to reappoint Gregory Jay as City Attorney with a term to expire December 31, 2009, second by Mayor Pro Tem Burnette and so carried 6-0.***

**10. Audience Participation – None.**

**NEW BUSINESS**

**11. Consider Adjustments to the FY09 Budget**

*The proposed adjustment would transfer \$192,240 from the General Fund to Fund 343 (Other Capital Projects). This funding was specifically allocated for three projects: Website Upgrade (\$75,000); Small Back Hoe for Public Works Department (\$29,000); and Old Town Gateways project (\$88,240). Transferring these expenditures will allow the City more flexibility to determine appropriate timing for these projects with possible completion beyond the FY09 budget year.*

***Motion by Councilmember Brooks to approve adjustments to the FY 09 Budget, second by Councilmember McOmber and so carried 6-0.***

**12. Consider Change Order #1 to Contract with Bron Cleveland Associates, Inc. in the Amount of \$20,354.00 for Construction of the City's Alternate Transportation Plan Projects**

*The proposed change order, included in Section 12 of the meeting packet, includes the following revisions to the contract scope of work:*

- i. *Addition of handrails and modifications to sidewalk design on Buford Highway for ADA requirements per GDOT.*
- ii. *Modifications to Dollar Circle project for ADA compliance.*
- iii. *Addition of retaining wall to Smithtown Road project.*
- iv. *Credit for removing Tench Road sidewalk from scope.*
- v. *Credit for removing McGinnis Ferry Road sidewalk from scope.*

***Motion by Councilmember Foster to approve Change Order #1 to Bron Cleveland Associates, Inc, for construction of the City's Alternate Transportation Plan projects, second by Mayor Pro Tem Burnette and so carried 6-0.***

**13. Consent Agenda**

a) **Approval of Revisions to Fee Schedule**

*Staff proposes revisions to three types of fees: Development Plan Review; Municipal Court; and Pavilion Rental.*

**b) Approval of City Council Meeting Schedule for 2009**

*Per Section 2-35 of the City Code, Council meetings are scheduled for the fourth Tuesday of each month.*

**c) Adoption of City Cell Phone Policy**

*Recent overviews of tax law indicate the City should have controls in place to ensure anyone with a City-provided cell phone is properly accounting for any personal usage. Staff has drafted a proposed policy to ensure the City is compliant with these laws. The policy offers users the option of receiving a City cell phone that is for business use only or a monthly, taxable stipend to reimburse users for business use of their personal phone.*

**d) Approval of Change Order #3 with ASTRA Group, Inc. for a Credit of \$5,385.49 for the Sims Lake Park Project**

*ASTRA Group, Inc. has submitted Change Order #3 for Sims Lake Park in order to close out the project. The change order results in a credit of \$5,385.49 to the City.*

***Motion by Councilmember Rispin to approve the Consent agenda, second by Councilmember Brooks and so carried 6-0.***

**14. City Manager's Report**

- New City Hall progressing well.

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

Removed from agenda.

**16. Adjournment – Time: 7:45 P.M.**

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

***Approved 01/27/2009***