

**CITY OF SUGAR HILL  
COUNCIL MEETING MINUTES  
MONDAY, DECEMBER 13, 2010  
7:30 PM CITY HALL ANNEX  
4988 WEST BROAD STREET  
SUGAR HILL, GEORGIA**

**CALL TO ORDER** – by Mayor Gary Pirkle. Present were Mayor Gary Pirkle, Mayor Pro Tem Mike Sullivan, and Council Members Marc Cohen, Steve Edwards, Susie Gajewski and Curtis Northrup.

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

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

**APPROVAL OF MINUTES** – November 8, 2010 Council Meeting; November 16, 2010 Special Called Meeting – Council Member Gajewski motioned to approve as written. Council Member Cohen 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

**CONSENT AGENDA  
Ordinance, Water Resources, Outdoor Irrigation  
Appointment Municipal Court Chief Judge and Associate Judges**

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

OLD BUSINESS

**NEW BUSINESS**  
**Appointment Planning Commission Member Post #5** – Council Member Sullivan nominated current Commissioner Marla King. No other nominations were made. Ms. King will be sworn in at the January Planning Commission meeting.

**Resolution, Recertification as Certified City of Ethics** – Council Member Cohen motioned to approve the Resolution. Council Member Sullivan seconded the motion. Approved 5-0.

**Public Hearing, Shiv Mandir, Inc., VAR-10-001/Appeal** – Director Awana explained the application for a variance was reviewed by the City Attorney and they recommended an appeal process instead of a variance. The Mayor and City Council holds a public hearing and hears from staff and the applicant and makes a decision based on this presentation. The Public Hearing was opened and the applicant explained that the funding for beginning construction has not come through yet. The economy has affected their ability to obtain funding. The Planning Director explained that their development permit expired August 21, 2010 and the Planning Department extended the permit for ninety days. They cannot extend it any longer without Mayor and Council approval. The applicant is requesting a twenty four month extension. There was some discussion regarding the process if the permit did expire. Council Member Sullivan motioned to extend the development permit for Shiv Mandir, Inc. for twenty four months. Council Member Northrup seconded the motion. Approved 3-2 with Council Member Edwards and Gajewski voting nay.

**Public Hearing, 2011 Proposed Budget** – The City Manager explained the proposed budget. This is the largest budget in the City's history. There are several capital projects that will begin in 2011, including City Hall and West Broad Street. The Public Hearing was opened and there were no comments from the public so the hearing was closed. Council Member Sullivan seconded the motion. Approved 5-0.

**Service Delivery Strategy** – Mayor Pirkle explained the history of the Service Delivery and how it is currently in litigation with Gwinnett County. The court Case was presented to the Judge and the Mayor of the Gwinnett cities wanted to talk with the County for a resolution. The solution was a 40% of the 12 million per year total. IF the settlement happens with the County then the Mayors will need to be able to sign. Council Member Edwards motioned to authorize the Mayor to accept an offer as described to the Council on behalf of the City and sign the appropriate paperwork. If the City expands and gets a police department in the future, the City must be able to get a reduction for this service. Council Member Gajewski seconded the motion. Approved 5-0.

**5435 Brighton Rose Lane, Fence within Drainage Easement** – Director Awana explained that the applicant, Mr. Song, has lived in the house for four years. The fence he is requesting to build would join an existing fence on his property that was there before he purchased it. It is a six foot privacy fence. The agreement that Mr. Song would sign states that if the City has to enter the property for repairs on the drainage easement, they will not repair or replace the fence. He is willing to sign the agreement. Council Member Sullivan motioned to authorize the Mayor to sign the agreement allowing the City the right of encroachment in the easement. Council Member Cohen seconded the motion. Approved 5-0.

**EXECUTIVE SESSION: TO DISCUSS LEGAL, REAL ESTATE AND/OR PERSONNEL:** Council Member Sullivan motioned to enter Executive Session.

**PUBLIC ACTION TAKEN OUT OF EXECUTIVE SESSION:** The meeting was reconvened at 10:05 p.m. Council Member Cohen motioned to approve a one-time salary

adjustment of 3% for the City Manager and City Clerk. Council Member Edwards seconded the motion. Approved 5-0.

**ADJOURNMENT:** Council Member Cohen motioned to adjourn at 10:05 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