

**MINUTES
CITY OF SUWANEE, GEORGIA
CITY COUNCIL MEETING
MARCH 24, 2009**

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

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

**5:30 P.M.
DINNER SESSION
Room 2302**

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
Council Chambers – Room 2101**

Mayor Williams opened the Public Hearing at 6:36 P.M., and read the Procedures for Public Meetings for the record.

- 1. AMD 2009-002: Proposed Amendment to the City of Suwanee Zoning Ordinance to Modify Article III Definitions and Article VI General Development Regulations to Create Section 616. Home Occupations**

This is an amendment to the Zoning Ordinance which modifies the City's home occupation regulations. The Planning Commission heard this item on March 3 and tabled it until April. The amendment has been advertised for the March 24 public hearing, however.

Josh Campbell, Planning Director, presented the staff analysis as follows: Mr. Campbell stated this Amendment is to establish Home Occupation standards. The Planning Commission postponed this Amendment to the April Meeting. Council requested the analysis be deferred. There was no audience participation.

2. **AMD 2009-003: Proposed Amendment to the City of Suwanee Zoning Ordinance to Modify Article XVII Buffer, Landscape and Tree Preservation Requirements**

This is an amendment to the Zoning Ordinance which modifies the current Buffer, Landscape, and Tree Preservation Ordinance. The proposed amendments affect Sections 1702-1706 of the Zoning Ordinance. The Planning Commission heard this item on March 3 and recommended approval with revisions.

Josh Campbell, Planning Director, presented the staff analysis as follows: Mr. Campbell stated staff has been evaluating the Landscape Ordinance in an attempt to strengthen the ordinance. Staff is recommending changes to front landscape strips to allow for flexibility and creativity in the types of trees used while still ensuring quality in size of trees in landscape and significant over story trees. Other significant changes include addressing conflicts in parking lots with trees and other objects placed in landscape islands. Staff is recommending removing the tree species list to allow staff the ability to administratively control what is on that list. This will assist staff in dealing with diseases, trees being used too frequently or any trees developed that do not meet the objective of the ordinance (i.e. columnar trees). The City Attorney reviewed the Ordinance and recommended changes to the violation and enforcement section. The Planning Commission recommended making those changes. Staff provided two options for the front landscape strips. The Planning Commission recommended adopting the ordinance in a way to allow developers to choose one of the two options. There was no audience comment.

3. **AMD 2009-004: Proposed Amendment to the City of Suwanee Zoning Ordinance to Modify Article XVI Signs Regarding Temporary Advertising Devices**

Staff has recommended an amendment to the Zoning Ordinance, including but not limited to, Section 1608. The amendment addresses the regulations regarding temporary advertising devices and reduces the required time between display of temporary signs by business establishments. The Planning Commission heard this item on March 3 and recommended approval.

Josh Campbell, Planning Director, presented the staff analysis as follows: The Sign Ordinance as written allows for a 30-day period a requestor could have a temporary sign every 4 months. Staff is recommending three 30-day thirty advertising devices within a twelve month period. The intent is to address certain business who have a need to have temporary advertising devices more frequently (i.e., florists who have Valentine's Day, Graduation, Mother's Day, and Christmas in quick succession). This change will not increase the number of advertising devices allowed, but will provide more flexibility. There was no audience comment.

4. **Consider Authorizing Staff to Apply for a Grant Through the Community Oriented Policing Services Hiring Recovery Program**

The U.S. Department of Justice Community Oriented Policing Services (COPS) office has issued a call for funding applications through the COPS Hiring Recovery Program. The funding covers entry-level salary and benefits for officers for three years. At the

conclusion of funding, the City must maintain all sworn officer positions awarded under the program. Staff proposes to apply for three new positions through this program.

Marty Allen, City Manager, stated this is a public input opportunity required prior to applying for the Grant. There was no audience comment.

5. Consider Authorizing Staff to Apply for a Recovery Act Edward Byrne Memorial Justice Assistance Grant

The U.S. Department of Justice has issued a call for applications for the Recovery Act Edward Byrne Memorial Justice Assistance Grant Program. Suwanee's potential allocation through this program is \$16,603 to be used for local efforts in preventing or reducing crime and violence. It is anticipated this will be a one-time award through the ARRA.

Marty Allen, City Manager, stated this is a required public input opportunity prior to the City applying for the Grant. The Police Department will utilize the funds to purchase capital items. There was no audience comment.

The Public Hearing closed at 6:45.

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

6. Call To Order

Mayor Williams called the meeting to order at 7:04 P.M.

7. Announcements

- ***City Hall Grand Opening:*** *We hope everyone will join us for the community grand opening celebration for Suwanee's new City Hall on March 28. Festivities will begin at Town Center Park at about 2:30 p.m. with a community photo. Photo participants, who were required to register in advance, may begin signing in and receiving their commemorative t-shirts about 1 p.m. More details will be emailed to registered participants. The official ceremony will begin at 3 p.m. followed by an open house – or open City Hall, in this case. Entertainment will be provided throughout the grand opening celebration by students in the North Gwinnett and Peachtree Ridge high school fine arts departments.*
- ***Suwanee Day Exhibitor Applications:*** *The award-winning Suwanee Day festival, scheduled for September 19, is now accepting exhibitor applications at www.suwaneeday.com. The deadline for applications is June 1. Fine artists and talented craftspeople as well as food vendors with a flair for flavor are invited to apply online. To ensure a varied assortment of high-quality items, Suwanee Day*

exhibitors are accepted through a jury process, rather than on a first-come first-served basis.

- ***Elvira's Clerk's Certification:*** *Congratulations to Administrative Services Director and City Clerk Elvira Rogers who is a newly certified municipal clerk. Elvira received her certification from the Georgia Municipal Clerks Finance Officers Association in February. She has completed 100 hours of coursework over the past several years to earn this certification. Elvira has been employed with Suwanee for nine years and supervises our Municipal Court and Human Resources divisions, in addition to serving as our City Clerk. Congratulations Elvira!*
- *Mayor Williams recognized Lynne DeWilde, Public Information Officer for completing her first marathon. Ms. DeWilde ran 26.2 miles in Virginia Beach.*

8. Pledge of Allegiance led by Sgt. Jeff Dickens

9. Approval of Minutes

- a. February 12 Called City Council Meeting
Motion by Councilmember Rispin to approve the February 12 Called City Council Meeting Minutes, second by Mayor Pro Tem Burnette and so carried 6-0.
- b. February 24 City Council Meeting
Motion by Mayor Pro Tem Burnette to approve the February 24 City Council Meeting Minutes, second by Councilmember McOmber and so carried 5-0-1 (Foster abstained).

10. Adoption of Agenda as Presented

Motion by Councilmember Foster to approve a modified agenda adding item 21.5 Consider authorizing the Mayor to enter into Agreements and sign deeds as needed with Madison Retail-Suwanee III, LLC and Madison Retail-Suwanee II, LLC to clarify property line issues related to the building located at 310 Town Center Avenue and removing Item 24. Executive Session; second by Mayor Pro Tem Burnette and so carried 6-0.

11. Special Recognition

- Annual Police Awards
Chief Jones and Deputy Chief Moon were present to hand out the awards and were joined by Mayor Williams

Top Gun Award – Officer Jody Spivey

Chief's Award - Sgt. Jeff Dickens; Officer Shannon Hitchcock

Civilian Officer of the Year – Communications Officer Michele Shepard

Officer of the Year – Officer Fred Schumacher

12. Audience Participation - No audience participation

NEW BUSINESS

- 13. AMD 2009-002: Proposed Amendment to the City of Suwanee Zoning Ordinance to Modify Article III Definitions and Article VI General Development Regulations to Create Section 616. Home Occupations**

Motion by Councilmember McOmber to postpone AMD 2009-002 to the April 28th Council Meeting, second by Councilmember Brooks and so carried 6-0.

- 14. AMD 2009-003: Proposed Amendment to the City of Suwanee Zoning Ordinance to Modify Article XVII Buffer, Landscape and Tree Preservation Requirements**

Motion by Councilmember Foster to approve AMD 2009-003, second by Councilmember Rispin for discussion. Rispin asked if the motion included recommended amendments by P&Z and the City Attorney. Foster stated yes. Foster amended the motion to include approval with recommended amendments by P&Z and City Attorney, Rispin amended the second and the vote carried 6-0.

- 15. AMD 2009-004: Proposed Amendment to the City of Suwanee Zoning Ordinance to Modify Article XVI Signs Regarding Temporary Advertising Devices**

Motion by Mayor Pro Tem Burnette to approve AMD 2009-004, second by Councilmember Brooks and so carried 6-0.

- 16. Consider Authorizing Staff to Apply for a Grant Through the Community Oriented Policing Services Hiring Recovery Program**

Motion by Councilmember Brooks to authorize staff to apply for a Grant through the Community Oriented Policing Services Hiring Recovery Program, second by Councilmember Foster and so carried 6-0.

- 17. Consider Authorizing Staff to Apply for a Recovery Act Edward Byrne Memorial Justice Assistance Grant**

Motion by Councilmember Rispin to authorize staff to apply for a Recovery Act Edward Byrne Memorial Justice Assistance Grant, second by Mayor Pro Tem Burnette and so carried 6-0.

- 18. Consider Adoption of 2009-2013 Short Term Work Plan**

Based on discussion at the Council work retreat, staff has prepared the 2009-2013 STWP. New projects are highlighted in blue.

Motion by Councilmember Foster to approve adoption of the 2009-2013 Short Term Work Plan, second by Councilmember Brooks and so carried 6-0.

19. Consider Adoption of Revised Council Code of Conduct

The Council Code of Conduct has been revised based on discussion at the Council work retreat.

Motion by Councilmember Brooks to adopt the Revised Council Code of Conduct, second by Councilmember McOmber and so carried 6-0. Mayor Williams stated the Council Code of Conduct has been in effect for approximately 10 years. This modification includes, along with a number of principles, the Council seeks to build a culture of trust.

20. Consider Authorizing Staff to Pursue Financing for Water System Improvements Through the GEFA Drinking Water State Revolving Fund

The Georgia Environmental Facilities Authority (GEFA) is scheduled to receive \$54,775,000 through the American Recovery & Reinvestment Act (ARRA), plus its annual allocation of \$22,882,000. GEFA has prepared a Comprehensive Project List and Fundable Priority List in order to evaluate and prioritize potential loans. The Fundable Priority List currently includes \$480,044 in projects for Suwanee's water system. The Comprehensive Project List includes another \$812,444, which are not currently recommended for funding but may be evaluated further at a later time. GEFA staff will be further assessing Suwanee's projects, including the City's willingness to accept its financing terms, which have been defined as follows but may be modified:

- *Maximum loan term of 20 years*
- *3% interest rate*
- *40% subsidy of loan amount (forgiveness of principal)*
- *2% closing fee on total principal amount*

Motion by Mayor Pro Tem Burnette to approve staff to pursue financing for Water System Improvement through the GEFA Drinking Water State Revolving Fund, second by Councilmember Brooks and so carried 6-0.

21. Consider Authorizing the Mayor to Execute a Contract with HEERY International, Inc. for Design and Project Management of the Renovations to the Police Station and Crossroads Building

Staff has obtained a cost proposal from HEERY in order to perform the design and project management services associated with the renovations to the Police Station and Crossroads Building. These services will be paid for using the designated SPLOST funds for these two projects.

Motion by Councilmember McOmber to approve the Mayor to execute a contract with HEERY International, Inc. for design and project management of the renovations to the Police Station and Crossroads Building, second by Mayor Pro Tem Burnette and so carried 6-0.

21.5 Consider Authorizing the Mayor to Enter into Agreements and Sign Deeds as needed with Madison Retail-Suwanee III, LLC and Madison Retail-Suwanee II, LLC to clarify property line issues related to the building located at 310 Town Center Avenue

Motion by Councilmember Foster to approve entering into Agreements and authorize the Mayor to sign deeds as needed, second by Mayor Pro Tem Burnette and so carried 5-0-1 (McOmber Abstained).

22. Consent Agenda

- **Approval of Report for 2009 Council Work Retreat**
- **Approval of Alcohol Beverage Vendor Licenses for 2009 Events**
The Alcohol Beverage Ordinance requires the issuance of a temporary alcohol permit to vendors who wish to sell alcohol beverages during events. Richard Cunningham/Ippolito's has applied as the licensee for Petapalooza and the August concert and Robert Frazer/Premier Events Management has applied as the licensee for the Friday night concert series.
- **Adoption of Resolutions in Support of LCI Supplemental Study Application**
ARC has announced a call for studies and/or projects that further the implementation of LCI Plans. Per discussion at the March workshop, staff will submit two separate applications, one for a Downtown parking demand analysis (total study cost of \$25,000) and one for a technical feasibility study of improvements to Buford Highway (total study cost of \$40,000). Applications are due by April 10 and funded studies must be completed by March 2010. The ARC will provide a 50% match. The included resolutions will be submitted with the applications, to confirm the Council's commitment to completing the studies and funding the match. Staff proposes to use 2009 SPLOST funds to pay for the City's 50% match.
- **Adoption of LCI 5 Year Plan Update**
In order to apply for the LCI Supplemental Studies, the City must adopt the 5-Year LCI Plan Update. The City has completed a required LCI 5 Year Plan Update to the Old Town Master Plan, which was originally approved in 2002. .
- **Approval of Adjustments to the FY09 Budget**
 - i. **General Fund**
As discussed at the February workshop, staff recommends adjusting the FY09 budget to address the decrease in anticipated revenues.
 - ii. **DDA Budget**
The DDA proposes to increase its FY09 budget by \$47,000 in order to complete the following capital projects.
 - a) *Construction of directory signs at four locations in Old Town, estimated at \$14,000 to \$16,000*

b) Addressing the water intrusion problem at Pierce's Corner, i.e. roof repair, mold remediation, etc.

- **Adoption of Revised City Hall Room Rental Policy**
Staff has revised the existing policy to address room rentals in the new building.
- **Authorize Mayor to Execute Change Orders with Turner Construction Co. in the Amount of \$64,781.46 for the City Hall Project**
Staff anticipates this to be the last major change order for this project.

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

23. City Manager's Report – None.

24. Adjournment – Time: 7:31 P.M.

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

Approved 04/28/2009