

**CITY OF SUGAR HILL
COUNCIL MEETING MINUTES
MONDAY, DECEMBER 11, 2023, 7:30 P.M.
COUNCIL CHAMBERS
5039 WEST BROAD STREET
SUGAR HILL, GEORGIA**

CALL TO ORDER – by Mayor Hembree. Present were Mayor Brandon Hembree, Council Members Taylor Anderson, Marc Cohen, Alvin Hicks and Jenn Thatcher. Also present were City Manager Paul Radford, Assistant City Manager Troy Besseche, City Clerk Jane Whittington and City Attorney Frank Hartley.

**PLEDGE OF ALLEGIANCE TO THE FLAG
INVOCATION** – given by Council Member Hicks.

APPROVAL OF AGENDA – Council Member Hicks motioned to approve the agenda as submitted. Council Member Cohen seconded the motion. Approved 4-0.

APPROVAL OF MINUTES – Minutes Council Meeting and Executive Session November 13, 2023; Work Session and Executive Session November 6, 2023 – Council Member Thatcher motioned to approve the minutes as written. Council member Anderson seconded the motion. Approved 4-0.

AWARDS/PRESENTATIONS/PROCLAMATIONS

Proclamation North Gwinnett Cluster Teacher of the Year – Council Member Cohen read the proclamations and introduced the teachers of the year and their principals. He congratulated them on this prestigious award.

REPORTS

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

CITIZENS AND GUESTS COMMENTS – Gary Pirkle, 5440 Silk Oak Way, spoke regarding the Comprehensive Plan. Meg Avery, 4575 Forest Green Dr., spoke regarding the proposed budget. The agenda has the budget as an ordinance. This is the first time in years the budget has been presented as an ordinance. She looked at GMA for the definition of an ordinance versus a resolution and felt that the budget fits the resolution definition better. She stated that this was not mentioned at prior meetings or at the Work Session. She respectfully asked that the budget be tabled.

CONSENT AGENDA

OLD BUSINESS

NEW BUSINESS

Appointment to Downtown Development Authority (DDA) – Mayor Hembree stated that the council will consider an appointment to the Downtown Development Authority and asked if there were any

nominations. Council Member Anderson motioned to nominate Mason Roszel, Council Member Thatcher seconded the motion. Approved 4-0. Mayor Hembree administered the oath of office.

Mayor Pro Tempore Appointment – Council Member Cohen motioned to nominate Council Member Hicks as Mayor Pro Tem. Council Member Hicks will serve the remaining year of the of the two-year appointment. Council Member Thatcher seconded the motion. Approved 4-0. Mayor Hembree administered the oath of office.

Public Hearing, 2024 Proposed General Fund and Capital Improvement Budget – The Mayor turned the agenda item over to the City Manager to present. The City Manager presented the details of the general operation budget by department. The budget reflects one new position in the Finance Department and one in Public Safety. Assistant City Manager, Troy Besseche presented the details of the Capital Improvement Budget. The Mayor asked if the Council had any questions or statements before the public hearing was opened. Council Member Anderson had a point of clarification. In the City’s Charter the action by the Council on the budget should be in the form of an ordinance. Council Member Hicks spoke regarding the pedestrian bridge. He asked the Assistant City Manager to clarify when the idea of the bridge was first discussed. He responded that it was talked about in the 2005 Town Center Overlay as a tunnel. The public hearing was opened.

Gary Pirkle, 5440 Silk Oak Way explained that the Highway 20 tunnel was discussed with GDOT and they chose not to help fund it. The expense was too large, so the city elected not to proceed. They entered into an agreement with the Sugar Hill Church to utilize their parking lot in exchange for the use of the new amphitheater. Wayne Hill also recommended that the city not go forward with a tunnel. Mr. Pirkle requested that the budget be tabled to allow more discussion.

James January, 1282 Frontier Dr., thanked the Council Members for their service and requested that the budget be tabled to allow the newly elected Council Members an opportunity to review it.

Joshua Page, 1214 Hidden Circle Dr., asked that the Council cater to the needs of all residents thereby enhancing the quality of life for everyone. He requested to trim the fat off the budget and make the tax dollars go farther longer.

Meg Avery, 4575 Forest Green Dr., spoke regarding fees for consultants, gas rebate program, overtime, travel and addition of a staff member in the Public Safety Department, and funding for Solis tenant improvements. She requested that the budget be tabled for more review.

Andrew Schultz, 5350 Windswept Trace, thanked those who served on the council and requested that the city table the budget to review more thoroughly.

Cliff Dowel, Andrew Schultz and Faye Sisson spoke regarding the budget details. The public hearing was closed. Council Member Cohen motioned to approve the budget as presented. Council Member Thatcher seconded the motion. Approved 4-0.

RZ-22-007, Jason Nam Kim, 5422 Sugar Ridge Dr., Tax Parcel R7 321031, 2.68 acres zoned RS-100 proposed zoning BG (public hearing 12-11-23) – Planning Director Awana explained the recommendations. The public hearing was opened, and the applicant explained the 12’ sidewalks and that they had removed the variance request. Clifton Pruitt, 5125 Sugar Ridge Dr. stated that 12’ sidewalks are too big and in the plan they turn abruptly. The public hearing was closed and Council Member Anderson requested that the sidewalks be further from Highway 20. Council Member Thatcher motioned to approve RZ-22-007 with the conditions as presented by staff. Council Member Hicks seconded the motion. Approved 4-0.

Envision 100 Comprehensive Plan, Adoption and Approval to transmit to the Georgia Department of Community Affairs and the Atlanta Regional Commission for review and compliance with state planning standards – Planning Director Awana explained that the plan development is complete. All corrections have been made and staff requests that the Mayor sign a resolution to forward the 2039 Comprehensive Plan to the Atlanta Regional Commission (ARC) and the Department of Community Affairs (DCA) for review. Council Member Anderson motioned to forward the Resolution and Proposed Plan for the 2039 Comprehensive Plan to the ARC and DCA for review. Council Member Cohen seconded the motion. Approved 4-0.

Property Line Adjustment Sugar Hill Distillery/Cemetery – Assistant City Manager explained that early 2023 the Community Center property adjacent to the Sugar Hill Cemetery was sold to the Sugar Hill Distillery. While conducting a final survey it was discovered that a small portion of several unused grave lots encroached over the existing property line. To correct the issue, staff met with the Sugar Hill Distillery owners who agreed to a property lot adjustment at no cost. The deed is attached to the agenda item. Council Member Cohen motioned to approve the property line adjustment between the Sugar Hill Historic Cemetery and the rear of the Sugar Hill Distillery and authorize the Mayor to sign the required quit claim deed as approved by the City Attorney. Council Member Thatcher seconded the motion. Approved 4-0.

Right-of-Way Donation Acceptance New Road “A”/Church Street Extension - Assistant City Manager Besseche explained that the extension of Church Street through a new development between Level Creek Road and Spring Hill was part of a zoning condition for the development of a 37-acre undeveloped tract. Donrob LLC (property owner) provided the property necessary to build the road and 360 Residential (developer) constructed the road. Donrob LLC has requested acknowledgement of the donation to the city for the land and the resulting deed acceptance for the property. The Deed of Acceptance and the survey are attached to the agenda item. Council Member Hicks motioned to approve the acceptance of the right-of-way donation of 2.755 acres from Donrob, LLC associated with the construction of New Road “A” otherwise known as Church Street Extension and authorize the Mayor to sign the deed. Council Member Thatcher seconded the motion. Approved 4-0.

EXECUTIVE SESSION: TO DISCUSS LEGAL, REAL ESTATE AND/OR PERSONNEL- Council Member Thatcher motioned to adjourn into Executive Session for legal real estate and personnel. Council Member Cohen seconded the motion. Approved 4-0.

PUBLIC ACTION TAKEN OUT OF EXECUTIVE SESSION – the meeting was reconvened, and Council Member Thatcher motioned to the purchase of a one (1) acre portion of parcel 7291 053 with conditions as attached as an Exhibit to these minutes, in the amount of \$65,000, and further move to approve a budget amendment to transfer \$65,000 from unrestricted reserves to land acquisition. As a condition of the purchase, the parties agree to the following:

The buyer will remove the existing signage and wall on or before 12/31/25; the buyer will install a double concrete dumpster pad/enclosure on or before 12/31/25; the buyer will repair/repave Magical Way (driveway) to the new property line on or before 12/31/25; the buyer will grant a sign easement and permit a new monument sign to be installed at the Seller’s expense; the seller will pay the brokerage commission; the real estate transaction will close on or before 12/31/25. Council Member Anderson seconded the motion. Approved 4-0.

The Mayor explained that the Council reviews the performance of the City Clerk and the City Manager annually which can include an increase in compensation.

Council Member Cohen motion to approve an increase in compensation of 4% for the City Clerk Jane Whittington. Council Member Thatcher seconded the motion. Approved 4-0.

Council Member Cohen motioned to approve an increase in compensation of 4% for the City Manager Paul Radford. Council Member Thatcher seconded the motion. Approved 4-0.

ADJOURNMENT – Council Member Cohen motioned to adjourn. Council Member Thatcher seconded the motion. Approved 4-0.

Brandon Hembree, Mayor

Jane Whittington, City Clerk

MOTION
North Gwinnett Townhomes Parcel Acquisition

I make a motion to **APPROVE** the purchase of a (one) 1-acre portion of Parcel #7291-053, as depicted on the attached exhibit, in the **amount of \$65,000**. As a condition of purchase, the parties agree:

- The BUYER will remove the existing signage and wall on or before 12/31/25.
- The BUYER will install a double concrete dumpster pad/enclosure on or before 12/31/25.
- The BUYER will repair/repave Magical Way (driveway) to the new property line on or before 12/31/25.
- The BUYER will grant a sign easement and permit a new monument sign to be installed at the Seller's expense.
- The SELLER will pay the brokerage commission.
- The real estate transaction will close on or before 12/31/23.

I further move to **APPROVE** a budget amendment to transfer **\$65,000** from unrestricted reserves to land acquisition.



Measure

Distance Unit: Feet

Area Unit: Square Feet

Results (1)

Geometry

Perimeter: 346.947 ft

Area: 43,537.051 sq ft

Blumberg No. 5119

EXHIBIT

A