

MINUTES
CITY OF SUWANEE, GEORGIA
CITY COUNCIL MEETING
TUESDAY, MAY 28, 2013

Meeting Location: City Hall, 330 Town Center Avenue

Attendees: Richard I. Goodman, Mayor Pro Tem
Beth S. Hilscher, Councilmember
Doug Ireland, Councilmember
Kevin McOmbler, Councilmember
Marty Allen, City Manager
Elvira Rogers, City Clerk
Gregory Jay, City Attorney

Absent: Jimmy Burnette, Mayor
Daniel F. Foster, Councilmember

5:30 P.M.
DINNER SESSION
BIG SPLASH 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 P.M.
COUNCIL MEETING
COUNCIL CHAMBERS

A. Call to Order

Mayor Pro Tem Goodman called the meeting to order at 6:35 p.m., and read the procedures for public meetings for the record.

B. Public Hearing

1. Alcohol Beverage License Request: Los Cabos Mex Mex Grill, 360 Peachtree Industrial Boulevard, Suite 101B

This is a new restaurant and they have applied for a license for the on-premise consumption of beer, wine, and distilled spirits. Mr. Fernando Leon is the proposed licensee. The finance department recommends approval. Maria Lower was present representing the applicant. There was no audience comment.

2. Alcohol Beverage License Request: Applebee's Neighborhood Grill & Bar #22, 125 Celebration Drive

This restaurant has applied for a new licensee for the on-premise consumption of beer, wine, and distilled spirits. Mr. Stephan H. Gonzalez is the proposed licensee. The finance department recommends approval. Mr. Gonzalez was present. There was no audience comment.

3. Alcohol Beverage License Request: Segreto, 3370 Lawrenceville-Suwanee Road, Suite 112-114

New owners have acquired the former Portobella restaurant and are applying for the on-premise consumption of beer, wine, and distilled spirits. Mr. Robert E. Mason and Ms. Wanda D. Mason are the proposed licensees. The finance department recommends approval. Mr. Mason was present. There was no audience comment.

4. AMD 2013-002: Home Occupations

Josh Campbell, Planning Director, presented the staff analysis as follows: Staff proposes an amendment to Article III Definitions and Section 616 Home Occupation of the Zoning Ordinance to address the treatment of business-like activities in residential areas. The proposed amendment is intended to clarify that unlicensed business-like activities are subject to the same standards as licensed home occupations. The Planning Commission recommended approval. There was no audience comment.

Support:

Chris Yoder, 920 Cotton Mill Place, Suwanee, GA. Mr. Yoder stated this amendment is really needed because there are some gray areas that were absolutely "bad" and the citizens didn't understand the enforcement. Passing this ordinance will hopefully clear up the misunderstandings.

There was no opposition.

5. RZ 2013-002 - The applicant requests a rezoning to allow for R-140 to R-100 to allow for single family homes. The site is located along Moore Road approximately 0.5 mile west of Suwanee Dam Road

Josh Campbell, Planning Director presented the staff analysis as follows: This is a request to rezone approximately 3 acres. If rezoned to R-100 they will be able to get 4 lots. If approved a development permit would not be required. This would be an exemption plat. The applicant does not propose to connect to sewer. The Planning Commission recommends approval with changes to staff conditions to include: Condition #2) Increase minimum square footage from 2,000 sq. ft. to 3,000 sq. ft. for the homes and added condition #4. Required side entrance garages.

Support:

Tonya Woods, 5074 Crestwood Industrial Way, represented the applicant. She stated the applicant is in agreement with the conditions.

There was not opposition and the Public Hearing was closed.

C. Announcements**Events**

- *Food Truck Friday is back on the first Friday of June, June 7th at Town Center Park. Eight food trucks are scheduled; those expected include Bubble Tea, Champion Cheesesteak, Freckled and Blue, Hail Caesar, King of Pops, Mac the Cheese, Nana G's Waffles and Chicken, Tex Tacos, and Yumbii. The event begins at 7 p.m., but some trucks may be set up a little earlier. Also being served up that evening is a free concert by Funk Sandwich and Nathan Angelo, a band based at Gwinnett Church. The performance will begin at 7 p.m. Food Truck Fridays will take a break in July and return in August and September.*
- *The following evening, Saturday, June 8, Movies Under the Stars will screen The Amazing Spider-Man. Released in 2012 and rated PG-13, The Amazing Spider-Man stars Andrew Garfield and Emma Stone. Movies Under the Stars is free and open to the public. The screening will begin at Town Center Park shortly after dusk. Bring snacks, blankets, and lawn chairs, but no alcohol may be brought into the park.*
- *Looking ahead, we're excited to announce the performer for our big August concert. The Southern California pop-punk trio that is Eve 6 will rock Town Center Park with a free concert performance on August 10. Eve 6 will take the stage at 8 p.m. An opening band will be announced at a later date; check www.suwanee.com for updates about this summer community concert.*
- *This year's September 21 Suwanee Day festival marks the 30th celebration of our favorite event. Exhibitor/vendor and entertainment applications for this year's festival are now being accepted through June 1. Applications are available at www.suwaneeday.com. The theme for this year's Suwanee Day parade is: 30 Years of Celebrating Suwanee – Remembering the Past, Celebrating the Present, Looking to the Future. Parade participants are encouraged to decorate floats and design performances that fit in with the theme. Parade entrants are eligible for cash prizes in a variety of categories, including best reflection of theme and most creative.*

D. Pledge of Allegiance

E. Approval of the Agenda

Motion by Councilmember Hilscher to approve the agenda, second by Councilmember McOmber. City Manager Allen requested that the Agenda be modified to include Special Recognition. *Councilmember Hilscher amended the motion to approve modifying the agenda to add Special Recognition after item G. Councilmember McOmber amended the second and the vote carried 4-0. Vote: Goodman – yes; Hilscher – yes; Ireland – yes; McOmber - yes*

F. Approval of Minutes

- 1. April 11, 2013 Council Workshop**
- 2. April 23, 2013 Council Meeting**

Motion to approve the Minutes by Councilmember Ireland, , second by Councilmember Hilscher and so carried 4-0. Vote: Goodman – yes; Hilscher – yes; Ireland – yes; McOmber - yes

G. Consider Appointment to the DDA Appointment

Kevin O’Brien resigned from the DDA in December 2012 and has requested re-appointment.

Motion by Councilmember Hilscher to re-appoint Kevin O’Brien to the DDA, second by Councilmember McOmber and so carried 4-0. Vote: Goodman – yes; Hilscher – yes; Ireland – yes; McOmber - yes

G.1 Special Recognition

Mayor Pro Tem Goodman recognized Scott and Debbie Dovel for their support of the City through SculpTour. The Dovel’s made a donation that funded the purchase of the art piece “Pilgrim,” which is at the Suwanee Library as a permanent fixture.

Marty Allen, City Manager, stated the SculpTour program has put Suwanee on the map in a number of ways not anticipated. It is people like Scott and Debbie, long time supporters to the City, who aide the city in amassing high quality art pieces over time.

H. Audience Participation

- Karen Williams, 740 Highway 23, Suwanee, GA. Ms. Williams states she is a long time resident of Suwanee. She expressed questions related to the National Citizen - how people are chosen to participate; Suwanee as a farming community – The history of Suwanee has been “plowed” under; Historic Registry – how many people and or acres are needed; Alcohol ordinance – allowing diners to take unconsumed alcoholic beverages home if they are corked. She stated that lessening the alcohol regulations makes Suwanee less friendly. She also stated she feels Suwanee is lowering its standards and is not as family friendly as it has become known.

NEW BUSINESS

- I. Consider Alcohol Beverage License Request: Los Cabos Mex Mex Grill, 360 Peachtree Industrial Boulevard, Suite 101B**

Motion to approve by Councilmember Hilscher, second by Councilmember Ireland and so carried 4-0. Vote: Goodman – yes; Hilscher – yes; Ireland – yes; McOmber - yes

- J. Consider Alcohol Beverage License Request: Los Cabos Mex Mex Grill, 360 Peachtree Industrial Boulevard, Suite 101B**

Motion to approve by Councilmember Hilscher, second by Councilmember Ireland and so carried 4-0. Vote: Goodman – yes; Hilscher – yes; Ireland – yes; McOmber - yes

- K. Consider Alcohol Beverage License Request: Applebee’s Neighborhood Grill & Bar #22, 125 Celebration Drive**

Motion to approve by Councilmember McOmber, second by Councilmember Hilscher so carried 4-0. Vote: Goodman – yes; Hilscher – yes; Ireland – yes; McOmber - yes

- L. Consider Alcohol Beverage License Request: Segreto, 3370 Lawrenceville-Suwanee Road, Suite 112-114**

Motion to approve by Councilmember Ireland, second by Councilmember Hilscher and so carried 4-0. Vote: Goodman – yes; Hilscher – yes; Ireland – yes; McOmber - yes

- M. Consider AMD 2013-002: Home Occupations**

Motion to approve by Councilmember Hilscher, second by Councilmember Ireland and so carried 4-0. Vote: Goodman – yes; Hilscher – yes; Ireland – yes; McOmber - yes

- N. Consider RZ 2013-002 - The applicant requests a rezoning to allow for R-140 to R-100 to allow for single family homes. The site is located along Moore Road approximately 0.5 mile west of Suwanee Dam Road.**

Motion to approve by Councilmember McOmber with P&Z conditions with a modification to condition #4 to read: “All homes shall have a minimum of two garage bays, which shall be side loades. If a third garage bay is provided, it shall not face the rear of the property”, second by Councilmember Hilscher and so carried 4-0. Vote: Goodman – yes; Hilscher – yes; Ireland – yes; McOmber - yes

- O. Consider Resolution/Ordinance to Update the City’s Parking Regulations**

The City periodically receives complaints about vehicles parking on the street that block the flow of traffic. Staff recommends a proposed amendment to the City Code to address

the parking of oversized and "commercial" vehicles on streets, highways and other public spaces.

Motion to approve by Councilmember Hilscher, second by Councilmember McOmber and so carried 4-0. Vote: Goodman – yes; Hilscher – yes; Ireland – yes; McOmber - yes

P. Consider Resolution/Ordinance to Update Chapter 6 of the Code of Ordinances, Alcoholic Beverages

A group of staff members has completed a comprehensive review of the current alcohol ordinance and prepared recommended revisions. There are a number of substantive changes to the ordinance.

Motion to approve by Councilmember Hilscher, second by Councilmember Ireland and so carried 4-0. Vote: Goodman – yes; Hilscher – yes; Ireland – yes; McOmber - yes

Q. Consider Authorizing the Mayor to Approve a Contract with deshein for Redesign of the City Logo

The City received 28 responses to the Request for Qualifications to redesign the City logo; six firms were short-listed. A staff group met with the short-listed firms and recommends selecting the deshein firm.

Motion to approve by Councilmember Hilscher, second by Councilmember Ireland and so carried 4-0. Vote: Goodman – yes; Hilscher – yes; Ireland – yes; McOmber – yes

R. Consider Authorizing the Mayor to Approve a Change Order with Russell Landscape Group for the Peachtree Industrial Blvd. Median Project

Russell Landscape Group is beginning the spring planting phase of the PIB median project. Staff recommends using some of the remaining budget to enhance the original planting plan.

Motion to approve by Councilmember McOmber, amount not to exceed \$62,000, second by Councilmember Ireland and so carried 4-0. Vote: Goodman – yes; Hilscher

S. Authorize the Mayor to Enter into Contract with Tristar of America, Inc. for Demolition of the Hotel May Queen

The City received 11 bids for the demolition work needed at the Hotel May Queen. Staff recommends award of contract to Tristar of America, Inc., of Norcross, GA, in the amount of \$213,400. Tristar of America, Inc. was the low bidder, and the project is within budget.

Motion to approve by Councilmember Ireland, second by Councilmember Hilscher and so carried 4-0. Vote: Goodman – yes; Hilscher – yes; Ireland – yes; McOmber - yes

T. Consent Agenda

1. Authorize the Mayor to Enter into an Agreement with ICMA-RC to Manage the Employee Retirement Plan

The City currently has four employees who participate in the Principal Defined Contribution Money Market Plan. Staff recommends changing the plan for these four employees to an ICMA-RC 401 Plan. Staff has been working with ICMA-RC on this change and recommends entering into an Administrative Services Agreement with ICMA-RC to formally facilitate this change.

2. Authorize Staff to Submit an Application for the LMIG Street Resurfacing Program

Suwanee's application for the 2014 LMIG street resurfacing improvement program is due to Georgia DOT in June 2013. Staff has proposed a list of street for this year's program that total approximately 1.735 miles.

3. Approve 4th Quarter FY 13 Budget Adjustments

Staff has prepared the recommended 4th quarter adjustments to the FY 13 budget.

Motion to approve by Councilmember McOmber, second by Councilmember Hilscher and so carried 4-0. Vote: Goodman – yes; Hilscher – yes; Ireland – yes; McOmber - yes

U. Executive Session: Property Acquisition Issues

Motion to Enter Executive Session for Property Acquisition by Councilmember Hilscher, second by Councilmember McOmber. Vote: Goodman – yes; Hilscher – yes; Ireland – yes; McOmber - yes

Motion to Exit Executive Session by Councilmember McOmber, second by Councilmember Ireland and so carried 4-0. Vote: Goodman – yes; Hilscher – yes; Ireland – yes; McOmber - yes

V. Adjournment

Motion to approve by Councilmember Ireland, second by Councilmember Hilscher and so carried 4-0. Vote: Goodman – yes; Hilscher – yes; Ireland – yes; McOmber - yes

Approved 6/25/2013