

**CITY OF SUGAR HILL  
COUNCIL MEETING MINUTES  
MONDAY, MARCH 10, 2008  
7:30 PM CITY HALL ANNEX**

CALL TO ORDER by Mayor Pirkle at 7:30 p.m. Present were Mayor Gary Pirkle, Mayor Pro Tem Mike Sullivan, Council Members Marc Cohen, Steve Edwards, Susie Gajewski and Nick Thompson. Also present were City Manager Bob Hail, City Attorney Lee Thompson and City Clerk Jane Whittington.

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

**PROCLAMATION – PAUL PHILLIPS** – Council Member Cohen read the proclamation and presented it to Paul Phillips for his act of heroism.

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 – February 11, 2008 Council Meeting Council Member Cohen motioned to approve the minutes as written. Council Member Sullivan seconded the motion. Approved 5-0.

CITY ATTORNEY'S REPORT  
COUNCIL REPORTS  
MAYOR'S REPORT  
CITY CLERK'S REPORT  
CITY MANAGER'S REPORT

CITIZENS AND GUESTS COMMENTS – there were no comments from citizens or guests.

**OLD BUSINESS**

**PUBLIC HEARING, ZONING ORDINANCE AMENDMENT ARTICLE 10. PLANNED UNIT DEVELOPMENT – 55 & OLDER** – The Public Hearing was opened and no one spoke in favor or in opposition so the hearing was closed. Council Member Cohen motioned to approve the Ordinance amendment with the following changes/additions to the staff conditions: Section 1004 #5 final sentence should read the development should meet the minimum development frontage and minimum square footage requirements for the underlying zoning district or RS100 if it abuts a residential zoning, whichever is more restrictive; and to copy all of that #5 into Section 1005, standards that apply to Senior Residential Development as well; and to renumber the rest. Council Member Edwards seconded the motion. Approved 5-0.

**NEW BUSINESS:**

**I-9 SPORTS PRESENTATION** – Craig Magrum from I-9 Sports updated the Council on their programs offered at E.E. Robinson Park.

**Fence Permits/Drainage Easements** – Director Awana explained that these two easements are for fences built on storm drains, as long as they do not impede the flow. The Mayor explained that if the fence has to be torn down to repair the drains, the City is not responsible for putting it back. Council Member Edwards motioned to approve the easements. Council Member Cohen seconded the motion. Approved 5-0.

**PUBLIC HEARING, TOWN CENTER OVERLAY AREA** – Awana highlighted changes from the Work Session. The Public Hearing was opened and one citizen asked if we could put it on the website once approved and the City Manager stated that we could put it there. There were no other comments from the public so the hearing was closed. Council Member Cohen motioned to approve the Town Center Overlay. Council Member Sullivan seconded the motion for discussion. Council Member Cohen amended the motion with the addition to Exhibit 2 to extend the Central Business District to include the land mass that encompasses the Buice School, the Baptist Church Cemetery, the Town Green and the Community Center. Approved 5-0.

**PUBLIC HEARING, ANNEXATION AX-08-001 TAX PARCEL ID: 7-339-005, 1.51 ACRES**, Jerry Prescott requested to annex and rezone 1.51 acres at 5853 Suwanee Dam Rd., currently zoned OI (Office & Institutional District) in Gwinnett County, requesting BG (General Business District) zoning classification for a Commercial Retail Center – Awana explained that the staff recommends approval to annex and rezone with conditions. The Planning Commission recommended approval with a change in conditions. The Public Hearing was opened and Jerry Prescott spoke for the applicant. He stated that they agreed with the staff conditions and also the Planning Commission recommendations. No one spoke in opposition so the Public Hearing was closed. Council Member Cohen motioned to approve AX-08-001 annexation and zoning as presented. Council Member Sullivan seconded. Approved 5-0.

**PUBLIC HEARING, ZONING ORDINANCE AMENDMENT – 2008 ZONING MAP ADOPTION** – replaces and supersedes the current Official Zoning Map of the City of Sugar Hill – Director Awana explained that there are no changes to the approved zoning in the City other than those approved by the Mayor and Council for the past year. The Public Hearing was opened and there were no comments from the public so the hearing was closed. Council Member Cohen motioned to approve the 2008 Zoning Map as dated March 10, 2008. Council Member Sullivan seconded the motion. Approved 5-0.

**PUBLIC HEARING, ZONING ORDINANCE AMENDMENT – PERMITTED USES** – amendment to the 2000 zoning ordinance, changes the Permitted Uses and Special Uses listed in Article 9 Use Provisions under the RM, OI, HSB, BG, LM, HM-1 and HM-2 Zoning Districts – Director Awana went through the sections by zonings. The Public Hearing was opened and there were no comments from the public so the hearing was closed. Council Member Edwards motioned to approve the Zoning Ordinance Amendment. Council Member Sullivan seconded the motion. Approved 5-0.

**Speed Hump Agreement with Gwinnett County** – The Speed Hump Agreement was approved in December, 2007 by the Mayor and Council. The agreement was sent to Gwinnett County for approval and they sent another version to be approved by the Mayor and Council and resubmitted to them. The City Manager clarified the 70% rule as it applies to the agreement. The 70% is the houses around the speed hump itself not who travels the road. The ones in close proximity are the ones that pay the tax to maintain them. Council Member Sullivan motioned to approve the Speed Hump Agreement and to submit it to Gwinnett County. Council Member Thompson seconded the motion. Approved 5-0.

**Alcohol Review Board Nominations** – Mayor Pirkle explained that the whole board is vacant and opened the floor for nominations. Once the board is chosen a meeting can be held to orient the board members.

Post #1 – Council Member Thompson nominated Jeff Adams

Post #2 – Council Member Thompson nominated Matthew Neithercutt

Post #3 Council Member Edwards nominated Denise Wilcox

Post #4 – Council Member Edwards nominated Clint Thompson – nomination withdrawn. Post #5 tabled until next month

There were no other nominations for each Post so Council Member Cohen motioned to approve Post #1 through Post #4 nominations. Council Member Sullivan seconded the motion. Approved 5-0.

**Occupation Tax Refund Request** – the City Clerk explained that there was a typographical error in the Occupation Tax Ordinance as codified. The rate table had a percentage added to it and this error was corrected by ordinance at the January, 2008 Council Meeting. A business owner, Nin Marx, Marx Cryptotech, submitted a written request for a refund on her 2007 occupation tax payment. Council Member Sullivan motioned to deny the request of Ms. Marx, Marc Cryptotech for a refund to her 2007 Occupation Tax payment. Council Member Gajewski seconded the motion. Approved 4-1 with Council Member Thompson voting against the denial.

**Adopt Retention Schedule for Local Government Records** published by the GA Sec. of State Division of Archives and History as revised April, 2007 – the City Clerk explained that the City is required to have an adopted schedule of retention and this is published under Georgia State Law. Council Member Cohen motioned to approve the adoption of the above stated retention schedule. 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: The meeting was reconvened at 10:05 p.m. There was no action taken out of Executive Session so Council Member Cohen motioned to adjourn and Council Member Sullivan seconded the motion. Approved 5-0.

---

Gary Pirkle, Mayor

---

Jane Whittington, City Clerk