

**COUNCIL MEETING MINUTES
CITY OF SUGAR HILL
5039 WEST BROAD STREET
SUGAR HILL, GEORGIA
TUESDAY, NOVEMBER 12, 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 Pirkle

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

APPROVAL OF MINUTES – Council Meeting & Executive Session October 14, 2024; Work Session October 7, 2024 – Council Member Anderson motioned to approve the minutes as written. Council Member Page seconded the motion. Approved 5-0.

AWARDS/PRESENTATIONS/PROCLAMATIONS

REPORTS

CITY ATTORNEY

COUNCIL

MAYOR

CITY CLERK

CITY MANAGER

AX-24-003, Hillside Farms annexation application accepted, parcels 7339 121, 7339 057

YOUTH COUNCIL

CITIZENS AND GUESTS COMMENTS – Fonza, 5103 West Broad St. spoke regarding the round-a-bout on West Broad St. Complaint was speeding and hitting his mailbox. Requested that the Council consider fixing the roundabout with traffic calming devices such as speed humps.

CONSENT AGENDA

OLD BUSINESS

NEW BUSINESS

Veto by Mayor Hembree RZ-24-004, 1030 & 1040 Whitehead Rd. – the City Clerk explained that the Council approved RZ-24-004 with ten conditions at the October 14, 2024, Council Meeting. The Mayor vetoed the ordinance. The Charter requires that the City Clerk place the ordinance back on the agenda for a vote. The Council will need to vote at this meeting or the next regular meeting which is December 9, 2024, on the approved ordinance. If it is approved with four members voting in favor, it will become law. If the ordinance is not approved by an affirmative vote of four members, then the veto stands and RZ-24-004 will remain pending until further action is taken by the Council. Council Member Anderson motioned to table this item until the December Council Meeting. Mayor Pro Tem Hicks seconded the motion. Approved 5-0.

Public Hearing, 2025 Proposed Operation & Capital Improvement Budgets – the City Manager explained the details of the proposed operation budget. The budget was advertised in the legal paper on October 20, 2024 and has been available in the City Clerk’s office since October 21, 2024. The first public hearing was at the November 4th Work Session and the second hearing will be tonight. The proposed budget is \$559,235 less than the 2024 Budget. The following changes have been made since the November 4th Work Session. There was one new position added for a Code Enforcement Officer. Reductions have been made to the various line items to include travel, education and training, transfer from the General fund to Golf, and reduction in the gas appliance rebate line item. The gas transfer was changed to from reserves and to the CIP to help fund the Transco project. The Assistant City Manager explained the Capital Improvement Project (CIP) and funding sources. Council Member Avery presented her summary from the Work Session and the changes that have occurred since that time.

The public hearing was opened and James (Rick) January 1282 Frontier Drive, spoke regarding a request for further information to the public to help understand the budget. He requested elimination of franchise fees to keep the public from having to pay them as a fee or tax. There were no other comments, so the public hearing was closed.

Council Member Anderson motioned to adopt the 2025 Capital Improvement Project and Operating Budgets as presented. Mayor Pro Tem Hicks seconded the motion. The motion was denied 2-3 with Council Members Anderson and Hicks voting in favor and Council Members Avery, Page and Pirkle voting against the motion. The budget will be presented again at the December Council Meeting.

Public Hearing, DRB-CBD 24-003, 5000 Bailey Ave. and Nelson Brogdon Blvd., Two Packard, LLC Design Review Board approval for new retail space within the Central Business District (CBD) – Planner Claire Weatherly explained that the city received an application from Two Packard, LLC requesting design review approval for a proposed commercial space to be located within a proposed residential development. The building would be 4,700 square foot retail space near the corner of Nelson Brogdon Blvd. and Bailey Ave. The building would face Bailey Ave. The public hearing was opened, and the applicant spoke in favor of the project. It would be constructed of brick and the darker façade is metal. There were questions from the council regarding parking so the applicant stated that the residential portion would have one-car and two-car garages. There were no other comments, so the public hearing was closed. Council Member Anderson motioned to approve the site plan and buildings in material and architectural detail with one condition: Final building shall substantially resemble the attached exhibits labeled Exhibit 1 through 3. Final material and color selections shall be subject to on-site mock-up approval, with identified materials. Council Member Page seconded the motion. Approved 5-0.

Public Hearing, DRB-TCO 24-005, 5305 Nelson Brogdon Blvd. Accessory Storage Structure – Planner Logan Witter explained that the city received an application from Sugar Hill Animal Hospital for design review to construct a storage shed on their property. Mr. Witter spoke with the applicant, and they are in agreement to move the shed farther from the fence or twenty feet off of the right-of-way. Staff recommended approval with two conditions. The public hearing was opened and Gary Nicholson, Permit Technician spoke for the applicant. Council Member Pirkle motioned to approve the Design Review Board approval with the two staff conditions adding a third condition to require screening either of landscape material or fencing. Council Member Avery seconded the motion. Approved 5-0.

FY25 Local Maintenance and Improvement Grant (LMIG) Application – the Assistant City Manager explained that the city will apply for grant funds to complete repairs and paving to streets based on their rating score. He presented the street list for 2025 including their length in miles. The city should receive around \$252,007 in LGIG funds and the estimated local match will be \$498,406 for a total of \$750,413. Council Member Pirkle motioned to approve the LMIG application as presented. Council Member Page seconded the motion. Approved 5-0.

Resolution Moratorium on Development or Issuance of Permits for Apartment Houses and Dwellings, Multiple within the CBD & TCO – Council Member Pirkle explained that the request is to place a moratorium on apartments and multi-family dwellings within the central business district and the town center overlay until a change to the zoning code is considered by Council. The amendment would require a special use permit for this type of housing instead of use by right. Council Member Pirkle motioned to approve the Resolution for a Moratorium on Development or Issuance of Permits for Apartment Houses and Dwellings, Multiple within the CBD & TCO until February 15, 2025. Mayor Pro Tem Hicks seconded the motion. Approved 5-0.

Resolution to require Special Use Permit for the development and approval of Apartment Houses and Dwellings, Multiple within the CBD & TCO – Council Member Pirkle explained that this resolution would require the Planning Department staff to prepare and send forward a zoning code amendment requiring a special use permit for all developments and/or structures to be developed as apartment houses or dwelling, multiple for those located within the Central Business District and the Town Center Overlay. The amendment would be sent to the Planning Commission and back to the Council for approval. Language would also be considered whether to prevent existing developments from becoming nonconforming uses. Council Member Pirkle motioned to approve the Resolution. Council Member Avery 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 – Mayor Pro Tem Hicks motioned to adjourn. Council Member Pirkle seconded the motion. Approved 5-0.

Brandon Hembree, Mayor

Jane Whittington, City Clerk