

**MINUTES
CITY OF SUWANEE, GEORGIA
PUBLIC HEARING & CITY COUNCIL MEETING
JULY 27, 2010**

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

Meeting Location: City Hall, 330 Town Center Avenue, Big Splash Room - #2302

**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.

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

**6:30 P.M.
PUBLIC HEARING
Council Chambers – Room 2101**

2. Request for Alcohol Beverage License: True Food and Wine

True Food and Wine will be opening up at 320 Town Center Avenue, Suite C-9 and has applied for an on-premise consumption license. Staff recommends issuing the license to applicant David Hamby.

Mr. Allen stated that staff has completed the background for this application and recommends issuing the license. The applicant, David Hamby, 1574 Franklin Circle, Dacula, GA, was present. Mr. Hamby stated the restaurant will utilize local produce.

There was no opposition to the request.

3. Request for Alcohol Beverage License: Diggers

Diggers will be opening up at 991 Peachtree Industrial Blvd, Suite 104 and has applied

for an on-premise consumption license. Staff recommends issuing the license to applicants Hal Dalrymple and Travis Dalrymple.

Mr. Allen stated that staff has completed the background for this application and recommends issuing the license. The location is formerly Village Slice. The applicant was represented by Paul Dalrymple 2451 Fairway Crossing, Dacula, GA. Mr. Dalrymple stated this will be the second “Diggers” location. He stated he was pleased with the reception and professionalism of the City of Suwanee.

There was no opposition to the request.

4. RZ-2010-003 – Applicant: City of Suwanee. Owner: City of Suwanee. Requests a rezoning from R-100 (Residential Single Family District) to R-140 (Residential Single Family District) to allow for a community garden including livestock on the 6.89-acre tract located at 752 White Street

This is a rezoning initiated by the City for White Street Park. Staff and Planning Commission recommend approval with conditions.

Josh Campbell, Planning Director, presented the staff report and stated this rezoning is City initiated. The R-140 designation will allow for livestock. There is some livestock across the street. The surrounding area is primarily residential. The Comprehensive Plan calls this the Suwanee Farms Character Area and the proposed use of a community garden with livestock is consistent with the Comprehensive Plan and the Downtown Suwanee Master Plan. The Planning Commission voted 3-0 to approve the rezoning. There was no audience comment.

5. SUP-2010-001 – Applicant: Thomas E. Matthews. Owner: Diamond Star Properties, Inc. Requests a special use permit to allow for automotive sales in the C-2 (Commercial District) zoning district at the 3.42-acre site located at 3550 Lawrenceville-Suwanee Road

The applicant has requested a SUP to conduct indoor automotive sales. The Planning Commission and staff both recommend approval with conditions.

Josh Campbell, Planning Director, presented the staff report. The request is for an indoor automotive sales facility on an existing commercial site which has had some recent architectural enhancements. The request is for indoor sales only. The surrounding uses are primarily commercial. There is no foreseen conflict with the zoning as the surrounding areas are zoned commercial. Mr. Campbell stated there should be conditions to insure there are no outdoor car sales or maintenance of vehicles on the site. The Planning Commission voted 4-0 to approve the special use permit with conditions.

Support:

- Thomas E. Matthews, 5851 Chocktaw Lane, Braselton, GA. He stated his intent is to have indoor sales for upper end automobiles (i.e., Porsche, Lamborghini, etc.). Sales would be by appointment only. There would be no more than 10-12 vehicles at a time. He stated he has sold a number of vehicles from his home at

Chateau Elan. Many of his customers are from other states. This is a hobby he's turning into a business.

Councilmember Goodman asked if there would be test drives from the location. Mr. Matthews stated that most people buying high end purchases make the purchase and pick up the vehicle.

- Amy Phillips, 4260 Creek Park Drive, Suite A, Suwanee, GA. Ms. Phillips, Vice-President of Diamond Starr Properties, spoke in favor of the special use permit. She stated that the lease is very strict. No cars are to be parked outside with "For Sale By Owner" signage. She stated if this happens, the lease will be terminated immediately with Mr. Matthews.

There was no additional audience comment.

The Public Hearing closed and the Council Meeting to begin at 7:00 P.M.

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

6. Call to Order

Mayor Williams called the meeting to order at 7:00 P.M.

7. Announcements

- *The next few weeks are filled with great community events as we wind down another great summer in Suwanee. This weekend is all about the arts. Thursday evening will kick it off with Toast @ Town Center as the North Gwinnett Arts Association hosts an Art Walk. Participants can view up close the artwork that has been on display in Town Center windows and meet the artists responsible for the original creations. "Footprints" throughout Town Center will lead participants to a wealth of great artwork and books as well as interesting artists and authors. In addition, Town Center restaurants will offer "creative" menu items and live music will be performed. The Toast will begin at 5:00 pm and last until 10:00.*

On Friday and Saturday evenings, Suwanee Performing Arts will take the stage in the park with the toe-tapping musical Footloose, as well as an original musical titled Fancy Free. More than 50 local students will star in these Broadway in the Park performances, which begin at 7 p.m. each night at Town Center Park. To reserve a table, call 678/910-7184.

Sandra Bullock will take the screen at Town Center Park on Saturday, August 14 for her Oscar-winning performance in The Blind Side. The movie will begin at dusk, with festivities at Town Center Park starting at 8 p.m. This movie is free and open to the public.

We'll round out the festivities on the following Saturday, August 21, with Cowboy Mouth headlining the Rock & Jock Fest, co-hosted by the City and 790 The Zone. Cowboy Mouth was a crowd-favorite when they performed in Suwanee in 2005 and this visit promises to be just as high-energy. The music and festivities will begin at 5:00 pm, with free admission to the public.

- *As part of the 2011-15 Capital Improvement Program, the City of Suwanee has allocated funding for enhancing existing parks. The City wants to know what you think would make any of Suwanee's award-winning parks even better. As your children have romped through PlayTown Suwanee or as you've strolled along one of the trails, have you ever thought "This park needs a" or "It'd be so cool if this park had a"? Let your imagination soar - and let the City of Suwanee know what element you think would make a great addition to one of our parks. Send suggestions to Jessica Roth at jroth@suwanee.com.*
- *Team Suwanee has claimed yet another award! We're proud to announce that Deputy Chief Janet Moon received a Meritorious Service Award from the Georgia Police Accreditation Coalition last month. This award recognizes Deputy Chief Moon's nearly two decades of service to the Coalition and law enforcement agencies across the state seeking accreditation or certification. The Coalition estimates that Moon has assisted more than 40 law enforcement agencies in achieving accreditation or certification. A member of the Suwanee Police Department since 2001, Moon was promoted to deputy chief in 2006. A Cedartown native, she began her career with the Rome Police Department in 1989. Before that, she served four years as a military police officer with the United States Army and is a graduate of the FBI National Academy. Congratulations Janet!*

8. Pledge of Allegiance

Mr. Peter Charpentier led the Pledge of Allegiance.

9. Approval of Minutes

- June 10, 2010 Council Meeting**
Motion to approve by Councilmember Goodman, second by Mayor Pro Tem Brooks and so carried 6-0.
- June 22, 2010 Council Meeting**
Motion to approve by Councilmember Burnette, second by Councilmember Goodman and so carried 6-0.

10. Special Recognition

- Rosalie Tubre**
Mayor Williams recognized Ms. Tubre for her service to the community and the City through the Harvest Farm Garden and proclaimed August 3, 2010 as Rosalie Tubre Day in the City of Suwanee.
- Metal Products Company**

Mayor Williams recognized Burcher Gammadge and the Metal Products Company for their contributions to the City and for donating a cistern that is located at White Street Park – Harvest Farm Garden.

iii. Cindy Brogdon

Mayor Williams recognized Suwanee resident, Cindy Brogdon, for recently being inducted in the Gwinnett County hall of fame. The Mayor read from a Proclamation outlining many of Ms. Brogdon’s accomplishments including being the first Georgian to compete in Olympic basketball where her team won a silver medal in the 1976 Olympics. Mayor Williams proclaimed July 28, 2010 as Cindy Brogdon Day in the City of Suwanee.

11. Adoption of Agenda as Presented

Motion by Councilmember Foster to approve the agenda with the following modification: Move item 20 after item 22 (Executive Session) as item 22.a., second by Mayor Pro Tem Brooks and so carried 6-0.

12. Audience Participation

- Mr. Tom McConnell, 3795 Smithtown Road, Suwanee, GA. Mr. McConnell recommended Council formally recognize and commend Josh Clark, the newest member of the state delegation.

NEW BUSINESS

13. Consider Request for Alcohol Beverage License: True Food and Wine, 320 Town Center Avenue, Suite C-9

Motion to approve by Councilmember Goodman, second by Councilmember Burnette and so carried 6-0.

14. Consider Request for Alcohol Beverage License: Diggers, 991 Peachtree Industrial Boulevard, Suite 104

Motion to approve by Councilmember Burnette, second by Councilmember Goodman and so carried 6-0.

15. Consider RZ-2010-003 – Applicant: City of Suwanee. Owner: City of Suwanee. Requests a rezoning from R-100 (Residential Single Family District) to R-140 (Residential Single Family District) to allow for a community garden including livestock on the 6.89-acre tract located at 752 White Street

Motion to approve by Councilmember Foster, second by Councilmember Goodman and so carried 6-0.

- 16. Consider SUP-2010-001 – Applicant: Thomas E. Matthews. Owner: Diamond Star Properties, Inc. Requests a special use permit to allow for automotive sales in the C-2 (Commercial District) zoning district at the 3.42-acre site located at 3550 Lawrenceville-Suwanee Road**

Motion to approve by Mayor Pro Tem Brooks, second by Councilmember Foster. Friendly amendment by Mayor Pro Tem Brooks to approve to include staff and Planning Commission conditions, Councilmember Foster amended the second and the vote carried 6-0.

- 17. Consider Authorizing the Mayor to Execute the Chattahoochee River Memorandum of Agreement**

The Department of Natural Resources (DNR) will soon begin a study of the Chattahoochee River and all of its tributaries. Within Suwanee, this study will look at Brushy Creek; Suwanee Creek was studied in 2006. DNR has asked affected jurisdictions to sign a Memorandum of Agreement (MOA) regarding the scope of the Flood Study. When the study is completed, the Digital Flood Insurance Rate Maps (D-FIRMS) that determine which properties are considered to have floodplain, will be updated.

Motion to approve by Councilmember Burnette, second by Councilmember McOmber and so carried 6-0.

- 18. Consider Adopting a Policy for the Consumption of Alcohol at City Facilities**

The purpose of this policy is to provide guidelines regarding the consumption of alcoholic beverages at City facilities (including parks and other outdoor areas) to be served by City officials, staff, civic and non-profit organizations at meetings and other events.

Motion to approve by Councilmember Foster, second by Councilmember Burnette and so carried 6-0.

- 19. Consider Accepting Donation of the 6.33-acre Parcel #7-238-106 at 1150 Peachtree Industrial Boulevard**

The Hudgens Family has approached the City about donating 6.33 acres of undeveloped property on Peachtree Industrial Blvd near McGinnis Ferry Road. The property's development is constrained by ARC River Protection Act regulations. If accepted by the City, it would principally be for the purposes of greenspace protection.

Motion to accept the land donation by Councilmember Goodman, second by Councilmember McOmber and so carried 6-0.

Mr. Allen stated this tract is on the east side of Peachtree Industrial Boulevard. The land will be held as greenspace land bank.

20. Consider Authorizing the Mayor to Adopt a Resolution in Reference to Gwinnett County, GA vs. City of Auburn, GA, et al

Legal counsel representing the Gwinnett Municipal Association is preparing a resolution for each City to consider regarding services to be provided and services to fund jointly with Gwinnett County, with regard to the Service Delivery Strategy (SDS) lawsuit.

21. City Manager's Report – None.

22. Executive Session: Legal and Personnel

Motion to ENTER Executive Session for Legal and Personnel Issues by Councilmember McOmer, second by Councilmember Goodman and so carried 6-0.

Motion to EXIT Executive Session by Councilmember Foster, second by Councilmember Goodman and so carried 6-0.

22.a. Consider Authorizing the Mayor to Adopt a Resolution in Reference to Gwinnett County, GA vs. City of Auburn, GA, et al

Motion to approve the SDS Resolution with amendment by Councilmember McOmer, second by Councilmember Foster and so carried 6-0.

Service Delivery Strategy (SDS) with the following changes:

- i. On Exhibit A, page 5, add item "gg. Records Court" under item 1.*
- ii. On Exhibit B, page 6, Section 2 "Other Services:", delete item "j. Emergency Management"*

23. Adjournment

Motion to adjourn by Councilmember Burnette, second by Councilmember Goodman and so carried 6-0.

Approved 08/24/2010