

**CITY OF SUGAR HILL
COUNCIL MEETING MINUTES
MONDAY, SEPTEMBER 14, 2015, 7:30 P.M.
CITY HALL COUNCIL CHAMBERS
5039 WEST BROAD STREET
SUGAR HILL, GEORGIA**

CALL TO ORDER – Present were Mayor Steve Edwards, Mayor Pro Tem Bandon Hembree, Council Members Marc Cohen, Susie Gajewski, Curtis Northrup and Mike Sullivan. Also present were City Manager Paul Radford, Assistant City Manager Troy Besseche, City Clerk Jane Whittington and City Attorney Lee Thompson.

PLEDGE OF ALLEGIANCE TO THE FLAG

INVOCATION – given by Mayor Edwards.

APPROVAL OF AGENDA – Council Member Cohen motioned to approve the agenda as written. Mayor Pro Tem Hembree seconded the motion. Approved 5-0.

APPROVAL OF MINUTES – Council Meeting August 10, 2015, Work Session August 3, 2015 – Mayor Pro Tem Hembree motioned to approve the minutes as written. Council Member Gajewski seconded the motion. Approved 5-0.

PROCLAMATION – Charlotte Howerton – Mayor Pro Tem Hembree explained that the family of Charlotte Howerton has loaned the Historic Preservation Society many valuable historical pieces and they wanted to recognize Ms. Howerton for her accomplishments and dedication to the City of Sugar Hill. Rachel Schmalz of the Sugar Hill Historical Society read the proclamation and presented it to Bruce Howerton and family.

REPORTS

**CITY ATTORNEY
COUNCIL
MAYOR
CITY CLERK
CITY MANAGER**

CITIZENS AND GUESTS COMMENTS – Jeanne Ferguson spoke regarding the improvements at the Whitehead Rd. Intersection. She gave compliments to the crew working there.

CONSENT AGENDA

Noise Ordinance Amendment

Adopt Gwinnett County Animal Control Ordinance Amendment

The City Manager, Paul Radford, explained that the Noise Ordinance amendment is to be respectful of our citizens and accommodate them when there are construction crews near residential areas. The Animal Control Ordinance amendments were made to the Gwinnett County ordinance after careful study of committee members such as Council Member Northrup. Council Member Cohen motioned to approve the Consent Agenda. Council Member Sullivan seconded the motion. Approved 5-0.

OLD BUSINESS

NEW BUSINESS

Public Hearing, RZ-15-006, Tax Parcel R7-254-026, 9.9 Acres George Richards, V.P. with CPRT HE, LLC, requesting to rezone the property located on Brogdon Road from LM to HM-1 for Equipment Rental Sales & Service – Planning Director Awana explained that the city received an application from George Richards, Vice President of CPRT HE, LLC to rezone the 9.9 acres from light manufacturing (LM) to Heavy Manufacturing (HM-1). They also requested a variance to allow metal as a building material. The property is currently vacant. Much of the city's HM-1 zoning is concentrated on Brogdon Rd. so the proposed business is consistent with surrounding development and the City's Land Use Plan. The Planning Commission recommended approval of the rezoning to HM-1 and the variance to allow metal siding with four conditions. The public hearing was opened and Willard Neil from Lithia Springs spoke in favor of the application. There were no other comments so the hearing was closed. Council Member Cohen motioned to approve RZ-15-006 with the four staff conditions and approving the variance to allow metal building material. Council Member Sullivan seconded the motion. Approved 5-0.

Public Hearing, RZ-15-007, Tax Parcel 7-290-027A, 23.73 Acres Mitch Peavy with Mill Creek Consulting c/o Spartan Investors I, LLC requesting to Change the Conditions of Zoning for the property located at 856 Level Creek Rd., currently zoned RS-100/CSD – the Planning Director explained that the city received an application from Spartan Investors I, LLC for a change in conditions for 23.73 acres. The property was annexed and rezoned to medium density single family residential/conservation district (RS-100/CSD) per AX-13-002. The applicant requests to change the CSD concept plan for the pool and gazebo to be optional and to add common area maintained by the HOA along the rear of all proposed lots. The Planning Commission recommended approval with one condition (Subdivision preliminary plat shall substantially resemble the attached concept plan dated 7/31/15). Staff recommends approval with five conditions. The public hearing was opened and Mitch Peavy, 4480 Commerce Drive, Buford, spoke for the applicant. They are requesting this change to allow more flexibility. The market may not call for a pool and they don't want to build it if the residents don't want it. One of the questions the Council had for the applicant after the Work Session was what amount would the homeowners fees be with a pool and without a pool. Mr. Peavy stated that because there are only 51 lots the cost could be \$1,250 per month with a pool and \$400 without.

Ron Biggerstaff, 485 Chandler Ct., Sugar Hill asked what regulation does planning use for conservation. Director Awana explained 40%.

There were no other comments so the hearing was closed. Council Member Cohen motioned to approve RZ-15-007 with the modification of condition #4 of AX-13-002 as follows: subdivision preliminary plat shall substantially resemble the attached concept plan labeled Exhibit 1. If active amenity is not included, the area shall remain open space and any development would require design, review, and approval by the Planning Director. Mayor Pro Tem Hembree seconded the motion. Approved 5-0.

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

PUBLIC ACTION TAKEN OUT OF EXECUTIVE SESSION – the meeting was reconvened and there was no action taken out of Executive Session.

ADJOURNMENT – Council Member Northrup motioned to adjourn at 9:03 p.m. Council Member Gajewski seconded the motion. Approved 5-0.

Steve Edwards, Mayor

Jane Whittington, City Clerk