

City of Sugar Hill Council Meeting
July 13, 1998
7:30 P.M. Community Center

The City of Sugar Hill held its regular Council Meeting on Monday July 13, 1998 at 7:30 P.M. in the Community Center. The meeting was advertised in the local papers. Notices were placed on the doors of City Hall and the Community Center. Notice was also placed on the signs located at Alton Tucker Blvd. and Peachtree Industrial Blvd. and at Nelson Brogdon Blvd and Peachtree Industrial Blvd.

Those present were: Mayor Roberta Crabb, Mayor Pro-Tem Bailey, Council Members Reuben Davis, Michael Mosley, Gary Pirkle and Tim Pugh. City Manager Warren Nevad, City Attorney Lee Thompson, Consultant Don McFarland, City Clerk Shirley Gibbs, employees, registered guests and members of the media. Absent was Assistant City Manager Scott Payne.

CALL TO ORDER:

Mayor Crabb called the meeting to order at 7:30 P.M.

PLEDGE TO FLAG AND INVOCATION:

Mayor Crabb led the Pledge to the Flag with Mayor Pro-Tem Bailey giving the Invocation.

Mayor Crabb presented Mr. Hubert Platt, owner of the Sugar Hill Drive Inn, with an award of the month. This award was for the most improved business on the outside of the structure.

APPROVAL OF AGENDA:

The following amendments were made to the agenda: Add an item for Council Reports and to insert Public Hearing for item A under New Business. Mayor Pro-Tem Bailey made a motion to approve the Agenda as amended, second made by Council Member Pugh. Motion passed unanimously. 5-0

APPROVAL OF JUNE 8TH MINUTES:

Council Member Pirkle made the motion to approve the June 8th minutes, second by Council Member Pugh. Motion passed unanimously. 5-0

5 YEAR SERVICE AWARD – ERNEST WARD:

City Manager Nevad presented Ernest Ward with a plaque for 5 years service with the City. Mr. Nevad stated Mr. Ward was a very hard worker, whether he was fixing a pothole, working on gas lines or working at the park. He felt Mr. Ward was a great role model for the other city workers.

DEPARTMENT REPORTS:

Before giving the department reports, Mr. Nevad introduced Mr. Darren Barr, who has been hired as a part time Code Enforcer. Mr. Barr was on the police force in Atlanta for 8 years. He left the force to enroll in school and take care of his twins. Mr. Barr is a veteran of Desert Storm, he is an active citizen in Sugar Hill living at 4551 South Roberts Drive. Mr. Barr stated he was glad to be the Code Enforcer and if he could do anything to help make Sugar Hill a better place to live, please let him know. Mr. Nevad gave the following department reports: Planning and Zoning issued 22 single-family permits for June and 377 inspections were conducted. Tonight they would review the feasibility of drafting a cellular tower ordinance. The ending balance in the general fund checking account was \$58,000. The City is waiting on a reimbursement from Gwinnett County for the relocation of gas lines on Sycamore Road, Buford Highway and Suwanee Dam Road. The City had paid for the upgrade from a 2 inch line to a 4 inch line on Suwanee Dam and Gwinnett County was to reimburse the City for the rest of the project. Several streets in the city had been patched as well as the golf course driveway. Highland Avenue was repaired and it will be paved under the state LARP Program. The gas department is still working on the unaccounted for gas loss which has plagued the City for the last couple of years. 45 new gas services were installed, along with 2375 feet of service line. The golf course had a fairly good month, generating over \$113,000 in

revenues. Emergency work had to be done on the pump house and the course remains in relatively good shape.

OLD BUSINESS:

A: UPDATE ON ANNEXATION STUDY:

City Manager Nevad thanked Kim Landers for all her hard work on this matter. She had prepared the letters that were sent to the prospective property owners. Interest had been generated along Brogdon Road and Buford Highway. There are still a lot of letters to be transmitted and he plans to get help for Mrs. Landers from the front office. He will keep the Council updated on this project.

B: PUBLIC NOTIFICATION ORDINANCE:

Mayor Pro-Tem Bailey stated that at last month's meeting, they had discussed amending the zoning ordinance. This amendment would require the Zoning Board of Appeals to notify adjoining property owners of requests for variances in the same manner they were notified for rezoning changes. Mr. Thompson stated this was in their packets. Mayor Pro-Tem Bailey read the ordinance as written. He then made a motion to enter Public Hearing on this matter, second made by Council Member Pirkle. Motion passed 5-0. Council Member Pirkle explained for the audience what this amendment to the Zoning Ordinance would mean to property owners. There were no comments from the Public. Mayor Pro-Tem Bailey made the motion to return to regular session, Council Member Pugh made the second. Mayor Pro-Tem Bailey made the motion to adopt the ordinance as read, second by Council Member Pirkle. Motion passed unanimously. 5-0

C: BMX PARK:

Mayor Crabb asked Mr. Thompson if he had any new information on the BMX Park. Mr. Thompson stated he had no new information. His only concern was with the form that had been received from the NBL. This form appeared to be an application to become one of their parks with a contractual agreement of 3 years. At the last meeting there had been an indication that Mr. Chris Robertson and a non-profit group he would be forming would be the ones to lease the property at the maintenance facility from the City. It was his understanding that Mr. Robertson was going out to flag an area at the maintenance facility and representatives from the National Bicycle League would come down to have a look at the area. He had not heard anymore from them until he saw the article in the paper indicating additional money from the City would be required. It was his understanding that the Council would discuss other options. Besides trying to get in touch with someone regarding the wording of the contract, he had not pursued this issue further. Mayor Pro-Tem Bailey asked Mr. Robertson to come forward. Mayor Pro-Tem Bailey asked Mr. Robertson if it were true that he, Mr. Robertson, would be unable to form the non-profit organization that Mr. Thompson had referred to. Mr. Robertson stated this was correct. Mayor Pro-Tem Bailey then asked if the option at this point in time was to ask the City to become the operator of the BMX Park. Mr. Robertson stated this was also correct. Mayor Pro-Tem Bailey went on to say that in previous conversations with Mr. Robertson, the Council had indicated they would have no problem entering into a dollar a year lease agreement with Mr. Robertson and his organization. The City itself did not want to be the operator of the BMX Park. Mayor Pro-Tem Bailey stated the Mayor and some members of the Recreation Board had visited other bike parks in the area and were very impressed with them. He then asked Mr. Robertson if he would have any objections to turning this over to the Recreation Board. Mr. Robertson responded that he would rather the Recreation Board run this operation. Mayor Pro-Tem Bailey stated the Recreation Board already handles sanctioned softball leagues, taking profits from this and putting it back into the park for improvements. Mr. Robertson responded it would be the same with the BMX Park. Mayor Pro-Tem Bailey then inquired about the amount of land needed for this park. It was his understanding that there was an area at E.E. Robinson Park that might be more suitable than the area located at the maintenance facility. Mr. Robertson answered this would be a better place since parking, restroom facilities and concession stands were already available. This would help cut down on costs. Mayor Pro-Tem Bailey stated he would have no problem letting the Recreation Board pursue this operation if they so desired. He asked Mr. Thompson if there would be any action needed from the Council. Mr. Thompson replied that he thought the Recreation Board was not a separate entity and could not enter into contractual agreements, so action by the Council would be necessary. Council Member Pirkle expressed his concerns regarding this project since they had no site plans or cost estimates. He stated there was a

member of the Recreation Board present at the meeting. She had indicated the Recreation Board had not discussed this idea. He felt there was nothing the Council could do unless the Recreation Board wanted to take on this responsibility. Mayor Pro-Tem Bailey agreed that the Recreation Board should deliberate on this and decide if it was something that they wanted to do. Mayor Pro-Tem Bailey made a motion that this item be turned over to the Recreation Board for consideration and ask its chairman to call a meeting and duly advertise this meeting. Council Member Pirkle felt no action was needed on the part of the Council. Council Member Pugh asked if the Recreation Board considered this and liked the idea would it have to come back to the Council. The answer was yes because the Recreation Board was not a separate entity and the City would have to approve any contract agreements. The Mayor then read a letter from Hughes Construction stating he would like to donate this company's time and equipment to clear the area to be designated as a bike park. Mayor Pro-Tem Bailey suggested they pass this along to the Recreation Board for their consideration. There was no need for action on this item at this time.

D: 1997 AUDIT:

Information for this item was incomplete. Council Member Pirkle made a motion to table this item, second by Council Member Davis. Motion passed unanimously. 5-0

CITIZEN'S AND GUEST'S COMMENTS:

Meg Avery spoke on behalf of the Recreation Board. She stated that as a member of the Recreation Board, she was totally unaware of the site under consideration at the park, this is the first she has heard of this. She had been unable to attend the June 22, 1998 meeting of the Recreation Board due to being out of town. Upon her return, she called to find out what went on at the meeting, she was informed that the meeting was canceled because only 2 members showed up. Due to the growth of recreation going on in Sugar Hill, she felt the Council should consider adding one or two more members to the Recreation Board. If they were going to take on more responsibility they would need more members. She also was unaware of any Recreation Board members visiting other BMX sites. She did not recall being asked to go look at any BMX sites at a certain day or time. She was glad it was tabled and being turned over to the Recreation Board for further discussion. In the discussion the Recreation Board had, they were very concerned about the money involved. She knew that BMX did provide some of the money but a great deal more money is involved. From what she had read in the paper, she knew the Council had turned down the area next to the city barn because of the cost. She was not sure if the Recreation Board would be able to handle the cost. She agreed it was something the Recreation Board should discuss, make recommendations to the Council and keep everyone informed.

Council Member Pugh asked if the Mayor would give the Recreation Board members directions to some of these BMX sites in order for all of them to visit.

NEW BUSINESS:

**A: AX-98-003 TAX ID 7-253-031-RICHARD DUGAS-REQUEST
FOR CLARIFICATION TO ANNEX AND TO REZONE 19.195
ACRES FROM HM1 TO RM FOR TOWN HOME DEVELOPMENT:**

Mr. McFarland stated this is an annexation and rezoning request. After extensive research, it was felt the property was already in the city limits but in order to make things more clear it was decided they should go ahead and annex it again. The Planning Commission had heard this, principally the rezoning and annexation, last month. The Planning Commission recommended this property be annexed at its current zoning classification, which is HM1. However, the Planning Commission did not recommend the approval of a rezoning to a RM category and recommended denial of this rezoning. It was his understanding that Mr. Dugas had requested the application for rezoning portion be tabled. The City of Suwanee Planning Commission had heard the rezoning request on the portion of this property that is inside their city limits and had denied the request. After some questions from the Council Members, Mayor Pro-Tem Bailey made the motion to go into Public Hearing to hear AX98-003, second made by Council Member Pirkle. Motion passed unanimously. 5-0

Public Comments included the following:

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Andy Bellflower, representing the applicant, stated that they were requesting a deferral until the next hearing. This would give them time to work with the property owners and with the Council. If they wanted to go ahead with the annexation that would not be a problem.

Chris Abrahamson, who lives in Abbey Hill, was there to speak against the rezoning. Since that portion was being tabled, she had no objections to the annexation.

Joe Herrera of 1032 Secret Trail asked where exactly this property was located. Council Member Mosley explained that this property is located to the right off Peachtree Industrial Blvd just before you get to Suwanee Dam Road.

There were no other comments from the public. Mayor Pro-Tem Bailey made a motion to return to regular session, second made by Council Member Mosley. Motion passed unanimously. 5-0. Mayor Pro-Tem Bailey made a motion to approve the annexation at its current HM1 zoning and to table the request for rezoning. Council Member Davis made the second, motion passed unanimously. 5-0

B: ACCEPT ANNEXATION APPLICATION AX 98-004-PART OF ONGOING ANNEXATION PROGRAM:

Mr. McFarland explained where this property was located on Highway 20, it is part of the Twin Creeks Development. Council Member Pugh made the motion to accept this annexation application, second made by Council Member Pirkle. Motion passed unanimously. 5-0

C: CELLULAR TOWER ORDINANCE DISCUSSION:

Council Member Pugh stated he had read in the paper where Suwanee had amended their cell tower ordinance. He felt Sugar Hill should draft an ordinance that would limit the height of cell towers and other issues dealing with cell towers. There was some discussion on this item. Council Member Pugh made the motion to have Mr. Thompson draft a cell tower ordinance for the City, second made by Mayor Pro-Tem Bailey. Motion passed unanimously. 5-0

CITY CLERK'S REPORT:

Clerk Gibbs reported she had been preparing a list of businesses for Code Enforcer Barr so he could determine why they had not renewed their license.

CITY MANAGER'S REPORT:

City Manager Nevad reported there would be a Job Fair on Thursday, July 16, 1998 from 6:00 p.m. until 8:00 p.m.. He invited the public to attend if they had an interest in working with the City. He thanked all the people who had helped with the 4th of July Parade and festivities at the park. He felt everyone had a good time and they would do it again next year.

COUNCIL REPORTS:

Council Member Pirkle had nothing to report.

Council Member Mosley thanked Mr. Gordon Durham and his organization for all their hard work on the 4th of July festivities. He was concerned about vandalism that had occurred on Level Creek Road at the elementary school and on street signs. Even at Christmas, lights at the park had been stolen. He found it very hard to believe that no one had heard or seen any of this going on. No one had made a call to Gwinnett County Police. He felt the citizens of Sugar Hill should start paying more attention to what was going on and start making calls to the Police Department.

Council Member Davis also wanted to thank Mr. Durham for all the hard work he had put into the parade and 4th of July festivities. Mr. Durham had said it would be bigger and better next year and Mr. Davis was looking forward to this. He felt the City should present Mr. Durham with a plaque of appreciation for all he has done for the City.

Mayor Pro-Tem Bailey had nothing to report.

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Council Member Pugh stated there were problems with homes in 3 different locations in the City. He and Mr. Barr had looked at these homes and they were in bad shape. The trailer they had looked at was unlivable in the best of conditions. The lot had grown up and it was becoming a hazard to people's health. As far as he could find out, the owner had left and there was no way to get in touch with him. He wanted Mr. Thompson to see about having these places condemned. Mr. Barr stated he had found out the owner of the property located on Railroad Avenue lives in Hiawassee and was in the process of trying sell it. He did not know about the trailer.

Mayor Crabb thanked Mr. Durham, the Knights, the Enterkins, the Williams and any others that had worked so hard on the 4th of July festivities. She thanked the Council for working together and she encouraged everyone to come out to the Job Fair on Thursday, July 16, 1998.

Mayor Pro-Tem Bailey made a motion to adjourn to go into Executive Session to discuss possible litigation, second made by Council Member Mosley. Motion passed unanimously. 5-0
Time 8:10 p.m.

**EXECUTIVE SESSION:
POSSIBLE LITIGATION:**

ADJOURNMENT:

No action was taken out of Executive Session. Mayor Pro-Tem Bailey made the motion to adjourn the meeting, second by Council Member Mosley. Motion passed unanimously by those present. 4-0

Meeting adjourned at 10:15 p.m.