

City of Sugar Hill Council Meeting

Monday September 9, 2002

7:30 PM Community Center

The City of Sugar Hill Council held its regular Council Meeting on Monday September 9, 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 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, led the Pledge of Allegiance to the Flag and gave the Invocation.

APPROVAL OF AGENDA:

Council Member Johnson wanted to amend the agenda to include the Rabbit Ordinance under Unfinished Business so it could be sent to the Planning and Zoning Board. Council Member Avery made the motion to amend the Agenda to include the Rabbit Ordinance under Unfinished Business. Council Member Abbey made the second. Motion passed unanimously 5-0.

APPROVAL OF 8-12-2002 MINUTES:

Mayor Pro-Tem Hall made the motion to approve the August 12, 2002 Minutes as printed. Council Member Rhodes made the second. Motion passed unanimously 5-0.

CITY ATTORNEY'S REPORT:

City Attorney Thompson stated that an Executive Session was needed to discuss Pending Litigation. Also, Mayor Pro-Tem Hall had sent him an e-mail regarding legislation that had been passed and went into effect on July 1st. One item was not actually legislation but a case that had come out in June from the Supreme Court regarding providing defense for indigent defendants. He would meet with Judges Washburn and Coolidge to discuss this and other issues regarding Municipal Courts. He would try to have a memo regarding these items at the next meeting.

COUNCIL REPORTS:

Council Member Abbey gave a report on the Gas Department: In the past month 100 new services had been added to the system and 5,200 feet of pipe had been added to the system. The gas price per therm was fifty-six cents (.56).

Council Member Rhodes gave a report on the Golf Course: The total Revenue for August was \$137,765 and total rounds played were 2,967. August has been the biggest grossing month so far this year. Jeff Hefner and his crew of six have given them the best playable course in North East Georgia and they look for the trend to continue into the

City of Sugar Hill Council Meeting

Monday September 9, 2002

7:30 PM Community Center

fall. Thanks also to the Mayor and Council for giving them the tools to present this product. In other business, he had received a rough draft of the Sugar Hill Downtown Development Authority. Some of the positions that would be available would be a DDA Chairman, Vice Chairman, perhaps a Promotion Chairman/Community Relations Chairman, Design Committee Chairman, Organization Chairman, Treasurer, Secretary and one Council Member. Anyone interested should submit a resume to the city. The Council would have to discuss this in the planning session and decide if this was the way it should be structured. For anyone wanting to do research on downtown development, he gave some web site addresses. Two of those web sites are www.dca.state.ga.us and www.downtowndevelopment.com.

Council Member Avery gave a report on Recreation: The West Gwinnett Soccer Club fall season had begun. They would not be using the field at EE Robinson Park for the fall season due to maintenance. The soccer club had provided the fence and grassing in order to bring the field up to a higher quality playing field and this was greatly appreciated by the City of Sugar Hill. The adult men's fall softball league had started tonight. They would be using the field on Monday's and Wednesday's for the next five weeks. She had met with Rusty Carter, the director of the softball league, to discuss a draft of the written agreement between the league and the city; which would take effect on January 1, 2003. She would be meeting with the city manager and Mr. Carter to finalize the details of the agreement. The North Gwinnett baseball/softball youth league would be using the fields on Wednesday, Thursday and Friday. Work had started on the Amphitheater at the park and it should be finished in time for the Fall Festival on October 26. The festival would be from 11:00 AM to 5:00 PM. Volunteers were still needed to work at the fall festival and there were sign up sheets available on the table with the agendas. Applications were still being accepted for craft and food vendors and entertainment. The Town Green was looking great; the clock should be delivered and installed by the end of September. Order forms for the Memorial Bricks were available on the table with the agendas and on the city's web site. A bid had been accepted for the Veterans Memorial, which should be installed by Veterans Day.

Mayor Pro-Tem Hall gave a report on Planning and Zoning: The Planning and Zoning Department was seeking an Assistant City Planner, ads had been placed in several trade papers and on some web sites. Two companies in the city had a total of six billboards located within the city. After the recent accident in Snellville, these billboards were being inspected. Four of the billboards had been taken down and x-rayed with some re-welding done on them. These inspections should be completed within two weeks. Mr. Osborn had sent a letter to the billboard companies requiring that they provide certification that the billboards had been inspected and were safe.

Council Member Johnson gave the following report: The run off election would be on Tuesday September 10th for Lieutenant Governor and Secretary of State. He had been to see Christian Musician Phil Driscoll. He hoped to be able to get Mr. Driscoll to perform at the Amphitheater when it was completed. He thanked the Girl Scouts for all the work they had done at the park on the butterfly garden. One of his plans was to put together a board of kids, ages 12-17, to find out the recreational needs for Sugar Hill's youth.

City of Sugar Hill Council Meeting

Monday September 9, 2002

7:30 PM Community Center

Along with Dr. Deb and Dr. Joe, he and his wife had attended the Yellow Daisy Festival at Stone Mountain. They had talked with several of the vendors; some had made commitments to attend the Sugar Hill Fall Festival. Patching/grinding of roads had begun with resurfacing of roads to begin later this month. Bellingham Drive would be re-accomplished when resurfacing begins. A summary of proposed road improvements is posted on the city's web site. Gwinnett County water improvements on Spring Hill Drive should be completed by Thanksgiving. Drainage improvements are completed with resurfacing of the road and construction of sidewalks to begin immediately after the water pipe replacement project and resolution with homeowners involving right of way are complete. Construction to improve the drainage pipe culvert on Frontier Drive will begin the last part of September.

MAYOR'S REPORT: Mayor Pirkle gave the following report: Congratulations to the football team at North Gwinnett for their win over Collins Hill. The Sugar Hill Baptist and Methodist Churches were having Memorial Services on September 11th at 7:00 PM. The Justice Center would be holding one at 4:00 PM for all those who could attend. Suwanee Days would be September 21st and Sugar Hill's Fall Festival would be October 26th.

CITY CLERK'S REPORT:

See Attached Report.

CITY MANAGER'S REPORT:

City Manager Hail reported that the Council Meetings were now being shown on Charter Cable Channel 19 on the 3rd, 4th and 1st Mondays at 8:00 PM.

UNFINISHED BUSINESS:

1: Rabbit Ordinance

Council Member Johnson stated that the Rabbit Ordinance was already scheduled to go before the Planning and Zoning Board but he needed to make a change. He had been doing some research on rabbit hutches and found they need to be four foot square. Of those four feet, two feet needs to solid wood flooring and the other two feet needs to be rabbit wire. This will allow the rabbits to nest on the wood flooring and use the wire portion for other functions. He would like for Mr. Osborn to put this before the Planning and Zoning Board but he did not want it to interfere with the citation dates and if need be he would come to court and tell the judge what was going on. No action was taken.

CITIZENS AND GUESTS COMMENTS

Phil Byers speaking on behalf of Hilda Roberts who lives at 1139 Pine Thicket Drive. Mr. Byers had handouts for the council and made comments on the work session and the rabbits kept by Ms. Roberts.

NEW BUSINESS:

1: PUBLIC HEARING: RZ-02-002 Fred C. Aguirre, Map Reference #R7-258-009 2.37 Acres: Fred C. Aguirre, President of Commercial Site Development, Inc is requesting to rezone 2.37 acres at the corner

City of Sugar Hill Council Meeting
Monday September 9, 2002
7:30 PM Community Center

**Of Nelson Brogdon Blvd and Frontier Drive from OI to HSB for the
Use of a stand-alone drug store:**

Council Member Abbey made the motion to enter into Public Hearing for RZ-02-002. **Council Member Rhodes** made the second. Motion passed unanimously 5-0. **Assistant City Manager for Development Jim Osborn** gave a brief explanation of the project. He addressed the concerns of the second driveway on Frontier Drive. Staff recommendation was for approval of the zoning change from OI to HSB with the following conditions: 1: All trash dumpsters shall be screened by an enclosure using the same exterior building material as the adjacent occupied buildings. Pickup shall be limited between the hours of 7:00 AM to 9:00 PM. 2: Lighting shall be of a sodium type, contained in cut-off luminaries and shall be directed in towards the property so as not to reflect into adjacent residential properties. Speaking for the applicant was Jeff Mahaffey and Tucker Aguirre. Comments from the Public included Rick January, who felt this project was better than some that could have gone in at this corner. He asked that the developer save as many trees as possible and he wanted to make sure the subdivision sign was saved maybe even upgraded. Council Members had questions and concerns regarding the buffer zone, lighting, delivery trucks and trash pickup. **Council Member Johnson** made the motion to exit Public Hearing. **Council Member Abbey** made the second. Motion passed unanimously 5-0. **Council Member Avery** made the motion to accept RZ02-002 to rezone from OI to HSB with the conditions recommended by Planning and Zoning, to change garbage pick up to be no later than 8:30 PM, that there be only one entrance on Frontier Drive in the location shown on the site plan presented to the City Council, an undisturbed buffer of 100 feet be maintained on the property line adjacent to residential property and the structure on the site is a brick building of the style shown on the rendering presented to the City Council. **Council Member Johnson** made the second. Motion passed unanimously 5-0.

2: PUBLIC HEARING: Amend Article 6 of the Sugar Hill 1997 Development Regulations to incorporate changes to street base requirements:

Council Member Rhodes made the motion to enter into Public Hearing to Amend Article 6 of the Sugar Hill 1997 Development Regulations. **Mayor Pro-Tem Hall** made the second. Motion passed unanimously 5-0. **Assistant City Manager for Development Jim Osborn** gave a brief description of the changes that would be made to Article 6 regarding street base requirements. The City would like to go from using the soil cement base for streets to using Graded Aggregate Base. The minimum amount of Graded Aggregate Base would increase from 5 inches to 8 inches to ensure the longevity and quality of public streets. The proposed changes will eliminate soil cement as an option for base on the construction of new streets. A minimum of 8 inches of GAB would be applied as base material to all new local and minor collector streets within a residential subdivision. There were no comments from the Public. **Council Member Abbey** made the motion to return to regular session. **Council Member Avery** made the second. Motion passed unanimously 5-0. **Council Member Rhodes** made the motion to Amend Article 6 of the Sugar Hill 1997 Development Regulations and eliminate soil cement as a base for streets and start using Graded Aggregate Base with a minimum of 8 inches. **Council Member Abbey** made the second. Motion passed unanimously 5-0.

3: PUBLIC HEARING: Amend Article 6 and 11 of the Sugar Hill 1997

City of Sugar Hill Council Meeting
Monday September 9, 2002
7:30 PM Community Center

Development Regulations to incorporate changes to the Maintenance

Bond period:

Council Member Abbey made the motion to enter into Public Hearing to Amend Article 6 and 11 of the Sugar Hill 1997 Development Regulations. **Council Member Rhodes** made the second. Motion passed unanimously 5-0. **Assistant City Manager for Development Jim Osborn** gave a brief description of Articles 6 and 11 and the changes that would be made regarding the maintenance bond period. Current regulations require an 18-month maintenance bond for all installations and improvements. This bond covers such items as the roadways, storm water pipe and storm water structures within the right-of-way and the detention ponds. The change would require the maintenance bond period be extended from 18 months to 30 months. Mr. Osborn went on to explain that at the end of 18 months, if at least ninety percent of the buildings have certificates of occupancies issued the developer shall post an additional 12 month bond for the maintenance of all installations and improvements in the subdivision. The surety amount shall equal 30 percent of the original bond amount for the cost of subdivision installations. If at the end of 18 months, less than ninety percent of the buildings have certificate of occupancies issued, the developer shall post an additional 12-month bond for the maintenance of all installations and improvements in the subdivision. The surety amount shall equal the same amount as the original 18-month surety for the cost of subdivision installations. There were no comments from the Public. **Council Member Rhodes** made the motion to return to regular session. **Mayor Pro-Tem Hall** made the second. Motion passed unanimously 5-0. **Council Member Abbey** made the motion to Amend Article 6 and 11 of the Sugar Hill 1997 Development Regulations to change the requirement on the maintenance bond from 18 months to 30 months. **Council Member Rhodes** made the second. Motion passed on a vote of 4-1. **Council Member Johnson** was opposed.

4: PUBLIC HEARING: Amend Article 5 of the Sugar Hill 1997 Development Regulations to incorporate minimum requirements for recreation areas:

Council Member Rhodes made the motion to enter into Public Hearing to Amend Article 5 of the Sugar Hill 1997 Development Regulations. **Council Member Abbey** made the second. Motion passed unanimously 5-0. **Assistant City Manager for Development Jim Osborn** gave a brief summary of Article 5 and the recommended changes. Under the current regulations the requirement for recreational space in a single-family residential area of 50 acres or more and multi-family area of 10 acres or more to provide six (6) percent of the gross land area for recreational use. The proposed changes will require six (6) percent of the land be set aside for recreational area for all residential (single-family or multi-family) developments having 10 acres or greater. There were no comments from the Public. **Mayor Pro-Tem Hall** made the motion to return to regular session. **Council Member Abbey** made the second. Motion passed unanimously 5-0. **Council Member Abbey** made the motion to Amend Article 5 of the Sugar Hill 1997 Development Regulations requiring six percent of land be set aside for recreational use on all residential (single-family or multi-family) developments having 10 acres or greater. **Mayor Pro-Tem Hall** made the second. Motion passed unanimously 5-0.

5: PUBLIC HEARING: Amend Article 5 of the Sugar Hill 1997 Development Regulations to incorporate minimum requirements for the size of swimming Pools:

City of Sugar Hill Council Meeting

Monday September 9, 2002

7:30 PM Community Center

Council Member Avery made the motion to enter into Public Hearing to Amend Article 5 of the Sugar Hill 1997 Development Regulations. **Council Member Rhodes** made the second. Motion passed unanimously 5-0. **Assistant City Manager for Development Jim Osborn** gave a brief summary of the Article 5 and the recommended changes to incorporate minimum requirements for the size of swimming pools. This would not include swimming pools owned by individuals, just those community pools maintained by the Homeowners Association of a subdivision. Under current regulations there are no requirements on minimum size for pools in a residential community or for motels/hotels. The proposed change would require the minimum size of a community pool and the deck area be based on the number of dwelling units in the development. There were no comments from the Public. **Council Member Abbey** made the motion to return to regular session. **Council Member Rhodes** made the second. Motion passed unanimously 5-0. **Mayor Pro-Tem Hall** made the motion to Amend Article 5 of the Sugar Hill 1997 Development Regulations to incorporate the proposed changes for swimming pool size requirements. **Council Member Johnson** made the second. Motion passed unanimously 5-0.

6: Financial Software Upgrades:

City Manager Hail explained that the City had been using SDP for many years as the financial software vendor. To update this software and provide better service to our customers would be labor intensives. Hardware is not part of the bidding process. The City plans to purchase a new server to process the software but that is a separate issue. All bids include accounting, financial, payroll, utility billing and occupational tax software. The following three bids were received: Creative Logic Technologies \$22,700 which includes installation and training; Smith Data Processing \$21,241 which includes installation and training; and Tailored Business Solutions \$27,750 which includes installation and training. His recommendation was to select Creative Logics Technologies as the software vendor for price, software language and close proximity for assistance. Their office is in Duluth and could respond quickly. **Mayor Pro-Tem Hall** made the motion for the council to allow the City Manager to work with Creative Logic Technologies for the new software. **Council Member Abbey** made the second. Motion passed unanimously 5-0.

Executive Session: Discuss Legal, Real Estate and/or Personnel:

Council Member Johnson 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. **Council Member Abbey** made the motion to return to regular session. **Council Member Rhodes** made the second. Motion passed unanimously 5-0. 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 9:40 PM.

Date Approved: _____

City of Sugar Hill Council Meeting
Monday September 9, 2002
7:30 PM Community Center

Mayor

ATTEST:

CITY CLERK