

**CITY OF SUGAR HILL  
COUNCIL MEETING MINUTES  
MONDAY, SEPTEMBER 8, 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 Clerk Jane Whittington and City Attorney Frank Hartley.

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

APPROVAL OF AGENDA – The Agenda was amended to table the Sanitation Agenda item and add Oath of Office for Alcohol Review Board. Council Member Cohen motioned to approve the Agenda as amended. Council Member Sullivan seconded the motion. Approved 5-0.

APPROVAL OF MINUTES – August 11, 2008 Council Meeting – Council Member Cohen motioned to approve the Minutes as written. Council Member Gajewski seconded the motion. Approved 5-0.

Oath of Office Alcohol Review Board – Mayor Pirkle administered the oath to Jim Holt.

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

CITIZENS AND GUESTS COMMENTS – Meg Avery, 4575 Forest Green Drive, expressed concerns about safety in her neighborhood. Residents are speeding through her street and double parking on the road. Sometimes it is difficult to get through. One house at the bottom of the hill has a lot of cars on the weekend. She requested that no parking signs be put there to help.

**CONSENT AGENDA:**

- 1. Sung & K., Inc. dba Dos Amigos – Beer and Wine Retail License**
- 2. MGAG Contract Amendments**

Mayor Pirkle explained the Consent Agenda items. Council Member Cohen motioned to approve the Consent Agenda. Council Member Sullivan seconded the motion. Approved 5-0.

**OLD BUSINESS:**

**NEW BUSINESS:**

**Gazimayo, Inc. – License for Arcade Machines & Pool Table** – Mayor Pirkle explained the process for approval of game machines in a business. The Public Hearing was opened to allow comments from the citizens. One resident of Pinedale Circle opposed the approval of pool tables and game machines. He felt that it does not belong in this area. The Public Hearing was closed. Council Member Edwards stated that he does not think that it belongs next to establishments selling beer and wine. Council Member Thompson motioned to deny the License. Council Member Edwards seconded the motion. Approved 5-0.

**RZ-08-003 Change in Conditions** – Brighton Park Builders request to reduce front setback from 20' to 15' at Lot 21 of the Brighton Park Subdivision, 199 Somerset Rose Lane – Director Awana explained the application and staff condition. The staff recommends approval with one condition. The house must be constructed with a side entry garage as shown on the House Location Plan prepared by Jon Stubblefield on 7/8/08. The Public Hearing was opened and Tanya Woods of Brighton Park Builders spoke for the applicant. They are requesting to reduce the front setback from 20' to 15'. No one spoke in opposition so the Public Hearing was closed. Council Member Cohen motioned to approve RZ-08-003 as presented with the staff condition. Council Member Edwards seconded the motion. Approved 5-0.

**RZ-08-004 Change in Conditions** – Frank Filipowicz request to reduce the rear setback from 25' to 11' at Lot 54 of the Brighton Park Subdivision, 224 Highland Rose Way – Director Awana explained the application. The applicant is requesting a reduction in the rear setback from 25' to 11' to construct a sunroom on an existing patio. The staff recommends approval with one condition. The runoff from the addition must be collected into storm gutters and conveyed to the north eastern corner directly into the storm drain flowing onto adjacent property. The Public Hearing was opened and Joan Filipowicz explained their request. There were no comments in opposition so the Public Hearing was closed. It was explained that they only need to encroach 10-1/2 feet into the setback instead of 11'. Council Member Cohen motioned to approve RZ-08-004 with reducing the rear setback to 10-1/2 feet from the existing 25'. Council Member Edwards seconded the motion. The City Attorney Frank Hartley interjected that the motion must be stated correctly to clarify the setback in which they can build. Council Member Cohen amended the motion to reduce the rear setback from 25' to 13-1/2'. Council Member Edwards seconded the motion. Approved 5-0.

**Easement – Fence Permit in Drainage Easement – 4518 Forest Creek Ct.** – Director Awana explained the application. The fence is already in place and the applicant discovered that they needed approval to have this fence in a drainage easement flow. The paperwork for the easement has been reviewed by the City Attorney's office. At the Work Session the Council asked the staff to check to see if the existing fence impeded the flow of the storm water. The staff took pictures showing that there was room under the fence for water to flow. Council Member Sullivan motioned to approve this agreement for a fence in a drainage easement. Council Member Edwards seconded the motion. Approved 5-0.

**Easement – Wall Permit in Drainage Easement – Links Assisted Living Facility** – Director Awana explained that the Links Village Assisted Living facility is requesting an easement to construct an retaining wall in a drainage easement. The paperwork for the easement was prepared and reviewed by the City Attorney's office. Council Member Sullivan motioned to approve the agreement for a wall permit in a drainage easement. Council Member Edwards seconded the motion. Approved 5-0.

**Ordinance Amendment Parking** – Director Awana explained that the existing property maintenance ordinance includes provisions that prohibit parking on the grass or dirt on a residential property. This proposed amendment clarifies the same limitations on non-residential and undeveloped properties. Council Member Edwards motioned to approve the ordinance amendment for parking. Council Member Cohen seconded the motion. Approved 5-0.

**Public Hearing - Resolution to Transmit Comprehensive Plan to DCA** – Director Awana explained that public comments are open until September 17, 2008. This allows 30 days for public comment from the Public Hearing held on August 18, 2008. The staff requests that the Mayor and Council approve the Resolution to incorporate public comments into the draft documents and transmit them to the Atlanta Regional Commission and the Department of Community Affairs for review. The deadline for adoption is February, 2009. Council Member Cohen motioned to approve the Resolution. Council Member Sullivan seconded the motion. Approved 5-0.

**Sanitation Contract** – Tabled until October meeting.

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

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

**ADJOURNMENT:** The meeting was reconvened from Executive Session and there was no action taken.

Council Member Cohen motioned to adjourn at 8:50 p.m. Council Member Sullivan seconded the motion. Approved 5-0.

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Gary Pirkle, Mayor

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Jane Whittington, City Clerk