

City of Sugar Hill Council Meeting

Monday July 9, 2001

7:30 PM Community Center

The City of Sugar Hill held its regular Council Meeting on Monday July 9, 2001 at 7:30 PM in the Community Center.

Notice of the meeting was placed on the doors of City Hall and the Community Center.

Notice was placed on the board at Alton Tucker Blvd and Peachtree Industrial Blvd.

Notice was sent to the local news media.

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

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

Mayor Crabb called the meeting to order at 7:30 PM and led the Pledge of Allegiance to the Flag. Council Member Gary Pirkle gave the Invocation.

APPROVAL OF AGENDA:

Council Member Pirkle made the motion to approve the Agenda. Council Member Mosley made the second. Motion passed unanimously 5-0.

APPROVAL OF 6/11/2001 & 6/28/2001 MINUTES:

Council Member Pirkle made the motion to approve the minutes of the June 11, 2001 and June 28, 2001 meetings. Council Member Avery made the second. Motion passed unanimously 5-0.

OLD BUSINESS:

**A: PUBLIC HEARING RZ-01-001 G.A. WALLACE CO. INC
MAP REFERENCE #7-291-030 14.0683 ACRES. G.A. WALLACE
CO., INC REQUEST TO REZONE FROM RS-150 TO RS-100:**

Council Member Pirkle made the motion to enter into Public Hearing for RZ-01-001. Mayor Pro-Tem Abbey made the second. Motion passed unanimously 5-0. Planning Director Jim Osborn explained this item had been tabled last month in order for the applicant to obtain information from the Gwinnett County DOT and the Gwinnett County School Board about the impact this subdivision would have on traffic on Level Creek Road and at the school. The applicant had done everything the Planning Commission had requested regarding the lot size, house size, moving the entrance to the subdivision and reducing the number of houses from 39 to 33. The applicant had not been able to contact the school board because they were out of the office and only returned on Monday July 9th. Discussion was held regarding turn lanes, decel lanes, moving of utility poles, who should be responsible for acquiring property for the required turn lanes or decel lanes. Council Member Hall made the motion to exit Public Hearing. Council Member Avery made the second. Motion passed unanimously 5-0. Council Member Hall made the motion to deny this rezoning request and leave it at the RS150

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zoning. Mayor Pro-Tem Abbey made the second. Motion passed on a vote of 4-1. Council Member Mosley was opposed.

CITIZENS AND GUESTS COMMENTS:

THERE WERE NO COMMENTS FROM CITIZENS OR GUESTS.

NEW BUSINESS:

A: FY 2000 AUDIT REPORT:

Auditor Wayne Bowen gave an overview of the Audit for fiscal year 2000. The gas utility showed a gross profit margin of 37% for the year 2000. Gross profit margin is defined as gas sales price minus gas cost and before operating expenses are subtracted. This gross profit is down from 1998 and 1999. He felt the city was in good financial standing. He reported there were some new laws going into effect that the city would have to comply with. There was discussion between the council and the auditor about items in the different funds and the new laws. No action was needed on this item.

B: AUDITOR CONTRACT:

City Manager Hail stated that because of GASB 34 and the Chart of Accounts affecting subsequent budgets and the fact that Mr. Bowen was familiar with the finances of the city, he was recommending that he be retained as the Auditor for next year and has the option of a second year. Council Member Mosley made the motion to keep Mr. Bowen as the Auditor. Mayor Pro-Tem Abbey made the second. Motion passed unanimously 5-0.

C: FY 2001 BUDGET ADJUSTMENT:

City Manager Hail reported he and Finance Director Kelley Canady needed to make some adjustments to the budget for it to be balanced. He also wanted to transfer some money out of the checking account into the money market account and add a revenue line to the budget for interest income. Council Member Hall made the motion to authorize the city manager to move the funds as stated. Mayor Pro-Tem Abbey made the second. Motion passed unanimously. 5-0

D: GAS UTILITY REPORT:

City Manager Hail had been asked by the council to prepare a report on the gas system. He reported the price per therm for June was lower than any of the other marketers in the area. Others items in the report included the hedging program, upgrade of the gas lines and the small percent of gas loss due to cut lines, leaking valves, etc. No action was needed on this item. The City Manager's report is posted on the city's website.

E: SUGAR HILL FESTIVAL & COORDINATOR:

City Manager Hail had requested bids for a festival coordinator and received three. One only did craft shows; one did not submit a bid and the other had the experience to do a family festival. He requested that he, along with Council Members Avery and Hall, be allowed to hire Dr. Debra Cirone as the Sugar Hill

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Festival Director for an October festival. Mayor Pro-Tem Abbey made the motion to allow Mr. Hail along with Council Members Avery and Hall to hire and work within the budget Dr. Cirone as the Sugar Hill Festival Coordinator. Council Member Pirkle made the second. Motion passed unanimously 5-0.

F: PUBLIC HEARING: RZ-01-003 TAX ID 7-255-015: WESTBROOK 23 LLC IS REQUESTING TO REZONE 13.70 ACRES AT THE SOUTHWEST CORNER OF HIGHWAY 23 AND WESTBROOK ROAD FROM LM TO RM:

Council Member Mosley made the motion to enter Public Hearing for RZ-01-003. Council Member Pirkle made the second. Motion passed unanimously 5-0. Planning Director Jim Osborn stated that original staff recommendation was for denial because it was not consistent with the city land use plan. The Planning Commission had recommended approval with conditions as follows:

- The number of dwelling units shall not exceed 89 units.
- Each unit shall be constructed so that the front, side and rear shall contain at least 50 percent brick, stone or stucco on the exterior of each structure.
- All end units of the attached building will have a minimum of two car garages all other units will have a minimum of one care garage.
- Fifty percent of the units shall have at least 1,600 square feet of heated space and fifty percent of the units shall have at least 1,800 square feet of heated living space.
- The Town Home community shall have a mandatory homeowners association to maintain all grounds and protect the integrity of the development.

Discussion was held between the applicant, the Council and Planning Director. Council Member Pirkle made the motion to exit Public Hearing. Council Member Hall made the second. Motion passed unanimously 5-0. Council Member Pirkle made the motion to approve the rezoning from LM to RM with the conditions recommended by the Planning Commission. Mayor Pro-Tem Abbey made the second. Motion passed unanimously 5-0.

G: PUBLIC HEARING: AX-01-003 TAX ID 7-289-008: GENE BLAIR IS REQUESTING TO ANNEX 1.493 ACRES OFF LEVEL CREEK ROAD. CURRENTLY ZONED R-75 IN GWINNETT CO. REQUESTING A ZONING OF RS-100 WITH A SPECIAL USE PERMIT TO ALLOW FOR A PRESCHOOL/DAY CARE FACILITY:

Council Member Mosley made the motion to go into Public Hearing for AX-01-003. Council Member Avery made the second. Motion passed unanimously 5-0. Planning Director Osborn stated that Gene Blair was requesting to annex 1.493 acres off Level Creek Road. The property is currently R-75 in Gwinnett County and the requested zoning is RS-100 with a Special Use Permit to allow for a Preschool/Day Care Facility. The Planning Commission had recommended approval with conditions. Applicant Gene Blair was present to speak on behalf of this annexation request. Comments from the public came from Rose Payne and Rick January. Council Members also had questions and concerns regarding this request. Council Member Mosley made the motion to exit

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Public Hearing. Council Member Pirkle made the second. Motion passed unanimously 5-0. Council Member Hall made the motion to deny the annexation request for AX-01-003. Council Member Pirkle made the second. Motion passed on a vote of 4-1. Council Member Mosley was opposed.

H: RATIFY FINAL PLATS: THE GLENS @ LEVEL CREEK UNIT II, 37 LOTS:

Planning Director Jim Osborn reported all the bonds were in place and all the requirements had been met. Council Member Mosley made the motion to approve the final plats for the Glens @ Level Creek Unit II, 37 Lots. Council Member Pirkle made the second. Motion passed unanimously 5-0.

I: CALL FOR ELECTION, SET QUALIFYING DATES:

City Attorney Thompson stated that state law required the call for the election and setting of the qualifying dates be done a certain number of days before the election. The election will be on November 6, 2001 from 7:00 AM to 7:00 PM at the community center. Qualifying fees will be \$108.00 for Council Members and \$162.00 for Mayor. Gary Pirkle and Michael Mosley currently hold the two council seats that are up for election. Qualifying dates will be the week of September 10-14 from 8:30 AM to 4:30 PM. The council can decide if they want qualifying to be every day or just three consecutive days out of that week. Council Member Mosley made the motion to call for the election and to have the qualifying dates of September 10-14 from 8:30 AM to 4:30 PM each day. Council Member Avery made the second. Motion passed unanimously 5-0.

J: SET SALARY FOR ELECTION SUPERINTENDENT, POLL MANAGER, AND POLL WORKERS:

City Manager Hail reported that the salary for the Election Superintendent, Poll Manager and Poll Workers needed to be established. His proposal was as follows: pay the Elections Superintendent \$150.00 a month from July to December, since the city is responsible for any training she will need; pay the Poll Manager \$125.00 for Election Day and pay the Poll Workers \$90.00 on Election Day. Council Member Mosley made the motion to approve the pay rates proposed by the city manager. Council Member Pirkle made the second. Motion passed unanimously 5-0. Council wanted to stipulate that no city employees be poll workers. No action was taken, Council will assess poll workers and availability at September Council Meeting.

K: DISCUSS TAX FREEZE FOR CITY PROPERTY TAXES:

Mayor Crabb wanted the council to think about having the same tax freeze on the city taxes that the county has on property taxes. This would have to be done as a referendum on the ballot. Discussion was held. No action was taken on this item.

CITY ATTORNEY'S REPORT: No Report.

COUNCIL REPORTS:

Council Member Pirkle reported that the Gwinnett Municipal Association would be having an Intergovernmental Meeting in Suwanee on Tuesday July 10, 2001. He encouraged people to attend. He had received a lot of phone calls about the

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garbage pick up, people were not aware garbage would be picked up on July 4th.
Notice was posted on the board at Alton Tucker and Peachtree Industrial Blvd.

Council Member Hall wanted to thank the City Manager for the good work he was doing and the fact that he kept them informed of things going on in the city.

Council Member Mosley reported his estranged spouse had been in an automobile accident and he wished her a speedy recovery.

Council Members Abbey and Avery had no report.

MAYOR'S REPORT: No Report

CITY CLERK'S REPORT: No Report

CITY MANAGER'S REPORT:

City Manager Hail reported that he had re-instituted employee of the month. Debbie Ryder, a meter reader, was the first recipient of this award. She would receive a gift certificate from J. R. Crickets, a local restaurant. Sidewalks at the park would be poured later in the week, the Sugar Hill Ward of the Mormon Church would be in the park on Saturday July 14, 2001 for a community service day, they would erect the new aluminum bleachers, bought with the help of the Sugar Hill Housing Authority, the police were still investigating the vandalism at the park and would increase their patrolling of the park, 100 feet of concrete pad had been poured at the golf course on the driving range, he had met with Brian Allen and Powell of the Gwinnett County DOT to identify roads that needed to be resurfaced in Sugar Hill. Some of the roads to be fixed are West Broad, Hillcrest Road, Old Suwanee Road, Whitehead and Old Cumming. Also on the list to be resurfaced are Hidden Meadow and Cook Drive.

EXECUTIVE SESSION: TO DISCUSS PERSONNEL, REAL ESTATE AND LEGAL MATTERS:

Council Member Mosley made the motion to go into Executive Session for the discussion of Personnel, Real Estate and Legal Matters. Council Member Pirkle made the second. Motion passed unanimously 5-0.

Council Member Mosley made the motion to return to regular session. Mayor Pro-Tem Abbey made the second. Motion passed unanimously 5-0.

NO ACTION WAS TAKEN OUT OF EXECUTIVE SESSION

ADJOURNMENT: Council Member Mosley made the motion to adjourn the meeting. Council Member Avery made the second. Motion passed unanimously 5-0. Meeting adjourned at 10:40 PM.

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DATE APPROVED: _____

MAYOR

ATTEST:

CITY CLERK