

**COUNCIL MEETING MINUTES  
CITY OF SUGAR HILL  
5039 WEST BROAD STREET  
SUGAR HILL, GEORGIA  
MONDAY, SEPTEMBER 9, 2024, 7:30 P.M.**

**CALL TO ORDER** - by Mayor Hembree. Present were Mayor Brandon Hembree, Mayor Pro Tem Alvin Hicks, Council Members Taylor Anderson, Meg Avery, Joshua Page and Gary Pirkle, 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 Page.

**APPROVAL OF AGENDA** - Mayor Pro Tem Hicks motioned to approve the agenda. Council Member Page seconded the motion. Approved 5-0.

**APPROVAL OF MINUTES** – Council Meeting & Executive Session August 12, 2024, Work Session August 5, 2024. Council Member Anderson motioned to approve the minutes as written. Council Member Avery seconded the motion. Approved 5-0.

**AWARDS/PRESENTATIONS/PROCLAMATIONS**

**Youth Council Oath of Office** – Mayor Hembree and Mayor Pro Tem Hicks administered the Oath of Office for the new Youth Council Members. The new and returning members included Chloe Moore, Mayor; Noah Fox, Mayor Pro Tem; Majorie Guerrero, Lerone Yuyun, Violet Brockmann, Anjika Shah, Aiden Popovich, Seth Van Lerberghe.

**REPORTS**

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

**CITIZENS AND GUESTS COMMENTS**

James January, requested that the Council encourage the railroad to take another look at the stop signs at the Railroad crossing at Railroad and First Avenue. The stop sign is blind to the traffic coming over the railroad and it is dangerous.

**CONSENT AGENDA**

**OLD BUSINESS**

**NEW BUSINESS**

**AX-24-002 (APPLICATION WITHDRAWN)** –Tax Parcel IDs: 7-9-24: 7-339-121, 7-339-294, 7-339-221, 7-339-293, 7-339-057, 7-339-026A, and 7-339-025. Council Member Page motioned to accept the withdrawal of AX-24-002 without prejudice. Mayor Pro Tem Hicks seconded the motion. Approved 5-0.

**Public Hearing, RZ-24-002 – 1374 Hillcrest Drive, Phelps Family Properties, Rezone from RS-100 to RS-100 SRD (Senior Family District)** for detached and attached senior residences – City Manager/Planning. Logan Witter, Planner in the Planning & Development Department, explained the application. Staff

recommends approval with conditions and variances with the exception of amending the variance for age restriction requirement from 80% to 50% occupied by at least one person aged 55 years and older. The public hearing was opened, and the applicant was represented by Jeff Mahaffey of Mahaffey Pickens Tucker. He explained the new site plan and said that the applicant agrees with all detached units removing the townhomes and removing the variance for age restriction. If the council denies RZ-24-002 then the applicant will proceed as single family residential.

The following spoke in opposition: Joni Sheridan, 5235 Sugar Crest Dr; Kristy Shaw, 5275 Sugar Crest Dr.; Teagrín Forde, 5260 Gable Ridge Way; Phillip Steadman 1464 Forest Path Ln.; Andrew Schultz, 5350 Windswept Trace. Time for public comment was extended for both sides during the public hearing to allow more time to speak regarding this application.

The public hearing was closed, and Council Member Pirkle motioned to deny RZ-24-002. Council Member Page seconded the motion. Approved 5-0.

**RZ-24-004 – (REQUEST TO TABLE) 1036 and 1040 Whitehead Road, Whitehead Road Investments LLC, Rezone from AF, RS-100 & RS-150 to RS-100 CBD within the Central Business District** for future Single-Family Residences – City Manager/Planning. Mayor Pro Tem Hicks motioned to table RZ-24-004. Council Member Page seconded the motion. Approved 5-0.

**Public Hearing, DRB-CBD 24-001 5021 Nelson Brogdon Blvd., Novarre Group Sugar Hill Parcel Owner LLC, Central Business District Design Review** – City Manager/Planning. Logan Witter presented the application. He read the eight modified conditions for the record. Council Member Anderson clarified that condition #2 should read that a special use permit will be required with the design review application. Council Member Page asked if the 2 acres to be donated by the developer were developable. The City Manager stated that there is a stream running through part of it, but it is developable. Council Member Avery stated that she did not agree with condition #5, the requirement for a donation of \$25,000 for art.

The public hearing was opened and a representative from Ackerman Co. spoke regarding the application. They are partnering with Novaire on this project. He explained the layout of the buildings and the screenings. Andrew Schultz, 5350 Windswept Trace, spoke regarding leaving some of the large oak trees that are on this property and the awkward building placement. James January spoke regarding the left turn onto Highway 20 not having a turn lane and the lack of a decel lane turning into the property.

Council Member Pirkle made a motion to approve DRB-CBD 24-001 removing conditions #4 and #5. Council Member Anderson seconded for discussion. He asked the applicant if he felt coerced to donate \$25,000 for art or to donate the two acres which are described in condition #4 and #5? The applicant stated that he did not. Council Member Anderson withdrew his second. Council Member Anderson motioned to approve DRB-CBD 24-001 with conditions amending condition #2 to state a special use permit is required and removing condition #5. Council Member Avery seconded. Approved 5-0.

**Public Hearing, DRB-TCO 24-002 1011 Level Creek Road, Kennet Johansson, Design Review Board Approval** to remodel and add onto existing residence within the Town Center Overlay – City Manager/Planning. Claire Weatherly, Planner in the Planning and Development Department, explained that this house design has two small porches at the back and two driveways. One of the driveways is on Level Creek Rd and one on Cold Creek. Staff recommend approval with exhibits #1-6 and with four conditions.

The applicant Kennett Johansson bought the property with a plan of making it a duplex. The second driveway is important for his business of landscaping, and he would make it asphalt or concrete instead of gravel. He will re-design the house not as a duplex but single-family with a mother-in-law suite.

There was no one that spoke in opposition, so the hearing was closed. There was some discussion with the Council regarding permitting one or two driveways. Council Member Pirkle motioned to deny DRB-TCO-24-002. Council Member Avery seconded. Motion failed 2-3 with Council Member Pirkle and Avery voting for the denial and Council Members Page, Hicks and Anderson voting against.

Council Member Page motioned to approve DRB-TCO-24-002 amending condition #4 to remove the driveway off of Cold Creek. Council Member Anderson seconded the motion. Motion failed 2-3 with Council Member Page and Anderson voting for the motion and Council Members Avery Pirkle and Hicks voting against.

Mayor Pro Tem Hicks motioned to approve DRB-TCO-24-002 deleting condition #4. The motion died for lack of a second.

Council Member Page motioned to deny DRB-TCO-24-002. Council Member Pirkle seconded the motion. Motion approved 3-2 with Council Member Page, Avery and Pirkle voting for the motion and Council Member Hicks and Anderson voting against.

**2024 Property Tax Millage Rate Public Hearing #2** – the City Manager explained the history of the millage rate and the status of the city currently. Council Member Pirkle spoke regarding the five-year history and the increase in the tax revenue. Council Member Page spoke regarding the need for a COLA for employees across the board. This is important for retention. Council Member Avery agreed but suggested trimming the budget to help lower the millage rate. Council Member Anderson asked the City Manager how much of the growth over the past five years was due to construction versus growth. Cindy Pugh, Finance Director, explained that 62% of the growth is due to reassessment and 38% is due to new construction. Council Member Page asked Chief King how many Marshals were in the Marshals department and how many reserve Marshals. Chief King stated there were eight Marshals and 8 reserve Marshals.

The Public Hearing was opened and Andrew Schultz and James January spoke regarding rolling back the millage rate and cutting the budget some to make it possible.

The Mayor closed the public hearing. The third and final hearing will be held Monday, September 16, 2024 at 6:00 p.m.

**Resolution Gwinnett County Hazard Mitigation Plan**– the Assistant City Manager explained that Gwinnett County has taken the lead on Emergency Management and hazard mitigation efforts under the service delivery agreements. They are seeking updates to the plan and a resolution of cooperation as they move forward with funding. Staff reviewed the document and updated and clarified items regarding the city. One large item is to design and provide an early warning system for Gary Pirkle Park. Mayor Pro Tem Hicks motioned to approve the Gwinnett County Hazard Mitigation Plan Resolution, indicating the City’s partnership with county emergency management and hazard mitigation efforts. Council Member Anderson seconded the motion. Approved 5-0.

**EXECUTIVE SESSION: TO DISCUSS LEGAL, REAL ESTATE AND/OR PERSONNEL** – there was no Executive Session held.

**PUBLIC ACTION TAKEN OUT OF EXECUTIVE SESSION**

**ADJOURNMENT** – Council Member Anderson motioned to adjourn. Council Member Page seconded the motion. Approved 5-0.

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Brandon Hembree, Mayor

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Jane Whittington, City Clerk