



PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, JULY 14, 2025

Present: Mayor Barbara Bender, Mayor Pro Tem Tod Warner, Council Members Norman A. Carter Jr., Kerry Hetherington, Cristy Lenski, and Gretchen Schulz. Also present City Manager Matthew Pepper, Assistant City Manager Mercy Montgomery, City Attorney Tony Powell with Powell and Crowley, Assistant Chief David Matson, Code Enforcement Officer Johnny Greene, 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 7:33 p.m.

INVOCATION

City Attorney Powell gave the invocation.

PLEDGE TO THE FLAG

Ethan from Boy Scout Troup 50 led the Pledge of Allegiance.

CEREMONIAL MATTERS

PRO 2025-13 – Honoring Tim Van Valkenburg

The Proclamation honoring Mr. Van Valkenburg's service was read into the record by Mayor Bender.

APPROVAL OF THE AGENDA

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

MINUTES

Approve the Minutes of the June 9, 2025 Meetings

Council Member Carter made a motion to approve the minutes of the June 9, 2025 meetings, 2nd by Mayor Pro Tem Warner; voted 6 in favor and 0 opposed, motion approved.

INVITED GUESTS

None

COMMITTEE / DEPARTMENT REPORTS

None

City of Snellville Administration Department

2342 Oak Road Snellville, GA 30078 770-985-3500 770-985-3525 Fax www.snellville.org

APPROVAL OF THE AGENDA

Voted on after Ceremonial Matters.

PUBLIC HEARING

1st Reading - SUP 25-02 – Consideration and Action on application by Park Place Snellville, LLC requesting to renew a Special Use Permit approved in Nov. 2022 (case #SUP 22-06) for a 3-story, 33,000 sq. ft. climate controlled self-storage facility on the 1.82 acre site, zoned HSB (Highway Service Business) District located in the Park Place commercial development, 1915 Pharrs Road, Snellville, Georgia (Tax Parcel 5056 362)

Council Member Hetherington made a motion to waive the first reading and place on the July 28th agenda for the second reading, 2nd by Mayor Pro Tem Warner; voted 6 in favor and 0 opposed, motion approved.

1st Reading - SUP 25-03 – Consideration and Action on application by 2440 East Gate Place, LLC requesting a Special Use Permit for an indoor sports facility and variances from the Snellville Unified Development for an existing 12,000 sq. ft. building and adjacent undeveloped lot on a combined 1.72 acre site, zoned BG (General Business) District and located in the TCO (Towne Center Overlay) District, 2430-2440 Eastgate Place, Snellville, Georgia (Tax Parcels 5038 155 and 5038 156)

Council Member Lenski made a motion to waive the first reading and place on the July 28th agenda for the second reading, 2nd by Council Member Carter; voted 6 in favor and 0 opposed, motion approved.

CONSENT AGENDA

Approval of the Flock Camera Lease Agreement for TW Briscoe Park

Mayor Pro Tem Warner made a motion to approve the Consent Agenda, 2nd by Council Member Hetherington; voted 6 in favor and 0 opposed, motion approved.

OLD BUSINESS

None

NEW BUSINESS

Consideration and Action on RES 2025-09 - Resolution for the Municipal General Election for the City of Snellville, Georgia; to Provide for a Municipal Superintendent, Assistant Municipal Superintendents, Absentee Ballot Clerk and Deputy Absentee Ballot Clerks [Bender]

Council Member Schulz made a motion to approve RES 2025-09, 2nd by Council Member Carter; voted 6 in favor and 0 opposed, motion approved. (A copy of RES 2025-09 is attached to and made a part of these minutes.)

1st Reading – ORD 2025-14 - An Ordinance to Amend the Alcoholic Beverage Ordinance (Chapter 6); to Provide for and Amend Ordinances Related to Outside Consumption of Alcohol; to Provide Severability; to Repeal Conflicting Ordinances; to Provide an Effective Date; and for Other Purposes [Bender]

Assistant City Manager Montgomery explained these amendments will address the entertainment district at The Grove.

PUBLIC HEARING & REGULAR BUSINESS OF MAYOR AND COUNCIL
MONDAY, JULY 14, 2025
PAGE THREE

Council Member Schulz made a motion to waive the first reading and place on the July 28, 2025 agenda for the second reading, 2nd by Council Member Lenski; voted 6 in favor and 0 opposed, motion approved.

Consideration and Action on RES 2025-11 – Supporting Amicus Brief in Chang v. Milton Certiorari Appeal [Bender]

Mayor Bender explained this resolution is supporting the City of Milton in regards to a recent judgement against them in a lawsuit.

Council Member Hetherington made a motion to approve RES 2025-11, 2nd by Mayor Pro Tem Warner; voted 6 in favor and 0 opposed, motion approved. (A copy of RES 2025-11 is attached to and made a part of these minutes.)

Consideration and Action on Approval of Surplus of Police Computer Equipment [Bender]

Mayor Bender announced there were 49 laptop computers, 28 desk top computers with monitors, and miscellaneous computer peripherals that will be listed for sale on Govdeals.

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

COUNCIL REPORTS

Council Members Carter, Hetherington, Lenski, Mayor Pro Tem Warner, and Schulz each gave a report.

MAYOR'S REPORT

Mayor Bender gave a report.

PUBLIC COMMENTS

The following people came forward to speak:

Chanda Monroe-Lumpkins, 2225 Wisteria Drive, Snellville.

Cat Hardrick, 2280 Buckley Trail, Snellville.

Janelle Capello, 2263 Ivy Mountain Drive, Snellville

EXECUTIVE SESSION

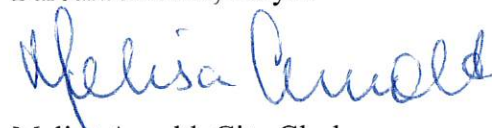
None

ADJOURNMENT

Mayor Pro Tem Warner made a motion to adjourn, 2nd by Council Member Hetherington; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 8:17 p.m.



Barbara Bender, Mayor



Melisa Arnold, City Clerk

STATE OF GEORGIA

CITY OF SNELLVILLE

RESOLUTION 2025-09

A RESOLUTION FOR THE MUNICIPAL GENERAL ELECTION FOR THE CITY OF SNELLVILLE, GEORGIA; TO PROVIDE FOR A MUNICIPAL SUPERINTENDENT, ASSISTANT MUNICIPAL SUPERINTENDENTS, ABSENTEE BALLOT CLERK AND DEPUTY ABSENTEE BALLOT CLERKS.

WHEREAS, the City of Snellville will hold a General Election on Tuesday, November 4, 2025, for the purpose of electing three (3) members of City Council. The Council Posts to be voted on are Post 3, Post 4, and Post 5; and

WHEREAS, this General Election will be held in the Snellville City Hall, located at 2342 Oak Road. The polls will open at 7:00 a.m. and close at 7:00 p.m.; and

WHEREAS, the qualifying period for candidates opens Monday, August 18, 2025, at 8:30 a.m. and closes on Wednesday, August 20, 2025, at 4:30 p.m. The hours of qualifying each day shall be from 8:30 a.m. until 4:30 p.m. Any person desiring to run for this office shall qualify in the office of the City Clerk by filing a Notice of Candidacy; and

WHEREAS, the qualifying fee for Council Post 3, Council Post 4 and Council Post 5 is two hundred, forty dollars (\$240.00); and

WHEREAS, Due to Monday, October 13, 2025 being a State Holiday, Advance Voting for the November 4, 2025, election will start Tuesday, October 14, 2025, and run through Friday, October 31, 2025, with Saturday voting on October 18, 2025, and October 25, 2025. The hours of voting each day shall be 9:00 a.m. until 5:00 p.m.; and

WHEREAS, the voter registration deadline for this election is October 6, 2025; and

WHEREAS, if no candidate receives a majority vote, then a run-off election will be held on
Tuesday, December 2, 2025, at the same location; and

WHEREAS, O.C.G.A. § 21-2-70.1 requires all municipal elections to be conducted by a
municipal superintendent; and

WHEREAS, O.C.G.A. § 21-2-380.1 requires the governing authority of a municipality to
appoint an absentee ballot clerk; and

WHEREAS, the Mayor and Council of the City of Snellville, Georgia, wish to appoint a
municipal superintendent, assistant municipal superintendents, absentee ballot
clerk and deputy absentee ballot clerks;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Snellville
as follows:

Section 1. City Clerk Melisa Arnold is hereby appointed as Municipal
Superintendent and Absentee Ballot Clerk. Regina Hart is appointed as
Assistant Municipal Superintendent and Deputy Absentee Ballot Clerk
and Marquita White and Gabriela Downs are appointed as Deputy
Absentee Ballot Clerks; and

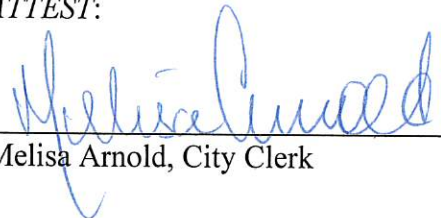
Section 2. City Clerk Melisa Arnold is hereby directed to publish an advertisement in
the legal organ notifying the citizens of the qualifying period and the
qualifying fee.

Section 3. All notices, signage, instructions, ballots, and any other materials related
to the elections referenced above shall be provided in the Spanish
language as well as English.

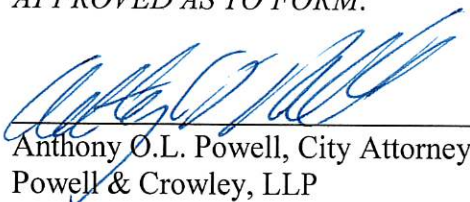
IT IS SO RESOLVED, this 14 day of July, 2025.


[SIGNATURES FOLLOW ON THE NEXT PAGE]

ATTEST:


Melisa Arnold, City Clerk

APPROVED AS TO FORM:


Anthony O.L. Powell, City Attorney
Powell & Crowley, LLP

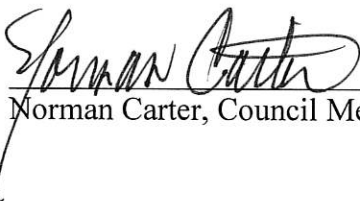

Barbara Bender, Mayor


Tod Warner, Mayor Pro Tem


Cristy Lenski, Council Member


Gretchen Schulz, Council Member


Kerry Hetherington, Council Member


Norman Carter, Council Member

RES 2025-11

**RESOLUTION OF THE CITY OF SNELLVILLE GEORGIA (the "CITY") AUTHORIZING PARTICIPATION
IN AN AMICUS BRIEF IN THE CHANG V. CITY OF MILTON APPEAL PENDING BEFORE THE GEORGIA
SUPREME COURT**

WHEREAS, the Chang v. Milton litigation involves a claim of liability against the City of Milton, Georgia, for personal injuries due to a 2016 vehicle collision with a fixed obstruction (a masonry planter) located on City-owned right of way where the obstruction was outside the motoring lanes of travel;

WHEREAS, the masonry planter had been at the same location since 1992 and had never been the subject of a complaint or prior accident;

WHEREAS, at the trial court, the City of Milton was found to be partially at fault and a jury awarded money damages against the City of Milton of \$35,000,000;

WHEREAS, on September 16, 2024, the Court of Appeals affirmed the findings of the trial court, City of Milton v. Chang, et. al., 373 Ga. App. 667 (2024) (Court of Appeals ruling);

WHEREAS, on June 24, 2025, the Supreme Court of Georgia granted certiorari, Supreme Court docket number S25G0476;

WHEREAS, the Georgia Supreme Court identified three issues upon which it wanted the Parties to focus in their appellate briefing:

1. Is the design and placement of objects on a shoulder of a roadway part of the ministerial duty of a municipality to keep its "streets and sidewalks in a reasonably safe condition" or is it a governmental function? Compare Mayor, Etc., of Dalton v. Wilson, 118 Ga. 100 (44 SE 830) (1903) with Town of Fort Oglethorpe v. Phillips, 224 Ga. 834 (165 SE2d 141) (1968). See generally OCGA § 36-33-1.
2. Is the placement of a planter on the shoulder of a roadway a "defect[]" in the public roads of [the municipality's] municipal street system"? See OCGA § 32-4-93 (a).
3. For municipal immunity to be waived under the circumstances of this case, must the plaintiff show that the municipality violated its ministerial duty to keep its "streets and sidewalks in a reasonably safe condition" and that the planter on the shoulder of the roadway is a "defect[]" in the public roads of [the municipality's] municipal street system"? Please address the interplay between OCGA § 36-33-1 and OCGA § 32-4-93 (a).

WHEREAS, the CITY believes that answers to the above legal questions are of significant value to its citizens and residents;

WHEREAS, the CITY believes that Supreme Court guidance on such questions may lead to the Court of Appeals ruling being overturned

WHEREAS, the CITY believes the Court of Appeals ruling is inconsistent with existing legal precedent; and,

WHEREAS, the CITY believes that it is in the best interests of the health, welfare, and safety of its citizens that the Court of Appeals ruling be reversed and that the questions presented by the Supreme Court be answered in a way that benefits Georgia's' cities.

NOW THEREFORE BE IT RESOLVED, that the CITY does hereby authorize participation in an amicus brief before the Georgia Supreme Court asking that the Court of Appeals ruling be reversed and that the Supreme Court's three proffered questions be answered in a way that is legally advantageous to Georgia's cities. An amicus brief so tendered may include the City's name as a participating party.


This 14, day of July, 2025.



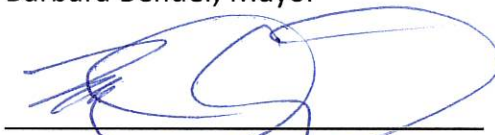
ATTEST:



Melisa Arnold, City Clerk

APPROVED AS TO FORM:


John J. Crowley, City Attorney
Powell & Edwards, Attorneys at Law, P.C.



Barbara Bender, Mayor


Tod Warner, Mayor Pro Tem


Norman A. Carter Jr., Council Member


Kerry Hetherington, Council Member


Cristy Lenski, Council Member


Gretchen Schulz, Council Member

PUBLIC NOTICE
QUALIFYING PERIOD FOR MUNICIPAL ELECTION
CITY OF SNELLVILLE, GEORGIA

Notice is hereby given that the City of Snellville will hold a General Election on Tuesday, November 4, 2025 for the purpose of electing three (3) members of City Council. The posts to be voted on are Post 3, currently held by Cristy Lenski, Post 4 currently held by Gretchen Schulz, and Post 5 currently held by Tod Warner.

The qualifying period for candidates opens Monday, August 18, 2025 at 8:30 a.m. and closes Wednesday, August 20, 2025 at 4:30 p.m. The hours of qualifying each day shall be from 8:30 a.m. until 4:30 p.m. Any person desiring to run for office shall qualify in the office of the City Clerk by filing a Notice of Candidacy. Candidates must pay to the City a qualifying fee of \$240.00 (two hundred forty dollars) for the office of City Councilmember.

Advance Voting for the November 4, 2025, election will be Monday through Friday starting on Tuesday October 14, 2025 through Friday, October 31, 2025, with Saturday voting on October 18, 2025, and October 25, 2025. The hours of voting each day shall be 9:00 a.m. until 5:00 p.m. There will be no advance voting on Monday, October 13, 2025 due to Columbus day.

The voter registration deadline is October 6, 2025 for persons to be eligible to vote in the Municipal General Election and, if necessary, Runoff.

This election will be held in the Snellville City Hall, located at 2342 Oak Road, Snellville, Georgia. The polls will open for the November 4, 2025 General Election at 7:00 a.m. and will close at 7:00 p.m. If no candidate receives a majority vote, then a runoff election will be held on Tuesday, December 2, 2025, at the same location.

Filed this ____ day of July, 2025
Melisa Arnold
City Clerk

NOTA INFORMATIVA
PERIODO DE CALIFICACION PARA ELECCION MUNICIPAL
CIUDAD DE SNELLVILLE, GEORGIA

Se pone en conocimiento del publico que la Ciudad de Snellville llevara a cabo una Eleccion General el martes, 4 de Noviembre 2025 para el proposito de elegir tres (3) miembros de Concejo municipal. Los puestos que seran votados son para el Puesto 3 de momento ocupado por Cristy Lenski, el Puesto 4, de momento ocupado por Gretchen Schulz, y el Puesto 5 de momento ocupado por Tod Warner.

El periodo de calificación abre el lunes, 18 de Agosto 2025 a las 8:30 a.m. y cierra el miércoles, 20 de Agosto 2025 a las 4:30 p. m. Las horas de calificación cada día serán de las 8:30 a.m. hasta las 4:30 p.m. Cualquier persona que desea presentarse como candidato debe calificar en la oficina del Secretario Municipal de la Ciudad con un Anuncio de la Candidatura. Los candidatos deben pagar a la Ciudad una tarifa de doscientos cuarenta dólares (\$240.00) para calificar para el puesto de Concejo.

La votación avanzada para las elecciones del 4 de noviembre 2025 será de lunes a viernes, comenzando el martes 14 de Octubre 2025 hasta el viernes 31 de Octubre 2025, con votación los sábados 18 de Octubre 2025 y 25 de Octubre 2025. El horario de votación cada día será de 9:00 a.m. a 5:00 p.m. No habrá votación avanzada el lunes 13 de Octubre 2025 debido al Día de Colón.

La fecha tope para inscripción de votantes es el 6 de Octubre 2025 para toda la persona elegible para votar en la Elección Municipal General y, si es necesario, la segunda vuelta.

Esta elección se celebrará en el Palacio Municipal de Snellville, localizado en el 2342 Oak Road, Snellville, Georgia. Las urnas se abrirán para la Elección General 4 de Noviembre 2025 a las 7:00 a.m. y cierran a las 7:00 p.m. Si ningún candidato recibe el voto mayoritario una segunda vuelta se tomará el martes, 2 de Diciembre 2025 en el mismo lugar.

Presentado el día ____ de Julio, 2025

Melisa Arnold

Secretario Municipal de la Ciudad