

**CITY OF SUGAR HILL
COUNCIL MEETING MINUTES
MONDAY, OCTOBER 10, 2005
7:30 PM CITY HALL ANNEX
4988 WEST BROAD STREET, SUGAR HILL**

Call to Order – Mayor Pirkle called the meeting to order at 7:30 p.m. Present were Mayor Gary Pirkle, Mayor Pro Tem Steve Edwards, Council Members Marc Cohen Ron Johnson, Clint Thompson and Nick Thompson. Also present were City Manager Bob Hail, City Attorney Lee Thompson and Frank Hartley and City Clerk Jane Whittington.

Pledge of Allegiance to the Flag

Invocation – Mayor Pirkle gave the invocation.

Approval of Agenda – Council Member Cohen motioned to approve the Agenda as submitted. Council Member Johnson seconded the motion. Approved 5-0.

Approval of Minutes - Minutes of Council Meeting September 12, 2005 were approved as written. Council Member Edwards motioned to approve the Minutes. Council Member Johnson seconded the motion. Approved 5-0.

City Attorney's Report – Lee Thompson had no report for Regular Session.

Council Reports

Council Member Clint Thompson wished all the candidates good luck with the election next month. Make sure you participate and get out and vote. On the lines of natural gas the City Manager has put out information in the newsletter about the rising cost of natural gas. He just wants everyone to understand that it is not a city issue. It is a coast of Louisiana issue and an infrastructure issue. The staff is doing what they can to get the word out and educate everyone. Prices will be high short term. The City Manager stated that there will be an insert in the newsletter on the 20th and the 5th with this information.

Council Member Marc Cohen stated that you should get out and vote. It is a privilege and a civic duty. One vote really can make a difference. It has happened time and time again. He read in the paper recently about a local store the UPS Store which raised over \$7,000 for a Sugar Hill boy with cerebral palsy. You read about all the travesties going on around the world and when you hear a story like that it makes you feel good. For Planning & Zoning 81 construction permits were issued, 193 building and erosion inspections were performed, 10 erosion control inspections were performed. The Town Center Master Plan is in its final review before submission to the Atlanta Regional Commission.

Council Member Nick Thompson thanked Andrew Rodgers of the Downtown Development Authority for attending the second Work Session and shedding some light on the DDA's vision regarding the Urban Redevelopment Act. The DDA will meet at Applebee's on Tuesday, October 25th at 1:00 for lunch. He acknowledged the Dawn P. Gober, the new DDA Chair who is in attendance.

One of her new visions is to have a member of the DDA at all Council meetings to keep the communication open. He encouraged everyone to come out and vote next month.

Council Member Steve Edwards reminded everyone that Saturday, October 22nd from 11:00 until 5:00 is the City's Fall Festival. The City booth will be gathering information on the possibility of mosquito spraying. There will be a survey gathering information on whether to proceed with mosquito spraying. Also the Fun Run begins at 8:00 before the Fall Festival.

Council Member Ron Johnson recognized Dr. Tonya Shatzel who owns Lanier Animal Hospital for taking in a hurricane family of a man, woman and daughter. The husband is back in Louisiana working. Their house was destroyed because they were near the levee. The wife is back in nursing school. She was in her last semester when this happened. The daughter is at Riverside Elementary and they are all doing well. Dr. Shatzel raised enough money to get them back on their feet and that is how they bought the truck the husband went back to Louisiana in. As far as natural gas is concerned there is not a lot that can be done about it. The City Manager hedged about 80% of the stock when he was able this summer. It has now become a supply thing and will level off soon. He attended the North Gwinnett School Foundation Charity School Foundation a few weeks ago. He wished that more Council were there. Suwanee was well represented. The foundation raises funds for the schools in the area. There are three schools in Sugar Hill; Sugar Hill Elementary, Sycamore Elementary and the Buice Center. He asked when the City's Post Office would be up and running as an official CPU Post Office. The City Manager explained that it is in the hands of the U.S. Postal Service.

Mayor's Report - Mayor Gary Pirkle reminded everyone that the Election location has changed. It has moved to the Community Center on Church Street. As far as the gas prices that were mentioned for natural gas be aware that right now they are running about 50% higher than last year. It was about \$1.00 per therm last year and it is projected to be \$1.50 up to \$1.60 per therm. You need to do what you can to lower your consumption as much as possible. High consumption and high prices equal a high bill. There is nothing as a city that we can do to lower the prices.

City Clerk's Report - The City of Sugar Hill will hold an election Tuesday, November 8, 2005 for Mayor and two Council seats. The election will be held at the Sugar Hill Community Center, 1166 Church Street. Advance Voting will be held Monday, October 31st until Friday, November 4th from 8:00 a.m. until 5:00 p.m. also at the Community Center. You can obtain an Absentee Ballot at City Hall by filling out an Absentee Ballot Application. You can mail, fax or drop off your request and a ballot will be mailed to you at your registration address. This is a new law that was passed this year that allows registered voters to vote absentee up to 21 days before the election by mail only. If you want to walk in and vote absentee you must still comply with the applicable Reason Codes. If you request an absentee ballot by mail a simple form is all you need with your name, address, date of birth and your signature. All signatures will be verified through Gwinnett County Voter Registration.

Gwinnett County property tax is due in two installments October 15th and November 15th. The City of Sugar Hill's tax portion is included in with the County bill.

City Manager's Report - City Manager Bob Hail gave the following report: See Attachment #1.

Consent Agenda:

1. RZ-05-004 and AX-05-007 to be heard as a Joint Project

RZ-05-004, Tax Parcel Id 7-322-014; A-Will-A-Way Construction Inc, **AX-05-007**, Tax Parcel Id's 7-322-010, 011, 059 &112; A-Will-A-Way Construction Inc. off Sycamore Rd., Site Plan needed **Table Both for 30 Days.**

2. RZ-05-007 TAX PARCEL ID: 7-346-001 & 002, Property Owner Wayne Vashaw requesting to rezone 79.8 acres off Nelson Brogdon Blvd (Highway 20), currently zoned RS-150 (Low Density Single Family Residential District and applicant is requesting CSD (Conservation Subdivision District) for 119 Single Family Dwellings. – **Table for 30 Days** Applicant will bring new plan before next meeting.

3. 49 Acre Park Contract Addendum

Mayor Pirkle explained the items on the Consent Agenda. Council Member Johnson motioned to approve the Consent Agenda as submitted. Council Member Edwards seconded the motion. Approved 5-0.

Unfinished Business

Citizens and Guests Comments – No comments or remarks from the citizens or guests.

New Business:

Public Hearing RZ-05-008, TAX PARCEL: 7-273-002 Chugh & Jain Investments Inc. is requesting to rezone 22.53 acres to BG (General Business District) for Commercial/Retail use. The property is currently LM (Light Manufacturing District) and is located on Peachtree Industrial Boulevard in Sugar Hill – Planning Director Dan Schultz explained the application and the staff conditions and the results of the Planning Commission meeting. Mayor Pirkle opened the Public Hearing.

Terry Boomer represented the applicant and explained the new site plan. He brought a rendering from a hotel they had constructed on another site. He stated at the Work Session that it would not be a chain hotel but has since found out that it could possibly be a chain. This drawing was of a Hilton Garden Inn. He also requested that he be allowed at least one roll up door on the storage facility so they could get forklifts and equipment in to maintain the facility.

No one spoke in opposition to the Rezoning so the Public Hearing was closed.

The Council questioned whether the hotel could be placed more on the frontage of Peachtree Industrial Blvd. than on the back near the railroad track. Mr. Boomer explained that the topography of the property did not allow it to be right at the front of the property because of the streams and wet area. There was also discussion regarding the height of the hotel. Mr. Boomer explained that the City set the height at 45' making it impossible to construct a 5 or 6 story building. It would have to be 3 possibly 4 stories. The City Attorney explained that the Council could grant a variance along with the rezoning tonight. The Council determined that they would approve it as the staff and Planning Commission recommended and if the applicant wants to make it higher then they can apply for a variance later and then it would be advertised and the neighborhoods surrounding it would have a chance to speak at a public hearing. There was some discussion of making the zoning approval site plan specific but decided it would restrict them from moving the buildings where they would need to be because of the

topography. The Council also wants to restrict the hotel from being an extended stay or a weekly rental facility.

Council Member Cohen motioned to approve RZ-05-008 with the staff and Planning Commission recommendations adding or modifying the following conditions.

#5 Permitted uses shall be restricted to hotel motel, restaurants, retail, climate controlled self storage, and professional service offices. The following retail and service uses shall be prohibited: auto repair shop or tire stores including lubrication or tune up centers, service stations, mortuaries, automotive sales lots and associated service facilities, equipment rental, moving van or truck rental, and/or taxi/limousine service.

#6 Change approval of the monument sign to the Planning Director.

#7 Stays the same with the addition of authorizing one roll up door.

#8 Stays as it is with the addition of no extended stay or weekly properties.

Council Member Johnson seconded for discussion. He clarified that the hotel would have only interior entrances. It is stated in the conditions so the second stands. Approved 5-0.

PUBLIC HEARING, Zoning Ordinance Amendment – Mixed Use Developments – The Mayor asked if the Council or staff had any changes to the ordinance. Hearing none the Public Hearing was opened. There were no comments from the public so the Public Hearing was closed. Council Member Cohen motioned to approve the Zoning Ordinance amendment - Mixed Use Developments. Council Member Clint Thompson seconded the motion. Approved 5-0.

Executive Session – Legal, Real Estate, and/or Personnel – No Executive Session was necessary.

Adjournment – Council Member Cohen motioned to adjourn at 8:13 p.m. Council Member Johnson seconded the motion. Approved 5-0.

Gary Pirkle, Mayor

Jane Whittington, City Clerk