

**CITY OF SUGAR HILL
COUNCIL MEETING MINUTES
MONDAY, JULY 9, 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, Council Members Marc Cohen, Susie Gajewski and Mike Sullivan. Also present were City Clerk Jane Whittington, City Attorneys Frank Hartley and Lee Thompson. Council Member Steve Edwards and City Manager Bob Hail were not present.

PLEDGE OF ALLEGIANCE TO THE FLAG – led by Boy Scout Graham Rodgers.
INVOCATION – given by Mayor Pirkle.

APPROVAL OF AGENDA – Items number 4 and 5 on the Agenda to be tabled until the next Work Session. Council Member Cohen motioned to approve the amended agenda. Council Member Gajewski seconded the motion. Approved 4-0,

APPROVAL OF MINUTES – Council Meeting June 11, 2012; Work Session June 4, 2012 – Council Member Gajewski motioned to approve the minutes as written. Council Member Cohen seconded the motion. Approved 4-0.

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

PROCLAMATIONS/AWARDS

Graham Rodgers, Eagle Scout – Mayor Pirkle read the proclamation and presented it to Graham Rodgers and his family.

Hanna Slater – Council Member Cohen read the proclamation and presented it to Hanna Slater and her family.

CITIZENS AND GUESTS COMMENTS – There were no comments from Citizens or Guests.

OLD BUSINESS

NEW BUSINESS

PUBLIC HEARING, AX-12-002, North Point Ministries, Inc., 421 Level Creek Rd., Annex & Re-zone to RS-100 with Special Use Permit for Minimum Road Frontage – Director Awana explained the application. The Planning Department has received calls relating to traffic, noise and possible declining property values. The Planning Commission recommended approval

with some conditions. There was a traffic study performed (DRI) and had to go the Atlanta Regional Commission. The site has a natural rolling topography with slopes and hardwood forest. The property was in Gwinnett County but after contact by the Mayor the church agreed to annex this portion in to make the property contiguous. The Public Hearing was opened and Rick Holiday from North Point Church explained some aspects of the construction. The church will place a gate on the exit to avoid a cut through from Peachtree Industrial Blvd. The exit will be used for Mainly Sunday but also for some other events. No one else spoke in favor of the project.

In opposition to the project: Bud Kelley, 5266 Cabot Creek Dr. spoke regarding property decline and the impact on the community around it. He stated that the Glens at Level Creek would be greatly affected. He welcomed the church but would like to see more buffers.

Dorese Durrell spoke regarding the impact on her property. She is the corner lot where the driveway will be turning into the church parking lot. She would like to see strong consideration given to the traffic and buffer.

Robert Michael lives in the Glen Level Creek neighborhood. He helped organize people in the community to discuss this project. They came up with an in and out going north only. The Public Hearing was closed.

Mayor Pirkle pointed out that the church can get a permit from Gwinnett County without conditions. They are agreeing to annex in to make the whole parcel contiguous. He does not want to set too many conditions and then the church could get a permit from the county. A buffer is not really required in the county because it is a like zoning. Council member Cohen stated this is the lesser of two evils. They are agreeing to some buffer. Council Member Sullivan thanked the church for being patient and motioned to approve AX-12-002 as submitted. Council Member Northrup seconded the motion. Approved 4-0.

PUBLIC HEARING - 2012 Millage Rate – The Mayor explained that the millage rate has not increased in years holding steady at 3.8 mills. The revenue is decreasing this year by \$150,000 to \$200,000. 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 2012 millage rate at 3.8 mills and authorize the Mayor to sign the resolution and submit the supporting documents to Gwinnett County. Council Member Sullivan seconded the motion. Approved 4-0.

Resolution to Designate Open Records Recipient – The Mayor explained that under the new Open Records laws the State of Georgia passed the City is required to designate an Open Records Custodian. The custodian must be posted on the City's website and sent to the legal organ. The recommendation is to designate the City Clerk as the Open Records Custodian and the City Manager as alternate in the City Clerk's absence. Council Member Cohen motioned to approve the Resolution designating the City Clerk as the Open records Custodian and the City Manager as alternate. Council Member Sullivan seconded the motion. Approved 4-0.

PUBLIC HEARING, Development Regulation Amendment, DRA-12-001, Plat Acceptance – TABLED.

City Flag/Banners – TABLED.

EXECUTIVE SESSION: TO DISCUSS LEGAL, REAL ESTATE AND/OR PERSONNEL – Council Member Sullivan motioned to enter Executive Session at 8:30 p.m. Council Member Gajewski seconded the motion. Approved 4-0.

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

ADJOURNMENT: Council Member Cohen motioned to adjourn. Council Member Gajewski seconded the motion. Approved 4-0.

Gary Pirkle, Mayor

Jane Whittington, City Clerk