

**CITY OF SUGAR HILL
COUNCIL MEETING MINUTES
MONDAY, JUNE 10, 2013, 7:30 P.M.
CITY HALL
5039 WEST BROAD STREET
SUGAR HILL, GEORGIA**

CALL TO ORDER - The meeting was called to order by Mayor Pro Tem Susie Gajewski. Mayor Gary Pirkle was not present. Present were Council Members Marc Cohen, Steve Edwards, Curtis Northrup and Mike Sullivan. Also present were City Manager Bob Hail, City Clerk Jane Whittington, City Attorneys Frank Hartley and Lee Thompson.

**PLEDGE OF ALLEGIANCE TO THE FLAG
INVOCATION** – given by Council Member Edwards.

APPROVAL OF AGENDA – Council Member Cohen motioned to table item #4 Old Business RZ-13-003 JW Trucks without prejudice and approve the agenda as amended. Council Member Edwards seconded the motion. Approved 4-0.

APPROVAL OF MINUTES – Council Meeting May 13, 2013, Work Session May 6, 2013, Council Member Cohen motioned to approve the Minutes as written. Council Member Sullivan seconded the motion. Approved 4-0.

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

CITIZENS AND GUESTS COMMENTS – the new Commander of the North Precinct Major Eric Edkins introduced himself and gave a summary of his background. He is glad to be in this area and if anyone needs to reach him just call the North Precinct and he will be glad to help out in any way they can. The Council welcomed him.

CONSENT AGENDA

**MGAG Resolution for Hedging
Sale of City Public Land, 1305 Hidden Circle**

Mayor Pro Tem Gajewski explained the two items on the Consent Agenda. They were discussed at the Work Session. The MGAG Resolution allows the City Manager to hedge or purchase natural gas through MGAG up to three years ahead. The sale of public land 1305 Hidden Circle allows the City to sell this property for \$31,000. Council Member Edwards motioned to approve the Consent Agenda. Council Member Cohen seconded the motion. Approved 4-0.

OLD BUSINESS

PUBLIC HEARING, Zoning Ord. Amendment, Green Infrastructure – Director Awana explained that this item was heard previously by the Mayor and Council but due to advertising deadlines the public hearing needed to be held again after proper advertising. The Public Hearing was opened and

there were no comments from the public so the hearing was closed. After discussion regarding signage and neon signs, the Council agreed to delete iii (Internally illuminated signs are prohibited, page 10.12) and do not delete ii (Signage shall be illuminated in the evenings with the light source shielded from motorists and pedestrians, neon signs are not allowed, page 10.11). Council Member Cohen motioned to approve Zoning Ordinance and Development Regulation Amendment, Green Infrastructure. Council Member Northrup seconded with discussion: the motion should include leave ii in do not delete and delete iii. Council Member Cohen motioned to approve with the amendment. Council Member Northrup second stands with amendment. Approved 4-0.

RZ 13-003, JW Trucks, Rezone to HM-1 and remove the 3 parcels from Town Center Overlay - TABLED

NEW BUSINESS

PUBLIC HEARING, VAR13-001 | Sugar Hill Animal Hospital Sign Variance – P&D Director Awana explained the application. Staff is recommending denial. The public hearing was opened and Dr. Hamryka spoke regarding the sign variance request. Dr. Hamryka is requesting to increase the maximum sign face area and allow an electronic multi-message sign within the Town Center Overlay at 5305 Highway 20 his current business location. He also wants to maintain an unpermitted ground sign along Old Cumming Rd frontage and exceed the total aggregate square footage for all ground signs on the property. He stated that the sign has not changed since 1993 when it was installed. There was no permit on record with Planning and Development but Dr. Hamryka stated that he thought that the sign contractor had permitted the sign. No one spoke in opposition so the public hearing was closed. Council Member Sullivan motioned to accept VAR-13-001 including the application for an electronic reader board sign on Highway 20 and to allow the sign to stay on Old Cumming Highway. Council Member Cohen seconded the motion. Approved 4-0.

PUBLIC HEARING, VAR13-002 | 4335 Creek Park Dr. Retaining Wall and Easement Encroachment – Director Awana explained the variance application. The City received an application from Russ Morgan a representative of the property owner Community Bank Trust for the property located at 4335 Creek Park Dr. They are requesting to allow an existing retaining wall with a height of 4.2 ft. to remain without the required engineer's certification and allow two unpermitted retaining walls to encroach within a 10 ft. drainage easement surrounding the detention facility. Since the Work Session, the planning Department has gone to the property to see what types of tanks are located at the side of the building. They are 500 gallon gasoline and 500 gallon diesel. In a separate issue the Fire Marshall will go out and inspect the tanks. Staff is recommending denial of the variance. The Public Hearing was opened and Russ Morgan spoke in favor of the variance. He stated that they would be willing to install bollards to limit access to the pond and parking on the retaining wall. The pond access is limited because of the way it is constructed. Council Member Sullivan asked if the City could put some teeth in so the access will be limited. The City Attorney, Frank Hartley, stated if you put it in the zoning conditions they can enforce it. There were no other comments for or against the variance so the public hearing was closed. Council Member Sullivan motioned to allow VAR-13-002 with conditions that the bollards be installed to limit access to both the deck and the landing area with spacing to be approved by the City Manager or Planning Director as well as to add a prohibition of storage of equipment or vehicles on the deck. The City Attorney asked for clarification of the term equipment. The motion was changed to say prohibition of storage of materials, equipment or vehicles on the deck. Council Member Northrup seconded the motion. Approved 4-0.

Correction to the 2011 & 2012 Budget – the City Manager stated that the City received notification from the Georgia Department of Audits and Accounts concerning the 2011 Audit. The state found that the line items exceeded the 3% margin. None of the departments, or the City’s Budget was in excess of the Annual Budget. Due to abnormal circumstances these issues were not reconciled at the end of the 2011 or the 2012 budget year. The recommendation is to direct the City Manager to make the appropriate ledger changes to the 2011 and the 2012 budget line items to bring expenditures within audit tolerances. Council Member Sullivan motioned to approve the recommendation. Council Member Northrup seconded the motion. Approved 4-0.

EXECUTIVE SESSION: TO DISCUSS LEGAL, REAL ESTATE AND/OR PERSONNEL – there was no executive session held.

PUBLIC ACTION TAKEN OUT OF EXECUTIVE SESSION

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

Susie Gajewski, Mayor Pro Tem

Jane Whittington, City Clerk