



PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, JULY 10, 2023

Present: Mayor Pro Tem Tod Warner, Council Members Solange Destang, Dave Emanuel, Cristy Lenski, and Gretchen Schulz. (Mayor Barbara Bender was absent.) Also present City Manager Butch Sanders, Assistant City Manager Matthew Pepper, Assistant City Attorney Jay Crowley with Powell and Edwards Attorneys at Law, Chief Greg Perry, IT Administrator Erika Fleeman and City Clerk Melisa Arnold. (City Attorney Chuck Ross was absent.)

Since Mayor Bender was absent, Mayor Pro Tem Warner chaired the meeting.

CALL TO ORDER

Mayor Pro Tem Warner called the meeting to order at 7:30 p.m.

INVOCATION

Former Council Member Bobby Howard gave the invocation.

PLEDGE TO THE FLAG

Council Member Emanuel led the Pledge of Allegiance.

CEREMONIAL MATTERS

None

MINUTES

Approve the Minutes of the June 12, 2023 Meetings

Council Member Emanuel made a motion to approve the minutes of the June 12, 2023 meetings, 2nd by Council Member Destang; voted 4 in favor and 1 abstention with Council Member Lenski abstaining because she was absent from that meeting, motion approved 5 in favor and 0 opposed. (Per Article II, Division 1, Section 2-47 of the Code of Ordinances, an abstention shall be counted as an affirmative vote.)

INVITED GUESTS

Mayor Pro Tem Warner introduced Britt Elementary Principal Melissa Madsen who spoke about the track and recess field at the school.

COMMITTEE / DEPARTMENT REPORTS

None

APPROVAL OF THE AGENDA

Council Member Lenski made a motion to approve the agenda with the addition of item “c” Consideration and Action on Approval of RES 2023-10 - Resolution To Provide For An Extension Of Time To Study The Changes Necessary To The Unified Development Ordinance Of The City Of Snellville Related To The Regulation Of “CBD Stores” and item “d” Consideration and Action on Approval of RES 2023-11 - Resolution To Provide For A Study Regarding The Changes Necessary To The Unified Development Ordinance Of The City Of Snellville Related To The Regulation Of Medical Cannabis Dispensaries, 2nd by Council Member Destang; voted 5 in favor and 0 opposed, motion approved.

PUBLIC HEARING

Provide Citizens the Opportunity to Submit Written and Oral Comments on the Proposed 2023 Millage Rate

Mayor Pro Tem Warner opened the floor to public comment and no one came forward so Mayor Pro Tem Warner closed public comment.

1st Reading - RZ 23-03 SUP 23-02 – Consideration and Recommendation on applications by Split Silk Properties, LLC (applicant) representing Highpoint Development (contract purchaser) and The Kroger Company (property owner) requesting: to amend the Official Zoning Map from BG (General Business) District to MU (Mixed-Use) District; and Special Use Permit and variances from the Unified Development Ordinance for a mixed-use development consisting of 300 stacked flat units, 28 single-family residential townhomes, and 51,000 sq. ft. of commercial/retail buildings on a 22.85± acre site located at the intersection of U.S. Hwy. 78 (Athens Hwy.) and Rosebud Rd., 1000 Hwy. 78, Snellville, Georgia (Tax Parcel 5100 065)

Council Member Schulz made a motion to waive the first reading and place on the July 24, 2023 agenda for the second reading, 2nd by Council Member Emanuel; voted 5 in favor and 0 opposed, motion approved.

1st Reading - RZ 23-04 – Consideration and Recommendation on application by B. H. Johnson, B. J. Longenecker, and L. J. Yates (property owners) requesting to amend the Official Zoning Map from RS-30 (Single-family Residential) District to RS-15 (Single-family Residential) District to subdivide the existing 1.044± acre undeveloped property into two lots, 2625 Beverly Lane, Snellville, Georgia (Tax Parcel 5027 001B)

Council Member Emanuel made a motion to waive the first reading and place on the July 24, 2023 agenda for the second reading, 2nd by Council Member Destang; voted 5 in favor and 0 opposed, motion approved.

CONSENT AGENDA

None

OLD BUSINESS

None

NEW BUSINESS

Consideration and Action on Approval of Contract for Construction of The Hall at The Grove [Warner]

Mayor Pro Tem Warner explained that this item was on the agenda in case there was an issue with the approval by the Downtown Development Authority. The DDA approved it with no changes therefore no action is necessary.

Consideration and Action on Approval of a Work Place Wellness Policy [Warner]

City Manager Sanders explained that the policy is part of a continued effort to benefit employee's health as well as allow the City to qualify for additional grant funding. Council Member Emanuel made a motion to approve the Wellness Policy, 2nd by Council Member Schulz; voted 5 in favor and 0 opposed, motion approved.

Consideration and Action on Approval of RES 2023-10 - Resolution to Provide or an Extension of Time to Study the Changes Necessary to the Unified Development Ordinance of the City of Snellville Related to the Regulation of "CBD Stores"

Mayor Pro Tem Warner explained this would extend the current moratorium by six months to the date of January 23, 2024.

Council Member Schulz made a motion to approve RES 2023-10, extension of the moratorium on CDB stores to January 23, 2023, 2nd by Council Member Emanuel; voted 5 in favor and 0 opposed, motion approved. (A copy is attached to and made a part of these minutes.)

Consideration and Action on Approval of RES 2023-11 - Resolution to Provide for a Study Regarding the Changes Necessary to the Unified Development Ordinance of the City of Snellville Related to the Regulation of Medical Cannabis Dispensaries

Mayor Pro Tem Warner explained that with the recent legislative change that would allow dispensaries under certain guidelines this moratorium is needed to give the City time to review our Code to make sure there are provisions in place to address this type of business.

Council Member Lenski made a motion to approve RES 2023-11 to provide for a six-month moratorium to January 10, 2024 to study the changes necessary to the Unified Development Ordinance of the City of Snellville related to the regulation of medical cannabis dispensaries, 2nd by Council Member Emanuel; voted 5 in favor and 0 opposed, motion approved. (A copy is attached to and made a part of these minutes.)

COUNCIL REPORTS

Council Members Destang, Lenski, Schulz, and Emanuel each gave a report.

MAYOR'S REPORT

Mayor Pro Tem Warner gave a report.

PUBLIC COMMENTS

The following people spoke:

Kelly McAloon, 2916 Overwood Lane, Snellville.

Tricia Rawlins, 2088 Harbour Oaks Drive, Snellville.

Denise Mitchell, Gwinnett County Tax Commissioner

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Norman Carter, 2777 Nathaniel Way, Garyson.
Catherine Hardrick, 2280 Buckley Trail, Snellville.

EXECUTIVE SESSION

None

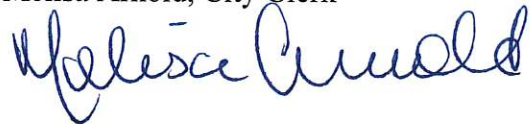
ADJOURNMENT

Council Member Emanuel made a motion to adjourn, 2nd by Council Member Destang; voted 5 in favor and 0 opposed, motion approved. The meeting adjourned at 8:30 p.m.

Tod Warner, Mayor Pro Tem

A handwritten signature in blue ink, appearing to read 'Tod Warner', with a long horizontal flourish extending to the right.

Melisa Arnold, City Clerk

A handwritten signature in blue ink, appearing to read 'Melisa Arnold', written in a cursive style.

STATE OF GEORGIA

CITY OF SNELLVILLE

RES 2023-10

RESOLUTION TO PROVIDE FOR AN EXTENSION OF TIME TO STUDY THE CHANGES NECESSARY TO THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF SNELLVILLE RELATED TO THE REGULATION OF “CBD STORES”

WHEREAS, Cannabidiol (“CBD”) and Cannabis-based products are largely unregulated under the law; and

WHEREAS, the health impacts of CBD and Cannabis-based products are largely unknown; and

WHEREAS, issues surrounding the regulation of stores which sell Cannabis-based products or CBD (CBD Stores) continue to be one of a complicated nature; and

WHEREAS, the Unified Development Ordinance of the City of Snellville has not been updated to address these issues; and

WHEREAS, ON JANUARY 23, 2023, the Mayor and Council enacted a Moratorium on the issuance and acceptance of any permits or applications for CBD Stores for a period of six months which will end at 12:00 AM on July 23, 2023; and

WHEREAS, although the City of Snellville has diligently worked to study these issues, the complex nature of the issues will require additional time to complete the study; and

WHEREAS, the Mayor and Council believe it is in the best interest of the Citizens of Snellville to extend the Moratorium in order to continue to study the current status of the Unified Development Ordinance in relation to CBD Stores; therefore

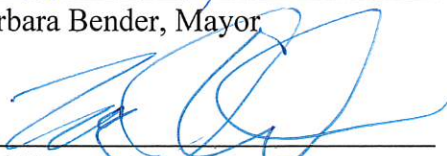
BE IT RESOLVED, by the Mayor and Council of the City of Snellville that the existing Moratorium on the issuance or acceptance of any permits or applications related to CBD Stores in the City of Snellville be extended for a period on six (6) months, terminating at 12:00 AM on January 23, 2024.

SO RESOLVED this 10th day of July, 2023.

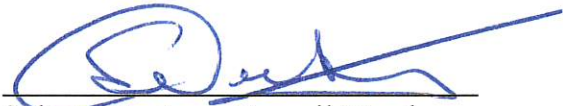
[SIGNATURES ON THE FOLLOWING PAGE]

(Absent)

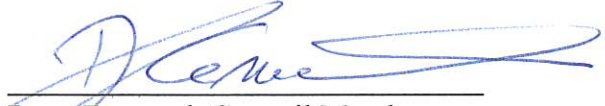
Barbara Bender, Mayor



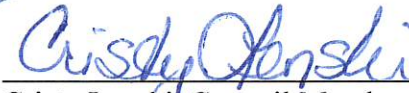
Tod Warner, Mayor Pro Tem



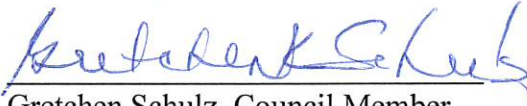
Solange Destang, Council Member



Dave Emanuel, Council Member




Cristy Lenski, Council Member



Gretchen Schulz, Council Member

ATTEST:



Melisa Arnold, City Clerk

APPROVED AS TO FORM:



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

John J.
Crowley

STATE OF GEORGIA

CITY OF SNELLVILLE

RES 2023-11

**RESOLUTION TO PROVIDE FOR A STUDY REGARDING THE CHANGES
NECESSARY TO THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF
SNELLVILLE RELATED TO THE REGULATION OF MEDICAL CANNABIS
DISPENSARIES**

WHEREAS, In May, 2023, the State of Georgia issued its first license to allow for the dispensing of “Low THC Oil and Products.” (Medical Cannabis); and

WHEREAS, issues surrounding the regulation of Medical Cannabis dispensaries is of a complex nature; and

WHEREAS, the Unified Development Ordinance of the City of Snellville has not been updated to address these issues; and

WHEREAS, the Mayor and Council believe it is in the best interest of the Citizens of Snellville to study the current status of the Unified Development Ordinance in relation to Medical Cannabis Dispensaries; therefore

BE IT RESOLVED, by the Mayor and Council of the City of Snellville that the Planning and Zoning Department will conduct a study to investigate the current status and proposed necessary changes to the Unified Development Ordinance of the City of Snellville in regard to Medical Cannabis Dispensaries in the City of Snellville. For the purpose of this moratorium, a “Medical Cannabis Dispensary” shall be defined as any business who dispenses Medical Cannabis under a license granted by the State of Georgia or the Georgia Access to Medical Cannabis Commission. This shall specifically include low THC oil and products regulated under O.C.G.A. Title 16, Chapter 12, Article 9.

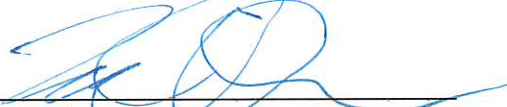
During the study period, the Department of Planning and Zoning is hereby directed not to issue any permits or accept any applications for “Medical Cannabis Dispensaries” in the City of Snellville. Said study shall begin at 12:00 AM on July 10, 2023, and concludes at 12:00 AM on January 10, 2024.

SO RESOLVED this 10th day of July, 2023.

[SIGNATURE APPEAR ON THE FOLLOWING PAGE]

(Absent)

Barbara Bender, Mayor



Tod Warner, Mayor Pro Tem



Solange Destang, Council Member



Dave Emanuel, Council Member

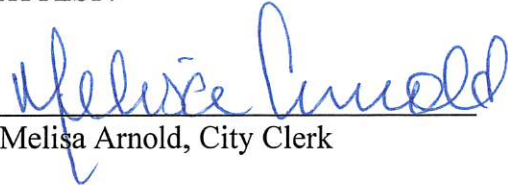


Cristy Lenski, Council Member



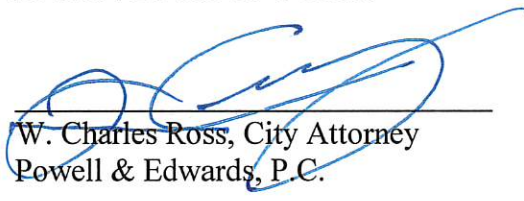
Gretchen Schulz, Council Member

ATTEST:



Melisa Arnold, City Clerk

APPROVED AS TO FORM:



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

John J.
Clowley