

**CITY OF SUGAR HILL  
COUNCIL MEETING MINUTES  
MONDAY, AUGUST 13, 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 Mike Sullivan, Clint Thompson and Nick Thompson. Also present were City Manager Bob Hail, City Clerk Jane Whittington and City Attorney Lee Thompson. Council Member Marc Cohen was not present.

PLEDGE OF ALLEGIANCE TO THE FLAG  
INVOCATION – given by Mayor Pirkle.

APPROVAL OF AGENDA - The Agenda was amended to table items # 1 ad 2 under Old Business, strike item # 11 HEAT, and add item #13 DHR Contract. Council Member Edwards motioned to approve the amended agenda. Council Member Sullivan seconded the motion. Approved 4-0.

APPROVAL OF MINUTES – The Minutes of the July 9, 2007 Council Meeting were approved as written. Council Member Nick Thompson 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 for regular session.

**COUNCIL REPORTS**

Council Member Mike Sullivan had no report.

Council Member Nick Thompson reported that the Downtown Development Authority will meet the last Tuesday of this month August 28<sup>th</sup> at the Community Center.

Council Member Steve Edwards reported that on September 14<sup>th</sup> two schools, Sycamore Elementary and Sugar Hill Elementary will have a golf tournament, which is an excellent fund raiser for the schools. He also noted that with the recent discoveries of West Nile Virus in Snellville and other cities, he is glad that Sugar Hill was proactive and sprayed for mosquitoes.

Council Member Clint Thompson had no report.

MAYOR’S REPORT – Mayor Gary Pirkle recognized Bridgett Jorgenson of the Downtown Development Authority, who also served on the Business Alliance and is now working to get the alliance going again. There was a nice article in the Atlanta Journal job section regarding her family business North Gwinnett Dental Care. They give a lot back to the community and he wanted to thank them for that. Also, school started back today and this is on everyone’s mind. He is a member of a non-profit group called North Gwinnett Foundation and Mr. Edwards will soon be joining that group. This foundation was set up by the North Gwinnett

High School Principal Dr. Green to create an endowment where the teachers and schools in the North Gwinnett cluster can apply for grants. They are beginning their fundraising for the year and if anyone is interested they can go to the website northgwinnettfoundation.org or contact the high school.

**CITY CLERK'S REPORT** – City Clerk Jane Whittington announced the upcoming General Election November 6, 2007 and qualifying dates for the three available Council seats. The qualifying begins Monday August 27<sup>th</sup> at 8:30 a.m. until Friday, August 31<sup>st</sup> at 4:30 p.m. The Council seats available are for Post #1 currently held by Steve Edwards, Post #2 currently held by Marc Cohen and Post #3 currently held by Clint Thompson. All Council seats serve the City at large but the candidate must declare which post they are qualifying for.

**CITY MANAGER'S REPORT** - See Attachment #1

Annexations for August 20, 2007 Planning Commission and September 10, 2007 City Council Meeting.

- 1.AX-07-004, Lanier Point, LLC 10.541 acres 5854 Suwanee Dam Rd., R-100 in Gwinnett County to BG in City for commercial & retail development
- 2.AX-07-005, The Boulevards at Sugar Hill, 2.41 acres, 6040 Highway 20, R-100 in County. Requesting BG in City for commercial and retail development
- 3.AX-07-006, The Boulevards at Sugar Hill, 4.079 acres, 400 Riverside Rd, currently R-100 in County requesting BG in City for commercial & retail development
- 4.AX-07-007, The Boulevards at Sugar Hill, 3.423 acres, 6045 Highway 20, currently R-100 in County requesting BG in City for commercial & retail development

#### **CITIZENS AND GUESTS COMMENTS**

Trey Ragsdale of Kaiser Permanente updated the Council on the opening of their new facility here in Sugar Hill. The 16,000 square foot building will provide 50 new jobs to the area and is slated to have a grand opening November 1<sup>st</sup>.

#### **OLD BUSINESS:**

**VAR-07-005, Charles Pruitt, Gravel Parking Lot – TABLED**

**VAR-07-006, Mill Creek Investments LLC, Stream Buffer – TABLED**

#### **NEW BUSINESS:**

**Planning Commission Appointment, Post 5, Formerly Renya Eureka** – Council Member Sullivan nominated David Deal. No other nominations were made so Mayor Pirkle administered the Oath of Office to Mr. Deal.

**PUBLIC HEARING, RZ-07-003**, Tax Parcel: 7-292-031, Stephen Naquin request to change conditions of zoning on 1.212 acres at 4810 Wages Way, currently zoned BG for the use of a water lily garden requesting BG for a mechanics shop and retail plumbing business – Awana presented the rezoning application. They were asking for BG for a mechanics shop and a retail plumbing office, and the staff recommendation is to Rezone to HSB with conditions and allow a Special Use for a plumbing contractor's office. The Planning Commission recommended approval of the staff recommendations with modifications. The applicant has agreed after the adjoining property owners complained about a mechanics shop to limit the business to a plumbing office. The Public Hearing was opened and the applicant Steve Naquin spoke regarding the mechanics shop. He agrees to keep the business plumbing only. No one spoke in

opposition so the public hearing was closed. The Mayor wanted to make sure that the lighting is the type that would not shine on the neighbors. Council Member Nick Thompson motioned to approve RZ-07-003 with staff conditions and Planning Commission recommendations and the Planning Director's language to make the lighting the box lights to reflect away from the adjoining properties. Council Member Clint Thompson seconded the motion. Approved 4-0.

**PUBLIC HEARING, RZ-07-004**, Tax Parcels 7-272, 274, 273, 275, 022, 023, 024, 025, 007, 008, 009 & 281, Joseph Clarino request to change conditions of zoning on 2.892 acres at Highland Ave. & Sylvan St., currently zoned RM ( Residential Multi Family District) for town home development, applicant requesting change in conditions – Awana explained the change in conditions as requested by the applicant: modify the zoning conditions to allow the subdivision of 22 lots; reduce the minimum lot size to 4,738 ft on lots 13 – 18; and allow fee simple townhomes instead of duplexes. The staff is recommending these requests be approved as well as the wording allows 0' setback on common property lines between each attached dwelling unit pair. The Planning Commission recommended approval as requested by staff with modification to the 5 staff conditions. The Public Hearing was opened and Joe Clarino spoke regarding the application request. No one spoke in opposition so the Public Hearing was closed. Council Member Edwards motioned to approve RZ-07-004 change in conditions with staff conditions and the Planning Commission recommendations. Council Member Nick Thompson seconded the motion. Approved 4-0.

**PUBLIC HEARING, AX-07-003**, Tax Parcel: 7-318-026, Suwanee Dam Road Partners, LLC, request to annex and rezone 19.4 acres off Suwanee Dam Rd. currently zoned R-100 modified in Gwinnett Cty. and applicant requesting RS-100 zoning for the development of a single family residential subdivision – Awana explained the application and the staff recommendation is to approve the annexation and rezone to RS-100 with conditions. There were no changes to the 8 conditions from the Planning Commission. The Public Hearing was opened and no one spoke in favor or in opposition so the Public Hearing was closed. Council Member Sullivan motioned to approve AX-07-003 with the staff recommendations. Council Member Edwards seconded the motion. Approved 4-0.

**Resolution to Issue a Certificate Under the Metropolitan River Protection Act**, applicant C. Wayne Hannah for approval of subdivision The River Preserve within the Chattahoochee River Corridor as required under the Metropolitan River Protection Act – Council Member Sullivan motion to approve the Resolution. Council Member Clint Thompson seconded the motion. Approved 4-0.

**Partnership Gwinnett Funding** – Council Member Edwards motioned to approve funding \$12,500 per year for two years as approved by the City Attorney in an Intergovernmental Agreement and Contract. The Mayor explained that they requested a five year agreement but the Council will reevaluate after two years. The agreement will reflect that they will recruit for the City of Sugar Hill specifically not just other cities in Gwinnett County. Council Member Nick Thompson seconded the motion. Council Member Edwards clarified the motion to reflect these conditions. Council Member Clint Thompson seconded the motion. Approved 4-0.

**Call for General & Special TAD Referendum Election November 6, 2007, Dates of Qualifying** – The Mayor explained the purpose of a Tax Allocation District and a possibility of this being used to run sewer up Peachtree Industrial Blvd. Council Member Sullivan motioned

to add this referendum as a Special Election to the General Election November 6, 2007. Council Member Clint Thompson seconded the motion. Approved 4-0.

**Public Safety Referendum (Special Election)** – Mayor & Council agreed to hold a Special Election in conjunction with the November 6, 2007 General Election and put a referendum on the ballot and let the voters decide if they want to increase the millage rate and establish a police department in the City. They cited that the City does not get adequate coverage from Gwinnett County and they want to be proactive not reactive and allow the City to remain a safe area. Council Member Clint Thompson motioned to call for a Special Election for a Police Referendum at the November 6, 2007 election. The exact wording of the referendum will be established at the September meeting. Council Member Nick Thompson seconded the motion. Approved 4-0.

**HEAT** – Heat Energy Assistance Team – Removed from Agenda

**Park Rental Agreements** – Council Member Nick Thompson explained that at the Work Session they requested that the City Attorney review the current contract for E.E. Robinson Park to establish whether this contract is binding. The City Attorney Lee Thompson explained that the contract was signed by a department head instead of the Mayor or City Manager so the contract is not valid at this point. The Council can ratify the contract or revise it. Council Member Clint Thompson recommended that the contract be reviewed and brought back to the Work Session in September.

**Contract with the Department of Human Resources for a renewal of the Energy Assistance Program** – The Mayor explained that this sets out the terms for energy assistance payments the City receives for gas bills for customers who qualify for the federally funded program that provides assistance to low income households (Low Income Home Energy Assistance Program – LIHEAP). Council Member Clint Thompson motioned to approve the contract and allow the Mayor to sign it for submission. Council Member Sullivan seconded the motion. Approved 4-0.

**EXECUTIVE SESSION: TO DISCUSS LEGAL, REAL ESTATE AND/OR PERSONNEL:** Council Member Nick Thompson motioned to enter Executive Session. Council Member Sullivan seconded the motion. Approved 4-0.

**ADJOURNMENT:** The meeting was reconvened at 9:35 p.m. and no action was taken out of Executive Session. Council Member Clint Thompson motioned to adjourn. Council Member Sullivan seconded the motion. Approved 4-0.

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Gary Pirkle, Mayor

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Jane Whittington, City Clerk