



**PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, FEBRUARY 14, 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 Jay Crowley with Powell and Edwards Attorneys at Law, IT Administrator Erika Fleeman and City Clerk Melisa Arnold.

CALL TO ORDER

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

INVOCATION

Chef Hank Reid gave the invocation.

PLEDGE TO THE FLAG

Members of Boy Scout Troop 50 led the Pledge of Allegiance.

CEREMONIAL MATTERS

None

MINUTES

Approve the Minutes of the January 20, 2022 Special Called Meeting, January 24, 2022 Meetings and the January 29, 2022 Work Retreat

Council Member Destang made a motion to approve the minutes of the January 20, 2022 Special Called Meeting, January 24, 2022 Meetings and the January 29, 2022 Work Retreat, 2nd by Council Member Schulz; 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 for February 14, 2022, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved.

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Mayor Bender explained that the following public hearing items are first reads only and will be waived and placed on the next agenda for public input.

PUBLIC HEARING

1st Reading - UDO 22-01 - Consideration and Recommendation on Proposed Amendments to the Text of the Unified Development Ordinance ("UDO") for the City of Snellville, Georgia ("UDO"), adopted 10-26-2020 and Last Amended 10-25-2021 Affecting: Chapter 100 (General Provisions); Chapter 200 (Zoning and Land Use); and Chapter 400 (Land Development)

Council Member Schulz made a motion to waive the first reading and place on the February 28, 2022 agenda, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved.

1st Reading CP 22-01 – Consideration and Recommendation on a Proposed Amendment to Table 2. Future Land Use Categories and Corresponding Zoning Districts (Page 53) of the Snellville 2040 Comprehensive Plan (Adopted 2-11-2019 and Last Amended 10-26-2020) to Amend the Appropriate and Considered Future Land Use Categories for the RS-5 (Single-Family Residential) District

Mayor Pro Tem Emanuel made a motion to waive the first reading and place on the February 28, 2022 agenda, 2nd by Council Member Lenski; voted 6 in favor and 0 opposed, motion approved.

1st Reading - SUP 22-01 – Consideration and Recommendation on Application by RCG Snellville, LLC Requesting a Special Use Permit to Develop and Operate a Kidney Dialysis Facility for Davita Dialysis Center and Request for Variances From Sec. 205-1 Towne Center Overlay District Requirements of the Snellville Unified Development Ordinance for a Proposed 0.768 Acre Outparcel in the Snellville Oaks Shopping Center, Zoned BG (General Business) District and Located in the Towne Center Overlay District, 2135 E. Main Street, Snellville (p/o Tax Parcel 5038 174)

Council Member Lenski made a motion to waive the first reading and place on the February 28, 2022 agenda, 2nd by Council Member Warner; voted 6 in favor and 0 opposed, motion approved.

1st Reading - RZ 22-01 – Consideration and Recommendation on Application by Alliance Engineering and Planning (Applicant) and PLG Partners, LLC (Property Owner) Requesting to Amend the Official Zoning Map for the City of Snellville, Georgia from BG (General Business) District to OP (Office Professional) District and Request for Variances from the Buffer Requirements for a 2-Story 20,000 Sq. Ft. Office Building Development on a 3.3± Acre Site Located at 2165 North Road, Snellville, Georgia (Tax Parcels 5039 220 and 5039 273)

Mayor Pro Tem Emanuel made a motion to waive the first reading and place on the February 28, 2022 agenda, 2nd by Council Member Warner; voted 6 in favor and 0 opposed, motion approved.

1st Reading - SUP 22-03 – Consideration and Recommendation on Application By Gaganjot Sambi, Member, Balark 19, LLC (Applicant) and Vikram Chaudhary (Property Owner) Requesting a Special Use Permit to Develop and Operate a 4-Story 42,000 Sq. Ft. 82-Room Avid Brand ING Hotel on a 2.15± Acre Tract, Zoned BG (General Business) District and Located at 2785 W. Main Street, Snellville (Tax Parcel 5007 285)

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Council Member Schulz made a motion to waive the first reading and place on the February 28, 2022 agenda, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved.

CONSENT AGENDA

Approval to Grant Access Easement to Oise Law Group for 2870 West Main Street

Consideration and Action on Adoption of the T.W. Briscoe Park Master Plan

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

OLD BUSINESS

None

NEW BUSINESS

2nd Reading - ORD 2022-01 – Amend the Code of Ordinances, City of Snellville, Georgia, Chapter 42 Parks and Recreation; to Provide for Provisions Regarding Special Use Permits for Outdoor Sale and Consumption of Alcoholic Beverages on Park Property [Bender]

Mayor Bender explained that the amendment would allow the Park to sell and serve alcoholic beverages in a controlled environment during special events.

Council Member Lenski made a motion to approve ORD 2022-01, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved.

Mayor's Nomination and Council Confirmation of Lori Ann Spears to Board of Appeals Post 6 with an Expiration Date of 6-30-2023 [Bender]

Mayor Bender nominated Lori Ann Spears to Board of Appeals Post 6 with an Expiration Date of 6-30-2023, confirmed 6 in favor and 0 opposed, nomination confirmed.

Consideration and Action on Approval of the Fiscal Year 2021-2022 Budget Amendment [Bender]

Mayor Bender explained that these amendments are being done for last year's Fiscal Year 2021 budget. City Manager Sanders gave an overview of the budget amendments.

Council Member Warner made a motion to postpone until the February 28, 2022 meeting, 2nd by Council Member Lenski; voted 6 in favor and 0 opposed, motion approved.

Consideration and Action on the Approval of the 2022 Snellville Tourism and Trade Contract [Bender]

Mayor Bender explained that the City contracts with STAT as our Direct Marketing Organization to run City events and promote the City.

Council Member Schulz made a motion to approve the 2022 STAT Contract, 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.

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MAYOR'S REPORT

Mayor Bender gave a report.

PUBLIC COMMENTS

The following people spoke:

Kelly McAloon, 2960 Overwood Lane, Snellville.

Melvin Everson, 1725 Winding Creek Circle, Snellville

Rebecca Mitchell, 3332 Crossing Drive, Snellville

Stephanie McDonald, 1957 Tanglewood Drive, Snellville

EXECUTIVE SESSION

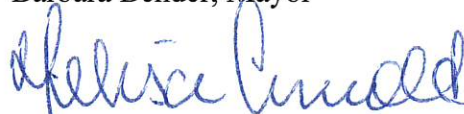
None

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 8:06 p.m.



Barbara Bender, Mayor



Melisa Arnold, City Clerk

STATE OF GEORGIA
CITY OF SNELLVILLE

ORD 2022-01

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF SNELLVILLE, GEORGIA, CHAPTER 42 PARKS AND RECREATION; TO PROVIDE FOR PROVISIONS REGARDING SPECIAL USE PERMITS FOR OUTDOOR SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES ON PARK PROPERTY; TO PROVIDE SEVERABILITY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and

WHEREAS, the Code of Ordinances, City of Snellville, provides for rules and procedures governing the sale and consumption of alcoholic beverages; and

WHEREAS, the Code of Ordinances, City of Snellville precluded the sale and consumption of alcoholic beverages on park property under any circumstances; and

WHEREAS, permitting such sales and consumption during special events would stimulate the utilization of the park properties of the City of Snellville by providing new events for the citizens of the City of Snellville; and

WHEREAS, the amendments contained herein would benefit the health, safety, morals and welfare of the citizens of the City of Snellville.

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

Section 1. That Chapter 42 of the City Code is hereby amended by deleting the language contained in Section 12 in its entirety and replacing said language with the following:

Sec. 41-12. – Illegal drugs, alcoholic beverages

- (a) It shall be unlawful for any person to possess, use, or consume any illegal drug in a recreation facility or on park property.
- (b) It shall be unlawful for any person to possess, use, or consume any alcoholic beverage in a recreation facility or on park property except as permitted under Section 6-196 of the Code of Ordinances of the City of Snellville, Georgia.
- (c) It shall be unlawful for any person to be under the influence of any alcoholic beverage or illegal drug in a recreation facility or on park property.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Snellville.

Section 4. (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 5. Penalties in effect for violations of Chapter 1 of the Code of Ordinances, City of Snellville, Georgia at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

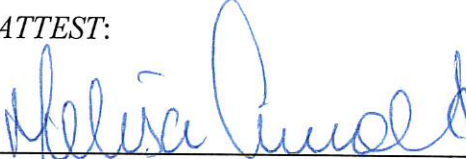
Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 7. This Ordinance was adopted August 12, 2019, the effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.


[SIGNATURES APPEAR ON FOLLOWING PAGE]

ORDAINED this 14 day of February, 2022.

ATTEST:


Melisa Arnold, City Clerk

APPROVED AS TO FORM:


W. Charles Ross, City Attorney
Powell & Edwards, Attorneys at Law, P.C.



Barbara Bender, Mayor



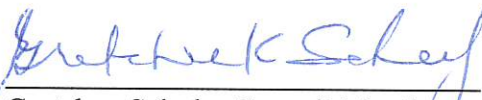
Dave Emanuel, Mayor Pro Tem



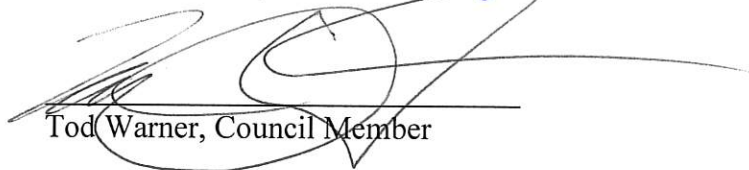
Solange Destang, Council Member



Cristy Lenski, Council Member



Gretchen Schulz, Council Member



Tod Warner, Council Member