

City of Sugar Hill Council Meeting
Monday November 13, 2000
7:30 PM Community Center

The City of Sugar Hill City Council held its regular council meeting on Monday November 13, 2000 at 7:30 PM. The meeting was held in the Community Center located at 4988 West Broad Street.

Notice of the meeting was placed on the doors of city hall and the community center. Notice was posted on the board located at Peachtree Industrial Blvd and Alton Tucker Blvd. Notice was also sent to the local news media.

Those present at the meeting included Mayor Roberta Crabb, Mayor Pro-Tem Gary Pirkle, Council Members Meg Avery, Chris Abbey, Kim Hall and Michael Mosley. Also present were City Attorney Lee Thompson, City Manager Frank Ginn and City Clerk Shirley Gibbs.

**CALL TO ORDER, PLEDGE OF ALLEGIANCE TO THE FLAG,
INVOCATION:**

Mayor Crabb called the meeting to order at 7:30 PM and led the Pledge of Allegiance to the Flag. Mayor Pro-Tem Pirkle gave the Invocation.

APPROVAL OF AGENDA:

Mayor Pro-Tem Pirkle made a motion to amend the agenda to include pending litigation in the Executive session. Council Member Abbey made the second. Motion passed unanimously 5-0.

APPROVAL OF 10/10/2000 MINUTES:

Council Member Abbey made a motion to approve the minutes of the October 10, 2000 minutes. Council Member Hall made the second. Motion passed unanimously 5-0.

OLD BUSINESS:

A: ADOPT CITY OF ETHICS ORDINANCE:

Council Member Avery explained that the council had adopted the City of Ethics Resolution at last month's council meeting and now they needed to adopt the Ordinance in order for the city to be certified as a city of ethics. She made the motion that the city adopts the City of Ethics Ordinance. Council Member Hall made the second. Motion passed unanimously 5-0.

B: BMX TRACK UPDATE:

Council Member Avery discussed correspondence from City Manager to ABA with no response. Council Member Avery stated that the city had waited long enough to get a response from the ABA on upgrading the BMX track. She asked the city attorney to find out if the city has any contractual obligation to the ABA, and if so could he assist in its termination. No other action was taken.

**CITIZENS AND GUESTS COMMENTS:
THERE WERE NO COMMENTS FROM CITIZENS OR GUESTS.**

NEW BUSINESS:

A: RATIFICATION OF FINAL PLATS: WILD TIMBER PHASE 5A, 33 LOTS AND RIVERSIDE WALK UNIT III, PHASE II 43 LOTS:

Planning Director Jim Osborn stated these were the final plats for Wild Timber Phase 5A and Riverside Walk Unit III, Phase II. City staff had signed off the plats, the maintenance bonds have been posted and now they needed to be ratified by the council. Council Member Hall made the motion to ratify the final plats for Wild Timber Phase 5A and Riverside Walk Unit III, Phase II. Mayor Pro-Tem Pirkle made the second. Motion passed unanimously 5-0.

B: PUBLIC HEARING RZ-00-005: TAX PARCEL ID 7-306-067 B & B PROPERTIES, INC is requesting to rezone 0.45 acres off Sycamore Road. The parcel is currently zoned RS-100 and the applicant is requesting a zoning classification of BG(General Business District). At this time there is no proposed use for the property.

Council Member Mosley made the motion to enter into Public Hearing for RZ 00-005 B & B Properties, Inc. Council Member Hall made the second. Motion passed unanimously 5-0. Planning Director Jim Osborn explained that the Planning Commission had recommended approval with the following conditions: No outside storage of any material associated with the commercial use shall be permitted on site. A concept plan shall be submitted prior to a site plan to ensure proper access to the site and adequate parking and a zero foot buffer abutting the residential property to the north. Citizens and guests making comments included Rose Payne, Hope Curtis and the owners of the property Herbert and Marie Bruce. Council Member Mosley made a motion to return to regular session. Council Member Avery made the second. Motion passed unanimously 5-0. Council Member Hall made a motion to approve the rezoning to BG with the recommendations of the Planning Commission with the exception of the buffer zone which should be no less than 20 feet to the north of the adjoining property. Council Member Mosley made the second. Motion did not pass; the vote was 2-3(Hall and Mosley in favor of the motion, Abbey, Avery and Pirkle opposed to the motion.) Discussion was held on having the applicant withdraw his rezoning request in order for them to be able to bring it back before the Planning Commission. If the motion is denied, it will be six months before they can bring it back for a rezoning or one year for the same rezoning. Mayor Pro-Tem Pirkle made a motion to deny the rezoning; there was no second so he withdrew the motion. The petitioner withdrew his request for a rezoning, Council Member Abbey made a motion to allow the petitioner to withdraw and they would entertain a motion at a later date as long as it had a stated use and the petitioner would not be charged the rezoning fees only the cost of the legal advertisements as required for a period of up to one year. Mayor Pro-Tem Pirkle made the second. Motion passed unanimously 5-0.

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**C: ACCEPT ANNEXATION APPLICATION AX-00-005:
DUTTON, CASE INVESTMENTS/ROBERT DENYSE, JR
TAX ID 7-255-068, 069 LOCATED OFF BROGDON ROAD AND
CURRENTLY ZONED M-1 IN THE COUNTY. THEY ARE
REQUESTING AN HM-1ZONING:**

Planning Director Osborn stated this was an application for annexation. Dutton, Case would be using the property for engineered lumber such as I beams and trusses. Robert Denyse would have a sand blasting company. Council Member Abbey made the motion to accept the annexation application. Mayor Pro-Tem Pirkle made the second. Motion passed unanimously 5-0.

**D: SET DATE FOR PUBLIC HEARING ON BUDGET/SET DATE FOR
ADOPTION OF BUDGET:**

City Manager Ginn stated the council needed to set a date for the Public Hearing on the Budget and a date for adoption of the budget. Council Member Abbey made a motion to set Monday November 27, 2000 as the date to have a budget work session. The meeting will start at 6:00 PM in the Community Center. Public Hearing on the budget can be held at the next council meeting and can be adopted at a called meeting. Council Member Hall made the second. Motion passed unanimously 5-0.

CITY ATTORNEY'S REPORT: No report.

COUNCIL REPORTS: Council Members Abbey, Hall and Mosley had no report.

Mayor Pro-Tem Pirkle reported that the DOT would be holding a meeting on Comprehensive Transportation Plan on Wednesday November 15, 2000 at the GJAC building in Lawrenceville and invited everyone to attend.

Council Member Avery wished everyone a safe and peaceful Thanksgiving Holiday.

MAYOR'S REPORT: No report.

CITY CLERK'S REPORT: No report.

CITY MANAGER'S REPORT: City Manager Ginn reported that nine streets had been patched and were ready to be resurfaced. Renovations at city hall were going well, customer service would be moving into the old post office. He had received a letter from the Justice Department stating that the ADA compliant had been resolved and they were closing the case.

**EXECUTIVE SESSION: TO DISCUSS PERSONNEL MATTERS AND
PENDING LITIGATION:**

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Council Member Mosley made the motion to enter Executive Session to discuss personnel matters and pending litigation. Mayor Pro-Tem Pirkle made the second. Motion passed unanimously 5-0.

Council Member Abbey made the motion to return to regular session. Council Member Hall made the second. Motion passed unanimously 5-0.

NO ACTION WAS TAKEN OUT OF EXECUTIVE SESSION

ADJOURNMENT: Council Member Hall made the motion to adjourn the meeting. Mayor Pro-Tem Pirkle made the second. Motion passed unanimously 5-0. Meeting adjourned at 8:35 PM.

Date Approved _____

Mayor

ATTEST:

City Clerk