

**CITY OF SUGAR HILL
COUNCIL MEETING MINUTES
MONDAY, SEPTEMBER 9, 2013, 7:30 P.M.
CITY HALL
5039 WEST BROAD STREET
SUGAR HILL, GEORGIA**

CALL TO ORDER – by Mayor Pirkle. Present were Mayor Gary Pirkle, Mayor Pro Tem Susie Gajewski, Council Members Marc Cohen, Curtis Northrup and Mike Sullivan. Also present were City Manager Bob Hail, City Clerk Jane Whittington and City Attorney Frank Hartley.

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

APPROVAL OF AGENDA – Council Member Northrup motioned to approve the Agenda with tabling Old Business item #1, RZ-13-003 until the October Council meeting. Council Member Cohen seconded the motion. Approved 4-0.

APPROVAL OF MINUTES – Council Meeting August 12, 2013, Work Session August 5, 2013, Council Member Gajewski 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**

PROCLAMATIONS

National Assisted Living Week – Mayor Pirkle read the Proclamation and will present it at the Benton House this week.

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

CONSENT AGENDA

OLD BUSINESS

Public Hearing, RZ 13-003, JW Trucks, Rezone to HM-1 and remove the parcels from Town Center Overlay – **TABLED** until October meeting.

NEW BUSINESS

Charter Amendment Elections Sections 2.11 and 5.10, 2nd Adoption – there was a discrepancy between two sections of the Charter and the Posts. The names of the current Council Members are used as reference in the Charter Amendment. This is the second and final adoption. Council Member Northrup motioned to approve the Charter Amendment Election. Council Member Cohen seconded the motion. Approved 4-0.

Public Hearing, Zoning Ordinance Amendment, Article 4, Zoning Districts – Director Awana explained that this Zoning Ordinance amendment would allow auto sales under Highway Service Business (HSB) zoning classification and existing uses to obtain a Special Use Permit within the Town Center Overlay. The Public Hearing was opened and there were no comments wither in favor or in opposition so the hearing was closed. Council Member Sullivan requested that the Council consider this amendment to include BG zoning as well. The City Attorney explained that is you have any used car business in LM or in HM1 they would become non-conforming uses. They could continue to operate but would fall into non-conforming use. The Planning Director was not aware of a business that would be included in this. Council Member Sullivan made a motion to take the staff recommendation to make this Zoning Ordinance Amendment to require a Special Use Permit within the Town Center Overlay and allow auto sales in HSB and BG zoning and that we will move LM and HM1as well. Council Member Gajewski seconded the motion. The City Attorney stated that the motion needs to clarify that this includes title pawns and pawn shops as recommended by the Planning Commission. The second was withdrawn. Council Member Sullivan amended the motion to include title pawn and pawn shops under the BG zoning classification. Council Member Gajewski seconded the motion. Approved 4-0.

Public Hearing, Zoning Ordinance Amendment Article 10 Overlay Zoning Districts – Director Awana explained that this Zoning Ordinance Amendment allows existing auto sales in the existing district within the Town Center Overlay. The Public hearing was opened and there were no comments in favor or in opposition so the hearing was closed. Council Member Cohen motioned to approve. Council Member Sullivan seconded the motion. Approved 4-0.

Public Hearing, SUP-13-001, 1498 Buford Hwy, Ste. C, Inland Group, LLC requesting Special Use Permit for Title Pawn Business – Director Awana explained that First American Title Lending of Georgia has requested a special use permit for a vehicle title lending business. The Planning staff recommends approval and the Planning Commission recommended approval with conditions. The Public Hearing was opened and Mr. Eric Johansen of Inland Group spoke on behalf of the applicant. They are in agreement with the conditions and will not place any wrap signs on vehicles as advertisement. The State of Georgia places a cap of 25% interest on this type of loans. No one else spoke in favor or in opposition so the hearing was closed. Council Member Sullivan confirmed with Mr. Johansen that the applicants are fine with the conditions. He recommended striking the second sentence of #4 “Except sign painted or permanently affixed to a single motor vehicle or trailer with less than six square feet face area for an aggregate total sign face area of less than 12 square feet.” Council Member Sullivan motioned to approve SUP-13-001 with striking the above stated sentence. Council Member Cohen seconded the motion. Approved 4-0.

Public Hearing, VAR-13-006, 603 Glencora Close, Fence in Corner Lot – Director Awana explained the application. This is a request to allow a six foot fence to remain in the front yard and within a drainage easement containing a pipe. An administrative variance is required for installation of a fence within a front yard and allowing a fence higher than four feet requires City Council approval. The applicant is Jamie Koppenaal. The Public Hearing was opened and no one spoke in favor or in opposition to the variance request. Council Member Northrup motioned to approve VAR-13-006 as long as the agreement that was already signed was corrected and re-executed with correct date. Council Member Cohen seconded the motion. Approved 4-0.

Public Hearing, Petition for Road Abandonment, Whitehead Dr. – Director Awana explained that staff has received a petition for abandonment of Whitehead Dr. in response to certain zoning conditions tied to the development of Bellagio Estates. The Public Hearing was opened and Ms. Soto, who lives on Silk Oak Way and backs up to this road, had some concerns about trees in the area. The Mayor requested that this be tabled and that staff check these trees.

Permit Fee Primrose – there is a moratorium on building placed by the Council at the August Council Meeting. This Ordinance removes the Moratorium and places an additional \$2,000 fee imposed on new building permits for residential structures in Primrose subdivision. Council Member Cohen motioned to approve the Ordinance. Council Member Gajewski seconded the motion. Approved 4-0.

Personnel Matter – Mayor Pirkle explained that the City Manager will retire after 13 years. He will retire June 31, 2014 and will remain as a Consultant until the end of the year December 31, 2014. Council Member Northrup motioned to approve the Consulting Agreement. Council Member Cohen 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.

Gary Pirkle, Mayor

Jane Whittington, City Clerk