

**Minutes of Sugar Hill Council Meeting
MONDAY, AUGUST 11, 2003
COMMUNITY CENTER, 7:30 P.M.
4988 WEST BROAD STREET, SUGAR HILL, GA 30518**

The City of Sugar Hill City Council held its regular meeting on Monday, August 11, 2003, 7:30 p.m. at the Community Center.

Notice of the meeting was placed on the board outside City Hall and on the door of the Community Center and on the board at Alton Tucker Boulevard and Peachtree Industrial Boulevard. Notice was also sent to the newspaper.

Present were Mayor Pirkle, Mayor Pro Tem Avery, Council Members Hall and Johnson, City Attorney Lee Thompson, City Manager Bob Hail, and City Clerk Jane Whittington. Council Member Rhodes was not present.

Call to Order, Pledge of Allegiance to the Flag and Invocation— Mayor Pirkle called the meeting to order at 7:30 p.m., led the pledge of allegiance and gave the invocation.

Approval of Agenda – Council Member Hall motioned to approve the agenda as submitted. Council Member Avery seconded the motion. Approved 3-0.

Approval of Minutes - Minutes of the Council Meeting of July 14, 2003 were approved as submitted. Council Member Hall motioned to approve the minutes. Council Member Johnson seconded the motion. Approved 3-0.

City Attorney's Report – No Report at this time.

Council Reports

Council Member Kim Hall thanked the Mayor and City Council and friends in Sugar Hill for being so kind to her family during her hardship this past week. As far as Planning & Zoning the City Manager has hired a new Planning & Zoning Director, Harmit Bedi. Mr. Bedi will start with the City in September.

Council Member Thomas Rhodes was not present but asked the Mayor to present his report for him. The Downtown Development Authority will meet Tuesday, August 19th at 7:00 p.m. As for the Gas Department Budget Billing has been initiated and applications are being accepted at City Hall and will be offered again in the Spring. You need a 12-month good payment history to sign up. There were 47 new gas services this month. The gas price per therm is 76 cents.

Mayor Pro Tem Meg Avery reported that the Fall Festival plans are underway. There are four bands performing in the amphitheatre, numerous food vendors including the Varsity, arts and crafts vendors and a car show. Entertainment will also include a large petting zoo, moonwalk and games and prizes for all ages. If you are interested in volunteering, sponsorship or have any questions contact the Recreation

Coordinator Kelly Rumrill at City Hall. The festival will conclude with a free concert by the Swinging Medallions in the amphitheatre from 7 to 9 p.m. The next Fall Festival meeting will be Thursday, August 28th at 7:00 p.m. at the Community Center. The Reels at Robinson have been planned with family oriented movies. Before each movie there will be a slide show and cartoon. The first movie “Hook” is Friday, August 22nd. A new fence is being installed at Field One at Robinson Park. Bids have been obtained to resurface the tennis courts and will be awarded soon. The soccer field looks great and Gwinnett Soccer Club will begin practicing and playing games soon. The design for the new Community Center is complete and the construction bids are due October 2nd. Council Member Avery asked us to remember with the first day of school how important the children are. School is very important to them. Our children are our future. We are their role models and their mentors. Talk to a child about school and ask questions. Not just about homework and grades. Please show them you are genuinely interested and talk to them about school. When an adult has a genuine interest it lets a child know they are important and worthy.

Council Member Ron Johnson thanked Chris Abbey for his service to the City. Not just his time on Council but also on Planning & Zoning. Council Member Johnson stated he played on the golf course recently and it is wet and we need dry weather. Right now the course is holding its own and they are trying to keep it above water. Hopefully we’ll get some dry weather and be able to enjoy it more. This past Thursday the City Manager and Council Member Johnson met with Brian Allen and a couple of other people from Gwinnett DOT about the widening of State Route 20. The state has given the project to the county. Also present was Street Smarts who have designed a project to put trees, flower beds and pine straw along that stretch of road through Sugar Hill. It will look more like a boulevard than a concrete highway. In about three weeks there will be another meeting with the State DOT. The county liked the Street Smarts design so he is hopeful that this project will move right along. A survey was sent out last February and he received back 2,932 answers back from citizens of the City. He has contacted over 500 that put their names and addresses on them and is becoming more aware of what people want to see in the City.

Mayor’s Report – Mayor Pirkle reported that **John Linder** will be having an Open House Meeting Saturday, August 23rd from 10:00 a.m. to 11:00 a.m. at the Gwinnett Justice Center.

Mayor thanked **Chris Abbey** for his six years of service to the City and presented him with two plaques, one for Planning & Zoning and one for Council. His first year of service was on Planning & Zoning and at the time the city was trying to keep from going bankrupt and did not present him with a plaque for his service. The next five years he served on the Council through some very difficult times and they could not have done it without him. Chris Abbey thanked the citizens who voted for him and the Council for their service and assistance to him. Last but certainly not least he thanked his wife Tina, son Richard and daughter Alex who sacrificed a lot of his time during his service to the City. He had a great seat to watch a lot of positive changes in the City.

City Clerk’s Report – City Clerk reported that she had attended elections training with the Elections Superintendent Jeanne Ferguson. There are many changes in the Election Code including Absentee Voting and forms of ID. The changes have not been approved by the Justice Department but soon as they do they will be in effect, probably before the November election. The new Occupation Tax software has been installed and now all the businesses need to be entered and the software will be operational.

City Manager's Report – Thanked Mayor and Council for their patience and declared victory on Spring Hill Drive. It was a vision of theirs four years ago and with all the bureaucracy with the state the council took it upon themselves to do it in-house and it was completed in less than a year. The road is exceptional. It is now open as a one-way road and completed under budget. The 2003 Road Program is complete with finish up projects left. Sunset Drive on Whitehead Rd needs the culvert replaced. It is washing out. Frontier Forrest is next with installation of drainage pipe and sidewalks. One side of the road was chosen because utilities are on the other side. City Hall construction is complete. The only repairs left are touch ups. The majority of new furniture was delivered on August 4th and Planning & Zoning began relocating to City Hall today. The parking lot was repaved and greenery will be added.

Unfinished Business

Citizens and Guests Comments – No citizen comments.

New Business:

Discussion of Appointment to Replace Council Member Chris Abbey - Mayor Pirkle opened the floor to nominations. Council Member Johnson nominated Steve Edwards who currently serves on the Planning & Zoning Board. No other nominations were made. Mayor closed the nominations. Nomination of Steve Edwards approved 3-0. Mayor Pirkle swore him in and explained that he could vote on any issue he was familiar with or abstain if he was not familiar because he was not at the Work Session.

Planning & Zoning Commission Vacancy – Mayor Pirkle opened the floor for nominations to replace Joe Clarino who resigned. Council Member Hall nominated Granville Betts who had served on the board for 10 years and retired last year. There are two years left in Mr. Clarino's term. The Mayor closed the nominations. Nomination approved 4-0.

Decorative Street Lights for W. Broad & Alton Tucker – The City Manager explained where the lights would be located and that the lights would make a decorative style for the area. They will be placed between streetlights for additional lighting of the future downtown area. The Washington style is fiberglass and costs \$2,100 installed. The Granville is aluminum and costs \$1,500 installed. They are 20 feet high. The trenching and electrical wiring will cost \$1.75 a foot or about \$6,000. City Manager needs directive from the Council to get Georgia Power to install the lights and fund it from contingency. Mayor explained the Town Green is dark on the backside. The DDA is in favor of decorative lighting downtown. Council Member Hall asked if there was a total cost. The Granville poles would be installed at a cost of \$19,500 to \$22,500. The condo owner on Church Street wants to build on this and continue down to his condos. This cost would be not to exceed \$22,500 unless the City Manager comes back to Council. Georgia Power will install and maintain the poles if we buy them through them. Mayor Pirkle asked if there would be outlets at the top for seasonal additions. The City Manager stated that as Project Manager he could see that this is done. Council Member Johnson expressed concerns about whether this will address safety issues. Council Member Avery motioned to direct the City Manager to purchase the Granville poles with lights and have Georgia Power install them on West Broad Street at a cost not to exceed \$22,500. Council Member Edwards seconded the motion. Approved 3-0-1 with Council Member Johnson abstaining.

Consultant Renovation of Golf Greens – The City Manager explained that the Sugar Hill Golf Course is over ten years old and the greens need to be redesigned and replaced. The greens when built correctly can last ten to fifteen years. Our course is a spray field and we put excessive amounts of water on it. The greens are not draining well and are saturated now because of the rain we have received this year. They need to be rebuilt by coring them, remove everything around, put down bedrock, sand, drainage system and build back up. While we have a contract for a spray field which is about 3-1/2 more years, the construction needs to be done. The Superintendent and staff have done an outstanding job with this saturated course. His plan is to make this a two year project by prioritizing the greens and do 9 this winter and nine the next. This way next summer during peak season, the nine greens that have been done will be playable making 18 holes during this season. Then in the winter time repair the other nine and when the peak summer season comes again they will all be playable. Each green has to be looked at separately. After the contract for spray field is over then we can use as much of the water from the treatment plant as we want. If the Council approves this, he will take bids to begin work in January – March time frame. Engineering is the most important part. Funds would have to be transferred from the Money Market Account to 52131 Contractor Line item for golf course. Council Member Hall asked if the funds are for the engineering costs and then during the budget process the construction costs would be funded. City Manager will get the engineering study for all 18 holes so there will not be remobilization costs. He will pick nine holes to do at a time. Council Member Avery asked about the extent of the redesign. Mayor explained that the makeup under the ground is different under every hole. More rock in some areas and more clay in others. Council Member Hall questioned if the City Manager had any idea what the cost of this engineering study would be. He stated that he believes he can get it done for around \$35,000. Council Member Hall motioned to allow the City Manager to bid engineering analysis and development of construction plan for all the greens at the golf course and when he has the bids transfer money from the money market account to line item 52131. Council Member Avery seconded the motion. Approved 4-0.

Contract with Auditor for GASB34 – The State of Georgia and the nation has directed that governmental accounting enact GASB34. This is very different from past accounting in governmental agencies. This brings governmental accounting more in line with a business where you talk about depreciation. Every year they want to know your assets and see the depreciation. The accountants in Georgia agreed and 2 years ago a uniformed chart of accounts was required that makes it easier for the auditors to audit everybody. Our current auditor Wayne Bowen is an outstanding auditor and is well versed in GASB34 and presented a proposal for training and initiating accounting procedures to come into compliance with GASB 34. Next year Sugar Hill will be required to have all this in place. This is critical to the City. Mr. Bowen is a quality CPA and the City Manager is sure he will do a quality job with this. The City Manager's recommendation is that we contract with Mr. Bowen to prepare for scheduling training and integration of GASB34 in the city's accounting system (which we have new software) and also approve a not to exceed contract cost of \$3,000 unless the City Manager approves additional funds. Also he asks that Mr. Bowen's contract as the City's auditor be extended to 2003 and 2004. This will be the integration years of GASB34. Council Member Johnson asked if this would result in a cost of \$3,500 and the City Manager said he would try and keep it at \$3,000. Council Member Hall commented that this is another unfunded mandate from the state. The Legislature changed it to make it easier on their end if they have to come audit us. There is no consistency or guidelines between the cities, only requirements. Council Member Hall motioned to approve Wayne Bowen as the City Auditor for 2003 and 2004 and to allow Mr. Bowen to work with the City Manager

on training and integration of GASB34 with a cost not to exceed \$3,500. Council Member Johnson seconded the motion. Approved 4-0.

Public Hearing: RZ-03-003, West Hamryka, D.V.M.

Map Reference# 7-306-117, 5215 Highway 20, Acreage: 0.72

Current Zoning: RS-150, Requested Zoning: LM

Council Member Hall motioned to enter into Public Hearing, Council Member Johnson seconded. Approved 4-0. The Veterinarian office is requesting this for a parking lot extension for his current animal hospital. When it came before the Planning & Zoning Commission, Commissioner Mark Cohen made a motion to approve this with conditions as noted. The City Manager read the recommendations. The only LM permitted use for this property shall be associated with the animal hospital. It will not be a stand alone LM. If the animal hospital no longer uses this property they will have to come back to Mayor and Council for zoning of this property. There is a proposed fifty-foot buffer between this and another single-family zoned lot and the ingress/egress will not change. Council Member Johnson asked where the tip of the parking lot would be when they widen Highway 20. The City Manager showed the location of the parking lot when widened and explained that it will not be in the right of way. It will probably require another entrance/exit and a decel lane. Council Member Hall asked why they were not just given a Special Use Permit instead of rezoning. The City Manager explained that it would link it to the existing business and be easier to keep up with. Council Member Hall asked if the animal hospital is zoned LM with conditions. It is also LM with the condition that it cannot be LM for any other use besides an animal hospital. Council Member Johnson asked the City Attorney if we would have a problem with a special use permit at that location. The City Attorney said that he would have to look at that section of the Zoning Ordinance. He stated that the properties would not revert back but they could not be used for anything other than a veterinarian and a parking lot for a veterinarian. The property could not get a Special Use Permit under the current zoning of RS-150. It might be allowable under General Business but you would have to change it from RS-150.

Council Member Hall motioned to exit the Public Hearing. Council Member Johnson seconded the motion. Approved 4-0.

Council Member Hall motioned to rezone RZ-03-003 to LM with the condition that it be associated with the animal hospital. If the use of that property changes then the property owner will have to come back to Council at such time. Council Member Johnson seconded the motion. Approved 3-0-1 with Council Member Edwards abstaining.

Public Hearing: RZ-03-004, Pinecrest Dr. Properties, LLC

Map Reference# 7-272-004, Chapel Ave./Highland Ave., Acreage: 0.46

Current Zoning: RS-100, Requested Zoning: RS-100 Change in Conditions Only

Council Member Hall motioned to enter Public Hearing. Council Member Avery seconded the motion. Approved 4-0. The City Manager explained that the planned change is to construct two single-family homes on the property. Request is to divide into two parcels. Their current project backs up to this property. He walked the property after the Planning & Zoning meeting to get a good visual of the property. At the Planning & Zoning meeting the former Assistant Manager for Planning & Development Jim Osborn approved this with conditions. The Chairman at the time Joe Clarino made a motion to approve this with noted conditions. The motion died for lack of a second. It was then approved for denial 4-0. The City Manager stated that the frontage of the two lots once subdivided would be substandard. The lots surrounding it are much larger and it would not fit. This is an older subdivision with larger lots. Use of the road or improvement of the road is not applicable. Staff

recommendation is to deny. Brett Clark spoke for the developer. He explained that the lots were substandard in width but not substandard in size. They are the same size lots that are developed there in Pinecrest Station. It is a level lot and he feels it will help the community, not a detriment there. Council Member Hall asked why this lot was not included in the original request. Mr. Beavers the developer explained. With two houses it would be easier for a developer to come in and have a new mindset about the future development. There is a lot of potential in the area. Council Member Hall asked why the requirement of the fence has not been met? There are houses that are completed and for sale but the fence is not installed. Mr. Clark said that the weather had hampered the outside work and they would be completed. Council Member Hall wanted to be sure as a condition of the zoning they would be completed before the CO is issued. Some of the citizens that live in the immediate area spoke in opposition to this.

Council Member Hall motioned to exit Public Hearing, Council Member Avery seconded the motion. Approved 4-0.

Council Member Johnson motioned to table RZ-03-004. Council Member Hall seconded the motion for the purpose of discussion. Council Member Hall stated the focus should be on now and not the future. These residents have lived here a long time. She withdrew the second and the motion died for lack of second.

Council Member Hall motioned to deny RZ-03-004 change in conditions, Council Member Avery seconded. Approved 2-1-1 with Council Member Johnson voting nay and Council Member Edwards abstaining.

Public Hearing: RZ-03-005, Gene Duncan

Map Reference# 7-292-123 & 196, 4719 East Broad Street, Acreage: 2.003

Current Zoning RS-100, Requested Zoning: LM

City Manager stated that Mr. Duncan presented a change in plans today. The staff recommendation is to table this and bring it back to Planning & Zoning and Council. The City Attorney recommended that it be re-advertised for September Planning & Zoning and bring it back to the Council at the October meeting. Council Member Johnson motioned to table this and send it back to Planning & Zoning in September and bring forward to the Council in October. Council Member Avery seconded, Approved 3-0-1 with Edwards abstaining.

Public Hearing: RZ-03-006, Hugh Delaney

Map Reference# 7-257-117, 1180 Buford Hwy., Acreage: 3

Current Zoning: BG, Requested Zoning: HM-1

Council Member Hall motioned to enter the Public Hearing. Council Member Johnson seconded the motion. Approved 4-0. The Council asked Mr. Delaney if he would be storing large mounds of materials and he stated that he would not. He said that the piles of materials would be small. Council Member Johnson wanted a stipulation that the materials would not exceed the fence height. Council Member Hall requested that the fence height requirement be 8'. Mr. Delaney said that there would not be late night deliveries.

Council Member Hall motioned to exit the Public Hearing. Council Member Avery seconded the motion. Approved 4-0.

Council Member Hall motioned to approve a Special use Permit on the current zoning to allow a Contractor's Office with conditions as stipulated by Staff recommendation changing the fence requirement to an 8' high fence and adding the stipulation that storage materials can't exceed the fence

height of 8'. Council Member Johnson seconded the motion. Approved 3-0-1 with Council Member Edwards abstaining.

Executive Session: Legal, Real Estate and/or Personnel:

Council Member Hall motioned to enter Executive Session at 9:10 p.m. Council Member Johnson seconded the motion. Approved 4-0.

Council Member Edwards motioned to exit Executive Session at 9:44 p.m., Council Member Johnson seconded. Unanimous 4-0.

Mayor Pirkle called the meeting back to order.

Adjournment:

Council Member Hall motioned to adjourn at 9:45 p.m. Council Member Avery seconded the motion. Approved 4-0.

Date Approved: _____

Gary Pirkle, Mayor

Jane Whittington, City Clerk

Attachments:

1. Stipulations to Rezoning RZ-03-003
2. Stipulations to Change in Conditions RZ-03-004 (Denied)
3. Stipulations to Special Use Permit RZ-03-006