



PUBLIC HEARING & REGULAR BUSINESS MEETING  
OF MAYOR AND COUNCIL  
CITY OF SNELLVILLE, GEORGIA  
MONDAY, AUGUST 12, 2024

Present: Mayor Pro Tem Tod Warner, Council Members Norman A. Carter Jr., Kerry Hetherington, Cristy Lenski, and Gretchen Schulz. (Mayor Barbara Bender was absent.) Also present City Attorney Chuck Ross with Powell and Edwards, City Manager Matthew Pepper, Assistant City Manager Mercy Montgomery, Chief Greg Perry, Planning and Development Director Jason Thompson, Public Information Officer Brian Arrington, IT Administrator Erika Fleeman and City Clerk Melisa Arnold.

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**

Bobby Howard gave the invocation.

**PLEDGE TO THE FLAG**

Council Member Carter led the Pledge of Allegiance.

**CEREMONIAL MATTERS**

None

**MINUTES**

Approve the Minutes of the July 22, 2024 Special Called Meetings and the July 22, 2024 Public Hearing & Regular Business Meeting

Council Member Carter made a motion to approve the minutes of the July 22, 2024 Special Called Meetings and the July 22, 2024 Meetings, 2<sup>nd</sup> by Council Member Hetherington; voted 5 in favor and 0 opposed, motion approved.

**INVITED GUESTS**

None

**COMMITTEE / DEPARTMENT REPORTS**

None

**APPROVAL OF THE AGENDA**

Council Member Lenski made a motion to approve the agenda with the addition of New Business item "d" Consideration and Action on Approval of a Settlement Agreement Between Former City Manager Russell Treadway and the City of Snellville, 2<sup>nd</sup> by Council Member Carter; voted 5 in favor and 0 opposed, motion approved.

**PUBLIC HEARING**

1<sup>st</sup> Reading - CIC 24-01 - Application by John Gaskin, Patrick Malloy Communities (applicant) and Ballantry PMC Summit Chase LLC (property owner) requesting a Change in Conditions from the 4-26-2021 approved rezoning from RS-30 to the RO District (Case #RZ 21-02 LUP 21-02 and Ordinance No. 2021-10) approved for a 21-Lot (age-restricted) single-family detached residential subdivision (Soleil Summit Chase) on a 5.58± acre tract located at the intersection of Rosebud Road and Temple Johnson Road, 3491 Rosebud Road, Snellville (Tax Parcel 5094 327)

Council Member Schulz made a motion to waive the first reading and place on the August 26, 2024 agenda for a second reading and public hearing, 2<sup>nd</sup> by Council Member Carter; voted 5 in favor and 0 opposed, motion approved.

1<sup>st</sup> Reading - CIC 24-02 – Consideration and Recommendation on application by John Gaskin, Patrick Malloy Communities (applicant) and Ballantry PMC Summit Chase LLC (property owner) requesting a Change in Conditions (#CIC 24-02) from the 6-10-2019 approved rezoning from RS-180 to R-HOP(55)-SF District (case #RZ 19-02 and Ordinance No. 2019-09) approved for a 257-Lot (age-restricted) single-family detached residential subdivision (Soleil Summit Chase) on a 75.29± acre tract located at the intersection of Rosebud Road, Temple Johnson Road, and Brushy Fork Road, Snellville (Tax Parcels 5099 231, 5099 232, and 5094 326)

Council Member Lenski made a motion to waive the first reading and place on the August 26, 2024 agenda for a second reading and public hearing, 2<sup>nd</sup> by Council Member Carter; voted 5 in favor and 0 opposed, motion approved.

**CONSENT AGENDA**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

2<sup>nd</sup> Reading – ORD 2024-08 – Consideration and Action on an Ordinance to Amend Portions of Chapter 62 of the Code of Ordinances of the City of Snellville to Amend Inconsistencies and Allow Change in Fees by Resolution, to Repeal Conflicting Ordinances, and for Other Purposes [Bender]

Mayor Pro Tem Warner gave a brief overview of the amendment.

Council Member Lenski made a motion to approve ORD 2024-08, 2<sup>nd</sup> by Council Member Schulz; voted 5 in favor and 0 opposed, motion approved. (A copy of ORD 2024-08 is attached to and made a part of these minutes.)

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Consideration and Action on RES 2024-14 - Adoption of Updated Stormwater Utility Fee Structure [Bender]

Mayor Pro Tem Warner explained that the City has an aging stormwater infrastructure and the cost of maintaining it has continued to rise over the last several years. In order for the City to maintain the stormwater system a fee increase is being considered.

Council asked questions of City Manager Pepper.

Council Member Lenski made a motion to approve RES 2024-14, 2<sup>nd</sup> by Council Member Carter; voted 5 in favor and 0 opposed, motion approved. (A copy of RES 2024-14 is attached to and made a part of these minutes.)

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

Council Member Schulz made a motion to approve the surplus, 2<sup>nd</sup> by Council Member Hetherington; voted 5 in favor and 0 opposed, motion approved.

The following vehicles were surplus:

Police Unit 125 – 2008 Ford Crown Victoria – 2FAFP71V98X154945

Police Unit 243 – 2019 Volkswagen Jetta – 3VWC57BUXKM110381

Consideration and Action on Approval of a Settlement Agreement Between Former City Manager Russell Treadway and the City of Snellville [Warner]

Mayor Pro Tem Warner explained that Mr. Treadway was the City Manager from 2008 until 2012. City Attorney Ross explained this settlement is related to a clause in his contract that referenced being vested in the City retirement plan before the normal 5-year clause.

Council Member Lenski made a motion to approve the settlement agreement between with City of Snellville and Russell Treadway in the amount of \$67,347.47 and authorize the Mayor to execute the contract, 2<sup>nd</sup> by Council Member Hetherington; voted 5 in favor and 0 opposed, motion approved.

**COUNCIL REPORTS**

Council Members Carter, Hetherington, Lenski, and Schulz each gave a report.

**MAYOR'S REPORT**

Mayor Pro Tem Warner gave a report.

**PUBLIC COMMENTS**

The following people came forward to speak:

Kenneth Faulks Sr, 1323 Temple Johnson Rd., Loganville.

Rose Purdy, 2270 Burlington Lane, Snellville.

Barry Wiggs, 2210 Stockton Walk Lane, Snellville.

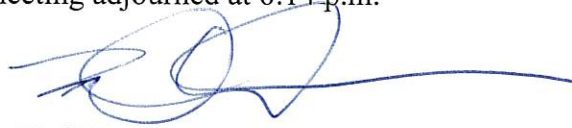
**EXECUTIVE SESSION**

None

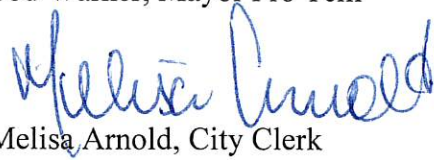
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**ADJOURNMENT**

Council Member Hetherington made a motion to adjourn, 2<sup>nd</sup> by Council Member Carter; voted 5 in favor and 0 opposed, motion approved. The meeting adjourned at 8:14 p.m.

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

Tod Warner, Mayor Pro Tem

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

Melisa Arnold, City Clerk

CITY OF SNELLVILLE

STATE OF GEORGIA

ORDINANCE NO. 2024-08

AN ORDINANCE TO AMEND PORTIONS OF CHAPTER 62 OF THE CODE OF ORDINANCES OF THE CITY OF SNELLVILLE TO AMEND INCONSISTENCIES AND ALLOW CHANGE IN FEES BY RESOLUTION, TO REPEAL CONFLICTING ORDINANCES, AND FOR OTHER PURPOSES

WHEREAS, the City of Snellville is in the process of updating its stormwater user fee schedule; and

WHEREAS, the City of Snellville has found an inconsistency in its ordinance that it would like to clear up; and

WHEREAS, the Mayor and the Council of the City of Snellville, Georgia deems it in the best interest of the safety and welfare for the citizens;

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

**Section 1.** Section 62-87, subsection (d) and (e) of the Code of Ordinances is hereby deleted in its entirety and replaced with the following:

“(d) Subject to the exemptions provided for in section 62-92 and the credits provided for in section 62-93, the stormwater user fee, or any changes thereto, shall be established by adoption of a resolution of the mayor and council.”

**Section 2.** (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 3.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

**Section 4.** This Ordinance was adopted Aug. 12, 2024. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this 12 day of Aug., 2024.

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Barbara Bender, Mayor

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Tod Warner, Mayor Pro Tem

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Cristy Lenski, Council Member

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Kerry Hetherington, Council Member

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Gretchen Schulz, Council Member

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Norman Carter, Council Member

ATTEST:

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Melisa Arnold, City Clerk

APPROVED AS TO FORM:

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W. Charles Ross, City Attorney



STATE OF GEORGIA  
CITY OF SNELLVILLE

RES 2024-14

WHEREAS, Stormwater control, monitoring and system maintenance has been a City government responsibility since legislatively mandated by federal and state government; and

WHEREAS, the City of Snellville formed a stormwater utility to help defray the great cost of such mandate and set an initial fee for residential and commercial properties in 2008; and

WHEREAS, only one fee increase occurred in 2016 while the number and the cost of needed system repairs has greatly increased as our stormwater infrastructure has aged and eroded over that time; and

WHEREAS, a Fee Study was conducted to assist the City with proposing a rate that will collect sufficient revenue to finance the expenses related to the operation and maintenance of the system; and

WHEREAS, it has become necessary to set new fees at a fair level that gives the City a reasonable opportunity to maintain our system, whereby the health, safety and welfare of our citizenry is protected.

NOW THEREFORE, be it ordained and resolved that a new stormwater utility fee structure is adopted as follows:

Tier 1 (Residential  $\leq$  2850 sq. ft.) = \$93.75

Tier 2 (Residential 2851-4750 sq. ft.) = \$125.00

Tier 3 (Residential  $>$  4750 sq. ft.) = \$156.25

Commercial (All) = \$125.00 per 3800 sq. ft.

[SIGNATURES APPEAR ON NEXT PAGE]



SO RESOLVED this 12 day of August 2024.

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Barbara Bender, Mayor

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Tod Warner, Mayor Pro Tem

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Cristy Lenski, Council Member

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Kerry Hetherington, Council Member

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Gretchen Schulz, Council Member

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Norman Carter, Council Member

ATTEST:

Melisa Arnold  
Melisa Arnold, City Clerk

APPROVED AS TO FORM:

W. Charles Ross  
W. Charles Ross, City Attorney