

Sugar Hill Council Meeting Minutes
Monday, June 13, 2005, 7:30 PM
City Hall Annex
4988 West Broad Street
Sugar Hill, GA 30518

Call to Order by Mayor Pirkle at 7:30 p.m. Present were Mayor Gary Pirkle, Council Members Marc Cohen, Steve Edwards, Ron Johnson, and Nick Thompson. Council Member Clint Thompson was not present. Also present were City Manager Bob Hail, City Clerk Jane Whittington and City Attorney Lee Thompson.

Pledge of Allegiance to the Flag

Invocation – The invocation was given by Reverend Steve Quinn, Associate Pastor of Family Ministries at First Baptist Church of Sugar Hill.

Approval of Agenda – Council Member Cohen motioned to approve the Agenda as submitted. Council Member Johnson seconded the motion. Approved 4-0.

Approval of Minutes – Minutes of Council Meeting May 9, 2005, Minutes of Special Called Meeting May 23, 2005. Council Member Cohen motioned to approve the minutes as written. Council Member Johnson seconded the motion. Approved 4-0.

City Attorney's Report – no report for regular session but does have an update on pending litigation for Executive Session.

Council Reports

Council Member Marc Cohen welcomed members of the law enforcement community present at tonight's meeting. He thanked them for the great job that they do. Now that it is summer and school is out he asked everyone to take a little extra time and be cognizant of the kids running around in the neighborhoods. Watch them in the pools and on the streets. From a Planning & Zoning perspective he would like to welcome Dan Schultz the new Planning & Development Director. The city issued 93 construction permits, 260 building and erosions inspections were performed, 20 erosion control inspections were done in the month of May. The city's Land Use Plan has been sent to the Department of Community Affairs and the Town Center Master Plan is on the agenda for tonight's meeting. He thanked everyone for coming to the meeting.

Council Member Nick Thompson reminded everyone that this Wednesday at 7:00 p.m. there is a Business Alliance Meeting at the Community Center on Church Street. The Downtown Development Authority had a highly attended meeting last month. The full panel was there, some of Council Members and the City Manager. There were 3 instructors from the Georgia Municipal Association in attendance and they covered everything from grant writing to urban redevelopment plans. The DDA is awaiting the moratorium being lifted for downtown and are ready to market West Broad Street. He wished everybody safe and happy travels this summer.

Council Member Steve Edwards reminded everyone that July 3rd will be the city's celebration with the Swinging Medallions, a beach/shag type band; Rockets over Robinson a fireworks show and then Shrek 2 the movie. Be sure and bring your families out for this event. He reported that Council Member Clint Thompson is on vacation with his family.

Council Member Ron Johnson reported that Sugar Hill Elementary is having its Second Annual Golf Tournament August 24th. Anyone interested in playing golf or sponsoring the tournament please get in touch. Last year they raised \$6,000 for the first one and he felt like that was pretty good. The dealership that he works for Colonial Pontiac is once again going to be a major sponsor. He congratulated the Huddle House on Hwy. 20 and Suwanee Dam Rd. (even though they are not in the city limits) for being nominated as one of the top 10 in the nation as far as cleanliness. They received 100% from Gwinnett County Health Board. He requested that the City Manager give them an update on the Post Office and when it will open up on Saturdays. He stated that he had been contacted by a lot of people about drainage problems in the city. One of them was where a developer had stopped a drainage pipe in the middle of their back yard and it drains there. With the new Vector law it should cover mosquitoes. He is glad that the zoning ordinance regarding the house of worships was tabled and not brought forward tonight. He hopes that it never comes back again and he wouldn't have voted for it. HE believes it is against the Rupert laws to restrict churches to certain zonings and has asked Lee Thompson to look at this. He hopes that everyone had a good Memorial Day and is disappointed that the City does not display the flag correctly. It is supposed to be raised to half mast until noon in honor of those who died for our country and raised to full mast at noon in honor of those still serving. He hopes that next year the Council will do something to honor our veterans and those serving.

Mayor's Report

Mayor Gary Pirkle congratulated the Sugar Hill First Baptist Church for the job they have done. The Georgia Baptist Convention just named them one of the fastest growing Sunday schools in the state. We appreciate their service to the community. The Reels at Robinson continues with the movie this Friday night Sponge Bob will be shown at dusk.

City Clerk's Report – no report

City Manager's Report – See Attachment #1

Annexations to go to Planning Commission 6/20/05 / City Council 7/11/05

AX-05-005, 8.35 acres, Buford Hwy., R-75 in Gwinnett County, proposed RS-100 and O&I. Land owner requesting RM. **AX-05-006**, 18.46 acres, Roberts Road, R-75 in Gwinnett County, proposed RS-100. **AX-05-007**, 14.04 acres, Sycamore Road, R-100 in Gwinnett County, proposed RS-100/PRD

Proclamation - Diane Higgins, Sugar Hill Elementary Crossing Guard – Council Member Johnson read the proclamation and presented it to Ms. Higgins.

Consent Agenda:

1. Voting Delegate GMA Convention.
2. RZ-05-001 – GA Ventures 20 Downtown, LLC is requesting to rezone 39.619 acres off Nelson Brogdon Blvd. near West Broad St. from the current zoning of OI, MH, AF, RM, RS-150, BG & LM to HSB for Commercial use – **Applicant requests to Withdraw Application without prejudice.**

Mayor Pirkle explained the items on the Consent Agenda. Council Member Edwards motioned to approve the Consent Agenda. Council Member N. Thompson seconded the motion. Approved 4-0.

Unfinished Business

Citizen and Guest Comments – No Citizen comments

New Business:

Public Hearing 2005 Millage Rate – The City Manager explained the recommendation he submitted to the Council to keep the millage rate at 3.8 mills. The Public Hearing was opened and there were no comments from the public so the public hearing was closed. Council Member Johnson spoke against keeping the millage rate at 3.8 and stated he wanted to cut the taxes. Council Member Edwards motioned to follow the City Manager’s recommendation and set the millage rate for 2005 at 3.8 mills. Council Member N. Thompson seconded the motion. Council Members Edwards and N. Thompson voted yea and Council Members Johnson and Cohen voted nay. The Mayor broke the tie and made the vote 3-2 to set the millage at 3.8. Approved 3-2.

Public Hearing VAR-05-001, Variance for AL Grading to allow and provide for the construction of an outside storage yard for their equipment relating to the grading business. Planning & Development Director Dan Schultz explained the variance application. He explained that they have plans to submit for a metal building to be built in this back area which is lower than the main part of the business. This would have to come back to Council for a separate variance. The Mayor opened the Public Hearing and there were no comments from the public so the Public Hearing was closed. Council Member Cohen motioned to approve VAR-05-001. Council Member N. Thompson seconded the motion. Approved 4-0.

Public Hearing – to be heard together as a joint project

RZ-05-002, Tax Parcels 7-306-017, 7-306-032, 7-306-029, 7-306-003, 7-306-005, 7-306-006, 7-306-033, 7-306-129, 7-306-031, 7-306-009, 7-306-004, 7-306-133, GA 20 Ventures Downtown, LLC s requesting to rezone 41.496 acres off Nelson Brogdon Blvd. backing up to Whitehead Road, current zoning AF, RS-150, RM, BG & LM to RS-100 / PRD for Single Family Residential Planned Residential Development.

AX-05-001, Tax Parcels 7-307-011, 7-307-010, 7-306-034, GA Ventures 20 Downtown, LLC, requesting to annex 23.47 acres off Georgia Hwy. 20, currently zoned R-100 in Gwinnett County proposed for City RS-100 PRD for Single Family Residential / Planned Residential Development. The Council had before them an amended letter of intent from Fred Skiba, GA. 20 Ventures Downtown, LLC. Dan Schultz explained the application request. The Public Hearing was opened. Ms. Norma Conner, 1066 Whitehead Rd. stated that she wanted a privacy fence and a 50’ buffer bordering her property.

Mr. Skiba explained the application and what all was entailed. They are requesting 5 variances and agree with the staff exceptions with the exception of: Rear setback reduced to 20’ instead of 25’; #6 minimum lot width reduced to 50’ of 60’; walking trails throughout and land use ponds instead of regular retention ponds.

It was agreed and Ms. Conner was amenable to an 8’ fence and 10’ buffer around the whole ball field recreational area. Council Member Edwards motioned to approve RZ-05-002 and AX-05-001 with

changes to the staff conditions #5 real set back reduced to 20'; #6 minimum lot width reduced to 50'; also the fence is to be 8' cedar shadow box with a 10' buffer around the entire recreation area along Whitehead Rd; and add a condition #11 that visual screening along Whitehead Rd. be provided. Council Member Cohen seconded the motion. Approved 4-0.

Downtown Master Plan - The City Manager explained that Kevin McComber will submit the Downtown Master Plan to the ARC for their review and suggestions and then bring it back to the Council for passage.

Change to Development Regulation for Town Center Overlay District – The Mayor explained that this would be adopted tonight as development regulations. It would then be on the agenda for the Planning Commission and back to the Council to become incorporated into the Zoning Ordinance. The moratorium would then lapse. The City Attorney explained the sections of the development regulations that would be affected and what it would entail. Council Member Johnson requested that the sidewalks be increased from 6' to 10'. Council Member Cohen wanted to change the word may to shall in the green space section. Council Member Cohen motioned to adopt the Development Regulations for Town Center Overlay District and change Section 5.10.3 Sidewalks from 6' to 10'; and Section 5.10.6 Green Space change may participate to shall participate. Council Member Johnson seconded the motion. Approved 4-0.

Downtown Moratorium – if required the moratorium was not extended and allowed to lapse.

Public Hearing – Zoning Ordinance Amendment PUD Revision – The City Manager explained the changes in the Zoning Ordinance that this incorporates. The new application process will require them to justify why this is needed, and why it is required long before the application process gets to the Council. The Mayor opened the Public Hearing and there were no comments from the public so the Public Hearing was closed. Council Member Johnson requested to add that green space would be required, not recreation areas. This would be a foot for foot trade off. The City Attorney explained that this change is set for the July Planning Commission and back to the Council in August. Council Member Edwards motioned to approve this ordinance amendment. Council Member N. Thompson seconded the motion. Approved 4-0.

Executive Session: Legal, Land or Personnel – Council Member Cohen motioned to enter Executive Session. Council Member Johnson seconded the motion. Approved 4-0.

The meeting was reconvened at 9:20 p.m. and there was no action taken from Executive Session.

Adjournment: Council Member Cohen motioned to adjourn. Council Member Edwards seconded the motion. Approved 4-0.

Gary Pirkle, Mayor

Jane Whittington, City Clerk