

**CITY OF SUGAR HILL
COUNCIL MEETING MINUTES
MONDAY, MAY 8, 2006
7:30 PM COMMUNITY CENTER
1166 CHURCH STREET, SUGAR HILL**

Call to Order – by Mayor Pirkle at 7:35 p.m. Present were Mayor Gary Pirkle, Mayor Pro Tem Nick Thompson, Council Members Marc Cohen, Steve Edwards, Mike Sullivan and Clint Thompson. Also present were City Manager Bob Hail, City Clerk Jane Whittington and City Attorney Lee Thompson.

Pledge of Allegiance to the Flag

Invocation – By Mayor Pirkle

Approval of Agenda - to add Agreement between the City and Precision Planning to design the park on Austin Garner Road. Council Member Marc Cohen motioned to approve the amended agenda. Council Member Edwards seconded the motion. Approved 5-0.

Approval of Minutes - Minutes Council Meeting April 10, 2006 – Council Member Edwards motioned to approve the minutes as written. Council Member Sullivan seconded the motion. Approved 5-0.

City Attorney's Report - City Attorney Lee Thompson had no report for regular session.

Council Reports

Council Member Mike Sullivan reported that the first Annual Easter Egg Hunt was a success. There were a few glitches but they will be worked out before the event occurs next year. There was a large crowd and we ran out of eggs. Next year we will anticipate a larger crowd and be more prepared.

Council Member Steve Edwards reported on the Fall Festival. The sub committees are having regular meetings where they come together and discuss progress and make sure that they are on the same page. This year they are adding a rock climbing wall, bungee jump, parade, chili cook off, arts and crafts and car show. Applications and rules for these events are available on the city's website. Entertainment has already been booked and is full. This year the 5K race will begin at 3:00 p.m., instead of in the morning. The route of the race has also been changed. For the 4th of July the movie will be Shark Boy and Lava Girl, there will be fireworks and the band is Fishtank. He reminded Council that Up the River Outfitters will be having a ribbon cutting Saturday, May 20th with a float up the river after the ceremony.

Council Member Nick Thompson reminded everyone that the DDA will meet Tuesday, May 30th at 6:30 p.m. at the Community Center. He thanked Council Member Sullivan for the Easter Egg Hunt and stated that it was a new and fresh idea. They had no idea that there would be that large of a turnout. The DDA will be reviewing and working on the Architecture of the fence surrounding the cemetery on West Broad Street. They are working with Pastor Lee and the First Baptist Church and hope to have a design by the Fall Festival.

Council Member Marc Cohen stated that there is a lot of positive momentum going on in the City right now. The City is moving in a positive direction. Mother's Day is coming up and Memorial Day where everyone will be spending time with their families. Please remember to honor the veterans who fought and died for our country to make democracy possible. Graduation is coming up and school will be letting out. We need to be more careful with the children out. For the second time he felt he needed to apologize for members of the Planning & Zoning Board. What they do as appointed and elected officials reflect on the citizens. For Planning & Zoning in the month of April 38 construction permits were issued, 212 building inspections were performed and 11 erosion control inspections were performed.

Council Member Clint Thompson had no report.

Mayor's Report – Mayor Gary Pirkle reminded everyone that on May 10th the City will have a Clean Up Day for everyone south of Hwy. 20. The north side of Hwy. 20 was picked up last week on May 3rd. It is a great opportunity to get rid of extra trash. Mother's Day is coming up May 14th. The first movie of this series will be Friday, May 19th at E.E. Robinson Park amphitheatre. This will be the first movie put on by the City's Recreation Department. We are no longer using a third party.

City Clerk's Report – The Clerk's office issued 21 new Businesses Licenses in the month of April. Out of the 21, 11 were home occupations and 10 were zoned for business use. The 2006 renewals process is complete. For property taxes the millage rate for the City of Sugar Hill will be set in June and the property tax bills will be sent from Gwinnett County in July. The bills contain both the County's and the City's tax amounts due. Public Hearings will be scheduled to allow public input. There are several positions open for the City. Please check out website for postings. Anyone interested in these positions please send your resumes to me at City Hall or via email jwhittington@cityofsugarhill.com. City Hall and all City offices will be closed Monday, May 29th for Memorial Day.

City Manager's Report – See Attachment #1

Consent Agenda

Unfinished Business

Citizens and Guests Comments

New Business:

Mayor Pirkle signed the Agreement between the City of Sugar Hill and Precision Planning to design the park on Austin Garner Road.

PUBLIC HEARING, VAR-06-003, Alan Densmore, 622 North Price Road., Current Zoning HM1, Requesting to Reduce the 43,560 SF minimum lot area to 40,000 SF – The City Manager explained the application. The Public Hearing was opened and explained why they are asking for the variance. The

property is zoned correctly but there are not enough square feet to qualify. It was rezoned years ago. No one spoke in opposition and the Public Hearing was closed. Council Member Cohen motioned to approve the Variance request. Council Member Clint Thompson seconded the motion. Approved 5-0.

PUBLIC HEARING, AX-06-002, Ben Nash, Roberts Ridge Development, Roberts Road, 17.34 Acres, Current Zoning R-75 & RA-200, Requesting to annex and rezone to RS-100 – City Manager explained the annexation application request. The staff recommends approval with conditions. The Public Hearing was opened and Mike Magahey spoke for the applicant Ben Nash. The applicant will perform a traffic study if that is what the Council wants. Sharon Strewby, 4020 Westbrook Road, asked that a fence be put up along her property to protect her organic farm. Garland Hitchcock, 4115 Hillcrest Glen Court, asked that a red light be installed for safety. He lives across the street from this proposed neighborhood and they are concerned about safety. He also asked that they create a bur in the front of the neighborhood because his subdivision is lower. They should put shrubs, trees and a fence. The fence is one of the staff conditions. Council Member Edwards expressed concerns about the traffic on Buford Highway. Council Member Nick Thompson motioned to approve AX-06-002 with staff conditions changing #17 to state organic farm not just rural area; Council Member Marc Cohen seconded for discussion. He requested to add #18 to require a traffic study. Council Member motioned to approve with this amendment. Council Member Cohen seconded the motion. Approved 4-1 with Council Member Edwards voting nay.

PUBLIC HEARING, SUP-06-002, Kwon Sik Shin, 385 Brogdon Road. 1.1 Acres, Private School to provide English and Music Lessons – The City Manager explained the application. The staff recommends approval with the condition limiting the students and teachers to 24. The Public Hearing was opened and the applicant was not present and no one spoke in opposition so the hearing was closed. Council Member Cohen motioned to approve SUP-06-002 with staff condition. Council Member C. Thompson seconded the motion. Approved 5-0.

NOA-06-01, Administrative Appeal to M&C for State Water Delineation, Harold Trip, Mill Creek Investments Associates, LLC, 5360 Sycamore Rd. After considerable discussion between the Mayor and Council, the City Manager and representing the applicant Mr. Mitch Peavey and Alex Mitchum; Council Member Cohen motioned to table this. The Mayor stated that we need to bring a third party such as the state to determine if this is state waters. Council Member Edwards seconded the motion. Approved 4-1 with Council Member Sullivan voting nay.

Resolution – Municipal-Gwinnett Planning Commission City Representative – Council Member Cohen motioned to approve the Resolution as written naming the voting delegate as the City Manager, the Director of Planning & Development or the City Planner. Council Member Sullivan seconded the motion. Approved 5-0.

Executive Session: Legal, Real Estate and/or Personnel: Council Member Edwards motioned to enter Executive Session at 9:25 p.m. Council Member Sullivan seconded the motion. Approved 5-0. The meeting was reconvened and no action was taken out of Executive Session.

Adjournment: Council Member Cohen motioned to adjourn at 9:55 p.m. Council Member C. Thompson seconded the motion. Approved 5-0.

Gary Pirkle, Mayor

Jane Whittington, City Clerk