

**CITY OF SUGAR HILL
COUNCIL MEETING MINUTES
MONDAY, APRIL 9, 2007
7:30 PM CITY HALL ANNEX
4988 WEST BROAD STREET**

CALL TO ORDER by Mayor at 7:30 p.m. 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 Frank Hartley. City Attorney Lee Thompson was not present.

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

APPROVAL OF AGENDA – Council Member Edwards motioned to approve the Agenda as submitted. Council Member Cohen seconded the motion. Approved 5-0.

APPROVAL OF MINUTES – March 12, 2007, Council Member Cohen motioned to approve the Minutes as written. Council Member Edwards seconded the motion. Approved 5-0.

CITY ATTORNEY’S REPORT – Frank Hartley had no report.

COUNCIL REPORTS

Council Member Mike Sullivan reported that the Easter Egg Hunt held March 31st at E.E. Robinson Park was well attended and better than the previous year. Thanks to Parks and Recreation for the great job they did. The City Manager stated that 20,000 eggs were provided.

Council Member Nick Thompson reported that the April DDA meeting will be held at Applebee’s, Tuesday, April 24th at 11:30 a.m.

Council Member Steve Edwards thanked Council Member Sullivan for coming up with the Easter Egg Hunt to begin with. Overall it went very well. Special thanks go to The Family Church for providing volunteers, and to the staff.

Council Member Cohen stated that his children had a great time at the Easter Egg Hunt. For the month of March Planning & Zoning issued 84 construction permits, 264 building inspections and 47 erosion control inspections. The City of Sugar Hill website (www.cityofsugarhill.com) now has a complaint form on line. You can go on and file a complaint or concern there and someone from Code Enforcement or Planning & Zoning will contact you. Coming next month his Council report will include a police services report. We have a new Major at the north Precinct and she will provide updates to share with the residents and attendees.

Council Member Clint Thompson had no report.

MAYOR'S REPORT- Mayor Gary Pirkle thanked the Recreation Department for the great job they did with the Easter Egg Hunt. He also thanked the Family Church for all they do and volunteering for the recreation events.

CITY CLERK'S REPORT – City Clerk Jane Whittington reported the following: We issued 31 new business licenses in the month of March. Out of the 31, 20 were home based businesses and 11 were commercial businesses. The renewal process is complete. If you have not renewed your license contact the Clerk's Office because a 10% penalty will be 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. Notice of Assessments have gone out from the Gwinnett County Board of Tax Assessors. If your property has increased or decreased in value, you will receive a notice. You have a right to appeal if you do not agree with the change. You must mail or deliver your appeal to the Tax Assessors at the Justice Center within 30 days of notice.

CITY MANAGER'S REPORT – City Manager Bob Hail reported the following: See Attachment #1. He also reported the following annexation coming up at the April 16th Planning Commission meeting and the May 14th Council Meeting: AX-07-003, Dan Karski, Lake Forest Estates Subdivision, Variance Front Row Setback, Minimum Side Setback,

CITIZENS AND GUESTS COMMENTS – No comments were made from Citizens and Guests.

OLD BUSINESS

PUBLIC HEARING - Zoning Ordinance Amendment – Town Center Overlay – Awana reported that this has not been cleared by the City Attorney yet. The item should be tabled until it is reviewed, but the Public Hearing can be opened to avoid re-advertisement. The Mayor opened the Public Hearing and there were no comments so the hearing was closed. Council Member Cohen motioned to table this ordinance amendment until next month. Council Member C. Thompson seconded the motion. Approved 5-0.

PUBLIC HEARING - Legislative Annexation Parcels – The Mayor explained that this public hearing will set the zoning of these parcels if they are annexed by Legislative annexation. Director Awana passed out a list of zoning conditions for the annexation parcels. The public hearing was opened and there were no comments so the hearing was closed. The zoning uses on the list would be excluded on the annexed parcels. There was also on the list one use (motels, hotels) that may be permitted if the applicant for the development obtained a Special Use Permit from the City Council. Council Member Sullivan motioned to approve the attached Legislative Annexation Parcels (Attachment #2) with the attached Zoning Conditions List (Attachment #3) as recommended by the Planning Department. Council Member Cohen seconded for discussion. He asked if this zoning is contingent on the annexation passing the Legislature. It was determined that it is contingent. Council Member N. Thompson seconded. Approved 5-0.

NEW BUSINESS:

DDA Appointment – the Mayor explained that this appointment is for the vacant seat previously held by Allen Jorgensen, and he opened the floor for nominations. Council Member Nick Thompson nominated Bridgett Jorgensen. No other nominations were made so Mayor Pirkle administered the Oath of Office to Dr. Bridgett Jorgensen and to Tom Baughman the other member that needed to be sworn in for the year.

PUBLIC HEARING - RZ-07-001, Tax Parcel 7-346-016, Sugar Hill Holdings LLC requesting to rezone 25.134 acres at GA Hwy 20, currently zoned OI requesting RS-150 (Low Density Single Family Residential District) for a single family residential subdivision – Awana explained that this is part of a development previously approved by Council in 2005. The staff recommendation is to zone the subject property RS-150 with the same conditions as VAR-05-009 as approved in 2005. The Public Hearing was opened and the applicant wanted to make sure that the front set back stated at the back of the curb not the set back line to be consistent with the other application. The Mayor explained that this was approved to move the houses closer to the road to avoid clear cutting all the trees. No one spoke in opposition so the hearing was closed. Council Member Cohen asked how much green space would be between this project and the open area for Wild Timber. They would have a 30’ undisturbed buffer on the project. Council Member Sullivan motioned to approve RZ-07-001 with conditions per staff with additional variance conditions previously approved for VAR-05-009. Council Member Cohen seconded the motion. Approved 5-0.

PUBLIC HEARING, VAR-07-002, H. Randy Clevenger, Reduction on Side Setbacks – Awana explained that this project is requesting a reduction on the side setbacks. It is located at Buford Highway and Chatham Road and is zoned OI. The staff recommends approval with conditions and reduces the buffer to 15’ enhanced. The Public Hearing was opened and Keith Allen, the architect representing Hobgood Construction Group, explained that this proposed building would be for a Nationwide Insurance business. They want to build a two story building with 2 businesses on the bottom floor at 1,500 square feet each. He would occupy the entire top floor. No one spoke in opposition so the hearing was closed. Council Member Sullivan asked the applicant how the entrance was designed. He explained it would be a portico type entrance area to the upper floor. Council Member Cohen motioned to approve VAR-07-002 with conditions of staff. Council Member Sullivan seconded the motion. Approved 5-0.

PUBLIC HEARING, VAR-07-003, Kathy Adams, LVK Inc., Allow Gravel Parking Lot- Awana explained that this application is for the existing business MCI Whirlpool. They want approval for a gravel parking lot. The Mayor asked if the Director had obtained information from the Gwinnett County Health Department regarding the field lines for the septic system. Director Awana explained that he had not but they would have to obtain approval from the Health Department prior to getting a permit. The Public Hearing was opened and the applicant explained that the field lines were for future growth. They are not currently being used. They are looking at purchasing another property for office expansion so they may not have to use the field lines. No one spoke in opposition so the hearing was closed. The Mayor stated that if they expanded then they might not need the gravel lot. Council Member Sullivan asked them why they used gravel, why not asphalt. The applicant stated that gravel was less permanent because of the field lines. Also they would have run off if they made it asphalt. The Director stated that if it was asphalt it would likely require additional retention. Council Member Cohen

asked if this could be approved as a temporary use. The Mayor asked if it could be contingent on the additional property being purchased. The Attorney stated that it would be better and easier to monitor if it had a time frame. Council Member Cohen motioned to approve VAR-07-003 with the two staff conditions with an additional condition to set a time limit of one year. Council Member Edwards seconded the motion. Approved 5-0.

PUBLIC HEARING, Zoning Ordinance Amendment Front Yard – Awana explained that this will define the front yard on properties having two frontages. The Mayor clarified that when through lots have frontage on two sides, this would define the front yard. Council Member Cohen asked if the post box is in the front doesn't this define it. The Public Hearing was opened and no one spoke in favor or opposition so the hearing was closed. Council Member Sullivan motioned to approve the zoning ordinance amendment. Council Member Edwards seconded the motion. Approved 5-0.

EXECUTIVE SESSION: TO DISCUSS LEGAL, REAL ESTATE AND/OR PERSONNEL: Council Member Cohen motioned to enter Executive session to discuss legal, real estate or personnel. Council Member Sullivan seconded the motion. Approved 5-0.

ADJOURNMENT: The meeting was reconvened at 8:48 p.m. and no action was taken out of Executive Session. Council Member Cohen motioned to adjourn. Council Member Clint Thompson seconded the motion. Approved 4-0, Council Member Nick Thompson had left the meeting.

Gary Pirkle, Mayor

Jane Whittington, City Clerk