

**CITY OF SUGAR HILL
COUNCIL MEETING MINUTES
MONDAY, SEPTEMBER 12, 2016, 7:30 P.M.
CITY HALL COUNCIL CHAMBERS
5039 WEST BROAD STREET
SUGAR HILL, GEORGIA**

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

PLEDGE OF ALLEGIANCE TO THE FLAG

INVOCATION – given by Mayor Pro Tem Hembree.

APPROVAL OF AGENDA – Council Member Cohen motioned to approve the Agenda as submitted. Council Member Sullivan seconded the motion. Approved 4-0.

APPROVAL OF MINUTES – Council Meeting August 8, 2016; Work Session August 1, 2016; Council Retreat August 19-20, 2016 – Council Member Cohen motioned to approve the minutes as written. Council Member Gajewski seconded the motion. Approved 4-0.

AWARDS/PRESENTATIONS/PROCLAMATIONS

REPORTS

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

CITIZENS AND GUESTS COMMENTS – Fernando Andrade spoke regarding signs around city hall should reflect that service dogs are allowed. Connectivity of sidewalks is important for citizens wanting to walk around the city especially handicapped.

CONSENT AGENDA

OLD BUSINESS

NEW BUSINESS

DDA Appointment, Oath of Office – Council Member Northrup nominated Nic Greene to be appointed the Downtown Development Authority. There were no other nominations so Mayor Pro Tem Hembree administered the oath.

Final Plat Ratification, Enclave at Hunter’s Creek, 24 lots, Level Creek Rd. – Director Awana explained that CMH Parks, Inc. has requested ratification of the final plat for the Enclave at Hunters Creek Subdivision. This development includes 24 lots for detached single family residential homes on 11.58 acres. They are ready and have worked with staff on some minor inspection issues. Council Member Cohen motioned to approve this final plat ratification. Council Member Sullivan seconded the motion. Approved 4-0

Final Plat Ratification, Hadley Township, 69 Townhome Lots, Peachtree Industrial Blvd. –

Director Awana explained that Beazer Homes requested ratification of the final plat for the Hadley Township Phase 2 Subdivision. Phase 2 of this development includes 69 townhome units on 6.4 acres. Some minor inspection items remain but they are working with staff to finalize them. Council member Northrup motioned to approve this final plat ratification. Council Member Gajewski seconded the motion. Approved 4-0.

Final Plat Ratification – Westbrook Village, 26 lots & 17 Townhomes & Westbrook Village Tract 2 (2 acres Commercial), Westbrook Rd. –

Director Awana explained that Paramount Community Builders requested ratification of the final plat for the Westbrook Village. The development contains 26 detached single family homes and 17 attached townhomes on 12.9 acres. Some minor inspection items remain to be finalized but they are working with staff to complete them. Council Member Sullivan motioned to approve this final plat ratification. Council Member Gajewski seconded the motion. Approved 4-0.

Municipal Code Amendment, Utility Right of Way Encroachment –

Director Awana explained that the city desires to establish reasonable nondiscriminatory regulations for the installation construction, maintenance, renewal, removal and relocations of utility facilities. As presented it provides for procedures of registration, notification, conditions of street occupancy, restoration of property, discontinuation of unused facilities, termination of registration and unauthorized use of public rights of way. Council member Cohen motioned to adopt the municipal code amendment, Utility Right of Way Encroachment. Council Member Sullivan seconded the motion. Approved 4-0.

MGAG Contract Amendment –

The City Attorney, Frank Hartley, explained that the Municipal Gas Authority (MGAG) requested that the member cities sign a new contract as a result of protracted litigation with one of the out-of-state member cities. The case was recently settled but MGAG is proposing changes to the structure of the Gas Supply contract to eliminate some of the ambiguity contained in several of the sections primarily regarding dispute resolution. Council Member Sullivan motioned to approve the amended and restated Gas Supply Contract by resolution as presented and authorize the Mayor to sign the documents. Council member Cohen seconded the motion. Approved 4-0.

Great Days of Service –

Council Member Cohen explained that this is a food fund raiser for the North Gwinnett Co-op to stock the pantries. The program “Give Hunger the Boot” is sponsored by the Gwinnett Municipal Association to help stock the various pantries throughout Gwinnett County. The city will facilitate programs to help raise as much food products as possible.

EXECUTIVE SESSION: TO DISCUSS LEGAL, REAL ESTATE AND/OR PERSONNEL –

Council Member Sullivan motioned to enter Executive Session. Council member Northrup seconded the motion. Approved 4-0.

PUBLIC ACTION TAKEN OUT OF EXECUTIVE SESSION – the following action was taken out of Executive Session:

Council Member Gajewski motioned to authorize the purchase of approximately 2.42 acres at 6162 Suwanee Dam Rd. (Land Lot 348, Tax Parcel 7348 001) from Richard Shelton for \$120,000 and to authorize the City Manager to take all actions necessary to execute all closing documents. Council Member Cohen seconded the motion. Approved 4-0.

Council Member Cohen motioned to authorize the purchase of approximately 4.73 acres at 6144 Cumming Highway (land Lots 346 and 347 Tax Parcel 7346-001B) from JRL Limited, LLC for \$475,000 and to authorize the City Manager to take all actions necessary to execute all closing documents. Council member Sullivan seconded the motion. Approved 4-0.

Council Member Northrup motioned to authorize the purchase of approximately 22.5 acres at 5494 Cumming Highway (Land Lot 321, Tax Parcel 7321 016 for \$122,500 per acre estimated to be \$2,756,250. The final price will be calculated from a survey to be obtained by the buyer during the inspection period. Should the buyer's survey determine the acreage to be $\frac{1}{4}$ acre more or less than the estimated 22.5 acres, the seller will have the option to engage an independent surveyor to confirm or challenge the final acreage determined by the buyer's independent surveyor. This motion also authorizes the City Manager to take all actions necessary to execute all closing documents. Council Member Cohen seconded the motion. Approved 4-0.

ADJOURNMENT – Council Member Sullivan motioned to adjourn. Council Member Gajewski seconded the motion. Approved 4-0.

Brandon Hembree, Mayor Pro Tem

Jane Whittington, City Clerk