

**COUNCIL MEETING MINUTES
CITY OF SUGAR HILL
5039 WEST BROAD STREET
SUGAR HILL, GEORGIA
MONDAY, MAY 12, 2025, 7:30 P.M.**

CALL TO ORDER - by Mayor Hembree. Present were Mayor Brandon Hembree, Mayor Pro Tem Joshua Page, Council Members Taylor Anderson, Meg Avery, Alvin Hicks 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 Dr. Bobby Gueh.

APPROVAL OF AGENDA – Council Member Pirkle motioned to approve the agenda and amend it by adding the Property Tax Collection Policy as #9 on the agenda. Council Member Hicks seconded the motion. Approved 5-0.

APPROVAL OF MINUTES – Council Meeting & Executive Session April 14, 2025; Work Session & Executive Session April 7, 2025. Council Member Hicks motioned to approve the minutes as written. Council Member Page seconded the motion. Approved 5-0.

AWARDS/PRESENTATIONS/PROCLAMATIONS

Proclamation BMM Academy Completion & Recognition - Mayor Hembree/Council Member Hicks. The Mayor explained the program that he and Council Member Hicks have been involved in. Council Member Hicks explained that most of these children are in the Lanier Cluster. The administration selects them in the seventh grade for a two-year program. They meet every other Saturday and learn many skills that follow them throughout high school and life. The students were introduced and given a copy of the proclamation.

Youth Council Graduation Acknowledgement – Council Member Hicks introduced the Youth Council seniors and they were presented with a certificate. The senior members were: Chloe Moore, Youth Council Mayor; Marjorie Guerrero, Youth Council Secretary; and Lerone Yuyun, Youth Council Member.

REPORTS

CITY ATTORNEY – The City Attorney explained that their office has been working with staff members on ordinances to update the Municipal Code including Gwinnett County ordinances readoption. This will come forward at the June and/or July meetings and will make the ordinances consistent with any updates the county went through in recent years.

COUNCIL

MAYOR

CITY CLERK

CITY MANAGER

YOUTH COUNCIL

CITIZENS AND GUESTS COMMENTS – Mark Daniels, 5872 Sycamore Ridge Dr., thanked the city for the paving within his subdivision. He requested that the notice to move cars off of the street be put out earlier than the night before.

Melvin Emerson, 1725 Winding Creek Circle, Snellville who is with Gwinnett Technical College explained the success of their program. They have 700 students graduating this year.

CONSENT AGENDA

OLD BUSINESS

TCO Design Review 25-003, 5290 Sycamore Rd., New Single-family Residence – Planning Director. Council Member Pirkle motioned to table TCO Design Review 25-003. Mayor Pro Tem Page seconded the motion. Approved 5-0.

TCO Design Review 25-004, 5300 Sycamore Rd. New Single-family Residence – Planning Director. Council Member Pirkle motioned to table TCO Design Review 25-004. Council Member Page seconded the motion. Approved 5-0.

(Public Hearings were held April 14, 2024)

NEW BUSINESS

Public Hearing, TCO Design Review 25-005, 4997 Spring Hill Dr. Front Porch Addition – the Planning Director explained that the city received an application from Chuck Rigdon requesting design review for a front porch addition to this property. Staff recommended approval with one condition. The public hearing was opened and Kinsley Jennings talked about as owner of the property she has wanted a front porch for a long time. Andrew Schultz, 5350 Windswept Trace, enjoys his front porch and wants Ms. Jennings to be able to enjoy hers too. There were no other comments, so the hearing was closed. Council Member Pirkle stated that the application was well presented. Council Member Page motioned to approve TCO Design Review 25-005. Council Member Hicks seconded the motion. Approved 5-0.

Public Hearing, AX-25-001, 5774 Henry Bailey Rd., Annex and Rezone to RS-72 Medium Density Single Family Detached Residential Subdivision – the Planning Director explained that the city received an application from Brandon Woods of Local Land Co. to annex 13.9 acres for medium density family residential (RS72) for a detached residential subdivision. This would include forty units with 5' sidewalks on both sides of the road. Staff recommended approval with nine conditions. The public hearing was opened and Julia Maxwell, Mahaffey, Pickens Tucker explained the project for the applicant. Austin Horne, the civil engineer for the project, explained questions regarding sewer capacity and responsibility of the applicant. Lamar Sudderth, 5313 Mulberry St. Flowery Branch, explained that this property was his grandmothers and helped answer questions regarding sewer capacity.

Marla King, 510 Emerald Pkwy. spoke regarding concerns over the traffic at the entrance and exit of her subdivision Emerald Lakes.

Austin Horne's rebuttal explained that the right in right out to the neighborhood would be less intrusive to this area.

The council explained to Ms. King that they are working with the state to help prevent traffic from blocking the entrance to her subdivision and the illegal u turns that occur there.

Council Member Anderson motioned to approve annexation and rezoning to RS 72 with the nine conditions adding to condition #1 limiting the subdivision to 40 units and adding a tenth condition to add an additional 30' landscape buffer on the right of way on Cumming Highway. Council Member Pirkle seconded for discussion. He would like to add at the end of condition #1 that only single family detached homes would be allowed. Also remove condition #2 private streets and condition #6 remove lot 30 add amenities community greenspace space dedicated to the HOA where playground, gazebo or this type must be built. Council Member Page requested that condition #2 requiring private streets not be struck from the conditions. Council Member Pirkle amended his second to leave condition #2 in. The Mayor requested clarification and restatement of the motion so Council Member Pirkle withdrew his second. Council Member Anderson amended his motion to state approval of the annexation and rezoning to RS72 with amending condition #1 for the units to be a total of 39 single family detached, leaving condition #10 requiring an additional 30' landscape buffer on the right of way on Cumming Highway, and adding an 11th condition that requires lot # 30 to be a community amenity requiring a gazebo, benches a playground or other such community amenity as approved by the Planning Director. Council Member Pirkle seconded the motion. Austin Horne requested that the Council consider letting the developer use the lot between lot # 34 and lot # 30 which is 7500 sq. ft. that they have designated for a mail kiosk and parking and add the amenities there. If they take lot 30 out they will have to reconfigure the site plan. They request that the total be 40 units. Council Member Pirkle withdrew his second. Council Member Anderson amended the motion to state approval of the annexation and rezoning to RS72 with amending condition #1 for the units to be a total of 40 single family detached, leaving condition #10 requiring an additional 30' landscape buffer on the right of way on Cumming Highway, and adding an 11th condition that requires a community amenity requiring a gazebo, benches a playground or other such community amenity as approved by the Planning Director in the location of the mail kiosk as shown on the site plan. Council Member Pirkle seconded the motion. Approved 5-0.

Public Hearing, RZ-25-003, 4862 White St. R292-014, Rezone from MH to R36 for Detached Single-Family Residences – the Planning Director explained that the city received an application from Southvine Homes to rezone the property from MH to R36 for detached single-family residences. The Planning Commission recommended approval of

the requested zoning. The property is .65 acres, and they are requesting three lots for single-family detached houses. The staff recommended approval with four conditions. The public hearing was opened and Tyler Lasser with LJA Engineering explained that the applicant is requesting a variance for the side setbacks to reduce them from 10' to 5'. They are requesting to build these three homes in character with what is being built in the Buford Sugar Hill area. All three of the homes would have a two-car garage. Nick Thompson spoke in favor of the rezoning. There were no other comments, so the hearing was closed.

Council Member Pirkle suggested two lots instead of three. The homes are too close together at 10' apart. Council Member Page stated that this is a transition area but three lots instead of two is a little close together. Council Member Page motioned to table RZ-25-003. Council Member Pirkle seconded the motion. Approved 3-2 with Council Members Page, Avery and Pirkle voting for the motion and Council Members Anderson and Hicks voting against.

Public Hearing, ZOA-25-002, Zoning Ordinance Amendment Residential Driveway Policies – Planning Director Newell explained the text amendment changes. The staff surveyed local comparable cities and their requirements. They showed a chart of the comparisons. The Planning Commission approved the amendments as presented by staff. The public hearing was opened and there were no comments, so the hearing was closed. Council Member Pirkle had concerns that stating 20% of coverage of the entire lot not be exceeded still allows someone to make a large portion of their front yard a driveway. This defeats the purpose of the amendments needed. Council Member Pirkle motioned to approve with amending proposed Section 407 to 20% of parking coverage of the entire lot to 20% of the front yard. Council Member Anderson seconded for discussion. He stated that 20% was a little low the amendment might need to be 30% of the front yard. Council Member Pirkle amended his motion to reflect that Section 407 be amended to 30% of parking coverage of the front yard. Council Member Anderson's second stands. Approved 5-0.

FY25 LMIG Supplemental Grant Request – Assistant City Manager Besseche reviewed the paving analysis for the streets within the city. The proposal will be presented at the June meeting with all of the standards required by the grant application. This will include the budget and proposed street list. Council Member Hicks motioned to table this item to the June Council meeting. Council Member Avery seconded the motion. Approved 5-0.

Purchase of Golf System Irrigation Repairs – the Assistant City Manager explained that some of the irrigation equipment at the golf course is in bad need of repair. The repairs are part of the 2025 Golf Renewal and Replacement line item of the operating budget. The city received four bids from vendors in the golf course irrigation industry, the lowest bid being Tri State Pump & Controls at \$159,578. Staff verified that Tri State offers the best overall value and long-term benefit and recommends awarding the contract to them authorizing the Mayor to sign the contract. Council Member Anderson motioned to approve the purchase of repairs to the golf course irrigation control system from Tri State Pump & Controls at a cost of \$159,578 and authorize the Mayor to sign the contract for installation. Council Member Hicks seconded the motion. Approved 5-0.

Property Tax Millage Rate Collection Policy – the City Manager explained that he had been working on this policy with Cindy Pugh the city's Finance Director. He requested that Ms. Pugh explain the policy details. She reviewed what the policy entails and explained that they have been doing this with the exception of Fifas since the city took over property taxes from Gwinnett County. Council Member Pirkle expressed concerns that if the county sent their past due properties to tax sale for their past due amounts, the city's fifa might be wiped out and we would be unable to collect these amounts. Maybe the policy should reflect that the city should have a tax sale if the property goes beyond \$10,000 past due or three years. The City Manager asked the City Attorney if the city liens would have priority. The City Attorney explained that tax liens have the highest priority and Gwinnett County would be required to notify the city if they had a tax lien on the property and the County included this property in a tax sale. Council Member Anderson asked Ms. Pugh if she could provide the data of how many properties and amounts that meet the \$10,000 or three-year range. Ms. Pugh answered that the city has a collection rate of 2021 98.76%, 2022 98%, 2023 97% and 2024 93%. The Mayor suggested that the policy presented be adopted tonight and the Council take up any amendments in June that would reflect tax sales. Council Member Page requested clarification if the proposed policy has language of when the city would go to a tax sale. The sale should be based on time delinquent not amount due. Council Member Pirkle motioned to approve the proposed policy. Council Member Anderson seconded the motion. Approved 5-0.

EXECUTIVE SESSION: TO DISCUSS LEGAL, REAL ESTATE AND/OR PERSONNEL – Council Member Hicks motioned to enter Executive Session for legal, real estate of personnel. Council Member Anderson seconded the motion. Approved 5-0.

PUBLIC ACTION TAKEN OUT OF EXECUTIVE SESSION – the meeting was reconvened and the Council discussed three real state, two legal and two personnel matters. There was no action taken out of Executive Session.

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

Brandon Hembree, Mayor

Jane Whittington, City Clerk