

**CITY OF SUGAR HILL
COUNCIL MEETING MINUTES
MONDAY, OCTOBER 8, 2007
7:30 PM CITY HALL ANNEX
4988 WEST BROAD STREET**

CALL TO ORDER – by Mayor Pirkle. Present were Mayor Gary Pirkle, Mayor Pro Tem Steve Edwards, Council Members Marc Cohen, Mike Sullivan, Clint Thompson and Nick Thompson. Also present were City Manager Bob Hail, City Clerk Jane Whittington and City Attorney Lee Thompson.

PLEDGE OF ALLEGIANCE TO THE FLAG
INVOCATION

APPROVAL OF AGENDA – Mayor Pirkle requested that the proclamation for Kaiser Permanente be added to the Agenda. Council Member Cohen motioned to approve the amended agenda. Council Member Sullivan seconded the motion. Approved 5-0.

APPROVAL OF MINUTES – September 10, 2007, Council Member Cohen motioned to approve the minutes as written. Council Member Clint Thompson seconded the motion. Approved 5-0.

CITY ATTORNEY’S REPORT
COUNCIL REPORTS
MAYOR’S REPORT
CITY CLERK’S REPORT

CITY MANAGER’S REPORT - See Attachment #1

CITIZENS AND GUESTS COMMENTS – There were no comments from citizens and guests.

OLD BUSINESS:

VAR-07-005, Charles Pruitt, Gravel Parking Lot – City Manager updated the Council on conversations he had with Atlanta Gas Light. They approved the parking lot and informed him that they have their own code enforcement and if he is in violation they will let him know. Council Member Cohen motioned to approve the variance request as presented by staff. Council Member Sullivan seconded the motion. Approved 5-0.

VAR-07-006, Mill Creek Investments LLC, Stream Buffer – The Planning Director reported to the Council that there were no changes since the Work Session. Council Member Nick Thompson motioned to approve the variance with staff conditions. Council Member Edwards seconded the motion. Approved 5-0.

NEW BUSINESS:

PUBLIC HEARING - AX-07-004 ANNEXATION TAX PARCEL 7-339-008 Lanier Point, LLC is requesting to annex and rezone 10.541 acres at 5854 Suwanee Dam Road. The property is currently zoned Single Family Residential (R-100) in Gwinnett County and the applicant is requesting a General Business District (BG) zoning classification for the use of a commercial retail development. – Awana presented the staff recommendation which includes a dedicated left turn off Suwanee Dam Road into the project. The Planning Commission requested a berm in the enhanced buffer. The public hearing was opened and Bill Cornell represented the applicant. The site plan has 6 buildings with 67,000 square feet, 44,000 office and 23,000 retail. They have tried to address the concerns that the Epps and Twin Creeks had. They are requesting a variance on the stream buffer from 75’ to 50’ on one corner of the building only. The back of the property is very steep and have no plans to build on it. The applicant had no problem to keeping the back portion of the property as open space. There was no opposition to the project so the public hearing was closed. There was some conversation regarding restriction of fast food.

Council Member Cohen motioned to approve AX-07-004 with the 8 conditions as presented by staff, adding condition #9 based on the submitted map dated October 8, 2007 the back portion as marked on the map is to remain open space with no parking; add condition #10 that the buildings follow the elevations as presented; adding condition #7 (t) no drive thru that serve fast food. Council Member Edwards seconded for discussion. He requested that it be added to condition #10 that the Director of Planning and Development approve deviations to the building elevations. Council Member Cohen motioned to approve the amended motion. Council Member Edwards seconded the amended motion. Approved 5-0.

PUBLIC HEARING - AX-07-008 ANNEXATION TAX PARCEL 7-321-031 Ernest R. and Carolyn P. Burnette are requesting to annex and rezone 3.231 acres at 5422 Sugar Ridge Drive. The property is currently zoned Single Family Residential (R-75) in Gwinnett County and the applicant is requesting a Single Family Residential District (RS-100) zoning classification to remain using as a residence. - Awana explained that the applicants are requested to be annexed as residential. The applicants are out of state and not available for this meeting. The public hearing was opened and there were no comments in favor or in opposition so the hearing was closed. Council Member Edwards motioned to approve AX-07-008. Council Member Cohen seconded the motion. Approved 5-0.

Sanitation Renewal Contract – Hail updated the Council on the changes made since the Work Session. The strength of the bags has been increased and they will recycle phone books and cardboard. There is a 2 year contract with no increase and a 4 year with a CPI increase on year 3 and year 4. The City Attorney noted that paragraph 2 needed to be amended to take construction debris waste out. There would be no exclusive contract on construction debris. Council Member Cohen motioned to approve the sanitation contract for 2 years with sentence added at end of paragraph 2 as suggested by the City Attorney. Council Member Sullivan seconded the motion with discussion to change the effective date. Council Member Cohen motioned to amend the original motion to make the effective date of the contract November 1, 2007. Council Member Sullivan seconded the motion. Approved 5-0.

Speed Hump Program Agreement – Hail explained that the city approved and signed the speed hump program agreement with Gwinnett County and sent it but it had never been accepted by the county. Council Member Sullivan motioned to approve the Speed Hump Program Agreement as presented and send it to Gwinnett County. Council Member Cohen seconded the motion. Approved 5-0.

Proclamation for Kaiser Permanente. Mayor Pirkle explained that Kaiser is opening a new facility this month in Sugar Hill. He read the proclamation. Council Member Cohen motioned to approve the proclamation. Council Member Sullivan seconded the motion. Approved 5-0.

EXECUTIVE SESSION: TO DISCUSS LEGAL, REAL ESTATE AND/OR PERSONNEL:

Council Member Sullivan motioned to enter Executive Session. Council Member Cohen seconded the motion. Approved 5-0.

ADJOURNMENT: There was no action taken out of Executive Session. Council Member Cohen motioned to adjourn. Council Member Sullivan seconded the motion. Approved 5-0.

Gary Pirkle, Mayor

Jane Whittington, City Clerk