

**CITY OF SUGAR HILL  
COUNCIL MEETING  
MONDAY, DECEMBER 11, 2006  
7:30 PM CITY HALL ANNEX  
4988 WEST BROAD STREET, SUGAR HILL**

**Call to Order by Mayor Pirkle at 7:30 p.m.** Present were Mayor Gary Pirkle, Mayor Pro Tem Nick Thompson, Council Members Marc Cohen, Steve Edwards, Mike Sullivan and Clint Thompson. Also present were City Manager Bob Hail, City Attorney Lee Thompson and City Clerk Jane Whittington.

**Pledge of Allegiance to the Flag**  
**Invocation** by Mayor Pirkle.

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

**Approval of Minutes** - Minutes Council Meeting November 13, 2006 were approved as written. Council Member Edwards motioned to approve the Minutes. Council Member Cohen seconded the motion. Approved 5-0.

**City Attorney's Report** – City Attorney Lee Thompson had no report.

**Council Reports**

**Council Member Nick Thompson** wished everyone a Merry Christmas and Happy Holiday. Please keep the people that are abroad in our hearts and in our minds. The DDA in conjunction with the Sugar Hill Business Alliance will have a meeting On December 11<sup>th</sup> at 6:30 p.m. at the Community Center to discuss the West Broad Street Design.

**Council Member Steve Edwards** echoed Council Member Thompson's wishes for Happy Holidays and Merry Christmas. He sent condolences to the Sullivan family who lost his grandmother. He also reported that he was principal for a day at Sycamore Elementary School. He understands how hard the administrators and teachers work since he was completely wore out that day. Sycamore Elementary is a great school with great administrators.

**Council Member Marc Cohen** wished everyone a happy Chanukah, Kwanza and Merry Christmas. He thanked everyone in the community for donating to Toys for Tots and the food bank campaigns. He wished his son Seth a happy 5<sup>th</sup> birthday.

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

**Mayor's Report** – **Mayor Gary Pirkle** congratulated North Gwinnett High School football team on the outstanding season that they had. They went 11-2 farther than they ever have in school history. Highway 20 is still in the process of being planned regardless of recent communications. He thanked

everyone on the Council and the staff for putting together a great Christmas program. There was a real good turn out and a great Santa.

**City Clerk's Report** – City Clerk Jane Whittington reported that the business license renewal process has begun and they are due January 31<sup>st</sup>. City Hall will be closed for the holidays Monday, December 25<sup>th</sup> and Tuesday, December 26<sup>th</sup> and Monday, January 1<sup>st</sup>. Alcohol/Beer and Wine licenses are due December 31<sup>st</sup>.

**City Manager's Report** - See Attachment #1.

**Consent Agenda**

**Citizens and Guests Comments**

**Old Business:**

**Public Hearing, 2007 Proposed Budget** – Mayor Pirkle asked the City Manager to explain the proposed budget and the highlights. The Public Hearing was opened and there were no comments from the public so the hearing was closed. The Mayor explained that the next Public Hearing would be Wednesday, December 20<sup>th</sup> at 11:30 a.m. and the Budget would be approved at that time.

**New Business:**

**PUBLIC HEARING, AX-06-004**, Tax Parcel: 7-321-015, Mill Creek Consulting c/o Ember Construction request to annex and rezone 4.28 acres at 5422 Georgia Highway 20, currently zoned R-75 in County request OI for Office Park Development – Director Awana explained the application. They are asking for a variance to reduce the 50' required buffer. The staff is recommending approval with conditions. The Public Hearing was opened and Mitch Peavy spoke for the applicant. Council Member Cohen asked if the applicant was agreeable to an 8' privacy fence as a condition. Mr. Peavy stated they would build the fence whether or not it was a condition. The City Manager explained that the fence would be on the east side. Council Member Nick Thompson asked if he would agree to four sided brick as a condition and Mr. Peavy stated they would not have a problem with it. Council Member Clint Thompson showed on the Future Land Use Plan map where this project would be and questioned whether this would erode what the Council was trying to accomplish when they passed it. No one from the public spoke in favor or in opposition to the project so the Public Hearing was closed. Council Member Cohen motioned to approve AX-06-004 rezoning the parcel to OI with all the conditions as presented by staff in addition to condition number 9 an 8' privacy fence along the property line east of the subject property along the Tribble's property line; and number 10 conditions that all buildings be four side brick. Council Member Edwards seconded the motion. The motion was approved with Council Members Cohen, Edwards and Sullivan voting yea and Council Members Nick Thompson and Clint Thompson voting nay.

**PUBLIC HEARING, RZ-06-007**, Tax Parcel: 7-290-001, Phillip H. Perkins request to rezone 1.945 acres at 895 Level Creek Road, currently zoned RS-100 requesting OI with a Special Use Permit for a Child Day Care Facility - Awana explained that they are requesting OI zoning with a Special Use Permit for a day care. The staff recommends approval with conditions. Council Member Cohen asked

if they could leave the zoning RS-100 with a special use permit and Director Awana explained that this would be allowed in that zoning. Mr. Peavy stated that he had talked with the Mayor and he was concerned with spot zoning on Level Creek. The Public Hearing was opened and Mitch Peavy represented the applicant. He stated that the applicant did not care which access they required. They would access through E.E. Robinson Park or align with Oak Grove. Council Member Sullivan stated that he was concerned with traffic problems. How would we handle the traffic? Mr. Peavy stated that Oak Grove would become a 4-way stop. He would have to have engineers look at the traffic and the road. No one else spoke in favor or in opposition to the project so the Public Hearing was closed. Mayor Pirkle stated that this would be right where there is a limited distance from the park entrance to the 4-way stop. The Oak Grove alignment makes more sense to him than a turn lane into the day care. He is also concerned that the residential area would not be protected. We want to put businesses where they belong.

Council Member Cohen motioned to deny RZ-06-007. Council Member Clint Thompson seconded the motion. The motion was approved 4-1 with Council Member Sullivan voting nay.

**PUBLIC HEARING, RZ-06-008**, Tax Parcel 7-291-029, Sanford Subdivision, LLC request to rezone 18.55 acres off Peachtree Industrial Blvd. currently zoned LM and RS-100 requesting RS-100/PRD for Single Family Residential Subdivision – Council Member Cohen motioned to allow the applicant to withdraw this application for rezoning without prejudice. Council Member Edwards seconded the motion. The motion was approved 5-0.

**Solid Waste Management Short Term Work Program Approval (SWMP)** – Hail explained the resolution and that the Atlanta Regional Commission had reviewed our plan and now the Mayor and Council has to pass a resolution adopting the plan. Council Member Cohen motioned to approve the SWMP Resolution. Council Member Sullivan seconded the motion. Approved 5.0.

**Executive Session: Legal, Real Estate and/or Personnel:** there was no Executive Session held.

**Adjournment:** Council Member Cohen motioned to adjourn at 8:30 p.m. Council Member Clint Thompson seconded the motion. Approved 5-0.

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Gary Pirkle, Mayor

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Jane Whittington, City Clerk