

The City of Sugar Hill City Council held its regular meeting on Monday, April 14, 2003 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 Boulevard and Peachtree Industrial Boulevard. Notice was sent to the local newspapers.

Those present at the meeting included Mayor Gary Pirkle, Mayor Pro-Tem Meg Avery, Council Members Kim Hall, Ron Johnson, and Thomas Rhodes, Council Member Chris Abbey arrived at 7:56 PM. Also present were City Manager Bob Hail, City Attorney Lee Thompson, Assistant City Manager for Development Jim Osborn, and taking minutes was Kim Landers.

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

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

APPROVAL OF AGENDA:

Council Member Johnson stated he had some items to add and therefore would like to amend the agenda to include under New Business;

NEW BUSINESS

7. Discussion of a Police Department.
8. Discussion of Purchasing Park Land.
9. Discussion of a Senior Watch.

Council Member Hall questioned if these were not items that needed to be discussed first in the work sessions. **Council Member Johnson** stated that he had a lot of information and this could be discussed in the meeting. **Mayor Pro-Tem Avery** made the second to amend the agenda. ***Motion carried 3-1.*** ***Council Member Kim Hall opposed.***

APPROVAL OF THE 3/10/2003 & 04/07/2003 MINUTES

Council Member Hall stated she had a change to the March 10, 2003 minutes where it reflects Council Member Johnson was absent in January due to employment obligations, it should be that he was absent due to his attendance at the inauguration at GAYLA. **Council Member Hall** made a motion to approve the minutes of the 3/10/2003 with changes as noted above, and for the 04/07/2003 minutes as written. **Mayor Pro-Tem Avery** made the second. ***Motion passed unanimously. 4-0***

CITY ATTORNEY REPORT

City Attorney Lee Thompson stated as reported last week at the work session, several months ago the Mayor and City Council authorized City Manager Bob Hail and he to complete the negotiations with the county regarding the intergovernmental agreement and the granting of a sewer easement that connects with the County's sewer tunnel in the Golf Course area. This agreement has been completed, signed by the city and approved by the County. A copy of this agreement and the attachments are attached and incorporated as "**ATTACHMENT 1**" to these minutes in order to document what has been accepted by the city.

COUNCIL REPORTS

Council Member Chris Abbey. Mayor Gary Pirkle stated Council Member Chris Abbey would be joining the meeting in progress; he's trying to conclude another meeting he's involved in and will be present shortly.

Council Member Thomas Rhodes stated he would like to mention that the DDA Meeting was going to be at 7:00 PM on April 22nd rather than being the third Tuesday. Adjustment had been made on the date and time of the DDA meeting, however it will coincide with the Housing Authority Meeting. The Gas Department installed 40 new services year to date, they replaced and/or expanded the gas lines by almost one mile which improves service and allows for growth. The cost per therm for March \$.95, the market price has risen significantly over the last few months, and the city's action to purchase gas for the future has been successful at keeping the price per therm cost to a minimum during these cost increases.

Council Member Kim Hall stated that she had no report for Planning and Zoning other than reminding everyone that the Planning & Zoning office is located off Church Street across from the City's Town Green.

Mayor Pro-Tem Meg Avery stated that the memorial pavers arrived and they will begin being installed this week at the City's Town Green around the Veteran's monument. After many delays due to the rain the park is open and improvements and renovations are complete. The sports lighting is installed, and the new lights by the walking trail are major improvements. West Gwinnett Soccer Association, North Gwinnett Baseball/Softball Association, and men's softball are using the fields. The amphitheater is complete, the first concert was sponsored by the First Baptist Church of Sugar Hill, they will also be having a community sunrise service at 6:45 AM Easter morning. West Gwinnett Soccer Club is half way thru their spring season. On another note, Mayor Pro-Tem Meg Avery stated she would like to express her pride and support for the soldiers overseas, and stated these are very trying times for lots of families. God Bless to Daniel Bowers a 19 year old soldier who lives in her neighborhood and is fighting overseas. There are many Sugar Hill and Georgia families in our thoughts and prayers everyday.

Council Member Ron Johnson stated that he would leave the Golf Course report up to the City Manager because of the Spray Field situation. He stated he would like to thank Major Belinda Warren an Air Force Nurse from Sugar Hill, and along with Daniel Bowers is Travis Titshaw, him and Daniel grew up together, went to North Gwinnett High School together, and enlisted together. Council Member Ron Johnson stated he has pictures of these people and would like to put them up at City Hall. Also, Travis's mother is a member of the audience tonight. Mayor Gary Pirkle expresses his thanks for her being present.

MAYORS REPORT:

Mayor Gary Pirkle stated that he received a letter from Johnny Wilkins on Saturday indicating that he will be moving out of Sugar Hill and will have to resign his position on the Planning & Zoning Board. The City Council will need to consider a replacement for this position.

CITY CLERK'S REPORT

Kim Landers stated the Clerks office had nothing to report.

CITY MANAGER'S REPORT

Copy of Report attached and incorporated as "ATTACHMENT 2" to these minutes. City Manager Bob Hail stated that since Council Member Abbey still had not made it that he would go over the first part of the report. The first part of Spring Hill Drive from Whitehead Road to Old Spring Way is complete (curb, gutter, new road, and sidewalks). The remainder of Spring Hill Drive South and East to Level Creek will be started when weather permits. They will try and raise the lower ends of the dips six inches to one foot, curb and gutter, and install side walk inside the current road bed, It will be only about thirteen feet wide, room for one car going one way, so it will be one way from Whitehead Road going towards Level Creek. This will be a great asset to a road that is deteriorating quickly. Remember Whitehead Road at Spring Hill Drive is a three way stop. Residents have contacted City Manager Bob Hail on several occasions thanking the city of putting a three way stop at this location so they can get out onto Whitehead Road or turn onto Spring Hill Drive safely. The 2003 road improvement program has begun, and will be posted on the website. When you replace roads or resurface them, the cracked pieces have to be ground up that are too bad to fix, next put new asphalt down, then the city is going to put down petromat which is a petroleum product (tar and etc) to stick which forms a vapor barrier. New asphalt is installed on top of which extends the life of the road for three to four years depending on the usage. This project is going very well right now. Between the grinding, patching and resurfacing, which may take several weeks or even months, it is a work in progress and will take some time to get to all of them complete. A listing of the streets expected to be improved this year will be posted on the website. The construction on City Hall is well underway. The base of the elevator between the Community Center and City Hall is in place. This project is on schedule and the Contractors have until August to finish but City Manager Bob Hail hopes they'll be ahead of that. The second floor of City Hall is being renovated for the Planning and Zoning Department; this is the reason for the elevator for ADA compliance. They have already framed and ran the electrical wiring and will close in the walls after the electrical inspection. They are not waiting for the new construction to start fixing the current up stairs, they are trying to get everything done as quickly as possible so the citizens can be better served. Planning and Zoning has moved over to the former Fellowship Hall of the First Baptist Church on Church Street behind the City's Town Green and beside the cemetery temporarily until the new facilities are complete. The city is working on making the City website more functional (forms, explanations, procedures for permits, and etc) and will work on looks later.

UNFINISHED BUSINESS:

1. Application for Retail Sale of Beer & Wine, Sugar Hill Shell:

City Manager Bob Hail stated that this was tabled from the March 10, 2003 City Council Meeting. This is for the package sales of malt beverages and wine in the new strip mall that Jackie Kinlaw has constructed located at the corner of Peachtree Industrial Boulevard and Nelson Brogdon Boulevard for the Shell Station located within this center. This is a very nice facility with a brick façade. The city informed the Shell representatives that the city's architectural standards requires the brick façade and the white and yellow stripes are not allowed, and Mr. Kinlaw worked with the city as well to inform these representative of city's standards. Mr. Huda and his wife are the applicants for this request. City Manager Hail stated that the only thing that he seen that wasn't up to date was the incorporation with the state. City Attorney Lee Thompson stated that they have confirmed that the corporation is active and current and the officers are listed with the Secretary of the State as shown on the application. City Manager Bob Hail stated that the data from the background investigations have come back positive; therefore there is no reason not to recommend approval. Mayor Pro-Tem Meg Avery stated that she could tell that a lot of time and effort went into completing the application in the current City Council packet which was much more concise

than the original application they received in the City Council packets in March, and she appreciates the time and effort Mr. Kinlaw and the applicants put into this application. **City Council Member Thomas Rhodes** made a motion to approve the request for the retail sale of beer and wine for the Shell Station located at 1330 Peachtree Industrial Boulevard. **Council Member Kim Hall** made the second. *Motion passed unanimously. 4-0*

City Manager Bob Hail stated the city looks forward to being good business neighbors with them.

CITIZENS AND GUESTS COMMENTS:

Phil Byers presented the Mayor and City Council with some information concerning his comments. This information was not provided to the clerk for the record. Mr. Byers stated that he had a few comments concerning the April 1, 2003 Municipal Court between the City of Sugar Hill vs. Hilda Roberts. In the court documents he's presented to the Mayor and City Council there are a couple of interesting facts concerning the document the solicitor prepared. His interpretation of the document was that the only thing that wasn't considered livestock was dogs and cats, and his opinion was that the city's only acceptable pets were dogs and cats. Mr. Byers continued to discuss this document with the Mayor and City Council and stated that Hilda Roberts a long time resident of the area, college educated, former City Clerk of Suwanee (Court Clerk & Elections Supervisor, Planning & Zoning Coordinator, and Director of the GMA at one point and time), licensed cosmetologist, notary, tax payer and homeowner in Sugar Hill who's never broken the law and now is a criminal because of her choice in pets (bunny rabbits as opposed to a cat or dog). His opinion is the bunny situation has changed lives as well, residents, taxpayers, and voters of the community truly miss Hilda Roberts natural habitat. In the years this habitat was in place, it had become a rest area for the weary, a place of entertainment of the youth, a treat for the grand parents and children alike, a universal place for peace, and an escape from the trials from everyday life. More important it's Hilda's right as an American citizen to have that habitat in her back yard at that address without restrictions. The habitat causes no harm in the community, and is not sanitation, cleanliness, nor a nuisance issue. Mr. Byers urges the city to take whatever administrative action is required to correct this injustice and he thanked the Mayor and City Council for their time. **Mayor Gary Pirkle** stated he would like to correct one issue. Rabbits are legal pets in Sugar Hill, and Mr. Byer's issue was regarding the number of rabbits. Rabbits were illegal under a prior ordinance as livestock, that ordinance was modified and rabbits are allowed now. Mr. Byers stated that the Mayor was correct, but he remembers when this was modified the discussions was mostly regarding the hutches (number, construction, size, etc) and that was never Hilda Roberts's concern. It always was and still is the natural habitat (400 square foot area inside of her 2,000 square foot fenced yard) where she keeps a number of bunnies loose for her own entertainment and for the community to enjoy. **Council Member Ron Johnson** stated they did allow the natural habitat however they are not supposed to have no more than five rabbits. Mr. Byers asked if they could have the natural habitat. **Mayor Gary Pirkle** stated they were not going to get into discussion of the enforcement of the ordinance, this was left up to the Planning and Zoning Department.

NEW BUSINESS:

1. **PUBLIC HEARING AX-02-005: Georgia 20 Ventures, LLC** Map Reference #'s: 7-320-010, 7-320-011, 7-320-012, 7-320-013, 7-320-013A & 7-339-075. Georgia 20 Ventures, LLC is requesting to annex 8.55 Acres. The property is currently zoned R-75, C-1, and C-2 in unincorporated Gwinnett County. The applicant is requesting a zoning classification of BG (General Business District).

2. **PUBLIC HEARING AX-02-006: Georgia 20 Ventures, LLC** Map Reference #'s: 7-320-010, 7-320-011, 7-320-012, 7-320-013, 7-320-013A & 7-339-075. Georgia 20 Ventures, LLC is requesting to annex 28.41 Acres. The property is currently zoned R-75, & R-100 in unincorporated Gwinnett County. The applicant is requesting a zoning classification of RS-100 PUD (Single Family Residential District).

Mayor Gary Pirkle asked Assistant City Manager of Development Jim Osborn about hearing both cases together. Assistant City Manager of Development Jim Osborn stated that the applicant has requested to hear public hearing cases AX-02-005 & AX-02-006 together, but vote on them separately. Mayor Gary Pirkle asked for a vote to have a inter public hearing for AX-02-005 & AX-02-006. Council Member Kim Hall made a motion to enter inter-public hearing for AX-02-005 & AX-02-006. Mayor Pro-Tem Meg Avery made the second. *Motion was passed unanimously. 4-0.* Assistant City Manager of Development Jim Osborn presented the Mayor and City Council with the staff recommendation and additions/changes made by the Planning Commission which were for approval with conditions that are attached and incorporated as "ATTACHMENT 3" to these minutes. Mayor Gary Pirkle asked Assistant City Manager of Development Jim Osborn about the PUD request being changed to RS-100 modified. Assistant City Manager of Development Jim Osborn stated that the PUD was put in the application but the recommendation by staff is for RS-100 with variances. Mayor Gary Pirkle stated for people who were not familiar with the area, they were talking about the intersection of Whitehead Drive and Highway 20 where the Hub Cap place is located. Assistant City Manager of Development Jim Osborn stated after going over the staff and Planning Commission Recommendation that he would like to add to AX-02-005 item # 12; a six foot high solid screen fence installed at the top of the berm, with no more than five feet disturbed into the buffer area. For the following purposes; keep trash from blowing down on the residential portion of the property, serve as a visual screen. The applicant will be asking to encroach three feet into the buffer to be able to plant cypress trees in front of the fence to screen it from Highway 20. Applicant Representative Michael Sullivan was present to speak on behalf of the applicant. The applicant Fred Skiba is also present to answer any questions if needed. Michael Sullivan presented some pictures to give the council some idea of what the type of architectural look and feel the applicant is trying to create. The Developer is going to design and pay for a traffic study, and is also in the process of and has been in the process of working with the Georgia DOT to have a traffic signal placed at the entrance to the development. This is a common entrance to the entire development. There are secondary curb cuts within the development that will also be provided by the developer. The Commercial property will be developed simultaneously with the residential property. The main reason for this is the topography is such that the front of the property is lower than Georgia Highway 20, in order to get it up to grade level at Highway 20 the dirt will be moved from the residential property. The price range of the homes will be in the \$210,000 - \$250,000 range. Floor plans with elevations were submitted to the council member to represent the type of homes they are going to build. The floor plans are what they intend to build, but the garages will be side load with either the garage in front of the house or to the rear of the house to give a courtyard feel. The developer feels this will make a much more quality development with the courtyard look. A privacy fence will be installed at the top of the buffer, which will provide another level of opaque barrier between the commercial development along with the slope. The applicant request is to put the fence three to five feet within the buffer for purely aesthetic reasons, there is no cost benefit but the applicant feels this will create the most attractive back drop to the commercial property on Highway 20. A densely landscaped strip in front of the fence will be much more attractive than just the privacy fence being the visual backdrop. Mr. Sullivan stated that staff and Planning Commission have recommended approval with conditions slightly modified again by staff. The applicant has no objections to the conditions

and respectively request approval on this request. **Council Member Ron Johnson** asked Mr. Sullivan if there would be basement lots. Mr. Sullivan stated there would be basement lots. **City Manager Bob Hail** wanted to make a clarification for the applicant, the Planning Commission recommendation was to install the fence on the residential portion of the property, and staff recommendation is to place the fence on the commercial portion of the property. Mr. Sullivan stated he understood this was agreeable.

Council Member Thomas Rhodes made a motion to exit Public Hearing. **Council Member Kim Hall** made the second. *Motion approved unanimously. 5-0*

AX-02-005

Council Member Ron Johnson made a motion to approve Annexation request AX-02-005 with the conditions approved by the staff and Planning commission along with the change noted by Assistant City Manager of Development Jim Osborn to install the six-foot fence on the commercial portion of the property. **Council Member Kim Hall** made the second for the purpose of discussion. **Council Member Kim Hall** stated she was concerned with the height of the fence and would be interested in making the height and eight-foot fence because the noise will carry down hill. Also, the buffer reduction is a substantial amount. **Mayor Pro-Tem Meg Avery** asked the applicant if this was the best that he could do on this reduction. Michael Sullivan stated because of the size, topography, and irregular shape of the development, this was the only way to make the project work. It's a less wide buffer and narrower buffer, but a more dense buffer. **Council Member Kim Hall** withdrew her motion for the second. **Council Member Thomas Rhodes** made the second with the condition Council Member Ron Johnson will agree to make the stipulation to make the fence eight feet in height. **Council Member Ron Johnson** asked the applicant if they had a problem with this. Mr. Sullivan stated this would not be a problem. *Motion approved unanimously. 5-0* A copy of this ordinance AX-02-005 is attached and incorporated as "ATTACHMENT 4" to these minutes.

AX-02-006

Council Member Ron Johnson made a motion to approve Annexation request AX-02-006 with the conditions as noted in the staff recommendation and approved with changes made by the Planning Commission. **Council Member Thomas Rhodes** made the second. *Motion passed on a vote of 4-1. Council Member Kim Hall opposed.* A copy of this ordinance AX-02-006 is attached and incorporated as "ATTACHMENT 5" to these minutes.

3. **ACCEPT ANNEXATION APPLICATION** AX-03-001, 3 D Investment Properties, LLC, Brogdon Road @ North Price Road: Tax Parcels: 7-255-002, 7-255-067, & 7-255-149, 13.231 Acres, Currently M-1 in unincorporated Gwinnett County, applicant is requesting a HM-1 (Light Industry District) zoning classification.

Assistant City Manager of Development Jim Osborn briefly described this request. The project is at the intersection of North Price Road and Brogdon Road in the triangle for 13.2 Acres, currently zoned M-1 in unincorporated Gwinnett County. The applicant is requesting an HM-1 (Light Industry District) zoning classification for a six lot industrial subdivision. A copy of the plat is attached and incorporated as "ATTACHMENT 6" to these minutes. **Mayor Gary Pirkle** stated as required by law he would request a motion to accept this annexation application. **Mayor Pro-Tem Meg Avery** made a motion to accept annexation application for AX-03-001. **Council Member Thomas Rhodes** made the second. *Motion passed on a vote of 4-1. Council Member Ron Johnson abstained.* **Council Member Kim Hall** stated that she had one question about this project. She noticed that they are currently grading on this

property and was concerned with future conditions the city may place on the property and asked Mr. Osborn if they should be grading. **Assistant City Manager of Development Jim Osborn** stated they had a development permit with Gwinnett County and the City cannot impose restrictions until it is brought into the city. **Council Member Kim Hall** stated that the County concerns regarding the perk issues/water issues, and asked if the County was still monitoring this. **Assistant City Manager of Development Jim Osborn** stated they were still watching out for this and he speaks with Gwinnett County at least once a week on this project.

4. **RESOLUTION** to authorize the mayor to sign Community Development Block Grant Sub-recipient Agreement for FY2003 grant money. (Community Center ADA renovations-Church Street)

Assistant City Manager of Development Jim Osborn stated that Gwinnett County has appropriated \$85,000 for handicapped improvements to the Sugar Hill Fellowship Hall located on Church Street, which is currently where Planning & Zoning is located. It is expected to get this money sometime in August depending on Congress and HUD when they release it. This is just a resolution to authorize the Mayor to sign all the documents, so the funds may be used once they come in. **Council Member Ron Johnson** made a motion to authorize the Mayor to sign the Resolution for the Community Development Block Grant Sub-recipient Agreement for FY2003 grant money for Community Center ADA renovations located off Church Street. **Council Member Kim Hall** made the second. **Motion passed unanimously. 5-0** A copy of this Resolution is attached and incorporated as "ATTACHMENT 7" to these minutes.

5. **RESOLUTION** for the City of Sugar Hill to apply for FY2004 Community Development Block Grant for drainage improvements on Hickory Hills Drive, Walnut Circle, and Hickory Circle.

Assistant City Manager of Development Jim Osborn stated this was this year's application, which is due at the end of the month. The City has sent out surveys and at least 51% of all households on these three streets have to have low to moderate income, which depends on the household size. In talking with **City Manager Bob Hail**, and **Street Department Superintendent Joe Appling**, this area is in desperate need of drainage improvements, therefore, this is what the grant is for depending all the requirements are met. **Mayor Gary Pirkle** stated that as discussed in the City's Work Session, all city facilities have been brought up to ADA standards and the only other thing that CDBG Grants could be used were for low-income areas needing improvements. **Assistant City Manager of Development** stated now it was a matter of turning our attention to those streets and areas that will qualify for this program. **Council Member Kim Hall** made a motion to allow the City to apply for the 2004 CDBG Grant for Drainage improvements on Hickory Hill Drive, Walnut Circle, and Hickory Circle. **Mayor Pro-Tem Meg Avery** made the second. **Motion passed unanimously. 5-0** A copy of the Resolution is attached and incorporated as "ATTACHMENT 8" to these minutes.

6. **CONTRACT AMENDMENT** with Precision Planning for expanding the design and size of the new Community Center.

City Manager Bob Hail stated that the City is in the process of redesigning the new Community Center located off Church Street. After looking at the design and talking with Council Members he has decided that a foyer with a desk entrance is needed so that everyone entering the building to use the facility will go by the office complex before entering. The only way this can be done, or the best way to do this without using up interior space of the building is to build a 20 X 30 extension into the parking lot. This is outside the original confines of the contract and therefore he's asking permission to amend the contract by \$9,000

to plan and design the exterior 20 X 30 area for the office foyer. There is civil engineering expertise required, which is different from renovations, and that space is not very well utilized at the current time with landscape and such which makes itself available for the expansion. **Council Member Thomas Rhodes** made a motion to approve amending the design contract to expand the new community center by \$9,000 for a total of \$34,500. **Council Member Ron Johnson** made the second. *Motion passed unanimously. 5-0*

7. **CONTRACT AMENDMENT** with Nutter & Associates for completing the design and O & M Manual for the Sugar Hill Land Application System.

Mayor Gary Pirkle stated this was for the wastewater spray system for the Golf Course. **City Manager Bob Hail** stated that the City's contract with Nutter and Associates to assist in evaluating a land Application System which is the spray field on the Golf Course and in the forces area immediately adjacent to the Golf Course. This spray field is an effluent spray field where treated sewage is sprayed into the forest for natural percolation and cleansing of that process. This has been going on for more than ten years. The fields are determined to be insufficient and the city needs to do a better job of Planning and Designing. The City has spoke with EPD on, redesigning and expanding the fields to include the Golf Course. The original analysis has been completed, and the City spoke with Environmental Protection Division last week, and they liked the city's plan of action for the expansion of the field, and protection of the properties. But this expansion, design, and analysis of Golf Course perking and everything else is over and above the current contract that the City has with Nutter and Associates. This is a much needed change which will make the spray field much more efficient, and to do so it has to be redesigned and built with the approval of EPD. A new operations manual has to be written to include the expanded spray field and the golf course so you optimize the spraying to get rid of as much effluent as possible. Expansion of this contract is for \$28,000. **City Manager Bob Hail** stated his recommendation was to approve the second phase of the contract proposal between Nutter and Associates to complete the design of the LAS analysis of the Golf Course soils, and develop an O & M Manual to incorporate the entire LAS into one operational unit. **Council Member Kim Hall** made a motion to approve the contract amendment with Nutter and Associates not to exceed \$30,000 for completing the design, and O & M Manual Land Application System. **Council Member Chris Abbey** made the second. *Motion passed unanimously. 5-0.*

8. **Discussion of Police Department.**

Council Member Ron Johnson handed out partial crime stats for the City. This was not forwarded to the clerk to be incorporated into the minutes. **Council Member Ron Johnson** stated that he stood up a while back and requested as a citizen when the US Government was giving grants to start a police Department and it failed to happen then when the city could have gotten money for it. He's back again and he gave each member a proposed budget a few months ago. One of the Council Members just returned the proposed budget without looking at it. It appears that Sugar Hill is small city with very little crime and Gwinnett County can patrol the area. Actually Sugar Hill is the fourth largest city in Gwinnett County population wise, with Lawrenceville, Duluth, and Snellville being larger. Mr. Johnson has spoke with Gwinnett County and has obtained the patrol area information for Sugar Hill. They have six officers assigned for the evening shift, two of which are assigned to the Mall of Georgia, one assigned to Peachtree Industrial and Highway 20, going Highway 20 to the Forsyth County line, then North on Buford Dam Road to Suwanee Dam Road back over to Peachtree Industrial and then back over to Highway 20. This is #311's patrol area. One officer patrols that area and there are more than 50 subdivisions in this area, not all are in Sugar Hill, but that officer is assigned to that area. The other patrol area route is

Peachtree Industrial South from Highway 20 down to Suwanee back up the County line to Route 20 back over to Peachtree Industrial Boulevard. This is #312's patrol area. One officer patrols this area. As you can see there is not a big abundance of police officers in the area. People in Frontier Forest have a great patrol area because they are so close to the patrol station. People in Wild Timber, Twin Creeks, The Links, Oak Grove, Saddle Tree, and Laurel Park don't have the police protection everyone else does. The citizens don't either. People think that the city has no crime. The crime stats from January 2002 to March 2003, were so unfavorable and they go unnoticed by the City Council. Thru the open records act, Judy Cheeks who works for the Chief's office, all you have to do is e-mail her and request the information. Businesses will look at forced burglaries, business alarms. Alarms are not even in the stats provided to the City Council. People couldn't even begin to imagine the number of alarms, (business and residential) that have gone off in the city. The City has had bank robberies. It's not a small city anymore, it's growing. Raising taxes is not needed to do this. **Mayor Gary Pirkle** stated he's submitted a proposed budget, but has failed to submit funding. **Council Member Ron Johnson** stated that there were no members of the Council that confronted him with how to get this. **Mayor Gary Pirkle** stated the most important part was determining how to pay for this and he's not provided this information. **Council Member Ron Johnson** stated this was how Corporal Phillips comes into play. He's a resident of Sugar Hill but works for the Fulton County Police Department. He's interested for his community. In recent days there was a meth bust at the North Gwinnett High School, two 24-year-old people from Roswell. This would have been a planned sale. A young lady was arrested at a Hotel on Buford Highway for the same thing. This is a problem and is becoming more and more of a problem. He's gotten the budget down to about \$900,000 from the \$1,500,000, and he's gotten 13 businesses in Sugar Hill that say they will donate the bulletproof vests. The businesses want this police department. **Mayor Gary Pirkle** again asked **Council Member Ron Johnson** where he proposed to get the money from. **Council Member Ron Johnson** stated there was \$5,000,000 in the money market fund, which he wasn't going to bring up. **Mayor Gary Pirkle** stated this money was allocated for current projects. **Council Member Ron Johnson** stated this was actually not on the budget, which he checked today, and if this was allocated for parkland then why hasn't the city purchased parkland. Parkland is not getting any cheaper, land goes up daily in the city. **Mayor Gary Pirkle** stated the city was looking at park space now. **Council Member Ron Johnson** stated that the Council has been looking at Park Land for the last year he's been on the City Council. There is plenty of property out there for sale, which is the topic of discussion for his next agenda item. If the City Council really wanted a police department then they could find the money, and if the City Council wanted to do a service for the city they would start this police department. Council Member Chris Abbey was a police officer and he knows what's going on with the crime stats provided. **Council Member Chris Abbey** stated he would look at them, but asked Mr. Johnson if he was citing the incidents at the schools and hotel as being reason for a police department. **Council Member Ron Johnson** agreed that this was outside the city and was not using them as reason, but North Gwinnett High School is where the residents of Sugar Hill's children go to school which in return effects the children of Sugar Hill. He wasn't going to get into crime stats but these are all inside the city of sugar hill, he checked each and every street, each and every subdivision, and he doesn't want to read these because it would be an embarrassment to the city. **Council Member Chris Abbey** asked Council Member Ron Johnson if these sorts of crimes occur in cities like Duluth, and Lawrenceville that have a Municipal Police Department. **Council Member Ron Johnson** stated they sure do. He's not oblivious that crime doesn't happen anywhere and he doesn't think they're in Utopia, crime is coming this way, it's getting bigger and bigger everyday. If the City Council wants to close their eyes to it then do so, when it happens to one of their families don't come back and tell him it doesn't happen at all. There were 11 child molestations in the last year, that is enough reason to have a 13-person police department. **Council Member Chris Abbey** stated he doesn't

understand what Council Member Johnson is trying to do. **Council Member Ron Johnson** stated he was trying to get the City Council to agree to form a police department. **Council Member Chris Abbey** stated that Council Member Ron Johnson has not submitted everything that the members of the City Council would need to act on this issue. They need a budget, funding for the budget. **Council Member Ron Johnson** stated that he provided the City Council with the budget before January. **Council Member Kim Hall** stated Council Member Ron Johnson did not provide the city council with a dollar figure. **Mayor Gary Pirkle** stated he did not provide a way to pay for it. **Council Member Ron Johnson** stated he asked for direction from the city council to allow City Manager Bob Hail to determine a way to fund this department, but no one would give him direction to look into this. **Mayor Gary Pirkle** stated City Manager Bob Hail did do this and informed the city council they would have to double taxes to do this. **City Council Member Ron Johnson** brought up the City of Cumming, a 13-man police department, and no property taxes for business or homeowners. They have a water company; Sugar Hill has a gas company. The City of Suwanee has a 28 person sworn officer department, their tax rate is 2.65, and Sugar Hill is 3.87. The city is getting more and more people everyday. The City has gone from when Mayor Webster was the Mayor there was \$2,000,000 in the money market fund to now about \$5,000,000 to \$5,500,000. **Mayor Gary Pirkle** stated that he believed those figures were incorrect, there was zero in the money market fund when Gary Webster was in office. **Council Member Ron Johnson** stated that he spoke with the Finance Director Kelly Canady today and she gave him the information. **Mayor Gary Pirkle** stated he was here during that time and he would assure him there was not \$2,000,000 in the money market fund when they were trying to keep the city afloat. **Council Member Ron Johnson** stated that he would not go into that he had his own ideas how the city was kept afloat when the gas department had 55% profit that year when the gas prices were high, and these figures came from Kelly Canady as well. **Council Member Ron Johnson** stated that he wanted the citizens to decide if a police department is need, he doesn't want the council to decide, it's the resident's city and they should decide. **Council Member Ron Johnson** asked Mayor Gary Pirkle why he would be opposed to a police Department. **Mayor Gary Pirkle** stated he's gotten e-mails from citizens stating they don't need it and don't want to pay the extra taxes. **Council Member Ron Johnson** stated the city would not need to raise taxes, he's sent out 5,000 letters to the residents of sugar hill and most of them say they want a police department. The ones that don't believe we're smaller than Buford, Auburn, and Suwanee but we're not. **Mayor Gary Pirkle** stated his letter didn't address funding for this police department. **Council Member Ron Johnson** stated that this was up to the city to find the funding. Once the city determines what they want then they will determine how to do it. **Mayor Gary Pirkle** asked Council Member Ron Johnson if he had any more discussion on this item. **Council Member Ron Johnson** stated that he wanted to find out why each council member would not want a police department. **Council Member Chris Abbey** stated that he's never said that he didn't want a police department, but he doesn't know that now is the time. **Council Member Ron Jonnson** stated now is the time, auto thefts 10, domestic violence 9, stalking 8, felony drug arrest 3, traffic accidents 137, hit and runs 20, rapes 5 (two of which happened on the same street one month apart). The City first needs to determine that they do want a police department, and then they can find the funding and won't hire anyone until this is done. He does not hear the council agreeing with him on the need for a police department. He's heard some residents say the city is too small. Gwinnett County would tell you they are not adequate, they are under paid and under staffed. They don't have enough patrol officers to cover this area. It's a 35-minute response time. He's been in their cars when they received a call and they were backed up five calls. Corporal Paul Phillips stated that he moved into the city a short time ago. His wife got the letter that Council Member Ron Johnson sent out. They were told when they moved in, the City was already forming a police department. **Mayor Gary Pirkle** stated he was misled. Mr. Phillips stated he realized that he was misled, but with the size of the city and only two

officers, the response time in that area for the County is understaffed and anyone who works for the county knows that. Mr. Phillips stated that he has no doubt that the city can find the money. The city doesn't want to play catch up with crime, never. There is not shooting in the street right now and drug deals on every corner now, and you don't absolutely have to have the police officers to have Sugar Hill Police on the side of the cars driving around, this is exactly why they are needed right now. Another example the patrol officer 311 & 312, if you listen on the internet to the Gwinnett scanner 90% of what they respond to and go to is on Peachtree Industrial Boulevard and Highway 20. 90% of their calls in the last two months on what they respond to are for traffic stops and wrecks. They are not patrolling the neighborhood or subdivision. Mr. Phillips stated that he has a 9 month old daughter, and the kids come from North Gwinnett High School on his radar over 75 miles per hour down Level Creek Road in the afternoon. Gwinnett County Police cannot stop them there because they cannot enforce traffic laws inside the city. **Mayor Gary Pirkle** stated that Level Creek Road is a County maintained road and they can stop them. Mr. Phillips stated they couldn't until the City allows them to do so. **Council Member Kim Hall** stated that the city actually entered into an intergovernmental agreement last year. Mr. Phillips stated that he's not seen a car on Level Creek marked for police yet. **Mayor Gary Pirkle** stated he has, and the city actually has city-funded police that do drive Level Creek Road. Mr. Phillips stated yes the city has city funded off duty Gwinnett County Police Officers riding around. **Council Member Kim Hall** stated they are fully authorized to write tickets. Mr. Phillips stated that they are authorized but off duty police work is the bread and butter of police officers, you don't want to do jack if you don't have to. The only way would be if there was an accident With a million dollar budget now, when you get around to deciding it's bad enough, to warrant getting something started, and taking a year to put it all together, and year after that to do all the hiring all the individuals, it's going to take you all that time clear up everything on the street, you'll be two years behind already in a hole. There are approximately 4,400 homes in the city and 89 more was approved tonight, just think if there was 6,000 by the time the city gets around to deciding something. You're looking at a cost per household in the amount of a diner out per month to fund a police department, about \$17.50/household/month. **Mayor Gary Pirkle** stated which would equal out to doubling the residents taxes. Mr. Phillips stated that he pays out \$495.00/month to be allowed to use the subdivision pool in his covenant community and he's more than willing to pay \$500.00/year for someone to come to my house quicker than 15 minutes or 30 minutes if he's in trouble. **Council Member Ron Johnson** stated 30 minutes. Mr. Phillips stated that yes, Gwinnett's response time is 30 minutes right now. The only time he's seen marked police cars in the city was when the gas line blew open and they closed off the street, and when his neighbor got served by the Sheriff's Department. He moved to Sugar Hill to get away from Fulton County, he lived in Lawrenceville where there are gangs everywhere, and there are gangs, drugs, and domestic disputes in Sugar Hill. If you wait until you need it, it's way too late.

9. Discussion of Park Land

Council Member Ron Johnson asked the Mayor and City Council why hasn't parkland been purchased. There is plenty of property out there (he can show them at least 25 pieces of property). **Council Member Kim Hall** stated just because there is property out there doesn't mean that the property owner is willing to sell it. **Mayor Gary Pirkle** asked City Manager Bob Hail how many times the council asked staff to locate park space property, and was he not currently involved in that search. **City Manager Bob Hail** stated approximately six months ago he was directed to actively start seeking out approximately 30 acres of parkland. He's contacted at least 8 landowners of which have enough land for what the city is looking for. He is currently in discussion with a landowner on some property, but the sale of property is not quick. Council Member Ron Johnson is correct the sale of property is not getting any cheaper, but everybody

doesn't want to sell 30 acres @ \$70,000 is a lot of money. City Manager Bob Hail stated the land has to be developable, it can't be for houses, it can't be rocky, and it has to be flat level and everything else. There are other issues, he can put some other things aside and work on this harder, but the bottom line staff is looking but they haven't found a buyer and seller that match. **Council Member Ron Johnson** stated there was a project before the city council tonight, which there were probably 9 – 10 different property owners in that project. They pieced it together to build that project. Why can't the city do something like this? Council Member Ron Johnson stated that starting tomorrow he's going to find a 30 acre parcel that someone will sell to the city, good enough for park land. He will make this his day tomorrow, if the city council will agree to purchase the property. That's what the money is supposed to be for, and the city needs to make a move and give these people some city services. On the survey sent in, they wrote they are afraid to go to the park because they don't have police protection at the park. **Mayor Gary Pirkle** reminded Council Member Johnson that the topic of discussion was Park Services. **Council Member Ron Johnson** stated that he would find a 30-acre parcel tomorrow and piece it together, if that's what it takes to do so. **Council Member Kim Hall** stated that she was confident in City Manager Bob Hail ability that he's been doing what the city council asked him to do, and she's in the real estate business and knows its not an easy process. **Council Member Ron Johnson** stated then she should know its going up. **Council Member Kim Hall** stated she absolutely knew it was going up, she does know property, but that doesn't mean that they are willing to sell. **Council Member Ron Johnson** stated property is going up, if it is \$70,000/acre now, what makes the council think they are going to take \$40,000/acre. The council is whistling in the wind if they think they'll take half of what they think there property is worth. If it is \$70,000/acre now, three months from now it'll be \$80,000/acre. **Mayor Gary Pirkle** asked Council Member Ron Johnson if he was asking the city council to condemn property for park space. **Council Member Ron Johnson** stated he wasn't asking to condemn anything. He's asking, with the \$5,000,000 set aside, which of part is for a park, lets buy it. It's been set-aside for over one year now. **Mayor Gary Pirkle** stated that City Manager Bob Hail was working on this, and asked if there was anything else to add. **Council Member Kim Hall** stated this issue has been discussed.

10. Discussion of a Senior Watch.

Council Member Ron Johnson stated he met with Kerry Maddox last night. He's lived in Sugar Hill all his life, his great-grandmother was born and raised here, his mother and own family. He moved to Lawrenceville for about three years and had to move back to Sugar Hill. He's married to a young lady from Mexico, and has a shut in uncle. Mr. Maddox asked Council Member Ron Johnson why the city doesn't have some program where his uncle can call the city and let them know he's okay. This is called a Senior Watch. A lot of people do it, Duluth does it, and most people that do it have their own police department. He believes the city could do this where seniors could call up to city hall and let them know they are okay. Seniors biggest fear it to have something happen to them at home and no one know about it. Mr. Maddox informed Council Member Ron Johnson that he has to call his uncle before he walks across the street because it takes him that long to get to the front door. **Council Member Ron Johnson** asked the Mayor and Council Members to instruct City Manager Bob Hail to set this program up, it's real easy. **Council Member Ron Johnson** stated Council Member Chris Abbey wanted to do a crime watch or a watch with the part time police officers. He doesn't know what happened with that, but that would be a good thing too. **Council Member Chris Abbey** stated that when he proposed this he laid out the methods, and etc., and asked Council Member Ron Johnson if he had this information for the Senior Watch, or will he be working on this for a proposal to the city council. **Council Member Ron Johnson** stated that all that would need to be done would be to find out who's out there. A lot of people who are in their late 80's signed the survey and gave their phone numbers, and he's talked with a lot of them.

Council Member Chris Abbey asked Council Member Ron Johnson was this something that he was proposing city employees call out to these people. **Council Member Ron Johnson** stated that the senior would call city hall, if they don't call by 10:00 AM then the city would make a call to them. If they don't answer the call then the city would contact their emergency contact. It's a simple thing and doesn't take long. Council Member Ron Johnson would propose that the city do this for the senior citizens. There are actually a lot of shut ins in the city. **Council Member Kim Hall** asked City Manager Bob Hail how he felt about this proposal. **City Manager Bob Hail** stated that if the Mayor and City Council think this is what they want to do then he will institute and staff it accordingly. **Council Member Kim Hall** stated that that wasn't what she asked him. **Council Member Ron Johnson** stated that Council Member Kim Hall was leaving a decision up to City Manager Bob Hail who works for the City Council that should be a decision made by the City Council. **City Council Member Kim Hall** stated she was asking his opinion because this will effect his staffing. **Mayor Gary Pirkle** stated that this sounds like a good item for the work session to work out the details before a proposal is brought before the city council. **Council Member Chris Abbey** stated he would agree with Mayor Gary Pirkle because he was going to ask for the framework for how he would like to see this work (spelled out for how many people would take advantage of it, how much staff would be required). **Council Member Ron Johnson** stated that he thought there would be about 12 at this time that would take advantage of it. **Mayor Gary Pirkle** asked that Council Member Ron Johnson bring this up at the next work session for discussion.

Council Member Kim Hall asked City Manager Bob Hail about the election coming up, and what month does the election superintendent have to be reappointed. **City Manager Bob Hail** stated that he plans on taking care of the election superintendent appointment in May, and he will have the elections people that he's talked with on the training and everything else set up by May as well. The training will be at Gwinnett County and nominate this person. **Council Member Kim Hall** asked if the machines were good enough. **City Manager Bob Hail** stated that the city's machines were good enough and they are computer recorded and sufficient, they are not touch screen, but are computer documented. Mrs. Ferguson stated that the city's machines are in perfect condition. **Council Member Kim Hall** asked Mrs. Ferguson if she was willing to serve in that capacity again. Mrs. Ferguson stated she was. **Council Member Kim Hall** questioned Mrs. Ferguson about her staff, and stated that it was her understanding that the only person the city council appoints was her and then she finds her own staff. Mrs. Ferguson stated this was correct, and she and City Manager Bob Hail would work together with the training and everything.

Council Member Ron Johnson asked Mrs. Ferguson if she knew when people have to be registered to vote in the next election. Mrs. Ferguson stated that she did not know but she would find out. **Council Member Thomas Rhodes** stated that this was on the Secretary of States web site. **Mayor Pro-Tem Meg Avery** stated that it's usually the first Tuesday in October. **Council Member Chris Abbey** stated that it was 30 days before the election according to the city attorney.

Council Member Thomas Rhodes made a motion to enter into executive session to discuss legal, real estate and/or personnel issues. **Council Member Kim Hall** made the second.

Entered into executive session at 9:21 p.m.

Mayor Gary Pirkle called the meeting back to order at 10:21 PM to discuss items taken out of executive session.

City of Sugar Hill Council Meeting
Monday, April 14, 2003
4988 West Broad Street, Sugar Hill, GA 30518
Community Center 7:30 pm

City Council Member Kim Hall made a motion upon the City Manager Bob Hail's review the City Council would like to raise his salary 6% retroactive to April 1, 2003. **Council Member Chris Abbey** made the second. *Motion passed unanimously. 5-0*

ADJOURNMENT:

Council Member Ron Johnson made the motion to adjourn the meeting. **Council Member Thomas Rhodes** made the second. Motion passed unanimously 5-0.

Meeting adjourned at 10:22 PM.

Date approved: _____

Mayor

ATTEST:

City Clerk

Attachments:

1. Sewer Easement Intergovernmental Agreement
2. City Manager Report
3. AX-02-005 & AX-02-006 Staff and Planning Commission Recommendation
4. Ordinance AX-02-005
5. Ordinance AX-02-006
6. Plat AX-03-001
7. Resolution – CDBG 2003 Community Center ADA Renovations – Church Street
8. Resolution – CDBG 2004 Drainage Improvements Hickory Hills Drive, Walnut Circle, Hickory Circle