

City of Sugar Hill Council Meeting  
Monday November 11, 2002  
Community Center 7:30 PM

The City of Sugar Hill Council held its regular meeting on Monday November 11, 2002 at 7:30 PM in the Community Center.

Notice of the meeting was placed on the doors of City Hall and the Community Center. Notice was placed on the board at Alton Tucker Blvd and Peachtree Industrial Blvd. Notice was sent to the local newspapers.

Those present at the meeting included Mayor Gary Pirkle, Mayor Pro-Tem Kim Hall, Council Members Chris Abbey, Meg Avery, Ron Johnson and Thomas Rhodes. Also present were City Manager Bob Hail, City Attorney Lee Thompson, Assistant City Manager for Development Jim Osborn and City Clerk Shirley Gibbs.

**CALL TO ORDER, PLEDGE OF ALLEGIANCE TO THE FLAG AND INVOCATION:**

**Mayor Pirkle** called the meeting to order at 7:30 PM and led the Pledge of Allegiance to the Flag. **Reverend Ken Allen** from the Sugar Hill First Baptist Church gave the Invocation.

**APPROVAL OF AGENDA:**

**Mayor Pro-Tem Hall** made a motion to approve the agenda. **Council Member Rhodes** made the second. Motion passed unanimously 5-0.

**APPROVAL OF 10/7/2002 AND 10/14/2002 MINUTES:**

**Council Member Avery** made a motion to approve the minutes of the 10/7/2002 Called Meeting. **Council Member Abbey** made the second. Motion approved on a vote of 4-0-1. **Mayor Pro-Tem Hall** abstained from voting.

**Council Member Avery** made a motion to approve the minutes of the 10/14/2002 Council Meeting. **Mayor Pro-Tem Hall** made the second. Motion passed unanimously 5-0

.

**CITY ATTORNEY'S REPORT:**

**City Attorney Lee Thompson** reported that he had passed out two (2) memos for clarification on questions Council Members had asked. He had information on Pending Litigation, which would be discussed in Executive Session. His associate, Jonathon Dunn had passed the bar exam.

**COUNCIL REPORTS:**

**Council Member Chris Abbey** wanted to thank all the veterans that were in attendance, including several members of the council. His report on gas included: five cut lines; three that were billable and 2 that were not billable; 54 new services; 14 miles of new gas line and the price per therm for gas in October was \$.61 per therm.

**Council Member Thomas Rhodes** gave a report on the golf course. The wet weather had had an effect on play at the golf course. Revenues and rounds were down, they were only at 83% of the benchmark for the year. Revenues for September were \$76,208 and

City of Sugar Hill Council Meeting

Monday November 11, 2002

Community Center 7:30 PM

for October revenues were \$83,441. Numbers of rounds played for September were 1547 and for October rounds played were 1,844. Concession sales for September were \$11,187 and for October \$11,906. Merchandise sales for September were \$4,533 and for October \$3,371. The pine beetle infestation had been taken care of promptly. He wanted to remind everyone of the Downtown Development Association that was being formed. This is a seven (7)-member board that will meet once a month. They had identified Peachtree Industrial Blvd as a commercial corridor. Other areas that will be part of the Downtown Development include Georgia Highway 20, Buford Highway and West Broad Street. Positions available for the DDA include: Chairman, Vice Chairman, Treasurer, Secretary, Design Committee Chairman, and Promotions/Community Relations Chairman. The deadline for sending in resumes is December 2, 2002.

**Council Member Meg Avery** gave a report on recreation. See attached report.

**Mayor Pro-Tem Hall** had no report on the Planning and Zoning but she did want to thank all the veterans.

**Council Member Ron Johnson** introduced Marcos Alegre, who had participated in the Iron Man Triathlon in Hawaii in the 65 and older age group. Mr. Alegre had won for the second year in his age group. On the last Monday of November, he would be attending Sugar Hill Elementary with Brian Finarin who was in the process of building a handicap playground. Every time he gets a touchdown, he donates \$1,000 and the team donates \$3,000. So far he had made three (3) touchdowns. Council Member Johnson was donating \$100 for each touchdown. They would be talking to the kids and Brian would be reading to them. Council Member Johnson then gave a report on the possibility of the city forming its own Police Department. He had talked with Chief Jones of Suwanee about budget, personnel, etc. He also thanked Hope Curtis, Mr. & Mrs. Ferguson, and all the others who had helped with the Fall Festival.

#### **MAYOR'S REPORT:**

**Mayor Pirkle** presented a Proclamation to Marcos Alegre that had been adopted at the October meeting. Mr. Alegre had beaten the previous record by forty-five minutes. He also reported on the success of the Fall Festival and the Town Green Dedication. He encouraged everyone who had not seen the Veterans Memorial to stop by and see it. He reported that the next budget meeting would be on Monday November 18, 2002 at 7:00 PM and invited anyone interested to attend that meeting.

#### **CITY CLERK'S REPORT:**

The Clerk gave the following report: Since the October meeting, there have been seventeen (17) new businesses. Total revenues for the year are \$208, 397. The Code Enforcer is working on the accounts that are past due.

#### **CITY MANAGER'S REPORT:**

**City Manager Hail** announced the birth of his first grandchild, a boy, born on Monday afternoon. He showed pictures of the Town Clock, the Veteran's Memorial, areas where the Memorial Bricks would be placed and the Amphitheater.

City of Sugar Hill Council Meeting  
Monday November 11, 2002  
Community Center 7:30 PM

**UNFINISHED BUSINESS:**

No Unfinished Business.

**CITIZENS AND GUESTS COMMENTS:**

**Stan Sunderland** an attorney in Gwinnett County and represents Lisa Zieba and her husband Asa Snyder. He made comments about the amendment to the zoning ordinance regarding rabbits. He did feel that since they had had the rabbits for ten (10 years, they should be allowed to keep their rabbits.

**NEW BUSINESS:**

**1: PUBLIC HEARING: AX-02-004 Grace Stephens, Map Ref # R7-257-016, 2.5685 Acres. Grace Stephens of 1069 Buford Highway 23 is requesting to annex and rezone. The property is currently zoned R-75 (Single Family Residential District) in Gwinnett County and the proposed zoning is for OI (Office Institutional District) for office use only:**

**Mayor Pro-Tem Hall** made a motion to enter into Public Hearing for AX-02-004.

**Council Member Johnson** made the second. Motion passed unanimously 5-0.

**Assistant City Manager for Development Jim Osborn** gave a brief over view of where the property was located, the requested rezoning and the conditions, which included (1) Property shall be restricted to Office Use only providing professional or business use. If the owner proposes any use other than Office or another use within the O/I zoning district or another owner takes control of the property with the intention of using the property for another use – the owner would have to apply for a rezoning or change of conditions before the planning commission and city council. (2) All office use activities shall be performed and contained within the existing structure. The Site Development Plan shall be in accordance with Conceptual Site Plan (or Rezoning Plat) approved by the City Council. This includes no additional permanent structures to be erected on the property. Any substantial deviation from the approved Conceptual plan and conditions of zoning shall be resubmitted to the City Council for approval. The Planning Director shall determine what constitutes substantial deviation. (3) Ingress and egress to the site shall be limited to Buford Highway only. A 10 foot “No Access Easement” shall be provided along the rear of the property adjacent to and fronting Chatham Road. (4) Prior to obtaining a Certificate of Occupancy, a 10 foot Landscape Strip shall be provided to coincide with the “No Access Easement” and shall be planted with Leyland Cypress 6 foot high at the time of planting and spaced appropriately to provide a solid visual screen within two years along the rear frontage adjacent to Chatham Road. Staff and the Planning Commission had recommended approval. Council Members had some questions regarding some of the structures on the property. There were no comments from the Public. **Mayor Pro-Tem Hall** made the motion to exit Public Hearing.

**Council Member Rhodes** made the second. Motion passed unanimously 5-0. **Council Member Johnson** made the motion to approve the annexation and rezoning with the stated conditions. **Council Member Avery** made the second. Motion passed on a vote of 4-1. **Council Member Abbey** was opposed.

City of Sugar Hill Council Meeting

Monday November 11, 2002

Community Center 7:30 PM

**2: PUBLIC HEARING: Proposal to amend the 2000 Sugar Hill Zoning Ordinance by deleting subparagraph 1 of Section 614 in its entirety and replacing it with proposed text which pertains to the keeping and raising of livestock:**

**Council Member Johnson** made a motion to enter into Public Hearing for proposed amendment to the 2000 Sugar Hill Zoning Ordinance. **Council Member Avery** made the second. Motion passed unanimously 5-0. **Assistant City Manager for Development Jim Osborn** gave the proposed changes, regarding livestock, to the 2000 Zoning Ordinance, which includes the following: (1) The proposed Ordinance suggest the keeping of no more than four (4) rabbits and one Vietnamese pot belly pig, Planning Commission and staff did not alter; (2) Rabbits and Vietnamese pot belly pig must be kept or raised in zoning classification of AF, RS150, RS175 or RS200, must be single family use or agricultural use with at least 25,000 square feet, Planning Commission and staff recommended adding zoning classification RS100 and change from 25,000 square feet to 15,000 square feet; (3) pens and hutches must be kept in a clean and sanitary manner and change set back from 40 feet to 30 feet and a maximum floor space from four square feet to six square feet; (4) change six foot high solid wood fence to six foot high solid wood fence or chain link fence. The Planning Commission did not recommend a grandfather clause for the existing rabbits. Assistant City Manager for Development Jim Osborn recommended that the council consider adding a minimum number of weeks that off spring may be kept. Comments from the Public included Lisa Zieba, Rick January and Council Members. Mayor Pro-Tem Hall made a motion to exit Public Hearing. Council Member Chris Abbey made the second. Motion passed unanimously 5-0. Council Member Johnson made the motion to approve this zoning ordinance with the following changes: eliminate the lot size, make the hutches a minimum of four (4) square feet and a maximum of 16 square feet with the hutches having half wood floor and half rabbit wire, set back to be 30 feet instead of 40 feet, change the number of rabbits allowed from four (4) to five (5), have a six foot high solid wood or chain link fence and off spring can be kept for a maximum of six (6) weeks. Council Member Rhodes made the second. The motion passed on a vote of 3-2. Council Members Abbey and Hall were opposed. Council Member Johnson wanted to direct the City Manager to dismiss the citations if they came into compliance with the new ordinance.

**3: Storm Drains and Sidewalks on Whitehead Road:**

**City Manager Hail** explained that the Mayor and Council had expressed the desire to pipe the drainage on Whitehead from West Broad to Sunset. The plan is to use the Gwinnett County contractor, Ragsdale Construction, for the pipe and curb installation and Vaughan Concrete for the sidewalks. Both vendors currently have contracts with the city. His recommendation was to authorize the City Manager to enter into a contract with Ragsdale and Vaughan Concrete for the drainage pipe/curbing and sidewalks from West Broad Street to Sunset Drive not to exceed \$275,000 for the total project. **Council Member Rhodes** made the motion to authorize the City Manager to enter into a contract with Ragsdale Construction and Vaughan Concrete for drainage, curb and sidewalks from West Broad to Sunset not to exceed \$275,000 for the total project. Council Member Johnson made the second. Motion passed unanimously 5-0.

**4: Sports Lights for the Park:**

City of Sugar Hill Council Meeting

Monday November 11, 2002

Community Center 7:30 PM

**City Manager Hail** explained that lighting at the park had not been updated since installation. With agreements between West Gwinnett Soccer Association and the North Gwinnett Baseball/Softball Association, use of the park had increased significantly. The old lights could be used at the tennis courts and security lights would be put on the poles for the walking trail. He recommended that the Council authorize the City Manager and City Attorney to pursue this plan and select a contract vendor to install Musco equipment by using an existing contract or by bidding the installation with a certified electrical contractor. Total cost of the project will not exceed \$200,000 without Mayor and Council consent. **Council Member Avery** made the motion to authorize the City Manger and City Attorney to pursue this plan and to select a contract vendor to install the Musco equipment by using an existing contractor or by bidding the installation to a certified electrical contractor, with the understanding that the total cost will not exceed \$200,000 with out Mayor and Council approval. Mayor Pro-Tem Hall made the second. Motion passed unanimously 5-0.

**5: Discuss Police Patrols:**

**Council Member Abbey** explained the city had a contract with off duty Gwinnett Police Officers to patrol Sugar Hill. He wanted to propose the City Manager come up with a policy that would allow citizens and business owners to request that the Police do a drive by their home or business when they wee going to be out of town. He had presented the City Manager with a form that could be used for this purpose. Discussion was held on who would be responsible for this form, who would take the information, where it would be kept, who had access to the information and possibly talking with some of the other law enforcement personnel to see how this works in their jurisdiction. **Council Member Abbey** made a motion that he be instructed to work with the City Manager to develop a policy whereby citizens and business owners could request a drive by patrol from the police as time and resources permit. Council Member Johnson made the second. Motion passed unanimously 5-0.

**6: Temporary Policy on Town Green/Amphitheater Rental:**

**Mayor Pirkle** explained they had already had a request to use the Gazebo at the Town Green for a Christmas event. A temporary policy had been discussed at the last work session and there was still some difference of opinion on what that policy should be. He requested that the policy used to rent the Pavilion at the park be used as a temporary policy until one could be drawn up. Mayor Pro-Tem Hall made the motion to use the policy now used to rent the community center and pavilion at the park as a temporary policy for the rental of the Town Green Gazebo, the Amphitheater and the Pavilion at the park. Council Member Rhodes made the second. Motion passed on a vote of 3-2. Council Members Abbey and Johnson were opposed.

**7: Proposal to use restaurant area at Golf Course for outside vendor:**

**Council Member Johnson** explained Mr. Marco Ringer had approached him about using the restaurant area at the Golf Course as a café style restaurant. They would have Sunday Brunch for the general public; they could serve dinner on Saturday and have packaged lunches for the golfers. Other functions could include business lunches, and special events such as a Valentines Day Dinner. Discussion was held on things like insurance,

City of Sugar Hill Council Meeting

Monday November 11, 2002

Community Center 7:30 PM

liability and if proposals from other vendors should be taken. Council Members asked that Mr. Ringer be asked to attend the Budget Work Session on Monday November 18<sup>th</sup>. They also asked that Director of Golf, David Bowman attend the Budget Meeting. No action was taken on this item.

**EXECUTIVE SESSION: To discuss Legal, Real Estate and/or personnel:**

**Mayor Pro-Tem Hall** made the motion to enter into Executive Session to discuss Legal, Real Estate and/or personnel. Council Member Avery made the second. Motion passed unanimously 5-0.

On a motion and a second, the meeting returned to regular session.

Mayor Pirkle called the meeting back to order. No Action was taken out of Executive Session.

**ADJOURNMENT:**

**Council Member Abbey** made the motion to adjourn the meeting. Council Member Rhodes made the second. Motion passed unanimously 5-0. Meeting adjourned at 9:45 PM.

**Date approved:** \_\_\_\_\_

\_\_\_\_\_  
**Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**