

**CITY OF SUGAR HILL
COUNCIL MEETING MINUTES
MONDAY, APRIL 13, 2015, 7:30 P.M.
CITY HALL COUNCIL CHAMBERS
5039 WEST BROAD STREET
SUGAR HILL, GEORGIA**

CALL TO ORDER – by Mayor Edwards. Present were Mayor Steve Edwards, Mayor Pro Tem Brandon Hembree, Council Members Marc Cohen, Susie Gajewski, Curtis Northrup and Mike Sullivan. Also present were City Manager Paul Radford, Assistant City Manager Troy Besseche and City Attorney Frank Hartley. City Clerk Jane Whittington was not present.

PLEDGE OF ALLEGIANCE TO THE FLAG

INVOCATION – given by Mayor Edwards.

APPROVAL OF AGENDA – Council Member Gajewski motioned to amend the Agenda to take the Home Spun CBD Design Review of their signs off of the table and add to Old Business as the second item, and to approve the Agenda as amended. Council Member Cohen seconded the motion. Approved 5-0.

APPROVAL OF MINUTES – Council Meeting March 9, 2015, Work Session March 2, 2015, Special Called Meeting March 20, 2015 – Council Member Cohen motioned to approve the Minutes as amended. Mayor Pro Tem Hembree seconded the Motion. Approved 5-0.

REPORTS

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

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

CONSENT AGENDA

OLD BUSINESS

Planning Commission Appointments – Council Member Cohen motioned to approve the appointment of Julie Adams to serve as Post 3 and Jeremy White to serve as Post 4 of the Planning Commission. Council member Sullivan seconded the motion. Approved 5-0.

Home Spun 5192 Nelson Brogdon Blvd. Central Business District Design Review to permit two wall signs. Council Member Sullivan motioned to approve the signs as presented. Council Member Cohen seconded the motion. Approved 5-0.

NEW BUSINESS

Public Hearing, RZ-15-002, Dr. Hamryka, 5301 Cumming Hwy., – the Planning Director explained that this property is adjacent to the property already owned by Dr. Hamryka and Sugar Hill Animal Hospital. Staff is recommending approval with one condition; the use of the property will be limited to

a veterinary office, hospital or laboratory and associated accessory uses. There was no opposition at the Planning Commission meeting. The public hearing was opened and no one spoke in opposition so the hearing was closed. Council Member Cohen motioned to approve RZ-15-002 as presented with the one condition. Council Member Sullivan seconded the motion. Approved 5-0.

Public Hearing, VAR-15-002, 187 Woods Creek Dr., Stream Buffer Variance – Planning Director Awana explained that the City received an application from Thomas Badnek on behalf of Steve Arnold requesting relief from the 75 ft. setback requirement under the Stream Buffer Protection Ordinance to install a swimming pool, concrete pool deck and wooden fence at 187 Woods Creek Drive. The proposed encroachment into the 50’ undisturbed stream buffer includes the wooden privacy fence. The proposed encroachments into the 25’ non-impervious surface area stream buffer include the in-ground swimming pool and the concrete pool deck. The staff recommendation is for denial of the requested stream buffer variance because it does not meet their allowed criteria for approval of a variance. The staff has prepared a list of recommended conditions in case the Council wishes to consider approval of the request. The public hearing was opened and the applicant Steve Arnold spoke regarding the request. Council Member Cohen motioned to approve VAR-15-002 with the following conditions: conditions one and two as submitted by staff (1) Any trees and shrubs removed from the 50’ undisturbed buffer area must be replaced in accordance with the Gwinnett County Storm Water Design Manual and approved by the Planning Director; (2) The pool deck must be constructed of permeable materials such as gravel, decomposed granite, natural stones, permeable concrete, permeable pavers, or a grass lawn; (3) Pool filter to be a cartridge type system; (4) Give review and approval authority to the Planning Director to re-orient the pool and deck to minimize the overall impact into the non-impervious buffer. Council Member Sullivan seconded the motion. Approved 5-0.

Flood Ordinance Amendment – the Planning Director explained that in order to remain eligible for FEMA’s National Flood Insurance Program (NFIP), the City must update its Floodplain Management Ordinance. Mayor Pro Tem Hembree motioned to repeal the existing, and to approve the Floodplain Management Ordinance as presented. Council Member Cohen seconded the motion. Approved 5-0.

Special Event Alcohol License – this ordinance amendment allows existing alcohol permit holders to obtain a permit for a special event and amends some language in City sponsored or co-sponsored events. Council member Cohen motioned to approve the Ordinance to amend the Alcoholic Beverage Code for Special Event Licenses. Council member Gajewski seconded the motion. Approved 5-0.

EpiCenter, Design Contract – the Assistant City Manager presented a proposal for the EpiCenter Design Development Phase Services. Council member Cohen motioned to approve the proposal from Precision Planning for professional design development services associated with the downtown mixed-use project known as EpiCenter in the amount of \$197,500. Mayor Pro Tem Hembree seconded the motion. Approved 5-0.

Municipal Gas Authority Voting Delegate – Council Member Sullivan motioned to approve the Resolution naming Paul Radford as the MGAG Voting Delegate and Troy Besseche as the alternate. Council member Gajewski seconded the motion. Approved 5-0.

Resolutions GMA Worker’s Compensation Program – the City Manager explained that these resolutions are necessary to register the City’s participation in the Georgia Municipal Association’s Worker’s Compensation Self-Insurance Fund and provide for City Officials’ coverage under the program. Council member Sullivan motioned to approve the Enrollment Resolution. Council Member Gajewski seconded the motion. Approved 5-0. Council Member Cohen motion to approve the Resolution to Authorize Elected Official Coverage. Council Member Sullivan seconded the motion. Approved 5-0.

EXECUTIVE SESSION: TO DISCUSS LEGAL, REAL ESTATE AND/OR PERSONNEL – Council Member Cohen 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 the following action was taken out of Executive Session:

Council Member Cohen motioned to approve the Sale and Purchase Agreement between the City and Larry R. Bailey for approximately .87 acres at 5228 and 5214 Nelson Brogdon Blvd. (Tax Parcels 7-306-027B and 7-306-026) in the total amount of \$150,000, and to authorize the City Manager to take all actions and execute all documents necessary to complete the transaction in accordance with the terms of the Purchase Agreement. Council member Gajewski seconded the motion. Approved 5-0.

Council Member Sullivan motioned to approve the Sale and Purchase Agreement between the City and Edwin Dale Thompson for approximately .40 acres at 4992 Nelson Brogdon Blvd. (Tax Parcel 7-292-070) in the amount of \$215,000 and to authorize the City Manager to take all actions and execute all documents necessary to complete the transaction in accordance with the terms of the Purchase Agreement. Council member Cohen seconded the motion. Approved 5-0.

Council Member Gajewski motioned to approve the Sale and Purchase Agreement between the City and John E. Cheek for approximately .62 acres at 4982 Nelson Brogdon Blvd. (Tax Parcel 7-292-071A) and 4939 West Broad Street (Tax Parcel 7-292-071) in the total amount of \$340,000, and to authorize the City Manager to take all actions and execute all documents necessary to complete the transaction in accordance with the terms of the Purchase Agreement. Mayor Pro Tem Hembree seconded the motion. Approved 5-0.

ADJOURNMENT – Council Member Cohen motioned to adjourn at 10:03 p.m. Council member Sullivan seconded the motion. Approved 5-0.

Steve Edwards, Mayor

Jane Whittington, City Clerk