

**CITY OF SUGAR HILL  
COUNCIL MEETING MINUTES  
MONDAY, JANUARY 10, 2005  
7:30 PM CITY HALL ANNEX  
4988 WEST BROAD STREET, SUGAR HILL**

**Call to Order** - Mayor Pirkle called the meeting to order at 7:30 p.m. Present were Mayor Gary Pirkle and Council Members Marc Cohen, Steve Edwards, Ron Johnson, Clint Thompson and Nick Thompson. Also present were City Manager Bob Hail, City Attorney Lee Thompson and City Clerk Jane Whittington.

**Pledge of Allegiance to the Flag**

**Invocation** – Mayor Pirkle gave the invocation.

**Approval of Agenda** – Council Member Johnson motioned to amend the agenda by moving item #3 under New Business up above Unfinished Business to allow the Judges to be sworn in at that time. Council Member Cohen seconded the motion. Approved 5-0.

**Approval of Minutes** - Minutes of Council Meeting December 13, 2004. Council Member Edwards motioned to approve the minutes as written. Council Member C. Thompson seconded the motion. Approved 5-0.

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

**Council Reports**

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

**Council Member Marc Cohen** stated that he hoped everyone had a great holiday and a Happy New Year. Hope everyone has a great 2005 and everyone please take a moment to think about the victims of the Tsunami. Please open your hearts and your wallets. In the Planning & Zoning department they performed 126 inspections last month, 15 permits were issued and they accepted 3 annexation applications.

**Council Member Nick Thompson** reported that February 21<sup>st</sup> at 7:00 p.m. at the Sugar Hill Golf Course will be the kickoff for the Sugar Hill Business Alliance. The group will be appointing officers and a structure will be formatted at that meeting. It is free to come to the meeting and the fee for membership is \$60 per business. This is a great networking opportunity and way to promote your business.

**Council Member Ron Johnson** welcomed everyone, especially the Judges and P&Z candidates. He congratulated former Council Member Kim Hall on her recent appointment to the Gwinnett Historical Restoration and Preservation Board. He thinks that she will do a good job. She is from the area of Gwinnett. There has been a lot of talk about lot sizes in this city in the past few months and he has researched other projects which have smaller lots. Weiland, one of the most reputable

builders in the country, is building a neighborhood of this type called Collinswood. They are on 55' to 60' lots and the houses start at \$243,000 without a basement. He is not a proponent of large lots but he is a proponent of large houses.

**Council Member Steve Edwards** had no report.

**Mayor's Report** - Mayor Pirkle presented City Attorney Lee Thompson with a plaque for his twenty years of dedicated service.

**City Clerk's Report** – The City Clerk, Jane Whittington, reported that they issued 5 Businesses Licenses in the month of December. The renewal process for the business licenses is ongoing and currently software problems are affecting the process, but we anticipate good results. All but 3 out of the 13 Alcohol/Beer/Wine licensees have renewed to date. They were due December 31<sup>st</sup> and Business Licenses are due January 31<sup>st</sup>. We received from Gwinnett County year to date totals for current property tax \$1,381,108.68 and prior years \$63,895.

**City Manager's Report** – Bob Hail gave 2004 end of year report. See Attachment #1.

**1. Annexations to go to Planning Commission 1/18/05 and Council 2/14/05**

- a. **AX-04-028, Plantation Associates, LLC, 8.67 Acres, 5445 Suwanee Dam Rd., R-100 in Gwinnett requesting RS-100/PRD to develop 40 single family homes, density 4.6 acre**
- b. **AX-04-025, GA 20 Ventures North, LLC, 14.993 acres along Hwy. 20, C-1, C-2 and R-75 in Gwinnett County requesting BG to develop for commercial use**
- c. **AX-04-029, GA 20 Ventures North, LLC, 29.963 acres along Hwy. 20, C-1, C-2 & R-75 in Gwinnett requesting RS-100 PRD to develop 81 single family homes, density 2.7/acre**

**Municipal Judge Appointments** – Mayor Pirkle swore in **Chief Judge Margaret Gettle Washburn**. Judge Gettle Washburn then administered the Oath to **Associate Judges Charles Barrett and Christopher Adams**. Judge Washburn updated the Mayor and Council on the current status of Municipal Court.

**Unfinished Business - Veto by Mayor AX-04-022** – Council Member Johnson motioned to override Mayor Pirkle's veto AX-04-022. Council Member Cohen seconded the motion. **The motion to override was denied 2-3** with Council Members Edwards, C. Thompson and N. Thompson voting nay. Council Member Cohen **motioned to deny AX-04-022**. Council Member Johnson seconded the motion. **Approved 5-0.**

**Citizens and Guests Comments**

Ben Cranor, 5655 Silk Oak Way, spoke regarding the amenity package being brought forward tonight, AX-04-026. His property backs up to this. He is hoping that there will be a buffer that will protect his yard. The tennis court and parking lot would be in his back yard. They are afraid of the noise and light. This will be discussed during the Public Hearing tonight.

## **New Business**

**Mayor Pro Tem Appointment** – Council Member Johnson nominated **Council Member Steve Edwards as Mayor Pro Tem for 2005**. He was the only one nominated and was sworn in by Mayor Pirkle.

**Council Liaison Appointments** – Council Member Cohen discussed some of the new liaison categories he thought would better represent the City at this time. The old liaisons coincided with the departments and there are so many other important things going on at this time. The Council agreed to discuss this at the February Work Session. Some of the Council wanted to represent the same categories.

**Board Appointment by Post** – Council Member Cohen brought this forward to align the terms of the boards with the Council posts and terms as far as expiration. The City Attorney explained that this would require an ordinance to amend the Zoning Ordinance to restructure terms for the Planning Commission. The DDA has by-laws which govern them and these would have to be changed by resolution.

**Planning Commission and DDA Appointments** – Council Member Johnson nominated Chad Hall for Post #5 on the Planning Commission. Council Member Clint Thompson nominated Renya Eurek for Post #5. Renya Eurek is appointed to Post #5 by a vote of 3-2 with Council Members Johnson and Cohen voting for Chad Hall.

Council Member Johnson nominated Andrew Rodgers for the DDA post currently vacated by Mike Bryant. There were no other nominations so Andrew Rodgers was sworn in by Mayor Pirkle.

**Georgia DOT Railroad Crossing Closure Agreement** – Mr. Hail explained that the contract reimburses the City for work already done when they closed the railroad crossing at Pinecrest Drive. Council Member Cohen motioned to approve the agreement with the Georgia Department of Transportation reimbursing the City \$7,500. Council Member Johnson seconded the motion. Approved 5-0.

**PUBLIC HEARING – Ordinance updated Zoning Map** - Mr. Bedi explained that the 2000 Zoning map was amended by updating any changes that were noted and signed by the Mayor on the 2000 map. The map is dated January 3, 2005. Council Member Johnson asked Mr. Bedi if the only changes to the map were the ones signed by the Mayor and he stated that was the only changes. The Public Hearing was opened and there were no comments from the public so the Public Hearing was closed. Council Member Cohen motioned to approve the ordinance to update the zoning map. Council Member Johnson seconded the motion. Approved 5-0.

**PUBLIC HEARING, RZ-04-010, Tax Parcel ID's 7-320-010, 011, 012, 013, 013A & 7-339-075, GA 20 Ventures, LLC requesting zoning modifications, currently zoned RS-100 PUD, requesting RS-100/ PRD and other modifications –**

*Council Member Nick Thompson removed himself from discussion and vote on Agenda items #8, #9 and #10. He will return to the meeting on agenda item #11.*

Mr. Bedi explained the annexation application. The Public Hearing was opened. The applicant Mr. Skiba stated that the smallest home would be 2,400 sq ft. There was no opposition so the Public Hearing was closed. Council Member Cohen motioned to approve RZ-04-010 zoning modifications

to add 2,400 sq ft as the minimum home size. Council Member Edwards seconded the motion. Approved 4-0.

**PUBLIC HEARING, AX-04-026, Tax Parcels 7-320-037, 7-320-039, GA 20 Ventures, LLC, annex 3.13 acres off GA Hwy. 20. Zoned R-75 in Gwinnett proposed for City RS-100/PRD.** – Mr. Bedi explained the application and the staff conditions and that they added #6 a fence along the property line of the residents of the Arbor Clos subdivision abutting this recreation area. This will take care of Mr. Cranor who spoke during Citizen Comments tonight and voiced concerns that a sufficient buffer be added to protect his back yard. The Public Hearing was opened and Attorney Michael Sullivan spoke regarding the application and they agreed to the conditions including #6. There was no opposition so the Public Hearing was closed. Council Member Cohen motioned to approve AX-04-026 with conditions as presented. Council Member C. Thompson seconded the motion. Approved 4-0.

**PUBLIC HEARING, AX-04-027, Tax Parcel 7-320-004, GA 20 Ventures, LLC, on behalf of Lighthouse Baptist Church, annex 5.45 acres off GA Hwy. 20. Zoned R-75 in Gwinnett proposed for City RS-100/Special Use Permit.** – Mr. Bedi explained that the application is to annex and rezone the church and property to RS-100 Special Use Permit but there are no plans to change the existing use. Council Member C. Thompson questioned whether the cell tower required trees around it. Mr. Bedi explained if they co-locate on the tower then they will have to meet city requirements. The Public Hearing was opened and Michael Sullivan spoke for the applicant. He explained that churches sometimes have cell towers on the property as a source of revenue. There was no opposition so the public hearing was closed. Council Member Cohen motioned to approve AX-04-027. Council Member Edwards seconded the motion. Approved 4-0.

**PUBLIC HEARING, RZ-04-009, Tax Parcel ID's 7-253-001, 041, & 039, Peachtree Industrial Boulevard 1LP, requesting to rezone 12.036 acres off Peachtree Industrial Blvd., currently zoned HM-1, requesting to rezone BG** – Council Member Nick Thompson returned to the Council room. Mr. Bedi explained the application. Staff placed a number of conditions on the rezoning. The Public Hearing was opened and the applicant was not present. There was no opposition so the Public Hearing was closed. Mr. Bedi explained that Tench Rd is not a real road on this property and it does not extend to the back of the property. Council Member Johnson requested that #7 state that the signs be made of brick or stone and match what is on the building. Council Member Cohen requested to change in #7 the word encourage to required. Council Member Cohen motioned to approve RZ-04-009 and to change #7 to state an innovative "Sign" plan be required... and to state that the signs must match what they put on the building. Council Member Johnson seconded the motion. Approved 5-0.

**Qualifying Fee for Mayor and Council 2005 Election**– The City Clerk explained that this is required by the Georgia Election Code and recommended to set the qualifying fee for the City of Sugar Hill 2005 election at \$162 for Mayor and \$108 for Council, or 3% of the annual salary. Council Member Cohen motioned to approve the staff recommendation. Council Member Johnson seconded the motion. Approved 5-0.

**Personnel Procedures Manual Amendment, Holidays** – The City Clerk explained that in an effort to be consistent with Gwinnett County, The Us Post Office and some cities she requested that two holidays be added as employee holidays in the City, President's Day and Veteran's Day. The staff recommendation is to amend the Personnel Procedures Manual, Chapter III, Employee Benefits, adding Veteran's Day. (The Clerk withdrew the request for President's Day.) Council

Member C. Thompson motioned to approve the staff recommendation. Council Member Johnson seconded the motion. Approved 5-0.

**Salary Adjustment City Manager, City Clerk** – Council Member Nick Thompson motioned to approve the salary changes as discussed per their evaluations. The City Manager will receive a 4.5% increase and the City Clerk’s salary will be adjusted to \$60,000 per year. Council Member Johnson seconded the motion. Approved 5-0.

**Executive Session: Legal, Real Estate and/or Personnel:** Council Member C. Thompson motioned to enter Executive Session at 9:18 p.m. Council Member Johnson seconded the motion. Approved 5-0.

**Adjournment:** The meeting was reconvened at 10:30 p.m. There was no action taken out of Executive Session so Council Member C. Thompson motioned to adjourn. Council Member Johnson seconded the motion. Approved 5-0.

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Gary Pirkle, Mayor

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Jane Whittington, City Clerk