

**MINUTES
CITY OF SUWANEE, GEORGIA
PUBLIC HEARING & CITY COUNCIL MEETING
NOVEMBER 30, 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 I. Goodman, Councilmember
Kevin McOmber, Councilmember
Marty Allen, City Manager
Elvira Rogers, City Clerk
Gregory Jay, City Attorney

**5:30 P.M.
CITY COUNCIL DINNER SESSION
Big Splash 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 and read the procedures for Public Meetings for the record.

- 2. RZ-2010-004. Applicant: QuikTrip Corporation. Owner: Eugene Walls. Requests a rezoning from R-100 (Residential Single Family District) to C-2A (Special Commercial District with alcohol sales) to allow for a convenience store with gasoline pumps. The site is located at 3359 Lawrenceville-Suwanee Road and contains approximately 3.96 acres.**

Josh Campbell, Planning Director, presented the staff analysis. This case has been postponed several times. The site is located at high commercial Lawrenceville-Suwanee Road and Satellite Boulevard. As designed, staff recommended denial. The Planning Commission recommended approval with modified conditions. After additional discussion with the applicant, there has been a site plan amendment to preserve specimen trees on the site and replanting of trees as required by the landscape ordinance. Staff supports the site plan amendment dated November 18, 2010.

Support:

- Michael Sullivan, Anderson Tate & Carr, 1960 Satellite Boulevard, Duluth, GA. There has been continuous dialog with City staff to achieve a site plan. Quik-Trip has approved this new site plan as the first generation three site in the southeast USA, east of the Mississippi. This location will have a whole new look outside and inside.

Mr. Sullivan stated this is a highly commercialized corridor and this is the only property at this location that has not been rezoned commercial. Some point out that the City Future Land Use Plan is preserved for park land. This property is not located in any way to a greenway or trail. As a reminder from last month, the Walls requested the property be designated as park land to preserve it for them to live out their lives on the property. The City has no plans to create a park at this site. The Walls have since had to move to a senior center in Buford. Their plans to live out their lives here is no longer possible. They are now paying taxes on property where they can no longer live. Quik-Trip has worked to present a plan that will be within the zoning regulations of the City of Suwanee and to preserve trees on the site. The applicant respectfully requests that this rezoning be approved.

Opposition:

- Tom McConnell, 3795 Smithtown Road, Swanee, GA. Mr. McConnell referenced a letter presented at the October 26, 2010 Council meeting. The City of Suwanee Comprehensive Plan shows this property as a designated park area. This is the first challenge to the plan in the City. The citizens have not seen this plan nor has it been shown. There is concern of the preservation of the large oak trees without some significant effort on the developer's part. Everything else along Lawrenceville Suwanee has been clear cut and put to commercial use, this is the only stand of substantial oak trees along Lawrenceville-Suwanee Road. It's up to the City Council to make the right decision. There needs to be a balance between the community, community's interest and the developers interest. There needs to be balance that the community can look to, otherwise the referenced letter stands.
- Julie Wild, 210 Silver Water Court, Suwanee, GA. Concerned with traffic. Enjoys seeing large oak trees and daffodils in the spring. She referenced other commercial locations along Lawrenceville-Suwanee Road.

Support/Rebuttal:

- Mr. Sullivan stated the Comprehensive Plan is a guide. Land uses are an ongoing process and things change. The trees are identified on the plan to be preserved and the plan is a matter of public record. Private homeowners do not own property for public use. The property is still owned by Eugene and Kathleen Walls. They have been watching as all their neighbors who use to have farms have sold their property to create the current Lawrenceville-Suwanee commercial corridor. Mr. Sullivan referenced the constitutional

rights of the Walls to a reasonable economic use of their property. If this property were to be a park, the City would have to buy this property. The Future Land Use Plan does not trump the Constitution of the United States or the Constitution of the State of Georgia which protects the Walls property rights. It's not fair to the Walls, who cannot enjoy this property anymore, to ask them to continue to pay taxes on this property that they can no longer enjoy.

- Kathleen Walls, 129 Holiday Road, Unit 44, Buford, GA. Ms. Walls stated she and her husband purchased the property in 1953. She stated about 3 years ago, her husband suffered a stroke and was unable to keep up the property. The decision was tough for them to leave. Ms. Walls stated she was born in Suwanee in 1933. There comes a time you have to do things that you don't want to. She stated she has seen a lot of changes and seen a lot of trees cut down. There was a time she couldn't see her neighbors for the trees along Lawrenceville-Suwanee Road.

3. SUP 2010-002. Applicant: Eugene Walls. Owner: Eugene Walls. Requests a special use permit to allow for a car wash facility. The site is located at 3359 Lawrenceville-Suwanee Road and contains approximately 3.96 acres.

Josh Campbell, Planning Director presented the staff analysis. This special use request is related to the previous rezoning. If the property were rezoned, the property would be eligible for a special use with a car wash. One of the goals of the Comprehensive Plan is to project a strong image for the area. Staff has determined that many car washes can have negative visual impacts and recommend denial for this special use permit. There is an existing special use permit for a car wash closer to the interstate. The Planning Commission also recommended denial of the car wash by a vote of 3-1.

Support:

- Michael Sullivan, 1960 Satellite Boulevard, Duluth, GA. The proposed car wash will be fully staffed – not self service. The site plan submitted is unique with more than 40% of the location designated to be previous green space. A state of the art recycle water system will be used. The property consists of just under 4 acres. Quik-Trip will need only half of the acreage for the store. The other 2 acres have been marketed and resulted in the following: No one wants to build strip retail centers in this area; no stand alone restaurants are interested in this property; the only users who have expressed interest are convenience stores and car washes. The applicant believes the car wash will complement the Quik-Trip site. Approval is requested.

Opposition:

- Tom McConnell, 3795 Smithtown Road. Referred to October 26 hand delivered letter. The car wash will create incidental traffic. There are traffic concerns at the Quik-Trip at McGinnis Ferry. The City should be sensitive to compounding the traffic problem in the site area. The gateway is to be a premier interest to

Suwanee. The car wash will be a burden to anyone using this corridor. Mr. McConnell stated he is opposed to the car wash.

- Chip Hackett, 3121 Lawrenceville-Suwanee Road. Mr. Hackett owns the site that was approved for a car wash approximately 18-months ago. He stated his company is working closely with the City to meet the guidelines. They are restricted to an exterior wash. They have been in the car wash business for about 8 years and have seen this industry evolve. Having two car washes this close together has never been a good idea and will probably lead to failure of one or the other. He stated his company has a comfort level with the City in the scrutiny his company underwent in the special use process. To have two car washes restricted to the same service would be unfair. He stated he appeals to the sense of fairness and requests this special use permit be denied.
- Maurice Cook, 1342 Riverview Run Lane, Suwanee, GA. Disappointed in the lack of information by those who are for this. Everything is verbal. There are no pictures, no artist renderings coming from the City as to what is going on.

Support/ Rebuttal: Michael Sullivan. Documents are on file with the City and are public record. The free market dictates how many businesses are needed in an area, not the local government. He stated his client believes two car washes in the area will be appropriate. Request approval of the special use permit.

4. RZ-2010-005- Applicant: Ramco-Gershenson, Inc. Owner: Ramco-Gershenson Properties, L.P. Requests a rezoning from C-2 (General Commercial District) to C-2A (Special Commercial District) to allow for establishments serving alcoholic beverages. The site is located in at 2855 Lawrenceville-Suwanee Road and contains approximately 15.00 acres.

Josh Campbell, Planning Director, presented the staff analysis. This location was formerly occupied by Publix. The area is highly commercialized. When the property was annexed into the City, it was annexed as C-2. The applicant proposes a movie theater that will sell beer, wine and alcohol. The Planning Department recommends approval with conditions. The Planning Commission recommended approval 3-1 with an amendment to a condition as follows: "No additional vehicular sales or service establishments are allowed. This does not prohibit the expansion of any automotive establishments." The applicant wanted to insure the automotive facility would be able to expand.

Support:

- David Landrum, 2880 Holcomb Bridge Road, Alpharetta, GA, representative of Ramco-Gershenson. He stated the applicant agrees with the Planning Commission re-wording of conditions. Purchased property in 2006 and Publix went dark in 2008. Have been searching for a suitable tenant. Did a very similar concept in Alpharetta which has been successful.

- Andrea Baxter, Movie Taverns, 12400 Court Road, Dallax, TX. Movie Tavern is a fairly new business. The people in ownership and on the management team have been managing for over 35 years and have created and managed theaters all over the world. The business caters to young adults, boomers and families. There are a lot of children activities. There will be no unaccompanied minors at any time. People will be able to have dinner and a movie at the same time.

Opposition: None.

5. SUP-2010-004- Applicant/Owner: Susan E. Hyzer. Requests a special use permit to allow for horses in the R-100 zoning district. The site is located at 3656 Martin Farm Road and contains approximately 2.29 acres.

Josh Campbell, Planning Director, presented the staff analysis. The site is located near Martin Farm Park. The Future Land Use Plan recommends residential uses with special use permit for livestock. The applicant meets these requirements.

Support:

- Susan Hyzer, 3656 Martin Farm Road, Suwanee, GA. Mrs. Hyzer stated there will be only two horses. There will be no riding lessons and no additional horses will be boarded.

Councilmember Foster asked if the horses will be exercised on the trail. Mrs. Hyzer stated no, the trail is not safe for the horses.

- Walt Hyzer, 3656 Martin Farm Road, Suwanee, GA. Mr. Hyzer stated they are very knowledgeable about horses. He is on the executive committee of the North Georgia Mounted Search and Rescue based in Dawsonville and principal trainer. He will be purchasing an animal to be trained for search and rescue as well as recreation riding.

Opposition:

- Carolyn Lee Roundtree, 1712 Rochelle Drive, Dunwoody, GA 30338. Ms. Roundtree stated the site plan was revised. She has concerns about the manure composting and wanted to insure language would be inserted in the conditions. Also, she had concern about the use of the horses north of the fence behind the house. A supplement was lodged with Mr. Campbell for Council consideration. Ms. Roundtree stated the floodplain line is not on the site sketch. Ms. Roundtree recommended two conditions be added: 1) Horses not go beyond fence; 2) electric fence for their buffer. The property is currently for sale and her desire is to not impare the ability to sell the adjacent property she owns.

Applicant Rebuttal:

- Ms. Hyzer stated they want to get along with their neighbors. The back yard has a dog fence and the horses will not be coming into that area. The compost issue

should be handled by them building a compost site which a portion of the compost will be donated to the community garden.

- Mr. Hyzer stated they will be using multiple tumbler compost bins, which should eliminate any difficulty with horse manure. There were no additional comments.

6. AMD-2010-003 – A proposed amendment to the City of Suwanee Zoning Ordinance to modify Article III. Definitions and Sections 508.B and 509.B to define light retail services and add light retail services as a special use in the O-I and M-1 zoning districts.

Josh Campbell, Planning Director, stated the purpose of the amendment is to allow certain lighter retail service as a use in office and M-1 locations and insure there are no negative impacts as some retails may have. These impacts will be addressed by limiting the square footage. There is one recommended change to limit the square footage to a maximum of 1250 square feet and allow a case by case approval.

There was no audience comment.

7. SUP-2010-005 – Applicant/Owner: E&D, LLC. Requests a special use permit to allow for a hair salon in the O-I zoning district. The site is located at 3725 Lawrenceville–Suwanee Road and contains approximately 2.86 acres.

Josh Campbell, Planning Director, presented the staff analysis. The applicant space is proposed to be approximately 1100 sq.ft.; and, the applicant plans to utilize approximately 500 sq. ft. for the hair salon. The Amendment referenced previously (AMD-2010-003), if approved, will provide a maximum square footage limit of 1250 on a case by case basis. The Planning Department recommended approval with conditions. The Planning Commission approved with conditions.

There being no public comment, the Public Hearing closed with a brief recess prior to beginning the City Council Meeting.

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

8. Call to Order

Mayor Williams called the meeting to order at 7:46 P.M.

9. Announcements

- *The Suwanee Police Department is awesome, professional, incredible, and NATIONALLY certified! The department got word this past weekend that it had earned accreditation from the Commission on Accreditation for Law Enforcement Agencies (CALEA). The Suwanee PD joins about 1,000 agencies*

nationwide (out of approximately 18,000) and about 40 in Georgia who have met the Commission's 459 standards. Accreditation ensures that the department "reflects contemporary law enforcement practices and meets internationally accepted high standards in operations, policy and procedure, technology, and accountability."

- *We're proud to announce that our Municipal Court has also won two statewide awards for recent implementation of an efficient, resource-friendly, paperless system. The Georgia Council of Court Administrators has named the Suwanee Court as Program of the Year. Also, Mariza Abdeljawad was named Clerk of the Year by the Georgia Municipal Court Clerk's Council for her leadership in implementing this project. Suwanee's new system includes a software platform, three courtroom computer screens, electronic signature pad, biometric fingerprint signature scanner, and document scanner. Suwanee's court is believed to be the first paperless court in the state, with the new system saving 860 sheets of paper each court session – that's 51,600 pieces of paper a year.*
- *The deadline for the City's annual Snap Suwanee photo competition is December 31. Winning photographs will be exhibited at City Hall through much of 2011. The contest seeks photos that are clearly identifiable as Suwanee and tell a story about the community or the subject matter. Information and applications are available at www.suwanee.com.*
- *It's always fun to celebrate with Santa Claus. And Santa is coming to Suwanee town on Friday, December 3, for the Old Town Holiday Festival and Caboose Lighting. Festivities will begin at 6:30 p.m. with performances of favorite holiday tunes by Suwanee schoolchildren. Hot chocolate, cookies, and s'mores will be available for free, and hot dogs will be available for purchase. After the official caboose lighting, he'll meet with children at the Burnette-Rogers Pavilion to listen to wish lists and snap some photos.*
- *Christmas in the Park sponsored by Shadowbrook Baptist Church, December 10-12, 2010. This is a private community event.*

10. Pledge of Allegiance

Boy Scout Pack 608 will lead the Pledge.

11. Approval of Minutes

- October 26, 2010 Council Meeting**
Motion to approve by Councilmember Foster, second by Councilmember Burnette and so carried 6-0.

12. Adoption of Agenda as Presented

Motion to adopt the agenda by Councilmember Goodman, second by Councilmember Burnette and so carried 6-0.

13. Special Recognition

- **Collins Hill H.S. Softball Team**
Mayor Williams recognized the Collins Hill High School Softball team and proclaimed Wednesday, December 1, 2010 as Collins Hill High School Softball Team Day in the City of Suwanee.
- **Suwanee 2010 Staff Award Winners**
The City held its 2010 staff awards night on November 9. Council recognized this year's winners.

14. Audience Participation

- Maurice Cook, 1342 Riverview Run Lane, Suwanee, GA. Mr. Cook expressed concerns about information provided at a recent open house for the Alternative Transportation Plan. He stated that an outdated map was used and an outdated project list. Some of the projects on the list were complete and no one shared with the group that these projects were done. One project on the list to be rated was already in the works. Mr. Cook stated this was disappointing and a waste of time.

OLD BUSINESS

- 15. RZ-2010-004. Applicant: QuikTrip Corporation. Owner: Eugene Walls. Requests a rezoning from R-100 (Residential Single Family District) to C-2A (Special Commercial District with alcohol sales) to allow for a convenience store with gasoline pumps. The site is located at 3359 Lawrenceville-Suwanee Road and contains approximately 3.96 acres**

Councilmember McOmber stated he commended the Walls for the number of years they have lived in the City and made a motion to approve RZ-2010-004 with conditions as stated below, second by Mayor Pro Tem Brooks and so carried 6-0.

- 1. No vehicular sales, service or rental establishments are allowed.*
- 2. The site shall be limited to a total of no more than one (1) ground sign and one (1) wall sign per building elevation. No additional banners, flags, pennants, balloons, etc. shall be provided, except that the site may be allowed up to two (2) 2.5' X 8' banners for up to 90 day period year pursuant to the city's Temporary Advertising Device stipulations.*
- 3. If a development permit is issued for the site, then a sidewalk shall be provided along all public streets.*

4. *Any median trees removed from Lawrenceville Suwanee Road shall be replaced with multi-stemmed 3" caliper (approximately 6-8 foot tall) Crepe Myrtle or Trident Maple trees planted as directed by the Planning Director and as approved by any applicable regulatory agencies.*
5. *The developer shall provide an enhanced landscape/streetscape area at the intersection of Lawrenceville Suwanee Road and Satellite Boulevard consistent with the streetscape elevation & perspective submitted to the Planning Department on October 20, 2010. A plan for such landscaping/streetscaping shall be approved by the Planning Director. Said plan should be consistent with the landscaping/streetscaping located at the other three corners of the intersection of Lawrenceville-Suwanee Road and Satellite Boulevard.*
6. *Inter-parcel access shall be provided to the adjoining parcel on Lawrenceville Suwanee Road. The design, location and timing of this requirement shall be subject to the approval of the Planning Department.*
7. *The architecture for all structures and landscaping of the site shall be subject to the approval of the Planning Director.*
8. *The site plan shall indicate the preservation of specimen trees as noted on the site plan submitted to the Planning Department and dated 11/18/2010.*
9. *Outdoor storage or outdoor retail display of goods shall be prohibited.*
10. *The City of Suwanee has historically used the intersection of Lawrenceville-Suwanee Road and Satellite Boulevard for the purpose of posting public information signage. In order to meet the commercial needs of the site and the historic needs of the City, the developer shall provide, at no cost to the City, an appropriate location for a permanent signage display for the City of Suwanee in a location, size and configuration that is mutually agreeable to both parties. Developer shall also provide the City of Suwanee with an easement for construction, access and maintenance of the sign. City of Suwanee signage shall be at no cost to the developer and shall not reduce, diminish or detract from signage that would otherwise be permitted under the sign regulations of the City of Suwanee. Said location shall be subject to the review and approval of the Planning and Inspections Department, and said easement shall be conveyed to the City prior to issuance of a development permit on the property.*

16. SUP 2010-002. Applicant: Eugene Walls. Owner: Eugene Walls. Requests a special use permit to allow for a car wash facility. The site is located at 3359 Lawrenceville-Suwanee Road and contains approximately 3.96 acres

Motion by Councilmember Burnette to deny SUP-2010-002, second by Councilmember Goodman and so carried 6-0.

NEW BUSINESS

- 17. RZ-2010-005- Applicant: Ramco-Gershenson, Inc. Owner: Ramco-Gershenson Properties, L.P. Requests a rezoning from C-2 (General Commercial District) to C-2A (Special Commercial District) to allow for establishments serving alcoholic beverages. The site is located in at 2855 Lawrenceville-Suwanee Road and contains approximately 15.00 acres**

Motion by Mayor Pro Tem Brooks to approve RZ-2010-005 with P&Z conditions, second by Councilmember Foster and so carried 6-0.

- 18. SUP-2010-004- Applicant/Owner: Susan E. Hyzer. Requests a special use permit to allow for horses in the R-100 zoning district. The site is located at 3656 Martin Farm Road and contains approximately 2.29 acres**

Motion by Councilmember Foster to approve SUP-2010-004 with P&Z conditions as stated below, second by Mayor Pro Tem Brooks for clarification on condition #1. There will be only 2 hours. The Motion carried 6-0.

- 1. No more than two horses shall be kept on the lot.*
- 2. All structures, composting activities, pens or corrals housing the animals shall be located at least 50 feet from any property line and at least 100 feet from any adjoining property's principal dwelling.*
- 3. An electrical fence shall be provided and located to allow for a buffer of at least 10 feet along all side property lines and a 35 foot buffer off Suwanee Creek*
- 4. No horses shall be allowed within 10 feet of the side property line regardless of the provision of fencing.*

- 19. AMD-2010-003 – A proposed amendment to the City of Suwanee Zoning Ordinance to modify Article III. Definitions and Sections 508.B and 509.B to define light retail services and add light retail services as a special use in the O-I and M-1 zoning districts**

Motion by Councilmember Goodman to approve AMD-2010-003 with P&Z conditions, second by Councilmember Burnette and so carried 6-0.

- 20. SUP-2010-005 – Applicant/Owner: E&D, LLC. Requests a special use permit to allow for a hair salon in the O-I zoning district. The site is located at 3725 Lawrenceville–Suwanee Road and contains approximately 2.86 acres**

Motion by Councilmember Goodman to approve SUP-2010-005, second by Councilmember Burnette and so carried 6-0.

21. Consider Adoption of Amusement Machine Ordinance

The City has an existing amusement machine ordinance. Legislation passed by the 2010 Georgia General Assembly modified certain requirements. The attached ordinance is intended to follow the new state regulations.

Motion by Councilmember Foster to adopt the Amusement Machine Ordinance, second by Mayor Pro Tem Brooks and so carried 6-0.

22. Consider Acceptance of Donation of Parcels 102, 104, 105, 107, 110, 115, 119, and 120 of the 208th District of Land Lot 7 in Suwanee Station

The property owners of Suwanee Station propose to donate property to the City to allow for control of a future commuter rail station for Suwanee and the development around it. Staff received notice that the last of the banks associated with the Suwanee Station project has voted to approve the proposed land donation to the City. The land donation needs to be formally accepted by Council.

Motion by Councilmember Goodman to accept donation subject to acceptable Phase I Environmental, second by Councilmember Foster and so carried 6-0.

23. Consider Authorizing Mayor to Execute a Contract for Approximately \$62,932 to Advergents for Video Surveillance System Phase 1B at Suwanee Creek Park/McGinnis Ferry Road Park

On August 24, 2010, Council authorized award of contract to Advergents for the parks video surveillance system at George Pierce Park, Suwanee Creek Park, and portions of the Suwanee Creek Greenway. This contract was in the amount of \$49,410. Further investigation notes that modifying this original project from a 3G/4G implementation to a wireless mesh communication could have valuable benefits to the City, including expansion to other parks and locations, savings in operation costs, increased reliability, and ownership of the system. This project modification equals \$62,932, for a total project cost of \$112,342.

Motion by Councilmember Burnette to execute contract ofr approximately \$62,932 to Advergents for video surveillance system Phase 1 at Suwanee Creek Park/McGinnis Ferry Road Park, second by Councilmember Goodman and so carried 6-0.

24. Consent Agenda

a. Authorize Staff to Apply for a Transportation Enhancement (TE) Grant Program for the Trail/Sidewalk Project from Stonecypher Road and PlayTown Suwanee to the Peachtree Industrial Blvd/Suwanee Dam Road Intersection

Staff proposes to seek \$1,250,000 in TE funds to support the construction of a multi-purpose trail/sidewalk from Stonecypher Road and PlayTown Suwanee to the Peachtree Industrial Boulevard/Suwanee Dam intersection. The maximum amount awarded per project is \$1 million, with a required 20% local match. The

City's local match of \$250,000 was allocated in the 2011-2015 CIP.

b. Authorize Staff to Apply for a Recreational Trails Program (RTP) Grant for the Suwanee Creek Greenway Rehabilitation Project

Staff proposes to seek \$100,000 in RTP funds to support construction of the Suwanee Creek Greenway Rehabilitation project. The program generally requires a minimum grant award of \$25,000 and a maximum grant award of \$100,000 with a 20% local match. The City's local match of \$20,000 is included in the capital budget for this project.

c. Authorize Mayor to Execute a Contract with Valley Crest Landscape Maintenance of Johns Creek in the Amount of \$68,092.00 for the Lawn and Landscape Maintenance Services at Town Center Park

The City received five responses to the recent bid for these services. After reviewing the proposals, staff recommends awarding the contract to Valley Crest Landscape.

d. Authorize the Mayor to Execute a Contract with Georgia Green of Marietta in the Amount of \$12,240.00 for Landscape Maintenance Services at the I-85 Interchange

The City received six responses to the recent bid for these services. After reviewing the proposals, staff recommends awarding the contract to Georgia Green.

e. Authorize the Mayor to Renew the Franchise Agreement with Georgia Power

The current franchise agreement with Georgia Power expires on December 16, 2010 and needs to be renewed. The franchise agreement is based on the Georgia Municipal Association model agreement.

f. Adopt 2011 Council Schedule

Council needs to adopt the schedule for 2011 workshops and meetings.

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

25. Executive Session: Legal and Real Estate Issues

Motion to Enter Executive Session by Councilmember Good for legal and real estate issues, second by Councilmember McOmber and so carried 6-0.

Motion to Exit Executive Session by Councilmember Goodman, second by Mayor Pro Tem Brooks, and so carried 5-0. (Note: Councilmember Foster did not attend Executive Session.)

No Action Taken.

26. Adjournment – Time: 9:17 P.M.

*Motion to Adjourn by Councilmember McOmber, second by Councilmember Burnette
and so carried 5-0.*

Approved 12/21/2010