

**CITY OF SUGAR HILL
COUNCIL MEETING
TUESDAY, NOVEMBER 13, 2012
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 Curtis Northrup and Council Members Marc Cohen, Steve Edwards, Susie Gajewski and Mike Sullivan. Also present were City Manager Bob Hail, City Clerk Jane Whittington and City Attorney Frank Hartley and Lee Thompson.

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

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

APPROVAL OF MINUTES – Council Meeting October 8, 2012; Work Session October 1, 2012 – 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

PROCLAMATIONS/AWARDS

Major Dan Branch – Mayor Pirkle thanked Major Branch for his service as Commander of the Gwinnett County Police North Precinct. He read and presented Major Branch with a proclamation. Major Branch is retiring from Gwinnett County Police to become Buford's first Public Safety Director.

North Gwinnett Mock Trial Team – The teams Executives thanked the City for allowing them to use the Annex for their mock trials. They are requesting to use it again for 2013. They explained the process of how the trials are held.

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

CONSENT AGENDA

**Resolution Regarding Prosecuting Attorney for Municipal Court
Natural Gas Tap & Meter Fee Increase
Resolution and Agreement Hazardous Waste Trust Fund**

The Mayor explained the three items on the Consent Agenda. The Resolution for the Prosecuting Attorney for Municipal Court is required by a change in state law. The City is designating Frank Hartley and Creighton Lancaster of Thompson, Sweeny, Kinsinger & Pereira as the prosecuting attorney. The gas tap and meter fees have not been increased for many years. This increase would bring the fees current with what the City is being charged by the company contracted to install them. The Resolution for the Hazardous Waste Trust Fund will bring the City a reimbursement from the Georgia Department of Natural Resources for the city's closed landfill.

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

OLD BUSINESS

NEW BUSINESS

PUBLIC HEARING, VAR-12-004, William Eubanks, 1159 Pine Thicket Dr., Accessory Building – Director Awana explained the application. Mr. Eubanks is requesting a variance on the setback for an accessory building. The staff feels that this is the best location to put the building on. The staff is recommending denial but has conditions if the Council decides to approve the variance request. The Public Hearing was opened and the applicant spoke regarding the request. He stated that he planned to live in this house all his life. He plans to build a nice building and use block to match his block retaining wall. There were no other comments for or against the variance so the hearing was closed. The Mayor asked the City Attorney if it would be a potential problem if someone else requested a variance to build a structure with block. The City Attorney Frank Hartley responded that each variance is considered separately and on its own. Council Member Sullivan motioned to approve VAR-12-004 with the following staff conditions. Condition #1 and #2 are fine as written. Condition #3 is unnecessary and add a new condition stating material must be either approved material that the City uses for such construction or cinder block matching construction already in driveway. Council Member Cohen seconded the motion. Approved 5-0.

2012 Budget Comments – The City Manager explained that he needs direction to annotate the 2012 General Fund Budget to show intra-governmental loans (due to/from) for the construction of City Hall, security and stormwater to future repayment to the General Fund when fund revenues are received. Council Member Sullivan motioned to direct the City Manager as stated above. Council Member Gajewski seconded the motion. Approved 5-0.

2012 Year End Salary Adjustment – The City Manager requested direction to amend the 2012 Budget to fund an employee salary adjustment using a funding pool equal to 2.5% of total 2012 budget for salaries for City employees. Each adjustment will be determined by the recommendation of the employee's supervisor. Funds for this adjustment will be taken from the General Fund. The lowest paid one third of the employees will be offered the option of salary increases or year-end salary adjustments. Council Member Sullivan stated that he would like to see all of the employees with the exception of those topped out to choose between a salary increase or a year-end adjustment. Council Member Edwards motioned to approve the Year End Salary Adjustment per the City Manager's request and offer the lowest paid one third of the

employees the option of choosing increase versus adjustment. Council Member Cohen seconded the motion. Approved 4-1 with Council Member Sullivan voting nay.

EXECUTIVE SESSION: TO DISCUSS LEGAL, REAL ESTATE AND/OR PERSONNEL –
The motion was made to enter Executive Session by Council Member Sullivan. Council Member Gajewski seconded the motion. Approved 5-0.

PUBLIC ACTION TAKEN OUT OF EXECUTIVE SESSION – There was no action taken out of Executive Session.

ADJOURNMENT: Council Member Cohen motioned to adjourn at 8:52 p.m. Council Member Sullivan seconded the motion. Approved 5-0.

Gary Pirkle, Mayor

Jane Whittington, City Clerk