

City of Sugar Hill Council Meeting
Monday, May 12, 2003
4988 West Broad Street, Sugar Hill, GA 30518
Community Center 7:30 pm

The City of Sugar Hill City Council held its regular meeting on Monday, May 12, 2003 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 Boulevard and Peachtree Industrial Boulevard. Notice was sent to the local newspapers.

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

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:

City Manager Bob Hail stated that he had one item to add. Last year when the Building Inspector was hired he chose to have a vehicle allowance rather than a vehicle. The City has now hired a new Building Inspector and he needs a city vehicle to perform his duties. This was not in the budget. There are enough funds in the contingency fund to transfer funds to the general fund for this purchase. This request is to purchase him a Ford F-150. Also, the Recreation Program Coordinator would need a vehicle to perform her duties. This request is for a ranger truck for her use. **Council Member Chris Abbey** made a motion to amend the agenda. **Council Member Kim Hall** made the second. **Motion passed unanimously 4-0.**

APPROVAL OF THE APRIL MINUTES

Council Member Ron Johnson stated he had a problem with the minutes. It was written that Council Member Johnson returned after missing the last two months. He was absent in January because of an invitation to the Governors Inauguration & Celebration, and he was absent in February because he attended a Finance School for his employment. **Mayor Gary Pirkle** stated that these were minutes that were approved at the April Council meeting for the March meeting. **Council Member Kim Hall** stated that she had one change under the approval of the agenda, it states motion passed unanimously. Actually it was 3-1 and Council Member Kim Hall was opposed. **Council Member Chris Abbey** stated that he had one item as well, under item 9 regarding the park land, it states Council Member Bob Hail and that should be City Manager Bob Hail. **Council Member Chris Abbey** made a motion to approve the minutes with the changes as noted above. **Council Member Kim Hall** made the second. **Motion passed unanimously 4-0.**

CITY ATTORNEY REPORT

City Attorney Lee Thompson stated he had nothing to report for this month.

COUNCIL REPORTS

Council Member Chris Abbey stated the improvement plan for the street department 2003 is well underway. There are 4 miles of streets to be improved and more if funding becomes available. Spring Hill Drive is complete between Whitehead and Old Spring Way; the other portion will be completed as weather improves. There were some failures of drainage pipes during the storms last week along Davis Drive, the work is ongoing and will continue. City Manager Bob Hail added that the city crews did an outstanding job of getting that road closed and a drive around reopened for the weekend to make as little impact on the residents as possible. This should be finished up this week

Council Member Thomas Rhodes is not present and asked that Mayor Gary Pirkle present his report. **Mayor Gary Pirkle** stated Mr. Rhodes would be in Washington DC all week for the Coverdale Leadership Class. He will be meeting with Senator Saxby Chamblis along with members of the Georgia Delegation. He has an appointment with Congressman Linder on Thursday afternoon, and will be discussing Sugar Hill's proposal for a Post Office. The Downtown Development Authority has worked to establish a set of Goals;

1. Promote development in such a way to maximize the benefit to the community including but not limited to increasing commercial tax base, and provide residential tax relief.
2. Create a positive atmosphere within the City of Sugar Hill making citizens and the Business Community proud to live and work in the city. Complete a public and private partnership to provide support for the main street movement in the new downtown area.
3. Define a conceptual plan giving clear direction towards managing development within the boundaries of West Broad Street, Georgia Highway 20, and Peachtree Industrial Boulevard.

The Downtown Development Authority has decided to meet twice a month. A work session was held on Tuesday, May 6, 2003 to discuss future projects the city would like to undertake. They will be meeting next Tuesday, May 20, 2003 for the official meeting at 7:00 PM in the Community Center. The next work session will be June 3, 2003 at 7:00 PM. Mayor Gary Pirkle stated this group has been great go-getters tackling the project head on and they are a great group of members and the city appreciates their hard work and effort. The minutes will be available and on line soon for citizens to look over. Council Member Thomas Rhodes encourages anyone interested in future development to come out to the meetings to provide input. For the Gas System the city has replaced and/or expanded the lines by almost 1 mile, which improves service and allows for growth. For 2003 year to date there are over 100 new services. The price per therm cost for March was \$.94. The market price has risen significantly over the last few months the city's action to purchase gas for the future has been successful in keeping our prices to a minimum during cost increases. The city will continue to monitor the market for next year's gas prices.

Council Member Kim Hall stated that the Planning and Development department last week hired Samuel Agee as the new Building Official/Inspector. He is fully certified to perform residential and commercial building inspections. The city is happy to have him on board. His past experience include serving as building inspector for the City of Roswell, also private residential and commercial contracting. The renovation of the city hall expansion is progressing on schedule. The Planning and Development Department is expected to be in City Hall on the second floor sometime in July. Once this is complete the city will begin working on the redevelopment and construction of the Church Street Community Center. The City Manager Bob Hail is currently working on hiring a an architect for the design renovations and the expansions in this facility. Council Member Hall stated that she had one personal item to discuss. Approximately a week and a half ago she received a letter from the University Carl Vincent Institute which is where the city council takes training for municipal officials, etc. It was giving her notice that someone had filed a freedom of information request on her transcripts from there. She was bewildered to find out that it was Council Member Ron Johnson that made the request. She would like to inform him in public that if there was anything he needed she was surprised that he didn't ask her in advance since they work so closely together. Mayor Gary Pirkle stated that he received the same letter as well.

Mayor Pro-Tem Meg Avery stated that she had a recreation report which is attached and incorporated as 'ATTACHMENT 1' to these minutes. Council Member Meg Avery stated that for those who normally receive her monthly city council agenda by e-mail, due to the storms last week she's experienced a lot of computer problems and now she can receive e-mail, but still unable to send them out. This should be rectified within the next couple of days.

Council Member Ron Johnson stated that the Golf Course is finally open. Everything is in great shape and they will continue to work on the fairways. There have been 630 rounds since May 1st. Some of the improvements include the bridge installed. Council Member Kim Hall asked Council Member Ron Johnson if he had the special rates for May. Council Member Ron Johnson stated that he was going to be doing a handicap playground at the Sugar Hill Elementary School and would like to see the other Council Members become involved with this as well. He has approached Sugar Hill Housing Authority about this, and he's met with the principal Sandra Levent. He will be meeting this week with a couple of the Falcon players who he's trying to get involved with this. The PTA will be holding a Golf Tournament to raise money for this project and the Housing Authority is going to match what is raised to build the handicapped playground for the children at Sugar Hill Elementary. Council Member Ron Johnson stated that he did request an open records request for every council member. He knows that money is put into the budget every year for training and he wanted to see if the council was actually using this. City Manager Bob Hail stated that the rates for the Golf Course for May for all participants would be \$38.00 on the weekend and \$25.00 thru the week for 18 holes. Council Member Ron Johnson stated that the employees did a wonderful job remodeling the clubhouse, there is new apparel and everything has been cleaned up a lot.

MAYORS REPORT:

Mayor Gary Pirkle stated that during the construction of the City Hall addition there were some problems with the Community Center. The sewage line was cut between the buildings which, caused problems for several resident who had the Community Center rented during that time. Mayor Gary Pirkle stated that he did speak with the residents on the phone and spent about a half day with them on Saturday apologizing and making sure they had what they needed. The problems have been corrected. During the meeting last month there was a discussion about a police department and Mayor Gary Pirkle has asked Gwinnett County to provide some information about the level of staffing for our area as well as the crime level here as compared to other areas of the County. During the Council meeting last month Council Member Ron Johnson made several statements concerning the finances of the city, Mayor Gary Pirkle stated at the time he didn't think these figures were correct. The statement was made that when Gary Webster was Mayor there was \$2,000,000 in the money market fund, actually this fund didn't exist until several years later. The closest thing to this was the LGIP bank account. Mayor Gary Pirkle asked the Finance Director Kelly Canady to pull all the audits from 1997 through 2001, and also compile the incomplete numbers from 2002, which have not finished being audited yet. In addition he asked that the bank statement for the end of calendar year 1997, the balance at this time was \$429,836.47. The outstanding debt at the end of fiscal year 1997 for the General Fund was \$98,745.00, Gas Fund was \$43,436.00, Golf Course was \$2,263,207 for a total debt of \$2,405,388.00. In addition to this there were expenses incurred for the closure of the landfill, which was opened prior to this time, and the construction of the spray fields for the Golf Course because it could not hold the water it was designed to hold. The Landfill Closure cost was \$671,557.50 and the Spray Field Construction Cost was \$583,675.50. The total debt for the city at this time was \$3,660,621 not \$2,000,000 in the bank. The statement was also made that in year 2001 the Gas Department made 55% profit when the gas was high which was also incorrect. Mayor Gary Pirkle asked the Finance Director Kelly Canady to pull these figures from 1997 through 2002. For 1997 the profit percentage was 15%, for 1998(0%), for 1999 (29%), for 2000 (20%), for 2001 (33%), and at this time the City Council passed a rate structure that would level out the amounts so for 2002 the profit percentage was 18%. The total percentage for that six-year period is 20%. The rate restructuring of 18% was right on target and the city hopes to keep this on a level field. A copy of the information provide by the Finance Director Kelly Canady is attached and incorporated as "**ATTACHMENT 2**" to these minutes.

CITY CLERK'S REPORT

Kim Landers stated the Clerks office had nothing to report.

CITY MANAGER'S REPORT

Copy of Report attached and incorporated as "ATTACHMENT 3" to these minutes. **City Manager Bob Hail** stated the only thing he has was that City Hall was now 50% bigger on the outside. They still have a lot of work to do on the inside but the plan is to move in around mid July, which is approximately one month earlier than the original schedule. The contractors have done an outstanding job; City Hall will be completely ADA compliant. When Planning and Zoning moves out of the building on Church Street the city will begin the renovations to this building and it will also be ADA compliant. The city is making great strides in improving its facilities to better serve the customers. The city is also very proud of E.E. Robinson Park and the utilization of the park.

UNFINISHED BUSINESS:

CITIZENS AND GUESTS COMMENTS:

Edward Roberts stated that his father-in-law Everett Moore of 1147 Old Atlanta Highway on has only a few more years to live. He loves to sell tomatoes, which he uses the income to buy his medicine. One leg and one foot is about three times the size of the other, and he's on oxygen for his emphysema. All he wants is the right to stay there to sell his tomatoes. He has a petition with approximately 80 names stating they want to see him keep his fruit stand. He has a cancelled check from the city for the Occupation Tax for the Business for 2003. If he can't stay there, then Mr. Roberts asks for him to be allowed to stay open until the end of the year. Mayor Gary Pirkle stated that he would take the information he's provided. He did receive a phone call from a friend of Mr. Moore and explained some of the possibilities. The particular issue is selling fruit in a residential area, which is not allowed. This is not a law that the City Council would be changing because of the problems it could cause city wide, however he did present several options and suggested he get with the Planning Director Jim Osborn to see what can be done. City Manager Bob Hail stated that he should request an extension in writing to the Code Enforcer.

Alan Metheny of 4850 Puritian Drive stated he was present for the same issue and would like to see Mr. Moore keep his fruit stand.

NEW BUSINESS:

1. Amendment to the Nutter & Associates Contract.

City Manager Bob Hail stated that this has to do with the City of Sugar Hill Golf Course design contract. The City met with EPD and they gave some stipulations for the next phase, which includes some additional engineering and designing which was above the original contract. The price for the addition levied by EPD comes to \$10,000 and therefore he's requesting an additional \$10,000 for a total of \$40,000 for the Spray Field for the Golf Course. Council Member Ron Johnson asked if this would be the last increase. Mayor Gary Pirkle stated this was only for the design that the construction for this will be a lot more. **Council Member Chris Abbey** made a motion to approve the request for the additional \$10,000. **Council Member Kim Hall** made a motion for the second with clarification not to exceed \$40,000, and that this was a replacement from the last month total of \$30,000. **Council Member Chris Abbey** agreed to include the stipulation in the motion. **Motion passed unanimously 4-0.**

2. PUBLIC HEARING AX-03-001 3 D Investment Properties, LLC, Brogdon Road @ North Price Road: Tax Parcels: 7-255-002, 7-255-067, & 7-255-149, 13.231 Acres, Currently M-1 in unincorporated Gwinnett County, applicant is requesting a HM-1 (Light Industry District) zoning classification.

Council Member Kim Hall made a motion to enter into Public Hearing. **Council Member Chris Abbey** made the second. **Motion approved unanimously 4-0. Assistant City Manager of Development Jim Osborn** briefly described this request. The project is at the intersection of North Price Road and Brogdon Road in the triangle for 13.2 Acres, currently zoned M-1 in unincorporated Gwinnett County. The applicant is requesting an HM-1 (Light Industry District) zoning classification for a six lot industrial subdivision. A copy of the plat is attached and incorporated as "**ATTACHMENT 4**" to these minutes.

Council Member Kim Hall made a motion to exit Public Hearing. **Council Member Ron Johnson** made the second. **Motion approved unanimously 4-0.** **Council Member Kim Hall** made a motion to Annex AX-03-001 with the conditions as noted in the staff recommendation. **Mayor Pro-Tem Meg Avery** made the second. **Motion approved unanimously 4-0.**

3. Nominate citizen for the Zoning Board Commission vacancy.

Assistant City Manager of Development Jim Osborn stated that Johnny Wilkins has moved out of the City and the City Council needs to nominate and appoint a replacement for his POST 2 position. **Mayor Pro-Tem Meg Avery** stated that she received two applications for Planning and Zoning and she has spoke with Rand Franklin who is present tonight and he has expressed an interest in serving on the Planning and Zoning Board and would therefore would like to make a recommendation for Rand Franklin to be appointed to Post 2 for the Planning and Zoning Board. Mayor Gary Pirkle stated that the nominations were closed and called for the vote. **Motion carried 3 for 1 against.** **Council Member Kim Hall opposed.**

4. Nominate citizen for the Zoning Board of Appeals vacancy.

Assistant City Manager of Development Jim Osborn stated that Ed Schoeck who occupied POST 4 for the Planning and Zoning Board of Appeals did not wish to renew his term and the City Council needs to nominate and appoint a replacement for POST 4 position. **Mayor Pro-Tem Meg Avery** stated that since William Storbeck has expressed interest in serving on the Planning Commission but also has an interest in serving on the Planning and Zoning Board of Appeals as well and she would therefore like to make a recommendation for William Storbeck to be appointed to POST 4 for the Planning and Zoning Board of Appeals. Mayor Gary Pirkle stated that the nomination were closed and called for the vote. **Motion carried 3 for, 1 against.** **Council Member Kim Hall opposed.**

5. Gwinnett County Community Development Program Confirmation of Gwinnett Urban County Membership Continuation.

Assistant City Manager of Development Jim Osborn stated that the City of Sugar Hill is participating in the Urban County Program, which is part of the CDBG, which the city receives a lot of the grants from. Every three years they ask the County and cities to state whether or not they would like to continue this program. It is the staff recommendation to continue the membership for the years 2004-2006 so the city can continue to receive the CDBG funds. **Council Member Kim Hall** made a motion to allow the Mayor to execute and sign all documents for the City to continue to participate in the Gwinnett County Urban Development Program. **Council Member Chris Abbey** made the second. **Motion passed unanimously 4-0.**

6. Budget Adjustment for two (2) vehicles Building Inspector and Recreation Coordinator.

City Manager Bob Hail stated that the previous inspector used his personal vehicle for inspection and now that the city has hired a new inspector his position requires the city to provide him a vehicle. The request is for a Ford F-150 vehicle for the inspector to perform his duties. City Manager Bob Hail stated that he is also requesting a ranger type vehicle for the new Recreation Program Coordinator. These vehicles should not exceed \$29,000 with the city's bidding procedures used. This request is for approval to purchase two vehicles not to exceed \$29,000 for the new employees. Council Member Kim Hall questioned the reason for a Ford F150 for the inspector. City Manager Bob Hail stated that the larger cab

is needed for the inspectors code books and supplies. Council Member Kim Hall also questioned why the Recreation Coordinator could not use the City Jeep which would give her some storage room covered from the weather. City Manager Bob Hail stated that the finance officer does go to the bank on a daily basis, and she also is a supply officer for the city, which these supplies need to be covered as well. City Manager Bob Hail states that this vehicle is in good shape, but he doesn't know the life span, and when this does expire to be determined then what to do, but he feels that the recreation director needs a reliable vehicle for all the running around that will be required. **Council Member Chris Abbey** made a motion to make a budget adjustment in the amount of \$29,000 to purchase two vehicles for the new employees (building inspector, and recreation coordinator). **Council Member Ron Johnson** made the second. **Motion approved unanimously 4-0.**

Council Member Kim Hall made a motion to enter into executive session to discuss legal, real estate and/or personnel issues. **Mayor Pro-Tem Meg Avery** made the second.

Entered into executive session at 8:28 p.m.

Mayor Gary Pirkle called the meeting back to order at 8:46 PM.

ADJOURNMENT:

Council Member Chris Abbey made the motion to adjourn the meeting. **Council Member Ron Johnson** made the second. **Motion passed unanimously 4-0.**

Meeting adjourned at 8:47 PM.

Date approved: _____

Mayor

ATTEST:

City Clerk

Attachments:

1. Mayor Pro-Tem Meg Avery Council Report
2. Kelly Canady Finance Information
3. City Manager Bob Hail City Manager Report
4. AX-03-001 Zoning Plat