

**CITY OF SUGAR HILL
MINUTES OF COUNCIL MEETING
MONDAY, JUNE 14, 2004
7:30 PM COMMUNITY CENTER
4988 WEST BROAD STREET, SUGAR HILL**

Call to Order – Mayor Pirkle called the meeting to order at 7:32 p.m. Present were Mayor Gary Pirkle, Mayor Pro Tem Ron Johnson, Council Members Marc Cohen, Steve Edwards, Clint Thompson and Nick Thompson. Also present were City Manager Bob Hail, City Attorney Lee Thompson and City Clerk Jane Whittington.

Pledge of Allegiance to the Flag – The Mayor led the pledge of allegiance and gave the **Invocation**.

Approval of Agenda – Council Member Johnson motion to table Agenda Items 10,11,12,13, 14 and 15 until the Council Meeting July 12th. Council Member Edwards seconded the motion. Approved 5-0.

Approval of Minutes – The Minutes of the Council Meeting of May 10, 2004. Council Member Cohen motioned to approve the minutes as written. Council Member Edwards seconded the motion. Approved 5-0.

City Attorney's Report - Lee Thompson had no report in regular session.

Council Reports

Council Member Clint Thompson announced that he will be heading up a new committee in Sugar Hill called Community Involvement. The purpose of the committee is to try and gain input from the community before things become an issue. If anyone is interested give him a call.

Council Member Marc Cohen stated now that summer is starting and kids are out of school everyone try and remember to be more careful when driving, when at the pool and doing a variety of things. Summer also brings a sense of community. He witnessed that this week as he helped build a playground in Suwanee. Everyone worked shoulder to shoulder because they wanted to help their neighbors and they wanted to be part of something great. If you get a chance go see it. There are a lot of great things right here in Sugar Hill. Community input makes it happen. Everyone remember next week is Father's Day. Take time to thank your Father, Grandfathers, Uncles and the men who made a difference in your life. He offered his condolences to Phillip Beard, the Commission Chair in Buford who lost his daughter this past week. Over the next few months we will be asking you to get involved with different things. Offer your opinion it is important. In the Planning & Zoning Department over the past month they issued 181 building permits, performed 156 inspections and accepted two annexation requests.

Council Member Nick Thompson reported on the Downtown Development Authority. There are several important issues that are going on right now. Tonight the Council will award a contract for a District Overlay for the Downtown area. This will be a comprehensive plan and take about five months to complete. The area covered will be Peachtree Industrial Blvd and Alton Tucker to the Sycamore Hwy. 20 area. The DDA will be proactive in seeking citizen's involvement. It will take a

while to evolve around three or four years but will be something everyone will be proud of. They are also sponsoring and kick starting a Business Alliance. They are starting from scratch will all business license holders in the City of Sugar Hill, which are around 650. Someday they envision it as a Chamber of Commerce. It will be an informal mixer Thursday, June 24th from 7:00 p.m. to 9:00 p.m.

Council Member Ron Johnson read an apology regarding comments he made at the last meeting. The apology was regarding the new logo and a former Council Member. He requested that everyone get behind and support the DDA. Come to the open house and give your input on how you want the city developed. Not very many people came to the concert at E.E. Robinson Park. We need to advertise more and get the word out. It was a good band and everyone had picnics, etc. He reported that he met Ronald Reagan and he was a great man and a great President.

Council Member Steve Edwards reported that the little girl that almost drowned at the pool in his subdivision is home and doing well.

Mayor's Report

Mayor Gary Pirkle reported that the dedication of the new Community Center went well. There was a great turnout of public officials. If you have not seen the center yet stop by there. It is a great facility and the Recreation Coordinator is moving her office over there. The programs are starting and this will be a good place to start up the recreation program. He attended a SPLOST meeting last week and has another one coming up. It went very well. The process should be drawing to a close from the city's standpoint. Next it will go the County and to the voters.

City Clerk's Report – Jane Whittington, City Clerk reported that we issued 16 new business licenses in the month of May with 10 of them being home businesses. They are still getting all the kinks worked out of the software so we can see exactly where we are and what is out there and what we need. The Mayor and Council will hold the third Public Hearing on the Millage Rate for 2004 Wednesday, June 16th at 8:00 a.m. This will be followed by a Special Called Meeting to set the millage rate. Gwinnett County will bill for the City and they will go out July 9th. There are 316 Senior Citizen Exemptions this year. If you are a senior 65 and older contact the City Clerk and Gwinnett County to apply for this exemption. It is on top of the regular homestead exemption. They would not get the exemption until next year at this point. City Hall will be closed Monday, July 5th since the July 4th Holiday in on Sunday.

City Manager's Report – see attached report for the month of June (Attachment #1). City Manager Bob Hail reported that the City had received the following **Annexation Applications:**

1. **AX-04-012**, Plantation Associates, LLC, Suwanee Dam Road, 29.51 acres, From R-100 to Single Family RS-100/PRD
2. **AX-04-013**, Charles Veal, Buford Highway, 19.69 acres, From R-75 to BG

Unfinished Business – no unfinished business for this meeting

Citizens and Guests Comments

Marie Vadale, a Suwanee resident, spoke regarding the growth going on in the City. She came from a small island that is 100 miles long and 75 miles wide with 3.8 million people living on it. Growth happening too fast can have irreversible effects.

Marvin Epp, 55 Salt Creek Point requested that the Council and City Manager do what they can to have direct debit on gas payments. Item 14 on the agenda that was tabled until July 12th – political signs all over the property.

Garland Hitchcock, Suwanee resident, spoke regarding the Mayor's Veto on the agenda tonight. Thanked the Mayor and Council Members for being very open minded regarding this issue. Council Members have called him and they are looking at both sides of this. No matter what happens they will still be neighbors. Density is still the issue. He is asking that the Council support the Mayor on this issue and put this to rest.

New Business:

Veto by Mayor, AX-04-003 – The Mayor explained why he vetoed this. Gwinnett County has requested that it not be approved because it was inconsistent with the County's Land Use Plan. The density is not consistent with the adjoining properties. This is the first time in six and a half years serving the City that we received a letter like this from the County. They are asking for a transitional zoning and he feels this is accomplished with the County's RZT zoning. The final reason he vetoed it is because it does not bring in business to the City or fill in holes on the contiguous boundaries. Council Member Johnson motioned to override the veto because it would be consistent with surrounding properties. Council Member Cohen seconded the motion but withdrew to allow Council Member N. Thompson to second for discussion purposes. He asked the applicant's representative if they would be amenable to the condition of the schools as within the County. Mr. Lee Tucker representing the applicant stated that they would be. The City Attorney was asked if there could be additional conditions placed on the zoning since it is a veto. He stated that there could not be but Mr. Tucker stated they would take it upon themselves to do so. Approved 4-1 with Council Member C. Thompson voting no.

PUBLIC HEARING – 2004 Tax Millage Rate – The Mayor opened the Public Hearing. No public comments were made so the Public Hearing was closed. He asked the City Clerk to explain the proposed millage rate. Ms. Whittington explained that the proposed rate of 3.8 mills was the same rate as last year so three public hearings were required because the revenues would increase due to growth in the digest. State law dictates that the hearings must be held unless the revenues generated by Personal Property Tax and Real Property Tax equaled the amount generated the year before. The increase in the Tax Digest from Gwinnett County is due to annexations and assessment growth not technically a tax increase. The City has the option to roll back the millage rate to make the revenues the same. The staff recommends that the millage rate be kept the same. This will generate a 4.7 increase in revenue or around \$78,000. The City Manager explained that the additional revenue was necessary to help offset additional police patrols and employees. The City is growing and this increases services and the necessity for additional employees. Council Member Johnson stated that last year we lowered the millage rate because we were in the same shape. We could lower the tax millage rate and still have funds to increase police patrols.

Selection of Downtown Master Plan Consultant – Council Member Cohen motioned for Clark Patterson & Associates. Council Member Johnson seconded the motion. Approved 5-0.

VAR-04-002, Montine Moore, 1147 Old Atlanta Highway, Vegetable Stand – Planning & Development Director Mr. Bedi explained what the variance was and the stipulations placed by the staff. The Mayor opened the Public Hearing and there were no public comments so the Public

Hearing was closed. Council Member Edwards motioned to approve the Variance with the staff recommendations. Council Member Johnson seconded the motion. Approved 5-0.

Planning Commission Accept Resignation and Appointment – David Lamb resigned so there is a vacancy on the Planning Commission. The Mayor opened the floor for nominations. Council Member Cohen nominated Stephanie Goeman. No other nominations were made so Mayor Pirkle swore her in.

Zoning Ordinance Amendment, Article 9 & Sections thereof, Use Provisions/Size of Homes – Mr. Bedi read the recommended house sizes by zoning classification. The Mayor opened the Public Hearing and there was no public comment so the Public Hearing was closed. Council Member Johnson motioned to approve the Zoning Ordinance Amendment. Council Member C. Thompson seconded. Approved 5-0. Council Member Johnson stated this does not include applications already in.

SUP-04-003, Tax ID 7-258-008, Powertel/Atlanta, Inc. 4450 Nelson Brogdon Rd., Extend Height to Co-locate on Existing Tower for Conforming Use – Mr. Bedi explained this Special Use Permit would extend the height of the monopole tower to allow another co-location. The Staff recommends approval with conditions. The Mayor opened the Public Hearing. Ann Brooks, representing TMobile/Powertel, spoke in favor of the application. There was no other public comment so the Public Hearing was closed. Council Member Cohen motioned to approve the Special Use Permit with the conditions placed by staff. Council Member Johnson seconded the motion. Approved 5-0.

SUP-04-004, Tax ID 7-362-047, American Tower, L.P., 1549 Buford Dam Rd., Co-locate on Existing Tower and Make a Conforming Use – Mr. Bedi explained what the Special Use Permit consisted of. The Staff recommends approval with conditions and the Planning Commission recommended approval. The Mayor opened the Public Hearing. A Representative from American Tower spoke in favor of the application. There were no other public comments so the Public Hearing was closed. Council Member Cohen motioned to approve the Special Use Permit with the conditions set by staff. Council Member N. Thompson seconded the motion. Approved 5-0.

AX-04-011, Tax ID's 7-306-121, 7-306-220, 7-306-035, 7-306-036, Hwy 20, Island Annexation by City, From R-100 in County to RS-100 in City The Mayor explained that the City is the applicant because this property is an island surrounded by city limits. Mr. Bedi explained that the 4 lots are owned by different individuals. This property is R-100 in the County and wants to go to RS-100 in the City. The Mayor opened the Public Hearing and there was no public comment so the Public Hearing was closed. Council Member Johnson motioned to approve the Special Use Permit. Council Member C. Thompson seconded the motion. Approved 5 - 0.

AX-04-006, Tax ID 7-254-027, Grady Howington, Buford Highway 23, 26.104 Acres, From R-75 to BG along Buford Hwy & Residential in Rear – Tabled until the Council Meeting July 12, 2004.

AX-04-007, Tax ID's 7-319-007, 7-319-008, Jeffrey Caughey & Rex Nelson, 1.142 Acres, 5587 Suwanee Dam Rd, From R-100 to HSB – Tabled until the Council Meeting July 12, 2004

AX-04-008, Tax ID 7-319-009, Terry Cohron, 5571 Suwanee Dam Rd., .57 +/- acre, From R-100 to HSB – Tabled until the Council Meeting July 12, 2004.

AX-04-009, Tax ID 7-319-010, Miguel & Victoria Eliguera, 5567 Suwanee Dam Rd., .57 +/- Acre, From R-100 to HSB – Tabled until the Council Meeting July 12, 2004.

AX-04-010, Tax ID's 7-319-032, 7-318-047 & portion of 7-318-050, LBG Associates, Inc., Suwanee Dam Rd & Kennedy Rd., 7.004 Acres, From R-100 to HSB for Restaurant, Retail Center & Gas/Convenience Store – Mr. Bedi explained that the applicant requested to table this until the July 12th Council Meeting.

RZ-04-004, Tax ID 7-306-064A, Frederick T. Jones, Jr., Appling Rd & Sycamore Rd., 4.14 Acres, From HM-1 to HSB for Retail Strip Center – Tabled until the Council Meeting July 12, 2004.

Sugar Hill Logo – Council Member Johnson reported on the Logo survey submitted in the City's gas bills. The people who resided outside of the City were not counted. The final results were the Sugar Maple Logo got 363 votes and the recently adopted logo received 180 votes. There were over 30 other suggestions. He read a letter from Connie Wiggins explaining the history of the tree logo. Once the logo was chosen then the City adopted a slogan "The City of Sugar Hill Growth and Progress". Council Member Johnson motioned to change the logo back to the sugar maple tree. Council Member Cohen seconded the motion. Approved 5-0. Discussion on the design of the City Seal will go to the July Work Session.

Training Reimbursement Policy – Council Member Cohen explained a training policy was needed and he drafted one that allows \$18,000 or \$3,000 each for the Mayor and Council Members training reimbursement line item. The City Clerk is to track the funds with assistance from the Finance Officer and publish it quarterly for the Council. Council Member Johnson motioned to approve the policy. Council Member Edwards seconded the motion. Approved 5-0.

Employee Street Department/2004 Budget Adjustment –The City Manager explained the Budget where the funding for the new street employee would come from. This would be taken from the line item for the second prison crew that has not been used. A second crew has not been available. The Council could authorize the City Manager to transfer the funds to the street salary line item. This employee would be an Operator/Skill Worker with a salary around \$32,500. The request also includes the purchase of a hook truck. Council Member Johnson motioned to approve the staff request for a new street employee authorizing the City Manager to transfer funds into the salary line item and also to purchase a hook truck. Council Member Cohen seconded the motion. Approved 5-0.

Executive Session: Legal, Real Estate and/or Personnel: Council Member Johnson motioned to enter into Executive Session. Council Member Edwards seconded the motion. Council Member Johnson amended the motion to state for Legal/Personnel and Real Estate. Council Member Edwards seconded the motion. Approved 5-0.

The Mayor reconvened the meeting at 9:45 p.m. No action from the Council was taken out of Executive Session.

Adjournment: Council Member N. Thompson motioned to adjourn. Council Member Edwards seconded the motion. Approved 5-0.

Gary Pirkle, Mayor

ATTEST:

Jane Whittington, City Clerk