

**MINUTES  
CITY OF SUWANEE, GEORGIA  
PUBLIC HEARING & CITY COUNCIL MEETING  
JANUARY 25, 2011**

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

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**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**

Mayor Williams opened the Public Hearing at 6:37 P.M. and read the procedures for public meetings for the record.

**2. Request for Alcohol Beverage License: Corralejo Mexican Flair & Tequila**

This restaurant, located at 3890 Lawrenceville-Suwanee Road, #1 (former Indigo Joe's space), has applied for an on-premise consumption license for beer, wine and distilled spirits. Antonio Aguirre-Soto is the licensee. The Finance department has reviewed the application and recommends approval. There was no audience comment.

**3. RZ-2011-001- Applicant/Owner: Suwanee Junction LLC. Request a rezoning from PMUD (Planned Mixed Use Development) to PMUD with a change of conditions to allow for the construction of single family homes in an area previously zoned for townhomes. The site is located at the intersection of Village Field Court and Lassen Court and contains approximately 1.1 acres**

Josh Campbell, Planning Director, presented the staff analysis as follows: Mr. Campbell stated this request is in the Village Grove neighborhood, which seeks to modify condition of zoning within the planned mixed use development district. The project was originally approved with 517 units: 199 townhomes, 258 single family detached and 60 condominiums. In 2005, there was a rezoning to modify that distribution somewhat. With this rezoning, the applicant proposes to rezone an approximately 1.07 acre tract to construct 10 single-family detached residential units in an area originally intended to accommodate 18 single-family attached residential units. The units would meet the minimum lot size in place (1800 sq.ft.). The area is surrounded by residential uses, townhomes and single-family detached units. It is worth noting that the 2<sup>nd</sup> Quarter Economic Indicators Report reflects the demand for townhomes has significantly decreased in Suwanee. This may have caused some stagnation in development progress. At that time staff had recommended that some of the townhomes be rezoned to single-family residential. This proposal is consistent with that recommendation. The Future Land Use Plan calls for diversity of housing types. This request is consistent with the Plan. The Planning Department recommended approval with conditions. The Planning Commission recommended approval with conditions by a vote of 3-0 to approve the rezoning with conditions. One condition was modified to correct a typo in condition number two where condos would reflect 62 not 60.

#### **Support**

- Ron Sprinkle, Sprinke Design, 1664 Foresta Court, Atlanta, GA, represented Touchstone Homes. Mr. Sprinkle stated the applicant seeks to downsize the existing townhome lots. There has been a decrease in the townhome market. Touchstone would like to rezone this area of land from townhomes to single-family detached. The look of the homes as proposed are in compliance with the regulations of Village Grove. The only item that looks a little different is the common area is reduced. The common area becomes a part of the lots.

Opposition – None.

#### **4. Updated Alternative Transportation Plan**

Josh Campbell stated that the City adopted the Alternative Transportation Plan in 2006. That Plan identified 31 projects for the City to undertake over a several year period. The City has completed seven projects. As staff proceeded forward on these identified projects, it was determined that it is time to evaluate these projects. In 2010 the City hired Pond and Company to advise on updates to the Alternative Transportation Plan. Pond and Company presented a PowerPoint presentation of the plan update. Richard Fangmann and Ronald Osterloh were present representing Pond and Company.

#### **Audience Comment**

- John Cannon 4420 Oakfield Park, Suwanee, GA. Mr. Cannon stated, it looks like all the improvements are to access the downtown or old town area. More access is needed in the area of schools and commercial. He also expressed that crosswalks are needed in the area of Peachtree Industrial and Suwanee Dam. Also, more lighting is needed along this corridor.

- Brad Alexander, 3420 Smithtown Road, Suwanee, GA. Mr. Alexander stated, he appreciates Council revisiting the plan. He had the same concerns as Mr. Cannon of funds being spent around the Town Center area. More funds need to be spent outside the Town Center area. Parks and buildings are great but more funds are needed in sidewalks.

There were no additional comments.

##### **5. Resolution in Support of and Requesting Introduction of Local Legislation to Amend Charter to provide for Election by Majority and Other Administrative Purposes**

Mayor Williams stated the City's current charter states that election of the Mayor and Council is by plurality, rather than majority, which is the more common method among Georgia municipalities. Approval of this resolution will signify the Council's support of making this change and request that the Legislature introduce legislation to amend the City's charter for this purpose, which would change the Charter to 50% plus 1 candidate result to win the election.

Gregory Jay, City Attorney, reiterated the Mayor's comments and stated this local act will bring Suwanee in line with the majority of cities and local governments in Georgia requiring 50% plus 1 as a majority. The highest two vote getters would be in a run-off. The Resolution requests our local delegation to facilitate passage of this item. It also clarifies eligibility of offices when there is a vacancy.

Mayor Williams stated there is no legal requirement for a Public Hearing. Council desired to have community input on this item.

##### **Audience Comment**

- Chris Yoder, 829 Continental Place, Suwanee. Mr. Yoder asked, "why change something that is not broken?" People vote for who they want to vote for. This will cause the City to have to pay for another election (runoff).
- Don Trawick, 4643 Moore Road, Suwanee. Mr. Trawick states it does not seem proper to propose this change during an election year. He also asked for clarification of the statement about eligibility of offices when there is a vacancy.

Gregory Jay stated there is a provision in the Charter that addresses appointed officials and employees running for office. Currently, the Charter is silent regarding elected officials. State Constitution governs elected officials. This statute is being added to the Charter as clarification.

There were no additional comments and the Public Hearing closed at 7:21 P.M., with a short recess prior to the Council Meeting.

**7:00 P.M.**  
**CITY COUNCIL MEETING**  
**Council Chambers**

**6. Call to Order 7:34**

Mayor Williams called the meeting to order at 7:34 P.M.

**7. Organizational Matters for 2011**

**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.*

Mayor Williams opened the floor for nominations. Councilmember Goodman nominated Councilmember Brooks as Mayor Pro Tem, second by Councilmember McOmber, and so carried 6-0. There being no additional nominations, Councilmember Burnette made a motion to close nominations, second by Councilmember McOmber and so carried 6-0.

***One candidate nominated, Jace Brooks as Mayor Pro Tem, the vote carried 5-1.***

**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, 10<sup>th</sup> Edition.*

***Motion by Councilmember Foster to adopt the Robert's Rules of Order, 10<sup>th</sup> Edition as Rules and Procedure, second by Councilmember Brooks and so carried 6-0.***

**c) Oath of Office for Election Superintendent**

Gregory Jay, City Attorney, administered the oath of office to Administrative Services Director, Elvira Rogers, for her role as Superintendent of the 2011 election.

**8. Announcements**

- *Due to the winter weather, the annual State of the City address has been postponed to February. The address will take place in conjunction with the February 22<sup>nd</sup> Council meeting. You'll hear first-hand the highlights and achievements from the past year and get a sense of where our community is heading in the future.*
  
- *The City of Suwanee is looking for artists and other creative folks who'd like to have their artwork displayed on tree limbs and in other natural settings. The City is hosting a competition for artwork to be considered for its 7<sup>th</sup> annual Art on a Limb program. Art on a Limb is a month-long, award-winning 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 and at other parks each day throughout the month of May. Those who find the art pieces get to keep them. The deadline for submissions is February 21. For more details on submitting, please visit [www.suwanee.com](http://www.suwanee.com).*

- *Applications are currently available for the spring Citizens Police Academy. This popular eight-week program will begin March 1 and offers participants a hands-on, real-life glimpse of life behind the badge. Completed, notarized applications must be submitted by Friday, February 18; applications are available online at [www.suwanee.com](http://www.suwanee.com).*
- *We're currently calling all green thumbs, talented bakers, and jelly makers to be a vendor at one of Gwinnett's oldest and most popular farmers markets. Applications and details for the 2011 Suwanee Farmers Market are now available on [www.suwanee.com](http://www.suwanee.com). Beginning May 3, we'll open our 8<sup>th</sup> season of the Farmers Market at Town Center Park on Saturday mornings and Tuesday afternoons. Farmers and gardeners with fresh produce will receive first preference, but the market also is open to appropriately licensed vendors offering baked goods; jams, jelly, and honey; meat products; eggs and other dairy products; and plants.*
- *The New "Suwanee Video" was presented.*

## **9. Pledge of Allegiance**

*Brownie Troop #1035 led the Pledge.*

## **10. Approval of Minutes**

- a) December 16, 2010 Called Council Meeting**  
*Motion to approve by Councilmember Goodman, second by Councilmember Burnette and so carried 6-0.*
- b) December 21, 2010 Council Meeting minutes**  
*Motion to approve by Councilmember Goodman, second by Mayor Pro Tem Brooks and so carried 6-0.*

## **11. Special Recognition**

- a) Suwanee Gateway PACT Certification Awards**  
Five businesses were certified as part of the PACT program in 2010. Staff member, Toni Shrewsbury, assisted Mayor Williams with the following recognitions: *EMC Security* represented by Michael Morton; *IMES, Inc.*, represented by Steve Womack and *MacPherson's* represented by June Spruell. The following three (3) time recipients were recognized but were not present:

Premier Immediate Care and Quality Tech.

**b) Suwanee STAR Awards**

Marty Allen, City Manager, recognized Public Works employees Daniel Sutton and Jeremy Fryar for their work creating the amphitheater at White Street Park and presented them the Hardin Watkins Suwanee Star Award.

**12. Appointment(s) to Ethics Board**

- Jace Brooks appointed Phil Tickle with term to end 12/31/2012.
- Jimmy Burnette appointed Don Massey and Leah Cunningham with terms to end 12/31/2010.

**13. Adoption of Agenda as Presented**

*Motion to adopt the agenda as presented by Councilmember Goodman, second by Councilmember McOmber and so carried 6-0.*

**14. Audience Participation**

- Tom Hammond, 577 Pringle Drive, Suwanee, GA. Mr. Hammond thanked Council and the Public Works Department for street cleaning efforts during the recent snow storm. He has been a homeowner in the Atlanta area over 40 years and this is the first time he has seen a snow plow on a public street. Job well done and appreciated.
- Linda Fleming, 527 Main Street, Mailing Address: 6795 Bass Circle Buford, GA. Staff did a great job with the Historic Planning meeting. It was great that the first stage was educational.

**NEW BUSINESS**

**15. Consider Request for Alcohol Beverage License: Corralejo Mexican Flair & Tequila**

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

**16. Consider RZ-2011-001- Applicant/Owner: Suwanee Junction LLC. Request a rezoning from PMUD (Planned Mixed Use Development) to PMUD with a change of conditions to allow for the construction of single family homes in an area previously zoned for townhomes. The site is located at the intersection of Village Field Court and Lassen Court and contains approximately 1.1 acres**

*Motion to approve with conditions by Mayor Pro Tem Brooks, second by Councilmember Goodman and so carried 6-0.*

**17. Consider Adoption of Updated Alternative Transportation Plan**

*Motion to Postpone to February 22, 2011 Meeting by Councilmember Goodman, second by Councilmember McOmber and so carried 6-0.*

**18. Consider Adoption of Resolution in Support of and Requesting Introduction of Local Legislation to Amend Charter to provide for Election by Majority and Other Administrative Purposes**

*Motion to adopt the Resolution dated 1/25/2011 by Mayor Pro Tem Brooks, second by Councilmember McOmber and so carried 6-0.*

**19. Consider Adoption of 2010 Mid-Year Council Retreat Report**

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

**20. Consent Agenda**

**a) Adoption of Resolution Prohibiting Parking on Rolling Pin Lane Parking**

*The City has received complaints about tractor trailers parking along Rolling Pin Lane, in lieu of using the closed I-85 rest area. The parked trucks are interfering with existing business traffic. Staff proposes to adopt a resolution prohibiting parking on this public street.*

**b) Adoption of Resolution Establishing 2011 Election Qualifying Fees**

*The City is required by law to establish qualifying fees by February 1 of any year in which an election is held. The fee is 3% of the total gross salary of the office paid in the preceding calendar year. The qualification fee for Mayor will be \$450.00 and for Councilmembers \$270.00.*

**c) Authorize Mayor to Execute Contracts for City Engineering Services**

*The City received 22 statements of qualifications for the City Engineer RFQ. The list was shortened to 11 firms based on proximity to Suwanee and cost and five of those firms were interviewed. Staff recommends awarding contracts to the following three firms: Development Planning and Engineering, Inc., Buford; LBG Associates, Inc., Buford; and Columbia Engineering and Services, Inc., Duluth. The contracts will be for one year with an option to renew for up to five years.*

**d) Adopt Ordinance Amending the Bylaws of the Harvest Farm Managing Board**

*The Managing Board is in the process of preparing an application to submit for 501(c)(3) status from the IRS. There are some minor additions that need to be made to the Board's bylaws in order to comply with some IRS requirements.*

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

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

*Motion to Enter Executive Session for Real Estate Issues by Councilmember Goodman, second by Mayor Pro Tem Brooks and so carried 6-0.*

*Motion to EXIT Executive Session by Councilmember McOmber, second by Mayor Pro Tem Brooks and so carried 6-0.*

*No Action Taken*

**22. Adjournment – 8:27 P.M.**

*Motion to Adjourn by Councilmember Foster, second by Councilmember McOmber and so carried 6-0.*

**Prepared and Submitted by:**

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Elvira Rogers, City Clerk

**Approving Signature:**

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Dave Williams, Mayor