

**COUNCIL MEETING MINUTES
CITY OF SUGAR HILL
5039 WEST BROAD STREET
SUGAR HILL, GEORGIA
MONDAY, JULY 12, 2021, 7:30 P.M.**

CALL TO ORDER - by Mayor Edwards. Attendees included Mayor Steve Edwards, Mayor Pro Tem Taylor Anderson, Council Members Marc Cohen, Brandon Hembree, Nic Greene and Susie Walker, City Manager Paul Radford, Assistant City Manager Troy Besseche, City Clerk Jane Whittington and City Attorney Frank Hartley.

PLEDGE OF ALLEGIANCE TO THE FLAG – led by Scout Troop 5109 out of Buford Presbyterian Church.

INVOCATION – given by Mayor Edwards.

APPROVAL OF AGENDA – Council Member Greene motioned to approve the agenda as submitted. Council Member Walker seconded the motion. Approved 5-0.

APPROVAL OF MINUTES – Council Meeting & Executive Session June 14, 2021; Work Session & Executive Session June 7, 2021- Council Member Cohen motioned to approve the minutes as written. Council Member Greene seconded the motion. Approved 5-0.

AWARDS/PRESENTATIONS/PROCLAMATIONS

REPORTS

**CITY ATTORNEY
COUNCIL
MAYOR
CITY CLERK
CITY MANAGER
YOUTH COUNCIL**

CITIZENS AND GUESTS COMMENTS – Jeff Cutchins, 5010 West Broad Street, Sugar Hill spoke regarding his previous request for speed bumps on Church Street and to reduce the speed around Broadstone Apartments to 10 miles per hour. The city is working on plans for Church Street and other streets in the downtown area.

**CONSENT AGENDA
OLD BUSINESS**

NEW BUSINESS

Public Hearing #3, Adopting the 2021 Millage Rate – City Manager Radford explained this is the third and final state required public hearing. The law requires that we advertise it as a tax increase. The millage rate will not increase as it has held steady at 3.8 mills for 17 years. The increase comes from re-assessments and new property developments. Mr. Radford summarized use of the tax funds in the city. He further explained the city will collect its own taxes for 2021 for the first time. Gwinnett County collected them in the previous years but the newly elected tax commissioner and the city could not agree on the terms for the contract so the city will collect their own taxes. Part of the discussions included a summary of the staffing issues that the city is facing. Maintenance and Laborers are leaving for other opportunities with higher

pay leaving a void in those departments. The staff recommends that the millage rate be set at 3.8 mills for 2021.

The public hearing was opened and Amber Chambers, 809 Whitehead Rd. spoke regarding the everyday citizens and the impact a tax increase would have on them. She requested that the city roll back the tax millage rate.

There were no other comments, so the public hearing was closed. Mayor Pro Tem Anderson asked the Assistant City Manager how many stormwater employees we have currently. He replied that they are six positions in that department, and we are down to two. Mayor Pro Tem Anderson motioned to adopt the 2021 millage rate at 3.8 mills. Council Member Walker seconded the motion. Approved 5-0.

Public Hearing, AX 21-002, 5290 Arbor View Way & 5418 Cumming Highway – Planning Director Awana explained the city received an application from ArborView GA LLC/ Kimberly Landers for a single-family development at 5290 Arbor View Way and 5418 Cumming Highway Tax Parcels 7307 014 and 7321 014. The development would contain 28 townhomes. The zoning is currently R75 in Gwinnett County, and they are requesting to rezone it R36 in the city. Sandy and Ron Williams spoke against the development at the Planning Commission meeting. The applicant is requesting two variances (1) modify 50' undisturbed zoning buffer to 25' enhanced (graded and replanted) buffer along the rear boundary line; (2) modify 50' undisturbed zoning buffer to 10' enhanced (graded and replanted) buffer along the side boundary line. Staff recommends approval with six conditions. Mayor Pro Tem Anderson asked the Planning Director is it was developed under the current zoning of R75 what would the buffer be? Director Awana stated no buffer would be required. Anderson suggested that a seventh condition be added to limit the total number of townhome units to twenty-eight.

The public hearing was opened and John Slappey, Developer, spoke for the applicant. He stated that he likes what the city is doing. He has had several projects in the city that were approved recently. There will be no access in the Arbor View subdivision and development of the site will require a Georgia Department of Transportation access permit. He stated that he cannot control previous construction, the applicant's family has owned the property for a long time.

Ron Williams spoke regarding opposition to the development. The townhomes project is causing concerns to them. Without mature trees and buffer, the townhomes will look into their bedroom window. They have concerns of flooding and removal of mature trees. Who will maintain issues like rental percentages? They are opposed to buffer reductions. Property owner Kim Landers spoke regarding the project. Her father bought the property in the 50's. In 2006 a commercial building was built 20' from the property and the Williams built in the 80's right up to the property. The family did not oppose any projects built around them.

There were no other comments, so the hearing was closed. Council Member Cohen stated that Mr. Williams brought up a good point. How do we manage taking down the trees and what are construction times and how do we monitor noise? Director Awana stated that there are special clearing operators that take the trees down. The construction times are set by code, and we have equipment to monitor noise. Council Member Cohen stated that the buffer was increased from 40' to 50'. Mayor Pro Tem Anderson motioned to approve AX-21-002 annexation and rezoning to R36 with the six staff conditions changing condition #5 that no more than 20% of the total number of units can be leased at one time to no more than 10% of total units can be leased at any one time; and to add a 7th condition to limit the total number of townhome units to 28. Council Member Greene seconded the motion. Approved 5-0.

Public Hearing, TCO Design Review 21-003, 4852 Lanier Avenue – Planning Director Awana explained that the city received an application from Andres Bonilla requesting design review approval for improvements to the existing single family residential dwelling. The property is located in the Town Center Overlay, so it requires approval for any changes to the structure. They mostly included changes to the porch by adding tile and reworking the posts. The public hearing was opened and Ryan Lancaster, 4962 Lanier Avenue expressed concerns that they were remodeling for commercial use not residential. There were no other comments, so the hearing was closed. Council Member Cohen motioned to approve TCO Design Review 21-003. Council Member Walker seconded the motion. Approved 5-0.

Public Hearing, RZ-21-001, Peachtree Industrial Blvd. at Price Rd – Julie Sellers of Dillard Sellers, was present for the public hearing. They are willing to table this to have more time for review and questions/concerns from Council. Council Member Cohen motioned to table RZ-21-001. Council Member Greene seconded the motion. Approved 5-0.

Resolution Landfill Expense Reimbursement – Assistant City Manager Besseche explained that this is reimbursement for costs associated with the Appling Rd. closed landfill. The amount of the request is \$7572.95. This was voted on at the Work Session and the Council will need to ratify that vote in this meeting. Council Member Hembree motioned to approve the reimbursement resolution under our existing Agreement Governing Expenditures for State & Local Government Costs. Council Member Cohen seconded the motion. Approved 5-0.

Natural Gas Utility Commercial Customer Service Fee – Assistant City Manager Besseche explained that the commercial and industrial customers currently pay the same customer service fee as residential customers. The residential customer fee has been raised to \$17. The commercial accounts service demands and support required, including compliance efforts can exceed that of a single-family residential house. Staff is recommending that the customer service charge for commercial accounts be \$35 per month. Council Member Greene motioned to adopt the Gas Utility Ordinance section 74:52 and 74.54 establishing a commercial class monthly customer service fee of \$35 and include previously adopted residential fee of \$17 per month. Mayor Pro Tem Anderson seconded the motion. Approved 5-0.

EXECUTIVE SESSION: TO DISCUSS LEGAL, REAL ESTATE AND/OR PERSONNEL – Council Member Cohen motioned to enter Executive Session. Council Member Hembree seconded the motion. Approved 5-0.

PUBLIC ACTION TAKEN OUT OF EXECUTIVE SESSION – There was no action taken out of Executive Session.

ADJOURNMENT – Council Member Cohen motioned to adjourn. Council Member Walker seconded the motion. Approved 5-0.

Steve Edwards, Mayor

Jane Whittington, City Clerk