

City of Sugar Hill Council Meeting

Monday June 10, 2002

Community Center 7:30 PM

The City of Sugar Hill City Council held its regular monthly council meeting on Monday June 10, 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 Peachtree Industrial Blvd and Alton Tucker 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 Attorney Lee Thompson, City Manager Bob Hail, and 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. He led the Pledge of Allegiance to the Flag and gave the Invocation.

APPROVAL OF AGENDA:

Mayor Pro-Tem Hall made the motion to amend the Agenda to delete item A under New Business Public Hearing AX-02-003. Falling Waters had requested to withdraw their request for annexation and rezoning and this item should be deleted in its entirety. Also, City Attorney's Report, Council Reports, Mayor's Report, City Clerk and City Manager Reports should be moved to the top of the agenda after Approval of Minutes. Council Member Rhodes made the second. Motion passed unanimously 5-0

APPROVAL OF 5/6/2002 AND 5/13/2002 MINUTES:

Council Member Avery made the motion to approve the 5/6/2002 and 5/13/2002 minutes as written. Council Member Abbey made the second. Motion passed unanimously 5-0.

CITY ATTORNEY'S REPORT:

City Attorney Thompson had no report.

CITY COUNCIL REPORTS:

Council Member Rhodes reported that David Bowman had extended an invitation to the current Mayor and Council and the Mayor and Council from 1990 to attend the 10th anniversary celebration at the golf course on June 15, 2002 at 12:00 noon. Citizens and guests were also invited to attend. Revenues for May were down some but June was looking good.

Council Member Abbey had no report.

Council Member Avery gave a report on Recreation. (See attached report).

Mayor Pro-Tem Hall gave a report on Planning and Zoning. The Planning and Zoning staff had been reviewing the contract for the installation of an elevator. The City had received CDBG Funding for this project which would also include renovating the upstairs of City Hall for the Planning and Zoning Department. This project would also make the upstairs ADA accessible. Planning Director Jim Osborn would be sending letter to property owners along Peachtree Industrial Blvd notifying them that the City would be

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changing the future land use map to a commercial classification. This was not to be confused with the zoning map, this is strictly for land use purposes. They were also in the process of amending the Development Regulations to latest Gwinnett County Storm Water Regulations. The Planning Commission would be reviewing this at their July meeting and the Council would have that information at the August Council Meeting. Council Member Johnson gave the following report on roads: A summary of the proposed roads to be paved was on the city's web site; www.cityofsugarhill.com. Aamco Paving had been selected to do the 2002 road improvements. Roads would be inspected and marked for required patching. The grinding and patching machine would be available the first of July with resurfacing to begin by the end of July or the first of August. Patching had begun on Price Hills Trial, Deep Creek Drive and Old Spring Way. Paving of these streets was a state and city project and the state DOT would determine when these roads would be resurfaced. The Spring Hill Drive project had been delayed and letters had been sent to residents of Old Spring Way and Spring Hill Drive. The county will be replacing old water lines and to ensure optimum use of funds, the city will delay its project until the county has the water lines replaced, estimated to be sometime in August. He also wanted to thank the Girl Scouts.

MAYOR'S REPORT:

Mayor Pirkle gave the following report: The city had received notification of its Greenspace funding. The amount the city would be receiving would be \$60,000, the third highest amount behind Duluth and Snellville. He also reported that Congressman Bob Barr was at the meeting. He thanked Congressman Barr for taking the time to attend the Council Meeting.

CITY CLERK'S REPORT:

No Report.

CITY MANAGER'S REPORT:

City Manager Hail gave the following report: Please check the city's web site for periodic updates on the Northern Arc. GA DOT web site is www.northernarc.com or www.northernarctaskforce.com for additional information. Construction of the "Town Green" on West Broad Street is well on its way. Installation of a construction access road has begun to build the amphitheater in Robinson Park. Playground mulch for EE Robinson Park was purchased through Gwinnett County saving thousands of dollars by taking advantage of their ability to purchase in large quantities. The Boy Scouts are holding a Twilight Camp in EE Robinson Park this week. So far this year, over 12,000 feet of gas lines has been replaced or expanded. Sugar Hill gas price per therm for May and June is \$.59.

OLD BUSINESS:

A: TAPING OF COUNCIL MEETINGS:

Council Member Johnson made the motion to have the City Manger complete a bid process to tape the Council Meetings for broadcast on Charter Cable Channel 19 every Tuesday night at 9:00 PM. He would also like to direct the City Manager to have this process done in order to start taping the meetings at the August Council Meeting.

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Council Member Avery made the second for discussion. Discussion was held on the cost of outsourcing versus buying the equipment. Council Member Johnson made the motion to have the City Manager proceed with the bid process and start taping the meeting in August. Council Member Avery made the second. Motion passed unanimously 5-0.

B: AMENDMENT TO UTILITY DISCONNECT ORDINANCE:

City Manager Hail explained the process the gas department went through with regards to doing disconnects due to non-payment. Discussion was held on whether this should be an ordinance or just a policy, if people on budget bill are subject to disconnect. Mayor Pro-Tem Hall made the motion to table this item until the July meeting. Council Member Johnson made the second. Motion passed unanimously 5-0.

C: REPLACE J. C. KNIGHT POST #5 ON THE APPEALS BOARD TERM EXPIRES 12/31/2002:

City Manager Hail explained that Mr. Knight had passed away in May and his post on the Appeals Board was now vacant. Council Member Avery nominated Renya Eurek to replace Mr. Knight. Council Member Abbey made the second. Council Member Johnson stated he had not received a resume on Ms. Eurek. Discussion was held on whether or not this item should be tabled. Mayor Pirkle called for the vote. Motion to appoint Ms. Eurek on Post #5 passed on a vote of 4-1. Council Member Johnson was opposed.

CITIZENS AND GUESTS COMMENTS:

Mr. H.E. Allgood spoke on property taxes, what a bargain it was for the city to let the county bill the property taxes, changing the zoning of property from residential to commercial, why could the city not get a Post Office and its own zip code.

Ed Drews of Riverside Road asked if there was an ordinance limiting the number of families that could live in a house and if there was one why was it not being enforced.

Congressman Bob Barr spoke on the process that he, the Mayor and Council Members were going through to obtain a Post Office and zip code for Sugar Hill. He was trying to set up another meeting with Andy Hodges of the Postal Service. He encouraged the residents to write to the Mayor and Council who could then work with Congress trying to get a Post Office for the city. He reported Congress would be going back in session and some of the issues they would be addressing would be Homeland Security and tax breaks. Mayor Pirkle and Council Member Johnson gave their personal endorsement to Congressman Barr.

Jim Sands thanked the city for paving his street and he felt it was a waste of time trying to get a Post Office when people could use Fed EX, UPS or Mail Boxes Etc.

Anna Carter asked the Council if Item A under New Business had come up, how would they have voted?

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Council Member Abbey made a motion to amend the Agenda in order to swear in the new Appeals Board Member, Renya Eurek. Council Member Rhodes made the second. Motion passed unanimously 5-0. Mayor Pirkle then swore in Ms. Eurek as an Appeals Board Member.

NEW BUSINESS:

A: PUBLIC HEARING AX-02-003: FALLING WATER MAP REF #'S R7-288-001, 7-288-003A & 7-289-020. FALLING WATERS, INC IS REQUESTING TO ANNEX AND REZONE 110.58 ACRES AT SUWANEE DAM ROAD. THE PROPERTY IS CURRENTLY ZONED R-75 (SINGLE FAMILY RESIDENTIAL DISTRICT) IN UNINCORPORATED GWINNETT COUNTY. THE APPLICANT IS REQUESTING AS RS-100/PUB (SINGLE FAMILY RESIDENTIAL PLANNED UNIT DEVELOPMENT) ZONING CLASSIFICATION WITH 268 SINGLE-FAMILY LOTS AND 132 ATTACHED TOWNHOMES:

This item was withdrawn and deleted in its entirety from the agenda.

B: PUBLIC HEARING: 2002 MILLAGE RATE:

Council Member Abbey made the motion to enter into Public Hearing. Council Member Avery made the second. Motion passed unanimously 5-0. City Manager Hail explained that the county had done some reassessments of property, a few of those reassessments were being challenged. The city had expanded its services to include seven part-time Police Officers, purchase 25 acres of Green Space, build a Town Green and Amphitheater at the park, paving of the streets, renovating city hall and the newly purchased community center to become ADA compliant. The current millage rate was 3.87 and his recommendation was that the city retains this millage rate. There were no comments from the Public. Council Member Abbey made the motion to exit Public Hearing. Council Member Avery made the second. Motion passed unanimously 5-0. Council Member Abbey made the motion to adopt the millage rate of 3.87 for the 2002 property taxes. Council Member Johnson made the second. Motion passed unanimously 5-0.

C: READOPT THE CITY OF SUGAR HILL ZONING MAP:

Mayor Pro-Tem Hall made a motion to enter into Public Hearing. Council Member Abbey made the second. Motion passed unanimously 5-0. Assistant City Manager for Development Jim Osborn explained this was an update on the official city map in GSI form. Only official changes were incorporated every six months to a year. The Mayor had signed off on the changes made to the map. Council Members asked about islands and the process needed to get those annexed into the city limits. There were no comments from the Public. Council Member Rhodes made the motion to exit Public Hearing. Council Member Abbey made the second. Motion passed unanimously 5-0. Mayor Pro-Tem Hall made the motion to readopt the zoning map to reflect zoning and annexation changes since the last published date of March 18, 1998. Council Member Rhodes made the second. Motion passed unanimously 5-0.

D: RE-ADOPT BUILDING CODES AND FEE SCHEDULE FOR 2002:

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Building Inspector James Trombley explained there had been some changes made to the Georgia Building codes and he felt the city should adopt these changes along with the new fee schedule. Mayor Pro-Tem Hall made the motion to adopt the codes as presented by City Attorney Thompson with all the appendices as noted. Council Member Abbey made the second. Motion passed unanimously 5-0. Council Member Johnson made the motion to adopt the Resolution on the proposed 2002 Fee Schedule with all the changes as noted along with the International Building Code Good Valuation Data Base. Council Member Abbey made the second. Motion passed unanimously 5-0.

E: PROPOSED CHANGES TO CHAPTER ONE:

Building Inspector James Trombley explained he had reviewed this Chapter and found some changes needed to be made. One of the changes he wanted to add involved refunds. Refunds would only be given in certain circumstances. Changes needed to be made on pages 12 which refers to plans required on occupancy; the state had made some changes and he wanted to expand the city's list to include those changes. On page 16 he wanted to change the way plans were reviewed and signed off on. He also wanted to add deck inspections on pools and temporary power for builders and homeowners. Mayor Pro-Tem Hall made the motion to adopt the Code Book with Chapter One Administration removed and replace it with City of Sugar Hill Chapter One Administration Provisions and the proposed changes presented by Mr. Trombley and to be noted in the minutes; and that the City of Sugar Hill Inspection Department shall be able to enforce and follow the regulations as outlined in that Code Book. Council Member Abbey made the second. Motion passed unanimously 5-0.

F: AMEND CODE OF CITY OF SUGAR HILL SECTION 2-49 CHANGING FORMAT OF THE AGENDA:

City Attorney Thompson explained this was a change the Council had requested be made in the format of the agenda. The Council had been doing this for a couple of months by amending the agenda and had requested the change be made to City of Sugar Hill Code Section 2-49. This would change the placement of City Attorney Report, Council Reports, Mayor's Report, City Manager and City Clerk's Report after the approval of the minutes. Council Member Rhodes made the motion to amend Code Section 2-49 to the format presented by City Attorney Thompson. Mayor Pro-Tem Hall made the second for discussion. She asked if Item Seven could be changed to Unfinished Business instead of Old Business. Council Member Rhodes amended his motion to make Item Seven be Unfinished Business instead of Old Business. Mayor Pro-Tem Hall made the second. Motion passed unanimously 5-0.

G: AMEND CODE OF CITY OF SUGAR HILL SECTION 2-51 CHANGING REQUIREMENTS FOR ITEMS PLACED ON THE AGENDA:

City Attorney Thompson explained this Ordinance would change Code Section 2-51 changing the way items are placed on the Agenda. Currently the Ordinance allows a citizen to call the City Clerk by Monday preceding the Council Meeting and can have an Item placed on the Agenda. This Ordinance would require that the Clerk call the Mayor and Council Members about the Item. If one of the Council Members wanted to sponsor the Item, it would then be placed on the Agenda. Council Member Abbey made the

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motion to adopt the Ordinance to amend Code Section 2-51. Council Member Johnson made the second for discussion. He asked Mr. Thompson what sort of items could be placed on the agenda under the current ordinance. Mr. Thompson replied it was unlimited. This new ordinance would require that either one of the Council Members or the City Manger sponsor an item. There being no more discussion, Mayor Pirkle called for the vote. Motion passed unanimously 5-0.

**H: AMEND CODE OF CITY OF SUGAR HILL SECTION 2-52
PRESENTATION AND ENACTMENT OF ORDINANCES:**

City Attorney Thompson explained this Ordinance would amend Code Section 2-52 in the way an Ordinance is presented and enacted. The provision that was in the Code still referred to emergency ordinances but that had been taken out about ten years ago. This would change the Code to reflect the way the Ordinances are presented and enacted. Any Council Member may present an ordinance, the ordinance must be in written form, and once they are passed they are presented to the Mayor for his signature or his veto. Mayor Pro-Tem Hall made the motion to delete section 2-52 in its entirety and replace it with the ordinance as presented by City Attorney Thompson. Council Member Abbey made the second. Motion passed 5-0.

**EXECUTIVE SESSION: TO DISCUSS REAL ESTATE, LEGAL AND
PERSONNEL:**

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

Mayor Pro-Tem Hall made the motion to return to regular session. Council Member Abbey made the second. Motion passed unanimously 5-0.

ACTION TAKEN OUT OF EXECUTIVE SESSION:

Council Member Johnson made a motion to give city employees Friday July 5th off as part of the 4th of July Holiday. Council Member Avery made the second. Motion passed on a vote of 4-0-1. Council Member Abbey abstained from voting and Mayor Pirkle wanted it known that he was opposed to this.

Council Member Avery made a motion to have the City Manager enter into an agreement with West Gwinnett Soccer and North Gwinnett Soft Ball League. Council Member Johnson made the second. Motion passed unanimously 5-0.

ADJOURNMENT:

Council Member Abbey made the motion to adjourn the meeting. Council Member Johnson made the second. Motion passed unanimously 5-0. Meeting adjourned at 9:30 PM.

Date Approved: _____

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Mayor: _____

ATTEST:

City Clerk