

**CITY OF SUGAR HILL
COUNCIL MEETING MINUTES
MONDAY, APRIL 10, 2006
7:30 PM COMMUNITY CENTER
1166 CHURCH STREET, SUGAR HILL**

Call to Order by Mayor at 7:33 p.m. Present were Mayor Gary Pirkle, Council Members Marc Cohen, Steve Edwards, Mike Sullivan and Clint Thompson. Mayor Pro Tem Nick Thompson was not present. Also in attendance 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 – The Agenda was approved as submitted. Council Member C. Thompson motioned to approve the Agenda. Council Member Cohen seconded the motion. Approved 4-0.

Approval of Minutes - Minutes of the Council Meeting March 13, 2006 were approved as written. Council Member Edwards motioned to approve the Minutes. Council Member Sullivan seconded the motion. Approved 4-0.

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

Council Reports:

Council Member Mike Sullivan reported that this Saturday, April 15th the City will have the First Annual Easter Egg Hunt. Children ages one through nine are invited to come out and enjoy the festivities. It starts at 10: a.m. and will conclude with pictures with the Easter Bunny.

Council Member Steve Edwards thanked Bob Hail for developing a plan to clean up litter on Highway 20 and Peachtree Industrial Blvd. It looks much better. It will now be cleaned once a month. All the schools have confirmed and committed to be involved in the Fall Festival. Sugar Hill Baptist Church and the Sugar Hill United Methodist Church have also committed to be a part of this event. Also last month he left off Volunteers Clint Thompson for the Car Show and Marc Cohen for the brochures. July 3rd is right around the corner and the fireworks will be to music this time. The movie will be Shark Boy and Lava Girl in 3-d. Fishtank will be the concert band. The Derby and Carvel ice Cream will be the food vendors.

Council Member Marc Cohen reported that as the City grows it also changes. It has become a more diverse population with different languages and religions. He wished everyone that celebrates Easter a Happy Easter and everyone that celebrates Passover a very Happy Passover. He requested that anyone interested in having the Post Office in City Hall speak up as this is being considered at the next Work Session. Planning & Development issued 41 construction permits in March in which eight were single family homes. They did 240 building inspections, and 31 erosion control inspections.

Council Member Clint Thompson recognized Mike Sullivan for his accomplishments in the three month period he has been on the Council. He has worked hard and done a really good job.

Mayor's Report – Gary Pirkle had no report.

City Clerk's Report – Jane Whittington City Clerk reported 17 new business licenses were issued in the month of March, 13 were home based. The renewal process is complete and the penalty for nonrenewal will be assessed May 1st. Homestead exemptions should be applied for with Gwinnett County Property Tax.

If you come into City Hall say hello to the newest employee Patricia Palmeri “Trish”. She will be in the Customer Service Department answering phones and helping out there. City Hall and other city offices will be closed Friday April 14th to observe Good Friday.

City Manager's Report – See Attachment #1

Consent Agenda

Resolution Municipal Gas Authority – Council Member Cohen motioned to approve the Consent Agenda. Council Member Sullivan seconded the motion. Approved 4-0.

Unfinished Business

Citizens and Guests Comments

New Business:

PUBLIC HEARING, VAR-06-001, Sugar Hill United Methodist Church, Inc., 4600 Nelson Brogdon Blvd., Variance from Several Provisions of Sign Ordinance. – Hail explained the variance request. The staff recommends denial of the request but recommends approval of the marquee sign. The Public Hearing was opened and a representative from the church explained why they requested all the banner signs. The Church has so many outreach programs that they want to let the public know what is going on. There was no opposition so the Public Hearing was closed. The Council discussed allowing an additional marquee sign to post events on. They have such a large property that a large marquee could be placed on it in addition to the one they already have. Their Variance Request had four parts. Council Member Cohen motioned to approve the Variance VAR-06-001 as follows: approve condition 1 to allow a second marquee sign and deny conditions 2, 3 and 4. Council Member C. Thompson seconded the motion. Approved 4-0.

PUBLIC HEARING, VAR-06-002, Shawn Smith, Advance Auto Parts, 4675 Nelson Brogdon Blvd. Increase Square Footage for all Proposed Wall Signs. The City Manager explained the variance application. It will more than double the standard from 60 square feet to 133, and 120 to 267. The Public Hearing was opened and Shawn Smith spoke for the applicant. He explained that because the building was specifically designed for Sugar Hill that the sign is not as normally designed. It is also farther from the road so they want the business to be noticed. He explained that if you removed the triangle around the sign it would be smaller. Council Member Cohen motioned to deny VAR-06-002. Council Member Sullivan seconded the motion. Approved 4-0.

PUBLIC HEARING, RZ-06-002, Tax Parcel 7-305-062, Samuel J. Park, request to rezone 12.31 acres at Hillcrest Rd. & Nelson Brogdon Blvd. to BG for retail, office & restaurants. Currently zoned HM-1 – Hail explained the rezoning application. The zoning request would be less intense than the current zoning of the property. The Planning Commission approved 5-0. He read the staff conditions and summary of the variances requested

The Public Hearing was opened and Mitch Peavy spoke for the applicant. He talked with the First Baptist Church and they gave him a letter of support. Their only request was that no beer or wine sales on the out parcels. The City Attorney suggested that this not be a condition of the rezoning. He explained that their two requests are to reduce the office square footage requirement and to reduce the parking spaces. The applicant explained that he was approached by a hotel chain to put a small hotel there. The Council agreed that it does not fit this property and the site plan.

There was discussion between the Mayor and Council on the conditions. Council Member Cohen motioned to approve RZ-06-002 with the staff conditions with the following additions and corrections: #8 remove stucco & Maximum 50% stucco; #12 (n) remove current wording and replace with Convenience Stores as a prohibited use; #16 strike building and replace with business (No business/suite/unit/space footprint shall be larger than 75,000 square feet.); #24 remove wording the property except those specifically approved by the Planning and Development to comply with approved conditions and replace with buildings that abut residential (No outdoor loudspeakers or intercoms are allowed on buildings that abut residential and must be specifically approved by Planning and Development to comply with approved conditions); #25 remove the word weekdays to read Monday to Saturday and change the hours from 8:00 a.m. to 8:00 p.m. (Limit outdoor construction to Monday to Saturday during the hours after 8:00 a.m. and before 8:00 p.m. No construction is allowed on Sunday.); add #27 All visible roofs and awnings will be constructed of copper penny enamel metal roofing material. Council Member Sullivan seconded the motion for discussion. He made the following additions and corrections: #11 Minimum parking slots will be one (1) slot per 350 square feet of retail and office space. If 25,000 square feet of the development is not permanently dedicated to office, then the parking requirement reverts to (one) 1 slot per 200 square feet; #24 amend to remove the wording specifically approved by the Planning and Development to comply with approved conditions (No outdoor loudspeakers or intercoms allowed on buildings that abut residential.) Council Member Cohen amended the motion to include the changes/additions made by Council Member Sullivan. Council Member Sullivan seconded the motion. Approved 4-0.

West Broad Street Design Contract – Pond & Company, Inc. and Hayes, James & Associates, Inc. made a presentation at the April 3rd Work Session where they explained their bid and their services. Council Member Cohen nominated Pond & Company. No other nominations were received. The vote was 4-0 to award Pond & Company the West Broad Street Design Contract.

Noise Ordinance Amendment – City Attorney explained that there was a mix-up of a.m. and p.m. in the code and this ordinance will correct it. Council Member Sullivan asked where the noise is measured. He stated that it is measured at the property line. Council Member Edwards motioned to approve the Noise Ordinance Amendment. Council Member Cohen seconded the motion. Approved 4-0.

Employee Organizational Chart – Mayor Pirkle explained that this change to the organizational chart of the City came out of the February Council retreat. They want to free the City Manager from a lot of the day to day tasks and allow the City to run more efficiently. Council Member Edwards motioned to approve the Organizational Chart as attached. Council Member Sullivan seconded the motion. Approved 4-0.

Animal Ordinance Amendment – Mayor Pirkle explained why the amendment was necessary and what the amendment consisted of. It contains the language suggested by Council Member Sullivan to include invisible fences. It will also allow our Code Enforcement Officers to issue the citations. Council Member Cohen asked what the punishment was for not complying with the ordinance. The City Manager explained that they would be warned the first time and the second time a citation would be issued to come to court. Council Member Sullivan asked about the fine schedule. The City Manager explained that the fine schedule is maintained by the City and the Judge updates it periodically. Council Member Cohen motioned to approve the Animal Ordinance Amendment. Council Member Sullivan seconded the motion. Approved 4-0.

Executive Session: Legal, Real Estate and/or Personnel: No Executive Session was held.

Adjournment: Council Member Cohen motioned to adjourn at 9:30 p.m. Council Member Sullivan seconded the motion.

Gary Pirkle, Mayor

Jane Whittington, City Clerk