

**CITY OF SUGAR HILL
COUNCIL MEETING
MONDAY, NOVEMBER 9, 2009
7:30 PM CITY HALL ANNEX
4988 WEST BROAD STREET
SUGAR HILL, GEORGIA**

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

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 Sullivan seconded the motion. Approved 5-0.

APPROVAL OF MINUTES – Council Meeting October 12, 2009; Special Called Meeting for Executive Session October 8, 2009 – Council Member Gajewski motioned to approve the minutes as written. Council Member Thompson seconded the motion. Approved 5-0.

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

PROCLAMATION

Proclamation Carmen Smith Sugar Hill Elementary Teacher of the Year – Principal Sandra Levent spoke regarding Mrs. Smith’s accomplishments and achievements. Mrs. Smith taught at DeKalb County for eleven years before she came to Sugar Hill Elementary. DeKalb County nominated her and she was awarded the Presidential Award for Excellence in Math and Science Teaching. This is the highest recognition that a Teacher from kindergarten to twelfth grade can receive in math or science for being one of the outstanding teachers in the U.S. Mrs. Smith’s expertise is evident in the three years she has taught second grade at Sugar Hill. City Manager Bob Hail read the proclamation to Carmen Smith and presented it to her. Mrs. Smith is the City Manager’s daughter.

Proclamation James Avery Field – Mayor Pirkle explained Meg Avery’s role in the City of Sugar Hill and read the proclamation naming a field at Gary Pirkle Park after her son James Avery. He presented the proclamation to Meg and Jim Avery and thanked them for the contributions to the City of Sugar Hill.

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

CONSENT AGENDA

- 1. SAVE Program Memorandum of Agreement**
- 2. Countywide Natural Gas Safety Plan**

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

OLD BUSINESS

NEW BUSINESS

Election 2009 Update – Jeanne Ferguson, Election Superintendent – Jeanne Ferguson thanked the staff at the Community Center and City Hall for their assistance during the 2009 election. She explained that there was a recount on Friday, November 6th in Council Post #4 seat. The count was within one vote. She read the certification results and requested that the Council vote to accept the certification of the November 3, 2009 General Election. Council Member Cohen motioned to accept the certification results as presented by the Election Superintendent Jeanne Ferguson. Council Member Gajewski seconded the motion. Approved 5-0.

Public Hearing, VAR-09-005, Richard Thacker, 6001 Highway 20, Eliminate Stream Buffer Protection Requirements for Development of a Retail Shopping Center – Planning Director Awana explained the variance application. The variance application is from Ga Highway 20 Associates for the Kroger Shopping Center. They are requesting to eliminate the 50 ft. stream buffer and the 25 ft. non-impervious setback to a stream segment located along the northern property line. The staff recommends approval with four recommendations. The Public Hearing was opened and Richard Thacker spoke for the applicant. He requested consideration for the additional plantings in the enhanced landscape plan. Also changing condition #4 to reflect the enhanced landscape plan shall be approved and installed prior to the issuance of the certificate of occupancy not the final site approval. No one spoke in opposition so the Public Hearing was closed. Council Member Sullivan motioned to approve VAR-09-005 with the four staff conditions striking in condition #4 final site approval. Council Member Cohen seconded the motion. Approved 5-0.

Public Hearing, Zoning Ordinance Amendment, Accessory Uses – This amendment was written so the planning staff can clarify requirements for accessory uses and structures. The Public Hearing was opened and no one spoke in opposition or in favor of the amendment. Council Member Sullivan motioned to approve the Zoning Ordinance Amendment, Accessory Uses changing to permit mailboxes in the side yard. Council Member Edwards seconded the motion. Approved 5-0.

Public Hearing, Development Regulation Amendment – Vision Clearance at Intersections – The Planning staff is recommending changes to the Development Regulations to clarify the requirements for vision clearance at intersections. The Public Hearing was opened and no one spoke in favor or in opposition so the hearing was closed. Council Member Sullivan motioned to

approve the Development Regulation Amendment, Vision Clearance at Intersections as written. Council Member Gajewski seconded the motion. Approved 5-0.

EXECUTIVE SESSION: TO DISCUSS LEGAL, REAL ESTATE AND/OR PERSONNEL:
There was no Executive Session held.

PUBLIC ACTION ON ANY EXECUTIVE SESSION MATTERS:

ADJOURNMENT: Council Member Sullivan motioned to adjourn. Council Member Cohen seconded the motion. Approved 5-0.

Gary Pirkle, Mayor

Jane Whittington, City Clerk