

**MINUTES
CITY OF SUWANEE, GEORGIA
PUBLIC HEARING & CITY COUNCIL MEETING
JANUARY 26, 2010**

Meeting Location: City Hall, 330 Town Center Avenue

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

Absent: Kevin McOmber, Councilmember

**5:30 P.M.
DINNER SESSION
Big Splash Room - Room 2302**

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 P.M.
PUBLIC HEARING
Council Chambers – Room 2101**

Mayor Williams opened the Public Hearing at 6:38 P.M. and read the Procedures for Public Meetings for the record.

2. Request for Change in Licensee for Alcohol Beverage License: Wild Wing Cafe

Wild Wing Café, located at 3265 Lawrenceville Suwanee Road, Suite A, is under new management and has applied for a change in licensee for their alcohol beverage license. The business has applied for Vipul Patel to be the licensee. Staff recommends approval of this request. The applicant was present but did not speak. There was no audience participation.

3. Request for New Alcohol Beverage License: Mad Crab House

Mad Crab House, located at 2850 Lawrenceville Suwanee Road, has applied for a license for the on-premise consumption of beer, wine and distilled spirits. The business has applied for Ms. Mi Jung Lee to be the licensee. Staff recommends approval of this request. The applicant was present but did not speak. There was no audience participation.

4. RZ-2010-001 - Applicant: John Thomas Partners, LLC. Owner: First Covenant Bank. Requests a rezoning from PMUD (Planned Mixed Use District) to PMUD with a change of conditions (to allow for construction of 43 townhomes).

Josh Campbell, Planning Director, presented the staff analysis as follows: The site is located in Land Lot 208 of the 7th District along Park Pass Way and contains approximately 4.5 acres. The subject area is a part of Phase 5 of the Suwanee Station development that allows for construction of 43 single family attached homes located in the center of Suwanee Station. It allows for the development of 400 multifamily or townhouse units. Zoning condition requires completion of a minimum of 25,000 square feet of office or retail uses and completion of a 2,000 square foot shell that have not been completed and are required in order to move on to this phase of development. Should this project be approved, there will be an additional development review process to review the request for compliance with development requirements.

The subject property is located in the Suwanee Station character area. The future land use plan anticipates single family use in this area. The future land use plan reflects the uses anticipated by the concept plan but does not address the timing of development. The proposed use of the site with single-family attached uses is consistent with this designation.

To date the project is almost entirely residential in nature. The City included certain conditions in order to ensure non-residential uses would be a component of the project and constructed concurrently. The current request would allow the project to further defer including a non-residential component. While it may be appropriate to revisit the overall master plan and the product delivery scheduled, any plans to deviate should be addressed in a holistic manner as opposed to the proposed piecemeal approach.

In conclusion, staff recommends denial of this application. The Planning Commission voted 5-0 to approve it with amended conditions, at their January 5 meeting.

Support:

- Mitch Peevey, 4480 Commerce Drive, Buford, GA. The majority of the property is owned by banks and the applicant requests that the rezoning be postponed to the February Council Meeting.

There was no additional audience participation and Mayor Williams called the Public Hearing closed.

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

5. Call to Order

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

6. Oath of Office

City Attorney, Gregory Jay, presented the Oath of Office to *newly re-elected Councilmembers: Jace Brooks (Post 4); and Dan Foster (Post 5). Councilmember Kevin McOmber (Post 3) was absent.*

7. Organizational Matters for 2010

In accordance with Section 2.17 of the City Charter, the City Council shall conduct the following organizational matters on the first business day of January of each year:

a) Selection of Mayor Pro Tempore

In accordance with Section 2.27 of the City Charter, by a majority of vote, the City Council shall elect a Councilmember to serve as Mayor Pro Tempore for that ensuing year. The Mayor Pro Tempore shall assume duties and powers of the Mayor during the Mayor's disability or absence.

Councilmember Burnette nominated Councilmember Jace Brooks as Mayor Pro Tem for 2010, second by Councilmember Goodman. There being no additional nominations, Mayor Williams closed the nominations and called for a vote. Councilmember Jace Brooks was unanimously voted Mayor Pro tem (5-0).

b) Adoption of Rules and Procedure

In accordance with Section 2.19 of the City Charter, the City Council shall each year adopt its rules of procedure and order of business. Staff recommends adopting Robert's Rules of Order, 10th Edition.

Mayor Pro Tem Brooks made the motion to adopt the Robert's Rules of Order, 10th Edition, as the Rules of Order, second by Councilmember Burnette and so carried 5-0.

8. Announcements

- *The City of Suwanee and the Suwanee Arts Partnership have launched a fund-raising effort to make possible the Suwanee SculpTour. The SculpTour will be an exhibit of original outdoor sculptures to be displayed year-round throughout downtown Suwanee. Public arts initiatives like this can have a real economic impact in the community, bringing additional visitors to downtown Suwanee. In addition, public arts programs: make art accessible to everyone; attract a creative workforce; demonstrate civic pride, enhance our roadsides, pedestrian corridors, and community gateways, among other benefits. Look for more information about Suwanee's public*

arts efforts in upcoming issues of CrossRoads and on this website. Or, to offer financial support or to get involved, contact Denise Brinson at denise@suwanee.com.

- We're now accepting applications for the next Citizens Police Academy. The Suwanee Police Department offers its Citizens Police Academy as a means to help citizens gain a better understanding of law enforcement. Class topics include crime scene processing, traffic stops, building searches, crime prevention, crime scene processing, and narcotics identification. The next academy begins February 16 and will meet on Tuesday evenings through April 5. The deadline for notarized applications is Friday, February 6. Participants must be at least 19 years old; preference is given to Suwanee residents or to those who work in the City of Suwanee. For more information, contact Ofc. Elias Casanas at elias@suwanee.com or 770/945-4607, ext. 327.
- As we move into a new decade, Suwanee's website, www.suwanee.com, will officially leave the 90's behind and also join a new era. Launched in 1998, the website has maintained its same look since it first went live twelve years ago. The newly revamped website is scheduled to be live by February 1, if not before. Visitors will find the content and navigation to be very similar to the old website. Congratulations to our award-winning public information staff for the completion of this project!

9. Pledge of Allegiance

Tiger Scout Troop, Den #9 of Pack 538

10. Approval of Minutes

a) December 9, 2009 Called Council Meeting

Motion to approve by Councilmember Goodman, second by Councilmember Foster and so carried 5-0.

b) December 10, 2009 Called Council Meeting

Motion to approve by Councilmember Foster, second by Mayor Pro Tem Brooks and so carried 5-0.

c) December 22, 2009 Council Meeting

Motion to approve by Councilmember Goodman, second by Councilmember Burnette and so carried 5-0.

11. Special Recognition

a) Toby Blackwell

Mr. Blackwell is retiring after 35 years with AllState. Mr. Blackwell was one of the first business owners to locate to the historic Main Street area. Mayor Williams presented a Proclamation and proclaimed Wednesday, January 27, 2010 as Toby Blackwell Day.

b) Highland Station PACT

Highland Station earned their PACT certification at the end of 2009. Representatives of the neighborhood, along with Officer Elias Casanas and Officer Simon Byun were present to receive the certification award. Currently up to 31 neighborhoods are in the PACT program (96% of neighborhoods).

12. Consider Appointments to the Zoning Board of Appeals

Council will consider the following appointments to the Zoning Board of Appeals:

- *The expired term of Ryan Neilan; new term to expire on December 31, 2011.*
- *The expired term of Larry Pettiford; new term to expire on December 31, 2011.*
- *The expired term of Herb Godfrey; new term to expire on December 31, 2011.*
- *The remainder of the term vacated by Winship Rees; term to expire December 31, 2010.*

Motion by Councilmember Goodman for the following appointments: Ryan Neilan re-appointed to fill his expired term; Earl Mitchell to fill the expired term of Larry Pettiford, Robert Sumner to fill the expired term of Herb Godfrey; Bob Hogberg to fill the remainder of the seat vacated by Winship Rees, second by Councilmember Foster and so carried 5-0.

13. Consider Appointment to the Planning Commission

Council will consider an appointment to fill the remainder of Earl Mitchell's unexpired term. This appointment shall expire December 31, 2011.

Motion by Councilmember Foster to appoint Larry Pettiford to fill the unexpired term of Earl Mitchell, second by Councilmember Goodman and so carried 5-0.

14. Adoption of Agenda as Presented

Motion by Councilmember Foster to adopt the agenda with the following modifications: Change Item 19 to 19.a. and add new item 19.b. Emergency Repair Work on Settles Point Road; and, strike Item 22. Executive Session from the agenda, second by Councilmember Goodman and so carried 5-0.

15. Audience Participation - None

NEW BUSINESS

16. Consider Request for Change in Licensee for Alcohol Beverage License: Wild Wing Cafe

Motion to approve by Councilmember Burnette, second by Councilmember Foster and so carried 5-0.

17. Consider Request for New Alcohol Beverage License: Mad Crab House

Motion to approve by Councilmember Goodman, second by Councilmember Burnette and so carried 5-0.

- 18. Consider RZ-2010-001 - Applicant: John Thomas Partners, LLC. Owner: First Covenant Bank. Requests a rezoning from PMUD (Planned Mixed Use District) to PMUD with a change of conditions (to allow for construction of 43 townhomes). Motion to postpone RZ-2010-001 to the February 23 Council Meeting by Mayor Pro Tem Brooks, second by Councilmember Foster and so carried 5-0.**

Mayor Williams requested clarification on how this item will be handled. Josh Campbell, Planning Director, stated the item will not go back to the Planning Commission. There will be a Public Hearing item on the February 23rd agenda.

- 19. a. Consider Authorizing the Mayor to Execute a Contract with a Contractor for Construction of the Well Pump House Project**
This project involves construction of a new well pump, well house building, generator, and various associated equipment. It will be funded using proceeds from the GEFA loan.

Motion by Councilmember Burnette to approve authorizing the Mayor to execute a contract with Lanier Contracting Company, for Option 2, for construction of the well pump house project not to exceed \$259,060, second by Councilmember Goodman and so carried 5-0.

- 19.b. Emergency Repair Work on Settles Point Road**

Motion by Council Foster that Council finds that the storm drainage problem on Settles Point Road is a bona fide emergency pursuant to O.C.G.A. 36-91-22 and hereby authorizes staff to undertake emergency purchasing procedures as needed to complete all repair work, second by Councilmember Burnette and so carried 5-0.

- 20. Consent Agenda**

- a. Approval of Catering Logistics for the City Hall Public Art Presentation**
Per discussion at the workshop, approval of this item will authorize staff to proceed with arranging for cash sales of beer and wine at this event.

Motion by Mayor Pro Tem Brooks to approve the consent agenda, second by Councilmember Goodman and so carried 5-0.

- 21. City Manager's Report - None**

- 22. Adjournment - 7:42 P.M.**

Motion to adjourn by Councilmember Foster, second by Councilmember Goodman and so carried 5-0.

Approved 2/23/2010