The City of Snellville 2342 Oak Road Snellville, Georgia 30078 (770) 985-3500 • FAX (770) 985-3525

AGENDA



WORK SESSION OF MAYOR AND COUNCIL CITY OF SNELLVILLE, GEORGIA MONDAY, MARCH 13, 2023

Publication Date: March 9, 2023

TIME:

6:30 p.m.

DATE:

March 13, 2023

PLACE:

City Hall Conference Room 145

I. CALL TO ORDER

II. REVIEW REGULAR BUSINESS MEETINGS AND PUBLIC HEARING AGENDA ITEMS

III. REVIEW CORRESPONDENCE

IV. CITY ATTORNEY'S REPORT

V. DISCUSSION ITEMS

- a) Update of Ongoing Projects [Bender]
- b) Discussion About Code Enforcement Ordinance Revisions [Bender]
- c) Discussion of Elimination of the City Vehicle Booting Ordinance [Emanuel]

VI. EXECUTIVE SESSION

An Executive Session may be called:

- To discuss pending and/or potential litigation, settlement claims, administrative proceedings or other
 judicial actions, which is exempt from the Open Meetings Act pursuant to O.C.G.A. Section 50-14-2(1).
- To authorize negotiations to purchase, dispose of, or lease property; authorize the ordering of an appraisal related to the acquisition or disposal of real estate; enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote; or enter into an option to purchase, dispose of, or lease real estate subject to approval in subsequent public vote, which is excluded from the Open Meetings Act pursuant to Section 50-14-3(b)(1)(C).

• Upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee, which is excluded pursuant to O.C.G.A. Section 50-14-3(b)(2).

VII. ADJOURNMENT

Code Enforcement issues 2023.

- 1. Need a section added to the occupation license allowing the officer to shut down a business that continues to operate without a valid license despite receiving several citations. These citations are issued to a corporation and warrants can't be taken out.
- 2. Need to be able to send letter to corporate businesses that ignore citations for other violations letting them know their business license will not be renewed until all violations/citations are taken care of. If ignored then they would fall into the operating without a valid license and could then be shut down. (This letter could come from code enforcement, planning department, or Chucks office)
- 3. Parking/number of vehicles. There are some properties that have a dozen vehicles or more. The code states 4 per property so they will move them to the street where it becomes state law instead of local ordinance. This then creates a hazard for oncoming traffic. Need help on these, there are no signs posted to help with street parking, and no state law being violated.
- 4. Need an open/ended nuisance violation. This would allow the enforcement of problem properties that either continue violations, have the police department called to it a lot, or is a nuisance to the community.
- 5. Urban camping. I have provided the code section we used in Lawrenceville. This helps with tent cities, or homeless sleeping on the sidewalk. No need to worry about having the owner present to CT them from the property. Code enforcement can take care of the issue on the spot.
- 6. Some citizens need to have 2 trash cans. I've been asked this several times where they are using the blue bags as instructed but these bags sit on the ground then animals rip into these pulling the trash out causing the neighbors to report it.

PART II - CODE Chapter 58 - TRAFFIC AND VEHICLES ARTICLE V. VEHICLE IMMOBILIZATION DEVICES

ARTICLE V. VEHICLE IMMOBILIZATION DEVICES

Sec. 58-200. Purpose.

The City of Snellville finds that at least one business within the city limits of Snellville employs the practice of the immobilization or "booting" of vehicles by private companies. Based upon the State of Georgia's regulation of the impoundment and removal of trespassing vehicle upon private property, the City of Snellville believes that any local legislation to regulate the practice of vehicle immobilization or "booting" would be preempted by the state. In an effort to protect the citizens of Snellville from unknowingly parking upon property where their vehicle may be immobilized or "booted", the city has determined that the notice requirements of this article are necessary.

(Ord. No. 2019-20, § 1, 12-9-2019)

Sec. 58-201. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, unless where the context clearly has a different meaning:

Operator means any person, including a sole proprietor, independent contractor, partnership or similar business entity, operating vehicle immobilization devices for a vehicle immobilization service.

Vehicle immobilization device or boot means any mechanical device that is designed or adopted to be attached to a wheel, tire, or other part of a parked motor vehicle so as to prohibit the motor vehicle's usual manner of movement or operation.

Vehicle immobilization service means a person, including sole proprietor, independent contractor, partnership or similar business entity, offering services anywhere in the unincorporated portions of the county whereby vehicles are immobilized by the installation of a vehicle immobilization device.

(Ord. No. 2019-20, § 1, 12-9-2019)

Sec. 58-202. Prohibition.

Any property owner desiring to employ the use of a vehicle immobilization service must post signs at every entry and exit point to and from their property, and upon or facing parking spaces not greater than 50 feet apart that clearly defines exactly which spaces and businesses qualify for parking privileges on said property and that parking for any other businesses other than those listed will result in the immobilization or booting of their vehicle. No vehicle properly displaying a handicapped license plate or other official handicapped operator permit parked in a designated handicapped parking space shall be immobilized.

(Ord. No. 2019-20, § 1, 12-9-2019)

Sec. 58-203. Booting operator.

Booting operators shall at all times wear an appropriate uniform that clearly displays the name of the booting company they are working for and prominently displaying the writing: "Booting Operator."

(Ord. No. 2019-20, § 1, 12-9-2019)

Sec. 58-204. In-person warning required.

Before any booting operator may proceed to immobilize or "boot" any vehicle, the driver of the vehicle must have received a meaningful "in-person" warning from the employee, agent or independent contractor. Said notice may be either oral or written, but may not be made by merely, yelling across the parking lot or placing a written notice on said vehicle. Further, said notice shall be made in a cordial, non-confrontational manner. It shall be the responsibility of the booting operator to prove that a warning meeting the requirements of this article has been issued. If such proof cannot be provided, booting operator must refund any fee collected.

(Ord. No. 2019-20, § 1, 12-9-2019)

Sec. 58-205. Enforcement.

The City of Snellville Police Department shall be responsible for the enforcement of this article. (Ord. No. 2019-20, § 1, 12-9-2019)

Sec. 58-206. Penalty.

Any booting operator cited pursuant to this article shall be liable for a monetary penalty not to exceed \$1,000.00. Citations shall be issued by the City of Snellville Police Department in accordance with set policy. (Ord. No. 2019-20, § 1, 12-9-2019)

Created: 2023-01-24 16:00:13 [EST]

AGENDA



PUBLIC HEARING & REGULAR BUSINESS MEETING OF MAYOR AND COUNCIL CITY OF SNELLVILLE, GEORGIA MONDAY, MARCH 13, 2023

Publication Date: March 9, 2023

TIME:

7:30 p.m.

DATE:

March 13, 2023

PLACE:

Council Chambers

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE TO THE FLAG

IV. CEREMONIAL MATTERS

V. MINUTES

Approve the Minutes of the February 27, 2023 Meetings

VI. INVITED GUESTS

VII. COMMITTEE / DEPARTMENT REPORTS

VIII. APPROVAL OF THE AGENDA

IX. PUBLIC HEARING

None None

X. CONSENT AGENDA (Please see *Note)

XI. OLD BUSINESS

XII. NEW BUSINESS

a) Consideration and Action on Award of Bid for the Briscoe Park Lake Wall Project [Bender]

REGULAR BUSINESS & PUBLIC HEARING OF MAYOR AND COUNCIL MONDAY, MARCH 13, 2023 PAGE TWO

XIII. COUNCIL REPORTS

XIV. MAYOR'S REPORT

XV. PUBLIC COMMENTS

• Section 2-53

Each member of the public who wishes to address the Mayor and City Council in public session must submit their name, address and the topic (be as specific as possible) of their comments to the City Clerk prior to making such comments. Individuals will be allotted five minutes to make their comments and such comments must be limited to the chosen topic. Members of the public shall not make inappropriate or offensive comments at a City Council meeting and are expected to comply with our adopted rules of decorum.

Decorum

You must conduct yourself in a professional and respectful manner. All remarks should be directed to the Chairman and not to individual Council Members, staff or citizens in attendance. Personal remarks are inappropriate.

XVI. EXECUTIVE SESSION

An Executive Session may be called:

- To discuss pending and/or potential litigation, settlement claims, administrative proceedings or other judicial actions, which is exempt from the Open Meetings Act pursuant to O.C.G.A. Section 50-14-2(1).
- To authorize negotiations to purchase, dispose of, or lease property; authorize the ordering of an appraisal related to the acquisition or disposal of real estate; enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote; or enter into an option to purchase, dispose of, or lease real estate subject to approval in subsequent public vote, which is excluded from the Open Meetings Act pursuant to Section 50-14-3(b)(1)(C).
- Upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee, which is excluded pursuant to O.C.G.A. Section 50-14-3(b)(2).

XVII. ADJOURNMENT

*Note: Items on the Consent Agenda may be read by title only. Upon the request of any Council Member, any item may be removed from the Consent Agenda and placed on the Regular Agenda prior to the adoption of the Regular Agenda. The Consent Agenda, or the remainder thereof omitting the challenged items, shall be adopted by unanimous consent.

Commonly Used Acronyms for Planning and Development:

ANX – Annexation

BOA – Board of Appeals

CIC – Change in Conditions

CP – Comprehensive Plan

LUP - Land Use Plan

MSP – Master Sign Plan

RZ – Rezoning

SUP – Special Use Permit

UDO – Unified Development Ordinance

Commonly Used Acronyms for City Boards and Commission:

BOA – Board of Appeals

DAS – Development Authority of Snellville

DDA – Downtown Development Authority

STAT - Snellville Tourism and Trade

SYC – Snellville Youth Commission

URA – Urban Redevelopment Agency

For more information about each of these you can go online to the City Code: https://www.snellville.org/code-ordinances

CITY OF SNELLVILLE MEETINGS AND LOCAL EVENTS MARCH 13, 2023

March 13

Council Meeting

Monday, March 13, 2023 6:30 pm Work Session – Conference Room 145, City Hall 7:30 pm Meeting - Council Chambers, City Hall

March 14

Board of Appeals Meeting - Cancelled

Tuesday, March 14, 2023 7:30 pm – City Hall Room 259, Second Floor

March 15

DDA Meeting

Wednesday, March 15, 2023 4:00 pm – City Hall Room 259, Second Floor

March 16

DAS & URA Joint Meeting

Thursday, March 16, 2023 4:00 pm – City Hall Room 259, Second Floor

March 19

Broadcast of 2/13/23 Council Meeting

Sunday, March 19, 2023

Watch the broadcast of the 3/19/2023 Council Meeting on Comcast Channel 25 at 6:30 pm

March 27

Council Meeting

Monday, March 27, 2023 6:30 pm Work Session – Conference Room 145, City Hall 7:30 pm Meeting - Council Chambers, City Hall



WORK SESSION OF MAYOR AND COUNCIL CITY OF SNELLVILLE, GEORGIA MONDAY, FEBRUARY 27, 2023

Present: Mayor Barbara Bender, Mayor Pro Tem Tod Warner, Council Members Solange Destang, Dave Emanuel, Cristy Lenski, and Gretchen Schulz. Also present City Manager Butch Sanders, Assistant City Manager Matthew Pepper, City Attorney Chuck Ross and Assistant City Attorney Jay Crowley with Powell and Edwards Attorneys at Law, Police Chief Greg Perry, Planning and Development Director Jason Thompson, Public Works Director Craig Barton, Public Information Officer Brian Arrington, IT Administrator Erika Fleeman and City Clerk Melisa Arnold.

CALL TO ORDER

Mayor Bender called the meeting to order at 6:30 p.m.

REVIEW REGULAR BUSINESS MEETINGS AND PUBLIC HEARING AGENDA ITEMS

During review of the agenda consensus was to table SUP 22-07 so further discussion could be held at the work retreat about zoning issues.

REVIEW CORRESPONDENCE

None

CITY ATTORNEY'S REPORT

Attorney Ross reviewed some bills in legislation that would affect the City's ability to control their residential housing.

DISCUSSION ITEMS

Update of Ongoing Projects [Bender]

City Manager Sanders gave an update on the new design of the Mercantile Building in the Grove as well as several other ongoing projects.

Development Questions from Staff [Bender]

Mayor Bender advised that this would be discussed at the upcoming work retreat.

EXECUTIVE SESSION

None

ADJOURNMENT

Council Member Emanuel made a motion to adjourn, 2nd by Mayor Pro Tem Warner; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 7:14 p.m.

Barbara Bender, Mayor



PUBLIC HEARING & REGULAR BUSINESS MEETING OF MAYOR AND COUNCIL CITY OF SNELLVILLE, GEORGIA MONDAY, FEBRUARY 27, 2023

Present: Mayor Barbara Bender, Mayor Pro Tem Tod Warner, Council Members Solange Destang, Dave Emanuel, Cristy Lenski, and Gretchen Schulz. Also present City Manager Butch Sanders, Assistant City Manager Matthew Pepper, City Attorney Chuck Ross and Assistant City Attorney Jay Crowley with Powell and Edwards Attorneys at Law, Police Chief Greg Perry, Planning and Development Director Jason Thompson, Public Works Director Craig Barton, Public Information Officer Brian Arrington, IT Administrator Erika Fleeman and City Clerk Melisa Arnold.

CALL TO ORDER

Mayor Bender called the meeting to order at 7:31 p.m.

INVOCATION

Pastor Quincy Brown from Snellville United Methodist Church gave the invocation.

PLEDGE TO THE FLAG

Boy Scout Carter Kushner from Troop 50 led the Pledge of Allegiance.

CEREMONIAL MATTERS

None

MINUTES

Approve the Minutes of the February 13, 2023 Meetings

Council Member Emanuel made a motion to approve the February 13, 2023 minutes, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved.

INVITED GUESTS

None

COMMITTEE / DEPARTMENT REPORTS

None

APPROVAL OF THE AGENDA

Council Member Schulz made a motion to approve the agenda of the February 27, 2023 meeting, 2nd by Council Member Emanuel; voted 6 in favor and 0 opposed, motion approved.

PUBLIC HEARING & REGULAR BUSINESS OF MAYOR AND COUNCIL MONDAY, FEBRUARY 27, 2023 PAGE TWO

PUBLIC HEARING

2nd Reading - SUP 22-07 - Consideration and Action on application by Brian Vu, ABN Investment Group, LLC (property owner) requesting a Special Use Permit and variances from the Unified Development Ordinance for a Drive-Thru Restaurant at the former Krystal restaurant location on the 0.775± acre property, zoned BG (General Business) District and located in the Towne Center Overlay District, 2484 E. Main Street, Snellville, Georgia (Tax Parcel 5026 240)

Planning Director Thompson said that after further discussion more time was needed by Mayor and Council.

Council Member Lenski made a motion to table to the March 27, 2023 agenda, 2nd by Mayor Pro Tem Warner; voted 6 in favor and 0 opposed, motion approved.

2nd Reading - RZ 23-01 LUP 23-01 - Consideration and Action on applications by James and Meghan Toney (applicant and property owner) requesting: a) to amend the Snellville 2040 Comprehensive Plan Future Land Use Map from Low-Density Residential to North Road Redevelopment Area; b) to amend the Official Zoning Map from RS-30 (Single-family Residential) District to NR (North Road) District and request for variances from the Unified Development Ordinance to operate a financial services office on a 1.129± acre site located at 2154 North Road, Snellville, Georgia (Tax Parcel 5039 032)

Planning Director Thompson gave an overview of the application and said that the Planning Commission and Planning Department recommend approval with the conditions and variances listed in the staff report and ordinances.

Alex Mitchum, 4525 Lee Street, Buford, was present representing the applicant. He spoke briefly about the application.

Mayor Bender opened the floor for public comments and the following person came forward: Tricia Rawlins, 2088 Harbour Oaks Drive, Snellville spoke in favor of the project.

No one else came forward so Mayor Bender closed public comment.

Council Member Lenski made a motion to approve LUP 23-01, 2nd by Council Member Emanuel; voted 6 in favor and 0 opposed, motion approved. (Reference ORD 2023-03)

Council Member Schulz made a motion to approve RZ 23-01, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved. (Reference ORD 2023-02)

2nd Reading - UDO 23-01 - Consideration and Action on a proposed text amendment to Article 6 (Use Provisions) of Chapter 200 of the Snellville Unified Development Ordinance to establish definitions, applicable zoning districts and use standards for: a) retail sales of beer, wine, and/or distilled spirits for off-premises consumption (Package Store); b) Halfway House; and c) Boat, Recreational Vehicle, Utility or Enclosed Trailer Sales, Leasing, Rental, or Service

Planning Director Thompson reviewed the text amendments and also reviewed the amendments being done by ORD 2023-04. He advised that the majority of these are being done to support the package store process being implemented.

Mayor Bender opened the floor for public comment and no one came forward so public comment was closed.

PUBLIC HEARING & REGULAR BUSINESS OF MAYOR AND COUNCIL MONDAY, FEBRUARY 27, 2023 PAGE THREE

Mayor Pro Tem Warner made a motion to approve UDO 23-01, 2nd by Council Member Emanuel; voted 6 in favor and 0 opposed, motion approved.

2nd Reading – ORD 2023-04 - Consideration and Action on an Ordinance to Amend Portions of Chapter 6 of the Code of Ordinances of the City of Snellville to Allow for the Issuance of Licenses to Sell Distilled Spirits by the Package Pursuant to the Referendum Vote Conducted November 8, 2022

Mayor Bender opened the floor for public comment and no one came forward so public comment was closed.

Council Member Emanuel made a motion to approve ORD 2023-04, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved.

CONSENT AGENDA

None

OLD BUSINESS

None

NEW BUSINESS

Consideration and Action on Amendment of the Planning and Development Fee Schedule [Bender]

Mayor Bender advised that the amendments include changes to the Short Term Rental License fee and the addition of the Package Store fees.

Council Member Schulz made a motion to approve the Planning and Development Fee Schedule, 2nd by Council Member Emanuel; voted 6 in favor and 0 opposed, motion approved.

Consideration and Action on Surplus of Police Vehicles and Equipment [Bender]

Council Member Lenski made a motion to approve the surplus of the listed equipment, 2nd by Council Member Emanuel; voted 6 in favor and 0 opposed, motion approved.

The following items are surplused:

- 1. Police Unit 249 2016 Range Rover Evoque SALVR2BG3GH091819
- 2. Police Unit 175 2008 Dodge Charger 2B3KA43H88H285912
- 3. Police Unit 176 2008 Dodge Charger 2B3KA43HX8H285930
- 4. Kustom Raptor RP1 Radar Serial Number RP01183
- 5. DragonEye / LaserAlly Laser Serial Number 10398
- 6. Pro III Lasers (11 in total) Serial Numbers: PL11037, PL14695, PL14728, PL14741, PL17905, PL22564, PL22832, PL22842, PL22844, PL22854, PL34244

Mayor's Nomination and Council Confirmation of James Toney to Downtown Development Authority Post 5 with an Expiration Date of June 30, 2024 [Bender]

Mayor Bender nominated James Toney to Post 5 of the DDA, confirmed by Council 6 in favor and 0 opposed, nomination confirmed.

PUBLIC HEARING & REGULAR BUSINESS OF MAYOR AND COUNCIL MONDAY, FEBRUARY 27, 2023 PAGE FOUR

COUNCIL REPORTS

Council Members Destang, Schulz, Emanuel and Mayor Pro Tem Warner each gave a report.

MAYOR'S REPORT

Mayor Bender gave a report.

PUBLIC COMMENTS

The following people spoke:
Norman Cater, 2777 Nathaniel Way, Grayson.
Ann LaFavor, 35 Patterson Road, Suite 465293, Lawrenceville.
Catherine Hardrick, 2280 Buckley Trail, Snellville.
Tricia Rawlins, 2088 Harbour Oaks Drive, Snellville.
Michael Kulp, 1879 Harbour Oaks Drive, Snellville.

EXECUTIVE SESSION

None

ADJOURNMENT

Council Member Emanuel made a motion to adjourn, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 8:24 p.m.

Barbara Bender, Mayor

Melisa Arnold, City Clerk

Agenda Item Summary



Date: March 6, 2023

Prepared by: Matthew Pepper

Agenda item: Consideration and Action on the project to reconstruct a 350-foot section of the Pate Lake Wall at Briscoe Park.

Background: The City's capital budget includes a project to reconstruct 350 feet of the existing reinforced retaining wall and approximately 300 feet of sidewalk along Pate Lake at Briscoe Park. We received bids from two (2) contractors.

Financial Impact: \$400,150 – we will use \$276,127 from Community Development Block Grant funds; the remaining \$133,023 will come from SPLOST funds.

Recommendation: Approval and award of the contract The Dickerson Group, Inc. in the above amount.

Action requested: VOTE to approve the reconstruction of the lake wall and corresponding sidewalk.

Attachments: Recommendation Letter; Official Bid Tabulation Report.



March 3, 2023

Mr. Matthew Pepper, Assistant City Manager City of Snellville 2342 Oak Road Snellville, GA 30078

RE: City of Snellville Pate Lake Wall Renovation (Re-Bid)

Recommendation of Award

Dear Mr. Pepper:

On March 2, 2023, the City of Snellville received two (2) sealed bids for the Pate Lake Wall Renovation Project Re-Bid. Based on our review of the bids received, it appears that the lowest and best bid is that of The Dickerson Group, Inc. in the amount of **FOUR HUNDRED THOUSAND, ONE HUNDRED FIFTY AND 00/100 DOLLARS (\$400,150.00)**. We have verified contractor references, and deemed The Dickerson Group, Inc. to be qualified to complete the work.

Please feel free to call or email me with any questions regarding our review of the bids received. A copy of the complete bid tabulation report is attached for your review and consideration.

Sincerely,

Jimmy Parker, P.E. Senior Vice President

 $\label{thm:commendation} G:\DOCUMENT\22\C22-015\ Snell ville\ Briscoe\ Park\Bid\ Phase\Bid\ Opening\Recommendation\ Letter_Pate\ Lake\ Wall\ Renovation.docx$

cc: File

City of Snellville Pate Lake Wall Renovation (Re-Bid) March 2, 2023 @ 4:00 PM

BID TABULATION				The Dickerson Group, Inc. Lawrenceville, GA 30043		Multiplex, LLC Duluth, GA 30096	
ITEM#	Description	Units	Est. # of Units	Unit Price Quote	Total for Item	Unit Price Quote	Total for Item
1	Demolition, Removal and Disposal of Existing Walls and Sidewalks	LS	1	\$150,000.00	\$150,000.00	\$205,100.00	\$205,100.00
2	Construction new Reinforced Concrete Retaining Wall along Lake Shore	LF	250	\$755.00	\$188,750.00	\$1,246.00	\$311,500.00
3	Construction New Modular Split Faced Black Wall behind Sidewalk	LF	70	\$175.00	\$12,250.00	\$952.50	\$66,675.00
4	Sidewalk Replacement as Required to Match Existing (Standard Concrete)	SF	1,575	\$22.00	\$34,650.00	\$40.40	\$63,630.00
5	Sediment and Erosion Control	LS	1	\$6,000.00	\$6,000.00	\$70,875.00	\$70,875.00
6	Site Stabilization / Grassing	LS	1	\$8,500.00	\$8,500.00	\$70,000.00	\$70,000.00
TOTAL BID AMOUNT				\$400,150.00		\$787,780.00	

Engineer's Statement: I hereby state that to the best of my knowledge and belief, the above bid amounts are correct and reflect the amounts presented to the City of Snellville on Thursday, March 2, 2023 at 4:00 PM.

PRECISION PLANNING, INC.

Jimmy Parker, P.E., Project Manager