



AGENDA

WORK SESSION
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, OCTOBER 10, 2022

Publication Date: October 6, 2022

TIME: 6:30 p.m.

DATE: October 10, 2022

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 an Ordinance to Amend Portions of Chapter Six 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 6, 2018, to Repeal Conflicting Ordinances, and for Other Purposes [Bender]
- c) Review and Comment of UDO Build to Rent Zoning Categories [Warner]

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

CITY OF SNELLVILLE

STATE OF GEORGIA

ORDINANCE NO. 2022-18

AN ORDINANCE TO AMEND PORTIONS OF CHAPTER SIX 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 6, 2018, TO REPEAL CONFLICTING ORDINANCES, AND FOR OTHER PURPOSES

WHEREAS, a referendum pursuant to O.C.G.A. 3-4-41 was conducted during the _____ special called election and the majority of voters were in favor of allowing retail package sales of distilled spirits in the City of Snellville, Georgia; and

WHEREAS, the Mayor and the Council of the City of Snellville, Georgia is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs and local government;

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. Article II of Chapter 6 of the Code of Ordinances of the City of Snellville is hereby amended by adding the following:

Section 6-48 Additional Application Requirements for Retail Dealers in Distilled Spirits by Package:

(a) Licensed premises' building requirements:

(1) No license to sell distilled spirits by the package shall be effective until the building in which the business will be located is complete, detailed plans of the building and outside premises have been submitted to and approved by the city, and the city has issued a certificate of occupancy for the building. For initial qualification for a license, the applicant must attach to his or her initial application a survey, a rendering of the proposed building, and a site plan. The proposed building shall be subject to final inspection and approval when completed by the building inspector, the fire marshal, the planning director, and shall comply with other ordinances of the city for zoning, storage, parking, buffers and other issues. The proposed building also shall comply with all regulations of the state revenue commissioner and all the laws of the state.

(2) Each building in which the business will be located shall contain sufficient lighting so that the building itself and the premises on all sides of the building shall be readily visible at all times from the front of the street on which the

building is located. The lighting shall reveal the inside retail area of the building and shall reveal all of the outside premises of the building.

(3) The licensed premises shall only be allowed in the following zoning classes: General Business (BG) and Highway Service Business (HSB).

(4) The licensed premises shall not be within 500 yards of another licensee authorized to sell distilled spirits by the package, 100 yards of a house of worship or 130 yards of any school grounds.

(5) The licensed premises must contain a minimum of 10,000 square feet of heated and air-conditioned space. If the licensed premises is a free-standing building, it must be located on property that is a minimum of one-half acre in size with a minimum of 100 feet of frontage.

(6) The licensed premises shall allow ingress and egress for customers and their purchases through a door opening to the outside and facing a public street or public pedestrian area.

(7) The licensed premises must have access to a traffic light either directly from the licensed premises parking lot or through access easements through adjacent properties.

(8) Deliveries shall be made at the rear of the store building and all loading areas, dumpsters, recycling bins, and compactors shall be screened from ground view.

(9) Licensed premises shall not sell lottery tickets, magazines, or cigarettes, cigarette-like devices, or vaping products. Premium cigars and pipes, pipe tobacco and other pipe products are allowed.

(10) The building shall be owned or leased by the applicant, and proof of ownership or lease is required.

(b) *Proof of insurance required:* The applicant for a license to sell distilled spirits by the package shall provide proof of comprehensive general liability insurance, including liquor liability coverage, for the licensed premises with coverage of at least \$2,000,000.00 per occurrence, inclusive of personal injury, bodily injury, death, and property damage, and an umbrella policy with coverage of at least \$2,000,000.00 per occurrence. At the time a license application is submitted, the city will accept as proof of insurance a quote from a reputable insurance company. The applicant may need to ask the insurance company for an extension of the quote. Prior to opening a package store, and thereafter at the time of renewing a license, a licensee must submit a certificate of insurance to the Department of Planning and Development. Failure to do so is cause for revocation of a license.

(c) *Number of licenses to be determined by population:* The city shall issue no more than two license for the retail sale of distilled spirits, until such time as the number of city residents reaches 30,000, as found in the most recent population estimates published by the United States Bureau of the Census or American Community Survey, at which time the city may issue an additional license or licenses so long as thereafter the number of licenses in operation within the city limits at any one time shall not exceed one license to sell packaged distilled spirits for each 10,000 city residents as found in the most recent population estimates published by the United States Bureau of the Census or American Community Survey.

Sec. 6-49. – Application Approval Process for Retail Dealers in Distilled Spirits by Package

(1) upon action of the Mayor and Council, the city shall publish notice of availability of any license(s) to sell distilled spirits by the package in a newspaper of general circulation in the city and state the deadline for filing an application. Such notice shall be published at least once a week for two consecutive weeks. The application deadline shall be at least 20 business days after publication. All applications for a license to sell distilled spirits by the package shall be submitted during business hours to the city manager or his/her designee, who shall mark the application with the time and date received.

(2) Upon the filing of an application, the city manager shall have five business days to review the application and to send a copy of the application to all affected departments of city government to determine compliance with city regulations and laws. Each department notified shall submit a report within 20 business days of receipt of the application to the city manager which states whether there are any objections to the application.

(3) Within 20 business days from the date the city manager receives all department notifications, the city manager shall render a written determination as to whether the application complies with the requirements of this chapter.

(4) The written determination shall be sent by certified mail to the applicant whose application was considered.

(5) If the decision of the city manager is to deny the requested license, then the letter to the applicant shall set forth in reasonable detail the grounds upon which the license is being denied. The letter shall further advise the applicant of the right to appeal the decision to the mayor and city council within 20 business days of the date on which the written decision of the city manager is sent by certified mail.

(6) The city manager or his designee may deny a city license or renewal thereof under this article on any of the following grounds:

- a. Failure to meet state requirements for state license;
- b. Failure to pay all required fees and taxes;
- c. Failure to provide valid information, documents and the like required by this article;
- d. False information in the application or attached documents;
- e. Improper residency of applicant, owner or registered agents;
- f. Failure to post and maintain proper signs and advertisements required in this article;
- g. Failure to meet distance, location or number of business requirements;
- h. Prior convictions as herein provided; or
- i. Failure to meet any other requirements in this article for a license or any other requirement in any other provision of this Code or the Charter.

(7) If the city manager determines that the applicant meets the criteria for a license to sell distilled spirits by the package within the Snellville city limits, but there are more qualified applicants than available licenses, then the city manager shall send a letter by certified mail to the applicant notifying him or her that a licensee or licensees to sell distilled spirits by the package shall be selected by lottery at a meeting of the city

council and of the date, time and place of said meeting. The Mayor and Council shall appoint an independent third party that resides outside the city limits to conduct the lottery.

(8)The letter shall further advise the applicant of the right to appeal the decision to the mayor and city council within 20 business days of the date on which the lottery takes place.

Sec. 6-50. - Both retail sale of package malt beverages and wine and package distilled spirits.

For licensees who wish to operate a business which conducts both the retail sale of package distilled spirits and the retail sale of package malt beverages and wine, in the case of conflict, the provisions of this article regulating the retail sale of package distilled spirits shall prevail, and compliance with those provisions, rather than the provisions applicable to the license permitting the retail sale of package malt beverages and wine, is required

Section 2. Article II of Chapter 6 of the Code of Ordinances of the City of Snellville is hereby amended as follows:

Section 6-36 - Requirement to publish notice of application to sell distilled spirits by consumption on-premises, is hereby amended by deleting the Section in its entirety and replacing the deleted language with the following:

Section 6-36 - Requirement to publish notice of application to sell distilled spirits by package or consumption on-premises,

A notice of each application to sell distilled spirits, whether by a retail package dealer or by consumption on-premises, shall be advertised in the official newspaper of the city, once a week for two weeks immediately preceding consideration of the application.

Section 3. Article II of Chapter 6 of the Code of Ordinances of the City of Snellville is hereby amended by deleting the following language:

Sec. 6-43. - License fee and amount to defray investigative costs to accompany application to sell packages of malt beverages and wine for off-premises consumption.

and replacing the deleted language with the following:

Sec. 6-43. - License fee and amount to defray investigative costs to accompany application to sell packages of distilled spirits, malt beverages and wine for off-premises consumption.

Section 4. Article VII of Chapter 6 of the Code of Ordinances of the City of Snellville is hereby amended as follows:

Section 6-231 - Type of retail establishment, is hereby amended by deleting the following language:

No beer or wine shall be sold at retail except in establishments located in zoning districts in which these establishments are permitted as a conforming use or in districts where an existing establishment exists as a nonconforming use.

and replacing the deleted language with the following:

No distilled spirits, beer or wine shall be sold at retail except in establishments located in zoning districts in which these establishments are permitted as a conforming use or in districts where an existing establishment exists as a nonconforming use.

Section 5. Article VII of Chapter 6 of the Code of Ordinances of the City of Snellville is hereby amended as follows:

Section 6-233 - Hours and days of sale, is hereby amended by deleting the following language:

- (a) No retail license holder holding a license under this article for sale of beer/malt beverages, wine, or both shall furnish, sell or offer for sale any beer/malt beverage or wine except between the hours of 7:00 a.m. until 12:00 midnight Monday through Saturday and 12:30 p.m. until 11:30 p.m. on Sunday.
- (b) No retail license holder shall furnish, sell, or offer for sale any beer/malt beverage or wine at any time in violation of state law, local ordinance or regulation, or special order of the mayor and council.

and replacing the deleted language with the following:

- (a) No retail license holder holding a license under this article for sale of beer/malt beverages, wine, or both shall furnish, sell or offer for sale any beer/malt beverage or wine except between the hours of 7:00 a.m. until 12:00 midnight Monday through Saturday and 12:30 p.m. until 11:30 p.m. on Sunday.
- (b) No retail license holder holding a license under this article for sale of distilled spirits shall furnish, sell or offer for sale distilled spirits, or any other alcoholic beverages, except between the hours of 9:00 a.m. until 10:00 p.m. Monday through Saturday and 12:30 p.m. until 7:00 p.m. on Sunday.
- (c) No retail license holder shall furnish, sell, or offer for sale any distilled spirits/beer/malt beverage or wine at any time in violation of state law, local ordinance or regulation, or special order of the mayor and council.

Section 6. Article IV of Chapter 6 of the Code of Ordinances of the City of Snellville is hereby amended by deleting the following section in its entirety:

Section 6-123 - Excise tax requirements for distilleries selling packaged distilled spirits directly to consumers

There is hereby levied an excise tax computed at the rate of \$0.22 per, excluding fortified wine, and a proportionate tax at the same rate on all fractional parts of a liter, which shall be paid to the governing authority on all packaged distilled spirits sold by distilleries directly to consumers in the City of Snellville. Such tax shall be paid to the planning and development department with a summary of all retail sales on or before the tenth day of the month following. Excise taxes received in the planning and development department after the 20th day of the month shall be charged a ten percent penalty. It shall be unlawful and a violation of this chapter for any distillery to sell or deliver in any manner any distilled spirits to a consumer without collecting said tax.

and replacing the deleted language with the following:

Section 6-123 - Excise tax requirements for retail package sellers and distilleries selling packaged distilled spirits directly to consumers,

There is hereby levied an excise tax computed at the rate of \$0.22 per liter, excluding fortified wine, and a proportionate tax at the same rate on all fractional parts of a liter. which shall be paid to the governing authority on all packaged distilled spirits sold by retail package sellers or distilleries directly to consumers in the City of Snellville. Such tax shall be paid to the planning and development department with a summary of all retail sales on or before the tenth day of the month following. Excise taxes received in the planning and development department after the 20th day of the month shall be charged a ten percent penalty. It shall be unlawful and a violation of this chapter for any retail package sellers or distillery to sell or deliver in any manner any distilled spirits to a consumer without collecting said tax.

Section 7. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 8. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 9. This Ordinance was adopted _____, 2022. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this ____ day of _____, 2022.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

Solange Destang, Council Member

W. Charles Ross, City Attorney

Gretchen Schulz, Council Member

Tod Warner, Council Member

AGENDA



PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, OCTOBER 10, 2022

Publication Date: October 6, 2022

TIME: 7:30 p.m.

DATE: October 10, 2022

PLACE: Council Chambers

- I. CALL TO ORDER
- II. INVOCATION
- III. PLEDGE TO THE FLAG
- IV. CEREMONIAL MATTERS
 - a) Special Presentation by Mike Sabbagh and Troy Adler
 - b) PRO 2022-15 – National Hispanic Heritage Month
- V. MINUTES
Approve the Minutes of the September 12, 2022 Meetings
- VI. INVITED GUESTS
None
- VII. COMMITTEE / DEPARTMENT REPORTS
- VIII. APPROVAL OF THE AGENDA
- IX. PUBLIC HEARING
None
- X. CONSENT AGENDA (Please see *Note)
- XI. OLD BUSINESS

XII. NEW BUSINESS

- a) 1st Reading – ORD 2022-17 - An Ordinance to provide for participation by the City of Snellville (“Participating Employer” or “Employer”) in the Georgia Municipal Employees Benefit System (GMEBS) Life and Health Program, in accordance with and subject to the terms of the GMEBS Life and Health Program Trust Agreement, the GMEBS Life and Health Program Participation Agreement, the Participating Employer’s Declaration Page(s), and the Rules governing the Program, all as authorized and provided by Chapter 5 of Title 47 of the O.C.G.A.; to provide an effective date; to repeal conflicting ordinances; and for other purposes [Bender]
- b) Consideration and Action on Surplus of Police Vehicles and Equipment [Bender]
 1. Police Unit 173 – 2008 Dodge Charger – 2B3KA43H48H285924
 2. Police Unit 191 - 2011 Dodge Charger - 2B3CL1CT1BH579242
 3. Police Unit 195 - 2013 Chevrolet K-9 Tahoe - 1GNLC2E04DR20802
- c) Consideration and Action on Award of the Bid for the Stormwater Drainage Projects – COS20220824 [Bender]
- d) Consideration and Action on Award of the Bid for the Replacement of the Entry Gates at the Police Department – PD20220907 [Bender]
- e) Consideration and Action on Award of the Bid for the Project to Reconstruct a 350-Foot Section of the Pate Lake Wall at Briscoe Park [Bender]

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).

REGULAR BUSINESS & PUBLIC HEARING OF MAYOR AND COUNCIL
MONDAY, OCTOBER 10, 2022
PAGE THREE

- 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.**

CITY OF SNELLVILLE
MEETINGS AND LOCAL EVENTS
OCTOBER 10, 2022

October 10

Council Meeting

Monday, October 10, 2022

6:30 pm Work Session – Conference Room 145, City Hall

7:30 pm Meeting - Council Chambers, City Hall

October 11

Board of Appeals Meeting - CANCELED

Tuesday, October 11, 2022

7:00 pm Work Session – Conference Room 145, City Hall

7:30 pm Meeting - Council Chambers, City Hall

October 15

Extended Snellville Farmers' Market

Saturday, October 15, 2022

9:00 am to 12:00 pm

City Hall Parking Lot

October 16

Broadcast of 10/10/22 Council Meeting

Sunday, October 16, 2022

Watch the broadcast of the 10/10/2022 Council Meeting on Comcast Channel 25 at 6:30 pm

October 17

STAT Board Meeting

Monday, October 17, 2022

6:00 pm – Conference Room 145, City Hall

October 19

DDA Meeting

Wednesday, October 19, 2022

4:00 pm – City Hall Room 259, Second Floor

October 20

DAS & URA Joint Meeting

Thursday, October 20, 2022

4:00 pm – City Hall Room 259, Second Floor

October 22

Fall Festival

Saturday, October 22, 2022

Noon – Towne Green

October 24

Council Meeting

Monday, October 24, 2022

6:30 pm Work Session – Conference Room 145, City Hall

7:30 pm Meeting - Council Chambers, City Hall



CITY OF SNELLVILLE

Proclamation

PRO 2022-15

IN RECOGNITION OF NATIONAL HISPANIC HERITAGE MONTH

WHEREAS, Hispanic Heritage Month takes place September 15 to October 15 every year as a time to recognize and celebrate the many contributions, diverse cultures, and extensive histories of the American Latino and Latinx community; and

WHEREAS, beginning in 1968, Hispanic Heritage Month was originally observed as “Hispanic Heritage Week”, but it was later extended to a month in 1988; and

WHEREAS, since then, Hispanic Heritage Month has been celebrated nationwide through festivals, art shows, conferences, community gatherings, and much more; and

WHEREAS, the month also celebrates the independence days of several Latin American countries, including: Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua on September 15th, Mexico on September 16th, and Chile on September 18th; and

WHEREAS, there are also other holidays that recognize Hispanic contributions such as Virgin Islands-Puerto Rico Friendship Day that is celebrated in the U.S. Virgin Islands; and

WHEREAS, all these engagements allows other cultures to learn and engage in cultural activities which deepen their understanding and allow for empathy, respect and understanding of heritage, identity, and diversity.

NOW, THEREFORE, BE IT PROCLAIMED that I, Barbara Bender, Mayor of the City of Snellville, Where Everybody’s Proud to be Somebody, do hereby join with the City Council and the Citizens of Snellville to recognize and celebrate the American Latino and Latinx Community.

Proclaimed this 10th day October 2022.



ATTEST:

Barbara Bender, Mayor

Dave Emanuel, Mayor Pro Tem

Solange Destang, Council Member

Cristy Lenski, Council Member

Gretchen Schulz, Council Member

Melisa Arnold, City Clerk

Tod Warner, Council Member



WORK SESSION
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, SEPTEMBER 12, 2022

Present: Mayor Barbara Bender, Mayor Pro Tem Dave Emanuel, Council Members Solange Destang, Cristy Lenski, Gretchen Schulz and Tod Warner. 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, Planning and Development Director Jason Thompson, Chief Greg Perry, Captain Zach Spahr, and City Clerk Melisa Arnold.

CALL TO ORDER

Mayor Bender called the meeting to order at 6:31 p.m.

REVIEW REGULAR BUSINESS MEETINGS AND PUBLIC HEARING AGENDA ITEMS

The agendas were reviewed. Council Member Schulz advised she would be removing item “d” from the work session agenda.

REVIEW CORRESPONDENCE

None

CITY ATTORNEY’S REPORT

Attorney Ross report on several items that were discussed at a conference he recently attended and also gave an update on the nuisance abatement at 1589 Beaver Creek Lane.

DISCUSSION ITEMS

Update of Ongoing Projects [Bender]

City Manager Sanders gave an update on the Towne Center as well as other projects.

Discussion about Training Opportunities with Freddie Broome from Georgia Municipal Association [Bender]

Discussion was held about dates Council was available for training. Consensus was to ask Mr. Broome for November 1st or November 10th from 6 p.m. until 9 p.m.

Discussion of Personnel Rules and Regulations Update [Bender]

City Manager Sanders explained that updates were made after discussion with the Assistant City Manager and Department Directors. A memo will be sent out to everyone with an overview of the changes.

Discussion of RS 5 Zoning Category [Schulz]

Item removed by Council Member Schulz

City of Snellville Administration Department

WORK SESSION OF MAYOR AND COUNCIL
MONDAY, SEPTEMBER 12, 2022
PAGE TWO

Discussion of Complaints about Lack of Maintenance/Code Violations of Golf Course Property
[Emanuel]

Mayor Pro Tem Emanuel advised that the weeds on the property are 8 to 10 feet tall. Discussion centered on the fact that it is undeveloped property therefore the City cannot force any type of property maintenance. Mayor Bender said that she would reach out to the property owner about the issue.

EXECUTIVE SESSION

None

Council Member Lenski asked about Mayor and Council participation in the South Gwinnett High School Homecoming parade on November 4th.

ADJOURNMENT

Mayor Pro Tem Emanuel made a motion to adjourn, 2nd by Council Member Lenski; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 7:07 p.m.

Barbara Bender, Mayor

Melisa Arnold, City Clerk



**PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, SEPTEMBER 12, 2022**

Present: Mayor Barbara Bender, Mayor Pro Tem Dave Emanuel, Council Members Solange Destang, Cristy Lenski, Gretchen Schulz and Tod Warner. 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, Planning and Development Director Jason Thompson, Chief Greg Perry, Captain Zach Spahr, and City Clerk Melisa Arnold.

CALL TO ORDER

Mayor Bender called the meeting to order at 7:30 p.m.

INVOCATION

Mr. Johnny Leece gave the invocation.

PLEDGE TO THE FLAG

Captain Spahr led the Pledge of Allegiance.

CEREMONIAL MATTERS

PRO 2022-13 - Snellville Lions Club 70th Celebration Month

Mayor Bender read the proclamation into the record and presented it to members of the Snellville Lions Club.

PRO 2022-14 – Paint Gwinnett Pink

Mayor Bender read the proclamation into the record and presented it to Ms. Cindy Murphy with Gwinnett Medical Center Foundation/Northside Hospital.

MINUTES

Approve the Minutes of the August 22, 2022 Meetings

Mayor Pro Tem Emanuel made a motion to approve the minutes of the August 22, 2022 meetings, 2nd by Council Member Lenski; voted 6 in favor and 0 opposed, motion approved.

INVITED GUESTS

None

COMMITTEE / DEPARTMENT REPORTS

None

PUBLIC HEARING & REGULAR BUSINESS OF MAYOR AND COUNCIL
MONDAY, SEPTEMBER 12, 2022
PAGE TWO

APPROVAL OF THE AGENDA

Council Member Schulz made a motion to approve the agenda, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved.

PUBLIC HEARING

2nd Reading - RZ 22-04 LUP 22-04 – Consideration and Action on Applications by CKK Development Services LLC (applicant) and Larry Garner (property owner) Requesting: a) to Amend the Official Zoning Map for the City of Snellville, Georgia from BG (General Business) District to R-TH (Townhome Residential) District; b) to Amend the Snellville 2040 Comprehensive Plan Future Land Use Map from Commercial Retail to Medium-Density Residential; c) and Request for Variances from the Small Residential Building Standards; Minimum Building Setbacks, and Sidewalk and Planter Strip Requirements for a 27-Unit/Lot Townhome Development on a 3.43± Acre Site Located Adjacent to the Olde Hickory Village Subdivision, 2045-2055-2065-2075 E. Main Street, Snellville, Georgia (Tax Parcels 5059 248, 5059 485, 5059 486, and 5059 487)

Mayor Bender announced the public hearing was already held and called for a vote.

Council Member Warner made a motion to approve LUP 22-04, 2nd by Council Member Lenski. Council Member Warner explained the item was postponed from the last meeting to review some conditions between the Homeowner's Association and the Developer.

The motion was voted 2 in favor and 4 opposed. (Mayor Bender and Council Member Warner voted in favor and Mayor Pro Tem Emanuel and Council Members Schulz, Lenski, and Destang voted in opposition.) Motion failed.

Council Member Warner made a motion to deny LUP 22-04, 2nd by Council Member Lenski.

Mayor Bender asked the applicant Duncan Corley with CKK Development, 270 N. Clayton St., Lawrenceville if he would like to withdrawn the application and after discussion he asked Council to move forward with the vote.

The motion was voted 5 in favor and 1 opposed with Mayor Bender voting in opposition, motion to deny approved.

Attorney Ross advised that no vote is necessary on RZ 22-04 as the zoning being requested is not available since the Land Use Plan (LUP 22-04) amendment did not pass.

CONSENT AGENDA

None

OLD BUSINESS

None

NEW BUSINESS

Consideration and Action on Approval of the Intergovernmental Agreement (IGA) with Gwinnett County for the Pinehurst Road Utility and Roadway Improvements [Bender]

PUBLIC HEARING & REGULAR BUSINESS OF MAYOR AND COUNCIL
MONDAY, SEPTEMBER 12, 2022
PAGE THREE

City Manager Sanders explained that this IGA would allow the City to get additional road paving completed at a lesser cost while Gwinnett County is working on upgrading the water lines in the area.

Council Member Schulz made a motion to authorize Mayor Bender to sign the Intergovernmental Agreement (IGA) with Gwinnett County for the Pinehurst Road Utility and Roadway Improvements, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved.

COUNCIL REPORTS

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

MAYOR'S REPORT

Mayor Bender gave a report.

PUBLIC COMMENTS

The following people spoke:

Don Smith, 2762 Newtons Crest Circle, Snellville.

Latasha and Billie Archer, 1654 Beaver Creek Lane, Snellville.

Kathy Emanuel, 1313 Temple Johnson Road, Loganville.

Sharon Stephenson, 2826 Tyler Dewayne Court, Snellville.

EXECUTIVE SESSION

None

ADJOURNMENT

Mayor Pro Tem Emanuel made a motion to adjourn, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 8:15 p.m.

Barbara Bender, Mayor

Melisa Arnold, City Clerk

AN ORDINANCE

An Ordinance to provide for participation by the City of Snellville (“Participating Employer” or “Employer”) in the Georgia Municipal Employees Benefit System (GMEBS) Life and Health Program, in accordance with and subject to the terms of the GMEBS Life and Health Program Trust Agreement, the GMEBS Life and Health Program Participation Agreement, the Participating Employer’s Declaration Page(s), and the Rules governing the Program, all as authorized and provided by Chapter 5 of Title 47 of the O.C.G.A.; to provide an effective date; to repeal conflicting ordinances; and for other purposes.

WHEREAS, the Participating Employer has determined that it wishes to provide certain employee benefits to its employees by participating in the Georgia Municipal Employees Benefit System Life and Health Program (“GMEBS Life and Health Program” or “Program”) and by making contributions to the GMEBS Life and Health Program Trust Fund (“Trust Fund”); and

WHEREAS, the Participating Employer has reviewed the terms of the GMEBS Life and Health Program Trust Agreement (“Trust Agreement” or “Trust”), which Trust is intended to be a tax-exempt trust established under Internal Revenue Code Section 115 and under the applicable laws of the State of Georgia; and

WHEREAS, the Participating Employer has reviewed the terms and conditions of the GMEBS Life and Health Program Participation Agreement (“Participation Agreement”) and the various forms of coverage and/or benefit plans offered under the GMEBS Life & Health Program; and

WHEREAS, the Participating Employer has reviewed the Declaration Page(s) (“Declaration”) accompanying the GMEBS Life and Health Program Participation Agreement and has completed and will amend, as necessary or required, said Declaration to reflect its elections with respect to employee eligibility requirements and Program benefits that the Participating Employer intends to make available to eligible employees; and

WHEREAS, the Mayor and Council/Commission of the Participating Employer (“Governing Authority”) is authorized by law to adopt this Ordinance, the Trust Agreement, the Participation Agreement, and the Declaration on behalf of the Participating Employer;

NOW, THEREFORE, BE IT ORDAINED by the Governing Authority of the Participating Employer and it is ordained by the authority thereof:

Section 1. The Participating Employer hereby adopts and agrees to be bound by the terms of the following GMEBS Life and Health Program Trust Agreement, the Participation Agreement, and Declaration which are attached hereto and made a part of this Ordinance. The Participating Employer also agrees to be bound by any Program Rules adopted by the GMEBS Board of Trustees (“Trustees”). The Participating Employer further agrees to abide by the terms of any amendments made by the Trustees to the Trust Agreement or the Program Rules.

Section 2. Severability. In the event that any section, subsection, sentence, clause or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the previously existing provisions or the other section or sections, subsections, sentences, clauses or phrases of this Ordinance, which shall remain in full force and effect, as if the section, subsection, sentence, clause or phrase so declared or adjudicated invalid or unconstitutional were not originally a part hereof. The Governing Authority hereby declares that it would have adopted the remaining parts of this Ordinance or retained the previously existing provisions if it had known that such part or parts hereof would be declared or adjudicated invalid or unconstitutional.

Section 3. Approval by Trustees or the Program Administrator. The Participating Employer's Ordinance and Declaration are subject to approval by the Trustees or the Program Administrator. The Trustees or Program Administrator may refuse to approve or may delay the effective date of an Ordinance and Participation Agreement or Declaration that is not in order as determined by the Trustees or the Program Administrator. The Governing Authority of the Participating Employer hereby acknowledges that it is responsible to assure that this Ordinance is adopted and executed by the Participating Employer in accordance with the requirements of applicable law.

Section 4. Effective Date. This Ordinance shall be effective on the date of approval by the Governing Authority or, if later, such other effective date designated by the Trustees below upon approval and acceptance of the signed Ordinance and Declaration.

Section 5. Repeal. All ordinances and parts of ordinances in conflict herewith are expressly repealed.

Approved by the Governing Authority of Snellville, this 24th
day of October, 2022.

Attest:

Signature

Melisa Arnold

City Clerk

Signature

Barbara Bender

Mayor

(SEAL)

Approved:

Signature

W. Charles Ross

Attorney

PROGRAM ADMINISTRATOR'S APPROVAL

The terms of the foregoing Resolution and Participation Agreement are approved on behalf of Georgia Municipal Association, Inc., the Program Administrator of the Georgia Municipal Employees Benefit System.

The effective date of the Employer's participation in the GMEBS Life and Health Program will be _____ [insert date only if the Program Administrator's approved effective date for Employer's participation is later than effective date designated in Section 4 above].

Georgia Municipal Association, Inc., Program Administrator
Georgia Municipal Employees Benefit System

By: _____

Title: Director, Life & Health Services Date: _____

Agenda Item Summary



Date: October 10, 2022

Prepared by: Lt. Rain Nieddu

Agenda item:

Consideration and Action on Surplus of City Vehicles and Equipment

1. Police Unit 173 – 2008 Dodge Charger – 2B3KA43H48H285924
2. Police Unit 191 - 2011 Dodge Charger - 2B3CL1CT1BH579242
3. Police Unit 195 - 2013 Chevrolet K-9 Tahoe - 1GNLC2E04DR208027

Background:

These vehicles have high mileage and multiple mechanical issues that exceed the value of the vehicle. The City will dispose of these by selling them on GovDeals.

Financial Impact:

There is a small cost to list the items on GovDeals, but that is recouped in the sale.

Recommendation:

Approve the surplus of the vehicles and equipment for disposal.

Action requested:

Motion and affirmative vote to approve the listed vehicles and equipment for surplus.

Attachments:

- None



AGENDA ITEM SUMMARY

Date: October 10, 2022

Prepared by: Craig Barton, Director of Public Works

Agenda item: Consideration and Action on Award of Bid for the Stormwater Drainage Projects – PW220824

Background: This is the bid for 10 stormwater drainage projects. These projects will improve the handling of stormwater and reduce our overall inventory of poor infrastructure. A list of the 10 locations and a copy of the bid registry is included.

Financial Impact: The financial impact is one of great importance when taking into consideration our volume of drainage projects that have been identified as being in poor condition. The use of our Stormwater Utility Fee will be put to work. The estimated total for all locations is \$ 1,398,654.50.

Recommendation: We recommend acceptance of the lowest responsive bid received for the total of all projects as listed in the RFP. The 4 bidders were The Dickerson Group, Inc., Tri-Scapes Inc., Site Engineering Inc., and Ranger Environmental LLC.

Action requested: We would like to recommend The Dickerson Group, Inc. be awarded all projects out of the 4 submittals, they were the lowest responsive bidder for the total of all projects.

- A. 2025 Highriggs Lane
- B. 1830-1840 Meadowchase Court
- C. 3060-3065 Oak Meadow Drive
- D. 2747 Oak Meadow Lane
- E. 3155 Pond Ridge Trail
- F. 2221 Westridge Drive
- G. 2281 Westridge Drive
- H. 2963 Williams Place
- I. 2975 FlintRock Way
- J. 2849 Mountain View Road

Attachments:

- Bid Results
- Dickerson Group Price Differences

	CONTRACTOR NAME	CONTRACTOR NAME	CONTRACTOR NAME
	THE DICKERSON GROUP	TRI-SCAPES INC.	SITE-ENGINEERING INC
ADDENDA – YES OR NO	YES	YES	YES
A 2025 Highriggs Lane (Emergency Project)	169,385. ⁰⁰ / ₅₀	231,236. ¹⁶ / ₉₆	276,560. ⁰⁰ / ₀₀
B 1830-1840 Meadowchase Court	280,925. ⁵⁰ / ₅₀	380,476. ⁹⁶ / ₃₄	455,618. ⁰⁰ / ₀₀
C 3060-3065 Oak Meadow Drive	195,194. ⁵⁰ / ₅₀	242,013. ³⁴ / ₈₄	302,332. ⁰⁰ / ₀₀
D 2747 Oak Meadow Lane	63,712. ⁰⁰ / ₀₀	82,037. ⁸⁴ / ₂₀	126,312. ⁰⁰ / ₀₀
E 3155 Pond Ridge Trail	150,053. ⁰⁰ / ₀₀	212,908. ²⁰ / ₉₅	270,132. ⁰⁰ / ₀₀
F 2221 Westridge Drive	67,388. ⁰⁰ / ₀₀	101,692. ⁹⁵ / ₀₃	147,508. ⁰⁰ / ₀₀
G 2281 Westridge Drive	94,710. ⁰⁰ / ₀₀	131,927. ⁰³ / ₀₃	246,702. ⁰⁰ / ₀₀
H 2963 Williams Place	95,320. ⁰⁰ / ₀₀	116,849. ⁰³ / ₇₄	205,730. ⁰⁰ / ₀₀
I 2975 Flintrock Way	222,983. ⁰⁰ / ₅₀	251,646. ⁷⁴ / ₃₆	372,506. ⁰⁰ / ₀₀
J 2849 Mountain View Road	58,983. ⁵⁰ / ₀₀	84,144. ³⁶ / ₀₀	148,845. ⁰⁰ / ₀₀
Totals	\$1,398,654. ⁵⁰ / ₀₀	\$1,834,932. ⁶¹ / ₀₀	2,552,245. ⁰⁰ / ₀₀

I certify that this is a true and accurate record of bids received, opened and read publicly on 9/29/22 at 2:05pm

1. Chris Barton
2. David Gandy
3. David Mitchell

	CONTRACTOR NAME	CONTRACTOR NAME	CONTRACTOR NAME
	Ranger Environmental LLC		
ADDENDA – YES OR NO	NO		
A 2025 Highriggs Lane (Emergency Project)	258,517.30		
B 1830-1840 Meadowchase Court	429,367.23		
C 3060-3065 Oak Meadow Drive	263,549.36		
D 2747 Oak Meadow Lane	103,768.88		
E 3155 Pond Ridge Trail	231,560.87		
F 2221 Westridge Drive	117,953.47		
G 2281 Westridge Drive	161,510.14		
H 2963 Williams Place	143,104.21		
I 2975 Flintrock Way	272,734.64		
J 2849 Mountain View Road	99,751.59		
Totals	\$ 2,081,717.69		

I certify that this is a true and accurate record of bids received, opened and read publicly on 9/29/22 at 2:05pm

1. Chris Banta
2. David Smith
3. David Mitchell

THE DICKERSON GROUP INC.				
TOTAL LF OF PIPE FISCAL YR 2021/22			TOTAL LF OF PIPE FISCAL YR 2022/23	
LF	COST		LF	COST
2,918 LF	\$684,475.00		2,656 LF	\$1,398,654.50
COST PER LF	\$234.56		COST PER LF	\$526.60

Agenda Item Summary



Date: October 10, 2022

Prepared by: Chief Greg Perry

Agenda Item: Consideration and Action on Award of the Bid for the Replacement of the Entry Gates at the Police Department – PD20220907

Background: The Police Department solicited quotes to replace the barrier arms at the Police Department with a more secure sliding gate system. As the quotes were well over the sealed bid amount the project was put out to bid and was advertised in the local newspaper, on the State Procurement website and on the City website. After advertisements, only 1 bid was received and it was well under the two quotes that had been solicited prior to the bid.

Financial Impact: Budgeted amount contract to complete the project. Securing of the police department is considered a public safety initiative. Because of this, the General Fund will not be used, but funds from the School Safety Program will be used for this project.

Recommendation: Award of bid to AllStar Fence in the amount of \$46,336.00 and authorize Mayor Bender to sign the contract.

Action requested: Vote to award bid to AllStar Fence in the amount of \$46,336.00 and authorize Mayor Bender to sign the contract.

Attachments: Bid Tabulation Form

	Contractor	Bid Form Executed	Bid Amount	Notes
1	Allstate Lynchburg Fence, Va	y	46,336. ⁰⁰	Only bid submitted
2				
3				
4				
5				
6				
7				

I certify that this a true and accurate record of bids received, opened and read publicly on 9/28/22 at 2:07 pm

1. Graham J. Simon
2. SPD #13
3. Melissa Arnold

Agenda Item Summary



Date: October 6, 2022

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 five (5) contractors.

Financial Impact: \$204,210 – we will pay this amount from Community Development Block Grant funds.

Recommendation: Approval and award of the contract to Bailey Construction & Landscaping, LLC 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.



September 30, 2022

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

**RE: City of Snellville Pate Lake Wall Renovation
Recommendation of Award**

Dear Mr. Pepper:

On September 29, 2022, the City of Snellville received five (5) sealed bids for the Pate Lake Wall Renovation Project. Based on our review of the bids received, it appears that the lowest and best bid is that of Bailey Construction & Landscaping, LLC in the amount of **TWO HUNDRED FOUR THOUSAND, TWO HUNDRED TEN AND 00/100 DOLLARS (\$204,210.00)**. We have verified contractor references, and deemed Bailey Construction & Landscaping, LLC 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,

A handwritten signature in blue ink, appearing to read 'Jimmy Parker', is written over a light blue circular background.

Jimmy Parker, P.E.
Senior Vice President

G:\DOCUMENT\22\C22-015 Snellville Briscoe Park\Bid Phase\Bid Opening\Recommendation Letter_Pate Lake Wall Renovation.docx

cc: File

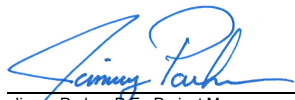
Pate Lake Wall Renovation
City of Snellville
September 29, 2022 @ 4:00 PM

BID TABULATION				Bailey Construction & Landscaping, LLC Loganville, GA 30052		The Dickerson Group, Inc. Lawrenceville, GA 30043		C&S Construction & Consulting, Inc. Jonesboro, GA 30236		Tri Scapes, Inc. Cumming, GA 30041		Ketom Construction Co., Inc. Loganville, GA 30052	
ITEM #	Description	Units	Est. # of Units	Unit Price Quote	Total for Item	Unit Price Quote	Total for Item	Unit Price Quote	Total for Item	Unit Price Quote	Total for Item	Unit Price Quote	Total for Item
1	Demolition, Removal and Disposal of Existing Walls and Sidewalks	LS	1	\$28,166.25	\$28,166.25	\$150,000.00	\$150,000.00	\$143,515.00	\$143,515.00	\$125,040.00	\$125,040.00	\$423,989.00	\$423,989.00
2	Construction new Reinforced Concrete Retaining Wall along Lake Shore	LF	250	\$539.00	\$134,750.00	\$755.00	\$188,750.00	\$325.50	\$81,375.00	\$2,520.00	\$630,000.00	\$1,440.89	\$360,222.50
3	Construction New Modular Split Faced Black Wall behind Sidewalk	LF	70	\$121.00	\$8,470.00	\$175.00	\$12,250.00	\$575.00	\$40,250.00	\$300.00	\$21,000.00	\$400.00	\$28,000.00
4	Sidewalk Replacement as Required to Match Existing (Standard Concrete)	SF	2,425	\$8.85	\$21,461.25	\$12.65	\$30,676.25	\$38.85	\$94,211.25	\$13.50	\$32,737.50	\$43.18	\$104,711.50
5	Sediment and Erosion Control	LS	1	\$9,512.50	\$9,512.50	\$6,000.00	\$6,000.00	\$127,000.00	\$127,000.00	\$127,200.00	\$127,200.00	\$90,260.00	\$90,260.00
6	Site Stabilization / Grassing	LS	1	\$1,850.00	\$1,850.00	\$8,500.00	\$8,500.00	\$82,000.00	\$82,000.00	\$41,600.00	\$41,600.00	\$45,000.00	\$45,000.00
TOTAL BID AMOUNT				\$204,210.00		\$396,176.25		\$568,351.25		\$977,577.50		\$1,052,183.00	

**Figures in red show amounts different from originally submitted Bid Forms.

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, September 29, 2022 at 4:00 PM.

PRECISION PLANNING, INC.


Jimmy Parker, P.E., Project Manager

BID OPENING REPORT
City of Snellville
Pate Lake Wall Renovation
Thursday, September 29, 2022 at 4:00 PM

	E-VERIFY FORM		TOTAL AMOUNT BASE BID
	YES	NO	
CONTRACTOR			
C&S Construction & Consulting, Inc.	X		\$553,558.75
Bailey Construction & Landscaping, LLC	X		\$204,210.00
Ketom Construction Co.	X		\$1,052,181.50
Tri Scapes, Inc.	X		\$977,577.50
The Dickerson Group, Inc.	X		\$396,176.25