

**CITY OF SUGAR HILL  
COUNCIL MEETING MINUTES  
MONDAY, FEBRUARY 13, 2006  
7:30 PM COMMUNITY CENTER  
1166 CHURCH STREET, SUGAR HILL**

**Call to Order by Mayor at 7:30 p.m.** Present were Mayor Gary Pirkle, Mayor Pro Tem Nick Thompson and 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** – Council Member Edwards motioned to amend the Agenda by Tabling items 7 and 8 under Unfinished Business, and adding item #11 authorizing staff to obtain drawings and location sites for marquees for Sugar Hill city limits. The information should be brought back to the Council by the next Work Session. The City Attorney stated that the applicant for items 7 and 8 sent a letter requesting that they be allowed to withdraw without prejudice. These items will have to be left on the Agenda and voted on.

Council Member Cohen motioned to amend and approve the Agenda leaving items 7 and 8 on and adding item 11. Council Member Edwards seconded the motion. Approved 5-0.

**Approval of Minutes** - Minutes of the Council Meeting January 9, 2006 were approved as written. Council Member N. Thompson motioned to approve the minutes. Council Member Edwards seconded the motion. Approved 5-0.

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

### **Council Reports**

**Council Member Clint Thompson** had no report.

**Council Member Marc Cohen** reported that he appreciated everyone getting together this past Saturday for the first Mayor and Council retreat. They got a lot accomplished and there was a lot of momentum to move forward. This next month they will discuss plans and mechanisms to gain citizen input. So if you are interested in getting more involved in the City there will be more opportunities. February and March will be the Heroes Campaign for the American Red Cross. Over the past year there has been a lot of tragedy and devastation in Florida and Mississippi due to Katrina and Rita. There have also been disasters in California and internationally. What the Heroes Campaign does is collect money in Gwinnett for Gwinnett. When someone's house burns down the American Red Cross is one of the first to respond bringing vouchers for food and hotels. During the month of March the Gwinnett Chapter of American Red Cross strives to raise about \$100,000 to be used only in Gwinnett. Last year there were several families in Gwinnett that were helped. He asked everyone to please donate whatever they can. Makes checks out to American Red Cross and deliver them to Jane

Whittington at City Hall or to Customer Service. For Planning and Zoning they issued 93 construction permits last month, 231 building inspections, 54 erosion control inspections and 53 new house permits.

**Mayor Pro Tem Nick Thompson** reported that one member of the Downtown Development Authority is present tonight, Dawn P. Gober. He thanked 5 of the 6 DDA Members for being present at the Work Session last week. This months meeting will be the last Tuesday of the month February 28<sup>th</sup> at 6:30 p.m. at the Community Center. It has been advertised and is a combination meeting with the Mayor and Council. They will discuss goals and direction and basically the next step for the DDA.

**Council Member Steve Edwards** reported that at the Work Session the Council talked about the Fall Festival Committee meeting that will be held February 23<sup>rd</sup>, 7:00 p.m. at the Community Center. They are still looking for high level volunteers that have a vested interest in seeing the Fall Festival be successful. Some of the new ideas added to this years Festival will be a parade, chili cook off, car show and performances by the local schools choruses and bands. The Sugar Hill Business Alliance will meet Wednesday, February 15<sup>th</sup> at 7:00 p.m. at the Community Center. He also recognized members of the Golf Course Steering Committee Barry Pugh Chairman, Bill Johnsa, and Dr. Steven Sloan. The golf course has come a long way since the water is no longer being put there.

**Council Member Mike Sullivan** reported that there will be an Easter Egg Hunt the day before Easter. Stay tuned for more details.

**Mayor's Report – Mayor Gary Pirkle** reported that the Council did attend the retreat this past weekend and he felt it was a good starting point. They found some common ground and more details will be forthcoming in the next few months. The bid documents for the Austin Garner Park will be reviewed at the March meeting.

**City Clerk's Report – City Clerk Jane Whittington** had no report.

**City Manager's Report – See Attachment #1**

Annexation February Planning Commission, March Council Meeting, **AX-06-001**, Tax Parcel: 7-364-003, Tara Home, Mohsen Sameie, 2.59 Acres, 6380 Suwanee Dam Rd., 4 units, RS-150 with conditions.

**Consent Agenda**

1. **Soil Erosion and Sedimentation Control Ordinance**
2. **Soil Erosion & Sedimentation Control Maintenance/Performance Bond**
3. **Municipal Court Ordinance Amendment**
4. **Amended CDBG Subrecipient Agreement**
5. **Land Donation, 3-D Investments, .73 Acre**

Mayor requested that the City Manager explain the Consent Agenda items. Council Member Cohen motioned to approve the Consent Agenda. Council Member N. Thompson seconded the motion. Approved 5-0.

**Unfinished Business**

**PUBLIC HEARING AX-05-010**, Tax Parcel: 7-321-018 & 028, Jarod A. "Jay" Stephens request to annex and rezone 2.87 acres to HSB with a Special Use Permit for a landscaping business. Property

located at 5442 GA Hwy 20 and currently zoned R-75 in Gwinnett County. - Schultz explained the application. It was on the December Agenda but was tabled because the City received a letter from Gwinnett County and by State law you have to meet with them to discuss it. The staff recommends approval with 10 conditions. There are 2 variances requested. The Public Hearing was opened and the applicant made a presentation and explained their business. No one spoke in opposition so the Public Hearing was closed. Council Member Cohen motioned to approve AX-05-010 with the 10 staff conditions. Council Member Sullivan seconded the motion. The motion was denied 2-3 with Council Members Edwards, C. Thompson and N. Thompson voting nay. The Mayor and Council discussed reasons why the project was not approved and alternatives. Council Member Edwards motioned to table AX-05-010 for 30 days. Council Member C. Thompson seconded the motion. Approved 5-0.

**PUBLIC HEARING RZ-05-010**, Tax Parcel: Portion of 7-291-029, Clay Kirkley, PCH Development request to rezone 15.13 acres on Peachtree Industrial Blvd. to RS-100/PRD Medium Density Single Family Residential Development for 59 Single Family Units. Currently zoned RS-100 Medium Density Single-Family District and LM Light Manufacturing District. - Schultz  
**PUBLIC HEARING RZ-05-009**, Tax Parcel: Portion of 7-291-029, Clay Kirkley, PCH Development requesting to rezone 3.41 acres on Peachtree Industrial Blvd. to BG (General Business) for Commercial/Retail Use, currently zoned LM (Light Manufacturing) – Schultz  
Council Member Cohen motioned to allow the applicant of RZ-05-010 and RZ-05-009 to withdraw without prejudice as requested. Council Member Edwards seconded the motion. Approved 5-0.

### **Citizens and Guests Comments**

Ron Johnson congratulated Marc Cohen in reaching his second level of certification through Georgia Municipal Association. He has completed 72 hours of training.

Rosanna Teta, 271 Double Gate Ct., asked the Council to please prepare a proclamation for Brett Weerrbach who helped to apprehend a man and his wife that had been burglarizing cars and garages in their neighborhood. He blocked the exit to the neighborhood until the police arrived and they were arrested.

### **New Business:**

**PUBLIC HEARING RZ-05-014**, Tax Parcel: 7-272-418 & 027, Gwinnett County Habitat for Humanity, 4758 Sylvan St., request to rezone .32 Acre to RS-100, property currently zoned MH – Schultz explained the application and how it was changed from a rezoning request to a variance request. They are requesting a variance to allow site built homes in mobile home zoning. The Public Hearing was opened and Charles Greg, President of Gwinnett Habitat for Humanity explained how they build their homes and sell them to qualified applicants interest free. They are built by volunteers with the exception of electrical, plumbing and HVAC. The applicant has to buy the home and they agree to volunteer to help build other homes. They have to qualify and be able to pay. They are proposing to build two site homes on this lot at 1600 square feet each. They will not have a garage but will have parking in the rear of the home. Dawn Gober owns lots on this street and has no opposition to these homes being built here. Ron Johnson reminded Council that lots on this street were previously zoned for duplexes. They will improve the home and the area. There was no opposition to the case so the Public Hearing was closed. Council Member N. Thompson asked Ms. Lee if they are in the

process of handling the well on this location. She stated that they are in the process of capping and locking the well.

Council Member Cohen motioned to approve RZ-05-014 as presented to the Council by staff. Council Member Edwards seconded the motion. The motion was approved 3-2 with C. Thompson and N. Thompson voting nay.

**Ordinance 2006 Zoning Map** – Schultz explained that his Ordinance is to re-adopt the Zoning Map incorporating the changes made this year. The Public hearing was opened and there were no comments from the public or opposition so the Public Hearing was closed. Council Member Cohen motioned to approve the Ordinance to adopt the 2006 Zoning Map. Council Member Sullivan seconded the motion. Approved 5-0.

**Direction on Marques** – direct the City Manager to come back to the Council at the March Work Session with ideas for designing marquees appropriate for a “sense of community” design. The signs are to be scaled to the location and placed on all major corridors. The City Manager is to fund from contingency with a maximum of \$5,000 for the drawings.

**Executive Session: Legal, Real Estate and/or Personnel:** Council Member Cohen motion to enter Executive Session at 8:52 p.m. Council Member Sullivan seconded the motion. Approved 5-0.

The meeting was reconvened at 9:30 p.m. and no action was taken out of Executive Session.

**Adjournment:** Council Member Edwards motioned to adjourn. Council Member Sullivan seconded the motion. Approved 5-0.

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Gary Pirkle, Mayor

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Jane Whittington, City Clerk