

**MINUTES  
CITY OF SUGAR HILL  
COUNCIL MEETING  
MONDAY, SEPTEMBER 13, 2004  
7:30 PM CITY HALL ANNEX  
4988 WEST BROAD STREET, SUGAR HILL**

**CALL TO ORDER** - Mayor Pirkle called the meeting to order at 7:31 p.m. Present were Mayor 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** - Mayor led the pledge of allegiance.

**INVOCATION** – Pastor Richard Lee of the First Baptist Church in Sugar Hill gave the invocation.

**APPROVAL OF AGENDA** – Council Member Edwards motioned to approve the agenda as submitted. Council Member C. Thompson seconded the motion. Approved 5-0.

**APPROVAL OF MINUTES – Minutes of the Council Meeting of August 9, 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 for regular session but pending or potential litigation for Executive Session.

**COUNCIL REPORTS:**

**Council Member Clint Thompson** had no report.

**Council Member Marc Cohen** reported that with the anniversary of the 9-11 disaster and coupled with all the hurricanes everyone should keep all these people facing adversity in our hearts. If you see a volunteer or a police officer, fireman or someone doing public service please go up and thank them. For Planning & Zoning 183 construction permits were issued in August, 189 building inspections were performed. We signed contracts for the Downtown Master Plan with Clark Patterson & Associates and a contract for Sugar Hill Land Use Plan updates with PBS&J. Work has begun on both of these projects.

**Council Member Nick Thompson** reported that last month the DDA sponsored the Business Alliance social at Applebee’s and he thanked Applebee’s for their participation. Attendance and participation for the Business Alliance is increasing. You can go to [DowntownSugarHill.com](http://DowntownSugarHill.com) to register your business. It is a free service. The Downtown Development Authority’s meeting for September is Tuesday, September 14<sup>th</sup> at 7:00 p.m. at the new Community Center. There will be a few speakers and the focus is the Downtown Development and District Overlay. Citizen input is welcome.

**Council Member Ron Johnson** reported that the board has impressive talents and expertise but are not using them for the betterment of the citizens. They had a chance to lower taxes and there were members who objected to doing this. It was decided to put the extra money in public safety but to date no members have produced a plan of action for this. We have approved a company to provide a downtown and land use plan but neither was given a deadline for this. Council member Edwards has a sidewalk connectivity plan to connect the schools that serve our city. The County has been asked to get involved in this plan. He hopes opposition is not there causing long hours of discussion with what is a safety issue. We are leaders of this community and we need a five year and ten year plan, but we also need to take care of the small problems we have. He handed out some pictures of a house that were provided by an owner next door. He got involved with this city because of gas prices and the current City Manager has done a great job with hedging which helps keep the gas prices down. Services to the citizens are the main concern and we should see that these services increase. We need to look at services for the seniors and the children. It is time to step up, if you watch the pennies the dollars will come. Fix do not band aide the small problems or you'll never be able to reach the five and ten year plans.

**Council Member Steve Edwards** had no report.

**MAYOR'S REPORT** – Mayor Pirkle had no report.

**CITY CLERK'S REPORT** – The City Clerk Jane Whittington reported that 25 Business Licenses were issued in the month of August. Out of the 25 licenses 22 are home based. The revenue for August was \$2,353. In Property Tax we received \$59,125.86 from Gwinnett County. The first installment due date is September 15<sup>th</sup> so we should receive significant amounts this month. We also received \$405.04 in August for old property taxes still in the City's system.

October 4<sup>th</sup> is the last day to register to vote in the November Election. Come by City Hall and pick up a registration form if you need to register or change your address. They must be postmarked by October 4. One vote can make a difference. In my home town of Guntersville, Alabama they found this out first hand. On August 24<sup>th</sup> they held the election for Mayor. The incumbent Mayor won by one (1) vote. 3,310 votes were cast with a 58% turnout of registered voters. A recount was held and the results were certified by the Mayor and City Council with a 1-vote edge. The state inspectors were brought in to look at the election materials. There has been a lot of time spent on this election but the result still stands.

**CITY MANAGER'S REPORT** – City Manager Bob Hail reported on the following (see attachment #1). He also reported that the following annexations will be going to the Planning Commission this month and the Mayor and Council next month.

**Annexation of Islands**

**AX 04 015, Island "B", 7-272-008 .51 acres, 7-273-010 .62 acres, 7-273-012 1.21 acres**

**AX 04 016, Island "C", 7-290-015 1.90 acres, 7-290-016 .67 acres**

**AX 04 017, Island "D", 7-290-001 1.71 acres**

**Annexation and Rezoning - AX 04 019, David Moss, 66.470 Acres, R-100 to RS-100 PRD**

**UNFINISHED BUSINESS:**

**CITIZENS AND GUESTS COMMENTS** - Marvin Epp, 55 Salt Creek Point, thanked the Mayor and Council for support of the citizens during the commercial annexations and rezonings that they considered recently.

**NEW BUSINESS:**

**Lloyd Delatour Zoning Stipulation Deviation** – Mr. Bedi explained the application request. In the original Resolution a new street must be built. Mr. Delatour explained that an unforeseen construction issue has come up. There are 180 to 200 loads of dirt under the old Hannah Street that they want to reuse. They will close Hannah Street as far as one way and move the loads of dirt. This will affect the street for about 3 days. The total project should take about 3 weeks. Council Member Johnson stated that the schedule could be affected by the rain. Mr. Delatour stated that they will time it with the weather and other construction details and complete the road in three weeks. The City Manager stated that Mr. Delatour agreed to send by certified mail notification to all the residents on that street that will be affected. The Mayor asked the City Attorney to give a legal opinion since this was regarding a zoning action previously made. The City Attorney explained that it was a stipulation of the Resolution Abandoning Hannah Street not a zoning stipulation. This resolution was passed by the City Council in July, 2003 so it could be amended. Council Member Cohen motioned to amend the Resolution Abandoning Hannah St. passed July 2003. Council Member Edwards seconded. Approved 5-0.

**Amendments Development Regulations** – Mr. Bedi explained the amendments and why the staff presented them. Council Member Johnson had questions regarding some of the changes. He stated that #10 should read exterior property lines only as discussed at the Work Session. He was also concerned that #14 should be more definite and puts the burden on the homeowners to maintain these gazebos, arbors and benches. Council Member C. Thompson stated that he agrees because he likes the idea of requiring amenity packages but are we dictating what they must put in? The Mayor stated that we have been putting this in all the new projects. Council Member Johnson stated that since the people have to ultimately pay for these we should not dictate them. Council Member Cohen suggested that #14 be taken out and leave it with Planning & Zoning to add this as a stipulation. Council Member N. Thompson added that it was agreed at the Work Session that #5 should read façade design and/or material, not façade design and material. Council Member Cohen motioned to approve the Development Regulations Amendments with changes in both sections 10.2.5, and 10.3.4 , #5 add and/or instead of and, remove #14, and #10 add word exterior. Council Member N. Thompson seconded for discussion. He was concerned that if #14 is removed then developers would put whatever amenities package they wanted. We should leave a bare minimum in our ordinance. Council Member Johnson asked if we have a minimum in our ordinance? The City Manager stated it now reads they must have 6% as a recreational area but it doesn't specify what type. Mr. Bedi suggested that it be changed to request instead of required. Council Member N. Thompson withdrew his second. Council Member Johnson seconded the motion as originally stated. Approved 5-0.

**Soil Erosion & Sediment Control Ordinance** – Mr. Bedi explained that the ordinance amendments are a model ordinance received from the Georgia Department of Natural Resources and the Environmental Protection Division and State Soil and Water Conversation Commission. We need to make these changes in order to maintain the Certificate of "Issuing Authority" the city is required to have. Council Member Johnson had some questions regarding the ordinance. Council Member

Johnson motioned to adopt the Ordinance as written. Council Member Cohen seconded the motion. Approved 5-0.

**Sidewalk Plan (three year schedule)** – The City Manager explained the sidewalk plan for the city. Council Member Edwards, along with the rest of the Council, have been involved in sidewalk connectivity especially regarding the schools. Edwards asked if the rest of the Council is concerned about any other areas. The Mayor stated that there are areas that would connect the sidewalks and make a loop with Level Creek. Whitehead Rd and Suwanee Dam Rd. but some of it is not in the City. Council Member Cohen would like to see sidewalks completing Suwanee Dam Rd. with areas Suwanee and the County are working on. The City Manager explained that the plan underway would take until 2006 to complete.

**Downtown Master Plan (meeting schedule)** – Mr. Hail explained the schedule the staff is submitting. They worked with Clark Patterson and Associates to iron out a schedule of meetings. They realize not everyone can attend all meetings but since there are so many people involved these dates are set so everyone will know in advance when participation is needed. He will keep the Council updated on everything. The Mayor asked that these dates be put on the website and in the gas bill. The City Manager also gave the Council a schedule for the **Land Use Plan** preparation.

**Executive Session: Legal, Real Estate and/or Personnel:** Council Member Cohen motioned to enter Executive Session at 8:45 p.m. Council Member Johnson seconded the motion. Approved 5-0.

**Adjournment:** The meeting was reconvened at 10:00 p.m. There was no action required from Council regarding the Executive Session so Council Member Cohen motioned to adjourn. Council Member C. Thompson seconded the motion. Approved 5-0.

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Gary Pirkle, Mayor

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Jane Whittington, City Clerk