

**CITY OF SUGAR HILL
COUNCIL MEETING MINUTES
MONDAY, MAY 14, 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, Clint Thompson and Nick Thompson. Also present City Manager Bob Hail, City Clerk Jane Whittington and City Attorney Lee Thompson.

PLEDGE OF ALLEGIANCE TO THE FLAG

INVOCATION – given by Reverend Steve Wood of Sugar Hill United Methodist Church. He explained that after 10-1/2 years in Sugar Hill he is leaving to go to Johns Creek.

APPROVAL OF AGENDA – Item number 4 to be removed because of technicalities with the state law. Council Member Edwards motioned to approve the agenda as amended. Council Member Cohen seconded the motion. Approved 5-0.

APPROVAL OF MINUTES – The Minutes of the April 9, 2007 Council Meeting were approved as written. Council Member Cohen motioned to approve the Minutes. Council Member Sullivan seconded the motion. Approved 5-0.

CITY ATTORNEY’S REPORT – City Attorney Lee Thompson had no report.

COUNCIL REPORTS

Council Member Mike Sullivan had no report but congratulated all the Mothers because yesterday was Mother’s Day.

Council Member Nick Thompson reported that the Downtown Development Authority met at Applebee’s for the April meeting. A quorum was present plus two guests. The next meeting will be May 29th at 6:30 p.m. in the Community Center.

Council Member Steve Edwards reported that the Sugar Hill Elementary and Sycamore Elementary School golf tournament to raise money for those two schools is coming up in September. He congratulated all the graduates from North Gwinnett, Sugar Hill Elementary, Sycamore Elementary, and Riverside and wish them the best of luck.

Council Member Marc Cohen reflected on the community, a group of people with common goals and common beliefs. What is important is that they voice their beliefs through volunteerism, speaking out, coming to public hearings, getting involved in events. He thanked everyone for helping to create a community. People need to stay involved so we do not lose the voice and lose the community. He recognized people who gave their lives to allow us to have freedom and communities. Memorial Day is coming up and we need to keep them in mind. He congratulated cameraman Mark and his fiancée Terri Elliot who are getting married on Saturday. He also congratulated all students who are graduating from kindergarten all the way through college.

Council Member Clint Thompson had no report.

MAYOR'S REPORT – Mayor Gary Pirkle reported that we will miss Reverend Wood and the great job he has done. He is actually going to John's Creek Methodist Church which is the third largest Methodist church in the country. Council Member Clint Thompson was at the Work Session this month and missed the ceremony for his daughter. She was recognized for making all A's from kindergarten through fifth grade. This was an outstanding achievement.

CITY CLERK'S REPORT – City Clerk Jane Whittington reported the following: We issued over 30 new business licenses in the month of April. If you have not renewed your license contact the Clerk's Office because a 10% penalty has been added May 1st. The Gas Department now offers automatic draft where the funds are automatically taken from your bank account every month. The customer still receives a bill stub in the mail to show what will be drafted. On line bill pay will be offered soon. Stay tuned to the city's website for more details. May and June will be the time for Level Billing enrollment and settle up from the previous year. We will mail the information out with your utility bill. June will be time for the Mayor and Council to set the millage rate for property taxes

CITY MANAGER'S REPORT - City Manager Bob Hail reported the following: See Attachment #1

CITIZENS AND GUESTS COMMENTS – No citizen or guest comments.

Sugar Hill Chess Club – Council Member Sullivan introduced the Sugar Hill Elementary Chess Club and Sandra Levent, Principal of Sugar Hill Elementary School. They won numerous chess matches and competitions and had their trophies with them.

OLD BUSINESS

NEW BUSINESS:

PUBLIC HEARING - AX-07-003, Tax Parcel 7-318-026, Suwanee Dam Rd Partners, LLC, request to annex 9.04 acres at Suwanee Dam Rd, property currently zoned R-100 Modified (Single Family Residential) in Gwinnett County requesting to zone RS-100 with variances (Medium Density Single Family Residential) for use of a Single Family Residential subdivision – Awana explained the application. The staff recommends approval with conditions. The Planning Commission recommended denial. The Public Hearing was opened and Dan Karsky explained their application process and how they have modified the application as it went from Sugar Hill to Gwinnett County and now back to Sugar Hill. There were no comments from the public so the Public Hearing was closed.

Council Member Cohen motioned to approve AX-07-003 with the 9 staff conditions in addition to the protective guard rail structure made of something like field rock and stone as a barrier around the dam similar to the size of a normal guard rail. Council Member Sullivan seconded with comment. He asked if the community was gated then are they responsible for the road and the storm water through a homeowner's association. The City Manager explained that the road inside will be their responsibility and they will be required to have a homeowner's association. The Mayor asked the City Attorney if they should place a deed note where the buyer

understands that the homeowner's association is responsible for the private road. The City Attorney explained that the Council had approved other projects where the mandatory homeowner's association was a condition. They could state that the homeowner's have a provision that they are responsible for all roadways. It would be recorded on the final plat. Council Member Cohen amended the motion to state, recorded on the final plat creation of a mandatory homeowner's association that provides for the maintenance and funding of the interior infrastructure utility including all streets. Council Member Sullivan's second stands. Council Member Nick Thompson had one more discussion item so the motion and second was withdrawn. He asked if there was shelter for the children waiting for the school bus as was approved in a similar gated community. There is one in the plan and the bus could turn around inside the gate of this community. Council Member Cohen motioned to approve AX-09-003 with the 9 original staff conditions and 2 additional recommendations. Council Member Sullivan seconded the motion. Approved 5-0.

Ordinance Gas Meters – City Clerk – Mayor Pirkle explained that this came from the City Clerk because there were concerns about meter readers being able to access meters. The City Clerk explained that the meter readers have had problems with dogs, locked fences or meters they could not get to, codes changed, etc. If the homeowner did not cooperate then the city would have a remedy of moving the meter, at the owner's expense, outside the area where it is obstructed. After the work session it was modified to specify that plants could not be within 2 feet of the meter and the fence could not be within 10 feet of the meter. Council Member Sullivan had a question regarding placement of the fence and securing the dog within 10 feet. All fences are not 10 feet from the meter. The Mayor explained that this came into effect when someone had an animal chained near the meter. The City Attorney stated that the wording could be that the animal must be maintained within a fenced area or within 10 feet of the meter. It was further stated that the animal must be maintained within a fenced area that is at least 2 feet from the meter or the animal must be 10 feet from the meter if not in the fenced area. It will be enforceable for all customers of the gas utility whether inside or outside of the city. The attorney's suggested that the staff make people aware of this as they sign up as new gas customers. Council Member Sullivan motioned to accept this ordinance as modified. Council Member Nick Thompson seconded the motion. Approved 5-0.

Naming Park on Austin Garner- Council Member Clint Thompson stated that Mayor Pirkle has served the City for 9 years as Council Member and Mayor. He brought the City out of debt, and was an advocate for branding the City "The Recreation City". He stated that you should not wait and recognize people for their hard work. Therefore, he would like to propose naming the Austin Garner Rd Park, Gary Pirkle Park. Council Member Nick Thompson motioned to accept Clint Thompson's proposal and name both sides of the Austin Garner Rd. Park, including the recreational facility Gary Pirkle Park. Council Member Clint Thompson seconded the motion. Approved 4-1 with Council Member Cohen voting nay. Mayor Pirkle stated that we have seen a lot of changes in the City and the next 5 years will have tremendous potential with the biggest changes yet to come. He appreciates the honor.

Amendment to Uniform Code for the Abatement of Dangerous Buildings - Awana
(Removed from Agenda).

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

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

ADJOURNMENT: The meeting was reconvened at 8:36 p.m. and 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