

**CITY OF SUGAR HILL
COUNCIL MEETING MINUTES
MONDAY, DECEMBER 12, 2005
7:30 PM CITY HALL ANNEX
4988 WEST BROAD STREET, SUGAR HILL**

Call to Order – The Mayor 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 Clerk Jane Whittington, and City Attorney Lee Thompson and Frank Hartley.

Pledge of Allegiance to the Flag

Invocation – Mayor Pirkle gave the invocation.

Approval of Agenda - Council Member Cohen motioned to amend the Agenda by tabling Items #2 and #3 under Unfinished Business. The applicant requested that they be tabled for 60 days. Council Member C. Thompson seconded the motion. Approved 5-0.

Approval of Minutes - Minutes of Council Meeting November 14, 2005. Council Member Edwards motioned to approve the Minutes as written. Council Member Cohen seconded the motion. Approved 5-0.

City Attorney's Report – City Attorney Lee Thompson had no report for Regular Session but does have legal updates for Executive Session.

COUNCIL REPORTS:

Council Member Clint Thompson had no report but congratulated the City Manager and the Recreation staff Sam Taylor and Megan Klinefelter for the Holiday program this past weekend. It was a good atmosphere, Santa was there.

Council Member Marc Cohen echoed Clint Thompson's comments. It was great fun lighting the gazebo and lighting the Christmas tree. He wished everyone Happy Holidays, Merry Christmas, Happy Hanukkah, and Happy New Year. Today is both good and bad for him. On a good note it is his son's fourth birthday and they went bowling and on a sad note it is one of their colleague's last meetings. Council Member Ron Johnson has served well for the past four years. He is sorry to see him go. As far as Holiday donations they are collecting for the Mayor's Motorcade as well as the North Gwinnett Co-op. The donations can be dropped at City Hall. Bring them to the City Clerk. In Planning & Zoning for November they issued 35 construction permits, 176 building/erosion inspections were performed, and 39 erosion control inspections were performed.

Council Member Nick Thompson reported that this months DDA meeting will be Tuesday, December 27th at the Community Center and the January meeting will be Tuesday, January 31st at the Community Center. The Business Alliance will be having a Christmas Party Wednesday, December 14th, at the Golf Course at 7:00 p.m. They will be collecting memberships for 2006.

Council Member Steve Edwards reported that the Holiday Celebration was a great success. He thanked the Sugar Hill Baptist Church, Sugar Hill Church of Jesus Christ of Latter Day Saints, Sycamore Elementary School, Santa and staff. He thanked staff for putting that there would be a Christmas tree not Holiday tree. The Golf Course is continuing to improve and the City Manager is going to tell you about the 2 for 1 winter special. He also thanked Ron Johnson for his four years of service.

Council Member Ron Johnson stated that it has been a pleasure to serve for four years. He wished Merry Christmas, Happy Hanukkah and Kwanzaa to everyone. Positive things have happened to him since he lost the election. He just got elected to the 7th Congressional District Republican Party Committee and he is very happy about that and could not have done it as Mayor. He has also been asked to run for a statewide office and is considering it. He is committed to staying involved with the Buice School and Sycamore Elementary to stay involved. The Georgia Force High School football team won a championship this year.

Mayor's Report – Mayor Gary Pirkle also thanked everyone involved in the Holiday Community Event. He thanked Chuck Penney for the wonderful job he did creating Santa's chair. He put a lot of effort in it and it turned out great.

City Clerk's Report – City Clerk Jane Whittington reported that they issued 17 Business Licenses in November. It is a slow time for issuing new licenses with renewals going out. We have about 800 active businesses and renewals are due January 31st. The first step in the process has gone out and all businesses need to report either gross receipts, number of professionals or mobile home units. Alcohol license renewals are due December 31st. The applications must be filled out and notarized and returned to the Clerk with payment. Homestead exemptions are available through Gwinnett County. If you have any questions call the property tax office or the Clerk at City Hall.

City Manager's Report - See Attachment #1

Proclamation Bill Pennington – Council Member Johnson commended Sgt Major Bill Pennington U. S. Marine Corp Retired for his 31 years of service and asked Bob Hail to read the proclamation.

UNFINISHED BUSINESS:

PUBLIC HEARING RZ-05-010, Tax Parcel: Portion of 7-291-029, Clay Kirkley, PCH Development
request to rezone 15.13 acres on Peachtree Industrial Blvd. to RS-100/PRD (Medium Density Single Family Residential Development for 59 Single Family Units. Currently zoned RS-100 (Medium Density Single-Family District and LM (Light Manufacturing District. – **Tabled for 60 days at Applicant's request.**

PUBLIC HEARING RZ-05-009, Tax Parcel: Portion of 7-291-029, Clay Kirkley, PCH Development
requesting to rezone 3.41 acres on Peachtree Industrial Blvd. to BG (General Business) for Commercial/Retail Use, currently zoned LM (Light Manufacturing) – **Tabled for 60 days at Applicant's Request.**

VAR-05-007, Linda Knyff, Storage Building in Front Yard – Schultz explained that the topography would not allow Ms. Knyff to place the storage building in the back yard. Council Member Cohen motioned to approve the Variance request. Council Member N. Thompson seconded for discussion and asked if the variance runs with the property or the owner. It ties to the property. His second stands. Approved 5-0.

VAR-05-008, Delmar Reidelberger, Suzy's Cottage 112 Square Foot Sign – Schultz explained that because our sign ordinance counts square footage on both sides of a double sided sign the applicant needs a variance to put up a sign of this size. The Public Hearing was opened and there were no comments from the applicant or opposition. Council Member Cohen motioned to approve the Variance request with the following conditions.

1) There is a time limit, the sign remains until such time the road is widened.

2) It is tied to the business and not the property itself.

3) It is contingent upon removal of any other signs on the property including the metal sign.

Council Member C. Thompson seconded for discussion and asked who would remove it if the business goes out? The City Manager stated that the property owner would be responsible. The second stands. Approved 5-0.

PUBLIC HEARING 2006 Budget- Mayor Pirkle asked the City Manager to go over the highlights of the budget. He explained that this is the third public hearing as required by state law. It is a requirement to have a balanced budget and this budget is balanced. This budget takes into effect the purchase of several large items. There is a 5% salary increase for the employees. Mayor Pirkle opened the Public Hearing and there were no comments from the public so the Public Hearing was closed. Council Member Cohen motioned to approve the 2006 Budget as written and dated December 6, 2005. Council Member Johnson seconded the motion. Approved 5-0.

Gwinnett County Clean & Beautiful Intergovernmental Agreement Graffiti – Hail explained that the agreement would allow the City to have Gwinnett County clean graffiti off of property located within the City. They use prison labor only with the permission of the property owner. Council Member Edwards motioned to approve this agreement. Council Member Johnson seconded the motion. He withdrew his second to allow N. Thompson to second for discussion. Council Member N. Thompson expressed concerns that there have been several escapes recently with Gwinnett's prison labor. Council Member Cohen asked how many cities in Gwinnett have already approved this agreement. Council Member Johnson recommended that they table this agreement to allow discussion and suggested that they talk to the Director of Gwinnett County Clean & Beautiful Connie Wiggins. Council Member N. Thompson withdrew his second. Council Member Cohen seconded the motion. Approved 4-1 with Council Member N. Thompson voting nay.

Citizens and Guests Comments – No citizen or guest comments.

NEW BUSINESS:

VAR-05-009, Sugar Hill Development, LLC, 7-346-001 & 002 requesting to reduce the front setback on all lots from 35 feet from the right of way to 35 feet from the back of curb. The Public Hearing was opened and Wayne Hannah spoke representing the applicant. There were no comments from the

opposition so the Public Hearing was closed. Council Member Johnson motioned to approve the Variance. Council Member C. Thompson seconded the motion. The motion and second were withdrawn. Council Member Cohen motioned to approve the Variance with conditions adding condition #5 to state that clearing cannot go over 30 feet on the back of the lots. Council Member Edwards seconded the motion. Approved 5-0.

VAR-05-010, River's Edge Baptist Church, 4280 Brogdon Exchange, Suite B & C, requesting a variance to allow the reduction of required parking spaces. Dan Schultz explained the variance application as he had presented it. River's Edge Baptist Church has church services and the zoning is HM-1. He classified them as an assembly which varies from the parking requirements of a church. He did this because there was not attached seating. If they are classified as a church then the parking is less. The Council requested that the businesses that offered shared parking state in their agreement letter how many spaces that they are offering. The Public Hearing was opened and Steven Wood Pastor of the church explained how the church was operating and the shared parking. There was no opposition so the Public Hearing was closed. Council Member Cohen motioned to approve the Variance with the three staff conditions with the addition of #4 that on file there are letters from the surrounding businesses stating both that they will provide parking spaces and the specific number they will provide; and the specific number has to be at least 41. Council Member Edwards seconded the motion. Approved 5-0.

VAR-05-011, Showcase Communities, 7-347-004, 136, & 138, requesting a variance to reduce the required buffers on all sides of the development. Dan Schultz explained the application and that the staff recommendation is denial. The Public Hearing was opened and Don McFarland of McFarland, Dyer & Assoc. spoke representing the applicant. Joe Novdin also spoke representing Showcase Communities. No one spoke in opposition so the Public Hearing was closed. Council Member C. Thompson motioned to table VAR-05-011 to allow the residents that buffer the project a chance to be heard. Council Member Cohen seconded the motion. Approved 5-0.

Executive Session – Legal, Real Estate, and/or Personnel - Council Member N. Thompson motioned to enter Executive Session at 9:25 p.m. Council Member C. Thompson seconded the motion. Approved 5-0.

The meeting was reconvened at 11:28 p.m. Council Member Johnson was not present during the Executive Session. Mayor Pirkle called the meeting back to order and stated that there was action out of the Executive Session where they had personnel reviews. Council Member Cohen motioned to adjust the Budget to reflect a 7% salary increase for the City Clerk and a 5% salary increase for the City Manager. Council Member C. Thompson seconded the motion. Approved 4-0.

Adjournment: Council Member Cohen motioned to adjourn at 11:30 p.m. Council Member Edwards seconded.

Gary Pirkle, Mayor

Jane Whittington, City Clerk

