

AGENDA  
COUNCIL MEETING  
MONDAY, JUNE 12, 1995 - 7:30 P.M.

CALL TO ORDER, PLEDGE TO FLAG, AND INVOCATION:

APPROVAL OF AGENDA:

APPROVAL OF MAY 8, AND MAY 15, 1995 MEETINGS:

COMMITTEE REPORTS:

- A) PLANNING AND ZONING, ZONING APPEALS BOARD: DODD
- B) RECREATION BOARD: DAVIS
- C) BUDGET AND FINANCE: GARBUTT
- D) SOLID WASTE: STANLEY
- E) ECONOMIC DEVELOPMENT: SPRADLIN
- F) GOLF AND WASTE WATER TREATMENT: BAILEY

CITIZEN'S AND GUESTS COMMENTS:

JOHN GUTHRIE-PEACHTREE RIDES:

OLD BUSINESS:

- A) REPORT ON MID-AMERICAN: THOMPSON
- B) UPDATE ON CONSENT ORDER: NEVAD
- C) UPDATE ON CLUB HOUSE: NEVAD
- D) UPDATE ON CITIZEN'S ADVISORY COUNCIL: NEVAD
- E) UPDATE ON SOLID WASTE MANAGEMENT PLAN: NEVAD
- F) UPDATE ON HIGH PRESSURE GAS LINES: CROWE
- G) UPDATE ON WATER DISTRIBUTION SYSTEM: NEVAD

NEW BUSINESS:

- A) CDBG RESOLUTION 1994-1996: NEVAD
- B) SAWNEE ELECTRIC CONTRACT: NEVAD
- C) MAY 1995 EMPLOYEE OF THE MONTH: NEVAD
- D) PRISON CREW CONTRACT: NEVAD
- E) REPORT ON LAW FOR LIQUOR BY THE DRINK: GARBUTT
- F) APPOINTMENT OF MEMBER OF ZONING APPEALS BOARD:

CITY CLERK'S REPORT:

CITY MANAGER'S REPORT:

COUNCIL REPORTS:

CITIZEN'S AND GUEST'S COMMENTS:

EXECUTIVE SESSION:

ADJOURNMENT:

**CITY OF SUGAR HILL  
COUNCIL MEETING MINUTES  
JUNE 12, 1995 - 7:30 P. M.**

The Mayor and Council of the City of Sugar Hill met for their Regular Monthly Meeting on Monday, June 12, 1995 at 7:30 P.M. in the Community Service Building.

Those present were: Mayor Gary L. Webster, Mayor Pro Tem Reuben Davis, Council Members Steve Bailey, W. J. Dodd, Charles Spradlin, and Jim Stanley, City Manager Warren P. Nevad, City Clerk/Finance Director Betty B. Garbutt, Development Director Ken Crowe, Administrative Assistant Kim Landers, Wastewater Superintendent Donna Zinskier, Utilities Director Billy Hutchins, numerous citizens, other guests and representatives of the news media.

Mayor Webster called the meeting to order, led in the Pledge to the Flag and Council Member Dodd gave the invocation.

Council Member Bailey made a motion to approve the Agenda, seconded by Council Member Dodd and unanimously approved. (5-0)

Council Member Bailey made a motion to approve the May 1995 Minutes, seconded by Council Member Dodd and approved unanimously. (5-0)

**COMMITTEE REPORTS:**

**A) PLANNING AND ZONING, ZONING APPEALS BOARD: DODD**

Council Member Dodd reported the P & Z Board met on May 22, 1995 and discussed what is happening in Sugar Hill.

He also reported that the Appeals Board met on this same date to review a variance request. After discussion, Variance Request #95-464 from Ringo and Abernathy requesting a 5' front and a 5' rear reduction on lot 137A at Regency Place was approved.

**B) RECREATION BOARD: DAVIS**

Spring softball has ended and Summer leagues will begin. Council Member Davis reported some maintenance work has been done at the park and also ways to prevent vandalism at the park are being investigated.

**C) BUDGET AND FINANCE: GARBUTT**

Finance Director Garbutt advised Council that the report was in their packet and she would answer any questions. (see report)

**D) SOLID WASTE: STANLEY**

Council Member Stanley reported that the attorneys continue to work to resolve some of the issues, specifically to return the property deeded to the City by Mid-American. Attorney Thompson advised the City by letter that ethically and legally he should communicate with the attorneys of Mid-American and since

Mid-American is having some difficulty with their legal staff at their home office, he suggested that the City may desire to wait a short period of time to see if matters stabilize with Mid-American before conducting additional negotiations regarding the final provisions of any agreement regarding closure of the landfill.

**E) ECONOMIC DEVELOPMENT: SPRADLIN**

Council Member Spradlin reported the EDC held a meeting on Tuesday, May 23 at the community center.

The results of the survey, mailed by the EDC, provided them with some very interesting information. There were 689 responses with 489 or 71% answered affirmatively to the question "Do you feel that liquor by the drink would benefit Sugar Hill?" and 661 residents responded to the question "Would you be in favor of a commuter rail depot in Sugar Hill?" with 361 or 54% opposed to the idea.

The EDC expresses their gratitude to everyone who responded to the survey and that they will continue to listen to the citizens.

He also reported that twelve (12) different businesses inquired about the possibility of locating in Sugar Hill.

He asked that some additional packets be made available for the EDC to use, containing all information pertinent to their committee, for current and future members.

He announced the resignation of Wayne Schumacher from the EDC due to the enormous amount of travel required for his employment. He requested a letter be sent to Mr. Schumacher from the Council thanking him for his service to date. He nominated Mr. Larry Bailey to fill the unexpired seat vacated by Mr. Schumacher. Council Member Dodd seconded the nomination which passed by unanimous vote.

**F) GOLF AND WASTE WATER TREATMENT: BAILEY**

Council Member Bailey reported another record month for the Golf Course. Overall revenues were up for the year by 3.78%. He reported more interest in scheduling tournaments and corporate outings since construction began on the Club House.

The Treatment Plant continues to operate well, and bids are being received for the lift station and force main for the Club House.

He expressed concern that the sewer capacity will be reached sometime next year and there are areas which need to be connected to the sewer lines. There will be approximately \$450,000.00 in funds needed for the proposed infrastructure. (see attached report)

**CITIZEN'S AND GUEST COMMENTS:**

Mr. John Guthrie of Peachtree Rides requested that his company be allowed to set up rides in the parking lot at Quality Foods for a period of two (2) weeks. He presented a letter from Mr. Marc Winchester, a member of The Scottish Rite fraternal organizations and Tall Cedars of Lebanon, stating they have used Peachtree Rides to help raise monies for support of the fight against Muscular Dystrophy. Mr. Guthrie reported that they run a

very safe, clean business and give 20% of their profit to this worthwhile organization. Council Member Spradlin asked for more verification from Scottish Rite.

Mayor Webster informed Mr. Guthrie that this matter came before the Council at the May meeting and it was unanimously approved by Council to endorse the decision made by the Planning Director and City Manager not to allow outdoor carnivals and entertainment in the City of Sugar Hill.

This matter was discussed at length with a motion being made by Council Member Spradlin, seconded by Mayor Pro Tem Davis. This issue was discussed concerning going before the Zoning Board. Council Member Dodd made a motion to table the motion until the July Meeting, seconded by Council Member Spradlin and unanimously approved. After more discussion on the pros and cons, with the Council not wanting to usurp the power of the Appeals Board, it was determined that Mr. Guthrie should start the process by going through the P & Z Appeals Board and following all channels to appeal the decision on the issue.

Mr. Dave Edwards thanked the citizens for the response that the EDC received from the questionnaires. He appreciates the time taken to return the questionnaires. He expressed appreciation to Manager Nevad for his quick action concerning the clean-up of property in Sugar Hill.

Mr. Herb Payne reported on the progress of the Citizens Advisory Council. The Council mailed out a questionnaire and they are presently being received. He asked that citizens continue to send in the questionnaires and comments. He spoke with Mike Warrix and he is preparing for a meeting on reduction of waste.

#### OLD BUSINESS:

##### A) REPORT ON MID-AMERICAN: THOMPSON

Attorney Thompson was not present. Council Member Stanley addressed this during his report earlier in the meeting.

##### B) UPDATE ON CONSENT ORDER: NEVAD

Manager Nevad reported the City is awaiting formal approval from E.P.D. on the Groundwater Monitoring Plan. After approval, the City will have 90 days to install the system. Methane Monitoring Wells have been installed at the Landfill, and the engineers seem to be optimistic with our objective of meeting the State's Consent Order. Gary Simpson was present to answer any questions.

##### C) UPDATE ON CLUB HOUSE: NEVAD

The Contractors have poured the foundation, installed plumbing, and completed the framing of the walls. The contractors have been notified in writing that this project must be completed by September 22, 1995 and they have implemented our building inspector's recommendations regarding proper foundation settling.

**D) UPDATE ON CITIZEN'S ADVISORY COUNCIL: NEVAD**

A survey was mailed by the Advisory Council and the replies are being received. Questions deal with recycling, waste reduction and disposal. The Advisory Council will review these comments at their June 16, 1995 meeting where they will address waste reduction measures. Mr. Payne is here tonight if he wants to add anything.

**E) UPDATE ON SOLID WASTE MANAGEMENT PLAN: NEVAD**

Mike Warrix has informed us that Mayes, Suddereth, and Etheridge has obtained soil survey maps and began preparing land limitation maps. The firm has updated various demographic information contained in the previous draft plan such as population projections, waste amounts and per capita waste generations. They are also assisting the Advisory Council with the survey and waste reduction draft. Council Member Spradlin asked several questions concerning the soil survey maps and land limitations maps. This was discussed by Council Member Stanley and Manager Nevad and they answered these questions to Council Members Spradlin's satisfaction.

**F) UPDATE ON HIGH PRESSURE GAS LINES: CROWE**

Director Crowe reported that staff is requesting approval to move forward with improvements to the high pressure gas line from the city gate to the Level Creek Road area. It doesn't appear that this can be a project which can be phased, but must be done all at one time. It will serve areas which are experiencing fast growth. He also reported that ways to finance have been reviewed, namely a loan from MGAG. Widening of Suwanee Dam Road area and relocating of the existing lines was discussed. Mr. Crowe reported that this project is a stand alone project and not included with the relocating of lines on Suwanee Dam Road which will be done by the County. Council Member Dodd made a motion to proceed with placing this project out to bid, Council Member Spradlin seconded the motion. There was much discussion concerning the financing of the project, with Manager Nevad giving several options stating there was \$278,000 in the Renewal and Replacement Account giving what has been spent with approximately \$200,000 left in the R & R Accounts. Council Member Stanley objected to having contractors make a bid before financing was established. Council Member Stanley asked that the motion be amended to include reserving \$150,000 of the R & R account for partial financing of the improvements to the Gas System. Council Member Spradlin asked that the financing come under a separate motion. After more discussion the vote on the Dodd motion was unanimous. (5-0) Council Member Dodd made a motion to make application to MGAG for financing of \$100,000. Manager Nevad recommended that the project be placed out for bids and the financing be discussed at the July Budget Workshop. Council Member Dodd withdrew his motion. Council Member Stanley made a motion that the project be financed by making application immediately to MGAG for \$100,000 on a one (1) year term and make a commitment for \$150,000 of R & R funds to be used for this project and if needed, to be looked at after the bids are in for more financing. Council Member Spradlin seconded the motion for discussion. After discussion, those voting for were Council

Member Bailey, Dodd, and Stanley, Council Member Spradlin voted against and Mayor Pro Tem Davis abstained. The motion passed on a vote of three to one (3-1)

**G) UPDATE ON WATER DISTRIBUTION SYSTEM: NEVAD**

Manager Nevad reported since the May meeting the City has looped a 2 inch line on Old Suwanee Road to an 8 inch off of Owen Circle. The City has opened the valves at Old Cumming and Hwy. 20, and also at Shoneys. Trial and error adjustments are being made to our water pressure. Staff believes that since we have old transite and series 200 pipes we could experience water leaks at more frequent levels so that is why the trial and error is being done. The water tanks were drained to rely on county pressure. The City is surveying and meeting with residents who live where they have service mains of 2 inch or less. Staff will have more specific answers at the next meeting. Manager Nevad suggested that the City amend the development regulations to require developers to install 8 inch service mains and fire hydrants less than 450 feet apart. Council Member Stanley gave a visual demonstration on the pressure of the Water System and how it works during high and low peak periods. He also stated that the elevated water tanks serve only the purpose of holding up the City of Sugar Hill sign. Public Services Superintendent Hutchins answered any questions asked concerning the pressure on the lines and valves.

**NEW BUSINESS:**

**A) C.D.B.G. RESOLUTION 1994-1996: NEVAD**

Manager Nevad reported that this resolution extends the City 1994 Sub-recipient Agreement relating to improvements at Pass Court to June 1996. He requested a motion to authorize the mayor to sign this extension. Council Member Bailey made a motion to adopt Resolution 95-6, seconded by Council Member Dodd and passed unanimously. (5-0)

**B) SAWNEE ELECTRIC CONTRACT: NEVAD**

Manager Nevad reported that this contract contains a heavy large user industrial rate for our single electric metering point at the Wastewater/Golf Course Complex. Currently, we pay a large user general rate which is about 20% higher than the proposed rate. This agreement would be in force as soon as the Club House is operational. Staff request a motion to authorize the Mayor to sign this contract. Council Member Dodd made a motion to authorize the Mayor to sign the contract. The motion was seconded by Mayor Pro tem Davis and passed unanimously. (5-0)

**C) MAY 1995 EMPLOYEE OF THE MONTH: NEVAD**

Manager Nevad reported that Mrs. Kim Landers was chosen as May 1995 Employee of the Month. She has been an employee of the City for five (5) years and is a great team player. Mrs. Landers was presented a Plaque and a cash award. Mrs. Landers thanked the Mayor and Council and staff.

**D) PRISON CREW CONTRACT: NEVAD**

Manager Nevad reported that this is the annual renewal of the Prison Crew Contract for three (3) crews. The fee of \$23,000 for each crew of ten (10) inmates and terms remain unchanged. He requested a motion to authorize the Mayor to sign the Contract. Council Member Spradlin made a motion to authorize the Mayor to sign the contract, seconded by Council Member Dodd. Council Member Bailey asked if a new vehicle would need to be replaced for the crews, and Manager Nevad reported that Wilbert Hyde does a excellent job keeping the equipment in good repair. The vote was unanimous.(5-0)

**E) REPORT ON LAW FOR LIQUOR BY THE DRINK: GARBUTT**

Clerk Garbutt reported that Governor Miller signed HB 680 creating Act #366, on April 18, 1995, which gives any governing body, where Liquor not sold by the drink is legal, to call for a Referendum to be placed on the ballot of the next election. This act will become effective on July 1, 1995. Council Member Stanley asked if it changed the law about package sales. Clerk Garbutt told it did not change the law. He asked that the issue be placed on the agenda for the next meeting. The pros and cons of a special election were discussed.

**F) APPOINTMENT OF MEMBER OF ZONING APPEALS BOARD: DODD**

Council Member Stanley stated that Mr. Clyde Story has indicated a desire to serve in this capacity and he nominated Mr Story for the unexpired term of Mr. Kevin Pugh. The motion passed on a vote of Council Members Stanley and Spradlin voting for and Council Member Dodd voting against.( 2-1)

**CITY CLERK'S REPORT:**

Clerk Garbutt stated that the report was in the Council Packets and she asked that a work session be called for a review of the 1994 Audit. The session was scheduled for Thursday at 7:00 P.M. in the Community Center.

**CITY MANAGER'S REPORT:**

Manager Nevad expressed the City's well wishes to Mr. Bill Parker, a meter reader who resigned to enter into the travel business. The City will miss Bill.

A street light was installed at the Sugar Hill Convenience Store to improve security.

A sewer study to address the feasibility of central sewer service along the PIB corridor has begun.

The Pass Court project is being finished and the City will apply for reimbursement.

The rest of the report is in the Council Packets. (see report)

**COUNCIL REPORTS:**

Council Member Dodd reported he has talked with the County concerning the water improvements and thanked the City Manager for acting to bring the lines up to standards.

There were no further comments from the Council.

**CITIZEN'S AND GUEST'S COMMENTS:**

Mr. Herb Payne complained about the discussion on the upgrade of the Gas System. He stated he felt that the Council did not have the needed information to warrant spending over \$300,000. The action taken was defended by the Mayor and Council. Council Member Stanley stated this project has been discussed for over two (2) years and the governing authority feels it is a very needed project. There was two (2) projects discussed with financing being the major issue of the projects. Mr. Payne hopes that items will be kept in priority order. He also was concerned that the sewer capacity may be out by next year.

**EXECUTIVE SESSION:**

Council Member Bailey made a motion at 8:50 P.M. to enter into Executive Session to discuss personnel and disposal of real property. The motion was seconded by Council Member Stanley and passed on a vote of Mayor Pro Tem Davis, Council Members Bailey, Dodd and Stanley voting for, and Council Member Spradlin abstained. (4-0)

Mayor Webster called for a ten (10) minute recess.

The Executive Session ended at 9:20 P.M. Council Member Dodd made a motion to transfer the Compliance Officer from the City Manager to the City Clerk. Council Member Bailey seconded the motion which passed unanimously of those present. (4-0) Mayor Pro Tem Davis had to leave prior to the vote for a prior commitment.

Council Member Bailey made a motion to adjourn at 9:24 P.M. Council Member Spradlin seconded the motion which passed unanimously of those present.



**FINANCE REPORT**  
**FINANCE DIRECTOR BETTY B. GARBUTT**  
**JUNE 1995**

Rymond Wilborn has finished the Audit and wants to meet with the Council to go over the work before it is presented to the citizens of Sugar Hill. We need to schedule a work session.

Shirley Gibbs and Ruth Switzer have completed their classes in Level 1 Finance Certification. Their certifications will be presented at a Council Meeting in the next few months.

We are trying hard to be very frugal as we start into the lean Summer months. We have not had to pull any out of our \$500,000.00 savings as of yet.

We are current with all of our Accounts Payable and all of our Sinking Funds.

Cash available in checking account as of June 5, 1995 is \$122,976.68.

Please call if you have any questions.

Sugar Hill Golf Club  
1995 to 1994 Comparisons

6/5/95

1994 Actuals			1995 Y. T. D.				Rounds	1994		1995		Revenue	
Month	Total Res Rds	Total Non-Res	Total Rounds	Month	Total Res Rds	Total Non-Res	Total Rounds	Percent Change	Month	Total Revenue	Month	Total Revenue	Percent Change
Jan	68	481	549	Jan	137	602	739	34.61%	Jan	18,871.18	Jan	24,394.54	29.27%
Feb	176	388	1064	Feb	111	646	757	-28.85%	Feb	35,163.29	Feb	27,312.83	-22.33%
Mar	206	1825	2031	Mar	231	1589	1820	-10.39%	Mar	71,574.99	Mar	66,042.88	-7.73%
Apr	275	2165	2440	Apr	475	2249	2727	11.76%	Apr	85,849.87	Apr	101,256.59	17.96%
May	297	2280	2577	May	261	2340			May	91,961.62	May	89,556.63	-2.79%
Jun	223	2031	2254	Jun					Jun		Jun		
Jul	254	2245	2536	Jul					Jul		Jul		
Aug	258	2060	2318	Aug					Aug		Aug		
Sep	308	1815	2123	Sep					Sep		Sep		
Oct	205	1423	1628	Oct					Oct		Oct		
Nov	214	1405	1622	Nov					Nov		Nov		
Dec	243	1764	1407	Dec					Dec		Dec		
Totals	2767	19785	22552		2118	7426	8644	1.81%		303,420.96		312,563.47	3.78%

Ratio of Resident play 1995 compared to 1994: 19.18% increase

Ratio of Non-Resident play 1995 compared to 1994: -2.79% increase

***Council Report for the Golf Course & Waste Water Treatment Facility  
June 5, 1995  
By Steven C. Bailey, Council Member***

**Golf Course**

May proved to be another record month for the Golf Course operations for it was the best May ever since opening the Course in 1992. Total rounds were up about 1% and revenues were up about 1.75% over the same period last year. This good month of activity brought the overall revenues for year to date up 3.78% as compared to the first five months of 1994. Year to date resident play as compared to 1994 is up 19.18% for 1995.

The course continues to be greening up well, with substantial interest in scheduling Golf Tournaments and Corporate Outings on the increase.

**Waste Treatment Facility**

The Waste Water Treatment Plant is continuing to operate well with normal maintenance activities underway as usual. Bids are coming in now for the construction of the pump station and force main for the new Golf Course Clubhouse.

Last month I reported the concern of unanticipated additional costs of disposal of the sludge matter, and this month I have two more concerns to report of which this Council must soon address, #1) the capacity of the facility will be reached most likely within the next year, and therefore we must consider some sort of expansion, and, #2) I've received numerous queries concerning the need of the good citizens of Pinedale Circle to be attached to the sewer network of which they have been paying taxes for all these years since the inception of the City Sewer Department. Estimates, as prepared by the same contractors that are currently doing work for the City, have pegged the cost to build out this infrastructure at about \$450,000.00. These funds of course don't exist, yet we would be remiss, just like the water and gas systems, to ignore addressing the infrastructure needs of serving our citizens.

*End of Report 5/8/95*



# CITY OF SUGAR HILL

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4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518  
(404) 945-6716

June 5, 1995

MEMORANDUM 95-46

TO: Mayor/City Council

FR: Warren P. Nevad, City Manager

RE: ***Agenda Item: Update on Solid Waste Management Plan***

Please be advised that the following tasks were undertaken regarding subject from May 17, 1995 to June 2, 1995:

- 1) Obtained soil survey maps for the Sugar Hill area and began preparing "land limitation" maps;
- 2) Began updating various information contained in the previous draft plan, such as population projections, waste amounts, current status of collection, recycling and disposal practices; and
- 3) Reviewed the opinion survey developed by the Citizen's Advisory Committee.

We will keep you abreast of further developments regarding subject.

Council Meeting: June 12, 1995

A. Agenda Item:

Request motion for approval by Council to authorize staff to work with our gas consultant to publicly request bids for construction of high pressure gas system improvements from City Gate to Level Creek Road.

B. Summary:

The purpose of this project is to provide better service for our existing customers as well as allowing us to serve the new growth occurring in the Suwanee Dam - Level Creek - Moore Road area. This new growth is occurring in areas where we are already serving and we must provide adequate service to these areas.

C. Financing Options:

Operating budget or M.G.A.G. financing or a combination of both. We looked into the possibility of phasing this project but there does not seem to be a viable option for phasing.

D. Attachments:

1. Estimate
2. M.G.A.G. Financing Options
3. Welker Correspondence

1995



1945

# WELKER & ASSOCIATES, INC.

Engineers

P. O. BOX 937 404/422-1902

MARIETTA, GEORGIA 30061

June 2, 1995

Post-It™ Fax Note	7671	Date	6/2/95	# of pages	1
To	Ken Crowe	From	Bobby Ellis		
Co./Dept.	Sugar Hill	Co.	Welker & Assa.		
Phone #		Phone #	422-1902		
Fax #	(404) 945-0281	Fax #	426-5316		

Mr. Ken Crowe, Utility Superintendent  
 City of Sugar Hill  
 4988 W. Broad Street  
 Sugar Hill, Georgia 30518

Re: Pressure Improvements  
 Welker Project No.: 94-205

Dear Ken:

As requested, we have evaluated the above project in order to determine if the project can be constructed in phase and define any benefit associated with the phasing.

As you are aware, Sugar Hill's high pressure system is constructed with various sizes of small diameter piping feeding larger diameter piping. Until these bottlenecks are removed in their entirety, no substantial benefit will be achieved. Therefore, it is our recommendation that the project be constructed as one single project.

Sincerely,

WELKER & ASSOCIATES, INC.

*Bobby Ellis*

Bobby Ellis, Vice President

BE:clg



WELKER & ASSOCIATES, INC.

*Engineers*

P. O. BOX 937 — 404/422-1902

MARIETTA, GEORGIA 30061

August 11, 1994

Mr. Ken Crowe, Director of Utilities & Development  
City of Sugar Hill  
4988 West Broad Street  
Sugar Hill, Georgia 30518

Re: Natural Gas System Improvements  
West Price Road Pressure Improvement  
Welker Project No.: 94-205

Dear Mr. Crowe:

Attached is a detailed estimate in the total amount of \$230,531.50 including engineering fees as previously agreed. Periodic inspection is included in the engineering fees, however, if full-time inspection is requested, it may be provided at an agreed upon hourly rate plus expenses.

Also attached is a set of preliminary plans and specifications for this project for your review. Final plans will be forwarded following your review of the preliminary plans. We are presently completing the highway permit applications and they will be forwarded to you shortly.

If you have any questions, please do not hesitate to call.

Sincerely,

WELKER AND ASSOCIATES, INC.

Bobby Ellis, Vice President

BE/BSF/bsf

Attachments

cc: Mr. Warren P. Nevad, City Manager

CITY OF SUGAR HILL, GEORGIA  
 NATURAL GAS SYSTEM IMPROVEMENTS  
 WEST PRICE ROAD PRESSURE IMPROVEMENT  
ENGINEER'S ESTIMATE

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>EST. QTY.</u>	<u>UNIT</u>	<u>*ESTIMATED UNIT PRICE</u>	<u>ESTIMATED TOTAL AMOUNT</u>
1.	6-5/8" O.D.-.219" W.T., C.&W. ERW X42 STEEL LINE PIPE **(INSTALLATION & LABOR ONLY)	3,800	L.F.	\$4.50	\$17,100.00
2.	4-1/2" O.D.-.188" W.T., C.&W. ERW X42 STEEL LINE PIPE **(INSTALLATION & LABOR ONLY)	8,590	L.F.	\$4.00	\$34,360.00
3.	8-5/8" O.D.-.250" W.T., C.&W. STEEL CASING PIPE (BORED)	100	EA.	\$60.00	\$6,000.00
4.	METERING STATION	1	L.S.	\$40,000.00	\$40,000.00
5.	4" STOPPER FITTING W/OUTLET, 740# W.P.	1	EA.	\$4,000.00	\$4,000.00
6.	3" STOPPER FITTING W/OUTLET, 740# W.P.	1	EA.	\$3,500.00	\$3,500.00



CITY OF SUGAR HILL, GEORGIA  
 NATURAL GAS SYSTEM IMPROVEMENTS  
 WEST PRICE ROAD PRESSURE IMPROVEMENT  
ENGINEER'S ESTIMATE

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>EST. QTY.</u>	<u>UNIT</u>	<u>*ESTIMATED UNIT PRICE</u>	<u>ESTIMATED TOTAL AMOUNT</u>
7.	2" STOPPER FITTING W/OUTLET, 740# W.P.	1	EA.	\$2,500.00	\$2,500.00
8.	6" LINE VALVE ASSEMBLY, 740# W.P.	3	EA.	\$2,750.00	\$8,250.00
9.	4" LINE VALVE ASSEMBLY, 740# W.P.	8	EA.	\$2,000.00	\$16,000.00
10.	VALVE MARKER	7	EA.	\$125.00	\$875.00
11.	CATHODIC PROTECTION TEST- BOND STATION	1	EA.	\$200.00	\$200.00
12.	CATHODIC PROTECTION TEST STATION	2	EA.	\$150.00	\$300.00

CITY OF SUGAR HILL, GEORGIA  
 NATURAL GAS SYSTEM IMPROVEMENTS  
 WEST PRICE ROAD PRESSURE IMPROVEMENT  
ENGINEER'S ESTIMATE

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>EST. QTY.</u>	<u>UNIT</u>	<u>*ESTIMATED UNIT PRICE</u>	<u>ESTIMATED TOTAL AMOUNT</u>
13.	6" BORE	485	L.F.	\$25.00	\$12,125.00
14.	4" BORE	360	L.F.	\$15.00	\$5,400.00
15.	GRASSING	16,500	S.Y.	\$0.50	\$8,250.00
16.	SOLID ROCK EXCAVATION	200	C.Y.	\$50.00	\$10,000.00
17.	GRAVEL DRIVEWAYS REMOVED AND REPLACED	150	S.Y.	\$20.00	<u>\$3,000.00</u>

ESTIMATED CONSTRUCTION COST      \$171,860.00

\*ESTIMATED UNIT PRICES ARE BASED ON UNIT PRICE BIDS RECEIVED FOR PAST PROJECTS OF SIMILAR CONSTRUCTION.

\*\*THE LINE PIPE WILL BE PROVIDED BY THE CITY AND IS NOT INCLUDED IN THE ESTIMATED CONSTRUCTION COST.

CITY OF SUGAR HILL, GEORGIA  
 NATURAL GAS SYSTEM IMPROVEMENTS  
 WEST PRICE ROAD PRESSURE IMPROVEMENT  
ENGINEER'S ESTIMATE

ITEM NO.	DESCRIPTION	EST. QTY.	UNIT	*ESTIMATED UNIT PRICE	ESTIMATED TOTAL AMOUNT
1.	6-5/8" O.D.-.219" W.T., C.&W. ERW X42 STEEL LINE PIPE (MATERIAL ONLY-PROVIDED BY THE CITY)	3,800	L.F.	\$5.05 5-31 → 5.35	\$19,190.00 20,330 <sup>00</sup>
2.	4-1/2" O.D.-.188" W.T., C.&W. ERW X42 STEEL LINE PIPE (MATERIAL ONLY-PROVIDED BY THE CITY)	8,590	L.F.	\$2.85 5-31 → 2.85	\$24,481.50

ESTIMATED MATERIAL COST      \$43,671.50

5-31 → \$ 44,811.50

\*ESTIMATED UNIT PRICES ARE BASED ON THE ACTUAL COST OF STEEL LINE PIPE AS OF THE DATE OF THIS ESTIMATE AS PROVIDED BY CONSOLIDATED PIPE AND SUPPLY COMPANY, INC., FOB CITY OF SUGAR HILL.

CITY OF SUGAR HILL, GEORGIA  
NATURAL GAS SYSTEM IMPROVEMENTS  
WEST PRICE ROAD PRESSURE IMPROVEMENT  
ESTIMATE SUMMARY

<u>DESCRIPTION</u>	<u>ESTIMATED TOTAL AMOUNT</u>
ESTIMATED CONSTRUCTION COST	\$171,860.00
ESTIMATED MATERIAL COST	\$43,671.50 44811 50
*ENGINEERING FEES (NOT TO EXCEED)	<u>\$15,000.00</u>
ESTIMATED TOTAL PROJECT COST	\$230,531.50 231,671 50

\*PURSUANT TO SECTION 3 OF THE ENGINEERING AGREEMENT.



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**MUNICIPAL GAS  
AUTHORITY OF GEORGIA**

---

via facsimile 404/945-0281

September 8, 1994

Mr. Ken Crowe  
Director of Utilities  
City of Sugar Hill  
4988 W. Broad Street  
Sugar Hill, Georgia 30518

Dear Ken:

Arthur Corbin mentioned to me that your city might be interested in working with us on a small financing project for the expansion of your gas distribution system. Our enabling legislation allows us to provide that kind of assistance to Georgia member cities and we are presently working with 5-6 of our members on various financing projects. We would be happy to discuss the assistance we could possibly provide your city.

We have already completed two smaller financings for cities (less than \$1 million) and both of these transactions were structured as leases between us and the city (cities). We then assign our lease rights to a commercial bank in exchange for a lump sum payment to fund the project. In both cases, the cities borrowed the money before construction, handled all construction management, made draws directly against the construction fund, etc. The City of Perry approved the financing of expenditures at the beginning of the project, a new IRS requirement, and chose to be reimbursed for these expenses when they closed on the lease at the end of construction.

The Gas Authority serves as a financial intermediary in these transactions. We assume no responsibilities for repayment of the lease. We only assign our lease rights (i.e., your obligation to pay us) to the bank. Therefore, it is not treated as debt on our books and does not impact our credit. The city actually makes all the lease payments directly to the bank.

The lease should be viewed by the bank as a bank qualified investment (i.e., you should get a tax exempt type rate) if your city has not issued more than \$10,000,000 of debt during the calendar year of the lease transaction. You will generally get a lower rate if you make both a system revenue and a general obligation pledge (the same as in your Gas Authority contracts) to secure the lease. However, this is up to you.

Mr. Ken Crowe  
September 8, 1994  
Page Two

We can assist you with the bank arrangements or work with someone at a local bank that you already deal with. Our legal counsel can draft the necessary legal documents, which are pretty standard, and work with you and your city attorney to close the transaction.

I hope this gives some idea of the nature of the assistance we can provide your city. If you have any questions or would like to discuss your project financing needs further, please don't hesitate to give me a call.

Sincerely,



Richard W. McCullough  
Executive Vice President and  
Chief Financial Officer

RWM:gd

**RESOLUTION 95-6**

**WHEREAS**, the City of Sugar Hill, Georgia is committed to community development improvements;

**WHEREAS**, the Gwinnett County Community Development Block Grant program found the City's project meets the primary objectives of the Community Development Block Grant Program;

**WHEREAS**, the City desires to extend the 1994 sub-recipient agreement to June 1996;

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Sugar Hill that Mayor Webster is authorized to execute all documents and contracts for this extension.

SO ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1995

ATTEST:

MAYOR AND COUNCIL  
GWINNETT COUNTY, GEORGIA

\_\_\_\_\_  
Betty B. Garbutt, City Clerk

\_\_\_\_\_  
Gary L. Webster, Mayor



# CITY OF SUGAR HILL

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4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518  
(404) 945-6716

May 23, 1995

MEMORANDUM 95-41

TO: Mayor/City Council

FR: Warren Nevad, City Manager *WN*

RE: ***Agenda Item: Revised Electric Agreement- Sawnee Electric***

The attached will be presented for Council consideration at the June 12, 1995 Mayor/City Council Meeting. Staff will request motion to authorize the Mayor to sign the above-referenced agreement. This agreement contains a heavy large user industrial rate for our single metering point at the Wastewater/Golf Course complex.

Currently, we pay a large user general rate which is 20% higher than the proposed. This agreement would be in force as soon as the clubhouse is operational.

Please call me should you have any questions.

WPN:bms

attachment



# SAWNEE ELECTRIC MEMBERSHIP CORPORATION

## AGREEMENT FOR ELECTRIC SERVICE

AGREEMENT made this 3rd Day of April, between Sawnee Electric Membership Corporation (*hereinafter called the "Seller"*) and THE CITY OF SUGAR HILL *hereinafter, called the "Consumer"*).

The Seller shall make available, sell and deliver to the Consumer, and the Consumer shall purchase all of the electric power and energy which the Consumer may need at the location described in Exhibit "A," attached hereto and by this reference made part hereof, up to 2225 kilowatts, upon the following terms:

### 1. Service Characteristics

- a. Service hereunder shall be alternating current, three phase, four wire, sixty Hertz at nominal standard voltage of 277/480.

The Seller shall install or cause to be installed and prepare the facilities for the permanent service to be made available hereunder as soon as possible, but not later than as required.

Notwithstanding the foregoing description of the capacity of the service as 2225 kilowatts. It is hereby understood and agreed that the transformer to be installed by the seller shall be rated at not less than 2225 KVA base rating.

- b. The Consumer shall not use the electric power and energy furnished hereunder as an auxiliary or supplement to any other source of purchased power and shall not sell electric power and energy purchased hereunder.
- c. Power shall be used by the Consumer in such manner as will not cause objectionable voltage fluctuations or other electrical disturbances on the Seller's system. The Seller may require the Consumer, at the Consumer's expense, to install such corrective measures as will reasonably limit such

fluctuations and disturbances. The Consumer shall at all times take and use power in such manner that the load at the point of delivery shall not cause an imbalance between phases of more than 10%. If the load is unbalanced more than 10%, the Seller reserves the right to require the Consumer, at the Consumer's expense, to make the necessary changes to correct such condition. In addition to any other remedies the Seller may have hereunder, if the Consumer does not make such changes, the Seller may, in its determination of Billing Demand, assure that the load on each phase is equal to the greatest load on any phase.

## 2. Payment

- a. The Consumer shall pay the Seller for service hereunder at the rates and upon the terms and conditions set forth in Schedule HI-14 attached to and made a part of this Agreement. Notwithstanding any provision of the schedule and irrespective of Consumer's requirements for, or use of, electric power and energy, the Consumer shall pay to the Seller not less than   \* per month.

In addition, the Consumer will pay the amount of any sales, use, franchise or utility taxes or charges now or hereafter applicable to or arising out of the service rendered or made available hereunder.

- b. The initial billing period shall start when Consumer begins using electric power and energy or 60 days after the Seller notifies the Consumer in writing that service is available hereunder, whichever should occur first.

\* Minimum bill shall not be less than facilities charge, service charge and any demand charge.

- c. Bills due hereunder shall be paid at the office of the Seller in Cumming or Alpharetta, State of Georgia. Such payments shall be due on the \*\* day of each month for service furnished or made available during the preceding monthly billing period. If the Consumer shall fail to make any such payment within ten(10) days after such payment is due, the Seller may discontinue service to the Consumer upon giving 15 days written notice to the Consumer of its intention to do so, provided, however, that such discontinuance of service shall not relieve the Consumer of any of its obligations under this Agreement, including, without limitation, the obligations contained in Section 6.
- d. The Consumer agrees that if, at any time, the rate under which the Seller purchases electric service at wholesale is modified, the Seller may make a corresponding modification in the rate for service hereunder.
- e. Bills due as set forth in Section 2, Paragraph "a," are net. In the event the current monthly bill is not paid within 10 days after such payment is due, an additional charge equal to the bank prime interest rate plus 1% will apply to the net bill. Bank prime rate is defined as the prevailing bank prime rate as published in the Money Rate column of the Wall Street Journal in its publication of that column each month.
- f. Any tax or franchise fee imposed by any governmental authority upon the service rendered under this Agreement will be added to bills calculated pursuant to this Agreement. Should the governmental authority contractually agree to waiver the tax or fee, none will be collected.

### 3. Membership

- a. The Consumer shall become a member of the Seller, shall pay the membership fee and be bound by such rules and regulations as may from time to time be adopted by the Seller.

\*\* Date noted on Actual Energy Bill for current month.

- b. The parties acknowledge that, while the Seller is required by statute and by its bylaws to operate a nonprofit corporation, the Seller is required by statute and by its first mortgage to set rates and charges sufficient not only to cover operating costs and expenses and interest and amortization of outstanding obligations but also to establish reasonable capital reserves; and that the rates and charges provided for herein have accordingly been established to the end that the Consumer will furnish an appropriate and equitable amount of such capital reserve in addition to making payment for the actual costs of service rendered hereunder and for an appropriate share of the outstanding obligations of the Seller. Due to the amount and character of the electric power and energy to be supplied hereunder, it is understood and agreed that, unless the Seller is prevented from so doing by any law or regulation or any authority or agency having jurisdiction in the premises, it shall compute the Consumer's capital credits by determining the actual costs and expenses assignable and allocable to the Consumer for its service hereunder and shall assign capital credits to the Consumer accordingly.

4. **Continuity of Service**

Notwithstanding anything herein to the contrary, the Seller shall not be liable for damages to the Consumer occasioned by reductions, curtailments or interruptions of service or for failure to commence delivery as a result of "force majeure." In the event that the Seller shall be rendered unable, wholly or in part, by force majeure to carry out its obligations hereunder, this Agreement shall not be terminated, but the obligations of the Seller, so far, but only so far, as they are affected by such force majeure, shall be suspended during the continuance of any inability so caused but for no longer period, and the Seller shall remedy such inability with all reasonable dispatch.

The term "force majeure" shall mean acts of God, strikes, lockouts or other industrial disturbances, acts of the public enemy, wars, blockades, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, civil disturbances,

explosions, breakdown or failure of machinery, equipment or facilities, actions or orders of any governmental authority or court having jurisdiction in the premises and other causes, whether of the kind herein enumerated or otherwise, not within the reasonable control of the Seller and which by the exercise of reasonable diligence, the Seller is unable to prevent or overcome; such term likewise includes:

(a) in those instances where the Seller or the Seller's wholesale supplier is required to obtain rights, easements or permits to enable the Seller to fulfill its obligations, the inability of the Seller or the Seller's wholesale supplier to acquire, or the delays on the part of the Seller or the Seller's wholesale supplier to acquire, or the delays on the part of the Seller or the Seller's wholesale supplier in acquiring, at reasonable cost and after the exercise of reasonable diligence, such rights, easements or permits;

(b) in those instances where the Seller or the Seller's wholesale supplier is required to obtain materials and supplies for the purpose of constructing or maintaining facilities to enable the Seller to fulfill its obligations, the inability of the Seller or the Seller's wholesale supplier to acquire, or the delays on the part of the Seller or the Seller's wholesale supplier in acquiring, at reasonable cost and after the exercise of reasonable diligence, such materials and supplies; and

(c) those instances where construction, change-over, inspection, repair or maintenance of the electrical facilities of the Seller or the facilities of any other electrical supplier from or through which the Seller acquires any power to be furnished to the Consumer hereunder are necessary in the judgement of the party so performing the work. The settlement of strikes or labor disturbances involving the Seller or the Seller's wholesale supplier shall be entirely within the discretion of the Seller or the Seller's wholesale supplier and any requirement that force majeure shall be remedied with all reasonable dispatch shall not

require the settlement of strikes or labor disturbances by acceding to the demands of the opposing party or parties when such course is inadvisable in the discretion of the Seller or the Seller's wholesale supplier.

5. **Right of Access**

Duly authorized representatives of the Seller shall be permitted to enter the Consumer's premises at all reasonable times in order to carry out the provisions hereof.

6. **Term**

This Agreement shall become effective on the date first above written and shall remain in effect until 20 years following the start of the initial billing period and thereafter until terminated by either party giving to the other 3 months' notice in writing; provided, however the Seller may terminate this Agreement prior to the expiration of the term hereof upon the Consumer's failure to make the payments required by Section 2 of this Agreement or upon any other breach of this Agreement by the Consumer and the Consumer shall pay to the Seller, in addition to any other amounts which may be due hereunder, monthly demand charges for a period of 12 months following such termination based on the Consumer's monthly demand during the 12 months preceding such termination calculated in accordance with the rate schedule or schedules as in effect during the 12-month period following such termination and shall pay immediately upon such termination.

- (1) A wholesale supplier's facilities abandonment charge on account of the investment of the Seller's wholesale supplier in facilities for rendering services, plus
- (2) An additional facilities abandonment charge equal to the unamortized investment of the Seller in facilities for rendering services.

7. **Succession and Approval**

- a. This Agreement shall be binding upon in inure to the benefit of the successors, legal representatives and assigns of the respective parties hereto.
- b. This Agreement shall not be effective unless approved in writing by the Administrator of the Rural Electrification Administration and, when necessary, by the Governor of the National Rural Utilities Cooperative Finance Corporation.

8. **Deposit**

The Consumer shall deposit with the Seller the sum of \$ 0 on account of the cost of facilities required to make service available to the Consumer on or before commencement of construction of such facilities. Such deposit shall be returnable to the Consumer in the form of a credit on each bill for service in the amount of 0 percent of the bill, which credits shall continue until they total \$ 0. No refunds shall be made to the Consumer of any portion of the deposit remaining upon termination of this Agreement.

9. **Captions**

The headings in this Agreement are for the convenience of the parties hereto and shall in no way affect the construction or interpretation of this Agreement or any part thereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement all as of the day and year first above written.

ATTEST:

SAWNEE ELECTRIC MEMBERSHIP CORPORATION  
Seller

By: \_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Michael A. Goodroe,  
Executive Vice-President and General Manager

ATTEST:

By: \_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
TITLE:

PLACE CORPORATE SEAL HERE

\* *If other than president, vice president, partner or owner, a power of attorney must accompany contract.*

Account Number: 78-14-0026

Account Number: 78-14-0027

Member Number: 2037775





## CITY OF SUGAR HILL

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4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518  
(404) 945-6716

June 1, 1995

MEMORANDUM 95-44

TO: Mayor/City Council

FR: Warren P. Nevad, City Manager *WN*

RE: **Agenda Item: Prison Crew Contract Renewal**

Attached is a copy of the above-referenced contract for Mayor/Council consideration at the June 12, 1995 Meeting. The time period of the contract is from July 1, 1995 until June 30, 1996. Each prison crew will cost \$23,000.

Currently, we contract the services of three (3) prison crews and we recommend continuance of this program.

Thank you.

WPN:bms

attachment

\*  
\*

PHILLIPS CORRECTIONAL INSTITUTION  
2989 W. ROCK QUARRY ROAD  
BUFORD, GA 30518  
(404)-932-4513

MAY 2, 1995

*WARREN P. Nevad*  
Mr. ~~Kathy Williamson~~  
City of Sugar Hill  
4988 W. Broad St.  
Sugar Hill, Ga. 30518

Dear Mr. *Nevad:* ~~Williamson:~~

Enclosed is the detail contract renewal at the rate of \$69,000.00 annually.

Please sign and return by June 16, 1995. You will receive a copy after departmental approval is obtained.

Please contact me if you have any questions.

Sincerely,

*Jenny C. Grandfield*

Jenny C. Grandfield  
Accounting Tech. II

STATE OF GEORGIA

COUNTY OF WINNETT

THIS AGREEMENT, made and entered into this 1st day of July, 19 95, by and between the GEORGIA DEPARTMENT OF CORRECTIONS, hereinafter called the "DEPARTMENT", and the CITY OF SUGAR HILL, hereinafter called the "CITY".

WHEREAS, the DEPARTMENT is desirous of obtaining work for its inmates; and,

WHEREAS, the CITY is desirous of hiring inmate work crews to assist in Community and Public Work activities.

NOW THEREFORE, in consideration of their premises and their mutual promises and AGREEMENTS, hereinafter set forth, the parties hereby agree as follows:

PART A

THE DEPARTMENT AGREES:

(1) To supply the CITY OF SUGAR HILL with three (3) work detail(s), each detail to consist of one (1) full-time correctional supervisor, and 10 inmates.

(2) That under normal circumstances, departmental policy permitting, each work detail will work within the regular work hours and under the same conditions as the CITY'S employees. That inmate work details may be called out during inclement weather conditions or other emergency conditions, during other than normal working hours, subject to the concurrence of the DEPARTMENT.

(3) To be responsible for maintaining custody, feeding, clothing, provision of medical and hospital care for inmates, assuring discipline, and achieving productivity.

(4) To be responsible for safety during transportation of work details to and from work sites.

PART B

THE CITY AGREES TO:

- (1) Provide a vehicle(s) to transport the inmate work detail(s).
- (2) Furnish all equipment and tools, safety equipment; insure the safe operating condition of vehicles; provide insurance on the vehicle used to transport inmates and correctional supervisors; provide maintenance of all equipment and tools, and to be responsible for damage or loss of all equipment and tools.
- (3) Direct and supervise the work to be performed, but no official or employee of the CITY, shall exercise any immediate control, direction, or supervision over any inmate; but, the sole responsibility of directing, controlling and supervising of said inmates, shall be that of the DEPARTMENT and its officials, correctional supervisors, and employees. Directions as to work to be performed shall be communicated to the correctional supervisor having immediate custody and supervision of the inmates, and said correctional supervisor shall direct inmates accordingly.
- (4) Pay the DEPARTMENT for only a portion of the additional cost actually incurred for the security personnel required to provide the CITY with inmate work details. Such cost shall include: Full-time salaries with normal fringe benefits (plus overtime benefits) provided to other DEPARTMENT personnel of similar rank, and function. This rate of pay shall be based on the pay scale of a Correctional Officer II, and the cost of uniforms, equipment, and training. However, for the purposes of this AGREEMENT, the CITY shall pay the DEPARTMENT a sum of \$ 69,000.00 dollars per year. This cost may change annually as salary increases are approved by the Georgia General Assembly, or as a result of increased cost to the DEPARTMENT.
- (5) Comply with any and all special conditions as listed on page 5, of this AGREEMENT.

The DEPARTMENT shall, on a monthly basis, prepare and submit to the CITY invoices for services provided during the previous month. Should payment not be received within 30 days following the CITY'S receipt of the invoice, the DEPARTMENT shall have the option of declaring this AGREEMENT null and void.

#### TERMINATION

Either party may terminate this AGREEMENT with a sixty (60) day advanced written notice, indicating intent to cancel the AGREEMENT. Such written notice shall be sent to the DEPARTMENT at the following address: Georgia Department of Corrections, 2 Martin Luther King, Jr. Drive, S.E., Room 756, East Tower, Atlanta, Georgia 30334; or should the DEPARTMENT elect to terminate, written notice to the CITY, at the following address:

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City of Sugar Hill

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4988 W. Broad Street Sugar Hill, Ga. 30518

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The DEPARTMENT, may, at its discretion, immediately terminate the AGREEMENT for cause, through verbal or written notification to the CITY.

CITY OF SUGAR HILL, GEORGIA  
GENERAL FUND

STATEMENT OF EXPENDITURES COMPARED TO BUDGET (GAAP BASIS)  
FOR THE YEAR ENDED DECEMBER 31, 1994

WITH COMPARATIVE ACTUAL AMOUNTS FOR THE YEAR ENDED DECEMBER 31, 1993

	1994		Variance	
	Budget	Actual	Favorable (Unfavorable)	1993 Actual
Street Department:				
Salaries and bonuses	\$ 89,784	\$ 89,622	\$ 162	\$ 96,274
Payroll taxes	8,161	7,793	368	7,300
Employee retirement	4,201	2,633	1,568	2,907
Insurance	34,200	28,110	6,090	13,898
Gravel and supplies	4,700	3,770	930	5,723
Street and traffic lights	45,750	44,768	982	46,540
Street and sidewalk improvements	27,200	19,942	7,258	68,367
Repairs and maintenance	4,350	-	4,350	4,102
Miscellaneous	5,000	1,984	3,016	12,147
Capital outlay	6,000	5,582	418	43,641
	<u>\$229,346</u>	<u>\$204,204</u>	<u>\$ 25,142</u>	<u>\$300,899</u>
Total Street Department				
	<u>\$229,346</u>	<u>\$204,204</u>	<u>\$ 25,142</u>	<u>\$300,899</u>
Recreation Department:				
General	<u>\$ 25,000</u>	<u>\$ 74,893</u>	<u>\$(49,893)</u>	<u>\$ 65,014</u>

The accompanying notes are an integral part  
of these financial statements.

(See Independent Auditor's Report)

This AGREEMENT shall become effective on July 1, 1995  
and shall terminate on June 30, 1996.

IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be signed as  
of the day and year above mentioned.

NOTARY: \_\_\_\_\_

ALLEN L. AULT Ed.D., COMMISSIONER  
GEORGIA DEPARTMENT OF CORRECTIONS

NOTARY: \_\_\_\_\_

MAYOR  
CITY OF SUGAR HILL

CONTRACTUAL AGREEMENT BETWEEN THE GEORGIA DEPARTMENT OF CORRECTIONS AND,  
THE CITY OF SUGAR HILL

SPECIAL CONDITIONS

1. The CITY (will)   X   (will not) \_\_\_\_\_ provide a mobile radio for each transportation vehicle. The mobile radio (s) will be operated by the DEPARTMENT'S security personnel, and will be used to maintain contact with all law enforcement agencies. The DEPARTMENT may determine minimum specifications or requirements for the mobile radio (s).
  
2. The DEPARTMENT will not provide the CITY with a work detail on official State Holidays.



JUNE 5, 1995

MEMO:

TO: MAYOR AND COUNCIL

FROM: BETTY B. GARBUTT

There has been some discussion concerning HB680, Alcohol by the Drink, presented by Rep. Frank Stancil.

This bill was passed by the legislature and signed by the Governor on April 18, 1995. It will become effective on July 1, 1995 and is Act #366.

I called Ed Sumner, Legal Council of GMA, and he faxed me a copy of the Bill. It is attached for your information.

HB 680 Distilled spirits; sales by drink on prem; referendum upon resolution  
\*\*\* BILL STATUS \*\*\* 04/18/95

680

Distilled spirits; sales by drink  
on prem; referendum upon resolution

1. Stencil 91st

House Comm: RBev / Senate Comm: EDTCA /  
House Vote: Yeas 114 Nays 34 Senate Vote: Yeas 36 Nays 3

House	Action	Senate
2/10/95	Read 1st Time	3/6/95
2/13/95	Read 2nd Time	3/10/95
2/17/95	Favorably Reported	3/9/95
3/1/95	Read 3rd Time	3/14/95
3/1/95	Passed/Adopted	3/14/95
3/22/95	Sent to Governor	
4/18/95	Signed by Governor	
366	Act/Veto Number	
7/1/95	Effective Date	

Immediately Transmitted to the Senate

Code Sections amended: 3-4-92  
\*\*\* FIRST READER \*\*\* 02/09/95

HB 680

A BILL to amend Chapter 4 of Title 3 of the Official Code of Georgia Annotated, relating to distilled spirits, so as to provide procedures in counties or municipalities in which the sale of distilled spirits are not lawful for the call of a referendum on the question of the issuance of licenses for the sale of distilled spirits for beverage purposes by the drink for consumption on the premises upon the resolution of the governing authority; and for other purposes.  
\*\*\* FULL TEXT \*\*\* 02/09/95

HB 680

LC 22 1583

A BILL TO BE ENTITLED  
AN ACT

To amend Chapter 4 of Title 3 of the Official Code of Georgia Annotated, relating to distilled spirits, so as to provide procedures in counties or municipalities in which the sale of distilled spirits are not lawful for the call of a referendum on the question of the issuance of licenses for the sale of distilled spirits for beverage purposes by the drink for consumption on the premises upon the resolution of the governing authority; to provide for related matters; to repeal conflicting laws; and for other purposes.

**FINANCE REPORT**  
**FINANCE DIRECTOR BETTY B. GARBUTT**  
**JUNE 1995**

Rymond Wilborn has finished the Audit and wants to meet with the Council to go over the work before it is presented to the citizens of Sugar Hill. We need to schedule a work session.

Shirley Gibbs and Ruth Switzer have completed their classes in Level 1 Finance Certification. Their certifications will be presented at a Council Meeting in the next few months.

We are trying hard to be very frugal as we start into the lean Summer months. We have not had to pull any out of our \$500,000.00 savings as of yet.

We are current with all of our Accounts Payable and all of our Sinking Funds.

Cash available in checking account as of June 5, 1995 is \$122,976.68.

Please call if you have any questions.

***Council Report for the Golf Course & Waste Water Treatment Facility  
June 5, 1995  
By Steven C. Bailey, Council Member***

**Golf Course**

May proved to be another record month for the Golf Course operations for it was the best May ever since opening the Course in 1992. Total rounds were up about 1% and revenues were up about 1.75% over the same period last year. This good month of activity brought the overall revenues for year to date up 3.78% as compared to the first five months of 1994. Year to date resident play as compared to 1994 is up 19.18% for 1995.

The course continues to be greening up well, with substantial interest in scheduling Golf Tournaments and Corporate Outings on the increase.

**Waste Treatment Facility**

The Waste Water Treatment Plant is continuing to operate well with normal maintenance activities underway as usual. Bids are coming in now for the construction of the pump station and force main for the new Golf Course Clubhouse.

Last month I reported the concern of unanticipated additional costs of disposal of the sludge matter, and this month I have two more concerns to report of which this Council must soon address, #1) the capacity of the facility will be reached most likely within the next year, and therefore we must consider some sort of expansion, and, #2) I've received numerous queries concerning the need of the good citizens of Pinedale Circle to be attached to the sewer network of which they have been paying taxes for all these years since the inception of the City Sewer Department. Estimates, as prepared by the same contractors that are currently doing work for the City, have pegged the cost to build out this infrastructure at about \$450,000.00. These funds of course don't exist, yet we would be remiss, just like the water and gas systems, to ignore addressing the infrastructure needs of serving our citizens.

*End of Report 5/8/95*

Sugar Hill Golf Club  
1995 to 1994 Comparisons

6/5/95

1994 Actuals			1995 Y. T. D.					Rounds	1994		1995		Revenue
Month	Total Res Rds	Total Non-Res	Total Rounds	Month	Total Res Rds	Total Non-Res	Total Rounds	Percent Change	Month	Total Revenue	Month	Total Revenue	Percent Change
Jan	68	481	549	Jan	137	602	739	34.51%	Jan	18,871.18	Jan	24,394.54	29.27%
Feb	176	386	1064	Feb	111	646	757	-28.95%	Feb	35,163.29	Feb	27,312.83	-22.33%
Mar	206	1625	2031	Mar	231	1589	1820	-10.39%	Mar	71,574.99	Mar	66,042.68	-7.73%
Apr	275	2165	2440	Apr	475	2249	2727	11.76%	Apr	85,849.87	Apr	101,256.59	17.95%
May	297	2280	2577	May	261	2340			May	91,961.62	May		
Jun	223	2031	2254	Jun					Jun		Jun		
Jul	254	2045	2309	Jul					Jul		Jul		
Aug	258	2060	2318	Aug					Aug		Aug		
Sep	308	1815	2123	Sep					Sep		Sep		
Oct	205	1423	1628	Oct					Oct		Oct		
Nov	214	1405	1622	Nov					Nov		Nov		
Dec	243	1164	1407	Dec					Dec		Dec		
Totals	2767	19785	22552		2121	7426	8544	1.81%		303,420.95		312,563.47	3.78%

Ratio of Resident play 1995 compared to 1994: 19.18% increase

Ratio of Non-Resident play 1995 compared to 1994: -2.79% increase

SECTION 1 .

Chapter 4 of Title 3 of the Official Code of Georgia Annotated, relating to distilled spirits, is amended by striking in its entirety Code Section 3-4-92, relating to procedures for authorizing the sale of distilled spirits by the drink and for nullifying prior such authorization in counties and municipalities where package sales are not lawful, and inserting in lieu thereof a new Code section to read as follows:

"3-4-92.

(a) In every county and municipality in which package sales of distilled spirits are not lawful, sales of distilled spirits as provided in this article may be authorized after approval as provided in this Code section.

(b)(1) (A) In the event the governing authority of any municipality or county coming under the provisions of this Code section desires to exercise the powers authorized by Code Section 3-4-90, the governing authority through the appropriate election superintendent shall conduct a referendum election for the purpose of determining whether or not these powers shall be exercised. Any such governing authority shall notify the election superintendent of the county or

-1-

LC 22 1583

the municipality, as the case may be, of the referendum by forwarding to the superintendent a copy of a resolution of such governing authority calling for such a referendum election. It shall be the duty of such election superintendent to issue the call and set the date for an election in accordance with Code Section 21-2-540 for a county election or in accordance with Code Section 21-3-52 for a municipal election for the purpose of submitting the question of whether or not the governing authority of the county or municipality shall be authorized to issue licenses to sell distilled spirits for beverage purposes by the drink, such sales to be for consumption only on the premises. Notice of the call for the referendum shall be published by the superintendent in the legal organ of the county or, in the case of a municipality, in a newspaper of general circulation in the municipality. The election superintendent shall also cause the date and purpose of the referendum to be published in the official organ of the county or, in the case of a municipality, in a newspaper of general circulation in the municipality once a week for two weeks immediately preceding the date of the election. The ballot shall have printed thereon the following:

' ( ) YES Shall the governing authority of

( ) NO be authorized to issue licenses to sell distilled spirits for beverage purposes by the drink, such sales to be for consumption only on the premises?'

(B) All persons desiring to vote in favor shall vote 'Yes,' and those persons opposed shall vote 'No.' If more than one-half of the votes cast are in favor of issuing licenses to sell distilled spirits for beverage purposes by the drink, such sale to be for consumption only on the premises, then the governing authority shall in accordance with this Code section issue such licenses; otherwise, no license shall be issued. It shall be the duty of the election superintendent to hold and conduct such election under the provisions of Chapter 2 of Title 21, the 'Georgia Election Code,' for county elections or the provisions of Chapter 3 of Title 21, the 'Georgia Municipal Election Code,' for municipal elections. It shall be the superintendent's further duty to canvass the

-2-

LC 22 1583

returns and declare and certify the results of the election to the Secretary of State. The expense of the election shall be borne by the county or the municipality conducting the election.

(C) Following the expiration of two years after any election is held which results in the disapproval of sales as provided in this article, another election on this question shall be held if the governing authority, as provided in subparagraph (A) of this paragraph, forwards a resolution to the election superintendent calling for such a referendum.

(D) Nullification of a referendum approving such sales held pursuant to this paragraph shall be accomplished only as provided in subsection (c) of this Code section.

(2)(A) In the event the governing authority of any municipality or county coming under the provisions of this Code section does not adopt a resolution directing the election superintendent to issue a call for the referendum provided for in paragraph (1) of this subsection, then, upon ~~Upon~~ a written petition containing the signatures of 35 percent of the registered and qualified voters of any municipality or county described in subsection (a) of this Code section being filed with the appropriate election superintendent, such election superintendent, upon validation of the petition, shall be required to call and hold a referendum election for the purpose of submitting to the qualified voters of the municipality or the county, as the case may be, the question of whether or not the governing authority shall be authorized to issue licenses to sell distilled spirits

for beverage purposes by the drink, such sales to be for consumption only on the premises. A petition shall not be amended, supplemented, or returned after presentation to the appropriate authority. 'Validation' shall, for the purposes of this Code section, be the procedure in which the election superintendent determines whether each signature on the petition is the name of a registered and qualified voter. For the purposes of this Code section, the required number of signatures of registered voters of a political subdivision shall be computed based on the number of voters qualified to vote at the general

-3-

LC 22 1583

election immediately preceding the presentation of the petition. Actual signers of the petition shall be registered and qualified to vote in the referendum election sought by the petition. Upon determining that the petition contains a sufficient number of valid signatures, the superintendent shall issue the call and set the date of the referendum election in accordance with Code Section 21-2-540 for a county election or in accordance with Code Section 21-3-52 for a municipal election. ~~the election superintendent shall set the date of the referendum election for not less than 30 nor more than 60 days after the call. The referendum may be held as a special referendum election or may be held at the time of holding any other primary or election in such county or municipality, if such other primary or election is to be held not more than 60 days after the call.~~ Notice of the call for the referendum shall be published by the superintendent in the legal organ of the county or, in the case of a municipality, in a newspaper of general circulation in the municipality. The election superintendent shall also cause the date and purpose of the referendum to be published in the official organ of the county or, in the case of a municipality, in a newspaper of general circulation in the municipality, once a week for two weeks immediately preceding the date of the election. The ballot shall have printed thereon the following:

- '( ) YES Shall the governing authority of \_\_\_\_\_ be authorized to issue  
( ) NO licenses to sell distilled spirits for beverage purposes by the drink, such sales to be for consumption only on the premises?'

~~(2)~~ (B) All persons desiring to vote in favor shall vote 'Yes,' and those persons opposed shall vote 'No.' If more than one-half of the votes cast on such a question are in favor of issuing licenses to sell distilled spirits for beverage purposes by the drink, such sales to be for consumption only on the premises, then the governing authority shall, in accordance with this Code



section issue such licenses; otherwise no license shall be issued. ~~If conducted as a special election, it~~ It shall be the duty of the election superintendent to hold and conduct such election under the same rules that

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LC 22 1583

govern special elections as provided in Chapter 2 of Title 21, the 'Georgia Election Code,' for county elections or in Chapter 3 of Title 21, the 'Georgia Municipal Election Code,' for municipal elections. It shall further be ~~his~~ the superintendent's duty to canvass the returns and declare and certify the results of the election to the Secretary of State. The expense for the election shall be borne by the county or the municipality conducting the election.

~~(3)~~ (C) Following the expiration of two years after any election is held which results in the disapproval of sales as provided in this article, another election on this question shall be held if another petition, as provided in ~~paragraph (1)~~ subparagraph (A) of paragraph (2) of this subsection, is filed with the appropriate election superintendent.

(D) Nullification of a referendum approving such sales held pursuant to this paragraph shall be accomplished only as provided in subsection (c) of this Code section.

(c) In any municipality or county which has at any time held an election in accordance with subsection (b) of this Code section resulting in a majority of the votes being cast in favor of sales of distilled spirits by the drink, the election superintendent of the municipality or county, upon a petition signed by at least 35 percent of the registered qualified voters of the municipality or county, shall proceed to call another election for the purpose of nullifying the previous election in the same manner as prescribed by paragraph (2) of subsection (b) of this Code section. No election shall be called or held within two years after the date of the declaration by the election superintendent of the results of the previous election held for the purposes of this Code section."

SECTION 2 .

All laws and parts of laws in conflict with this Act are repealed.

CLERK'S REPORT  
BETTY B. GARBUTT  
MAY 1995

Everything is running smoothly in the clerk's office.

Tax exemption certificates for those 65 or older are being received.

Met with county personal property tax personnel on June 1, 1995. We hope to have the information from the county on a more timely basis this year.

Mr. McCalla will attend the training for Election Superintendents in July for two (2) days. The classes will be in Athens.

The City will have City Court on June 6, 1995 at 5:00 P.M. We have several people with Code violations, which Inspector Bowman has cited, to appear in court.

COMMITTEE  
REPORTS

Sugar Hill Golf Club  
 Deposit & Round Breakdown  
 June 1995

	Total	Credit	# of		Non.	Res.	Non.	
	Deposit	Card	Rounds	Res.	Res.	Sr.	Res.	Jr.
June 1	1443.89	193.35	45	23	16	0	6	0
June 2	2245.87	603.75	73	3	57	0	0	0
June 3	6251.03	1651.06	157	29	121	0	0	0
June 4	6457.82	1939.97	169	14	128	0	0	0
June 5	0.00	0.00	0	0	0	0	0	0
June 6	0.00	0.00	0	0	0	0	0	0
June 7	2779.06	600.21	88	2	60	0	22	0
June 8	3093.80	708.75	104	29	48	0	20	0
June 9	2622.10	944.84	83	5	69	0	0	0
June 10	6728.45	2158.60	178	15	146	0	0	0
June 11	4794.18	1486.18	113	13	98	0	0	0
June 12	0.00	0.00	0	0	0	0	0	0
June 13	3651.36	681.88	114	4	87	0	16	0
June 14	2514.93	765.68	88	4	43	0	30	0
June 15	0.00	0.00	0	0	0	0	0	0
June 16	7712.21	2413.54	246	28	184	0	15	0
June 17	8706.26	2607.43	210	9	194	0	0	0
June 18	5859.93	1933.72	143	12	124	0	0	0
June 19	0.00	0.00	0	0	0	0	0	0
June 20	2887.07	609.67	93	6	54	0	30	0
June 21	2821.76	564.66	95	5	64	1	23	2
June 22	3188.02	446.43	102	25	52	0	11	2
June 23	3195.43	1182.54	98	4	83	0	1	0
June 24	8573.64	3704.24	203	12	188	0	0	0
June 25	6840.48	1979.52	165	21	141	0	0	0
June 26	0.00	0.00	0	0	0	0	0	0
June 27	1652.14	352.08	51	2	31	0	14	0
June 28	2424.37	653.56	87	4	45	0	30	0
June 29	3620.53	779.46	123	29	62	0	26	2
June 30	2536.33	1004.82	79	2	69	0	1	0
			0					
Total	102600.66	29965.94	2907	300	2164	1	245	6
			0					
YTD	415161.13	119993.34	11748	1255	8717	11	958	16

## Customer Services

JUNE 1995

### **A) Total utility customers:**

1) Gas	3440
2) Water	2431
3) Sewer	2247

### **B) New customers: 62**

1) Gas & Water customers	34
2) Gas only customers	18
3) Water only customers	10
4) Total new customers	62

### **C) Customers moving out of city: 12**

1) Gas & Water customers	8
2) Gas only customers	2
3) Water only customers	2
4) Total customers moving	12

### **D) Meter re-reads:**

1) Before Billing	403
2) Per customer's request	21
3) Over-reads	7
4) Total re-reads	431

### **E) Other:**

1) Cut-offs	14
2) Monies collected from write offs	
3) Surveys/Comments received:	-0-

Report by: Margaret McEachern  
Customer Service Manager

WASTEWATER DEPARTMENT

June 1995

Liftstations: There was only general maintenance performed on our liftstations in June.

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Sewer Capacity Available:

Total Sugar Hill capacity at Southside plant.....	600,000gpd
Average Sugar Hill usage for June.....	313,245gpd
Average Sugar Hill capacity left.....	<u>286,755gpd</u>

Total capacity at Sugar Hill plant.....	500,000gpd
Average usage for June.....	218,000gpd
Average capacity left.....	282,000gpd

The # of lots approved and tapped on was not available, they will be included in next months report.

Donna Zinskie  
Collection System Supervisor

# JUNE 1995

© WILSON JONES COMPANY G7608B ColumnWrite

MADE IN U.S.A.

Date	@	Totalizer	METER Flow	1/2 Mid. Daily Flow Total	3 Max. Rate Time of flow	4 Min. Rate Time of flow	5 Daily Avg Reading MGD	6 Flow in Gals. Ft. of Head in Inches	7 Gallons Sent to Buford	8
6 01	9:57	1154256/364410166	313947	161404	69/748 <sup>A</sup>	09/451 <sup>A</sup>	32	460-39		1
6 12	12:00	1188034/367790978	295800	146232	68/940 <sup>P</sup>	06/433 <sup>A</sup>	29	446-35		2
6 26	3:25	1231362/372123915	400977	192071	118/625 <sup>P</sup>	09/314 <sup>A</sup>	34	311-29		3
7 03	11:45	1253395/374433992	306985	113662	62/1236 <sup>P</sup>	10/519 <sup>A</sup>	30	603-45	1002383	4
Daily Average					313245					5
(MAR)										
		Hwy. 20 Car Wash	Apr.	(7770)	to	June	8025			
		Guinnett Federal	"	1583	"	"	1683			
		Hartford Row Apts.	"	68808	"	"	68890			
			"	10875	"	"	10973			

*R. J. Jones*

**CITY OF SUGAR HILL  
AUDIT WORK SESSION  
THURSDAY, JUNE 15, 1995 - 7:00 P.M.**

The Mayor and Council of the City of Sugar Hill met for an Audit Work Session on Thursday, June 15, 1995 at 7:00 P.M. in the Community Center.

Those present were: Mayor Gary L. Webster, Mayor Pro Tem Reuben Davis, Council Members Steve Bailey, W. J. Dodd and Jim Stanley, City Manager Warren P. Nevad, Clerk/Finance Director Betty B. Garbutt, and Rymon Wilborn, CPA Auditor. Council Member Spradlin was unable to attend.

Mayor Webster called the meeting to order, led the Pledge to the Flag, and Council Member Bailey gave the invocation.

Mayor Webster stated the purpose of the Work Session was to review the 1994 Audit.

Mayor Webster turned the Session over to Mr. Wilborn, who reviewed the General Fund Revenues and Expenditures. He informed Council that General Fund had a net income of \$119,470 for the year. He then reviewed the Income and Expenses for the Enterprise Funds. He reported that the Operating Income for Water, Sewer, Gas, Sanitation, and Golf had a positive net income of \$506,774, but, after adding Interest Revenue and subtracting Interest Expense there was a net loss in the Enterprise Funds of \$11,623. (see attached statements)

He stated he felt that the Council was going to have to make some hard decisions concerning the Sanitation, Water and Sewer Funds. If the trend continues, he suggested that maybe the Council should take a serious look at increasing the rates in these fund so that they break even on a yearly basis. He also asked that Manager Nevad and Finance Director Garbutt make a detailed study of where the City stands for 1995 and make a projection for what will be the outcome for the current year.

Debt Service was addressed, with Mr. Wilborn giving the Council a detailed chart of the entire debt service for the City. This chart was reviewed and discussed. (see attached chart)

He expressed concern that all financial functions were not the responsibility of the Finance Director and made a recommendation that all financial functions be placed under the supervision of the Finance Director. Mayor Webster, with the approval of those present, directed Manager Nevad to see that this recommendation is followed immediately.

Mr. Wilborn also expressed concern that the retirement program did not seem to be providing for the best interest of the employees



at the time. Even though 1994 was one of the worst years in the Bond Market since 1980, it appears that the return on investments made by the City for the employees is not very good, with an average, for the year, of less than 3% for the overall investments. Retirement is invested with South Trust Bank and the Deferred Compensation is with ICMA. This issue was discussed with Director Garbutt informing Council that she is in the process of discussing this with several different financial consultants.

The work session adjourned at 8:20 P.M.

June 22, 1995

MEMORANDUM

TO: All Department Heads

FR: Warren Nevad, City Manager *W*

RE: ***Recommended Training/Travel Line Item Adjustments***

In anticipation of our budget workshop in July 1995, we are recommending to the Mayor/Council the below adjustments. This budgetary cut should result in a savings of \$4500 to the City.

Certification related courses will take the highest priority for the remaining adjusted allotment of budgetary appropriations.

	1995 Budget	YTD 1995	Projected Actual	City Manager Recommended '95 Budget	Amt. of Budget Adjustment
Administration	17000	11800	14000	14000	-3000
Inspections	1000	1631	1900	1900	900
Gas	3000	1277	1500	1500	-1500
Water	1000	435	500	500	-500
Sewer	1000	220	600	600	-400
Golf	1800	1651	1800	1800	0
Totals	24800	17014	20300	20300	-4500

cc: Mayor/City Council

**USE OF VOTE RECORDERS  
REPEAL OF PICTURE ID FOR VOTING**

The City has received a notice from the US Department of Justice that they interpose no objection to the use of Vote Recorders in the City of Sugar Hill Elections.

The Justice Department also interposes no objection to the repeal of using picture ID's for voting.

The City received this notification on June 16, 1995. These two (2) approvals from the Justice Department will be used in future elections for the City of Sugar Hill.



U.S. Department of Justice

Civil Rights Division

DLP:GS:TGL:jdp  
DJ 166-012-3  
95-1195  
95-1203

Voting Section  
P.O. Box 66128  
Washington, D.C. 20035-6128

June 16, 1995

Ms. Betty B. Garbutt  
City Clerk  
4988 West Broad Street  
Sugar Hill, Georgia 30518

Dear Ms. Garbutt:

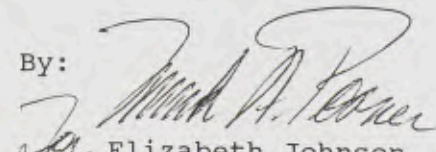
This refers to the repeal of a voter identification requirement and the use of electronic vote recorders for the City of Sugar Hill in Gwinnett County, Georgia, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submissions on April 18, 1995.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41).

Sincerely,

Deval L. Patrick  
Assistant Attorney General  
Civil Rights Division

By:

  
Elizabeth Johnson  
Acting Chief, Voting Section

Offices:  
Greenville, SC  
Raleigh, NC  
Atlanta, GA  
Chattanooga, TN

# PiedmontOlsenHensley

Engineers/Architects/Planners

3200 Professional Parkway, Suite 200  
Atlanta, GA 30339  
(404) 952-8861 Fax: (404) 984-1160

June 23, 1995

Mr. Warren P. Nevad  
City Manager  
City of Sugar Hill  
4988 West Broad Street  
Sugar Hill, GA 30518

Subject: Request for Additional Fees and Submittal of  
Approved Contract Amendments Relating to  
Services for the City of Sugar Hill Landfill  
POH Project No. 61917

Dear Warren:

At your request, I am pleased to submit this letter explaining the latest contract amendments regarding our recent professional environmental services for the City of Sugar Hill Landfill.

As you are aware, we have attempted several times to get the CADD files from Mid-American to complete our development of an approvable Groundwater Monitoring Plan as per your Consent Order deadlines from the Georgia EPD. Neither Mid-American nor their consulting engineering firm, Golder and Associates, would provide these files after we faxed, mailed, and phoned-in requests. Therefore, Piedmont Olsen Hensley, Inc. had to have the Golder plan topographic map redigitized. Our original contract fees were based on the CADD files being provided.

The Golder Closure Plan section on methane monitoring was also not up to date, according to current Georgia EPD Solid Waste requirements, so we prepared a separate Methane Monitoring Plan. Piedmont Olsen Hensley submitted both the Groundwater and Methane Monitoring plans according to the EPD Consent Order deadline. In addition, methane monitoring points have been installed and a methane monitoring report has been submitted to the EPD, further completing the Consent Order requirements.

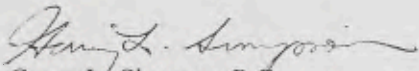
Our recent contract amendment (attached) asked for additional fees to redigitize the older Golder topographic map and to complete a separate Methane Monitoring Plan. We believe that the additional fees are very reasonable considering the amount of non-chargeable time we spent trying to get the files from Mid-American.

Mr. Warren P. Nevad  
June 23, 1995  
Page 2

Thank you for continuing opportunities to serve the City of Sugar Hill. We look forward to receiving the signed contract amendment forms.

Sincerely,

PIEDMONT OLSEN HENSLEY, INC.



Gary L. Simpson, P.G.  
Project Manager

cct/env/006  
Enclosure

cc: Bill Johnson  
John Hensley

# AGREEMENT FOR ENGINEERING SERVICES

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Amendment No. 1  
POH Project No. 61917

To: **City of Sugar Hill** (CLIENT)  
4988 West Broad Street  
Sugar Hill, GA 30518

In accordance with the terms of our Agreement dated March 9, 1995, Piedmont Olsen Hensley (POH) will be pleased to perform the following additional scope of services in connection with the City of Sugar Hill, Appling Road Landfill.

1. Reditize Golder Associates Topographic Map
2. Prepare a Methane Monitoring Plan Sheet Set

For these additional services, POH will be paid:

- |  |         |
|--|---------|
| 1. Reditize Golder Associates Topographic Map  | \$2,750 |
| 2. Prepare a Methane Monitoring Plan Sheet Set | \$3,500 |

Your acceptance of this Amendment will serve as our authorization to proceed with the work outlined above.

ACCEPTED FOR  
CITY OF SUGAR HILL

ACCEPTED FOR  
PIEDMONT OLSEN HENSLEY, INC.

By: \_\_\_\_\_  
\_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
W. Wynne Grubbs, Jr., P.E.  
Title: Vice President  
Date: \_\_\_\_\_

CLERK'S REPORT  
BETTY B. GARBUTT  
MAY 1995

Everything is running smoothly in the clerk's office.

Tax exemption certificates for those 65 or older are being received.

Met with county personal property tax personnel on June 1, 1995. We hope to have the information from the county on a more timely basis this year.

Mr. McCalla will attend the training for Election Superintendents in July for two (2) days. The classes will be in Athens.

The City will have City Court on June 6, 1995 at 5:00 P.M. We have several people with Code violations, which Inspector Bowman has cited, to appear in court.



MEMO: 95-045

TO: Mayor/City Council

FROM: Warren P. Nevad *WN*

RE: JUNE 12, 1995 CITY MANAGER REPORT

DATE: June 5, 1995

**1. EMPLOYEES:**

The position of Street Superintendent has been eliminated. The job duties have been reassigned to Billy Hutchins and Scott Payne. This reorganization should result in a recurring annual savings of \$25,000. Joe Applying has also been assisting the city by being a conduit for citizen complaints. We are implementing an "Employee of the Month" program. Department heads will recommend any employee from the City. The Department Heads will vote on "Employee of the Month".

**2. CUSTOMER SERVICE:**

We have redecorated the front office for customer appeal. Street Lights have been installed at Sylvan Rd, Sugar Hill Convenience Store and at Secret Cove.

We are proceeding with a sewer study to address the feasibility of central sewer service along the Peachtree Industrial corridor.

Bill Parker is leaving the City to pursue a new career in travel services. Best Wishes to Bill and his family.

**3. BUDGET/FINANCE:**

We will schedule a quarterly budget workshop in July to review our first six (6) months of 1995. We received a check for \$136,000 from GEFA to close out our loan. We will invest this money to safeguard possible shortage of sewer tap fees which were budgeted at \$500,000. Another option is to use this money to fund our High Pressure Gas System project. Ryman Wilburn is completing the audit.

**4. CONSENT ORDER:**

We are awaiting formal approval of our groundwater monitoring plan. Thereafter, we have 90 days to install the groundwater monitoring system. The engineers have installed methane monitoring wells at the landfill.

**5. SOLID WASTE MANAGEMENT PLAN:**

Questionnaires have been printed and should be released for distribution next week. Staff has provided Mayes Suddereth & Etheridge with background information pertaining to demographics, waste generation and commercial refuse.

**6. ROADS:**

We met with representatives from the Atlanta Regional Commission to place the widening of Hwy. 20 on their regional transportation plan. Currently, the County D.O.T. is requesting the State to place this project on their funding cycle. Thereafter, the project would be adopted under the ARC regional transportation plan.

**7. CLUBHOUSE:**

The foundation has been poured and plumbing installed. Framing has commenced and should be completed in 3 weeks. The trusses have been manufactured. We did notify the contractor that project completion is due on September 22, 1995 and to urge them to complete this project by Labor Day.

Please call me should you have any questions - Best Wishes for a productive meeting.

WPN:bms

MAY 1995

## Customer Services

### **A) Total utility customers:**

1) Gas	3445
2) Water	2426
3) Sewer	2251

### **B) New customers: 54**

1) Gas & Water customers	31
2) Gas only customers	16
3) Water only customers	7
4) Total new customers	54

### **C) Customers moving out of city: 15**

1) Gas & Water customers	11
2) Gas only customers	2
3) Water only customers	2
4) Total customers moving	15

### **D) Meter re-reads:**

1) Before Billing	365
2) Per customer's request	32
3) Over-reads	6
4) Total re-reads	403

### **E) Other:**

1) Cut-offs	16
2) Monies collected from write offs	
3) Surveys/Comments received:	-0-

Report by: Margaret McEachern  
Customer Service Manager

Sugar Hill Golf Club  
 Deposit & Round Breakdown  
 May 1995

	Total	Credit	# of		Non.	Res.	Non.	Ga.	
	Deposit	Card	Rounds	Res.	Res.	Sr.	Res.	Golf	
							Sr.	Pass	
							Jr.		
May 1	0.00	0.00	0	0	0	0	0	0	
May 2	0.00	0.00	0	0	0	0	0	0	
May 3	2937.04	598.91	96	4	67	0	18	7	
May 4	1785.16	241.20	62	22	29	0	9	2	
May 5	3764.50	909.40	118	10	93	0	0	15	
May 6	6047.35	1948.80	152	8	126	0	0	18	
May 7	3331.55	1619.08	79	10	61	0	0	8	
May 8	0.00	0.00	0	0	0	0	0	0	
May 9	3584.64	467.74	113	9	85	0	19	0	
May 10	0.00	0.00	0	0	0	0	0	0	
May 11	3996.88	979.96	121	27	71	0	22	1	
May 12	3013.01	1030.91	84	3	77	0	0	4	
May 13	6287.70	1475.45	154	7	137	0	0	10	
May 14	1807.50	654.65	48	13	35	0	0	0	
May 15	0.00	0.00	0	0	0	0	0	0	
May 16	2280.38	544.64	65	2	42	1	19	1	
May 17	2808.20	1083.69	94	5	60	1	20	8	
May 18	2858.41	862.64	93	20	51	0	17	5	
May 19	2587.61	806.13	82	2	69	0	2	9	
May 20	7883.16	1781.02	184	6	178	0	0	0	
May 21	6398.96	2293.35	152	13	129	0	0	10	
May 22	0.00	0.00	0	0	0	0	0	0	
May 23	2602.82	737.95	89	12	47	0	28	2	
May 24	2972.06	901.22	99	3	62	0	26	8	
May 25	2798.67	420.24	90	29	43	0	10	8	
May 26	3499.91	1069.03	98	4	89	0	0	5	
May 27	0.00	0.00	0	0	0	0	0	0	
May 28	11204.60	4167.28	284	31	225	0	0	28	
May 29	5877.97	1919.98	143	17	126	0	0	0	
May 30	0.00	0.00	0	0	0	0	0	0	
May 31	3220.75	619.80	101	2	57	0	31	11	
			0						
<b>Total</b>	<b>93,553.83</b>	<b>27,133.07</b>	<b>2601</b>	<b>259</b>	<b>1959</b>	<b>2</b>	<b>221</b>	<b>0</b>	<b>160</b>
<b>YTD</b>	<b>312,560.47</b>	<b>90,027.40</b>	<b>8841</b>	<b>955</b>	<b>6553</b>	<b>10</b>	<b>713</b>	<b>10</b>	<b>600</b>

MAY 1995  
ADMINISTRATIVE REPORT

INSPECTIONS, PLANNING & DEVELOPMENT



**SUBDIVISION LOT AVAILABILITY LIST**

Updated 5-1-95

Available		Near What Major Street	Permits Issued	C.O.'s Issued	Lots Not Built On	City Sewer		City Gas	City Water
Lots	Subdivision					Paid	Due		
32	Bent Creek III	Level Creek Road	31	29	1	X		X	X
44	Bent Creek IV	Level Creek Road	43	43	1	X		X	X
36	Bent Creek V	Level Creek Road	36	36	0	X		X	X
7	Brandon Oaks	Austin Garner Road	6	5	1	Septic Tank			
26	Brookside at Parkview	Parkview Mine Drive	15	11	11	X		X	X
39	Emerald Lakes IV	Cumming Highway	28	11	11	X		X	
131	Lakefield Forest	Level Creek Road	126	116	5	X		X	
174	Princeton Oaks	Riverside Road	109	103	65	X		X	X
81	Richland Creek Unit I	Sycamore Road	2				X	X	
106	Saddle Tree	Suwanee Dam Road	12		94		X	X	
116	Secret Cove	Old Suwanee Road	115	110	1	X		X	X
96	Sugar Crossing	Austin Garner Road	67	55	29	X		X	
146	Sycamore Summit	Sycamore Road/Riverside Road	144	144	2	X		X	X
7	Sycamore Summit V	Sycamore Road	7	7	0		X		X
25	Sycamore Summit VI		6	0	19		X		X
14	The Lakes at Riverside	Riverside Road	13	13	1				
51	The Links	Suwanee Dam Road	0	0	51				
46	The Oaks at Lanier I	Highway 20	45	40	1	X		X	
48	The Springs I	Highway 20	39	33	9	X		X	
50	West Price Hill	West Price Road	46	46	4	Septic Tank		X	X

THIS REPORT WAS PRINTED ON JUNE 2, 1995

CITY OF SUGAR HILL

PERMIT TYPE AND DESCRIPTION	# OF PERMITS	VALUATION	FEES DUE	FEES PAID
AD - ADDITION/GARAGE PERMIT	2	0.00	136.40	136.40
AV - ADMINISTRATIVE VARIANCE	6	0.00	900.00	900.00
DK - DECK PERMIT	1	0.00	25.00	25.00
DP - DEVELOPMENT PERMIT	1	0.00	440.00	440.00
EC - ENERGY CODE AFFIDAVIT	27	0.00	0.00	0.00
EL - ELECTRICAL AFFADAVIT	33	0.00	0.00	0.00
FP - FENCE PERMIT	8	0.00	0.00	0.00
ME - HEATING/AIR AFFADAVIT	28	0.00	0.00	0.00
MH - MOBILE HOME INSTALLER AFFIDAVIT	5	0.00	0.00	0.00
MI - MISCELLANEOUS-COMPLIANCE PERMIT	5	0.00	125.00	125.00
MN - MOBILE HOME INSPECTION NEW	4	0.00	400.00	400.00
PL - PLUMBING AFFADAVIT	28	0.00	0.00	0.00
RF - REVIEW FEES	2	0.00	800.00	800.00
RM - REMODELING PERMIT	1	0.00	25.00	25.00
SF - SINGLE FAMILY RESIDENTIAL	27	1,935,248.00	52,654.60	52,654.60
SP - SIGN PERMIT	4	0.00	392.31	392.31
TG - TRADE LICENSE REGISTRATION	6	0.00	60.00	60.00
TP - TAP & METER PAYMENTS	13	0.00	3,050.00	3,050.00
VA - APPEALS VARIANCE	1	0.00	150.00	150.00
TOTALS FOR ALL PERMIT TYPES	202	1,935,248.00	59,158.31	59,158.31



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CITY OF SUGAR HILL

TRANS. DATE	#	RESIDENTIAL 1000-0001	COMMERCIAL 1000-0002	MISCELLANEOUS 1000-0003	MOBILE HOMES 1000-0004	DEVELOPMENT 1000-0005	GAS 1000-0006	WATER 1000-0007	SEWER 1000-0008
05/01/95	1	325.00	0.00	0.00	0.00	0.00	0.00	750.00	2525.00
05/02/95	1	150.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/03/95	3	1261.20	0.00	0.00	0.00	0.00	750.00	0.00	75.00
05/04/95	3	695.00	0.00	0.00	0.00	0.00	0.00	1500.00	5050.00
05/05/95	4	25.00	0.00	20.00	100.00	0.00	0.00	0.00	0.00
05/08/95	7	995.80	0.00	10.00	0.00	0.00	1000.00	2250.00	50.00
05/09/95	8	1592.00	0.00	10.00	100.00	0.00	500.00	0.00	2550.00
05/10/95	2	25.00	0.00	10.00	0.00	0.00	0.00	0.00	0.00
05/11/95	2	0.00	0.00	0.00	0.00	0.00	300.00	0.00	0.00
05/12/95	2	102.80	0.00	0.00	0.00	0.00	0.00	0.00	0.00
05/15/95	3	117.31	0.00	0.00	0.00	0.00	250.00	0.00	0.00
05/16/95	1	0.00	25.00	0.00	0.00	0.00	0.00	0.00	0.00
05/17/95	4	0.00	0.00	0.00	0.00	0.00	1000.00	0.00	0.00
05/18/95	4	1110.00	0.00	0.00	0.00	0.00	250.00	1500.00	5050.00
05/19/95	2	1175.00	0.00	0.00	0.00	0.00	250.00	0.00	2525.00
05/23/95	4	275.00	0.00	20.00	0.00	0.00	0.00	0.00	0.00
05/24/95	6	1096.40	0.00	0.00	0.00	0.00	1000.00	0.00	5050.00
05/25/95	6	2249.80	0.00	0.00	0.00	0.00	1500.00	2250.00	150.00
05/26/95	6	1394.40	0.00	0.00	100.00	0.00	1000.00	3000.00	100.00
05/30/95	5	158.60	0.00	10.00	100.00	0.00	250.00	0.00	0.00
05/31/95	1	475.00	0.00	0.00	0.00	0.00	250.00	0.00	2525.00
====	====	====	====	====	====	====	====	====	====
TOTALS	75	13223.31	25.00	80.00	400.00	0.00	8300.00	11250.00	25650.00
Non-Existing Categories			0.00						
Current Categories			58928.31						
			=====						
Grand Total			58928.31						

THIS REPORT WAS PRINTED ON JUNE 2, 1995

CITY OF SUGAR HILL

<< STATISTICAL BREAKOUT >>

<----- Inspections -----> <----- Re-Inspections -----> Based On # Activities

# ACTIVITIES	INSPECTIONS (I)	PASSED	CORRECTIONS	RE-INSPECTIONS (R)	PASSED	CORRECTIONS	RE-INSPECTIONS REQUIRED
217	168	121	40	49	34	14	52
	% INSPECTIONS	% PASSED	% CORRECTIONS	% RE-INSPECTIONS	% PASSED	% CORRECTIONS	% RE-INSPECT. REQUIRED
	77	72	24	23	69	29	24

INSPECTOR ID BREAKDOWN

TONY BAUMAN	BUILDING INSPECTOR	79
JOE APPLING	BUILDING INSPECTOR **	124*
RALPH TERRY	SEWER INSPECTIONS	14

\*THESE FIGURES INCLUDE CODE ENFORCEMENT INSPECTIONS AS WELLS AS CITIZEN COMPLAINTS.

WASTEWATER DEPARTMENT

May 1995

Liftstations: There was only general maintenance performed on our liftstations in May.

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Sewer Capacity Available:

Total Sugar Hill Capacity at Southside plant.....	600,000gpd
Average Sugar Hill usage for May.....	314,972gpd
Average Sugar Hill capacity left.....	285,028gpd

Total capacity at Sugar Hill plant.....	500,000gpd
Average usage for May.....	213,600gpd
Average capacity left.....	286,400gpd

Total # of lots approved, but not tapped on.....	191
Average usage for these lots based on 400gpd.....	76,400gpd

Donna Zinskie  
Collection System Supervisor





AGENDA  
COUNCIL MEETING  
MONDAY, JULY 10, 1995 - 7:30 P.M.

CALL TO ORDER, PLEDGE TO FLAG, INVOCATION:

APPROVAL OF AGENDA:

APPROVAL OF MINUTES OF JUNE 12, 1995 MEETING:

COMMITTEE REPORTS:

A) PLANNING AND ZONING, ZONING APPEALS BOARD:	DODD
B) RECREATION BOARD:	DAVIS
C) BUDGET AND FINANCE:	GARBUTT
D) SOLID WASTE:	STANLEY
E) ECONOMIC DEVELOPMENT:	SPRADLIN
F) GOLF AND WASTE WATER TREATMENT:	BAILEY

CITIZEN'S AND GUEST'S COMMENTS:

OLD BUSINESS:

A) UPDATE ON MID-AMERICAN:	THOMPSON
B) UPDATE ON CONSENT ORDER:	NEVAD
C) UPDATE ON CLUB HOUSE:	NEVAD
D) UPDATE ON CITIZEN'S ADVISORY COUNCIL:	NEVAD & PAYNE
E) UPDATE ON SOLID WASTE MANAGEMENT PLAN:	NEVAD & PAYNE
F) UPDATE ON HIGH PRESSURE GAS LINE:	CROWE
G) UPDATE ON WATER DISTRIBUTION SYSTEM:	NEVAD
H) UPDATE ON USE OF VT. REC. IN ELECTIONS:	GARBUTT
I) UPDATE ON SIDEWALK PROGRAM:	NEVAD

NEW BUSINESS:

A) JULY EMPLOYEE OF THE MONTH:	NEVAD
B) FIVE (5) YEAR SERVICE AWARDS:	NEVAD
C) HIGHWAY 20 RESOLUTION:	NEVAD
D) STATUS OF PINEDALE CIRCLE:	NEVAD
E) ALCOHOL BY THE DRINK ORDINANCE:	THOMPSON
F) IMPROVEMENTS TO CITY PROPERTY:	NEVAD
G) 1994 AUDIT	GARBUTT

CITY CLERK'S REPORT:

CITY MANAGER'S REPORT:

COUNCIL REPORTS:

CITIZEN'S AND GUEST'S COMMENTS:

EXECUTIVE SESSION:

ADJOURNMENT:

City of Sugar Hill  
Mayor and Council Meeting  
Monday, July 11, 1994  
7:30 P.M.

OFFICIAL

Minutes

Notice of Council Meeting was posted at City Hall by 12:00 P.M. on Friday, July 8, 1994.

Those present were: Mayor Gary Webster, Council Members Steven Bailey, Reuben Davis, Charles Spradlin, Jim Stanley, Interim City Manager Steve Higgins, City Clerk/Finance Officer Betty B. Garbutt, Utilities and Development Director Ken Crowe, Golf Director Wade Queen, Attorney Lee Thompson, and registered guests David K. Sayers, Jan Stanley, Lari Webster, Meg Avery, Jan and Meredith Holt, Diane Spivey, Leona Marie Bailey, Gail Kelly, Tom C. Wilson, Cathy Rines, and Nighta Davis.

Mayor Webster called the meeting to order at 7:30 P.M. and led in the Pledge of Allegiance to the Flag.

Interim City Manager Steve Higgins led in prayer.

Council Member Charles Spradlin made a motion, seconded by Council Member Jim Stanley to adopt the Agenda. Vote on the adoption of the Agenda was unanimous of Council Members present.

Mayor Webster introduced a guest, Republican Ralph Hudgins, candidate for 10th District Congress, and gave him five minutes to address Council and guests who were present. During his comments he stated he was against placing Unfunded Mandates on cities and counties.

Minutes of the June 13, 1994 Meeting were approved unanimously with a motion from Council Member Spradlin, seconded by Council Member Stanley after the following corrections were made by Council Member Spradlin.

Page 8, Paragraph 2: that if this rate increase is determined in line with the contract, allow for it upon that determination.  
Page 8, Paragraph 11: change "naming" to namely, Omit "that citizens" and change "things to be getting" to responses from the Marshall.

COMMITTEE REPORTS:

Planning and Zoning Board            No meetings

Zoning Appeals Board                No meetings

Recreation Board

Councilmember Davis reported that summer recreation soft ball has begun with 41 teams.

Budget and Finance

Finance Officer Garbutt reported finance statements are being worked on and histories of past years are being looked at.

Solid Waste

Council Member Spradlin gave the Solid Waste Report. He reported on the litigation concerning the landfill and Mr. O'Day has estimated a hearing date sometime in August to respond to the "motion for summary judgement" filed by the plaintiffs. He reported that the decision of the Council to retain Mr. O'Day's office was based on Law and almost guarantees this will be heard by the court.

Golf Course

Council Member Bailey presented a Chart showing Golf Course Revenues and Rounds comparing 1993 to the same periods of 1994. He expressed appreciation to City employees for using their own time to lay the sod purchased.

Waste Water

Council Member Steven Bailey gave the Waste Water Report, expressing that the plant is operating and on line and welcome any visitors.

OLD BUSINESS:

Mayor Webster reported that Mr. Warren Nevad has been hired as the new City Manager and is very enthusiastic about reporting for work on August 8, 1994. He comes from the City of Golf, Florida with excellent credentials to operate as Manager for the City of Sugar Hill. Council Member Steven Bailey made a motion to accept the application for City Manager of Warren Nevad at \$45,000.00 per annum. Council Member Davis seconded the motion which passed unanimously by Council Members present (4-0). Mayor Webster reported that Mr. Nevad has requested a \$3,000.00 relocation package. Motion was made by Council Member Bailey to honor the request, seconded by Council Member Davis and passed by unanimous



vote of Council Members present (4-0).

Council Member Stanley reported on a Solid Waste Management Plan which was discussed with Council Member Stanley giving the background stating that the action has been delayed. He reported that the City is required by law to have a Solid Waste Management Plan, but due to the fact the City is in litigation on the matter he does not feel that anything can be written down until that matter is settled in Court. The matter was tabled indefinitely on a motion of Council Member Stanley, seconded by Council Member Bailey and passed unanimously by Council Members present (4-0).

Manager Higgins reported that discussion on proposed personnel policy changes was continued from a previous meeting. He recommended that this item be postponed due to the hiring of a new City Manager, action on the proposed personnel changes was tabled to a work session to be held in August on a motion by Council Member Spradlin, seconded by Council Member Bailey and passed unanimously by Council Members present (4-0).

Manager Higgins and Clerk Garbutt reported on the consideration of a proposal to contract with Barry J. Hall Co. for recovery of Sales Taxes paid by City Contractors. Manager Higgins reported that the collection would be done for a 15% fee with 50 % of the estimated fee being paid on submission of request for reimbursement and 50% paid at the time the collection was completed. The amount is proposed to be approximately a \$750.00 fee for the collection. This was discussed and Council Member Stanley made a motion to approve the Contract for a percentage. Council Member Spradlin seconded the motion for discussion. After a more detailed explanation by Manager Higgins the motion passed unanimously by Council Members present (4-0).

#### CITIZENS COMMENTS:

Citizen Gail Kelly expressed her opinion and commented on the matter of the sales tax collection, but when she realized she had misunderstood the percentage, she agreed the 15% was a reasonable fee.

David Sayers questioned the Solid Waste Management Plan and asked would the Landfill Agreement be in the Plan or would it be a separate plan. Council Member Stanley reported that the City is in litigation on the Landfill Agreement and should the Court rule that plan invalid the City would be at liberty to essentially start over. This explanation by Council Member Stanley answered Mr. Sayers questions.

Mrs. Meg Avery expressed her concern over a safety problem they have in her neighborhood on Forest Green Drive. She is very concerned over the speeding being done on that Drive. She reported that there is no deterrent to persons speeding, not even a speed

limit sign. She reported that residents in the neighborhood have had correspondence from City employee Danny Pugh who asked that residents respond within ten days if they wished to have a speed hump placed on the Drive, but to date no action has been taken to correct the problem. After more discussion on this matter by Council and Manager Higgins, Mayor Webster requested that letters be re-sent to residents on Forest Green Drive asking what their wishes are. Council Member Stanley stated that the City of Sugar Hill has already formally adopted the Gwinnett County Policy on Speed Humps. He also stated that the home work needs to be done by the Council and see that the correct evaluations have been done. Council Member Spradlin recommended that they get either yea or nay on the request and not assume any answers but let the citizens know their responses are important. Mrs. Avery asked that this be seriously investigated and some action be taken to deter the speeding on Forest Green Drive.

Mrs. Diane Spivey read a lengthy letter concerning an article in the June 25th issue of the Gwinnett Loaf. She stated her pros and cons of former and present council members also former city employees. She discussed charges stated by Mrs. Nighta Davis in the article concerning Council Members. She also accused Mrs. Davis of making vague, outrageous, and unsubstantiated claims. She differed with Council Member Bailey, stating that she did not feel that information on the Golf Course was readily available to the public. She continued, for quite some time, with charges concerning the Golf Course, Contracts, and other areas she feels are being covered by legal smoke.

Mr. Tom Wilson asked that Council Members Stanley and Spradlin resign due to the fact that they were fined by the State Ethics Commission. He also asked that since Mayor Webster was going before the Grand Jury on July 12, 1994 that he also resign. There was some heated discussion on this issue with Council Member Stanley stating that Mr. Wilson was continually asking that he and other council members resign. Council Member Stanley pointed out that no one is perfect and admits that he made a mistake and admits that he is not perfect, but he implored the citizens to think carefully about what they are doing and what their motivations are. He stated that when public officials are subjected continuously to ethics complaints, recalls, and impeachment actions, it creates an atmosphere where good, decent people will not be interested in serving in government and would not subject themselves and their families to the process. He stated that no one in his right mind would go through what he, and Council Member Spradlin have been through and what Mayor Webster is going through, to do what needs to be done. He stated that this endless harassment is not the way the political system in America is intended to work and every time an elected official stubs his toe is not the time to drag him down. He stated that elections are the time to make decisions, not every time a news article is printed.

Kathy Pines asked why did the City Manager Steve Higgins, Mayor Webster, and Mr. Jim Stanley take vacations to Savannah at the City's expense, what does Mr. Higgins do and what is he paid? Council Member Stanley asked that he be allowed to respond. He stated that the business of city government is very complex and that the council members are expected to know every law. He brought out several examples. He stated that the Georgia Municipal Association is an association of Georgia elected and appointed officials which meets annually and at other times for the purpose of educating their members. Those who attend these meeting spend many hours in classes and many hours in direct contact with city officials from other cities and is probably the most beneficial and valuable educational thing which they do to prepare themselves for what they do. Those who disdain education will just have to disdain education and those who feel they need education will take the time from their jobs to go and be a part of these things to learn as much as they can, and in his own case he spent seven hours in a session on ethics and learned a great deal. These sessions are for elected and appointed officials, city managers, clerks, attorneys, and others and the trip is well worth the time and money spent for people who conduct the City's business and those who feel they have all the answers without the training will have to continue to be misled.

Mrs. Nightha Davis wished to answer some of the allegations Mrs. Spivey charged her with. She felt that former City Manager Mrs. Williamson was discharged without cause. Mrs. Davis expressed her dissatisfaction with many things and stated that what she states to the paper in support of her opinions on an issue are strictly hers and not those of her husband Council Member Davis and that if she chooses to fight a cause she does it on her own and Council Member Davis can do the same. Mrs. Davis stated that an elected official went before the grand jury and was fined \$1,000.00, Mayor Webster reminded Mrs. Davis that the elected official went before the Ethics Board and not the grand jury. She stated that the Mayor would be going before the Grand Jury on July 12, 1994. She stated that citizens may have regrets about their decision that they elected the present officials when taxes begin to rise.

Mayor Webster stated that to set the record straight Mrs. Williamson resigned. Many of the guests disagreed.

Council Member Stanley stated that if history and his memory serves him right, legend has it that ancient Rome was saved by the gagging of a flock of geese, he holds out that the incessant gagging of Nightha Davis and her flock will someday do something positive for the City of Sugar Hill.

NEW BUSINESS:

- A) Council discussed the extension of the contract with

interim City Manager Higgins. Councilmember Spradlin made a motion to extend the contract until September 30, 1994. Motion died for lack of second. Mr. Stanley agreed that a transition time was appropriate and necessary for the transition. After more discussion, Council Member Bailey made a motion to extend Mr. Higgins Contract for thirty days, seconded by Council Member Davis, after more discussion with Councilmember Spradlin stating that they were giving Mr. Nevad twenty-three days to work with Mr. Higgins which he feel is unreasonable but if this is the wishes of the Council, then so-be-it. Council Member Bailey stated that he felt they could be open minded and if the need arises they can look at it again. Let Mr. Nevad be the judge if he needs more time with Mr. Higgins. The contract with Mr. Higgins will be extended to August 27, 1994. The motion passed with three in favor. Council Member Spradlin abstained from voting.

B) Manager Higgins stated that since Council Member Jonathan Wright has resigned effective June 30, 1994, it is necessary to hold a Special Election to fill the vacated position. Dates for qualifying need to be set and a budget for the election needs to be approved. Manager Higgins reported to Council that a new state law has been passed and signed setting certain days special elections may be held. This law is currently under review by the U. S. DOJ and is not in effect. The Georgia Secretary of State advised us to comply with our charter and code which would allow the election as late as August 29, 1994. The suggested date is Tuesday, August 23, 1994. Voter Registration will be cut off on five days after the call. August 25, 1994 through August 29, 1994 would be the dates for qualifying. Lee Thompson reported that he and Clerk Garbutt will get together to determine what date should be used for the "Call". Mayor Webster stated that he was calling the Election at this time. Council Member Stanley made a motion to hold the Election on August 23, 1994 to fill the empty Council position, that the qualifying period be August 25, 1994 through 12:00 Noon August 29, 1994, registration ends five days after the Call of the Election. Council Member Spradlin seconded the motion. The motion passed unanimously of Council Members present (4-0). Councilmember Bailey made a motion to appropriate \$1,500.00 to conduct the Called Election and a Run-off if necessary. Council Member Spradlin seconded the motion. Manager Higgins asked if the ordinance drafted for the election could be substituted for the motion on the table. It was and passed unanimously of Council Members present (4-0).

Council Member Bailey made a motion that the Agenda be amended to add the issue of the administrative cost of \$250.00, involved in a consent decree before the Ethics Board and that individual council members involved at the time pay the fine which was charged to the City. Council Member Stanley seconded the motion for discussion, and stated that he has a comment. He feels this is a matter of old business and not new business, so the agenda can be amended. Council Member Bailey stated that the citizens of Sugar

Hill should not pay for fines imposed against the council for unethical conduct. He has informed Mayor Webster that he will pay his pro rata share of the fine. The Mayor has spoken to former Mayor Haggard, he declined to make a payment, he has spoken to former Council Member Everett and he has declined to make a payment, he asked former Council Member Morris, who was present, if he would be willing to pay any part, and Mr. Morris stated he would not. Council Member Stanley stated he was willing to pay his pro rata share. Council Member Spradlin wants to go on record that he opposes the use of tax payer money to pay any fine the previous Council has gotten levied against the City. He feel they should pay individually. Council Member Bailey stated that should some of the Council not pay their pro rata share, he will pay the difference. Council Member Stanley stated he would be willing to pay his pro rata share with anyone who owns up to their responsibilities. The charge of \$250.00 was part of a settlement disposing of charges against the City for failure to properly edit and control the newsletter. Council Member Stanley reported he was charged \$100.00 for his one sentence endorsement in that letter. The Commission pointed out that it was not one Council Member that made one endorsement, there was in fact, three different Council Members who made three different endorsements on three different issues. There was a total of \$350.00 in fines. City funds were used to endorse a variety of ballot issues, and the state law says that public funds may not be used to endorse items which appear on the ballot. A valuable lesson has been learned by the council through this issue and Council Member Stanley stated the issue is over and the council and the citizens need to get to the issues at hand and put this issue behind everyone. Mayor Webster presented Manager Higgins a check for \$50.00 to be applied to the charge. Council Member Davis stated he was a member of Council and he knew better than to make any endorsements in the newsletter and that there was a verbal agreement that there would be no political endorsements, but there were. He also agrees that the issue should be placed behind everyone. He did not tell anyone that what they were doing was wrong; he felt they should know. The vote on the motion made by Council Member Bailey was unanimous of Council Members present (4-0).

Director of Golf Wade Queen had no report but Attorney Lee Thompson stated that the application for beer sales at the Golf Course has been filed, and he explained the process which has to be followed and explained the ordinance involved. After more discussion Council Member Bailey made a motion to amend the Agenda, under old business, to vote on the wording of the ordinance. Council Member Stanley seconded the motion which passed by unanimous vote of Council Members present (4-0). After discussion concerning the wording of the Ordinance Council Member Stanley made a motion to adopt the Ordinance as presented. Council Member Bailey seconded the motion which passed by unanimous vote of Council Members present (4-0).

City Clerk Garbutt stated that she has been researching records and could not ask that the employees of the City of Sugar Hill do any more than they already have to help. A good deal of time is being spent to see that the forthcoming election is done to the satisfaction of everyone involved. She feels that with patience and the Lord's help the City of Sugar Hill will get on its feet.

City Manager Higgins reported that the waste water pump truck is on the job and has saved the City over \$1000.00 to date. He discussed the handling of water at the golf course. Work is being done on some roads. He reported the changes in the solid waste collection and those persons who have deposits on the recycling bins will get their deposit back. He is investigating having newspaper recycling bins placed around the city. The meter reading crew is up to full strength and reinstated the cut-off policies. There has been a new three way stop sign placed at Oak Grove Road by Gwinnett County.

#### COUNCIL REPORTS:

Council Member Davis expressed his appreciation that Mrs. Garbutt is on the job and pledged his support.

Council Member Bailey echoed Council Member Davis' support of Mrs. Garbutt. He implored the public not to conduct an election by means of letters to the editor, he asked that everyone be nice, not sling mud and be clean and elect those who are ethical and come with a sense of wanting to learn and to work together to serve the citizens of the City of Sugar Hill to the best of everyone's ability.

Council Member Spradlin had no comments at the time.

Council Member Stanley asked for a report on the gas line project. Mr. Ken Crowe reported that the preliminary plans have been received and he has filed the proper paperwork with the railroad. This will take some time. Mr. Crowe does not know that these lines have to be in service before this coming gas season, these are being installed to serve the Johnson Road area. An agreement with Atlanta Gas Light for gas transportation through their lines was discussed. Council Member Stanley has looked at an agreement and it seems very attractive and needs to be looked at. Mr. Crowe stated that he has met with officials from Atlanta Gas Light, but has not had any response from them. This was discussed with Council Member Stanley stating he will find his letter from AGL and will bring it before Council.

Council Member Bailey raised the issue of supplying the new elementary school with water from the City of Sugar Hill. Manager Higgins reported that a cost effective way has not been found to provide that service. He suggest that the appropriate way of

dealing with this would be a joint City-County approach. The city cannot recommend the kind of expenditure necessary for the limited amount of service we would get. He explained this and would appreciate any input and direction the Council would give on the issue. Council Member Bailey asked was the City going to be stuck with relocation of all utilities on widening Peachtree Industrial Boulevard. Manager Higgins stated that utility location is usually the responsibility of the utility owner, and the only cost figure he has at the time is approximately \$250,000.00. This was discussed.

Councilmember Stanley felt that more emphasis may need to be placed on training for those involved in the utility system for proper certification required by law for employees of the Gas System. Manager Higgins stated that training is being made available.

Manager Higgins reported that he has asked all of his department heads to be sure that employees know that nothing partisan is to be done by City employees on City time and using City equipment for the upcoming Election. Council Member Stanley hoped that the service of providing a list to anyone requesting one not be covered under this, but the list be made available, at cost, to anyone wishing a list. Manager Higgins stated this would fall under freedom of information and was not intended to be denied.

Council Member Stanley made a motion to go into executive session at 9:18 P.M. The motion was seconded by Council Member Bailey. The purpose being to discuss personnel and litigation. Roll Call vote was Council Members Davis, Bailey, and Stanley in favor, Council Member Spradlin voted no. The executive session ended at 9:36 P.M. on a motion by Council Member Spradlin, seconded by Council Member Davis and unanimously approved (4-0). No action was reported from the Executive Session.

Council Member Bailey made a motion to adjourn the Regular Council Meeting at 9:40 P. M. The motion was seconded by Council Member Spradlin and unanimously approved (4-0).

MOTION AND VOTE REGISTER  
COUNCIL MEETING-JULY 11, 1994

MOTION DATE	BAILEY	DAVIS	SPRADLIN	STANLEY	WEBSTER
Adopt Agenda Spradlin 07/11/94	yes	yes	yes	yes	N/A
Approve Minute Spradlin 07/11/94	yes	yes	yes	yes	N/A
Appl-City Manager Bailey 07/11/94	yes	yes	yes	yes	N/A
Table Solid Waste Management Plan Stanley 07/11/94	yes	yes	yes	yes	N/A
Table Personnel Changes Spradlin 07/11/94	yes	yes	yes	yes	N/A
Recover Sales Tax Stanley 07/11/94	yes	yes	yes	yes	N/A
Extension of Steve Higgins Contract Bailey 07/11/94	yes	yes	abs	yes	N/A
Special Election Stanley 07/11/94	yes	yes	yes	yes	N/A
Appropriate funds for Election Bailey 07/11/94	yes	yes	yes	yes	N/A
Agenda Amendment Ethics \$250.00 Bailey 07/11/94	yes	yes	yes	yes	N/A
Agenda Amendment Beer Ordinance Bailey 07/11/94	yes	yes	yes	yes	N/A
Adopt Ordinance Beer for GC Stanley 07/11/94	yes	yes	yes	yes	N/A
Enter Executive Session Stanley 07/11/94	yes	yes	no	yes	N/A



Motions and Vote-Cont.-Page 2

End Executive  
Session

Spradlin

07/11/94

yes

yes

yes

yes

N/A

Adjourn Meeting

Bailey

07/11/94

yes

yes

yes

yes

N/A

**July 3, 1995**

MEMORANDUM 95-052

TO: Mayor/City Council

FR: Warren Nevad, City Manager

Re: *Agenda Item: Update On Club house*

Attached are the June 30th meeting notes and the relevant financial statements and analysis pertaining to the clubhouse project.

We will request adjustments to our line items within our original budget of \$500,000. We remain confident that this project will come in under \$500,000.

Please call me should you have any questions.

WPN: bms

attachments



# CITY OF SUGAR HILL

---

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518  
(404) 945-6716

## INTEROFFICE MEMORANDUM

TO: MAYOR & COUNCILMEMBERS  
FROM: WARREN P. NEVAD  
DATE: JUNE 30, 1995  
RE: MEETING WITH ARCHITECT FOR CLUBHOUSE CONSTRUCTION

---

### ATTENDING

Councilmember, Steve Bailey  
Warren P. Nevad, City Manager  
Wade Queen, Golf Course Director  
Preston Sturgis, Architect

Mr. Sturgis presented a letter from Carl L. Leaman, President, Paradise Construction, Inc., requesting changes to the clubhouse project. Mr. Sturgis explained that although a few of the things requested were required by the Fire Marshall and the Health Department, the prices quoted were too high. Also, he stated that for the most part they were included in the original drawings and were covered by the bid.

Mr. Bailey asked that Mr. Nevad write a letter to the contractor asking for a complete break down stating costs on materials, labor, and mark up for the addendum items mentioned in Mr. Leaman's letter.

Mr. Bailey also stated that the council would hold the contractor to the bid and the bid bond.

We will prepare line item budget adjustments to be presented at the council meeting.

Attachment: 1

	BUDGET	ACTUAL	DIFFERENCE	PROPOSED ADJUSTED
CONTRACTOR	\$369,000	\$54,000	\$315,000	\$369,000
WATER LINE	10,000	0	10,000	0
FURNISHINGS	34,000	0	34,000	44,000
ENGINEER/ARCHITECT	7,000	4,758	2,242	6,000
BOND ISSUANCE	15,000	9,218	5,782	9,218
LIFT STATION	50,000	0	50,000	55,000
LEGAL COSTS	5,000	1,758	3,242	2,500
CONTINGENCY	10,000	7	9,993	14,282
TOTAL	\$500,000	\$69,741	\$430,259	\$500,000

**The following items, which are indicated on the plans dated March 10, 1995 by revision one markings, are not part of the original contract for construction. The Contractor is requested to provide information to the Owner regarding any change to the contract amount or time allowed for construction necessitated by the Contractor's provision and installation of these items.**

- 1.) Added, a second hot water heater as indicated on Sheet P-1, P-2, E-2 and E-3.
- 2.) Added, an electrical panel "B", with subsequent revision to panel "A" and the electrical calculations, a change in wiring size from transformer to the panel, an additional switch and wiring necessary to power the added hot water heater
- 3.) Added, a new floor drain to the bar area, as indicated on Sheet P-1
- 4.) Added, a layer of 5/8" type x fire rated gypsum board all around inside face of fireplace firebox and chimney flue as indicated on Sheet A-1.
- 5.) Added, a cooking equipment table, with integrated hood, and fire extinguishing system as indicated on Sheet A-1.
- 6.) Provide a cost and other information regarding the installation of a gas firestarter at the fireplace.
- 7.) Provide cost and other information regarding the stubbing in of gas service to the kitchen.
- 8.) Added, base cabinets to kitchen, as shown on Sheet A-9.

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- 2.) Clarification- provide panic hardware on the following doors: Doors 1, 2, 3, 4, 5, 6, 7, and 16.
- 3.) Drainboards shall be provided at each end of the three compartment kitchen sink.
- 4.) A drain board shall be provided at the sink in the chef's table sink.

END of LIST

MASTER LOG FOR THE CONSTRUCTION ACCOUNT

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Ck#002	3/16/95	Peoples Bank		400,000.00	10,000.00
2	3/24/95	Interest Received	75.39		10,075.39
Ck#101	4/12/95	Kilpatrick/Cody		9,218.34	857.05
Ck#102	4/12/95	AAA Blue Print		523.08	333.97
3	4/17/95	Deposit	90,000.00		90,333.97
4	4/17/95	Interest Rcd	477.74		90,811.71
Ck#103	4/17/95	Thompson/Sweeny		1,758.00	89,053.71
Ck#104	4/19/95	AAA Blue Print		612.54	88,441.17
Ck#105	4/19/95	Preston Sturgis		500.00	87,941.17
5	4/04/95	Ccheck Order		6.56	87,934.61
6	4/28/95	Service Charge		.25	87,934.36
7	4/28/95	Interest Rcd	102.21		88,036.57
Ck#106	5/10/95	Paradise Const.		11,475.00	76,561.57
Ck#107	6/06/95	Paradise Const,		42,525.00	34,036.57
8	6/08/95	Interest Rcd	171.46		34,208.03
Ck#108	6/22/95	AAA Blue Print		122.32	34,085.71

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Ck#103	4/17/95	Lee Thompson	Services Rendered	1,758.00
Ck#104	4/19/95	AAA Blue Print	Sets Specs for GC	612.54
Ck#105	4/19/95	Preston Sturgis	Contract	500.00
5	4/04/95	Check Order	Checks	6.56
6	4/28/95	Service Charge	Service Charge	.25
Ck#106	5/10/95	Paradise Const.	Construction	11,475.00
Ck#107	6/06/95	Paradise Const.	Construction	42,525.00
Ck#108	6/22/95	AAA Blue Print	Blue-line Prints	122.32

MARCH 14, 1995

TRANSFERS TO THE CONSTRUCTION ACCOUNT

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2	3/24/95	Interest Received	Deposit	75.39
3	4/17/95	C.D. Matures	Deposit	90,000.00
4	4/17/95	Interest Rcd	Deposit	477.74
7	4/28/95	Interest Rcd	Deposit	102.21
8	6/08/95	Interest Rcd	Deposit	171.46

MARCH 14, 1995



**MEMORANDUM 95-051**

TO: Mayor/City Council  
FR: Warren P. Nevad  
RE: JULY 10, 1995 CITY MANAGER REPORT  
DATE: July 3, 1995

**1. EMPLOYEES:**

We have scheduled a quarterly employee meeting for July 18, 1995. An inservice training course on public speaking will be offered by me to our employees. Job descriptions have been completed for all department heads.

Ruth Switzer and Shirley Gibbs have been awarded Level I certification in Municipal Finance by the University of Georgia. Joe Appling has also been assisting Billy Hutchins and Scott Payne in resolving customer complaints. Margie Wilson assisted me in applying for \$50,000 in Community Development Block Grant reimbursement.

Emmitt King has returned to work. Ron Daniels has taken a job with a private printing company. We wish Ron continued success.

I appreciate the opportunity to be the first official from Sugar Hill to carry our flag during the opening ceremonies of the Georgia Municipal Association.

**2. CUSTOMER SERVICE:**

We welcome our new meter reader: Carole Cripe. She is training under Margaret McEachern who is also cross training other employees. Ruth Ann Cooper and Shirley Fields are surveying customers about their water pressure. We are surveying customers who are serviced by water lines 2 inches or less.

The front office has implemented security measures to protect the privacy of the responses to the solid waste survey. So far, we have received over 450 responses. Herb Payne will report the findings at our Mayor/Council meeting.

**3. PLANNING/ZONING**

Kim Landers is assisting us in monitoring the activities of the Prison Crew. She has been assisting Betty Garbutt with our Code update.

The final plat for Arbor Close has been signed. According to Ken Crowe, we do not believe that this development will request changes in zoning conditions. Ken has been discussing future development opportunities with an asphalt company on Brogdon Rd.

This would require a rezoning change and 7000 ft. of high pressure gas line installation. Please contact Ken for the specifics.

4. **BUDGET/FINANCE:**

Betty and I are reviewing the recommendations from the Audit. Kelly Canady is surveying other municipal debt ratios for the last three (3) years to compare our status. Golf Course revenues for June exceeded \$100,000. Betty continues to instruct department heads to be more frugal with their expenditures.

5. **CONSENT ORDER**

We are still awaiting formal approval from EPD on our groundwater monitoring plan. The engineers have requested change orders to our original contract to compensate for the redigitization of the topographical maps and a new methane monitoring plan per revised EPD requirements. These changes were necessary to meet our time constraints. Please refer to the correspondence from Piedmont Olsen Hensley.

6. **CLUBHOUSE:**

The contractor is framing the roof and finished the plumbing. We are keeping a daily construction diary at the golf course.

We met with the architect to review necessary addendums to the project. These changes resulted from the Health and Fire Department reviews. We will request adjustments to our line items within the \$500,000 Project Budget.

7. **WATER SYSTEM:**

We have drained the water tanks and turned open all our valves. We have not experience any significant water leaks arising from this project. Many customers have noticed increased water pressure. As mentioned earlier, we are surveying our customers.

8. **STREETS/SIDEWALKS:**

The Sycamore Rd. realignment project will commence in early 1996. We are paving four (4) local roads under the State L.A.R.P program. The Department has been working on a number of drainage improvements throughout the City.

We will install a 4 ft. wide sidewalk from the flagpole at the park to the pavilion. We are also considering using our sidewalk money allowance to address crosswalks.

Please call me should you have any questions - Best Wishes for a productive meeting.

WPN: bms

**CLERK'S REPORT  
JULY MEETING  
MONDAY, JULY 10, 1995**

The Clerk's office is busy with maintenance on the tax customer accounts and checking FIFA's which have been filed. We will turn some of the older ones over to the attorney to search the titles and make arrangements to advertise the property for sale for tax liens.

Training at the GMA Convention proved very informative. It was a good time of learning and enjoyment with other clerks from all over the state. There was over 125 clerks in attendance at the Convention. We raised \$1,628 in our scholarship raffle. Council Member Alfonso Boone from Alapaha won the trip.

We are going to look at the Occupational Licenses during the month of August. We budgeted \$45,000 for 1995 and we have received, under the new Ordinance the amount of \$47,706.81. I think we should remain with the Ordinance, since we went to the expense of having it done, and have the required Public Hearing before the Council Meeting in October to receive input from the citizens, if there is any. We had very little controversy once the people understood the system being used.

If you have any questions, please call me after the 4th of July.

1994 AUDIT REPORT

The Mayor and Council held a Work Session, to review the 1994 Audit, with CPA Rymon Wilborn on June 15, 1995 at 7:00 P.M. in the Community Center.

Mr. Wilborn discussed the 1994 Audit and made recommendations that all financial functions be placed under the supervision of the Finance Director. Council approved a motion to this effect.

*Recommendation*

Motion is needed to accept the 1994 Audit Report prepared by CPA Rymon Wilborn and Co.

*Bailey -  
Dodd -  
4-0 abstain*

## REVENUES/INCOME AND EXPENDITURES/EXPENSES REPORT 1995

JULY

DEPARTMENT: BUDGET '95: '94YTD: '95YTD: PERCENT: NET '95  
'95YTD: YTD-BUDGET:

Administration:					
Revenues	\$980,000	\$306,009	\$524,118	53.48%	\$455,882
Expenditures	\$749,624	\$514,744	\$412,036	54.97%	\$337,588
Net Income:	\$230,376	(\$208,735)	\$112,082	48.65%	\$118,294
Inspections:					
Revenues	\$87,500	\$49,684	\$60,466	69.10%	\$27,034
Expenditures	\$106,521	\$36,777	\$69,101	64.87%	\$37,420
Net Income:	(\$19,021)	\$12,907	(\$8,635)	45.40%	(\$10,386)
Street:					
Revenues	\$67,300	\$55,498	\$48,248	71.69%	\$19,052
Expenditures	\$260,641	\$123,489	\$194,543	74.64%	\$66,098
Net Income:	(\$193,341)	(\$67,991)	(\$146,295)	75.67%	(\$47,046)
Sanitation:					
Income	\$347,605	\$233,047	\$170,102	48.94%	\$177,503
Expenses	\$325,525	\$210,974	\$169,490	52.07%	\$156,035
Net Income:	\$22,080	\$22,073	\$612	2.77%	\$21,468
Gas:					
Income	\$2,409,100	\$1,472,365	\$1,387,969	57.61%	\$1,021,131
Expenses	\$1,910,915	\$797,715	\$685,506	35.87%	\$1,225,409
Net Income:	\$498,185	\$674,650	\$702,463	141.00%	(\$204,278)
Water:					
Income	\$670,250	\$356,530	\$364,004	54.31%	\$306,246
Expenses	\$579,980	\$419,335	\$320,577	55.27%	\$259,403
Net Income:	\$90,270	(\$62,805)	\$43,427	48.11%	\$46,843
Sewer:					
Income	\$945,750	\$288,185	\$351,889	37.21%	\$593,861
Expenses	\$1,441,538	\$699,111	\$558,276	38.73%	\$883,262
Net Income:	(\$495,788)	(\$410,926)	(\$206,387)	41.63%	(\$289,401)
Golf:					
Income	\$803,100	\$458,163	\$511,520	63.69%	\$291,580
Expenses	\$832,101	\$458,925	\$372,679	44.79%	\$459,422
Net Income:	(\$29,001)	(\$762)	\$138,841	-478.75%	(\$167,842)
Total Income:	\$6,310,605	\$3,219,481	\$3,418,316	54.17%	\$2,892,289
Total Expenditures/ Expenses	\$6,206,845	\$3,261,070	\$2,782,208	44.82%	\$3,424,637
Variances	\$103,760	(\$41,589)	\$636,108	613.06%	(\$532,348)

**FINANCE REPORT  
JULY MEETING  
MONDAY, JULY 10, 1995**

You have received your Audit and should you have any questions, please call me.

Kelly and I have made all the adjustments, and we are busy working on cleaning up problems which were detected during the audit.

We managed to make it through June without drawing any of the savings out for operating expenditures. The revenue from the Golf Course is helping tremendously. During the past three (3) months the Golf Course has produced revenue over \$300,000. This shows Top Quality Management at the course. This revenue is helping during the months of low-gas revenue. We are hoping that we can continue to operate without drawing the savings out. All department heads continue to be frugal with their purchases.

We hope to have you a correct Budget Comparison report by the time of the Council Meeting on July 10th. Due to all the adjustments we have not prepared one because it would have been incorrect, but when we finish, everything will be right. Please bear with us until we have all the corrections made. I will prepared you a Cash Flow Statement of actual cash received and disbursed for June 1995. This will be ready next week, after the 4th holiday.

***Council Report for the Golf Course & Waste Water Treatment Facility  
For the Month of July, 1995  
By Steven C. Bailey, Council Member***

**Waste Treatment Facility**

The Treatment plant is doing well as usual and expected. Recently a lift station had substantial repairs made, but otherwise our system is 100% operational.

**Golf Course**

July was yet another banner month for the Golf Course and proved to be both the best July we have ever had and the best month *we've ever had* period. Gross deposits were a record \$120,628.58 with total rounds being up about 30% and revenues were up about 29% over the same period last year. Total year to date rounds increased 8.32% over last year with total deposits up about 11% for the same period as last year.

*End of Report 8/14/95*



# CITY OF SUGAR HILL

---

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518  
(404) 945-6716

## INTEROFFICE MEMORANDUM

TO: MAYOR & COUNCILMEMBERS  
FROM: WARREN P. NEVAD  
DATE: JUNE 30, 1995  
RE: MEETING WITH ARCHITECT FOR CLUBHOUSE CONSTRUCTION

---

### ATTENDING

Councilmember, Steve Bailey  
Warren P. Nevad, City Manager  
Wade Queen, Golf Course Director  
Preston Sturgis, Architect

Mr. Sturgis presented a letter from Carl L. Leaman, President, Paradise Construction, Inc., requesting changes to the clubhouse project. Mr. Sturgis explained that although a few of the things requested were required by the Fire Marshall and the Health Department, the prices quoted were too high. Also, he stated that for the most part they were included in the original drawings and were covered by the bid.

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MARCH 14, 1995

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TRANSACTION #	DATE	FROM	EXPLANATION	AMT.
1	3/14/95	Peoples Bank	Deposit	\$500,000
2	3/24/95	Interest Received	Deposit	75.39
3	4/17/95	C.D. Matures	Deposit	90,000.00
4	4/17/95	Interest Rcd	Deposit	477.74
7	4/28/95	Interest Rcd	Deposit	102.21
8	6/08/95	Interest Rcd	Deposit	171.46

MARCH 14, 1995

July 3, 1995

MEMORANDUM 95-054

TO: Mayor/City Council

FR: Warren P. Nevad, City Manager

RE: **Agenda Item: Central Sewer Service: Pinedale Pavillion**

Staff has analyzed the previous quote of \$450,000 to provide central sewer to approximately 57 homes in this area. As a result, we are researching federal public works grant programs to fund this needed project.

We will keep you advised of further developments during the July 10th Mayor/Council Meeting.

**July 3, 1995**

MEMORANDUM 95-053

TO: Mayor/City Council

FR: Warren Nevad, City Manager

Re: *Agenda Item: Public Facility Improvements*

We have solicited three (3) bids on painting and refurbishing City Hall, Community Center and the Inspections Building. Total cost is \$4500. As you know, earlier, we installed new roofs on the Inspections Building and Community Center.

We will propose a motion to approve transferring \$4500 out of the travel and training line item for the administration, sewer, water and gas departments to fund the above mentioned improvements.

For your reference, attached is the lowest bid.

WPN: bms

attachments

**Proposal for Repairs and Restoration of Community Center**

City of Sugar Hill  
4988 West Broad Street  
Sugar Hill, GA. 30518

Work to be performed will be as follows:

- Pressure Wash all painted surfaces to remove old flaking paint and dirt build-up.
- Pressure Wash brick and block surfaces to remove mold and grime.
- Replace Fascia, Siding and Shingles as needed (replace with like materials).
- Re-nail existing Siding where needed. Caulk cracks, nail holes and/or knots to prevent further water damage. (Latex 10-year Caulk)
- Replace Gutter (East side of building) to further protect against water damage.
- Seal exterior exposed wood as needed. (Kilz Latex primer)
- Re-paint all exterior painted surfaces. (Glidden Latex Exterior wall paint, like colors)

Price to include Labor and Materials for above proposed repairs. **\$1,500.00**

Please feel free to contact me at 275-4851 should you have any questions.

Please sign and return one copy as contract.

\_\_\_\_\_  
City Representative

\_\_\_\_\_  
David F. Rood

ref: HMR103.xls



**Proposal for Repair and Restoration of Inspection Department**

City of Sugar Hill  
4988 West Broad Street  
Sugar Hill, GA. 30518

Work to be performed will be as follows:

- Remove rotted structure (at entrance has Handicap side walk) and replace with treated, No. 2, yellow pine to prevent further damage. Replace rotting siding (on exterior building) and replace rotted Soffit and Fascia boards as needed.
- Re-enforce Rafter tail ends with treated, No. 2, yellow pine as needed.
- Pressure wash all painted surfaces (exterior), Caulk and Re-nail, Prime exposed wooden surfaces as needed.
- Replace tongue and groove ceiling as needed (walk way entrance)
- Install new Threshold on back entrance door.
- Re-paint exterior with Latex Exterior wall paint (like color).

Price to include Labor and Materials for above proposed repairs. **\$1,700.00**

Please feel free to contact me at 275-4851 should you have any questions.

Please sign and return one copy as contract.

\_\_\_\_\_  
City Representative

\_\_\_\_\_  
David F. Rood

**Proposal for Repairs and Restoration of City Hall (Exterior)**

City of Sugar Hill  
4988 West Broad Street  
Sugar Hill, GA. 30518

Work to be performed will be as follows:

- Pressure Wash all painted surfaces to remove old flaking paint and dirt build-up.
- Pressure Wash brick surfaces to remove mold and mildew.
- Remove or replace rotted Facia, Window Sills and Trim as needed.
- Caulk all cracks, nail holes and/or knots to prevent further water damage. (Latex 10 year Caulk)
- Prime exposed wood surfaces as needed to ensure proper adhesion of finish coat. (Kilz Latex primer)
- Re-Glaze window panes as needed to ensure proper seal from weather damage.
- Repair Gutter (rear of building) as needed. Seal with Silicone Caulk to prevent moisture and further damage to Facia.
- Scrape and prep surface of Hand Rail and 2 exterior metal doors. (Glidden Latex Exterior wall paint, Semi-Gloss finish, like color)
- Paint exterior wood surface. (Glidden Latex Exterior wall paint, Semi-Gloss, like color)
- Clean exterior windows.
- Clean up and remove all debris from construction site.

Price to include Labor and Materials for above proposed repairs. **\$1,350.00**

Please feel free to contact me at 275-4851 should you have any questions.

Please sign and return one copy as contract.

\_\_\_\_\_  
City Representative

\_\_\_\_\_  
David F. Rood

ref: HMR101.xls

July 3, 1995

MEMORANDUM 95-053

TO: Mayor/City Council

FR: Warren P. Nevad, City Manager

RE: **Agenda Item: Update on Consent Order**

The engineers have requested this change to our original contract to compensate for the redigitization of the topographical maps and new methane monitoring plan. This request is for \$6250.

Attached is a copy of the request.

SIGN IN SHEET  
MAYOR AND COUNCIL MEETING  
MONDAY, JULY 10, 1995, 7:30 P.M.

IF YOU WISH TO ADDRESS COUNCIL PLEASE PLACE A CHECK BY YOUR NAME.

*Levi M. M. M. M.*

*Jim & Susan Brown*

*EDDIE SAYER*

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AGENDA  
COUNCIL MEETING  
MONDAY, JULY 10, 1995 - 7:30 P.M.

CALL TO ORDER, PLEDGE TO FLAG, INVOCATION:

APPROVAL OF AGENDA:

APPROVAL OF MINUTES OF JUNE 12, 1995 MEETING:

COMMITTEE REPORTS:

- |   |          |
|---|----------|
| A) PLANNING AND ZONING, ZONING APPEALS BOARD: | DODD     |
| B) RECREATION BOARD:                          | DAVIS    |
| C) BUDGET AND FINANCE:                        | GARBUTT  |
| D) SOLID WASTE:                               | STANLEY  |
| E) ECONOMIC DEVELOPMENT:                      | SPRADLIN |
| F) GOLF AND WASTE WATER TREATMENT:            | BAILEY   |

CITIZEN'S AND GUEST'S COMMENTS:

OLD BUSINESS:

- |  |               |
|--|---------------|
| A) UPDATE ON MID-AMERICAN:                 | THOMPSON      |
| B) UPDATE ON CONSENT ORDER:                | NEVAD         |
| C) UPDATE ON CLUB HOUSE:                   | NEVAD         |
| D) UPDATE ON CITIZEN'S ADVISORY COUNCIL:   | NEVAD & PAYNE |
| E) UPDATE ON SOLID WASTE MANAGEMENT PLAN:  | NEVAD & PAYNE |
| F) UPDATE ON HIGH PRESSURE GAS LINE:       | CROWE         |
| G) UPDATE ON WATER DISTRIBUTION SYSTEM:    | NEVAD         |
| H) UPDATE ON USE OF VT. REC. IN ELECTIONS: | GARBUTT       |
| I) UPDATE ON SIDEWALK PROGRAM:             | NEVAD         |

NEW BUSINESS:

- |                                    |          |
|------------------------------------|----------|
| A) JULY EMPLOYEE OF THE MONTH:     | NEVAD    |
| B) FIVE (5) YEAR SERVICE AWARDS:   | NEVAD    |
| C) HIGHWAY 20 RESOLUTION:          | NEVAD    |
| D) STATUS OF PINEDALE CIRCLE:      | NEVAD    |
| E) ALCOHOL BY THE DRINK ORDINANCE: | THOMPSON |
| F) IMPROVEMENTS TO CITY PROPERTY:  | NEVAD    |
| G) 1994 AUDIT                      | GARBUTT  |

CITY CLERK'S REPORT:

CITY MANAGER'S REPORT:

COUNCIL REPORTS:

CITIZEN'S AND GUEST'S COMMENTS:

EXECUTIVE SESSION:

ADJOURNMENT:

5-0

Chavler  
Bailey 5-0

Cable  
4-1  
Crew  
Abraham

**MINUTES-COUNCIL MEETING  
MONDAY, JULY 10, 1995 - 7:30 P.M.**

The Mayor and Council of the City of Sugar Hill met for the Regular Monthly Meeting on Monday, July 10, 1995 at 7:30 P.M. in the Community Center.

Those present were Mayor Gary L. Webster, Mayor Pro Tem Reuben Davis, Council Members Steven Bailey, W. J. Dodd, Charles Spradlin, and Jim Stanley, City Manager Warren P. Nevad, City Clerk/Finance Director Betty B. Garbutt, employees Kim Landers, and Danny Hughes, Attorney Lee Thompson, registered guests Lari Webster, Tom and Susan Brown, and Eddie Sayer, other citizens, guests, and representatives of the news media.

Mayor Webster called the meeting to order, led in the Pledge to the Flag, and Council Member Spradlin gave the invocation.

Council Member Dodd made a motion, seconded by Council Member Spradlin to approve the agenda. The vote was unanimous. (5-0)

Council Member Spradlin made a motion to approve the June Minutes, seconded by Council Member Stanley and unanimously approved. (5-0)

**COMMITTEE REPORTS:**

**A) PLANNING AND ZONING, ZONING APPEALS BOARD:**

Council Member Dodd reported that there were no meetings of the P & Z Board or the Zoning Appeals Board. He reported a sub-division permit applied for off of Hwy 20 and expressed concern over the amount of traffic on Hwy 20 during rush hours.

**B) RECREATION BOARD:**

Mayor Pro Tem Davis reported there have been several incidents of vandalism at the park and also security problems are being investigated. He also stated how much the City appreciates the thoroughness of employee Terry Crawford over the July 4th weekend, as he patrolled the park while on stand-by duty. He also reported that the City has been awarded a grant of \$12,500 from the state to improve the Soccer Field.

**C) BUDGET AND FINANCE:**

Finance Director Garbutt reported due to Top Quality Management at the Golf Course, the City is managing to keep a positive cash flow during the low revenue months. See Finance Director's report in the packets.

**D) SOLID WASTE:**

Council Member Stanley reported that Attorney Thompson has received notice that Mid-American has settled with their legal staff and it is time to resume negotiations to advise



FROM : PLANNING/DEVELOPMENT

TO : CITY OF SUGAR HILL

1995-08-08 07:53AM #934 P.01/02

FAX MEMO # PAGES 2

TO: KEN CROWNE

DEPT: \_\_\_\_\_

FAX: 245-0281

FROM: KATHY H.

CO: GWINNETT

PHONE: 677-1056

FAX: \_\_\_\_\_

Hope King  
Hedges

PHILLIP



47 Trinity Avenue, SW  
Atlanta, Georgia 30334

Form 676 (Rev. 3-91)

# Rules and Regulations for Day Care Centers

Chapter 290-2-2

March 1, 1991



FROM PLANNING/DEVELOPMENT TO CITY OF SUGAR HILL 1995, 08-09 07:54AM #934 P.02/02

- 5. Cleaning supplies; \* \*
- 6. Insecticides; \* \*
- 7. Poisons; \* \*
- 8. Office supplies; and \* \*
- 9. Industrial-sized or commercial buckets with a capacity of three (3) gallons or more or any other similar device with rigid sides which would be unlikely to tip over if a toddler fell into the container head first. \* \* \*
- (aa) For centers first licensed after the effective date of these rules, the center shall provide or have ready access to an outdoor play area. The minimum size of the outdoor area must be equal to one hundred (100) square feet times one-third (1/3) of the center's licensed capacity for children. \* \* \*
- 1. At least one hundred (100) square feet shall be available for each child occupying the outside play area at any one time; \* \* \*
- 2. Groups of children may be rotated if necessary so that one hundred (100) square feet per child is provided at all times; \* \* \*
- 3. Outside play areas shall be adjacent to the center or in an area which can be reached by a safe route or method approved by the department; \* \* \*
- 4. Play areas shall be protected from traffic or other hazards by a four (4) foot or higher secure fence or other barrier approved by the department; \* \* \*
- (i) Fencing material shall not present a hazard to children, and shall be maintained so as to prevent children from leaving the play area by any other means than through an approved access route; \* \* \*
- (ii) Fence gates shall be kept closed except when persons are entering or exiting the area; \* \* \*
- 5. The outdoor play space shall have a surface suitable for varied activities; \*

- (b) Hard surfaces, such as gravel, concrete, or paving shall not exceed one-fourth (1/4) of the total outdoor play area; \* \*
- 6. Outside play areas shall be kept: \* \* \*
- (i) Clean, \* \* \*
- (ii) Free from litter, \* \* \*
- (iii) Free of hazards such as, but not limited to, non-resilient surfaces under the fall-zone of play equipment, rocks, exposed tree roots and exposed sharp edges of concrete or equipment; \* \* \*
- 7. Shaded areas shall be provided in the outside play areas; \*
- 8. All outside play equipment shall be arranged so as not to obstruct supervision of children; and \* \* \*
- 9. Climbing and swinging equipment shall be: \* \* \*
- (i) Anchored, and \* \* \*
- (ii) Have a resilient surface beneath the equipment and the fall-zone from such equipment which is adequately maintained by the center to assure continuing resiliency. \* \* \*
- (bb) Any outside storage or equipment area shall be locked or separated from the children by a barrier or be enclosed and shall not be accessible to the children. \* \* \*
- (cc) Sufficient parking areas shall be provided to permit safe discharge and pick up of children. \* \* \*
- (dd) The center shall provide outside lighting at entrances and exits used by children when the center provides evening or nighttime care. \* \* \*
- (ee) **General Requirements.** All equipment shall be used only by the age-appropriate group of children and shall be: \* \* \*
- 1. Free from hazardous conditions such as, but not limited to, sharp, rough edges or toxic paint; \* \* \*

Section 1102. Medium Density Single-Family Residential District  
(RS-100).

The RS-100 residential district includes areas of medium density residential development. The regulations for this district are designed to take advantage of the greater economy and convenience afforded by more intensive development but still retain some of the open aspects of a detached dwelling unit district.

In the RS-100 residential district, the following uses are permitted:

- (1) Single-family residences, except mobile homes.
- (2) Customary accessory buildings and uses for residential districts.
- (3) Customary home occupations.
- (4) Churches, provided that:
  - a. They are located on a major street;
  - b. The buildings are not less than thirty (30) feet from any property line.
  - c. A buffer strip at least ten (10) feet wide is provided along the side and rear property lines, which is planted with evergreen trees and shrubs that provide an effective visual screen.
- (5) Public and semipublic playgrounds, parks, lakes and buildings, operated on a non-profit basis for recreational and public community purposes only.
- (6) Public and private schools offering general education courses, provided that:
  - a. The buildings are located not less than thirty (30) feet from any property line;
  - b. A buffer strip at least ten (10) feet wide is provided along the side and rear property lines, planted with evergreen trees and shrubs that provide an effective visual screen.
- (7) Utility stations, in compliance with Section 605.
- (8) Accessory subdivision identification signs located at the principal entrance to a subdivision, not to exceed one hundred twenty (120) square feet without a special exception approval of the board of zoning appeals.
- (9) Agriculture and horticulture, including greenhouses, and truck gardens, except the raising of livestock or poultry.
- (10) Nursery schools, day care facilities, and kindergartens, provided that at least two hundred (200) square feet of outdoor plan area per child is provided on the lot, and provided that the play area is surrounded by a permanent solid wall or woven wire fence having a height of at least

AGENDA  
COUNCIL MEETING  
MONDAY, AUGUST 14, 1995

CALL TO ORDER, PLEDGE TO FLAG, INVOCATION:

APPROVAL OF AGENDA: 5-0

APPROVAL OF MINUTES OF JULY 10, 1995 MEETING:

COMMITTEE REPORTS:

- A) PLANNING AND ZONING, ZONING APPEALS BOARD:
- B) RECREATION BOARD:
- C) BUDGET AND FINANCE:
- D) SOLID WASTE:
- E) ECONOMIC DEVELOPMENT:
- F) GOLF AND WASTE WATER TREATMENT:

DODD *ND*  
DAVIS *See Page*  
GARBUIT *co. 10/1*  
STANLEY *ND*  
SPRADLIN *see 12/10*  
BAILEY

CITIZEN'S AND GUEST'S COMMENTS:

OLD BUSINESS:

- A) MID-AMERICAN:
- B) CONSENT ORDER:
- C) SOLID WASTE MANAGEMENT PLAN:
- D) HIGH PRESSURE GAS SYSTEM:
- E) CABLE TV FRANCHISE:
- F) UPDATE ON CLUB HOUSE:

NEVAD  
NEVAD  
NEVAD *7:00 PM Monday*  
CROWE  
GARBUIT *Dabley 7-1-1995*  
NEVAD

NEW BUSINESS:

- A) EMPLOYEE SERVICE AWARDS:
- B) JULY 1995 EMPLOYEE OF THE MONTH:
- C) ETHICS ORDINANCE:
- D) J.C. HENRY DAY RESOLUTION:
- E) SOCCER GRANT RESOLUTION:
- F) OATH OF OFFICE-CHIEF REGISTRAR:
- G) WATER AND SEWER SALE:
- H) SOIL EROSION AND SEDIMENTATION CONTROL:
- I) DISCUSSION OF SIGN ORDINANCE:
- J) DISCUSSION OF DAY CARE REGULATIONS  
COMPLIANCE IN WRITING:

NEVAD  
NEVAD  
GARBUIT *inbed*  
BAILEY  
DAVIS  
WEBSTER  
NEVAD  
GARBUIT  
SPRADLIN *3-2 Failed*  
CROWE

*K. Election Ordinance*  
CITY CLERK'S REPORT:

CITY MANAGER'S REPORT:

COUNCIL REPORTS:

CITIZEN'S AND GUEST'S REPORT:

ADJOURNMENT:

**MINUTES**  
**SPECIAL CALLED MEETING**  
**WEDNESDAY, AUGUST 2, 1995 - 7:00 P.M.**

The Mayor and Council of the City of Sugar Hill held a Special Called Meeting on Wednesday, August 2, 1995 at 7:00 P.M. in the Community Center.

The purpose of the meeting was to go into Executive Session to discuss the disposal of Real Property.

Those present were: Mayor Gary L. Webster, Mayor Pro Tem Reuben Davis, Council Members Steve Bailey, W. J. Dodd, Charles Spradlin, and Jim Stanley, City Manager Warren P. Nevad, City Clerk/Finance Director Betty B. Garbutt, Sewer Department Supervisor Donna Zinskie, Karen Spradlin, and Bill Parker.

Mayor Webster called the meeting to order, led the Pledge to the Flag and Council Member Spradlin gave the invocation.

Mayor Webster read the purpose of the meeting and asked for a motion to go into Executive Session to discuss disposal of real property. Council Member Bailey made the motion, seconded by Council Member Dodd. The motion passed unanimously.

The Council went into the session at 7:10 P.M.

The following action was taken after the Executive Session ended at 8:00 P.M. on a motion from Council Member Bailey, seconded by Council Member Dodd and passed unanimously.

Council Member Spradlin made a motion that the Council authorize the Mayor to send a letter to Gwinnett County that the City of Sugar Hill agrees "in principle" to transfer ownership to Gwinnett County of the City of Sugar Hill's water and sewer systems in exchange for a payment of Nine million, Two hundred Fifty-eight thousand, Four hundred forty-two dollars (\$9,258,442.) Said letter shall specify that:

1. Water shall be provided, free of charge, for irrigation on Sugar Hill's Golf Course as long as ownership of the course is maintained by the City of Sugar Hill.
2. Property currently containing the Bell South Tower remain under the City of Sugar Hill's ownership.
3. The City of Sugar Hill does not intend to displace any employees affected by this sale and will make every effort to place said employees with the county, or transfer those positions as necessary to keep with these intentions.

Council Member Dodd seconded the motion which passed unanimously.

The meeting adjourned at 8:03 P.M. on a motion by Council Member Bailey, seconded by Mayor Pro Tem Davis and passed unanimously.

**MEMORANDUM 95-060**

TO: Mayor/City Council  
FR: Warren P. Nevad  
RE: AUGUST 14, 1995 CITY MANAGER REPORT  
DATE: August 7, 1995

**1. EMPLOYEES:**

The following employees will be recognized at the August Mayor/Council Meeting for years of dedicated service to the City of Sugar Hill:

- 1) Donna Zinski, Wastewater Supervisor: 8 years;
- 2) Danny Hughes, Gas Department Crew Chief: 8 years;
- 3) Ralph Terry, Wastewater Collections Crew Chief: 8 years;
- 4) Wayne Clement, Water Department Crew Chief: 7 years; and
- 5) Scott Payne, Assistant Public Services Superintendent: 5 years.

In addition, J.L. Peppers, Water Department Technician has been awarded "July 1995 Employee of the Month". Mr. Peppers has been employed with the City for four (4) years.

We held our quarterly employee luncheon on July 18, 1995. Margaret McEachern, Kelly Canady, Shirley Gibbs and Ruth Ann Cooper handled all the details. Eight (8) employees participated in a Public Speaking course offered by the City Manager. Each employee gave verbal presentations and were critiqued with the aid of a cam corder. Employees were given certificates for their efforts.

On August 3, 1995, we held an employee meeting to address the sale of the Water and Sewer System. The purpose of this meeting was to answer questions and present our findings.

**2. CUSTOMER SERVICE:**

We have refurbished City Hall, Community Center and the Planning/Inspections Buildings. Margie Wilson assisted me in overseeing this project. We have also restripped the parking lot and relanscaped the entrance sign area at the corner of Peachtree Industrial Blvd. and Hwy. 20. We appreciate Brenda Rich's help with this project.

Shirley Fields and Ruth Ann Cooper have surveyed water customers who are serviced by water lines two (2) inches or smaller. Unfortunately, many of these customers have experienced marginal improvements to our water pressure.

3. **PLANNING/ZONING**

We are addressing revising our sign and day care regulations as outlined in our Zoning Ordinance. Ken Crowe will explore our options and necessary steps to implement the changes if requested by the Mayor/Council.

4. **BUDGET/FINANCE:**

We have received over \$56,000 in reimbursement monies from the Community Development Block Grant Program. \$7,000 of this amount resulted in improvements made to Creek Lane back in 1990. Margie Wilson assisted me with our reimbursement.

Betty and I have begun our work for the 1996 budget. Betty has requested the department heads to submit capital improvement requests. We will be reviewing our 1995 budget prior to the August Mayor/Council Meeting.

Compared to this date last year, we do not anticipate a need to drastically cut our budget. The Golf Course has a surplus in excess of \$130,000. Meanwhile, the sewer department is 14% under in expenditures. Details are forthcoming.

5. **SOLID WASTE MANAGEMENT PLAN:**

Mayes Suddereth and Etheridge has submitted a draft of our plan. The 2 week review period will commence at the August 14, 1995 Mayor/Council Meeting. Thereafter, the 2nd public hearing will be held and the plan should be adopted at the September Meeting.

6. **CLUBHOUSE:**

The contractor is finishing the roof and has installed all windows. The contractor has requested a 60 day extension. Staff will not authorize this extension. Any request for project extension must be formally approved by the Mayor/Council. We are keeping a daily construction diary at the golf course.

We met with the architect and contractor to review necessary addendums to the project. These changes resulted from the Health and Fire Department reviews and oversights by the Architect. Nevertheless, we remain confident that this project will fall below our \$500,000 project limit. Ruth Switzer has prepared the meeting notes for discussion of "Update on Clubhouse".

7. **CONSENT ORDER:**

E.P.D. has still not completed their review of our groundwater monitoring plan. We will notify you when review is completed.

8. **STREETS/SIDEWALKS:**

We are paving four (4) local roads under the State L.A.R.P program. We have been working on a number of drainage improvements throughout the City. Earnest Ward has constructed a new culvert on Pass Court to alleviate drainage problems at Mr. Ed Phillips'

residence. We have submitted a list of road projects to be funded under the County sales tax program for roadway construction. Please refer to previous correspondence.

Best Wishes for a productive meeting.  
WPN: bms

MEMORANDUM:

AUGUST 9 1995

REGARDING: PLAYGROUND AREA FOR DAY CARE CENTERS

TO: MAYOR & COUNCIL

FROM: KEN CROWE *KC*

Attached you will find a portion of the state regulations addressing the required minimum space for play areas. Their requirement is 100 square feet for each child occupying the outside play area at any one time. They also allow the rotation of groups of children to meet this standard.

In looking at the attached copy of our ZONING ORDINANCE as it addresses day care centers, you will see that we require 200 square feet of area per child with no provisions for the number of children that may or may not be outside at any given time.

Staff was asked to bring this to your attention for consideration of amending the ZONING ORDINANCE to require the same minimums as the State and Gwinnett County.

I would also like to point out to you that day care facilities are allowed in most all residential zoning's within the city as well as most of our commercial zoning's. This means that neither the council nor staff has input as to the location of these centers except in the case of a rezoning, which would rarely be needed.

If council chooses to look into amending the ordinance regarding the required minimum play area, I would also suggest considering requiring a special use permit in zoning classifications other than HSB or BG.

If you have any questions please contact me.

b:daycare



AGENDA  
COUNCIL MEETING  
MONDAY, AUGUST 14, 1995

CALL TO ORDER, PLEDGE TO FLAG, INVOCATION:

APPROVAL OF AGENDA:

APPROVAL OF MINUTES OF JULY 10, 1995 MEETING:

COMMITTEE REPORTS:

A) PLANNING AND ZONING, ZONING APPEALS BOARD:	DODD
B) RECREATION BOARD:	DAVIS
C) BUDGET AND FINANCE:	GARBUTT
D) SOLID WASTE:	STANLEY
E) ECONOMIC DEVELOPMENT:	SPRADLIN
F) GOLF AND WASTE WATER TREATMENT:	BAILEY

CITIZEN'S AND GUEST'S COMMENTS:

OLD BUSINESS:

A) MID-AMERICAN:	NEVAD
B) CONSENT ORDER:	NEVAD
C) SOLID WASTE MANAGEMENT PLAN:	NEVAD
D) HIGH PRESSURE GAS SYSTEM:	CROWE
E) CABLE TV FRANCHISE:	GARBUTT
F) UPDATE ON CLUB HOUSE:	NEVAD

NEW BUSINESS:

A) EMPLOYEE SERVICE AWARDS:	NEVAD
B) JULY 1995 EMPLOYEE OF THE MONTH:	NEVAD
C) ETHICS ORDINANCE:	GARBUTT
D) J.C. HENRY DAY RESOLUTION:	BAILEY
E) SOCCER GRANT RESOLUTION:	DAVIS
F) OATH OF OFFICE-CHIEF REGISTRAR:	WEBSTER
G) WATER AND SEWER SALE:	NEVAD
H) SOIL EROSION AND SEDIMENTATION CONTROL:	GARBUTT
I) DISCUSSION OF SIGN ORDINANCE:	SPRADLIN
J) DISCUSSION OF DAY CARE REGULATIONS COMPLIANCE IN WRITING:	CROWE

CITY CLERK'S REPORT:

CITY MANAGER'S REPORT:

COUNCIL REPORTS:

CITIZEN'S AND GUEST'S REPORT:

ADJOURNMENT:

**MINUTES  
COUNCIL MEETING  
MONDAY, AUGUST 14, 1995 - 7:30 P. M.**

The Mayor and Council of the City of Sugar Hill held their regular monthly meeting on Monday, August 14, 1995 at 7:30 P.M. in the Community Center.

Those present were Mayor Gary L. Webster, Mayor Pro Tem Reuben Davis, Council Members Steve Bailey, W. J. Dodd, Charles Spradlin, and Jim Stanley, City Manager Warren P. Nevad, City Clerk/Finance Director Betty B. Garbutt, employees Danny Hughes, Scott Payne, J. L. Peppers, Ralph Terry, and Donna Zinskie, registered guests Lari Webster, Meg Avery, Eddie Sayer, Mr. and Mrs. J. C. Henry, other citizens, guests and representatives of the news media.

Mayor Webster called the meeting to order, led in the Pledge to the Flag and Council Member Dodd gave the invocation.

Council Member Bailey made a motion to amend the agenda to include an Ordinance to Call the Election as item K under New Business. The motion was seconded by Council Member Dodd, vote on the motion was unanimous. (5-0) Council Member Dodd made a motion to approve the agenda, seconded by Council Member Bailey and passed unanimously. (5-0)

**COMMITTEE REPORTS:**

**A) PLANNING AND ZONING, ZONING APPEALS BOARD:**

Council Member Dodd had nothing to report.

**B) RECREATION BOARD:**

Mayor Pro Tem Davis reported that a four (4) foot sidewalk has been finished from the flagpole to the lower pavilion, and new drain pipes have been installed at the park. He will report on a Soccer Grant later in the meeting.

**C) BUDGET AND FINANCE:**

Finance Director Garbutt stated the reports were in the packets for Council review. The City is doing very well financially with a surplus through the first seven (7) months of the year of \$636,108. (see attached report)

**D) SOLID WASTE:**

Council Member Stanley had nothing to report.

**E) ECONOMIC DEVELOPMENT:**

Council Member Spradlin complimented the appearance of the City Hall property, stating that the EDC was very pleased with the work which has been done to improve the appearance of the buildings.

He reported that the EDC has discussed the Sign Ordinance which they feel needs to be pulled from the Zoning Ordinance and made an Ordinance on its own. This was discussed at length. He discussed items on the budget which were clarified by Finance Director Garbutt. He asked that the City list the Club House with the Olympic Committee for use. Manager Nevad reported that this has already been done.

**F) GOLF COURSE AND WASTEWATER TREATMENT:**

Council Member Bailey reported another record month at the Golf Course with rounds and revenue up to record highs. He reported that everything is running smoothly at the Wastewater Treatment Plant. A lift station has had major repairs but is running smoothly at the present time. (see attached report)

**CITIZEN'S AND GUESTS COMMENTS:**

Mr. David Edwards reported that the EDC has been working with some real estate companies to prepare a portfolio to give to Gwinnett County to show what is available in Sugar Hill. He also asked that we have the Club House available for the Olympics.

Mr. Tim Pugh addressed the upcoming vote on liquor by the drink stating he was concerned about the type of establishments which might apply for a licenses, especially establishments with nude dancing. This was discussed with the Council assuring Mr. Pugh that the Council will adhere to the strict regulations in the present Ordinance on nude dancing, and should they need to be revised that will be done.

Mrs. Meg Avery questioned the item on Ethics listed on the agenda under new business. She talked about the importance of ethics in government. She also advised the Council to be careful when they address all types of ethics. She was very concerned over this issue, and asked that specifics be used and not generalities.

Mr. Bob Wagner, a utility customer, praised the Council for the sale of the water and sewer systems to Gwinnett County. He asked that the Council comment on the Landfill issue at the end of the meeting. He asked if enough debt would be retired, in this sale, to end the Landfill issue.

**OLD BUSINESS:**

**A) MID-AMERICAN:**

Manager Nevad reported that Attorney Lee Thompson has forwarded an agreement to Mid-American. This includes the provisions discussed and adopted and presented to Mid-American by the City in May of 1995. These provisions include:

1. Deeding the land back to Mid-American
2. Mid-American will be responsible for the closure and post closure.
3. The City will refund all monies escrowed back to Mid-American minus the Consent Order costs.

Council Member Spradlin asked if this included the lease payments due to the City. Manager Nevad stated that it did. Council Member Stanley stated that the legal agreement included what Mid-American asked for. The City is waiting on a response to this agreement.

**B) CONSENT ORDER:**

Manger Nevad reported that the City is still waiting on formal approval of the Ground Water Monitoring Plan and he will report when it is received.

**C) SOLID WASTE MANAGEMENT PLAN:**

Manager Nevad reported that a draft has been prepared by Mayes, Sudderth, and Etheredge and he suggested that the recommendation of Mary Prebula be followed by having a fourteen (14) day review period. This was discussed. Council Member Bailey made a motion to accept the proposal, seconded by Council Member Dodd. There was considerable discussion on this matter, with Council Member Spradlin asking that the Council review this document and be sure they know what is being presented to the public. After more discussion Council Member Dodd withdrew his second, Council Member Bailey withdrew his motion and Council Member Spradlin made a motion to table the draft until a work session can be scheduled to review the plan more closely. Council Member Stanley seconded the motion which passed unanimously. (5-0) A work session was scheduled for Monday, August 21, 1995 at 7:00 P.M.

Council Member Stanley stated that the document the Council will be reviewing is available for the public to see.

**D) HIGH PRESSURE GAS LINES:**

Director Crowe advised that the plans were being reviewed and the City is close to going out to bid on the gas lines.

**E) CABLE TV FRANCHISE:**

Council Member Spradlin made a motion to table this until next month's meeting. This will give the Council time to properly review the changes in the agreement. The motion was seconded by Council Member Dodd and passed unanimously. (5-0)

**F) UPDATE ON CLUB HOUSE.**

Manager Nevad stated that the contractor has six (6) weeks left to finish the Club House. Staff has met several times with the architect and contractor to agree on the addendums. He stated that staff remains confident that the project will come within the \$500,00 cost estimate, but it is almost certain that the project will not be completed by the September 22, 1995 completion date. Council Member Spradlin stated that if we pressure the contractor we may get inferior work. This was discussed and Council Member Stanley stated he does not feel the contractor has followed through with efforts to complete it on time, and feels that the contractor has made no efforts, of good faith, to comply with the terms of the contract. He feels that the contractor's bonding company should be notified. This was discussed further with consensus that this will be discussed further at the next Council Meeting. Manager Nevad stated a letter will be sent to the bonding agent this week.

**NEW BUSINESS:**

**A) EMPLOYEE SERVICE AWARDS:**

Manager Nevad recognized Donna Zinskie for eight (8) years of service, Mr. Danny Hughes for eight (8) years of service, Mr. Ralph Terry for seven (7) years service, Mr. Scott Payne for five (5) years of service. Manager Nevad reported that Mr. Wayne Clement has seven (7) years of service and Mr. Ken Cain has six (6) years of service, they were unable to attend tonight. Each employee received a plaque and was given a round of applause for their dedication and service.

**B) JULY EMPLOYEE OF THE MONTH:**

Manager Nevad reported that Mr. J. L. Peppers was chosen as employee of the month for July. He was presented a plaque and monetary award.

**C) ETHICS ORDINANCE:**

Clerk Garbutt presented an Ordinance on ethics for former council members and employees. (see attached) Council Member Spradlin made a motion to adopt the Ordinance, seconded by Council Member Stanley. There was considerable discussion on the Ordinance with Council Member Stanley stating he felt that this would be too restrictive and would prevent the city from doing business with

BUDGET WORKSESSION  
FINANCE REPORT

RENEWAL AND REPLACEMENT MONIES IN THE ENTERPRISE FUNDS ARE:

GAS:	\$205,500.00	-\$ 31,574.61	\$ 173,925.39
WATER:	\$ 22,700.00		\$ 22,700.00
SEWER:	\$ 19,600.00		\$ 19,600.00
GOLF:	\$ 28,000.00		\$ 28,000.00
	<u>\$275,000.00</u>	<u>-\$ 31,574.61</u>	<u>\$ 243,425.39</u>

AS OF TODAY THE CITY HAD THREE (3) CD'S IN SAVINGS:

CD # 11309           \$ 300,000.00    VALUE AS OF TODAY:       \$308,483.09  
MATURES ON SEPTEMBER 1, 1995

CD # 11356           \$ 100,000.00    VALUE AS OF TODAY:       \$102,705.97  
MATURES ON SEPTEMBER 8, 1995

CD # 11402           \$ 100,000.00    VALUE AS OF TODAY:       \$102,811.14  
MATURES ON SEPTEMBER 14, 1995

TOTAL OF ALL CD'S IN SAVINGS WITH INTEREST:                       \$514,000.02

TOTAL INTEREST EARNINGS ON CD'S IS   \$14,000.02

WE HAVE DEPOSITED IN THE LGIP ACCOUNT THE AMOUNT OF:       \$ 5,769.59

WE HAVE IN THE SANITATION ESCROW THE AMOUNT OF:               \$334,658.68

AMOUNT IN CHECKING ACCOUNT AS OF TODAY:                       \$120,454.27

WE WILL RECEIVE THE SOUTHERN BELL FRANCHISE AND THE INSURANCE PREMIUM TAX, WHICH WILL BE APPROXIMATELY \$165,000.00, WITHIN THE NEXT TWO (2) MONTHS.

THROUGH THE 13TH OF AUGUST, THE GOLF COURSE REVENUE IS \$47,235.48. LOOKS LIKE ANOTHER RECORD MONTH IS SHAPING UP FOR THE COURSE.

ALL OF OUR LEASE POOL, BOND, GEFA, AND SRF PAYMENTS ARE BEING ESCROWED SO THEY WILL BE AVAILABLE WHEN PAYMENTS ARE DUE.

ALL BILLS ARE BEING PAID ON A WEEKLY BASIS AND ON A TIMELY BASIS.

**FINANCE REPORT**  
**MEETING-AUGUST 14, 1995**

I have completed the review of the finances for the first seven (7) months of 1995. We are doing very well, there has not been any discussion of withdrawing any of the \$500,000 we have in CD's nor have we had a day when we were too low in funds that I felt we would have to draw any of the funds down. The revenue from the Golf Course is still giving us that edge on finances that we need to keep operating during the slow revenue months.

We will have a Budget Review at 6:00 P.M. on Monday, August 14th, preceding the Council Meeting. We will also have a session with GMA on the Cable TV Franchise at 6:30 P.M. Please try to attend both of these pre-meeting sessions.

I have decided not to switch any line items around on the Budget within departments. This will present a clearer picture of what line item has been over or under budgeted, and will assist the department heads in the budget process which we will begin by the end of the month. Each department head has been given a Capital Item form to list their priorities for Capital Items for 1996.

As you will see from the Budget Comparison report we have a positive variance this year thru July of \$636,108.

**CLERK'S REPORT  
MEETING-AUGUST 14, 1995**

Mr. McCalla and I attended a two (2) day Election Seminar, in Athens, last Thursday and Friday, taught by Jeff Lanier. It proved to be very informative and gave us the hours we will need for the certification as Election personnel.

The qualifying period will be from September 11-15, 1995, 8:30 Monday thru 4:30 Friday. I will be out of the office that week, but Mr. McCalla will be here and so will Shirley Gibbs and Ruth Switzer. I had already made plan to go on a cruise before the uniform qualifying dates were set.

The Election will be on November 7, 1995 from 7:00 A.M. to 7:00 P.M. and will be conducted in the Community Center, using Vote Recorders.

I have written the U.S. Justice Department for approval to place the referendum for Alcohol by the Drink, Consumption on the Premises Only, on the ballot.

As City Clerk, I need to be appointed as Chief Registrar for the City of Sugar Hill. This can be done at the August 14th meeting.

We will appoint the Poll Workers at the September Council Meeting and that will give us plenty of time to have a training session on the Vote Recorders. Mr. McCalla is working on getting a commitment from the workers who have served before.

There will be three Council Seats up for election, Council Members Bailey, Davis and Stanley. Since there are no Districts or Wards those qualifying will run for the three seats. If the three top candidates do not receive a majority of the votes cast, those not receiving a majority will have a run-off to fill the three seats. A majority is half the votes cast plus one vote. City Attorney Lee Thompson and I differ on this so we are planning to meet with Jeff Lanier, State Election Official to resolve this.

The 1995 Tax Digest has been received from Gwinnett County. There are numerous changes and it is taking some time to check all of the accounts. I do hope we will be able to bill in October so the taxes will be due by December 20th.



**CITY OF SUGAR HILL  
WORK SESSION  
MONDAY, AUGUST 21, 1995 - 7:00 P.M.**

The Mayor and Council of the City of Sugar Hill held a Work Session to discuss the Solid Waste Management Plan and any other business which needed discussing at the time.

Those present were: Mayor Gary L. Webster, Mayor Pro Tem Reuben Davis, Council Members Steve Bailey, W. J. Dodd, Charles Spradlin, and Jim Stanley, City Manager Warren Nevad, City Clerk/Finance Director Betty B. Garbutt, Mike Warrix from Mayes, Sudderth, and Etheredge, citizens Karen and Chris Spradlin, Meg Avery, and Herb Payne.

Mayor Webster called the session to order and stated the purpose of the Work Session.

The setting of a Review Period and Public Hearing was discussed with the Review Period beginning on August 28, 1995 and ending on September 11, 1995. The Public Hearing was set for 6:00 P.M. on September 11, 1995.

Council Member Spradlin presented a list of different items and revised tables (see attached) from which he wished to make corrections and revisions to the draft of the Solid Waste Management Plan prepared by Mayes, Sudderth, and Etheredge.

The list was reviewed with discussion from everyone present on their view and concerns of preparing a Solid Waste Management Plan which the State will approve.

Mr. Mike Warrix is to take the approved corrections and incorporate them into the plan or replace where necessary.

It was a consensus of the Council to leave the projected growth tables, in the plan, as they were prepared by Mayes, Sudderth, and Etheredge.

Mrs. Meg Avery and Mr. Herb Payne expressed their opinions of what should be covered in the plan. Mrs. Avery was very concerned over the Recycling and Mr. Payne was concerned over the existing acreage of the closed landfill and the fact that someone other than the City of Sugar Hill might pursue a landfill in and around that area. These items were discussed, with some changes in wording to the draft plan being done at Mrs. Avery's request.

Mr. Warrix stated that he would have the changes made and copies would be available by Wednesday, August 23, 1995. Copies are to be available for the public at City Hall and at the Buford\Sugar Hill Library.

Clerk Garbutt reported that attorneys from GMA have looked at the Revolving Door Ordinance which the Council discussed and tabled

at the August 14, 1995 meeting. This was discussed among Council. Clerk Garbutt is going to incorporate the suggested changes, made by the GMA attorneys and the Council, and present the revised ordinance to the Council for their review and approval prior to the September 11, 1995 Council Meeting.

There was no other business to discuss. The Work Session ended at 8:26 P.M.

August 31, 1995

MEMORANDUM:

TO: MAYOR AND COUNCIL MEMBERS:

FROM: WARREN P. NEVAD-CITY MANAGER  
BETTY B. GARBUTT-CLERK\FINANCE DIRECTOR

PLEASE THINK ABOUT AND CONSIDER THE FOLLOWING RECOMMENDATION BEFORE YOU SAY NO TO WHAT WE ARE ASKING YOU TO DO!!

We recommend that the Mill Rate for 1995 be set at five (5) mills. Our reasons for this recommendation is due to the fact that we desperately need to begin improving the infrastructure within the City of Sugar Hill which we will have left after the sale of the Water and Sewer System.

We need to upgrade most of the regulators and lines in our Gas Department. We need to do some additional work on the streets which is not covered by LARP (Local Assistance Road Program), we need to upgrade areas in the City Park, we need new vehicles for most of the departments and we need to begin to build a reserve and a CIP (Capital Improvement Program), which we do not have at the present time. We know that we have operated at Bare Bones for over two (2) years, but we need to begin to improve on that.

PLEASE, PLEASE, consider these recommendations before you make your final decision on the 1995 Mill Rate. We realize it is an Election Year, but we are here to do what is best for the City and not what we feel will help or hurt us.

We certainly appreciate the support you give us and we do hope and trust that you will accept this recommendation as being best for the City as a whole.

O R D I N A N C E  
ORDFC795  
REVOLVING DOOR POLICY

AN ORDINANCE, TO AMEND CHAPTER 2 OF THE CODE OF THE CITY OF SUGAR HILL BY ADDING SECTION 2-73, TO PLACE RESTRICTIONS ON CONTRACTS OR BUSINESS CONDUCTED WITH THE CITY BY CURRENT OR FORMER MEMBERS AND\OR CURRENT OR FORMER EMPLOYEES OF THE GOVERNING AUTHORITY.

**FINDINGS:**

**WHEREAS;** the Mayor and Council of the City of Sugar Hill desires that sound management and business practices are adhered to; and

**WHEREAS;** the Mayor and Council desire to adopt this Ordinance for the purpose of protecting the integrity of the government of the City by prohibiting any current or former official and/or any current or former employee from engaging in any business, employment or transaction, from rendering services, or from having contractual, financial, or personal interest, direct or indirect, which are in conflict with, or which would create the justifiable impression in the public of a conflict of interest; and

**WHEREAS;** the Mayor and Council desire that a member of a current or former governing authority and/or a current or former employee shall disqualify him/herself from participating in any official act or action of the City of Sugar Hill which results in a pecuniary benefit to the current or former member and\or current or former employee or a business or activity in which he/she has an interest when such benefit is not available to the public at large.

The Council of the City of Sugar Hill hereby ordains that The Code of the City of Sugar Hill is hereby amended by adding a new section to be numbered Sec. 2-73 which shall read as follows:

Sec. 2-73

**(1) PROHIBITED CONTRACTS:**

The City shall not enter into any contract involving services or property with a current or former member of the governing authority and\or a current or former employee or with a business in which a member of the current or former governing authority and\or a current or former employee has an interest.

This restriction shall apply for a period of twenty-four (24) months after the member of the governing authority or employee has left his or her position with the city, but shall not apply in the case of:

1. The designation of a bank or trust company as a depository for city funds;

2. The borrowing of funds from any bank or lending institution which offers the lowest available rate of interest in the vicinity for such loan;
3. Contracts entered into in accordance with the Official Code of Georgia Annotated § 16-10-6.
4. Contracts for services which are awarded pursuant to sealed competitive bids subsequent to an advertised competitive bid process in accordance with the purchasing ordinance of the city.
5. Contracts entered into under circumstances which constitute an emergency situation, provided that a written record explaining the emergency is prepared by the Mayor and submitted to the Council at its next regular meeting and thereafter kept on file.
6. The purchasing or contracting with a business at which a current or former official and/or a current or former employee is an employee, provided that official and/or employee has no ownership or proprietary position with the business.

**(2) RESTRICTIONS FOR CURRENT OR FORMER MEMBERS AND/OR CURRENT OR FORMER EMPLOYEES OF GOVERNING AUTHORITY:**

The City shall not enter into any contract with, or take any official act or action favorably affecting, any person, or business represented by any person when such person is a current member of the governing authority of the City and/or employee of the City or has been a member of the governing authority and/or employee of the City within the past twenty-four (24) months period preceding such action, with the following exceptions:

1. When the city had a contract with such a person or business prior to the member and/or employee leaving office and that person did not influence the city to enter that contract in anticipation of personal gain.
2. The business received the contract for having the lowest and best bid pursuant to the purchasing procedures established by the city and the person did not represent the business in its discussions with or submissions to the mayor and council.

**(3) USE OF PROPERTY OR SERVICES:**

**WHEREAS;** no current or former official and/or current or former employee shall request, use or permit the use of any city-owned or city-supported property, vehicle, equipment, labor or service for

him\herself or any other person or private entity; provided, however, that no current or former official and\or employee is prohibited from requesting, using, or permitting the use of any city-owned or city-supported property, vehicle, equipment, material, labor, or service which as a matter of city policy is made available to the public at large or which is provided as a matter of stated public policy for the use of current or former officials and\or current or former employees in the conduct of official city business.

**(4) EFFECTIVE DATE:**

This Ordinance shall become effective on the date received from the Mayor as approved.

NOW, THEREFORE, BE IT ORDAINED, this \_\_\_\_\_ day of \_\_\_\_\_, 1995.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

Received by the Mayor: \_\_\_\_\_

Returned by the Mayor: \_\_\_\_\_

**ATTEST:**

**APPROVED BY THE MAYOR:**

\_\_\_\_\_  
City Clerk

\_\_\_\_\_



# CITY OF SUGAR HILL

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4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518  
(404) 945-6716

TAX MILLAGE RATE:

Please set a proposed tax millage rate for advertisement as Current 1995 Tax Rate and 5-Year History of Levy.

We will officially adopt the Mill Rate at the October 9, 1995 Meeting.

August 31, 1995

MEMORANDUM:

TO: MAYOR AND COUNCIL MEMBERS:

FROM: WARREN P. NEVAD-CITY MANAGER  
BETTY B. GARBUTT-CLERK\FINANCE DIRECTOR

PLEASE THINK ABOUT AND CONSIDER THE FOLLOWING RECOMMENDATION BEFORE YOU SAY NO TO WHAT WE ARE ASKING YOU TO DO!!

We recommend that the Mill Rate for 1995 be set at five (5) mills. Our reasons for this recommendation is due to the fact that we desperately need to begin improving the infrastructure within the City of Sugar Hill which we will have left after the sale of the Water and Sewer System.

We need to upgrade most of the regulators and lines in our Gas Department. We need to do some additional work on the streets which is not covered by LARP (Local Assistance Road Program), we need to upgrade areas in the City Park, we need new vehicles for most of the departments and we need to begin to build a reserve and a CIP (Capital Improvement Program), which we do not have at the present time. We know that we have operated at Bare Bones for over two (2) years, but we need to begin to improve on that.

PLEASE, PLEASE, consider these recommendations before you make your final decision on the 1995 Mill Rate. We realize it is an Election Year, but we are here to do what is best for the City and not what we feel will help or hurt us.

We certainly appreciate the support you give us and we do hope and trust that you will accept this recommendation as being best for the City as a whole.



businesses that a former official or employee was employed by. Council Member Spradlin and Dodd felt that this ordinance would not affect that type of situation. It was a consensus that this might be best tabled until it can be reviewed more by the Council. Council Member Stanley made a motion to table this until the work session on Monday, August 21, 1995 at 7:00 P.M.

**D) J.C. HENRY DAY PROCLAMATION:**

Council Member Bailey presented and read a Proclamation declaring August 14, 1995 as J. C. Henry Day in Sugar Hill. (see attached) Council Member Bailey made a motion to approve the Proclamation, seconded by Council Member Dodd and unanimously approved. (5-0) Mr. Henry accepted the framed Proclamation and expressed his appreciation to his family and Kathy Adams, the comptroller of his business, and stated that he gives God the credit for what he has. He feels that businesses should support the recreation programs because these programs are assets to the cities. He thanked the City for the honor given him tonight. He also stated that the citizens are seeing democracy at work in the City of Sugar Hill.

**E) SOCCER GRANT RESOLUTION:**

Mayor Pro Tem Davis asked Clerk Garbutt to read the Resolution accepting the Soccer Grant from the State in the amount of \$12,500. Mayor Pro Tem Davis made a motion to approve the Resolution, seconded by Council Members Bailey and Dodd and passed unanimously. (5-0)

**F) CHIEF REGISTRAR OATH OF OFFICE:**

Mayor Webster administered the Oath of Chief Registrar to Clerk Betty B. Garbutt.

**G) REPORT ON WATER AND SEWER SALE:**

Manager Nevad reported that on August 2, 1995 the Council by unanimous vote (5-0) authorized the Mayor to submit a letter of agreement, in principle, to Gwinnett County to sell them the Water and Sewer System. The provisions of the sale are:

1. A payment from Gwinnett County of \$9.23 million to the City.
2. Free water to the golf course as long as the City retains ownership.
3. The City retains the Bell South Tower lease which generates approximately \$12,000 per year.
4. The County will implement water pressure upgrades to meet fire codes.
5. Employee assistance by giving the county option to employees currently with the systems, but it is the intent of the Council not to displace any employees.

It was determined through surveys that it would mean a 75 cents increase to customers. If 20% of the citizens of the city disapprove, by petition, of the sale, after the advertising, there would have to be a referendum on the sale. Publication of the sale was discussed and Council Member Stanley asked that the City go on with the advertising to see if the public is in agreement with the sale. Council Member Stanley made a motion to approve the advertisement which is needed to proceed, subject to concurrence from Attorney Lee Thompson, the motion was seconded by Council Member Dodd and passed unanimously. (5-0)

**H) SOIL EROSION AND SEDIMENTATION CONTROL ORDINANCE:**

Clerk Garbutt reported that this Ordinance is being upgraded due to certain restrictions and conditions placed by the State of Georgia. This will replace the current Ordinance in the Code. Council Member Dodd made a motion to forgo the reading of the Ordinance, seconded by Mayor Pro Tem Davis and unanimously approved. (5-0) Council Member Dodd made a motion to approve the ordinance, seconded by Council Member Bailey and passed unanimously. (5-0)

**I) DISCUSSION OF SIGN ORDINANCE:**

Council Member Spradlin reported that there has been a good bit of discussion, within the EDC committee, concerning pulling the sign ordinance out of the zoning ordinance to stand on its own. Not that it needs to be relaxed, but it would make it easier to have businesses comply if they did not have to go through all the steps of the zoning ordinance when a sign needs to be erected for a new business. This was discussed with Council Members stating the pros and cons. Council Member Spradlin made a motion to that effect, seconded by Council Member Dodd. There was more discussion on the issue with Council Member Stanley giving the stipulations on placing signs on roadways. He stated that the restrictive part of the zoning ordinance, pertaining to signs, has been done to keep any sitting body from authorizing a relaxation for individuals. This was discussed further with all Council Members giving their viewpoint. The vote on the motion was Council Members Dodd and Spradlin voting for and Mayor Pro Tem Davis, Council Members Bailey and Stanley voting against. The motion failed on a vote of three to two. (3-2)

**J) DISCUSSION OF DAY CARE REGULATIONS:**

Director Crowe reported on requirements for day care centers stating that the City of Sugar Hill requires 200 square feet of outside playing area per child and the state and Gwinnett County requires 100 square feet per child and the children can be rotated. This was discussed with pros and cons of the requirements being given. Mr. Crowe stated that the City has had several inquiries concerning day care centers, but they went other places due to the

requirement of 200 square feet of outside playing area per child, including bed babies, who do not go outside. At least one day care center and possibly four have gone elsewhere due to the requirements. There was no action taken on this issue.

**K) ORDINANCE ON CALL OF ELECTION:**

Clerk Garbutt read an Ordinance on the call of the General Election for the City of Sugar Hill on November 7, 1995. (see attached Ordinance) Council Member Spradlin made a motion to approve the Ordinance, seconded by Council Member Dodd and passed unanimously. (5-0)

**CITY CLERK'S REPORT:**

Clerk Garbutt reported that the Call of the Election, the Referendum, and the qualifying will be in the papers on Friday, August 25, 1995. Other information is in packets. (see report) The qualifying fee is 3% of the salary, which will be \$108.00. There is a uniform qualifying date of September 11, 1995 at 8:30 A.M. to 4:30 P.M. has been set by the state of Georgia, and those wishing to qualify must do so at the Clerk's office in City Hall.

**CITY MANAGER'S REPORT:**

Manager Nevad stated that his report is in the packets and he wished to commend Margie Wilson for her help in the collection of the CDBG funds dating back to 1990.

**COUNCIL REPORTS:**

Council Member Dodd expressed appreciation for the Council working together. He feels that the sale of the Water and Sewer System will certainly be to the advantage of the City. He hopes that the Landfill issue will not play a part in the upcoming election.

Council Member Spradlin stated that he does not think the Landfill is an issue any longer. The sale of the Water System is good for the City due to the fact that the County can upgrade the system and the City is not able to do the upgrade. He was disturbed over the fact that the City Attorney Lee Thompson was not at the meeting. Manager Nevad stated that he made the call of not having the attorney here and would save the City the cost of \$300. Council Member Spradlin wanted to personally apologize to Attorney Thompson for proposals being received on contracting for legal services. He implied that Mayor Webster asked for these quotes. Mayor Webster stated he did not ask for these quotes. There was some discussion on appointments of the city attorney.

Council Member Bailey stated that he feels the Landfill issue is dead by the fact of the Solid Waste Management Plan document is

being considered. He stated who knows what funds could be raised by a Landfill. He discussed other infrastructure needs.

Council Member Davis commended Clerk Garbutt, Manager Nevad and all City Employees for their work and he feels the Landfill issue is truly a dead issue.

Council Member Stanley stated he is happy to learn that his colleagues are agreeing that the Landfill issue is dead and stated that there will be no landfill in the space discussed. He feels that the sale of the Water and Sewer systems is a good move for the City due to the fact that the county is able to upgrade the systems. The City will net enough money to retire the entire Bond Issue and will retire portions of the GEFA and SRF loans from this sale, and the City will be free from a majority of the debt. He praised the staff and department heads for the financial stability of the City at this time.

CITIZEN'S AND GUEST'S COMMENTS:

Mrs. Meg Avery stated she is glad that the Ethics Ordinance was not passed. She commented on the Ordinance. She was told by Clerk Garbutt that Mrs. Avery was referring to two different matters concerning ethics.

Mr. Tim Pugh appreciated Council Member Spradlin bringing up the discussion on the Sign Ordinance and expressed concern that there should be an easier way to get a variance on a sign permit. There was discussion on this issue.

ADJOURNMENT:

Council Member Bailey made a motion to adjourn at 9:18 P.M., seconded by Council Member Spradlin and passed unanimously. (5-0)

**FINANCE REPORT  
MEETING-AUGUST 14, 1995**

I have completed the review of the finances for the first seven (7) months of 1995. We are doing very well, there has not been any discussion of withdrawing any of the \$500,000 we have in CD's nor have we had a day when we were too low in funds that I felt we would have to draw any of the funds down. The revenue from the Golf Course is still giving us that edge on finances that we need to keep operating during the slow revenue months.

We will have a Budget Review at 6:00 P.M. on Monday, August 14th, preceding the Council Meeting. We will also have a session with GMA on the Cable TV Franchise at 6:30 P.M. Please try to attend both of these pre-meeting sessions.

I have decided not to switch any line items around on the Budget within departments. This will present a clearer picture of what line item has been over or under budgeted, and will assist the department heads in the budget process which we will begin by the end of the month. Each department head has been given a Capital Item form to list their priorities for Capital Items for 1996.

As you will see from the Budget Comparison report we have a positive variance this year thru July of \$636,108.



***Council Report for the Golf Course & Waste Water Treatment Facility  
For the Month of July, 1995  
By Steven C. Bailey, Council Member***

**Waste Treatment Facility**

The Treatment plant is doing well as usual and expected. Recently a lift station had substantial repairs made, but otherwise our system is 100% operational.

**Golf Course**

July was yet another banner month for the Golf Course and proved to be both the best July we have ever had and the best month *we've ever had* period. Gross deposits were a record \$120,628.58 with total rounds being up about 30% and revenues were up about 29% over the same period last year. Total year to date rounds increased 8.32% over last year with total deposits up about 11% for the same period as last year.

*End of Report 8/14/95*

Sugar Hill Golf Club  
1995 to 1994 Comparisons

8/14/95

1994 Actuals			1995 Y. T. D.			Rounds	1994		1995		Revenue		
Month	Total Res Rds	Total Non-Res	Total Rounds	Month	Total Res Rds	Total Non-Res	Total Rounds	Percent Change	Month	Total Revenue	Month	Total Revenue	Percent Change
Jan	68	481	549	Jan	137	602	739	34.61%	Jan	18,871.18	Jan	24,394.54	29.27%
Feb	176	888	1064	Feb	111	646	757	-28.85%	Feb	35,163.29	Feb	27,312.83	-22.33%
Mar	206	1825	2031	Mar	231	1589	1820	-10.39%	Mar	71,574.99	Mar	66,042.68	-7.73%
Apr	275	2165	2440	Apr	478	2249	2727	11.76%	Apr	85,849.87	Apr	101,256.59	17.95%
May	297	2280	2577	May	261	2340	2601	0.93%	May	91,961.62	May	93,556.83	1.73%
Jun	223	2031	2254	Jun	307	2409	2716	20.50%	Jun	81,346.69	Jun	102,600.66	26.13%
Jul	294	2245	2539	Jul	331	2961	3292	29.66%	Jul	93,324.10	Jul	120,628.58	29.26%
Aug	258	2060	2318	Aug					Aug		Aug		
Sep	308	1815	2123	Sep					Sep		Sep		
Oct	205	1423	1628	Oct					Oct		Oct		
Nov	214	1408	1622	Nov					Nov		Nov		
Dec	243	1164	1407	Dec					Dec		Dec		
<b>Totals:</b>	<b>2767</b>	<b>19785</b>	<b>22552</b>		<b>1856</b>	<b>12796</b>	<b>14652</b>	<b>8.32%</b>		<b>478,091.74</b>		<b>535,792.71</b>	<b>10.61%</b>

Ratio of Resident play 1995 compared to 1994: 20.60% increase

Ratio of Non-Resident play 1995 compared to 1994: 7.39% increase



O R D I N A N C E  
ORDFC795

AN ORDINANCE, TO AMEND CHAPTER 2 OF THE CODE OF THE CITY OF SUGAR HILL BY ADDING SECTION 2-73, TO PLACE RESTRICTIONS ON CONTRACTS OR BUSINESS CONDUCTED WITH THE CITY BY FORMER MEMBERS AND\OR EMPLOYEES OF THE GOVERNING AUTHORITY.

SECTION 2-73

(1) FINDINGS:

The Mayor and Council of the City of Sugar Hill desires that sound ethical behavior is adhered to.

The Mayor and Council desires that the purpose of this Resolution is to protect the integrity of the government of the city by prohibiting any former official and/or employee from engaging in any business, employment or transaction from rendering services, or from having contractual, financial, or personal interest, direct or indirect, which are in conflict with, or which would create the justifiable impression in the public of conflict, not in the best interest of the city.

The Mayor and Council desires that a member of a former governing authority and/or employee shall disqualify him/herself from participating in any official act or action of the City of Sugar Hill which results in a pecuniary benefit to the former member and\or employee or a business or activity in which he/she has an interest when such benefit is not available to the public at large.

(2) PROHIBITED CONTRACTS:

The City shall not enter into any contract involving services or property with a former member of the governing authority and\or employee or with a business in which a member of the former governing authority and\or employee has an interest. This shall not apply in the case of:

1. The designation of a bank or trust company as a depository for city funds;
2. The borrowing of funds from any bank or lending institution which offers the lowest available rate of interest in the vicinity for such loan;
3. Contracts entered into in accordance with the Official Code of Georgia Annotated § 16-10-6.
4. Contracts for services which are awarded pursuant to sealed competitive bids subsequent to an advertised

competitive bid process in accordance with the purchasing ordinance of the city.

5. Contracts entered into under circumstances which constitute an emergency situation, provided that a written record explaining the emergency is prepared by the mayor and submitted to the Council at its next regular meeting and thereafter kept on file.

**(3) RESTRICTIONS FOR FORMER MEMBERS AND\OR EMPLOYEE OF GOVERNING AUTHORITY:**

The City shall not enter into any contract with, or take any official act or action favorably affecting, any person, or business represented by such person when such person has been a member of the governing authority and\or employee within the past twenty-four (24) months period preceding such action, except when the city had a contract with such a person or business prior to the member and\or employee leaving office or unless the business received the contract for having the lowest and best bid pursuant to the purchasing procedures established by the city and the member did not represent the business in its discussions with or submissions to the mayor and council,

**(4) USE OF PROPERTY OR SERVICES:**

No former official and\or employee shall request, use or permit the use of any city-owned or city-supported property, vehicle, equipment, labor or service for the private advantage of him\herself or any other person or private entity; provided, however, that no former official and\or employee is prohibited from requesting, using, or permitting the use of any city-owned or city-supported property, vehicle, equipment, material, labor, or service which as a matter of city policy is made available to the public at large or which is provided as a matter of stated public policy for the use of former officials and\or employees in the conduct of official city business.

**(5) EFFECTIVE DATE:**

This Ordinance shall become effective on the date received from the Mayor as approved.

NOW, THEREFORE, BE IT ORDAINED, this \_\_\_\_\_ day of \_\_\_\_\_, 1995.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

Received by the Mayor: \_\_\_\_\_

Returned by the Mayor: \_\_\_\_\_

**ATTEST:**

**APPROVED BY THE MAYOR:**

\_\_\_\_\_  
City Clerk

\_\_\_\_\_



# CITY OF SUGAR HILL

---

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518

(404) 945-6716

Proclamation

J.C. Henry Day

August 14, 1995

Whereas, the City of Sugar Hill recognizes that a strong economy is a prerequisite to fulfilling its vision; and

Whereas, the City of Sugar Hill desires to achieve a growing and balanced economy that equitably benefits all segments of the population; and

Whereas, the City of Sugar Hill is committed to attracting more quality innovative businesses such as Mr. Tubs; and

Whereas, Mr. J.C. Henry, owner and operator of Mr. Tubs, was awarded the Gwinnett County Chamber 1995 Businessman of the Year; and

Whereas, the Mayor/City Council and Staff of the City of Sugar Hill wishes to extend its congratulations for this prestigious award.

NOW THEREFORE BE IT RESOLVED, that the Mayor and City Council of Sugar Hill proclaims August 14, 1995 as J.C. Henry Day.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Mayor Pro Tem

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

Attest:

\_\_\_\_\_  
City Clerk

**CLERK'S REPORT  
MEETING-AUGUST 14, 1995**

Mr. McCalla and I attended a two (2) day Election Seminar, in Athens, last Thursday and Friday, taught by Jeff Lanier. It proved to be very informative and gave us the hours we will need for the certification as Election personnel.

The qualifying period will be from September 11-15, 1995, 8:30 Monday thru 4:30 Friday. I will be out of the office that week, but Mr. McCalla will be here and so will Shirley Gibbs and Ruth Switzer. I had already made plan to go on a cruise before the uniform qualifying dates were set.

The Election will be on November 7, 1995 from 7:00 A.M. to 7:00 P.M. and will be conducted in the Community Center, using Vote Recorders.

I have written the U.S. Justice Department for approval to place the referendum for Alcohol by the Drink, Consumption on the Premises Only, on the ballot.

As City Clerk, I need to be appointed as Chief Registrar for the City of Sugar Hill. This can be done at the August 14th meeting.

We will appoint the Poll Workers at the September Council Meeting and that will give us plenty of time to have a training session on the Vote Recorders. Mr. McCalla is working on getting a commitment from the workers who have served before.

There will be three Council Seats up for election, Council Members Bailey, Davis and Stanley. Since there are no Districts or Wards those qualifying will run for the three seats. If the three top candidates do not receive a majority of the votes cast, those not receiving a majority will have a run-off to fill the three seats. A majority is half the votes cast plus one vote. City Attorney Lee Thompson and I differ on this so we are planning to meet with Jeff Lanier, State Election Official to resolve this.

The 1995 Tax Digest has been received from Gwinnett County. There are numerous changes and it is taking some time to check all of the accounts. I do hope we will be able to bill in October so the taxes will be due by December 20th.

**MEMORANDUM 95-060**

TO: Mayor/City Council  
FR: Warren P. Nevad  
RE: AUGUST 14, 1995 CITY MANAGER REPORT  
DATE: August 7, 1995

**1. EMPLOYEES:**

The following employees will be recognized at the August Mayor/Council Meeting for years of dedicated service to the City of Sugar Hill:

- 1) Donna Zinski, Wastewater Supervisor: 8 years;
- 2) Danny Hughes, Gas Department Crew Chief: 8 years;
- 3) Ralph Terry, Wastewater Collections Crew Chief: 8 years;
- 4) Wayne Clement, Water Department Crew Chief: 7 years; and
- 5) Scott Payne, Assistant Public Services Superintendent: 5 years.

In addition, J.L. Peppers, Water Department Technician has been awarded "July 1995 Employee of the Month". Mr. Peppers has been employed with the City for four (4) years.

We held our quarterly employee luncheon on July 18, 1995. Margaret McEachern, Kelly Canady, Shirley Gibbs and Ruth Ann Cooper handled all the details. Eight (8) employees participated in a Public Speaking course offered by the City Manager. Each employee gave verbal presentations and were critiqued with the aid of a cam corder. Employees were given certificates for their efforts.

On August 3, 1995, we held an employee meeting to address the sale of the Water and Sewer System. The purpose of this meeting was to answer questions and present our findings.

**2. CUSTOMER SERVICE:**

We have refurbished City Hall, Community Center and the Planning/Inspections Buildings. Margie Wilson assisted me in overseeing this project. We have also restripped the parking lot and relanscaped the entrance sign area at the corner of Peachtree Industrial Blvd. and Hwy. 20. We appreciate Brenda Rich's help with this project.

Shirley Fields and Ruth Ann Cooper have surveyed water customers who are serviced by water lines two (2) inches or smaller. Unfortunately, many of these customers have experienced marginal improvements to our water pressure.

3. **PLANNING/ZONING**

We are addressing revising our sign and day care regulations as outlined in our Zoning Ordinance. Ken Crowe will explore our options and necessary steps to implement the changes if requested by the Mayor/Council.

4. **BUDGET/FINANCE:**

We have received over \$56,000 in reimbursement monies from the Community Development Block Grant Program. \$7,000 of this amount resulted in improvements made to Creek Lane back in 1990. Margie Wilson assisted me with our reimbursement.

Betty and I have begun our work for the 1996 budget. Betty has requested the department heads to submit capital improvement requests. We will be reviewing our 1995 budget prior to the August Mayor/Council Meeting.

Compared to this date last year, we do not anticipate a need to drastically cut our budget. The Golf Course has a surplus in excess of \$130,000. Meanwhile, the sewer department is 14% under in expenditures. Details are forthcoming.

5. **SOLID WASTE MANAGEMENT PLAN:**

Mayes Suddereth and Etheridge has submitted a draft of our plan. The 2 week review period will commence at the August 14, 1995 Mayor/Council Meeting. Thereafter, the 2nd public hearing will be held and the plan should be adopted at the September Meeting.

6. **CLUBHOUSE:**

The contractor is finishing the roof and has installed all windows. The contractor has requested a 60 day extension. Staff will not authorize this extension. Any request for project extension must be formally approved by the Mayor/Council. We are keeping a daily construction diary at the golf course.

We met with the architect and contractor to review necessary addendums to the project. These changes resulted from the Health and Fire Department reviews and oversights by the Architect. Nevertheless, we remain confident that this project will fall below our \$500,000 project limit. Ruth Switzer has prepared the meeting notes for discussion of "Update on Clubhouse".

7. **CONSENT ORDER:**

E.P.D. has still not completed their review of our groundwater monitoring plan. We will notify you when review is completed.

8. **STREETS/SIDEWALKS:**

We are paving four (4) local roads under the State L.A.R.P program. We have been working on a number of drainage improvements throughout the City. Earnest Ward has constructed a new culvert on Pass Court to alleviate drainage problems at Mr. Ed Phillips'

residence. We have submitted a list of road projects to be funded under the County sales tax program for roadway construction. Please refer to previous correspondence.

Best Wishes for a productive meeting.

WPN: bms



ORDINANCE  
ELEC-1995

AN ORDINANCE FOR THE PURPOSE OF CALLING THE GENERAL ELECTION, SETTING THE QUALIFYING DATES, QUALIFYING FEES, AND DATES AND TIMES OF THE GENERAL ELECTION FOR THE CITY OF SUGAR HILL.

The Council of the City of Sugar Hill hereby ordains:

WHEREAS, the regularly scheduled municipal election for the City of Sugar Hill is scheduled for November 7, 1995; and

WHEREAS, the terms of Council Members Steve Bailey, Reuben Davis, and James Stanley will end at midnight on December 31, 1995 and their successors are required to be elected in the municipal election scheduled for November 7, 1995 to take office on January 1, 1996; and

WHEREAS, it is necessary for the City Council to establish the qualifying fee for those offices and to make other provisions for the municipal election.

NOW THEREFORE, IT IS HEREBY ORDAINED that all persons desiring to run for the office of Council Member shall qualify in the office of the City Clerk of the City of Sugar Hill located on the first floor of the Sugar Hill City Hall, 4988 West Broad Street, Sugar Hill, Georgia, beginning at 8:30 A.M. on Monday, September 11, 1995 and ending at 4:30 P.M. on Friday, September 15, 1995. Those desiring to run for the three (3) open Council Member positions shall pay a qualifying fee of One hundred eight dollars (\$108.00) and upon qualifying shall designate the specific seat the candidate seeks to qualify for by designating whether the candidate seeks either of the Council Member positions presently held by the incumbents Steve Bailey, Reuben Davis, or James Stanley. All qualifying fees shall be paid at the time of qualifying.

The City Clerk and Election Superintendent shall take such action as is necessary to properly call the municipal election scheduled for November 7, 1995 including but not limited to properly publishing a public notice in substantially the same form as that Notice attached hereto as Exhibit "A" notifying the public of said election. The City Clerk and Election Superintendent shall take such other actions as are necessary and appropriate to make certain that the election is conducted in accordance with and in conformity with the laws of the State of Georgia and the Charter and Ordinances of the City of Sugar Hill.

IT IS SO ORDAINED this 14th day of August, 1995.

Harry L. Wilton  
Mayor

Rabbi A. Hain Sr.  
Mayor Pro Tem

John Bailey  
Council Member

W. J. Dodd  
Council Member

Charles A. Spradell  
Council Member

James B. Stanley  
Council Member

ATTEST:



Brenda B. Garland  
City Clerk

Received by the Mayor \_\_\_\_\_

Date: 8-14-95

Received from the Mayor \_\_\_\_\_

Date: 8-14-95

Approved by the Mayor \_\_\_\_\_

Date: 8-14-95



# CITY OF SUGAR HILL

---

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518

(404) 945-6716

Proclamation

J.C. Henry Day

August 14, 1995

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Whereas, Mr. J.C. Henry, owner and operator of Mr. Tubs, was awarded the Gwinnett County Chamber 1995 Businessman of the Year; and

Whereas, the Mayor/City Council and Staff of the City of Sugar Hill wishes to extend its congratulations for this prestigious award.

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and City Council of Sugar Hill proclaims August 14, 1995 as J.C. Henry Day.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Mayor Pro Tem

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

Attest:

\_\_\_\_\_  
City Clerk

R E S O L U T I O N

A RESOLUTION TO ACCEPT A GRANT FROM THE STATE OF GEORGIA IN THE AMOUNT OF \$12,500 TO IMPROVE THE CITY OF SUGAR HILL SOCCER FIELDS.

WHEREAS, at the July Council Meeting of the City of Sugar Hill, of Gwinnett County, Georgia held on the 10th day of July, 1995, a motion was made, duly seconded and unanimously passed, that The City of Sugar Hill agrees to the terms of the contract for a state grant between the Georgia Department of Natural Resources and the City of Sugar Hill, for a grant of financial assistance to improve the Soccer Fields of the City of Sugar Hill, and authorizing Mayor Gary L. Webster to execute said contract in the amount of \$12,500, to be effective and retroactive to June 30, 1995.

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Sugar Hill, Gwinnett County, Georgia, that the terms and conditions of the contract between the Georgia Department of Natural Resources and the City of Sugar Hill are hereby agreed to, that the Mayor of Sugar Hill is authorized and empowered to execute said contract and any subsequent amendments thereto on behalf of the City of Sugar Hill, and the grant provided for in said contract in the amount of \$12,500 is hereby accepted to be used under the terms and conditions of said contract, and that sufficient funds have been designated to assure the acquisition and/or development, operation and maintenance of the facilities and/or delivery of services as identified in said contract.

Read and unanimously adopted in the August meeting of the City of Sugar Hill Council held on the 14th day of August, 1995, to be effective and retroactive to June 30, 1995.

ATTEST:

\_\_\_\_\_  
Clerk, City of Sugar Hill

\_\_\_\_\_  
County, Georgia

BY: \_\_\_\_\_  
Mayor, City of Sugar Hill

Certification continued on Page Two.

Page Two

CERTIFICATION

I do hereby certify that the above is a true and correct copy of the Resolution duly adopted by the City of Sugar Hill Council on the date so stated in the Resolution.

I further certify that I am the Clerk of the City of Sugar Hill and that said resolution has been entered in the official records of said City of Sugar Hill and remains in full force and effect this 14th day of August, 1995.

\_\_\_\_\_  
Clerk's Signature

Federal Employer's Identification # 58-09500853

PUBLIC NOTICE  
CALL FOR MUNICIPAL ELECTION  
CITY OF SUGAR HILL, GEORGIA

Notice is hereby given that an election will be held in the City of Sugar Hill, Georgia on Tuesday, November 7, 1995 at the Community Service Building, 4988 West Broad Street, to elect three (3) members of Council and hold a Referendum for the voters to decide the question, Should the governing authority of the City of Sugar Hill be authorized to issue licenses to sell distilled spirits for beverage purposes by the drink, such sales to be for consumption only on the premises?

All persons desiring to run for the offices of Council Member shall qualify in the office of the City Clerk, located on the first floor of Sugar Hill City Hall, 4988 West Broad Street, Sugar Hill, Georgia, beginning at 8:30 A.M. on Monday, September 11, 1995, and ending on Friday, September 15, 1995 at 4:30 P.M. The qualifying fee for the position of Council Member shall be One hundred eight dollars (\$108.00). The qualifying fee shall be paid at such time of qualifying.

All persons desiring to vote on the Referendum shall vote either:

- ( ) YES            The governing authority of the City of Sugar Hill shall be authorized to issue licenses to sell
- ( ) NO             distilled spirits for beverage purposes by the drink, such sales to be for consumption only on the premises.

If any person whose name is not on the municipal registration list desires to vote at said election, he or she shall register on or before 5:00 P.M., October 10, 1995. Registration forms are available to register in the office of the City Clerk, or at any other authorized location. Any person who is presently registered as a voter in said City but who now resided outside the City limits is not eligible to vote in said election. All duly qualified electors of the City of Sugar Hill, are urged to participate. Those qualified to vote at said election shall be determined in all respects in accordance with and in conformity with the laws of the State of Georgia. Information on voter registration may be obtained through the Chief Registrar of Gwinnett County, Georgia or the Chief Registrar of the City of Sugar Hill.

Polls will open for this November 7, 1995 election at 7:00 A.M. and will close at 7:00 P.M., at the Community Service Building located next to City Hall at 4988 West Broad Street, Sugar Hill, Georgia. Computation of votes cast in the November 7, 1995 election will be conducted after the time the polls close. If no candidate for a particular Council seat receives a majority of the votes cast, a run-off election shall be held between the candidates receiving the two highest numbers of votes. Such election shall be held not earlier than the twenty-first (21st) day after the date of

the first election. The question, on the referendum, will be decided by the yes or no vote, whichever receives the highest number of votes. This and all City of Sugar Hill elections are governed by the Municipal Election Code of the State of Georgia and the City Charter. A copy of the ordinance and/or resolution calling for this election is on file, together with other relevant documents, for inspection at the City Clerk's office, 4988 West Broad Street, Sugar Hill, Georgia, between the hours of 8:00 A.M. and 5:00 P.M., Monday thru Friday. For additional information contact the City Clerk's office at 404-945-6716.

This the 25th day of August, 1995

James B. McCalla  
Election Superintendent  
City of Sugar Hill, Georgia

Publication Dates:

Gwinnett Post Tribune  
August 25, September 6, 1995

Atlanta Journal and Constitution  
Gwinnett Extra  
August 25, 1995

GENERAL ELECTION

THE ELECTION WILL BE CALLED ON AUGUST 25TH, WE WILL HAVE THREE  
(3) COUNCIL SEATS UP FOR ELECTION:

COUNCIL MEMBER STEVE BAILEY  
COUNCIL MEMBER REUBEN DAVIS  
COUNCIL MEMBER JIM STANLEY

THERE WILL ALSO BE THE REFERENDUM ON THE BALLOT FOR LIQUOR BY  
THE DRINK, CONSUMPTION ON THE PREMISES ONLY.

THE ELECTION DATE IS NOVEMBER 7, 1995 FROM 7:00 A.M. TO 7:00  
P.M.

REGISTRATION WILL END AT 5:00 P.M. ON OCTOBER 10, 1995.

THE UNIFORM QUALIFYING DATES ARE: BEGINNING AT 8:30 A.M. ON  
SEPTEMBER 11, 1995 AND ENDING AT 4:30 P.M. ON SEPTEMBER 15, 1995.



August 8, 1995

MEMORANDUM 95-062

TO: Mayor/City Council

FR: Warren Nevad, City Manager *W*

RE: **City/County Utility Rate Impact**

We have prepared the attached analysis for your reference. We plan to distribute the analysis to the public.

To summarize, our current customers would pay \$0.75 more assuming a normal usage of 7,000 gallons. Heavy users (between 10,000 and 20,000 gallons) would experience an increase ranging from \$1.11 to \$2.31 with the transfer of our utilities to the County.

However, we must be cognizant that our current customers would not be subjected to a future substantial increase resulting from our infrastructure - related deficiencies.

Please call me should you have any questions.

WPN:bms

attachment

SUMMARY

CONSUMPTION (GALLONS)	COUNTY	CITY	INC/DEC WITH COUNTY
1000	15.35	11.62	3.73
2000	17.70	16.65	1.05
3000	21.95	21.68	0.27
4000	27.10	26.71	0.39
5000	32.25	31.74	0.51
6000	37.40	36.77	0.63
7000	42.55	41.80	0.75
8000	47.70	46.83	0.87
9000	52.85	51.86	0.99
10000	58.00	56.89	1.11
11000	63.15	61.92	1.23
12000	68.30	66.95	1.35
13000	73.45	71.98	1.47
14000	78.60	77.01	1.59
15000	83.75	82.04	1.71
16000	88.90	87.07	1.83
17000	94.05	92.10	1.95
18000	99.20	97.13	2.07
19000	104.35	102.16	2.19
20000	109.50	107.19	2.31
21000	114.65	112.22	2.43
22000	119.80	117.25	2.55
23000	124.95	122.28	2.67
24000	130.10	127.31	2.79
25000	135.25	132.34	2.91
26000	140.40	137.37	3.03
27000	145.55	142.40	3.15
28000	150.70	147.43	3.27
29000	155.85	152.46	3.39
30000	161.00	157.49	3.51
31000	166.15	162.52	3.63
32000	171.30	167.55	3.75
33000	176.45	172.58	3.87
34000	181.60	177.61	3.99
35000	186.75	182.64	4.11

AUGUST 8, 1995

SUMMARY

CONSUMPTION (GALLONS)	COUNTY			CITY		
	Water	Sewer	Total	Water	Sewer	Total
	6.50+ 2.35/1000 g	6.50--2.80/1000 g		6.67+2.83/1000 g	2.75+2.20/1000g	
1000	8.85	6.50	15.35	6.67	4.95	11.62
2000	11.20	6.50	17.70	9.50	7.15	16.65
3000	13.55	8.40	21.95	12.33	9.35	21.68
4000	15.90	11.20	27.10	15.16	11.55	26.71
5000	18.25	14.00	32.25	17.99	13.75	31.74
6000	20.60	16.80	37.40	20.82	15.95	36.77
7000	22.95	19.60	42.55	23.65	18.15	41.80
8000	25.30	22.40	47.70	26.48	20.35	46.83
9000	27.65	25.20	52.85	29.31	22.55	51.86
10000	30.00	28.00	58.00	32.14	24.75	56.89
11000	32.35	30.80	63.15	34.97	26.95	61.92
12000	34.70	33.60	68.30	37.80	29.15	66.95
13000	37.05	36.40	73.45	40.63	31.35	71.98
14000	39.40	39.20	78.60	43.46	33.55	77.01
15000	41.75	42.00	83.75	46.29	35.75	82.04
16000	44.10	44.80	88.90	49.12	37.95	87.07
17000	46.45	47.60	94.05	51.95	40.15	92.10
18000	48.80	50.40	99.20	54.78	42.35	97.13
19000	51.15	53.20	104.35	57.61	44.55	102.16
20000	53.50	56.00	109.50	60.44	46.75	107.19
21000	55.85	58.80	114.65	63.27	48.95	112.22
22000	58.20	61.60	119.80	66.10	51.15	117.25
23000	60.55	64.40	124.95	68.93	53.35	122.28
24000	62.90	67.20	130.10	71.76	55.55	127.31
25000	65.25	70.00	135.25	74.59	57.75	132.34
26000	67.60	72.80	140.40	77.42	59.95	137.37
27000	69.95	75.60	145.55	80.25	62.15	142.40
28000	72.30	78.40	150.70	83.08	64.35	147.43
29000	74.65	81.20	155.85	85.91	66.55	152.46
30000	77.00	84.00	161.00	88.74	68.75	157.49
31000	79.35	86.80	166.15	91.57	70.95	162.52
32000	81.70	89.60	171.30	94.40	73.15	167.55
33000	84.05	92.40	176.45	97.23	75.35	172.58
34000	86.40	95.20	181.60	100.06	77.55	177.61
35000	88.75	98.00	186.75	102.89	79.75	182.64

AUGUST 8, 1995

GWINNETT COUNTY DEPARTMENT OF PUBLIC UTILITIES  
ENGINEERING DIVISION

FEE SCHEDULE---WATER/SEWER

(As of July 1, 1994 adopted by Gwinnett County Board of Commissioners)

FOR DEVELOPMENT PERMIT:

I. SEWER CONSTRUCTION FEES--Fees are based on \$0.10 per linear foot of 8 inch or larger pipe plus \$1.00 per manhole. Minimum Fee: \$25.00

II. T.V. INSPECTION FEE--\$45.00 plus \$0.15 per linear foot of 8 inch or larger pipe.

NOTE: ADDITIONAL FEES FOR T.V. WILL BE REQUIRED IF APPROVED PROJECT IS INSPECTED IN MORE THAN ONE "PHASE" OR IF A RE-INSPECTION IS NECESSARY. THESE ADDITIONAL INSPECTION FEES ARE COLLECTED AFTER T.V. INSPECTION IS COMPLETE.

FOR BUILDING PERMIT:

III: IMPACT FEES--FEES ARE BASED ON THE SIZE OF THE WATER METER REQUIRED FOR THE PROJECT AS FOLLOWS:

METER SIZE:	METER PRICE	+ WATER IMPACT	= SUB-TOTAL	+ DEPOSIT	WASTEWATER IMPACT	+ PERMIT
3/4	\$ 350^	\$ 416	\$ 766	See #IV Below	\$ 791	See #V Below
1	583^	693	1,276		2,396	
1.5	1,167^	1,387	2,554		5,904	
2	1,870^	2,219	4,089		9,842	
3	860	4,333	5,193		29,414	
4	1,160	6,933	8,093		40,797	
6	2,150	13,867	16,017		92,294	
8	3,960	22,187	26,147		143,433	
10	4,120	31,893	36,013		VARIES*	
12	6,440	VARIES*	VARIES*		VARIES*	

\*As determined by the Director of Public Utilities  
^Includes Installation

IV. DEPOSITS:

1. RESIDENTIAL:			2. COMMERCIAL		
METER SIZE	SEPTIC	SEWER	METER SIZE	SEPTIC	SEWER
3/4 TO 2"	\$25.00	\$50.00	3/4 TO 2"	\$ 50.00	\$100.00
			3" AND 4"	250.00	500.00
			6" AND 8"	(not probable)	1000.00
			10" AND 12"	(TO BE DETERMINED WHEN PURCHASED)	

V. PERMIT FEES--(sewer only)

1. PER RESIDENTIAL UNIT--\$25.00      2. PER COMMERCIAL BUILDING--\$100.00

VI. MONTHLY CHARGES (in addition to water & sewer usage)      METER FLOW CAPACITIES:

3/4"	\$ 6.25	3"	\$ 120.00	3/4".....	15-30 gpm
1"	14.00	4"	175.00	1".....	25-50 gpm
1.5"	22.00	6"	335.00	1.5".....	50-100 gpm
2"	44.00	8"	625.00	2".....	80-160 gpm

VII. MONTHLY VOLUME CHARGES

WATER	SEWER
\$2.35/1,000 gal	\$2.80/1,000 gal

THOMPSON & SWEENEY, P.C.  
*Law Offices*

V. LEE THOMPSON, JR.  
VICTORIA SWEENEY  
MELANIE D. WILLIAMS  
PAUL E. ANDREW  
JORGIA C. NORTHROP

*Longleaf Commons*  
690 Longleaf Drive, Lawrenceville, GA 30245  
Telephone: 404/963-1997  
Telephone Copier: 404/822-2913

*Mailing Address*  
P.O. Drawer 1260  
Lawrenceville, Georgia 30246

August 11, 1995

Mr. Warren Nevad  
City Manager  
City of Sugar Hill  
4988 West Broad Street  
Sugar Hill, GA 30518

RE: Proposed Sale of Water and Sewer System To Gwinnett County

Dear Warren:

I am writing at your request to provide you with a brief summary of the process that the City will use to complete its transaction with Gwinnett County transferring ownership of the water and sewer system. State law requires that notice of intention to sell a municipal water works system shall be given by publication of an advertisement once a week for three consecutive weeks. The advertisement must set out the price and general terms and conditions of the proposed sale. These provisions are set forth in O.C.G.A. § 36-37-8. I have enclosed a copy of this statute for your information.

In addition, the statute goes on to provide that the system may be disposed of ten days after the last publication of notice provided that the City does not receive a petition signed by at least twenty percent (20%) of the qualified voters of the City objecting to and protesting the sale. Should the City receive a petition signed by twenty percent (20%) of the qualified voters, the sale cannot take place unless the matter is submitted to a special election. If such an election were held, two thirds of those voting would have to vote in favor of the sale for the sale to go forward.

As you can see from the statute, it appears to apply only to the water system, however, I would suggest that the advertisement relate to both systems since the transaction is a combined sale.

As you are aware, I have represented both the City of Duluth and the City of Grayson in sales of their municipal water system to Gwinnett County. If this matter proceeds in a manner similar to those sales, the County will draft a proposed purchase contract to be reviewed by the City. Once all the terms have been agreed upon, the contract will be signed by both the City and the County and officially approved. The appropriate notices will then be run and a closing date will be established.

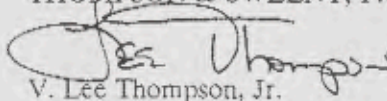
August 11, 1995

Page Two

As you are also aware, the County will require the City to transfer the system to the County debt free. This will involve the defeasance of your existing revenue bonds and restructuring of your indebtedness with GEFA and SRF. These financial transactions will involve the assistance of investment bankers and bond lawyers. I strongly suggest that you retain the right to hire your own bond counsel in this matter, and I recommend Earle Taylor of Kilpatrick & Cody. During the refunding of your bonds several years ago, you allowed the banking institution to designate your bond counsel despite the fact that you were paying all fees. This creates a situation where the bond counsel's primary allegiance is to the financial institution rather than the City. Thus, I would suggest that you control who serves as bond counsel in this transaction. If you have questions regarding this correspondence or need additional information, please contact me at your convenience. Also, please advise me when you desire for me to become involved in this transaction either in discussions with the County Legal Department or in reviewing documents.

Sincerely,

THOMPSON & SWEENEY, P.C.



V. Lee Thompson, Jr.

VLT/pbd

36-37-9

LOCAL GOVERNMENT

36-37-10

publication of the notice, a petition signed by not less than 20 percent of the qualified voters of the municipality is filed, objecting to and protesting against the sale, lease, or disposition. If the petition, so signed, is filed, the sale shall not be made unless submitted to a special election ordered for the purpose of determining whether a majority, which shall constitute two-thirds of those voting at the election, favors the sale, lease, or other disposition. Such election shall be ordered by the municipality to be held not less than 50 days after the date of the filing of the objecting petition with the municipality. The election shall be held in accordance with and in all respects be governed by the Acts of the General Assembly in regard to elections to determine whether municipalities shall issue bonds or not. The notice of the election shall state its purpose. (Ga. L. 1925, p. 177, § 2; Code 1933, § 91-902.)

## RESEARCH REFERENCES

**Am. Jur. 2d.** — 56 Am. Jur. 2d, Municipal Corporations, Counties, and Other Political Subdivisions, § 576.

**C.J.S.** — 63 C.J.S., Municipal Corporations, §§ 961, 962, 964.

**ALR.** — Sufficiency of compliance with condition of sale or lease by municipality of public utility plants, 52 ALR 1052.

**36-37-9. Disposition of public utility plants or properties — Ballots for election.**

The ballots provided for the election shall have plainly written or printed thereon the words "Shall the waterworks, electric, or gas plant (as the case may be), be sold, leased, or disposed of (as the case may be)?" Beside such words shall be suitably placed, on separate lines, the words "Yes" and "No," so that the voter may indicate the way he desires to vote on the question submitted. (Ga. L. 1925, p. 177, § 3; Code 1933, § 91-903; Ga. L. 1982, p. 3, § 36.)

**36-37-10. Disposition of public utility plants or properties — Proposed disposition determined by two-thirds vote.**

If two-thirds of those voting in the election vote in favor of such sale, lease, or disposition, the proper officers of the municipal corporation may proceed to sell, lease, or dispose of such plant in accordance with the terms and conditions set out in the notice of proposed intention to sell, lease, or dispose of such plant. If such election is determined against the sale, lease, or disposition of the plant, the plant shall not be sold, leased, or disposed of but shall remain the property of the municipality. (Ga. L. 1925, p. 177, § 4; Code 1933, § 91-904.)

## 36-37-7 ACQUISITION AND DISPOSITION OF PROPERTY 36-37-8

**36-37-7. Disposition of public utility plants or properties — Power generally; effect of charter restrictions.**

Municipalities are empowered and authorized, if they so desire, to sell, lease, or otherwise dispose of any or all electric, water, gas, or other municipally owned public utility plants or properties, on such terms and conditions as such municipalities deem proper, and to transfer title to such public utility properties by warranty deed, bill of sale, contract, or lease, in the manner provided by law; provided, however, that nothing contained in this Code section and Code Sections 36-37-8 through 36-37-10 shall be held or construed to affect the powers of any municipal corporation in the charter of which there is now contained any provision either authorizing or prohibiting the sale, lease, or other disposition of such properties by the municipality, so long as such provision remains in the charter of the municipality. (Ga. L. 1925, p. 177, § 1; Code 1933, § 91-901.)

**JUDICIAL DECISIONS**

Sections do not limit authority of city to dispose of property under charter. — Language in a city charter authorizing the city to dispose of property it owns "in any manner whatsoever" is not limited by the

provisions of §§ 36-37-7 through 36-37-10. *Singer v. City of Cordele*, 225 Ga. 323, 168 S.E.2d 138 (1969).

Cited in *Brown v. Mayor*, 199 Ga. 234, 33 S.E.2d 705 (1945).

**RESEARCH REFERENCES**

Am. Jur. 2d. — 56 Am. Jur. 2d, Municipal Corporations, Counties, and Other Political Subdivisions, §§ 575-578.

C.J.S. — 63 C.J.S., Municipal Corporations, §§ 961, 962, 964.

ALR. — Sufficiency of compliance with

condition of sale or lease by municipality of public utility plants, 52 ALR 1052.

Power of municipality to sell, lease, or mortgage public utility plant or interest therein, 61 ALR2d 595.

**36-37-8. Disposition of public utility plants or properties — Notice of intent to dispose; petition objecting to disposition; election and notice.**

Notice of intention to make such sale, lease, or other disposition of a municipal waterworks or electric or gas plant, setting out the price and other general terms and conditions of the proposed sale, lease, or disposition, shall be given by publication once a week for three consecutive weeks in some newspaper published in the municipality and, if no newspaper is published in the municipality, then in some newspaper published in the county in which the municipality is located and, if there is no such newspaper, then in some newspaper having a general circulation in the municipality. After ten days from the last publication of such notice, the plant may be disposed of unless, within ten days after the last



ORDINANCE  
SOIL EROSION AND SEDIMENTATION CONTROL

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF SUGAR HILL.

SECTION I            TITLE:

This ordinance will be known as "The City of Sugar Hill Soil Erosion and Sedimentation Control Ordinance."

SECTION II           DEFINITIONS:

The following definitions shall apply in the interpretation and enforcement of this ordinance, unless otherwise specifically stated:

1. Best Management Practices (BMP's): A collection of structural measures and vegetative practices which, when properly designed, installed and maintained, will provide effective erosion and sedimentation control for all rainfall events up to and including a 25-year, 24-hour rainfall event.
2. Board: The Board of Natural Resources.
3. Buffer: An area along the course of any state waters to be maintained in an undisturbed and natural condition.
4. Commission: The State Soil and Water Conservation Commission.
5. Cut: A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface to excavated surface. Also known as excavation.
6. Department: The Department of Natural Resources.
7. Director: The Director of the Environmental Protection Division of the Department of Natural Resources.
8. District: The Gwinnett County Soil and Water Conservation District.
9. Division: The Environmental Protection Division of the Department of Natural Resources.
10. Drainage Structure: A device composed of a virtually nonerodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for storm-water management, drainage control, or flood control purposes.
11. Erosion: The process by which land surface is worn away by the action of wind, water, ice or gravity.
12. Erosion and Sedimentation Control Plan: A plan for the control of soil erosion and sedimentation resulting from a land-disturbing activity. Also known as the "plan".
13. Ground Elevation: The original elevation of the ground surface prior to cutting or filling.
14. Fill: A portion of land surface to which soil or other solid material has been added; the depth above the original ground.

15. Finished Grade: The final elevation and contour of the ground after cutting or filling and conforming to the proposed design.
16. Grading: Altering the shape of ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling and shaping or any combination thereof and shall include the land in its cut or filled condition.
17. Issuing Authority: The governing authority of any county or municipality which has been certified by the Director of the Environmental Protection Division of the Department of Natural Resources as an Issuing Authority, pursuant to the Erosion and Sedimentation Act of 1975, as amended, or the Division in those instances where an application for a permit is submitted to the Division.
18. Land-Disturbing Activity: Any activity which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including, but not limited to clear, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices as described in Section III, Paragraph 5.
19. Metropolitan River Protection Act (MRPA): A state law referenced as O.C.G.A. 12-5-440 et seq., which addresses environmental and developmental matters in certain metropolitan river corridors and their drainage basins.
20. Natural Ground Surface: The ground surface in its original state before and grading, excavation or filling.
21. Nephelometric turbidity Units (NTU):  
Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely divided particles of a substance in suspension. This technique is used to estimate the extent of turbidity in water in which colloiddally dispersed particles are present.
22. Permit: The authorization necessary to conduct a land-disturbing activity under the provisions of this ordinance.
23. Person: Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of this State, any interstate body or any other legal entity.
24. Project: The entire proposed development project regardless of the size of the area of land to be disturbed.
25. Roadway Drainage Structure: A device such as a bridge, culvert, or ditch, composed of a virtually nonerrodible material such as concrete, steel, plastic, or other such material that conveys water under a roadway by intercepting the flow on one side of a traveled way consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.
26. Sediment: Solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved

from its site of origin by air, water, ice, or gravity as a product of erosion.

27. Sedimentation: The process by which eroded material is transported, or has been moved from its site of origin by air, water, ice, or gravity as a product of erosion.
28. Soil and Water Conservation District Approved Plan: A n erosion and sedimentation control plan approved in writing by the Gwinnett County Soil and Water Conservation District.
29. Stabilization: The process of establishing an enduring soil cover of vegetation by the installation of temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.
30. State Waters: Any and all rivers, steams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.
31. Structural Erosion and Sedimentation Control Measures: Measures for the stabilization of erodible or sediment-producing areas by utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss. Examples of structural erosion and sediment control practices are riprap, sediment basins, dikes, level spreaders, waterways or outlets, diversions, grade stabilization structures, sediment traps and land grading, etc. Such measures can be found in the publication Manual for Erosion and Sediment Control in Georgia.
32. Trout Streams: All streams or portions of streams within the watershed as designated by the Game and Fish Division of the Georgia Department of Natural Resources under the provisions of the Georgia Water Quality Control Act, O.C.G.A. 12-5-20 et seq. Streams designated as primary trout waters are defined as water supporting a self-sustaining population of rainbow, brown, or brook trout. Streams designated as secondary trout waters are those in which there is no evidence of natural trout reproduction, but are capable of supporting trout throughout the year. First order trout waters are streams into which no other streams flow except springs.
33. Vegetative Erosion and Sedimentation Control Practices: Practices for the stabilization of erodible or sediment-producing areas by covering the soil with:
  - A. Permanent seeding, spragging or planting, producing long-term vegetative cover; or
  - B. Temporary seeding, producing short-term vegetative cover; or,
  - C. Sodding, covering areas with a turf of perennial sod-forming grass.Such practices can be found in the publication Manual for

Erosion and Sediment Control in Georgia.

34. Watercourse: Any natural or artificial watercourse, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.
35. Wetlands: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

**SECTION III EXEMPTIONS:**

This ordinance shall apply to any land-disturbing activity undertaken by any person on any land except for the following.

- A. 1. Surface mining, as same is defined in O.C.G.A. 12-4-72;
2. Granite quarrying and land clearing for such quarrying;
3. Such minor land-disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, and other related activities which result in minor soil erosion;
4. The construction of single-family residences, when such are constructed by or under contract with the owner for his or her own occupancy, or the construction of single-family residences not a part of a platted subdivision, a planned community, or an association of other residential lots consisting of more than two lots and not otherwise exempted under this paragraph; provided, however, that construction of any such residence shall conform to the minimum requirements as set forth in Section IV of this ordinance. For single-family residence construction covered by the provisions of this paragraph, there shall be a buffer zone between the residence and any state waters classified as trout streams pursuant to Article 2 of Chapter 5, of the Georgia Water Quality Control Act. In any such buffer zone, no land-disturbing activity shall be constructed between the residence and the point where vegetation has been wrested by normal stream flow or wave action from the banks of the trout waters. For primary trout waters, the buffer zone shall be at least 50 horizontal feet, but the director may grant variances to no less than 25 feet. Regardless of whether a trout stream is primary or secondary, for first order trout waters, which are streams into which no other streams flow except for springs, the buffer shall be at least 25 horizontal feet, and no variance to a smaller buffer shall be granted. The minimum requirements of Section IV of this ordinance and the buffer zones provided by this

- section shall be enforced by the issuing authority;
5. Agricultural operations as defined in O.C.G.A. 1-3-3 to include raising, harvesting or storing of products of the field or orchards; feeding, breeding or managing livestock, including but not limited to cattle, calves, swine, hogs, goats, sheep, and rabbits or for use in the production of poultry, including but limited to chicken, hens, and turkeys; producing plants, trees, fowl, or animals; the production of aqua culture, horticultural, dairy, livestock, poultry, eggs and apiarian products; forestry land management practices, including harvesting and farm buildings and farm ponds;
  6. Any project carried out under the technical supervision of the Natural Resources Conservation Service of the United States Department of Agriculture;
  7. Any project involving one and one-tenth acres or less; provided, however, that this exemption shall not apply to any land-disturbing activity within 200 feet of the bank of any state waters, and for purposes of this paragraph, "State Waters" excludes channels and drainageways which have water in them only during and immediately after rainfall events and intermittent streams which do not have water in them year-round; provided, however, that any person responsible for a project which involves one and one-tenth acres or less, which involves land-disturbing activity, and which is within 200 feet of any such excluded channel or drainageway, must prevent sediment from moving beyond the boundaries of the property on which such project is located and provided, further, that nothing contained herein shall prevent the issuing authority from regulating any such project which is not specifically exempted by paragraphs 1,2,3,4,5,6,7,8, or 9 of this section;
  8. Construction or maintenance projects, or both, undertaken or financed in whole or in part, or both, by the Department of Transportation, the Georgia Highway Authority, or the Georgia Tollway Authority; or any road construction or maintenance project, or both, undertaken by any county or municipality; provided, however, that such projects shall conform to the minimum requirements set forth in Section IV of this ordinance.
  9. Any land-disturbing activities conducted by any electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, provided that any such land-disturbing activity shall conform to the minimum requirements set forth in Section IV B. & C.
- B. Where this section requires compliance with the minimum requirements set forth in Section IV B. & C. of this ordinance, issuing authorities shall enforce compliance with the minimum requirements as if a permit had been issued and violations shall be subject to the same

penalties as violations by permit holders.

SECTION IV            MINIMUM REQUIREMENTS FOR EROSION AND SEDIMENTATION CONTROL USING BEST MANAGEMENT PRACTICES:

A.    GENERAL PROVISIONS:

Excessive soil erosion and resulting sedimentation can take place during land-disturbing activities. Therefore, plans for those land-disturbing activities which are not excluded by this ordinance shall contain provisions for application of soil erosion and sedimentation control measures and practices. The provisions shall be incorporated into the erosion and sedimentation control plans. Soil erosion and sedimentation control measures and practices shall conform to the minimum requirements of Section IV B. & C. of this ordinance. The application of measures and practices shall apply to all features of the site, including street and utility installations, drainage facilities and other temporary and permanent improvements. Measures shall be installed to prevent or control erosion and sedimentation pollution during all stages of any land-disturbing activity.

B.    MINIMUM REQUIREMENTS/BMP'S:

1.    Best management practices as set forth in Section IV B & C of this ordinance shall be required for all land-disturbing Activities. Proper design, installation, and maintenance of best management practices shall constitute a complete defense to any action by the Director or to any other allegation of noncompliance with paragraph (2) of this subsection or any substantially similar terms contained in a permit for the discharge of stormwater issued pursuant to subsection (f) of Code Section 12-5-30. As used in this subsection, the terms "proper design" and "properly designed" mean designed to control soil erosion and sedimentation for all rainfall events up to and including a 25-year, 24-hour rainfall event.
2.    A discharge of stormwater runoff from disturbed areas where best management practices have not been properly designed, installed, and maintained shall constitute a separate violation of any land-disturbing permit issued by a local issuing authority or by the Division or of any general permit for construction activities issued by the Division pursuant to subsection (f) of Code Section 12-5-30 for each day on which such discharge results in the turbidity of receiving waters being increased by more than 25 nephelometric turbidity units for waters supporting warm water fisheries or by more than ten nephelometric turbidity units for waters classified as trout waters. The turbidity of the

receiving waters shall be measured in accordance with guidelines to be issued by the Director.

3. Failure to properly design, install, or maintain best management practices shall constitute a violation of any land-disturbing permit issued by a local issuing authority or by the Division or of any general permit for construction activities issued by the division pursuant to subsection (f) Code Section 12-5-30 for each day on which such failure occurs.
  4. The Director may require, in accordance with regulations adopted by the board, reasonable and prudent monitoring of the turbidity level of receiving waters into which discharges from land-disturbing activities occur.
- C. The rules and regulations, ordinances, or resolutions adopted pursuant to this chapter for the purpose of governing land-disturbing activities shall require, as a minimum, best management practices, including sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with and no less stringent than, those practices contained in the "Manual for Erosion and Sediment Control in Georgia" published by the Georgia Soil and Water conservation Commission as of January 1 of each year in which the land-disturbing activity was permitted, as well as the following:
1. Stripping of vegetation, regrading and other development activities shall be conducted in a manner so as to minimize erosion;
  2. Cut-fill operations must be kept to a minimum;
  3. Development plans must conform to topography and soil type so as to create the lowest practical erosion potential;
  4. Whenever feasible, natural vegetation shall be retained, protected and supplemented;
  5. The disturbed area and the duration of exposure to erosive elements shall be kept to a practicable minimum;
  6. Disturbed soil shall be stabilized as quickly as practicable;
  7. Temporary vegetation or mulching shall be employed to protect exposed critical areas during development;
  8. Permanent vegetation and structural erosion control measures shall be installed as soon as practicable;
  9. To the extent necessary, sediment in run-off water must be trapped by the use of debris basins, sediment basins, silt traps, or similar measures until the disturbed area is stabilized. As used in this paragraph, a disturbed area is stabilized when it is brought to a condition of continuous

- compliance with the requirements of this chapter;
10. Adequate provisions must be provided to minimize damage from surface water to the cut face of excavations or the sloping surface of fills;
  11. Cuts and fills may not endanger adjoining property;
  12. Fills may not encroach upon natural watercourses or constructed channels in a manner so as to adversely affect other property owners;
  13. Grading equipment must cross flowing streams by means of bridges or culverts except when such methods are not feasible, provided, in any case, that such crossings are kept to a minimum;
  14. Land-disturbing activity plans for erosion and sedimentation control shall include provisions for treatment or control of any source of sediments and adequate sedimentation control facilities to retain sediments on-site or preclude sedimentation of adjacent waters beyond the levels specified in Section IV B. 2. of this ordinance of this Code section;
  15. Land-disturbing activities shall not be conducted within 25 feet of the banks of any state waters, as measured from the point where vegetation has been wrested by normal stream flow or wave action, except where the Director determines to allow a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the Director pursuant to Code Section 12-2-8, or where a drainage structure or a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications and are implemented; provided, however, that buffers of at least 25 feet established pursuant to Part 6 of Article 5 of Chapter 5 of this title, the "Metropolitan River Protection Act." shall remain in force unless a variance is granted by the Director as provided in this paragraph; and
  16. Land-disturbing activities shall not be conducted within 100 horizontal feet, as measured from the point where vegetation has been wrested by normal stream flow or wave action, of the banks of any state waters classified as "trout streams" pursuant to Article 2 of Chapter 5 of the "Georgia Water Quality Act," unless a variance for such activity is granted by the Director except where a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications are implemented.
- D. Nothing contained in this chapter shall prevent an issuing authority from adopting rules and regulations,



ordinances, or resolutions which contain requirements that exceed the minimum requirements in Section IV B. & C. of this ordinance.

- E. The fact that land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this ordinance or the terms of the permit.

#### SECTION V APPLICATION/PERMIT PROCESS:

A. GENERAL:

The property owner, developer and designated planners and engineers shall review the general development plans and detailed plans of the issuing authority that affect the tract to be developed and the area surrounding it. They shall review the zoning ordinance, stormwater management ordinance, subdivision ordinance, flood damage prevention ordinance, this ordinance, and other ordinances which regulate the development of land within the jurisdictional boundaries of the Issuing Authority. However, the property owner is the only party that can obtain a permit.

B. APPLICATION REQUIREMENTS:

1. No person shall conduct any land-disturbing activity within the jurisdictional boundaries of The City of Sugar Hill without first obtaining a permit from the Inspection Department of the City of Sugar Hill to perform such activity.
2. The application for a permit shall be submitted to the Inspection Department of the City of Sugar Hill and must include the applicant's erosion and sedimentation control plan with supporting data, as necessary. Said plan shall include, as a minimum, the data specified in Section V C. of this ordinance. Soil erosion and sedimentation control plans shall conform to the provisions of Section IV B. & C. of this ordinance. Applications for a permit will not be accepted unless accompanied by three (3) copies of the applicant's soil erosion and sedimentation control plans.
3. A fee, in the amount of (see fee schedule) shall be charged for each acre or fraction thereof in the project area.
4. Immediately upon receipt of an application and plan for a permit, the Issuing Authority shall refer the application and plan to the District for its review and approval or disapproval concerning the adequacy of the erosion and sedimentation control plan. The results of the district review shall be forwarded to the Issuing Authority. No permit will be issued unless the plan has been approved by the District,

and any variances required by Section IV B. 15 & 16 and bonding, if required as per Section V B.5.(b), have been obtained. Such review will not be required if the Issuing Authority and the District have entered into an agreement which allows the Issuing Authority to conduct such review and approval of the plan without referring the application and plan to the District.

5. (a) If a permit applicant has had two or more violations of previous permits, this ordinance section, or the Erosion and Sedimentation Act, as amended within three years prior to the date of filing of the application under consideration, the Issuing Authority may deny the permit application.
- (b) The Issuing Authority may require the permit applicant to post a bond in the form of government security, cash, irrevocable letter of credit, or any combination thereof up to, but not exceeding, \$3,000.00 per acre or fraction thereof of the proposed land-disturbing activity, prior to issuing the permit. If the applicant does not comply with this ordinance or with the conditions of the permit after issuance, the Issuing Authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance. These provisions shall not apply unless there is in effect an ordinance or statute specifically providing for hearing and judicial review of any determination or order of the Issuing Authority with respect to alleged permit violations.

C. PLAN REQUIREMENTS:

1. Plans must be prepared to meet the minimum requirements as contained in Section IV B. & C. of this ordinance. Conformance with the minimum requirements may be attained through the use of design criteria in the current issue of the Manual for Erosion and Sediment Control in Georgia, published by the State Soil and Water Conservation Commission as a guide; or through the use of alternate design criteria which conform to sound conservation and engineering practices. The Manual for Erosion and Sediment Control in Georgia is hereby incorporated by reference into this ordinance. The plan for the land-disturbing activity shall consider the interrelationship of the soil types, geological and hydrological characteristics, topography, watershed, vegetation, proposed permanent structures including roadways, constructed waterways, sediment control and storm water management facilities, local ordinances and State laws.

2. Data required for site plan:
  - (a) Narrative or notes, and other information: notes or narrative to be located on the site plan in general notes or in erosion and sediment control notes.
  - (b) Description of existing land use at project site and description of proposed project.
  - (c) Name, address, and phone number of the property owner.
  - (d) Name and phone number of 24-hour local contact who is responsible for erosion and sedimentation controls.
  - (e) Size of project, or phase under construction, in acres.
  - (f) Activity schedule showing anticipated starting and completion dates for the project. Include the statement in bold letters, that "the installation of erosion and sedimentation control measures and practices shall occur prior to or concurrent with land-disturbing activities."
  - (g) Stormwater and sedimentation management systems-storage capacity, hydrologic study, and calculations, including off-site drainage areas.
  - (h) Vegetative plan for all temporary and permanent vegetative practices, including species, planting dates, and seeding, fertilizer, lime, and mulching rates. The vegetative plan should show options for year-round seeding.
  - (i) Detail drawings for all structural practices. Specifications may follow guidelines set forth in the Manual for Erosion and Sediment Controls in Georgia.
  - (j) Maintenance statement - "Erosion and sedimentation control measures will be maintained at all times. Additional erosion and sedimentation control measures and practices will be installed if deemed necessary by onsite inspection."
3. Maps, drawings, and supportive computations shall bear the signature/seal of a registered or certified professional in engineering, architecture, landscape architecture, land surveying, or erosion and sedimentation control. The certified plans shall contain:
  - (a) Graphic scale and north point or arrow indicating magnetic north.
  - (b) Vicinity maps showing location of project and existing streets.
  - (c) Boundary line survey.
  - (d) Delineation of disturbed areas within project boundary.
  - (e) Existing and planned contours, with contour lines drawn with an interval in accordance with the

following:

```
+++++
+ MAP SCALE + GROUND SLOPE + CONTOUR INTERVAL FT.+
+++++
+ 1 in. =   + Flat 0-2%   + 0.5 or 1   +
+ 100 feet + Rolling 2-8% + 1 or 2     +
+ or larger + Steep 8%+   + 2,5 or 10  +
+ scale     +           +           +
+++++
```

(f) Adjacent areas and features areas such as streams, lakes, residential areas, etc. which might be affected should be indicated on the plan.

(g) Proposed structures or additions to existing structures and paved areas.

(h) Delineate the 25-foot horizontal buffer adjacent to state waters and the specified width in MRPA areas.

(i) Delineate the specified horizontal buffer along designated trout streams, where applicable.

(j) Location of erosion and sedimentation control measures and practices using coding symbols from the Manual for Erosion and Sediment Control in Georgia, Chapter 6.

4. Maintenance of all soil erosion and sedimentation control practices, whether temporary or permanent, shall be at all times the responsibility of the property owner.

D. PERMITS:

1. Permits shall be issued or denied as soon as practicable but in any event not later than forty-five (45) days after receipt by the Issuing Authority of a completed application, providing variances and bonding are obtained, where necessary.
2. No permit shall be issued by the Issuing Authority unless the erosion and sedimentation control plan has been approved by the District and the Issuing Authority has affirmatively determined that the plan is in compliance with this ordinance, any variances required by Section IV B. 15. & 16. are obtained, bonding requirements, if necessary, as per Section V B. 5.(b) are met and all ordinances and rules and regulations in effect within the jurisdictional boundaries of the Issuing Authority are met. If the permit is denied, the reason for denial shall be furnished to the applicant.
3. If the tract is to be developed in phases, then a separate permit shall be required for each phase.
4. The permit may be suspended, revoked, or modified by the Issuing Authority, as to all or any portion of the land affected by the plan, upon finding that the holder or his successor in the title is not in

compliance with the approved erosion and sedimentation control plan or that the holder or his successor in title is in violation of this ordinance. A holder of a permit shall notify any successor in title to him as to all or any portion of the land affected by the approved plan of the conditions contained in the permit.

5. No permit shall be issued unless the applicant provides a statement by the City of Sugar Hill City Clerk certifying that all ad valorem taxes levied against the property and due and owing have been paid.

**SECTION VI INSPECTION AND ENFORCEMENT:**

- A. The Inspection Department of the City of Sugar Hill will periodically inspect the sites of land-disturbing activities for which permits have been issued to determine if the activities are being conducted in accordance with the plan and if the measures required in the plan are effective in controlling erosion and sedimentation. If, through inspection, it is deemed that a person engaged in land-disturbing activities as defined herein has failed to comply with the approved plan with permit conditions, or with the provisions of this ordinance, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this ordinance.
- B. The Inspection Department of the City of Sugar Hill shall have the power to conduct such investigations as it may reasonable deem necessary to carry out duties as prescribed in this ordinance, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigation and inspecting the sites of land disturbing activities.
- C. No person shall refuse entry or access to any authorized representative or agent of the Issuing Authority, the Commission, the District, or Division who requests entry for the purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out his official duties.
- D. The Districts or the commission or both shall periodically review the actions of counties and municipalities which have been certified as issuing authorities pursuant to O.C.G. A. 12-7-8 (a). The Districts or the Commission or both may provide technical

assistance to any county or municipality for the purpose of improving the effectiveness of the county's or municipality's erosion and sedimentation control program. The Districts or the Commission shall notify the division and request investigation by the Division if any deficient or ineffective local program is found.

- E. The Division may periodically review the actions of counties and municipalities which have been certified as issuing authorities pursuant to Code Section 12-7-8 (a). Such review may include, but shall not be limited to, review of the administration and enforcement of a governing authority's ordinances and review of conformance with an agreement, if any, between the district and the governing authority. If such review indicates that the governing authority of any county or municipality certified pursuant to O.C.G.A. 12-7-8 (a) has not administered or enforced its ordinances or has not conducted the program in accordance with any agreement entered into pursuant to O.C.G.A. 12-7-7 (d), the Division shall notify the governing authority of the county or municipality in writing. The governing authority of any county or municipality so notified shall have 30 days within which to take the necessary corrective action to retain certification as an issuing authority. If the county or municipality does not take necessary correcting action within 30 days after notification by the division, the division may revoke the certification of the county or municipality as an issuing authority.

#### **SECTION VII PENALTIES AND INCENTIVES:**

- A. **FAILURE TO OBTAIN A PERMIT FOR LAND-DISTURBING ACTIVITY:**  
If any person commences any land-disturbing activity requiring a land-disturbing permit as prescribed in this ordinance without first obtaining said permit, the person shall be subject to revocation of his business license, work permit or other authorization for the conduct of a business and associated work activities within the jurisdictional boundaries of the Issuing Authority.
- B. **STOP-WORK ORDERS:**  
Upon notice from the Issuing Authority or its agent, work on any project that is being done contrary to the provisions of this ordinance or in a dangerous or unsafe manner, shall be immediately stopped. Such notice shall be in writing and shall be given to the owner of the property, his authorized agent or the person or persons in charge of the activity on the property, and shall state the conditions under which work may be resumed. Where an emergency exists, no written notice shall be required.
- C. **BOND FORFEITURE:**

If, through inspection, it is determined that a person engaged in land-disturbing activities has failed to comply with the approved plan, a written notice to comply shall be served on that person. The notice shall set forth the measures necessary to achieve compliance with the plan and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this ordinance and, in addition to other penalties, shall be deemed to have forfeited his performance bond, if required to post one under the provisions of Section V B. 5(b). The Issuing Authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance.

D. MONETARY PENALTIES:

Any person violating any provisions of this ordinance, permitting conditions, or stop-work order shall be liable for a monetary penalty not to exceed \$2,500 per day, by a sentence of imprisonment not exceeding 60 days in jail or both fine and jail or work alternative. Each day during which the violation or failure or refusal to comply continues shall constitute a separate violation.

**SECTION VIII ADMINISTRATIVE APPEAL, JUDICIAL REVIEW:**

A. ADMINISTRATIVE REMEDIES:

The suspension, revocation, modification or grant with condition of a permit by the Issuing Authority upon finding that the holder is not in compliance with the approved erosion and sediment control plan; or that the holder is in violation of permit conditions; or that the holder is in violation of any ordinance; shall entitle the person submitting the plan or holding the permit to a hearing before the City of Sugar Hill Municipal Court within 30 days after receipt by the Issuing Authority of written notice of appeal.

B. JUDICIAL REVIEWS:

Any person, aggrieved by a decision or order of the Issuing Authority, after exhausting his administrative remedies, shall have the right to appeal de novo to the Superior Court of Gwinnett County.

**SECTION IX EFFECTIVITY, VALIDITY AND LIABILITY:**

A. EFFECTIVITY:

This ordinance shall be come effective on the \_\_\_\_\_ day of \_\_\_\_\_, 1995.

B. VALIDITY:

If any section, paragraph, clause, phrase, or provision of this ordinance shall be adjudged invalid or held unconstitutional such decisions shall not effect the remaining portions of this ordinance.

C. LIABILITY:

1. Neither the approval of a plan under the provisions of this ordinance, nor the compliance with provisions of this ordinance shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon the Issuing Authority or District for damage to any person or property.
2. The fact that a land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither a presumption of a violation of the standards provided for in this ordinance or the terms of the permit.

ATTEST:

\_\_\_\_\_  
Mayor:

\_\_\_\_\_  
Clerk:



Sugar Hill Golf Club  
1995 to 1994 Comparisons

8/14/95

1994 Actuals			1995 Y. T. D.			Rounds	1994		1995		Revenue		
Month	Total Res Rds	Total Non-Res	Total Rounds	Month	Total Res Rds	Total Non-Res	Total Rounds	Percent Change	Month	Total Revenue	Month	Total Revenue	Percent Change
Jan	68	481	549	Jan	137	602	739	34.61%	Jan	18,871.18	Jan	24,394.54	29.27%
Feb	176	888	1064	Feb	111	646	757	-28.85%	Feb	35,163.29	Feb	27,312.83	-22.33%
Mar	206	1825	2031	Mar	231	1589	1820	-10.39%	Mar	71,574.99	Mar	66,042.68	-7.73%
Apr	275	2165	2440	Apr	478	2249	2727	11.76%	Apr	85,849.87	Apr	101,256.59	17.95%
May	297	2280	2577	May	261	2340	2601	0.93%	May	91,961.62	May	93,556.83	1.73%
Jun	223	2031	2254	Jun	307	2409	2716	20.50%	Jun	81,346.69	Jun	102,600.66	26.13%
Jul	294	2245	2539	Jul	331	2961	3292	29.66%	Jul	93,324.10	Jul	120,628.58	29.26%
Aug	258	2060	2318	Aug					Aug		Aug		
Sep	308	1815	2123	Sep					Sep		Sep		
Oct	205	1423	1628	Oct					Oct		Oct		
Nov	214	1408	1622	Nov					Nov		Nov		
Dec	243	1164	1407	Dec					Dec		Dec		
Totals:	2767	19785	22552		1856	12796	14652	8.32%		478,091.74		535,792.71	10.61%

Ratio of Resident play 1995 compared to 1994: 20.60% increase

Ratio of Non-Resident play 1995 compared to 1994: 7.39% increase

*Edith  
Preuss*

EXECUTIVE SUMMARY  
MAJOR PROVISIONS OF THE CABLE FRANCHISE AGREEMENT  
IN CONJUNCTION WITH CABLE FRANCHISE RENEWAL PROCEEDINGS  
BETWEEN  
CABLE EQUITIES OF COLORADO  
AND  
THE CITY OF  
SUGAR HILL, GEORGIA

Report Prepared by:

Georgia Municipal Association  
Municipal Advisory and Technical Services  
210 Pryor Street S.W.  
Atlanta, Ga. 30303  
(404) 688-0472

July 1995

H:\SUMMARY.COV

EXECUTIVE SUMMARY  
MAJOR PROVISIONS OF THE CABLE FRANCHISE AGREEMENT

Franchisee

The agreement is between the City of Sugar Hill and Cable Equities of Colorado. The franchise term is for fifteen (15) years.

Scope of the Franchise

The franchise granted under this agreement is non-exclusive and allows the franchisee to provide both cable and non-cable services. Cable services consist of video signals transmitted to the homes of subscribers as conventional cable channels and signals sent from the home in order for the subscriber to make specific programming selections. Non-cable services include any other service distributed over the system other than cable services.

Franchise Fee

The franchisee will pay to the City, 5% of gross revenues derived from video, voice, data or other services provided over the cable system. The definition of gross revenues has been broadened to include advertising revenues and home shopping commissions, thus, the City may begin to receive increased franchise fees at the point the agreement goes into effect.

Cable System Capacity

In 1996, the franchisee will begin a four year effort to upgrade its cable system. The result will be a rebuilt system capable of a bandwidth of 750 MHz by 1999. About 70 % of the capacity will be devoted to approximately 78 channels of conventional cable programming. The remaining 30% capacity will be utilized to carry digital services such as digital music and a computer subscription service. The company intends to study and test the use of digital compression as a means to deliver an even larger number of programming options in the future.

System Signal Quality

The new system will provide improved signal quality and system reliability. During the rebuild, interruption of service to consumers will be minimized by having work done during off peak viewing hours.

Customer Service

The franchise agreement sets forth a high level of customer service which the franchisee is required to meet. Among other provisions, the company is compelled to issue credits to subscribers if certain performance standards are not met. Other issues addressed in the standards include cable system office hours, telephone availability, provisions regarding installations, outages, service calls, billing and other communications to subscribers.

### Public, Educational and Government Channels

The agreement addresses PEG channel usage by local government. Transmission of the Gwinnett County channel will continue to subscribers in the City of Sugar Hill. As other local governments begin to increase usage of PEGS channels, the City may also want to consider increasing the implementation of this resource. The agreement provides for this contingency.

### Service to Government Facilities

Wiring and free cable service will be provided by the franchisee to all City owned, managed or occupied facilities within 150 feet of cable system plant and that are located within the franchise area.

### State of the Art

At regular intervals the franchisee will report to the City of Sugar Hill on current cable industry standards, service performance and capacities of cable systems serving areas of similar size to the City. Should industry technology in the comparable areas have surpassed the service being furnished in the City of Sugar Hill, the City may subsequently negotiate with the franchisee concerning future system improvements which would bring the system serving the City up to those standards.

### Regulatory Authority

Above and beyond the powers previously discussed, the City of Sugar Hill has the authority to require that the franchisee provide information to the City to enable it to enforce the terms and conditions of the agreement (i.e. a quarterly franchise fee report, a financial report, construction plans and subscriber complaint records). The City may oversee and inspect system maintenance, operation and construction. Compliance audits and hearings may be held by the City. Subject to federal regulations, the City also has the authority to regulate cable rates and to enforce procedures governing sales and transfers of the cable system. The City has the authority to revoke the franchise in the event of default by the franchisee in the performance of its material obligations.

### Insurance Requirements

The required coverage amounts have been increased such that the franchisee must maintain insurance in the amount of \$2,000,000 of property and liability coverage concerning each and every claim.

August 7, 1995

MEMORANDUM 95-061

TO: Mayor/City Council

FR: Warren Nevad, City Manager *W*

RE: **Agenda Item: Update On Clubhouse**

Attached are the July 25th meeting notes regarding subject. Please call me should you have any questions.

Thanks.



# CITY OF SUGAR HILL

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4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518  
(404) 945-6716

JULY 25, 1995 MEETING AGENDA  
CLUBHOUSE CONTRACTOR & ARCHITECT

- I. STATUS OF PROJECT
  
- II. COMPLETION DATE-BEFORE SEPTEMBER 22, 1995
  
- III. CERTIFICATE OF PAYMENT
  
- IV. ADDENDUM BREAKDOWN
  
- V. PROJECT CREDITS

Meeting With Architect and Contractor  
July 25, 1995  
10:00 A.M.

M I N U T E S

In attendance: City Manager, Warren P. Nevad; Golf Course Director, Wade Queen; Architect, Preston Sturgis, Contractor, Carl Leaman of Paradise Construction Co.; Dan Jape of Reliable Heating and Air.

Mr. Leaman introduced the heating sub-contractor for the project, Mr. Dan Jape. He stated that Mr. Jape had prior commitments and ask that he be allowed to discuss the heating unit for the clubhouse. Mr. Jape questioned the type unit called for in the drawings. He stated that gas heating would be more cost effective than electric or if we wanted electric an electric heat pump would also be more cost effective. Mr. Queen explained that the city needed the heater indicated so that could receive a discount rate as a combined user with the sewer treatment plant/golf course combination. Mr. Jape was given the go ahead to redesign HVAC system within the limitations discussed.

Mr. Nevad asked that we please stay with the provided agenda for the rest of the meeting.

I. Status of Project:

Mr. Leaman stated that there were several issues which needed to be cleared up before construction could be continued. Mr. Queen feels that he can understand some of the changes, but very forcefully stated that he did not want to feel that the contractor was trying to take unfair advantage of the city.

II. Completion Date - Before September 22, 1995:

Mr. Nevad ask if the project would be completed by the September deadline. Mr. Leaman ask for a 60 day extension of time to complete the project. Mr. Nevad said he did not think the Council would approve such an extension of time. Mr. Nevad said that the actual building had not started until May. Mr. Leaman tried to justify the delays in construction by saying that there had been set backs. The elevation needed to be redesigned, and there had been footing difficulties. (No one reminded him that the footing difficulties had been because no rebar had been placed in the footing.)

III: Addendum breakdown:

Item #1 - Lightning Protection - Mr. Nevad stated again that the city did not need this additional expense.

Item #2 - Plumbing-Showers - Showers are in the contract and shown on drawings. Everyone agreed that tile would be too expensive, the plumbing contractor suggested an alternative shower and architect said he had no problem with the change, the issue was the quality of the shower. Contractor stated that the plumbers had done the rough work. It was agreed that there would be no doors placed on the shower stalls.

#3 Plumbing for water heater/floor drain - The main question was whether or not the city wished to use a locking bar water heater as this would add to the cost. Mr. Nevad approved change.

#4 Wiring costs for electrical panels - Added, an electrical panel "B", with subsequent revision to panel "A" and the electrical calculations, a change in wiring size from transformer to the panel, and additional switch and wiring necessary to power the added hot water heater. Mr. Nevad OK'd this change.

#5 5/8" GYP Board - The fire marshall required that a layer of 5/8" type x fire rated gyp. board all around the inside face of fireplace, firebox, and chimney flue as indicated on Sheet A-1. Mr. Nevad said this was a reasonable change and approved it.

#6 Cooking equipment table, with integrated hood, and fire extinguishing system as indicated on sheet A-1. Even though this was not part of the bid, both Mr. Queen and Mr. Nevad felt that the estimated cost of the unit was excessive. Mr. Sturgis is to check to see if the used unit his people had found was still available as this would be a substantial savings to the city. Mr. Leaman did not want to install this unit if the city purchases it outside his sources.

#7 Gas line/ fireplace - Provide cost and other information regarding the installation of a gas fire starter at the fireplace, Mr. Nevad approved.

#8 Gas line/kitchen - Provide cost and other information regarding the stubbing in of gas service to the kitchen. Mr. Nevad approved.

#9 Added, base cabinets to kitchen, as shown on Sheet A-9. City is going to have cabinets build per submittal by Cabinetry Made Simple.

#10 Alteration/relocation of the fire department connection from the front of the building (south side) to the west side of the building as indicated on sheet P-1. Mr. Nevad asked for clarification of the cost on this item.

#11 Drain boards shall be provided at each end of the three compartment kitchen sink and at the sink in the chef's table sink. These were requirements of the health department. However, Mr. Sturgis said this was a non-issue as the sinks he spec'd out had built in drain boards on either side.

It was noted than none of the price quotes that Paradise gave had their 7.5% mark up added.

The contractor had requested \$42,103. in addendums. As a result of this meeting the negotiated fire was worse case \$34,703., best case \$19,917.

Mr. Nevad again reiterated to the contractor and architect that this project could not go over budget for any reason.

#### IV: Project Credits

Mr. Nevad asked about the credits due the city for items not done or changed. The Sturgis said that most of these credits would be taken up by the ramp walkway and railing necessary because of the added height to the front of the building. It was asked whether the handicap entrance could be moved to the side of the building and Mr. Sturgis said ADA would consider that



discrimination as the side entrance would be used by kitchen staff.

O R D I N A N C E  
ORDFC795

AN ORDINANCE, TO AMEND CHAPTER 2 OF THE CODE OF THE CITY OF SUGAR HILL BY ADDING SECTION 2-73, TO PLACE RESTRICTIONS ON CONTRACTS OR BUSINESS CONDUCTED WITH THE CITY BY FORMER MEMBERS AND\OR EMPLOYEES OF THE GOVERNING AUTHORITY.

SECTION 2-73

(1) FINDINGS:

The Mayor and Council of the City of Sugar Hill desires that sound ethical behavior is adhered to.

The Mayor and Council desires that the purpose of this Resolution is to protect the integrity of the government of the city by prohibiting any former official and/or employee from engaging in any business, employment or transaction from rendering services, or from having contractual, financial, or personal interest, direct or indirect, which are in conflict with, or which would create the justifiable impression in the public of conflict, not in the best interest of the city.

The Mayor and Council desires that a member of a former governing authority and/or employee shall disqualify him/herself from participating in any official act or action of the City of Sugar Hill which results in a pecuniary benefit to the former member and\or employee or a business or activity in which he/she has an interest when such benefit is not available to the public at large.

(2) PROHIBITED CONTRACTS:

The City shall not enter into any contract involving services or property with a former member of the governing authority and\or employee or with a business in which a member of the former governing authority and\or employee has an interest. This shall not apply in the case of:

1. The designation of a bank or trust company as a depository for city funds;
2. The borrowing of funds from any bank or lending institution which offers the lowest available rate of interest in the vicinity for such loan;
3. Contracts entered into in accordance with the Official Code of Georgia Annotated § 16-10-6.
4. Contracts for services which are awarded pursuant to sealed competitive bids subsequent to an advertised

competitive bid process in accordance with the purchasing ordinance of the city.

5. Contracts entered into under circumstances which constitute an emergency situation, provided that a written record explaining the emergency is prepared by the mayor and submitted to the Council at its next regular meeting and thereafter kept on file.

**(3) RESTRICTIONS FOR FORMER MEMBERS AND/OR EMPLOYEE OF GOVERNING AUTHORITY:**

The City shall not enter into any contract with, or take any official act or action favorably affecting, any person, or business represented by such person when such person has been a member of the governing authority and/or employee within the past twenty-four (24) months period preceding such action, except when the city had a contract with such a person or business prior to the member and/or employee leaving office or unless the business received the contract for having the lowest and best bid pursuant to the purchasing procedures established by the city and the member did not represent the business in its discussions with or submissions to the mayor and council,

**(4) USE OF PROPERTY OR SERVICES:**

No former official and/or employee shall request, use or permit the use of any city-owned or city-supported property, vehicle, equipment, labor or service for the private advantage of him/herself or any other person or private entity; provided, however, that no former official and/or employee is prohibited from requesting, using, or permitting the use of any city-owned or city-supported property, vehicle, equipment, material, labor, or service which as a matter of city policy is made available to the public at large or which is provided as a matter of stated public policy for the use of former officials and/or employees in the conduct of official city business.

**(5) EFFECTIVE DATE:**

This Ordinance shall become effective on the date received from the Mayor as approved.

NOW, THEREFORE, BE IT ORDAINED, this \_\_\_\_\_ day of \_\_\_\_\_, 1995.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

Received by the Mayor: \_\_\_\_\_

Returned by the Mayor: \_\_\_\_\_

**ATTEST:**

**APPROVED BY THE MAYOR:**

\_\_\_\_\_  
City Clerk

\_\_\_\_\_

**Concerns and Issues relating to the  
Solid Waste Management Plan (July 27, 1995 edition)**

1. Specific dates for the public hearings are not shown on page 1 or page 2.
2. Population growth projections on page 3 of the Solid waste management plan shows a growth rate of 94.7% between the years 1980 and 1990 while a rate of 143.6% was used between 1990 and 2000 (2000 - 2010 used 156.8%). I suggest that we use a ten year rate that is twice that of the last five years ( $49.88\% \times 2 = 99.76\%$ ), this works out to an approximate rate of 8.4 % annually.  
(See included new Table 2)
3. There is a duplicate of table 2 as well as a second page 3 in the draft plan.
4. Estimated and projected waste amounts and composition as shown on page 5 of the plan are over estimated since they are based on overestimated population projections. (see included new Table 4)
5. Table 5 uses a 25% reduction to produce estimates, can we assume a 25% reduction guaranteed? How do we anticipate obtaining that reduction?
6. Table 5 on page 6 also uses overestimated tonnage due to overestimated population figures. (see included new table 5)
7. The last sentence in the second paragraph of page 7 should say "will periodically review" as opposed to "will modify". It should read, "As future collection costs increase, Sugar Hill will periodically review its billing practices to ensure that customers are paying actual costs."
8. The first paragraph on page 8 specifies that Sugar Hill will emphasize source reduction, reuse, recycling and composting, but makes no mention of how. How do we plan on accomplishing this? I know that the following paragraph "Source Reduction" talks about how to achieve it but it specifies no plan. To what is the "Current source reduction efforts in Sugar Hill" referring?
9. The third paragraph "Reuse" continues to do the same thing, define instead of plan to achieve a goal. Can Sugar Hill sponsor and/or assist in utilizing more reusable products?
10. The first paragraph on page 9 "Recycling" continues this definition approach. It refers to local volunteer organizations but does not specify any. Which ones? We should name them.
11. I suggest an ordinance the forbids yard clippings from being picked up by city sanitation services be enacted. This would eliminate a large percentage of the disposed materials as stated in the second paragraph on page 10 and referred to on pages 11 and 12.
12. On page 17, paragraph 2 uses the term "new blood". Do you think this is an appropriate term?

13. Option B on page 28 should be deleted since Council members say the landfill is a dead issue.

14. Page 34, paragraph "Disposal" states that the City plans to continue operating under the 1989 lease agreement with Mid-American for disposal. This agreement expires in 2001 and does not cover the required ten year period of the plan. What do we intend on doing after 2001?

**TABLE 2**  
**POPULATION PROJECTIONS**  
**CITY OF SUGAR HILL**  
**1995 - 2010**

<u>1995</u>	<u>2000</u>	<u>2010</u>
6,830	10,237	22,996

**TABLE 4**  
**ESTIMATED AND PROJECTED WASTE AMOUNTS AND COMPOSITION**  
**CITY OF SUGAR HILL**  
**1995 - 2005**  
**(Tons Per Year)**

<u>Waste Type</u>	<u>1995</u>	<u>2000</u>	<u>2005</u>
Paper/Paperboard	2,195	3,290	4,931
Yard	960	1,439	2,157
Glass	440	659	988
Metals	435	652	977
Rubber/Leather/Textiles	435	652	977
Food	420	630	944
Plastics	350	525	786
Miscellaneous	<u>115</u>	<u>172</u>	<u>258</u>
<b>Totals:</b>	<b>5,350</b>	<b>8,019</b>	<b>12,018</b>



**TABLE 5**  
**PROJECTED WASTE AMOUNTS**  
**CITY OF SUGAR HILL**  
**1995 - 2005**

Year	Population	Per Capita Rate (Tons per year)	Total Tons per Year	Tons Per Day
1995	6,830	.78	5,350	14.7
1996	7,406	.58	4,295	11.8
1997	8,030	.58	4,657	12.8
1998	8,707	.58	5,050	13.8
1999	9,441	.58	5,476	15.0
2000	10,237	.58	5,937	16.3
2001	11,100	.58	6,438	17.6
2002	12,036	.58	6,981	19.1
2003	13,050	.58	7,569	20.7
2004	14,150	.58	8,207	22.5
2005	15,343	.58	8,899	24.4

**MINUTES  
COUNCIL MEETING  
MONDAY, SEPTEMBER 11, 1995 - 7:30 P.M.**

The Mayor and Council of the City of Sugar Hill held their regular monthly meeting on Monday, September 11, 1995 at 7:30 P.M. in the Community Center.

Those present were: Mayor Gary L. Webster, Mayor Pro Tem Reuben Davis, Council Members Steve Bailey, W. J. Dodd, Charles Spradlin, and Jim Stanley, City Manager Warren Nevad, Deputy Clerk Shirley Gibbs, Development Director Ken Crowe, Golf Director Wade Queen, Attorney Lee Thompson, registered guests Meg Avery, Lari Webster, Nighter Davis, Herb Payne, and Dennis L. Doster, other citizens and guests and representatives of the news media.

Mayor Webster called the meeting to order, led the Pledge to the Flag and Council Member Dodd gave the invocation.

Council Member Dodd made a motion to approve the Agenda, seconded by Council Member Spadlin, and unanimously approved. (5-0)

Council Member Stanley made a motion to approve the July 10, August 2, 14, 22, 1995 minutes, seconded by Council Member Bailey and unanimously approved. (5-0)

**COMMITTEE REPORTS:**

**A) PLANNING AND ZONING, ZONING APPEALS BOARD:**

Council Member Dodd reported the P & Z Board met and discussed the Sign Ordinance and announced a meeting for Monday, September 18, 1995 with the City Council for discussion of the Sign Ordinance.

**B) RECREATION BOARD:**

Mayor Pro Tem Davis stated that Mrs. Bobbie Queen reported there were 21 teams signed up for Fall Softball. Mayor Pro Tem Davis expressed appreciation for the dedication of Mrs. Queen to the recreation work in the City. There will be a street light installed at the lower level parking lot to improve security. Mayor Pro Tem Davis expressed concern over the issue of recycling and asked that the Council make this one of their top priorities. He also stated he has been meeting with the waste management company to get some options for recycling. He reported being in contact with Congressman Norwood's office and progress is being made on getting a zip code for Sugar Hill.

**C) BUDGET AND FINANCE:**

Deputy Clerk Gibbs advised Council that the report was in their packets. She stated that the tax digest has been completed and the 1995 Mill rate needs to be proposed due to the fact

Gwinnett County needs the figures by September 25, 1995.

Manager Nevad asked that a workshop be scheduled for work on the 1996 Budget and also to review the gas planning and service area.

The workshop was scheduled for Tuesday, September 26, 1995 at 7:00 P.M.

**D) SOLID WASTE:**

Council Member Stanley had nothing new to report.

**E) ECONOMIC DEVELOPMENT:**

Council Member Spradlin had nothing new to report. He apologized for not being at the last EDC meeting, but due to refractive eye surgery he was unable to attend.

**F) GOLF AND WASTE WATER TREATMENT:**

Council Member Bailey reported that the Wastewater Plant continues to operate well and that Gwinnett County personnel have been making visits to the plant in preparation for the pending sale.

He reported that August was another record month for the Golf Course. Rounds were up 3.75% and revenues up 7.10% for the same period last year. Yearly activity is up with revenues 10.17% higher than the same period last year, and rounds up 7.75% for the same period.

Director Wade Queen commented on the fact that the heat was the problem with the greens and they have been aerated and overseeded and seem to be coming back very nicely.

**CITIZEN'S AND GUEST'S COMMENTS:**

Mr. Herb Payne commented on and addressed a few points he was concerned about.

The Water and Sewer System is being sold and all debt, which remains from the construction of the Waste Water Treatment Plant and the Golf Course, will be passed to the Golf Course.

The revenues from the Gas system have been covering the majority of the City's debt in the past several years which totaled approximately \$650,000 in the last year. He does not feel this is a sound business policy.

At the last Council Meeting it was announced that the City boasted of a surplus of approximately \$650,000 thru August of 1995. To this end he congratulated the City.

He expressed concern that the citizens of Sugar Hill have not been able to water their lawns and have had to turn down their heat in the Winter.

He again expressed his concern over the fact that the City continues to use gas revenues to supplement all revenues. He asked that the Council commit to a Council dedicated to Community Service and not Debt Service.

He stated that if the City is doing away with their water and sewer service they will have \$650,000 plus \$650,000 freed from Debt Service which will be available to use for community services.

He asked that the Council consider a gas rebate to the citizens and that the Council use E.E. Robinson Park to upgrade the youth services. He suggested that tennis and soccer be upgraded to help the youth in this area of recreation.

He asked that the golf course begin to pay back it's debt to the City. For 1996 he is asking that the Council set up a pay schedule for the debt, with interest, to be paid back to the City.

He looks forward to a new council in 1996 to better serve the citizens of Sugar Hill.

Mr. Dennis Doster expressed a concern of the construction at the Sugar Hill United Methodist Church. He was concerned over the burnoff at the site. He reported that three of the Council have been out to the site, they are Reuben Davis, Steve Bailey, and W. J. Dodd. His concern is over the burn-off and the damage from it. The neighborhood is having to put up with this ash, soot, smoke problem, and water run off. They cannot even stay outside due to the damages being done to their property. It is a big problem and he has talked with the Sheriff's department and is doing what they advised him to do. He wants the Council to follow up. He stated that he has asked some members of the Church to come look at the damage, and as of this date no one has been from the Church. Council Member Stanley verified that this is a valid claim and that he is experiencing the same problem. Council Member Dodd expressed his concern over this issue, stating that he has inspected the area and found the damage to be as stated by Mr. Doster. Mr. Ken Crowe reported that the City is not the issuing authority on the burning permit, but that they are issued and inspected by the fire marshall's office. He does not feel the City has the authority to close the pit. Council Member Dodd feels that the Council should give their support to the citizens.

Mr. Darren Barr from South Roberts Drive expressed his concern on the burning by the contractor. He has been troubled by the burning and also the noise from the construction. What annoys him is that the retention pond is next to his property and the fact that they are pumping water on his lot. He asked that the Council consider his problem and do something about it. Mayor Webster asked Ken Crowe to expand on the retention pond. This was discussed with Mr. Crowe stating that the retention pond is the only valid construction in the 50 foot buffer zone. Council Member Davis explained that the retention pond is covered with mosquitos and is certainly a hazard to this area. This was discussed at length.

Mrs. Connie Doster stated that they are being encroached on and according to the information received from Mr. Crowe the pond is a detention pond according to Section 8.2.4 of the Zoning Ordinance. She read the Section and stated that the City violated its own Zoning Code because the code states that a detention pond cannot be in the buffer zone. She read from Section 6.6100 that a buffer zone of 50 feet go between OI and RS100 property and that nothing can be placed in that buffer zone. Mr. Crowe stated that the City Zoning Ordinance allows retention ponds within the buffer zone. The difference in detention and retention ponds was discussed with Council Member Stanley giving the definition of the two ponds. All options were discussed at length between Mr. Crowe and the Council.

Mr. Tim Pugh commented on the issue of the ash and smoke damage and suggested that the City contact the Church and ask that they share in the expense of cleaning up the property which was damaged.

Mrs. Meg Avery stated that she attended the 6:00 P.M. Public Hearing on the Solid Waste Management Plan and expressed her appreciation to all involved in developing a Solid Waste Management Plan for the City of Sugar Hill, a plan which she hopes will be approved by the Council tonight.

She expressed the appreciation of her husband and herself for the time and support given by Council Member Spradlin and his wife Karen for instructing the Boy Scouts on aviation this past Saturday.

#### OLD BUSINESS:

##### **A) CABLE FRANCHISE AGREEMENT:**

Manager Nevad reported the Council has reviewed the Cable Franchise and all negotiations have been finished. The non-exclusive agreement will be for a period of 15 years at a rate of 5% of gross revenues and will bring in an addition amount of approximately \$12,000 in 1996. Staff recommends that the Council approve the agreement. Council Member Dodd made a motion to approve the agreement, seconded by Mayor Pro Tem Davis and Council Member Spradlin and approved unanimously. (5-0)

##### **B) SOLID WASTE MANAGEMENT PLAN:**

Manager Nevad reported that all steps have been followed in preparing the Solid Waste Manage Plan. The Plan has been prepared by a Citizen's Advisory Council, the City Council and consultants from Mayes, Suttereth and Etheredge. Staff recommends that the Council approve this plan for submittal to the State. Council Member Spradlin made the motion, seconded by Council Member Stanley. Due to the time and effort spent on preparing this plan, Council Member Spradlin called for a Roll Call Vote, Mayor Pro Tem

Davis, Council Members Bailey, Dodd, Spradlin, and Stanley voted yea, there were no nay votes. The plan was approved on a vote of 5-0. Council Member Stanley summarized the plan for those who were not present and might be watching on Cable.

**C) REPORT ON MID AMERICAN:**

Manager Nevad deferred this report to Attorney Thompson. Attorney Thompson stated he received a report today. The attorneys of Mid-American wants to make a counter offer to the City. Council Member Stanley made a motion to entertain a motion that Mid-American be allowed to make a counter offer. The motion was seconded by Council Member Dodd and passed unanimously. (5-0)

**D) REPORT ON CONSENT ORDER:**

Manager Nevad reported that the ground water monitoring plan is still waiting approval by the state.

**E) UPDATE ON CLUB HOUSE:**

A copy of the financial analysis, of the Club House Construction, is available for all who wish to review it. The analysis is complete in all phases and the Club House should come in at approximately \$496,000 which will be \$4,000 under budget. We have received approximately \$9,000 in interest from the Construction Account. This should result in a favorable 2% of the budget. The Construction Company Bond Company has been notified that the September 18, 1995 deadline will not be met. Staff is recommending an extension of the deadline to October 18, 1995 for the following reasons:

1. Time taken to redesign the cooling and heating system.
2. Time to address the corrective action as stipulated in the site visit examination.
3. Time to address action recommended by the Fire and Health Departments.
4. Topo regulations which were not identified in the original engineering plans.

Staff requests a motion to extend the contract completion date from September 18, 1995 to October 18, 1995. This motion was made by Council Member Dodd, seconded by Council Member Bailey. This issue was discussed with Council Member Stanley stating that the Contractor on the project did very little in the first months of the project and has not had the work force on the job which was needed to complete it. He feels that the completion date should not be delayed. He feels that the contractor owes the City \$100.00 per day from the completion date until the work is finished. Council Member Dodd feels that the extension should be given. Council Member Bailey asked that Director Queen state why the Contractor needs an extension of 30 days. He stated that it hurts him to ask for an extension, but he feels that it would be to the

city's advantage to extend the contract for 30 days due to the steps stipulated. Council Member Spradlin stated that he did not feel \$3,000 would be worth not extending the deadline by 30 days. A vote on the question was called by Council Members Dodd and Stanley. The vote was Mayor Pro Tem Davis, Council Members Bailey, Dodd, and Spradlin voting for the motion and Council Member Stanley against the motion. (4-1)

**F) REPORT ON HIGH PRESSURE GAS LINE:**

Director Crowe reported that the problems have not been solved on the easements. The property at the City Gate which was owned by Transco has been sold to a Mr. Howington and reaching an agreement is causing difficulty in getting the easements. This was discussed. He feels the project cannot be put out to bid until the easements have been secured.

**G) REVOLVING DOOR ORDINANCE:**

Council Member Davis made a motion to remove this item from the Agenda at this time. The motion was seconded by Council Member Dodd. The vote was Mayor Pro Tem Davis, Council Members Bailey, Dodd and Stanley voting for and Council Member Spradlin abstaining. (4-0)

**H) CHILD CARE CENTER:**

Director Crowe reported this was discussed at last month's meeting. He has had some request that this be brought before the Council again. Council Member Bailey stated that this concerns the amount of footage required for play area. The State and Gwinnett County requires 100 feet per child at a time, where the City requires 200 feet per child. This was discussed. Director Crowe has checked other cities and found that most all other cities follow the Gwinnett County regulations. Council Member Spradlin requested that it be brought before the zoning board. Council Member Bailey seconded the motion. During discussion Council Member Stanley stated that if the zoning board feels it needs to be changed, that the Council go ahead and give the authorization for the advertising for a Public Hearing to make the change. This to be incorporated into the original motion. The vote on the motion was Mayor Pro Tem Davis, Council Members Bailey, Spradlin, and Stanley voting for and Council Member Dodd abstaining. (4-0) Council Member Dodd stated that he abstained due to the fact that he owns property which might be suitable for Child Care Facilities.

Mayor Webster asked that the Agenda be amended to include hiring a Bond Counsel to work on the Water and Sewer sale.

Council Member Spradlin made a motion to add that item and

also add a report on the three way stop signs on Austin Garner. Council Member Dodd seconded the motion. No vote was taken on this motion.

There was a five (5) minute recess for Attorney Thompson to research amending the Agenda. The decision was that if an item was inadvertently omitted from the Agenda it could be added by a unanimous vote. Council Member Dodd made the motion which was seconded by Council Member Stanley and passed unanimously. (5-0)

**I) APPOINTMENT OF BOND COUNCIL FOR SALE OF PROPERTY:**

Council Member Stanley made a motion that the Council authorize the City Manager to solicit proposals from Bond Councils who would be interested in working on retiring the debt after the sale of the Water and Sewer Systems. The motion was seconded by Council Members Dodd and Spradlin. The vote on the motion was unanimous. (5-0)

**NEW BUSINESS:**

**A) APPOINTMENT OF POLL WORKERS:**

Election Superintendent McCalla gave the list of Poll Workers and compensation for approval. (see attached list)

Council Member Stanley made the motion to approve, seconded by Mayor Pro Tem Davis and unanimously approved. (5-0)

Mr. McCalla reminded the citizens that qualifying is being done this week between 8:30 A.M. to 4:30 P.M., Monday thru Friday, September 11-15, 1995. He also reminded the citizens that October 10, 1995 is the deadline for registration for the November 7, 1995 Election. Vote recorders will be used in the upcoming election and this will speed up the tally, at the end of the day, of the votes cast.

Mr. McCalla expressed concern over harassment being aimed at poll workers in the past and present, and stated that behavior of that kind will not be tolerated this year and that the election will be conducted in all fairness to all concerned.

**B) AUGUST 1995 EMPLOYEE OF THE MONTH:**

Manager Nevad stated that Mrs. Shirley Gibbs is the August 1995 Employee of the month. Mrs. Gibbs was congratulated and received a plaque and monetary gift.

**C) PROPOSAL ON 1995 MILL RATE:**

Deputy Clerk Gibbs stated that the 1995 Mill Rate needs to be proposed tonight so it can be advertised in the 5 year history and tax levy. The Mill Rate will be formally adopted at the October Council Meeting.



Manager Nevad read a recommendation from he and Clerk Garbutt on proposing a Mill Rate of 5 mills. (see attached Memo)

Manager Nevad explained the reasons behind the request and Council Member Stanley made a motion to accept the recommendation of the City Manager and Clerk for advertisement and consideration at a later date. The motion died for lack of a second. Council Member Spradlin made a motion to advertise the Mill Rate at 4 mills. The motion was seconded by Council Member Dodd. This was discussed with Council Members Bailey, Spradlin, and Dodd expressing their opinions on why the Mill Rate should not be raised. The vote on the motion on the floor was unanimous. (5-0)

**D) USE OF PERSONAL VEHICLES BY CITY EMPLOYEES:**

Council Member Spradlin expressed concern that some City Employees are using their personal vehicles to run city errands and he feels this is a liability for the City. He made a motion that the Council instruct the City Manager not to allow the employees to use their personal vehicles for City business. The motion died for lack of a second.

**E) MINUTES OF EXECUTIVE SESSIONS:**

Council Member Spradlin expressed concern over the fact that minutes are not taken in Executive Session. He stated that there seems to be no clear directive, but he read from Section 50-14-3 Paragraph 4 of the Open Records. He gave his opinion on this section. He made a motion that minutes be taken in Executive Sessions, the motion was seconded by Council Member Bailey. Council Member Dodd expressed concern that these minutes would be open for public, where they should not be. Attorney Thompson gave his opinion, which in summary he feels that minutes are not required to be taken in Executive Sessions. Council Member Stanley stated that in the past, Executive Sessions have had minutes taken, and were somehow found to be in the hands of persons other than the Council Members. This was discussed by the Council. Council Member Spradlin asked that the Council play it safe. Council Member Spradlin voted for and voting against were Mayor Pro Tem Davis, Council Members Bailey, Dodd, and Stanley. The motion failed on a vote of (4-1).

**F) ALLEGED ACTION TAKEN IN JUNE 12, 1995 EXECUTIVE SESSION:**

Council Member Spradlin gave his opinion on this issue. He quoted from an article written on the June 12, 1995 Executive Session. When action is taken from an Executive Session, it must be taken in public. Council Member Dodd made a motion to cease discussion on this subject. The motion was seconded by Council Member Spradlin. The vote on the motion was unanimous. (5-0)

Council Member Spradlin stated that no official action needs to be taken, but he reported that in 1993 there was a three-way stop placed at Austin Garner Road as a temporary measure during relocation of entrance to Sugar Crossing Sub-division. He would like to see that this is settled. Director Crowe gave the background behind this matter. The County was to close this temporary three-way stop, but the County feels this is working well and does not need to be closed. There was no action taken on this matter. This matter needs to be addressed next month.

**CITY CLERK'S REPORT:**

Deputy Clerk Gibbs stated that the reports were in the packets and there was nothing further to report. (SEE ATTACHED REPORT)

**CITY MANAGER'S REPORT:**

Manager Nevad reported that the advertisements have been run for sale of the Water and Sewer System. Staff has been busy meeting with County officials on this issue. There is a strong possibility that the County will be able to take over the system before January 1, 1996. Council Member Dodd made a motion that the transfer of the system be made to the County prior to January 1, 1996 if at all possible. The motion was seconded by Council Member Stanley. The vote on the motion was unanimous. (5-0)

**COUNCIL REPORTS:**

Council Member Dodd asked that the City Manager and Director Crowe investigate the situation of the complaints from the residents on South Roberts Drive and if the contractor does not do what is right, close him down.

Mayor Pro Tem Davis, Council Members Bailey and Spradlin had nothing further to report.

Council Member Stanley stated he has enjoyed his tenure on the Council and it has been an honor and he hopes to serve again.

**CITIZEN'S AND GUEST'S COMMENTS:**

Mr. Herb Payne wants to offer some points of good business. He expressed his opinion on the South Roberts residents complaints. He expressed his opinion on the extension of 30 days to the Club House contractor. He expressed concern over the Poll Workers being harassed. He expressed concern over a request for 1 mill tax increase. Mayor Webster thanked Mr. Payne for his input.

Mr. Tim Pugh asked for a commitment from the Council to check with the Methodist Church in promoting good will with the residents of South Roberts Drive. The Council gave authority to Manager Nevad and Director Crowe to look into this matter.

**ADJOURNMENT:**

There was no other business to come before Council. Council Member Dodd made a motion to adjourn at 9:35 P.M., seconded by Council Member Spradlin and passed unanimously of those present. (4-0) Mayor Pro Tem Davis left after the Council Reports due to having to go to work.

**MEMORANDUM: 95-066**

TO: Mayor/City Council

FROM: Warren P. Nevad

RE: **SEPTEMBER 11, 1995 CITY MANAGER REPORT** *W*

DATE: September 5, 1995

**1. EMPLOYEES:**

Shirley Gibbs, Deputy City Clerk has been awarded "August 1995 Employee of the Month". Shirley has been an active participant in our cross training program. She has been employed with the City for five (5) years.

Our employees have been very cooperative during our transitory period regarding the transfer of our water and sewer systems.

**2. CUSTOMER SERVICE:**

Shirley Fields and Ruth Ann Cooper have been informing the public concerning County utility billing and rate procedures. Margaret McEachern has been researching other municipal employee incentive and volunteer programs.

Margie Wilson has been assisting me with gas maintenance reporting procedures. We have requested a new street light pole at the lower park pavilion for improved security.

**3. PLANNING/ZONING:**

We are addressing current day care regulations. Ken Crowe will explore our options and necessary steps to implement the changes if approved by the Mayor/Council.

**4. BUDGET/FINANCE:**

Betty Garbutt and I have continued our work for the 1996 budget. We have received over \$17,000 in sales tax refunds from the State of Georgia. Ruth Switzer assisted me with this project.

As of September 1, 1995, we had a surplus of \$565,869. On September 1, 1994, we had a deficit of \$26,980. We appreciate the department head's watchdog efforts in curtailing our expenditures. The Golf Course has a surplus of \$159,000.

**5. SOLID WASTE MANAGEMENT PLAN:**

Pursuant to our August 21, 1995 workshop, Mayes, Suddereth & Etheridge has submitted a draft for public review. The two (2) week review period commenced on August 28, 1995 and ends on September 11, 1995.

The Mayor/Council will hold a second public hearing at 6:00 p.m. on September 11th. The Mayor/Council will consider adopting a resolution transmitting said plan to the Atlanta Regional Commission.

**6. CLUBHOUSE:**

The contractor is installing the external installation. The contractor has requested a 45 day extension. Any request for project extension must be formally approved by the Mayor/Council. As you are aware, we are keeping a daily diary of the clubhouse project.

We met with the architect and contractor to review changes to the heating/cooling system for better energy efficiency. We have transmitted copies of the minutes from that meeting. In addition, we have formally notified the contractor's bond agent that we are not satisfied with the progress of this project. Previously, we have transmitted copies of said letter with necessary attachments ( site visit report and May 31st correspondence).

We project that the clubhouse project will cost \$496,000. Also, we have received approximately \$10,000 to date, in interest income from our construction account. For your reference, we have compiled a comprehensive financial report and analysis of this project. We appreciate Kelly Canady's assistance with the financial analysis.

**7. CONSENT ORDER:**

E.P.D. has still not completed their review of our groundwater monitoring plan. We will notify you when review is completed.

**8. STREETS/SIDEWALKS:**

We are paving four (4) local roads under the State L.A.R.P. program. We met with the County Traffic Engineer to request assistance in stripping various intersections throughout the city (Church St./W. Broad St; Church St./Level Creek). The County has agreed to place a 4 way stop sign at the intersection at Riverside/Sycamore.

Please call me should you have any questions - Best Wishes for a productive meeting.

WPN:bms

**CITY CLERK'S REPORT**  
**SEPTEMBER 1995**

Work has been completed on the 1995 Tax Digest. The Mill Rate needs to be set so the digest can be sent to TBS for printing and mailing of the 1995 Tax Bills. You will have an Ordinance before you at the September 11, 1995 Council Meeting for your approval of the Mill Rate. Please set the Mill Rate at the Council Meeting due to the fact that Gwinnett County needs the rate for collection of ad valorem taxes on vehicles.

We will need to review the Occupational Tax Ordinance for another Public Hearing and adoption under the new laws before January 1, 1996. I recommend that we stay with the Ordinance we adopted last year due to the amount of time and money spent in preparing a new ordinance. To date we have collected \$50,869.57 in Occupational Taxes. Our budget for 1995 was \$45,000.00 and with new businesses and the restructured licenses we collected over 100% of the budgeted amount. I would also recommend that we place a minimum on the licenses of \$15.00 due to the fact that some businesses paid less than \$1.00 in addition to the maintenance fee. This could be based on \$5,000 in Gross Sales and all over that would be by the profitability ratio. This will bring in a sufficient amount for Occupational Taxes.

I wish for you a very harmonious meeting and I will be enjoying my vacation.

AGENDA  
COUNCIL MEETING  
MONDAY, SEPTEMBER 11, 1995

CALL TO ORDER, PLEDGE TO FLAG, INVOCATION:

APPROVAL OF AGENDA:

APPROVAL OF JULY 10, AUGUST 2, 14, 22, 1995 MINUTES:

COMMITTEE REPORTS:

- |   |          |
|---|----------|
| A) PLANNING & ZONING, ZONING APPEALS BOARD: | DODD     |
| B) RECREATION BOARD:                        | DAVIS    |
| C) BUDGET AND FINANCE:                      | GIBBS    |
| D) SOLID WASTE:                             | STANLEY  |
| E) ECONOMICAL DEVELOPMENT:                  | SPRADLIN |
| F) GOLF AND SOLID WASTE:                    | BAILEY   |

CITIZEN'S AND GUEST'S COMMENTS:

OLD BUSINESS:

- |                                       |       |
|---------------------------------------|-------|
| A) CABLE FRANCHISE AGREEMENT:         | NEVAD |
| B) SOLID WASTE MANAGEMENT PLAN:       | NEVAD |
| C) REPORT ON MID-AMERICAN:            | NEVAD |
| D) REPORT ON CONSENT ORDER:           | NEVAD |
| E) UPDATE ON CLUB HOUSE:              | NEVAD |
| F) REPORT ON HIGH PRESSURE GAS LINE:  | CROWE |
| G) REVOLVING DOOR (ETHICS) ORDINANCE: | DAVIS |
| H) CHILD CARE CENTERS:                | CROWE |

NEW BUSINESS:

- |   |          |
|---|----------|
| A) APPOINTMENT OF POLL WORKERS AND ABSENTEE BALLOT CLERK:   | MCCALLA  |
| B) AUGUST 1995 EMPLOYEE OF THE MONTH:                       | NEVAD    |
| C) RESOLUTION ON 1995 MILL RATE:                            | GIBBS    |
| D) USE OF PERSONAL VEHICLES BY CITY EMPLOYEES:              | SPRADLIN |
| E) MINUTES OF EXECUTIVE SESSIONS:                           | SPRADLIN |
| F) ALLEGED ACTION TAKEN IN JUNE 12, 1995 EXECUTIVE SESSION: | SPRADLIN |

CITY CLERK'S REPORT:

CITY MANAGER'S REPORT:

COUNCIL REPORTS:

CITIZEN'S AND GUEST'S COMMENTS:

ADJOURNMENT:

**FINANCE REPORT  
SEPTEMBER 1995**

We are currently working on the Budget for 1996. We need to schedule a Budget Work Session for sometime around the 20th of September to review what we propose and also so the Budget can be ready by October 1, 1995.

We are still managing to keep our heads above water without drawing down any of the CD monies. We received the Southern Bell Franchise money in the amount of \$29,911.36 this week and should have the Insurance Premium Tax by October 20th. Our gas revenue should begin to rise in October when the play at the Golf Course will begin to slow down.

Please keep in mind what a great job the employees have done in keeping expenditures and expenses down. The City of Sugar Hill is fortunate to have the type of employees who care about their jobs and want to do all they can to help with budget restraints and cuts, some businesses do not have that type of employees.

Our cash flow at the end of the month of August is approximately \$64,000.

You can see by the August Expense Report that we are almost \$600,000. better off at this time than we were last year to date.



## REVENUES/INCOME AND EXPENDITURES/EXPENSES REPORT 1995

AUGUST

DEPARTMENT: BUDGET '95: '94YTD: '95YTD: PERCENT: NET '95  
'95YTD: YTD-BUDGET:

Administration:					
Revenues	\$980,000	\$315,763	\$568,447	58.00%	\$411,553
Expenditures	\$749,624	\$556,021	\$481,607	64.25%	\$268,017
Net Income:	\$230,376	(\$240,258)	\$86,840	37.69%	\$143,536
Inspections:					
Revenues	\$87,500	\$61,014	\$76,325	87.23%	\$11,175
Expenditures	\$106,521	\$44,967	\$81,001	76.04%	\$25,520
Net Income:	(\$19,021)	\$16,047	(\$4,676)	24.58%	(\$14,345)
Street:					
Revenues	\$67,300	\$55,509	\$48,297	71.76%	\$19,003
Expenditures	\$260,641	\$137,445	\$227,610	87.33%	\$33,031
Net Income:	(\$193,341)	(\$81,936)	(\$179,313)	92.74%	(\$14,028)
Sanitation:					
Income	\$347,605	\$196,648	\$197,351	56.77%	\$150,254
Expenses	\$325,525	\$237,750	\$223,092	68.53%	\$102,433
Net Income:	\$22,080	(\$41,102)	(\$25,741)	-116.58%	\$47,821
Gas:					
Income	\$2,409,100	\$1,577,240	\$1,454,666	60.38%	\$954,434
Expenses	\$1,910,915	\$846,357	\$752,792	39.39%	\$1,158,123
Net Income:	\$498,185	\$730,883	\$701,874	140.89%	(\$203,689)
Water:					
Income	\$670,250	\$437,220	\$431,911	64.44%	\$238,339
Expenses	\$579,980	\$442,050	\$426,631	73.56%	\$153,349
Net Income:	\$90,270	(\$4,830)	\$5,280	5.85%	\$84,990
Sewer:					
Income	\$945,750	\$338,695	\$452,944	47.89%	\$492,806
Expenses	\$1,441,538	\$756,356	\$630,885	43.76%	\$810,653
Net Income:	(\$495,788)	(\$417,661)	(\$177,941)	35.89%	(\$317,847)
Golf:					
Income	\$803,100	\$535,556	\$594,431	74.02%	\$208,669
Expenses	\$832,101	\$523,679	\$434,885	52.26%	\$397,216
Net Income:	(\$29,001)	\$11,877	\$159,546	-550.14%	(\$188,547)
Total Income:	\$6,310,605	\$3,517,645	\$3,824,372	60.60%	\$2,486,233
Total Expenditures/ Expenses	\$6,206,845	\$3,544,625	\$3,258,503	52.50%	\$2,948,342
Variances	\$103,760	(\$26,980)	\$565,869	545.36%	(\$462,109)

SOLID WASTE MANAGEMENT  
PUBLIC HEARING  
SEPTEMBER 11, 1995  
6:00 P.M

In attendance were: Mayor Gary Webster, Councilmembers Steven Bailey, Jim Stanley, Charles Spradlin, W. J. Dodd, Reuben Davis, City Manager Warren Nevad, Deputy City Clerk Shirley Gibbs, registered guests; Meg Avery, Karen Spradlin.

The meeting was called to order by Mayor Gary Webster. He led the pledge to the Flag. Invocation by Warren Nevad.

City Manager Nevad read the newspaper ad for the Solid Waste Management Public Hearing. The Floor was opened for discussion.

There was much discussion on recycling; either curbside or a central location. Some suggestions were to use the old landfill for a recycling location or as a composting site.

Potential problems were also discussed. Would there be a need for a full time attendant? How would the City prevent it from becoming a dump site? Would it need to be fenced? Would people need to show proof that they lived in the City of Sugar Hill?

After much discussion the meeting was adjourned at 7:00 P.M.

CITY OF SUGAR HILL  
WORK SESSION  
TUESDAY, SEPTEMBER 26, 1995

The Mayor and Council of the City of Sugar Hill held a Work Session to discuss the 1996 Budget, improvements to the Gas System and any other business which might need discussing.

Those present were Mayor Gary L. Webster, Mayor Pro Tem Reuben Davis, Council Members Steve Bailey, W. J. Dodd, Charles Spradlin, and Jim Stanley, Manager Warren Nevad, City Clerk/Finance Director Betty B. Garbutt, Development Director Ken Crowe, citizens Karen Spradlin, and Herb Payne.

Mayor Webster called the meeting to order and stated that it would be very informal.

Finance Director Garbutt recommended that the investing of Retirement for the employees be determined by the City for the amount not vested, and the vested amount be determined by the employee. There was considerable discussion on this issue with the consensus of the Council being that the employee has the right to determine where the retirement is invested. Ms. Garbutt stated that she has the best interest of the employees at heart and that they are choosing the lowest yield investment, therefore their retirement will not be sufficient when the time comes for the employee to retire. The Council still contended that the decision should be up to the employee and so be it if the retirement did not yield sufficiently. The outcome would be on the shoulder of the employee.

Manager Nevad gave a detailed summary of the figures compiled for the 1996 Budget. The total amount of the 1996 City of Sugar Hill Budget is \$4,906,570.

The debt, of the City, was discussed, along with the Golf Course and Gas Department Budgets. Mr. Herb Payne continued to remind Council that the Gas Department is still carrying the burden of supporting other departments and he feels that the entire debt of the Golf Course should be amortized and paid back to the City by the revenue from the Golf Course and stop using revenue from the Gas Fund to support other departments.

Ms. Garbutt gave line item figures to the Council to fill in the figures on their work sheet. The Council will study the Budget and it will be approved before the first of the 1996 year.

Director Crowe explained the status of the High Pressure Gas Line improvements. The maps and information was reviewed and discussed by the Council. Director Crowe is to continue with this project.

The meeting ended after 9:00 P.M.

R E S O L U T I O N  
NO: MILLRT95

A RESOLUTION TO OFFICIALLY SET THE MILLAGE RATE FOR THE 1995 TAXES FOR THE CITY OF SUGAR HILL.

WHEREAS, the Council of the City of Sugar Hill must set a mill rate for the 1995 taxes and,

WHEREAS, the current digest for 1995 with an assessed value of \$97,750,930 in Real Property and \$4,563,788 in personal property less exemptions of \$3,870,000 will calculate to \$393,779 at the Mill Rate of four (4) mills.

NOW, THEREFORE BE IT RESOLVED that the Mill Rate be set at four (4) mills for the calculation of ad valorem, real property, and personal property taxes for the 1995 tax year.

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

Received by the Mayor: \_\_\_\_\_

Returned by the Mayor: \_\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

*Marian J. ...  
Dad. Bailey 5-0*

## REVENUES/INCOME AND EXPENDITURES/EXPENSES REPORT 1995

SEPTEMBER

DEPARTMENT: BUDGET '95: '94YTD: '95YTD: PERCENT: NET '95  
'95YTD: YTD-BUDGET:

Administration:					
Revenues	\$980,000	\$358,778	\$596,082	60.82%	\$383,918
Expenditures	\$749,624	\$590,197	\$521,633	69.59%	\$227,991
Net Income:	\$230,376	(\$231,419)	\$74,449	32.32%	\$155,927
Inspections:					
Revenues	\$87,500	\$70,199	\$88,175	100.77%	(\$675)
Expenditures	\$106,521	\$51,075	\$91,113	85.54%	\$15,408
Net Income:	(\$19,021)	\$19,124	(\$2,938)	15.45%	(\$16,083)
Street:					
Revenues	\$67,300	\$55,840	\$73,739	109.57%	(\$6,439)
Expenditures	\$260,641	\$155,173	\$247,445	94.94%	\$13,196
Net Income:	(\$193,341)	(\$99,333)	(\$173,706)	89.84%	(\$19,635)
Sanitation:					
Income	\$347,605	\$295,100	\$224,206	64.50%	\$123,399
Expenses	\$325,525	\$285,994	\$263,486	80.94%	\$62,039
Net Income:	\$22,080	\$9,106	(\$39,280)	-177.90%	\$61,360
Gas:					
Income	\$2,409,100	\$1,643,019	\$1,535,669	63.74%	\$873,431
Expenses	\$1,910,915	\$901,215	\$834,729	43.68%	\$1,076,186
Net Income:	\$498,185	\$741,804	\$700,940	140.70%	(\$202,755)
Water:					
Income	\$670,250	\$489,750	\$493,337	73.60%	\$176,913
Expenses	\$579,980	\$528,296	\$466,514	80.44%	\$113,466
Net Income:	\$90,270	(\$38,546)	\$26,823	29.71%	\$63,447
Sewer:					
Income	\$945,750	\$375,387	\$525,413	55.56%	\$420,337
Expenses	\$1,441,538	\$622,018	\$666,412	46.23%	\$775,126
Net Income:	(\$495,788)	(\$246,631)	(\$140,999)	28.44%	(\$354,789)
Golf:					
Income	\$803,100	\$609,910	\$654,964	81.55%	\$148,136
Expenses	\$832,101	\$590,439	\$497,867	59.83%	\$334,234
Net Income:	(\$29,001)	\$19,471	\$157,097	-541.70%	(\$186,098)
Total Income:	\$6,310,605	\$3,897,983	\$4,191,585	66.42%	\$2,119,020
Total Expenditures/ Expenses	\$6,206,845	\$3,724,407	\$3,589,199	57.83%	\$2,617,646
Variances	\$103,760	\$173,576	\$602,386	580.56%	(\$498,626)

OCT.

AGENDA  
CITY OF SUGAR HILL  
COUNCIL MEETING-OCTOBER 9, 1995-7:30 P.M.

CALL TO ORDER AND PRAYER:

APPROVAL OF AGENDA:

APPROVAL OF SEPTEMBER MINUTES:

COMMITTEE REPORTS:

A) PLANNING & ZONING, ZONING APPEALS BOARD:	DODD
B) RECREATION BOARD:	DAVIS
C) BUDGET AND FINANCE:	GARBUTT
D) SOLID WASTE:	STANLEY
E) ECONOMIC DEVELOPMENT:	SPRADLIN
F) GOLF AND SOLID WASTE:	BAILEY

CITIZEN'S AND GUEST'S COMMENTS:

OLD BUSINESS:

A) UPDATE ON ELECTION:	MCCALLA
B) UPDATE ON 3-WAY STOP SIGN-SUGAR CROSSING:	SPRADLIN
C) UPDATE ON CLUB HOUSE:	NEVAD
D) REPORT ON CONSENT ORDER:	NEVAD
E) UPDATE ON SOLID WASTE MANAGEMENT PLAN:	NEVAD
F) REPORT ON MID-AMERICAN	THOMPSON
G) UPDATE ON CHILD CARE CENTERS:	CROWE
H) RESOLUTION ON 1995 TAX MILL:	GARBUTT
I) UPDATE ON WATER AND SEWER SALE:	NEVAD

NEW BUSINESS:

A) APPOINTMENTS TO BOARDS:	WEBSTER
B) PROCLAMATION-COUNTY ONE-CENT SALES TAX:	DODD
C) PRISON CREW PROCEDURES:	SPRADLIN
D) REPORT ON RECYCLING:	DAVIS
E) SOCCER FIELD:	DAVIS
F) SEPTEMBER EMPLOYEE OF THE MONTH:	NEVAD
G) PROCLAMATION-CHILD SAFETY DAY:	DAVIS

CITY CLERK'S REPORT:

GARBUTT

CITY MANAGER'S REPORT:

NEVAD

COUNCIL REPORTS:

CITIZEN'S AND GUEST'S COMMENTS:

ADJOURNMENT:

**MINUTES  
COUNCIL MEETING  
MONDAY, OCTOBER 9, 1995 - 7:30 P.M.**

The Mayor and Council of the City of Sugar Hill met for their Regular Monthly Meeting on Monday, October 9, 1995 at 7:30 P.M.

Those present were: Mayor Gary L. Webster, Mayor Pro Tem Reuben Davis, Council Members Steve Bailey, W. J. Dodd, Charles Spradlin, and Jim Stanley, City Manager Warren P. Nevad, City Clerk/Finance Director Betty B. Garbutt, Development Director Ken Crowe, Waste Water Treatment Department Head Donna Zinskie, employee Danny Hughes, registered guests Nighta Davis, Sheriff Jim Carsten, Marla Prince, Erwin Mitchell, David and Joan Hawthorne, David Edwards, Laura Maisto, Eddie Sayer, Herb Payne, Lari Webster, Rick January, and Bob Scott, other citizens, guests, and representatives of the news media.

Mayor Webster called the meeting to order, led in the Pledge to the Flag, and Council Member Dodd gave the invocation.

Council Member Spradlin asked if the Candidates would be allowed to speak and was informed by Mayor Webster that they could speak under Citizen's and Guest's comments.

Council Member Dodd made a motion to approve the Agenda, seconded by Council Member Spradlin and passed unanimously. (5-0)

Council Member Dodd made a motion to approve the September Minutes, seconded by Council Member Bailey and passed unanimously. (5-0)

**COMMITTEE REPORTS:**

**A) PLANNING AND ZONING, ZONING APPEALS BOARD: DODD**

Council Member Dodd reported the P & Z Board met and will hold a Public Hearing on Monday, October 16, 1995 at 7:00 P.M in the Community Center to discuss changing the Sign Ordinance and the regulations on Child Care Centers. There will also be discussed a rezoning on Brogdon Road.

**B) RECREATION BOARD: DAVIS**

Mayor Pro Tem Davis reported that the City has applied for a \$9,300 State matching grant for parks and improvements which includes a new roof on the lower pavilion, play ground equipment and new soccer nets. He will address the soccer field later in the meeting. He is working with the Gwinnett County Sheriff's Department with the Child Safety Programs being sponsored by the Sheriff's Department. Since January 1, the neighborhoods in Sugar Hill have experienced 52 burglaries, 13 car thefts, 30 breaking and entering autos, 2 rapes, 12 stalking, 57 criminal trespasses and 1 robbery, and these will continue to grow if something is not done about them. Sheriff Carsten will address the Child Safety Programs later in the meeting.



**C) BUDGET AND FINANCE:**

**GARBUTT**

Finance Director Garbutt reported that work is being done on the 1996 Budget and one (1) work session has been held. Additional information is in the packets.

**D) SOLID WASTE:**

**STANLEY**

Council Member Stanley read a letter from Dan Aldridge an attorney for Mid-American dated October 4, 1995. Mid-American advises the City that as of October 18, 1995 the Solid Waste Transfer Station in Sugar Hill will be closed and no longer operated. Council Member Stanley stated the impact from this is very significant for the Community. He has read the lease agreement with Mid-American and the agreement states that as part of the compensation for leasing them the 44 acre landfill, they will accept the trash from the City at no cost. He feels it is the responsibility of Mid-American to accept the waste brought from Sugar Hill and dispose of it at no cost to the City either there at the 44 acre site or elsewhere for the full term of the lease. Attorney Lee Thompson stated that the letter Council Member Stanley read was received late last week and that all the Council has seen a copy. There are several things which can be addressed. These options were discussed between Attorney Thompson and Council. Council Member Stanley made a motion that the Council instruct the City Attorney to respond to this letter to the effect that the City does not and will not accept the closure of the Waste Station unless Mid-American makes proper arrangements for disposal of our waste as called for in the paragraph in the original lease agreement. The motion was seconded by Council Member Dodd and passed unanimously. (5-0) Attorney Thompson reported that the City has not received a response from the written proposal made by the City. Mid-American indicated to him that Mr. Jay Powell was in charge of the operation here and thought Mr. Powell would be at the meeting tonight. They indicated verbally that they would be unequivocally responsible for the closure and post closure of the Landfill and complying will all provisions of the Consent Order. In return they will want their land returned, all their money held by the City returned and they would then make their regular monthly payments due under the old lease. The City has previously informed Mid-American that the City would retain control of monies until the provisions of the Consent Order were adhered to, then the money would be returned to them less all the lease payments due to the City under the lease agreement through the term of the lease. Council Member Stanley gave his opinion on this and made a motion that the City not respond in any formal way to the communication which has come to the City and have Attorney Thompson to advise them that the City is waiting on a formal response. Council Member Dodd seconded the motion and after discussion the motion passed with a unanimous vote. (5-0)

**E) ECONOMICAL DEVELOPMENT:**

**SPRADLIN**

Council Member Spradlin stated that he was requested to serve

as liaison to the Economic Development Commission. He thought this would be an admirable place to serve and that Economic Development is so crucial to the growth of Sugar Hill he felt that he could serve well in this capacity. He confronted the Council with the ethical behavior of some citizens and council members. He was very shocked when Mrs. Nighta Davis, by letter to the Mayor and Council, requested an investigation of all the candidates. He stated he was threatened by the Mayor's campaign committee that they would release information damaging to him unless he backed off the issue of Executive Sessions. He was told that his name would be smeared for a parking lot meeting he was supposed to have attended. He brought several other incidents, involving Mayor Webster, to attention and also stated that the Revolving Door Ordinance brought before the Council concerning dealings with the City by former and current Council Members and employees, was quickly pulled off the Agenda. He continued with accusations concerning the Mayor and members of the Council. He stated that he regretfully resigns his post as liaison to the Economic Development Commission and that he can no longer serve in that position as long as the hypocrisy of this Council continues. He stated that he does not feel that we can sell this City to the world when the Council cannot even treat each other with respect.

**F) GOLF AND WASTE WATER TREATMENT:**

**BAILEY**

Council Member Bailey stated that September turned out to be the lowest month since March at the Golf Course with rounds down 18.7% and revenue down 19.3%. Staff contributes this reduction to the fact the Course was closed two (2) full weekends during September due to rains. Two (2) notable tournaments were held during September. So far in October the activity has picked up and aside from the Hurricane related damage, all is going well.

The Waste Treatment Plant continues to operate well. Two (2) pumps at the Church Street Lift Station have been repaired with pumping trucks keeping them operational during the repair work.

A concern from both Golf and Waste Water Treatment Plant personnel was that the dual grid feed from Sawnee obviously did not work on Thursday, and was of a great concern relative to handling the water at both facilities because of no power.

He expressed concern over the rumor that the Gas System was supporting the Golf Course with its revenue. He stated that this is far from the truth. The Golf Course is generating sufficient revenue for its own operations and is contributing to the retirement of debt attributed to the construction of the Waste Water Treatment Plant and the Golf Course. He stated that the beauty of having the Golf Course is the cash flow from the revenues of the Course. When gas revenues are down during the Summer months the Golf Course is in reverse with higher revenues. This assures the Finance Director of the City a positive cash flow and eliminates the roller coaster effect we had, in previous years, regarding the cash flow. He suggested that any citizen having any question concerning the finances, call the City Manager or Finance Director, and don't fall victims to any politically motivated

propaganda questioning the data and the giver of the data.

CITIZEN'S AND GUEST'S COMMENTS:

Mrs. Nighta Davis took offense to the statements made by Council Member Spradlin. She reminded him of the events which transpired at the Ethics Commission Hearing concerning his actions during the 1993 Campaign. She stated that since it was reported by one of the Economic Development members that Council Member Spradlin seldom attends the meeting maybe it is best that he has resigned as liaison to the commission.

Mr. Granvill Betts stated that the Council would be discussing, next month, redoing the Soccer Field which was established several years ago. He expressed his concern, due to his association with the P&Z Board and holding several positions with the West Gwinnett Soccer Club, over the number of children from Sugar Hill who participate in the soccer games. They are willing to match, with the City, the repairs at the Soccer Field. They met with Council Member Davis and Manager Nevad to bring something together which everyone could agree on. He thinks it will be wonderful to do something for the children who are playing soccer. It has become the highest level of registration of any sport in the United States. The sport is growing and becoming one of the leading sports in the United States. He appreciates the win-win situation for everyone.

Mr. David Hawthorne expressed his concern over the construction being done by the Sugar Hill Methodist Church on Highway 20. The situation discussed last month has not been resolved between those who are responsible for the damage done by the construction company which is doing the grading. He wants to carry on the issue since it has not been resolved. He along with the Council discussed the issue of the pond, which he states is a Detention Pond, in the buffer zone between the property and residents on South Roberts Drive. He stated that in the plans, which the engineers have, the pond is a Detention Pond and is encroaching on the 50 foot buffer zone. He feels a mistake has been made by the City P&Z Board and needs to be corrected by whomever is responsible. He feels that the City should correct this situation and protect the citizens. Council Member Spradlin also expressed concern and is trying to get a meeting between the church officials and the citizens of this area and try to get this problem solved. Council Member Dodd also expressed concern over this issue. Manager Nevad reported that he has been in touch with the pastor at the church and they will withhold final payment to the contractor until this situation is corrected by pressure treating the homes and making necessary repairs. Manager Nevad stated that the lines of communication have been kept open. He

reported that he and Mr. Crowe have visited several of the sites on South Roberts Drive to inspect the on-going problem and he feels the meeting should be held between the residents and the church officials.

Mrs. Joan Hawthorne expressed concern over the same issue. She also verified that she has not heard from letters written in 1993 to the church. She has had correspondence from Rev. Poole, but she has not been able to make arrangement with Rev. Poole to discuss any of the problems. She read excerpts from a letter from Rev. Poole, but has still not had any personal contact with Rev. Poole. Council Member Spradlin assured the Hawthornes that he would set up a meeting just as soon as possible. There seems to be confusion over things being told that do not seem to be true.

Mr. Granvill Betts spoke for Planning and Zoning, giving the information which took place during the approval of the permit. He feels that this should be taken up with the contractor, and falls into the responsibility of the City.

Mrs. Laura Maisto spoke concerning the petition from Emerald Lake residents concerning the prison crews picking up trash in Emerald Lake Subdivision. She stated that most of the residents there do not even live in the City limits, those who do live in the City limits desires that the prison crews continue to pick up the trash.

Mr. Rick January made a comment concerning the program on safety which Council Member Davis is supporting. He stated that after returning to North Gwinnett High School from a Band Trip several weeks back, there were several cars which had been broken into and there was no response from the police during a two (2) hour period. He also commented standing before the Council several years ago where he reported incidents where yards in his neighbor had been trashed and eggs thrown in the yards and at residents. He recalled Council Member Davis making the statement; "Boys will be Boys".

Mr. Bob Wagner has long contended that the actions of the City affect him directly, even though he is not living in the City limits. He feels that everything which has been brought before the Council tonight is "good stuff", but he wants to know if the Landfill question will ever be settled. He contends that there are two (2) things which directly affect the citizens of the City. One (1) is the Landfill issue, and two (2) the chaotic way this City is portrayed in the newspapers which is not the fault of the press. He asked that everyone not pour gasoline on the flame, and he reminded the Council that there were fourteen (14) ethical charges brought against the candidates after the 1993 Election. There was a Civil suit and a Civil counter lawsuit, there was three (3) charges dealt with by the Gwinnett County District Attorney, there were two (2) malfeasance charges, there was two (2) Recall

Petitions and people were called by several slanderous names. He is sure that the wounds made in 1993 have not healed, and implored the Candidates to try to get through this election without opening those wounds by slinging mud.

Mr. Bob Scott, speaking to defend himself as the Mayor's Campaign Committee Chairman during the 1993 Election, he felt compelled to speak. He made remarks concerning the election to the Council of Mr. Spradlin. Mayor Webster stopped him from commenting on the Council Members. Mr. Scott stated that he was glad Council Member Spradlin has resigned from the EDC.

Mr. Dennis Doster addressed the problem with the construction at the church. His concern is with the problem of not being able to talk with the church officials. All he wants is a letter telling him what is going to be done to correct the problem. He appreciates Council Members Davis, Bailey, and Dodd and others concern over the problem. There seems to be more confusion over who is responsible for the damage. His wife has been able to talk to Rev. Poole and he feels that it is time something must be done. Mayor Webster assured him that a meeting will be set up by Council Member Spradlin. He stated that rumors keep going around, but nothing is being done. Council Member Stanley has talked with Rev. Poole concerning the damage done by the work done on the church property. He asked Rev. Poole to contact the contractors and get in touch with the residents, he thought this had been done.

Mrs. Gail Kelley spoke in defense of Council Member Spradlin and his work with the EDC. She feel that he has done a good job and did not realize the animosity which was in the committee.

Mr. Herb Payne spoke as a candidate for a Council seat. He discussed how the business should be conducted by the Council of the City of Sugar Hill. He feels this should be the major concern of any Council Member. He stated his views and how Council Members should react to problems. He discussed the issues he is interested in and criticized the City Council on many issues which they have had before them.

Mr. David Edwards spoke as a candidate for a Council seat. He gave his background and asked for the votes of the citizens of Sugar Hill. He stated some of his views and some of the issues he supports. He expressed desires for an efficient and accountable government. He hopes to provide leadership for the City and spoke on Economic Development, small businesses and plans for growth in businesses and development.

Mrs. Meg Avery spoke as a candidate for a Council seat. She expressed her views and some of the issues she wants to follow and support. She addressed community input which she feel is so vital to the City. She criticized some of the actions of the present

Council. She spoke on the Liquor by the drink Referendum. She continued to criticize some of the mistakes, she felt was made by some of the present Council. She asked for the citizens votes but by all means to vote in the November election.

Sheriff Jim Carsten spoke on the Child Safety Programs being supported by his department which will be conducted on October 14, 1995 at Quality Foods and October 21, 1995 at Sugar Hill Elementary School. He asked that the citizens support this endeavor. Basically it was developed about a year and half ago, giving safety tips and dialog between parents and children to use on strangers. It also give the opportunity for the Sheriff's Department to work with the Citizens. They will be held in other locations if these two (2) dates cannot be attended. Currently they have finger printed approximately 14,000 children. Council Member Stanley asked him about the slow response to the incident reported by Mr. January. He stated that this issue needs to be addressed to Chief White of the County Police.

Council Member Jim Stanley spoke as a candidate for re-election as a Council Member of the City of Sugar Hill. He spoke on the issues he has fought for through his term. He spoke on the Landfill fight and on the revised Solid Waste Management Plan. He expressed appreciation for the support of private citizens, at their own expense, in the fight against the Landfill Companies. He feels that the upcoming Election will be a place where the citizens can take the Council to task for ignoring them in the past. He criticized some of the actions taken by some of the present Council Members concerning the fight against the Landfill issues.

Mayor Webster called for a ten (10) minute recess.

**OLD BUSINESS:**

**A) UPDATE ON ELECTION:**

**MCCALLA**

Election Superintendent McCalla reported that everything is being made ready for the General Election and Referendum to be held on November 7, 1995. Training is being done, by all those who plan to work in the Election, in the use of Vote Recorders. He asked that it be a fair, orderly and clean campaign and asked that all citizens vote, reminding them that the last day to register is October 10.

Mr. McCalla asked that no campaign literature be placed on the right-of-ways, utility poles, and mail boxes. There are state and federal laws which prevent this. Campaign literature can be placed on private property as long as the candidate has the permission of the property owners.

**B) UPDATE ON 3-WAY STOP SIGN-SUGAR CROSSING:**

**SPRADLIN**

Council Member Spradlin reported he has spoken with the residents in Sugar Crossing and they are satisfied for the 3-way stop sign to remain there.

**C) UPDATE ON CLUB HOUSE:**

**NEVAD**

Manager Nevad reported that at last month's meeting, the Council authorized a 30 day extension from the original completion date of September 18th to October 18th. With 9 days remaining on this extension, staff believes that the contractor will not meet the deadline of October 18th. We are not recommending another extension and the contractor has been informed by me that they will be subjected to liquidated damages of \$100 per day. They have recently been putting the effort on getting the job done. The interior has been drywalled and cabinets have been installed. We project a completion date of around November 1. We are preparing an updated financial analysis of this report and we remain confident that this project will come in under \$500,000.

**D) REPORT ON CONSENT ORDER:**

**NEVAD**

Manager Nevad reported that EPD has not finished their review of the Groundwater Monitoring Plan. Piedmont, Olsen, and Hensley is conducting their quarterly methane monitoring tests.

**E) UPDATE ON SOLID WASTE MANAGEMENT PLAN:**

**NEVAD**

Manager Nevad reported that pursuant to the Council's directive last month, we transmitted the plan for ARC's review. They have transmitted to us a preliminary review and we are making minor notifications before the formal review commences. We will advise you of the public hearing date when it is scheduled.

**F) UPDATE ON MID-AMERICAN:**

**THOMPSON**

Attorney Thompson stated this was reported earlier.

**G) UPDATE ON CHILD CARE CENTERS:**

**CROWE**

Council Member Dodd addressed this earlier in his P&Z report.

**H) RESOLUTION ON 1995 TAX MILL:**

**GARBUTT**

Attorney Thompson read a Resolution setting the 1995 Mill Rate at four (4) mills. Council Member Spradlin made a motion to approve the Resolution, seconded by Council Member Bailey and unanimously approved. (5-0)

**I) UPDATE ON WATER AND SEWER SALE:**

**NEVAD**

Manager Nevad reported that the City has met the advertising requirements by advertising of the potential sale and conditions once a week for three (3) consecutive weeks. The City did notify the County that we are now ready to proceed with the necessary legal documents. The City has solicited request for proposals for legal services and the restructuring of the City's 1993 Bond indebtedness with regard to the sale of the Utility Systems. We will review these proposals on October 20, 1995.

Council Member Stanley informed the citizens about the defeasance of the Bonds. He made a motion that Manager Nevad be authorized to make the selection for a financial advisor for the defeasance of the bonds. Council Member Dodd seconded the Motion which passed unanimously. (5-0)

**NEW BUSINESS:**

**A) APPOINTMENTS TO BOARDS: WEBSTER**

Mayor Webster moved this to next month's agenda.

**B) PROCLAMATION-COUNTY ONE-CENT SALES TAX: DODD**

Manager Nevad read a Proclamation of the City supporting the Gwinnett County Special Purpose One-cent Sales Tax. Mayor Webster called for order in the meeting while business was being conducted. Council Member Dodd made a motion to adopt the Proclamation, seconded by Council Member Bailey. The motion passed on a vote of four (4) to one (1). Council Member Spradlin voted against the motion.

**C) PRISON CREW PROCEDURES: SPRADLIN**

Council Member Spradlin reported he has canvassed the neighborhood of Emerald Lakes. Most of the residents agree that they prefer that the trash continue to be picked up. He went to another sub-division and every home he visited wished the service to continue. He advised Manager Nevad to have the crew reassume the pick-up in Emerald Lakes. Council Members Dodd and Stanley felt the citizens deserve this service and that the prison crew is well supervised.

**D) REPORT ON RECYCLING: DAVIS**

He suggested that BFI and Waste Management be allowed to come to the next Council Meeting for a presentation, representatives were here tonight but due to time constraints they had to leave. He feels this is a very important issue.

**E) REPORT ON SOCCER FIELD: DAVIS**

Mayor Pro Tem Davis reported on the Sugar Hill Soccer Field to which West Gwinnett Club will help provide soccer nets, mark the fields, and assist with the re-sodding. There will be two (2) ten (10) week seasons, one (1) in the Spring and one (1) in the Fall. Twenty-five percent (25%) of the 1,300 soccer players are from Sugar Hill. Council Member Stanley made a motion that we pursue an agreement with West Gwinnett Soccer Club at next month's meeting. The motion was seconded by Council Member Bailey and passed unanimously. (5-0)

**F) SEPTEMBER EMPLOYEE OF THE MONTH: NEVAD**

Manager Nevad reported that the September Employee of the Month is Danny Hughes, who has been employed by the City for eight (8) years. He has worked with the Sewer Department and is now a crew chief for the Gas Department. He is a very dedicated employee of the City. He came forward to accept a plaque and monetary gift.

**G) PROCLAMATION-CHILD SAFETY DAYS: DAVIS**

Mayor Pro Tem Davis asked Manager Nevad to read a Proclamation for Child Safety Days in the City of Sugar Hill. Council Member Dodd made a motion to accept the Proclamation, seconded by Council



Member Spradlin and passed unanimously. (5-0)

CITY CLERK'S REPORT:

Clerk Garbutt stated the reports were in the packets and she had nothing further to report.

CITY MANAGER'S REPORT:

Manager Nevad reported that some of the City employees have been trained in CPR and he appreciates the employee support and the help of Margie Wilson in organizing this effort.

COUNCIL REPORTS:

Council Member Dodd asked that Manager Nevad read the Proclamation from the Clean and Beautiful Committee. Council Member Dodd made a motion to accept this Proclamation, seconded by Council Member Spradlin and passed unanimously. (5-0)

Council Member Dodd has been proud of the peaceful Council over the last year.

He answered Council Member Stanleys comments concerning the Landfill. He began to attack Council Member Stanley for some of his actions dealing with the City. Mayor Webster asked Council Member Dodd to not attack the Council.

Council Member Bailey stated he had nothing to add, but he did not feel that Council Members should use this time to vent their feelings against the other members of Council.

Council Member Spradlin apologized to Mayor Webster for his comments during the EDC Report. He commented on the remarks made by Mrs. Nighta Davis concerning the Ethics Committee. He remarked that he implored all members of Council to stick to the issues and get off the personal issues and wished luck to all candidates.

Mayor Pro Tem Davis stated that he is seeking re-election because his goal is that we have a peaceful Council. He stated his views and his support of the issues he wishes to have accomplished. He asked for the support of all citizens.

Council Member Stanley had nothing further to report.

Mayor Webster reported on the First Annual Mayor's Cup Golf Tournament. There was \$5,500 raised to benefit the North Gwinnett Co-op Club raised through the organization of the tournament by this club.

Council Member Dodd expressed the view that he feels the problem at the First United Methodist Church is more the problem of the City than that of the Church. Since the City issued the Permit is should be our responsibility. This was discussed.

**CITIZEN'S AND GUESTS COMMENTS:**

Mr. David Hawthorne thinks he failed to communicate the problem. He feels that it is 95% City and 5% Church problem. He stated that the error in permitting was made by the City. There was heated discussion by Mr. Hawthorne over detention or retention ponds, which seems to be misunderstood. Mr. Crowe was asked by Mayor Webster to address this problem. He explained that an existing pond was being reworked, so it would come under the grandfather clause. This was discussed further. Council Member Dodd asked Attorney Thompson to give an opinion. Attorney Thompson stated that he feels the Zoning Ordinance would control a situation like this, and that it is Mr. Crowe's interpretation of the Zoning Ordinance which should be followed or the one complaining should follow the appeals process, which is clearly defined in the regulation of the Zoning Appeals Board. Maybe this is the process which Mr. Hawthorne and residents of Frontier Forest should follow. Attorney Thompson stated that there are several problems which are the responsibility of the City, the County, and individuals who have problems with the Church. This was discussed.

Mrs. Joan Hawthorne spoke to defend Council Member Bailey concerning the remarks on the Task Force and the problems they had. She agreed that it was a terrible experience serving on the Task Force and stated she supported Council Member Bailey in his stand on this issue.

Mr. Payne expressed his concern over the operations and allocations of funds and monies from the Golf Course revenues. He contends that the Golf Course should assume the debt to pay back the money to the City. He commented again on the Landfill issue and the Solid Waste Management Plan. He gave several options on the settlement of a Landfill.

**ADJOURNMENT:**

Council Member Spradlin made a motion to adjourn at 9:55 P.M., seconded by Council Member Bailey and passed unanimously. (5-0)

P R O C L A M A T I O N

A PROCLAMATION TO PROCLAIM OCTOBER 14 - 21, 1995 SUGAR HILL CHILD SAFETY DAYS.

WHEREAS, the City of Sugar Hill recognizes that the Children of Sugar Hill are its most important asset, and

WHEREAS, the City of Sugar Hill wishes to help protect the well being of its Children, and

WHEREAS, the City will recognize October 14 - 21, 1995, as Sugar Hill Child Safety Days.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of Sugar Hill proclaims October 14 - 21, 1995 as Sugar Hill Child Safety Days.

\_\_\_\_\_  
Mayor Pro Tem

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

Received by the Mayor: \_\_\_\_\_

Returned by the Mayor: \_\_\_\_\_

ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



*Good  
to read*

CLERK'S REPORT  
COUNCIL MEETING  
OCTOBER 9, 1995

The Tax Digest has been sent to TBS and the bills are being printed. Due date will be December 20, 1995. I expect the bills to be in the mail next week.

Everything has been set up for the General and Special Election. Mr. McCalla has worked very hard to have everything done right with the County in the use of the Vote Recorders. The Ballots have been ordered and we expect to have the Absentee Ballots on hand shortly after the registration deadline of October 10, 1995.

I appreciate the job that Shirley Gibbs did at the Council Meeting while I was on vacation. She was very efficient in everything she did.

Council Members Stanley and Dodd and I will be at Jekyll Island for the Pre-Legislative Conference from 10/5/95 to 10/8/95. If needed we can be reached at the Holiday Inn on Jekyll Island.

**MEMORANDUM 95-070**

TO: Mayor/City Council  
FR: Warren P. Nevad  
RE: OCTOBER 9, 1995 CITY MANAGER REPORT  
DATE: October 2, 1995

**1. EMPLOYEES:**

Our employees will receive C.P.R. training from the Fire Marshal's office on October 3, 1995. Margie Wilson has planned and coordinated this training. Also, employees will receive their flu shots on October 5, 1995. Hopefully, this program will reduce the number of sick days taken by employees during the winter months.

Our employees have been very cooperative during our transitory period regarding the transfer of our water and sewer system.

**2. CUSTOMER SERVICE:**

Shirley Fields and Ruth Ann Cooper have been informing the public regarding County utility billing and rate procedures. The County complimented Margaret McEachern about the organization of our utility billing records.

Ruth Switzer has prepared an operating procedure manual for the new clubhouse.

**3. PLANNING/ZONING**

We are addressing our current day care and signage regulations. Ken Crowe has prepared the necessary legal notices. Joe Appling, Kim Landers and I met with Gwinnett Sanitation to discuss garbage misses and improved service.

We have installed 800 feet of gas line to the medical center. Also, we have granted permission to the County to tap a new water service line to the medical center.

**4. BUDGET/FINANCE:**

We held a work session to discuss the 1996 budget. The total amount of our proposed budget is \$4,906, 570. According to Betty Garbutt, our group health insurance premiums will increase by 18 % over last year. We had an unusually high experience factor relating to the distribution of medical payments.

**5. SOLID WASTE MANAGEMENT PLAN:**

Pursuant to the September 11, 1995 Mayor/Council meeting, we have transmitted our solid waste management plan to the Atlanta Regional Commission. We will be advised of our public hearing date for said plan.

We have met with Gwinnett Clean & Beautiful to address our recycling options. My suggestion is to institute a monthly recycling pick up at the park. This would negate the cost of operating a recycling center. During the October Mayor/Council meeting, we will listen to recycling presentations by Waste Management and B.F.I.

**6. CLUBHOUSE:**

The contractor is installing the drywall. The Mayor/Council has granted a contract extension from September 18, 1995 until October 18, 1995. Based upon several meetings and site visits, we believe that it is unlikely that the contractor will meet the October 18, 1995 deadline. After this date, the contractor will be assessed liquidated damages of \$100 per day. We do not recommend another extension. As you are aware, we are keeping a daily construction diary at the golf course.

We remain confident that this project will cost under \$500,000. We appreciate Kelly Canady's assistance with our Clubhouse analysis.

**7. CONSENT ORDER:**

E.P.D. has still not completed their review of our groundwater monitoring plan. We will notify you when review is completed.

**8. PARKS:**

We are applying for a state matching park improvement grant. Improvements include: drainage, new pavilion roof, playground equipment and bleachers for the soccer field.

**9. WATER & SEWER SALE:**

We did notify Utilities Director George Heckman that we have met all advertising requirements and we are in a position to proceed with the execution of necessary legal papers.

Best Wishes for a productive meeting.

WPN: bms

FINANCE REPORT  
COUNCIL MEETING  
OCTOBER 10, 1995

We are still managing to stay out of the \$500,000 we have reserved. Our cash flow at the end of September is low at \$16,899.94, but at least we are in the black.

Some of the taxes will start coming in before October is over so that should help, as well as the Insurance Premium Tax which should be in by the 20th of the month. That figure should be over \$140,000.

I, reiterate how much I appreciate the help of all the Department Heads with their being cautious and frugal in the expenditures. With everyone working together we can help with the finances of the City.

Kelley Canady has completed another one of her courses in Finance Level I. She is doing a fantastic job with keeping the accounts payable and the bookkeeping up to date. She will be out several weeks when her baby is due in <sup>December</sup> November, but she plans to help out with the Accounts Payable and also by coming in a few hours at the time to work on the computer. We do not plan to hire any temporary help, I will do what she cannot do during her absence.

Sugar Hill Golf Club  
1995 to 1994 Comparisons

10/9/95

1994 Actuals			1995 Y. T. D.			Rounds	1994		1995		Revenue		
Month	Total Res Rds	Total Non-Res	Total Rounds	Month	Total Res Rds	Total Non-Res	Total Rounds	Percent Change	Month	Total Revenue	Month	Total Revenue	Percent Change
Jan	68	481	549	Jan	137	602	739	34.61%	Jan	18,871.18	Jan	24,394.54	29.27%
Feb	176	888	1064	Feb	111	646	757	-28.85%	Feb	35,163.29	Feb	27,312.83	-22.33%
Mar	206	1825	2031	Mar	231	1589	1820	-10.39%	Mar	71,574.99	Mar	66,042.68	-7.73%
Apr	275	2165	2440	Apr	478	2249	2727	11.76%	Apr	85,849.87	Apr	101,256.59	17.95%
May	297	2280	2577	May	261	2340	2601	0.93%	May	91,961.62	May	93,556.83	1.73%
Jun	223	2031	2254	Jun	307	2409	2716	20.50%	Jun	81,346.69	Jun	102,600.66	26.13%
Jul	294	2245	2539	Jul	331	2961	3292	29.66%	Jul	93,324.10	Jul	120,628.58	29.26%
Aug	258	2060	2318	Aug	300	2105	2405	3.75%	Aug	81,286.15	Aug	87,057.89	7.10%
Sep	308	1815	2123	Sep	158	1568	1726	-18.70%	Sep	78,548.04	Sep	63,384.89	-19.30%
Oct	205	1423	1628	Oct					Oct		Oct		
Nov	214	1408	1622	Nov					Nov		Nov		
Dec	243	1164	1407	Dec					Dec		Dec		
<b>Totals:</b>	2767	19785	22552		2314	16469	18783	4.81%		637,925.93		686,235.49	6.90%

Ratio of Resident play 1995 compared to 1994: **9.93% increase**

Ratio of Non-Resident play 1995 compared to 1994: **4.30% increase**



A PROCLAMATION

OPERATION: CLEAN TEAM

WHEREAS: Sugar Hill has many public lands, including roadways, parks, recreation areas, forests and waterways, which are rich in beauty and in natural and cultural resources; and

WHEREAS: It is the responsibility of all citizens to keep these public lands clean and healthful and to work together to preserve clean air, fresh water and the natural surroundings; and

WHEREAS: There is a nationwide effort to promote a sense of pride of ownership for our country's natural and cultural resources; and

WHEREAS: Gwinnett Clean & Beautiful has established as its purpose to educate citizens and visitors on being good stewards of our public lands; and

WHEREAS: Sugar Hill has joined forces with Gwinnett Clean & Beautiful in the national and state Public Lands Day initiative; now

THEREFORE: I, Mayor/City Council

proclaim October 21, 1995 as "OPERATION: Clean Team/Public Lands Day" throughout our city, and urge all our citizens to support efforts to preserve the beauty of our roadways and natural resources during this day and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand and caused this seal to be affixed. This day.

\_\_\_\_\_  
Mayor

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ATTEST

*Melvin D. Osh  
2nd Speaker  
5-0*

RESOLUTION  
NO: SWDR1995

A RESOLUTION TO APPROVE THE SOLID WASTE MANAGEMENT PLAN DRAFT FOR SUBMISSION TO THE ATLANTA REGIONAL COMMISSION FROM THE CITY OF SUGAR HILL, GEORGIA.

WHEREAS; the City of Sugar Hill has prepared a Solid Waste Management Plan using the basic, three-step, planning process required by the Minimum Planning Standards and Procedures for Solid Waste Management, and

WHEREAS; the City of Sugar Hill has held two (2) Public Hearings required by the Minimum Planning Standards and Procedures for Solid Waste Management, one (1) on May 2, 1995 and one (1) on September 11, 1995.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Sugar Hill approve the "draft" of the City of Sugar Hill Solid Waste Management Plan.

BE IT FURTHER RESOLVED, that said "draft" be formally transmitted to the Atlanta Regional Commission for review and recommendation.

This \_\_\_\_\_ day of \_\_\_\_\_, 1995.

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

Received by the Mayor: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_

Returned by the Mayor: \_\_\_\_\_

Attest \_\_\_\_\_

\_\_\_\_\_  
City Clerk

CITY OF SUGAR HILL  
CLUBHOUSE PROJECT

September 11, 1995

EXHIBITS:

- 1) CLUBHOUSE FINANCIAL PROJECTIONS
- 2) EXPENDITURE REPORT
- 3) TRANSFERS IN
- 4) TRANSFERS OUT
- 5) INVOICES

CLUB.XLS

PROJECTED EXPENDITURES	CLUBHOUSE CONSTRUCTION BUDGET		
	ACTUAL	BUDGET	VARIANCE
1) PARADISE CONSTRUCTION	369,000.00	369,000.00	0.00
2) WATER LINE RELOCATION	0.00	0.00	0.00
3) FURNISHINGS	43,785.00	44,000.00	-215.00
Showers=2150			
Floor Drain/Water Heater=1935			
Cooking table/hood/fir sup=6200			
Pro Shop Counter=6600			
Kitchen cabinets=1800			
Other=25000			
4) ENGINEERING/ARCHITECT	4,758.00	6,000.00	-1,242.00
5) BOND ISSUANCE	9,218.00	9,218.00	0.00
6) LIFT STATION/LINE	52,500.00	55,000.00	-2,500.00
7) LEGAL COSTS	1,758.00	2,500.00	-742.00
8) CONTINGENCY	13,987.00	14,282.00	-295.00
Electrical changes=2661			
Gyp/concrete=575			
alteration-fire=1290			
gas line-fireplace/kitchen=968			
hardware allow=3693			
alarm=1100			
plaque=1200			
landscaping=2500			
TOTAL	495,006.00	500,000.00	-4,994.00

MASTER LOG FOR THE CONSTRUCTION ACCOUNT

<u>TRANSACTION #</u>	<u>DATE</u>	<u>DESCRIPTION</u>	<u>DEPOSITS</u>	<u>DISBURSEMENTS</u>	<u>BALANCE</u>
1	3/14/95	Deposit	\$500,000.00		\$500,000.
Ck#001	3/16/95	Peoples Bank		\$ 90,000.00	410,000.
Ck#002	3/16/95	Peoples Bank		400,000.00	10,000.
2	3/24/95	Interest Received	75.39		10,075.00
Ck#101	4/12/95	Kilpatrick/Cody		9,218.34	857.
Ck#102	4/12/95	AAA Blue Print		523.08	333.
3	4/17/95	Deposit	90,000.00		90,333.
4	4/17/95	Interest Rcd	477.74		90,811.
Ck#103	4/17/95	Thompson/Sweeny		1,758.00	89,053.
Ck#104	4/19/95	AAA Blue Print		612.54	88,441.
Ck#105	4/19/95	Preston Sturgis		500.00	87,941.
5	4/04/95	Ccheck Order		6.56	87,934.
6	4/28/95	Service Charge		.25	87,934.
7	4/28/95	Interest Rcd	102.21		88,036.
Ck#106	5/10/95	Paradise Const.		11,475.00	76,561.
Ck#107	6/06/95	Paradise Const,		42,525.00	34,036.
8	6/08/95	Interest Rcd	171.46		34,208.
Ck#108	6/22/95	AAA Blue Print		122.32	34,085.
9	7/06/95	Interest Rcd	87.84		34,173.
10	7/08/95	Deposit	408,386.29		442,559.
Ck#109	7/10/95	Paradise Const		71,460.00	371,099.
11	7/31/95	Interest Rcd	585.60		371,685.
Ck#110	8/15/95	Paradise const.		36,720.00	334,965.
Ck#111	8/30/95	Preston Sturgis		2,000.00	332,965.

**TRANSFERS TO THE CONSTRUCTION ACCOUNT**

TRANSACTION #	DATE	FROM	EXPLANATION	AMT.
1	3/14/95	Peoples Bank	Deposit	\$500,000
2	3/24/95	Interest Received	Deposit	75.39
3	4/17/95	-C.D. Matures	Deposit	90,000.00
4	4/17/95	Interest Rcd	Deposit	477.74
7	4/28/95	Interest Rcd	Deposit	102.21
8	6/08/95	Interest Rcd	Deposit	171.46
9	7/05/95	Interest Rcd	Deposit	87.84
10	7/08/95	Deposit CD	Deposit	408,386.29
11	7/31/95	Interest Rcd	Deposit	585.60

**TRANSFERS FROM THE CONSTRUCTION ACCOUNT**

TRANSACTION #	DATE	TO	EXPLANATION	AMT.
Ck# 001	3/16/95	Peoples Bank	Cert. of Deposit	\$ 90,000.00
Ck# 002	3/16/95	Peoples Bank	Cert. of Deposit	400,000.00
Ck#101	4/12/95	Kilpatrick/Cody	Services Rendered	9,218.34
Ck#102	4/12/95	AAA Blue Print	Sets Specs for GC	523.08
Ck#103	4/17/95	Lee Thompson	Services Rendered	1,758.00
Ck#104	4/19/95	AAA Blue Print	Sets Specs for GC	612.54
Ck#105	4/19/95	Preston Sturgis	Contract	500.00
5	4/04/95	Check Order	Checks	6.56
6	4/28/95	Service Charge	Service Charge	.25
Ck#106	5/10/95	Paradise Const.	Construction	11,475.00
Ck#107	6/06/95	Paradise Const.	Construction	42,525.00
Ck#108	6/22/95	AAA Blue Print	Blue-line Prints	122.32
Ck#109	7/10/95	Paradise Const	Construction	71,460.00
Ck#110	8/15/95	Paradise Const.	Construction	36,720.00

MARCH 14, 1995





APR 12 1995

C24-101

V. Lee Thompson, Jr., Esquire  
Thompson & Sweeny, P.C.  
690 Longleaf Drive  
Lawrenceville, Georgia 30245

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INVOICE OF LEGAL SERVICES RENDERED

Invoice No. 141931  
Client/Matter No. 5874/83642

Date: March 17, 1995

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THROUGH MARCH 14, for services as Bond Counsel in connection with the \$500,000 City of Sugar Hill Golf Course Revenue Bond, Series 1995.

FEEs .....	\$ 9,000.00
EXPENSES: .....	\$ <u>218.34</u>
TOTAL AMOUNT DUE .....	\$ 9,218.34

\*EXPENSES POSTED TO OUR ACCOUNT AS OF CLOSING ON MARCH 14.  
EXPENSES POSTED AFTER CLOSING WILL BE BILLED AT A LATER DATE.

5706 NEW P'TREE RD., NE  
CHAMBLEE, GA 30341  
(404) 451-7861

11240 ALPHARETTA STREET  
ROSWELL, GA 30076  
(404) 442-1170

1529 ROSWELL RD.  
MARIETTA, GA 30062  
(404) 578-0331

3115 MEDLOCK BRIDGE ROA  
NORCROSS, GEORGIA 3007  
(404) 449-5355

# AA BLUE PRINT CO., INC.

TOPOGRAPHIC - CONTACTS  
PHOTOGRAPHIC - PROJECTION

BLUELINE  
BLACKLINE

SEPIA  
AUTOPOSITIVE

DIRECT MYLAR  
XEROX

OFFSET  
PRINTING

INVOICE DATE	INVOICE NO:	PAGE
03/13/95	412007	1

## INVOICE

SOLD TO: CITY OF SUGAR HILL  
1988 W. BROAD STREET

APR 12 1995

SHIP TO:

SUGAR HILL, GA 30516

*24# 102*

ORDER NO.	ORDER DATE	CUSTOMER NO.	SALES REP.	PURCHASE ORDER NO.	SHIP DATE	SHIP VIA
412007	03/13/95	508746			ASAP	

QUANTITY ORDERED	UNIT	ITEM NO.	ITEM DESCRIPTION	PRICE UNIT	UNIT PRICE
QUANTITY SHIPPED UNIT		QUANTITY BACK ORD.		ITEM DISCOUNT	EXTENDED PRICE
1	EACH*BLS	300	24X36 B/L	EACH	234.00
					234.00
1	EACH*KODAK	13	SETS SPECS SUGAR HILL GOLF CLUB TRS WADE QUEEN PRESTON STURGIS	EACH	264.00
					264.00

*Clubhouse W.P.  
project*

*Blair Moore*

*BBB  
3/29/95*

THIS WILL BE A 1 1/2% SERVICE CHARGE PER MONTH ON ALL ACCOUNTS 30 DAYS PAST DUE.  
THIS IN ANNUAL RATE OF 18%. TERMS: NET DUE UPON RECEIPT.  
SEND REMITTANCE TO: P.O. BOX 80710, ATLANTA, GEORGIA 30366  
YOUR ORIGINALS ARE INSURED WHILE IN OUR POSSESSION.  
RADIO DISPATCHED VEHICLE.

Str: 400 Reg: 400 Drw: 400 Upr: 400 08:44

SALES AMOUNT	498.00
MISC. CHARGES	
FREIGHT	
SALES TAX	
TOTAL	498.00
PAYMENT REC'D	00.00
BALANCE DUE	498.00

5706 NEW P'TREE RD., NE  
CHAMBLEE, GA 30341  
(404) 451-7861

11240 ALPHARETTA STREET  
ROSWELL, GA 30076  
(404) 442-1170

1529 ROSWELL RD.  
MARIETTA, GA 30062  
(404) 578-0331

3115 MEDLOCK BRIDGE R  
NORCROSS, GEORGIA 30  
(404) 449-5355



PHOTOGRAPHIC - CONTACTS  
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PRINTING

INVOICE DATE	INVOICE NO.	PAG
03/17/95	412201	1

# INVOICE

SOLD TO: CITY OF SUGAR HILL  
4988 W. BROAD STREET  
SUGAR HILL, GA 30518

SHIP TO:

*APR 12 1995*  
*ct # 102*

ORDER NO.	ORDER DATE	CUSTOMER NO.	SALES REP.	PURCHASE ORDER NO.	SHIP DATE	SHIP VIA
412201	03/17/95	508748			ASAP	

QUANTITY ORDERED	UNIT	ITEM NO.	ITEM DESCRIPTION	PRICE UNIT	UNIT PRICE
QUANTITY SHIPPED	UNIT	QUANTITY BACK ORD.		ITEM DISCOUNT	EXTENDED PRICE
1	EACH*PLS	22-24X36-BLS	TOB, SUGAR HILL MADE QUEEN PRESTO STURGIS	EACH	25.00
<p><i>Clubhouse W.P. project</i></p> <p><i>Walter Hunt</i></p> <p><i>BBB 3/29/95</i></p>					

APR 25.00  
Str: 400 Reg: 400 Drw: 400 Des: 400 15:16

SALES AMOUNT	
MISC. CHARGES	
FREIGHT	
SALES TAX	
TOTAL	
PAYMENT REC'D	

THOMPSON & SWEENEY, P.C.  
Law Offices

APR 17 1995

CK# 103

V. LEE THOMPSON, JR.  
VICTORIA SWEENEY  
MELANIE D. WILLIAMS  
PAUL E. ANDREW  
JORGIA C. NORTHRUP

Longleaf Commons  
690 Longleaf Drive, Lawrenceville, GA 30245  
Telephone: 404/963-1997  
Telephone Copier: 404/822-2913

Mailing Address  
P.O. Drawer 1250  
Lawrenceville, Georgia 30246

City of Sugar Hill  
4988 W. Broad Street  
Sugar Hill, GA 30518

April 10, 1995

For professional services rendered from January 1, 1995  
through March 20, 1995:

RE: Golf Course Revenue Bonds

DATE	SERVICES PERFORMED	HOURS
01/11/95	Telephone calls, work on financing issues, etc.	0.50/ VLT
01/12/95	Telephone conference with Warren Nevad and Mayor Webster; telephone conference with Earle Taylor's office	0.40/ VLT
01/13/95	Telephone conference with Bill Fussell	0.30/ VLT
01/18/95	Telephone conference with Bill Fussell	0.20/ VLT
01/27/95	Review draft documents	1.00/ VLT
02/03/95	Telephone calls; review documents	0.70/ VLT
02/20/95	Conference with Mayor to sign Bond documents; organize documents for filing validation	2.00/ VLT
02/21/95	Conference with District Attorney to have validation papers signed; review validation; file validation action; conference with Judge Oxendine; conference with Deputy Clerk; transmit Order and ad to Bond Counsel	2.00/ VLT
02/22/95	Telephone calls re: Bond validation ad	0.20/ VLT
03/06/95	Finalize and file answer; obtain publisher's affidavit; finalize file matters for validation	2.50/ VLT
03/07/95	Attend validation hearing; finalize matters; telephone calls to City and Bond Counsel	0.90/ VLT
03/10/95	Telephone calls re: closing matters	0.20/ VLT
03/13/95	Work on opinion letter; organize file for closing; telephone conference with Bill Fussell and Warren Nevad	1.50/ VLT
03/14/95	Finalize opinion letter; obtain Clerk's certificate; attend closing	3.00/ VLT
TOTAL HOURS		15.40

City of Sugar Hill  
April 10, 1995

FEEES:

Lee Thompson

- 15.40 Hrs @ \$105.00 per hour \$1,617.00

TOTAL FEES:

-----  
\$1,617.00

EXPENSES:

Court Costs for Validation  
proceeding

141.00

\$141.00

Total Bill Amount

-----  
\$1,758.00

Balance Forward

\$0.00

Available Credit

\$0.00

TOTAL AMOUNT DUE

-----  
\$1,758.00

STREET  
 GA 30076  
 442-1170

1529 ROSWELL RD.  
 MARIETTA, GA 30062  
 (404) 578-0331

3115 MEDLOCK BRIDGE ROAD  
 NORCROSS, GEORGIA 30071  
 (404) 449-5355

**PRINT CO., INC.**

INVOICE DATE	INVOICE NO.	PAGE
03/30/95	412549	1

- CONTACTS
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  - DIRECT MYLAR
  - OFFSET
- PROJECTION
  - BLACKLINE
  - AUTOPOSITIVE
  - XEROX
  - PRINTING

**INVOICE**

SOLD TO: CITY OF SUGAR HILL  
 4988 W. BROAD STREET  
 SUGAR HILL, GA 30518

SHIP TO:

APR 19 1995

*CRAYON*

ORDER NO.	ORDER DATE	CUSTOMER NO.	SALES REP.	PURCHASE ORDER NO.	SHIP DATE	SHIP VIA
12549	03/30/95	508748			ASAP	

QUANTITY ORDERED	UNIT	ITEM NO.	ITEM DESCRIPTION	PRICE UNIT	UNIT PRICE
QUANTITY SHIPPED UNIT	UNIT	QUANTITY BACK ORD.		ITEM DISCOUNT	EXTENDED PRICE
1	EACH*ELS	396	24X36 B&W	EACH	817.25
1	EACH*FOUR	18	SETS SEETS	585.	88
1	EACH*DELIVERY		PRINTS TO PARADISE GOLF COURSE SUGAR HILL GOLF COURSE WADE QUEEN/PRESTON STURGI	EACH	-

*W.G.*

*DEBORAH*

612.54	<b>SALES AMOUNT</b>
	<b>MISC. CHARGES</b>
	<b>FREIGHT</b>
	<b>SALES TAX</b>
	<b>TOTAL</b>
	<b>PAYMENT REC'D</b>
	<b>BALANCE DUE</b>

**APPLICATION AND CERTIFICATE FOR PAYMENT** AIA DOCUMENT G702 (Instructions on reverse side) PAGE ONE OF PAGES

TO (OWNER): Sugar Hill PROJECT: Sugar Hill Clubhouse APPLICATION NO: 1 Distribution to:  
 OWNER  
 ARCHITECT  
 CONTRACTOR  
 FROM (CONTRACTOR): PARADISE CONSTRUCTION INC. VIA (ARCHITECT): PRESTON STURGIS ARCHITECT'S PROJECT NO: PERIOD TO: 4/17/95 CONTRACT DATE: March 22, 1995

WAY 10 1995  
 JH log

**CONTRACTOR'S APPLICATION FOR PAYMENT**

CHANGE ORDER SUMMARY		
Change Orders approved in previous months by Owner	ADDITIONS	DEDUCTIONS
TOTAL		
Approved this Month		
Number	Date Approved	
TOTALS		
Net change by Change Orders		

Application is made for Payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM ..... \$ 369,000.00
2. Net change by Change Orders ..... \$ -0-
3. CONTRACT SUM TO DATE (Line 1 ± 2) ..... \$ 369,000.00
4. TOTAL COMPLETED & STORED TO DATE ..... \$ 12,750.00  
(Column G on G703)
5. RETAINAGE:
  - a. 10 % of Completed Work ..... \$ 1,275.00  
(Column D + E on G703)
  - b. % of Stored Material ..... \$  
(Column F on G703)
 Total Retainage (Line 5a + 5b or Total in Column I of G703) ..... \$ 1,275.00
6. TOTAL EARNED LESS RETAINAGE ..... \$ 11,475.00  
(Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) ..... \$ -0-
8. CURRENT PAYMENT DUE ..... \$ 11,475.00
9. BALANCE TO FINISH, PLUS RETAINAGE ..... \$ 357,525.00  
(Line 3 less Line 6)

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: PARADISE CONSTRUCTION INC.

By: Charles R. [Signature] Date: 4/17/95

State of: Georgia County of: Jackson  
 Subscribed and sworn to before me this 17 day of April, 1995  
 Notary Public: Debra A. Moore  
 My Commission expires: 2/21/99

**ARCHITECT'S CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED ..... \$ 11,475.00  
 (Attach explanation if amount certified differs from the amount applied for.)  
 ARCHITECT:  
 By: Preston H. Sturgis Date: April 28, 1995  
 This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.



# APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT G702 (Instructions on reverse side) PAGE ONE OF PAGES

TO (OWNER): **City of Sugar Hill** PROJECT: **Sugar Hill Golf Course Clubhouse** APPLICATION NO: **2** Distribution to:  
 OWNER  
 ARCHITECT  
 CONTRACTOR

FROM (CONTRACTOR): **PARADISE CONSTRUCTION INC.** VIA (ARCHITECT): **PRESTON STURGIS** ARCHITECT'S PROJECT NO:

CONTRACT FOR: \_\_\_\_\_ CONTRACT DATE: **MARCH 22, 1995**

## CONTRACTOR'S APPLICATION FOR PAYMENT

CHANGE ORDER SUMMARY		
Change Orders approved in previous months by Owner	ADDITIONS	DEDUCTIONS
TOTAL		
Approved this Month		
Number	Date Approved	
TOTALS		
Net change by Change Orders		-0-

Application is made for Payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM ..... \$ 369,000.00
2. Net change by Change Orders ..... \$ -0-
3. CONTRACT SUM TO DATE (Line 1 + 2) ..... \$ 369,000.00
4. TOTAL COMPLETED & STORED TO DATE ..... \$ 60,000.00  
(Column G on G703)
5. RETAINAGE:
  - a. 10 % of Completed Work ..... \$ 6,000.00  
(Column D + E on G703)
  - b. \_\_\_\_\_ % of Stored Material ..... \$ \_\_\_\_\_  
(Column F on G703)
 Total Retainage (Line 5a + 5b or Total in Column I of G703) ..... \$ 6,000.00
6. TOTAL EARNED LESS RETAINAGE ..... \$ 54,000.00  
(Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) ..... \$ 11,475.00
8. CURRENT PAYMENT DUE ..... \$ 42,525.00
9. BALANCE TO FINISH, PLUS RETAINAGE ..... \$ 315,000.00  
(Line 3 less Line 6)

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: **PARADISE CONSTRUCTION INC.**  
 By: *[Signature]* Date: 5/25/95

State of: **Georgia** County of: **Jackson**  
 Subscribed and sworn to before me this 25 day of **May**, 19 **95**  
 Notary Public: *[Signature]*  
 My Commission expires: 2/21/99

## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED ..... \$ 315,342.00  
 (Attach explanation if amount certified differs from the amount applied for.)  
 ARCHITECT: *[Signature]*  
 By: *[Signature]* Date: JUNE 2, 1995  
 This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

5706 NEW P'TREE RD., NE  
CHAMBLEE, GA 30341  
(404) 451-7861

11240 ALPHARETTA STREET  
ROSWELL, GA 30076  
(404) 442-1170

1529 ROSWELL RD.  
MARIETTA, GA 30062  
(404) 578-0331

3115 MEDLOCK BRIDGE RD/  
NORCROSS, GEORGIA 3007  
(404) 449-5355



PHOTOGRAPHIC - CONTACTS  
PHOTOGRAPHIC - PROJECTION

BLUELINE  
BLACKLINE

SEPIA  
AUTOPOSITIVE

DIRECT MYLAR  
XEROX

OFFSET  
PRINTING

INVOICE DATE	INVOICE NO.	PAGE
06/06/95	414402	1

# INVOICE

SOLD TO: CITY OF SUGAR HILL  
4988 W. BROAD STREET  
SUGAR HILL, GA 30518

SHIP TO: CITY OF SUGAR HILL  
4988 W. BROAD STREET  
SUGAR HILL, GA 30518

ORDER NO.	ORDER DATE	CUSTOMER NO.	SALES REP.	PURCHASE ORDER NO.	SHIP DATE	SHIP VIA
414402	06/06/95	508748			ASAP	

QUANTITY ORDERED	UNIT	ITEM NO.	ITEM DESCRIPTION	PRICE UNIT	UNIT PRICE
QUANTITY SHIPPED UNIT		QUANTITY BACK ORD.		ITEM DISCOUNT	EXTENDED PRICE
1	EACH	*BLS	88-24X36 BLUELINE PRINTS 3 SETS 1 ORIG. TO PRESTON STURTEVANT. 1 SET TO MISS POWER. 1 REPRODUCTION  JOB NO. SUGAR HILL 4988 COURSE PRESTON COURSE	EACH	108.00
			Clubhouse construction W.D. 6-15-95 UM		
					clh 108 BLS 6/22/95

414402 149.00  
514402 149.00 514402 149.00 514402 149.00 514402 149.00

SALES AMOUNT	
MISC. CHARGES	
FREIGHT	
SALES TAX	
TOTAL	
PAYMENT REC'D	

5706 NEW PTREE RD., NE  
CHAMBLEE, GA 30341  
(404) 451-7861

11240 ALPHARETTA STREET  
ROSWELL, GA 30076  
(404) 442-1170

1529 ROSWELL RD.  
MARIETTA, GA 30062  
(404) 578-0331

3115 MEDLOCK BRIDGE RD  
NORCROSS, GEORGIA 300  
(404) 449-5355



PHOTOGRAPHIC - CONTACTS  
PHOTOGRAPHIC - PROJECTION

BLUELINE  
BLACKLINE

SEPIA  
AUTOPOSITIVE

DIRECT MYLAR  
XEROX

OFFSET  
PRINTING

INVOICE DATE	INVOICE NO.	PAGE
06/07/95	414409	1

# INVOICE

SOLD TO:

CITY OF SUGAR HILL  
4988 W. BROAD STREET

SHIP TO:

SUGAR HILL, GA 30518

ORDER NO.	ORDER DATE	CUSTOMER NO.	SALES REP.	PURCHASE ORDER NO.	SHIP DATE	SHIP VIA
414409	06/07/95	508748			ASAP	

QUANTITY ORDERED	UNIT	ITEM NO.	ITEM DESCRIPTION	PRICE UNIT	UNIT PRICE
QUANTITY SHIPPED UNIT		QUANTITY BACK ORD.		ITEM DISCOUNT	EXTENDED PRICE
1	EACH	*DELIVERY	OUT OF AREA DELIVERY- TO SUGAR HILL GOLF COURSE PRESTON STURRIS WARE HOUSE JOB TO SUGAR HILL RIFE CO	EACH	20.00
			<p>JUN 8 2 1995</p> <p>Clubhouse construction W.R. 6-15-95</p> <p>UN</p> <p>chk # 108</p> <p>BAB 6/22/95</p>		

SALES AMOUNT	
MISC. CHARGES	
FREIGHT	
SALES TAX	
TOTAL	
PAYMENT REC'D	

TO (OWNER):  
Sugar Hill Golf Course

PROJECT:  
Sugar Hill Golf Course Clubhouse

APPLICATION NO: 3  
PERIOD TO: 6/27/95

Distribution to:  
 OWNER  
 ARCHITECT  
 CONTRACTOR

FROM (CONTRACTOR):  
PARADISE CONSTRUCTION INC.

VIA (ARCHITECT):  
PRESTON STURGIS

ARCHITECT'S  
PROJECT NO:

CONTRACT FOR:

CONTRACT DATE:

**CONTRACTOR'S APPLICATION FOR PAYMENT**

CHANGE ORDER SUMMARY		
Change Orders approved in previous months by Owner	ADDITIONS	DEDUCTIONS
TOTAL		
Approved this Month		
Number	Date Approved	
		7 0 JUL 10 1995
TOTALS		
Net change by Change Orders		

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: PARADISE CONSTRUCTION INC.

By: [Signature] Date: 6/27/95

Application is made for Payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM ..... \$ 369,000.00
2. Net change by Change Orders ..... \$ -0-
3. CONTRACT SUM TO DATE (Line 1 ± 2) ..... \$ 369,000.00
4. TOTAL COMPLETED & STORED TO DATE ..... \$ 139,400.00  
(Column G on G703)
5. RETAINAGE:
  - a. 10 % of Completed Work \$ 13,940.00  
(Column D + E on G703)
  - b. \_\_\_\_ % of Stored Material \$ \_\_\_\_\_  
(Column F on G703)
 Total Retainage (Line 5a + 5b or Total in Column I of G703) ..... \$ 13,940.00
6. TOTAL EARNED LESS RETAINAGE ..... \$ 125,460.00  
(Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) ..... \$ 54,000.00
8. CURRENT PAYMENT DUE ..... \$ 71,460.00
9. BALANCE TO FINISH, PLUS RETAINAGE ..... \$ 243,540.00  
(Line 3 less Line 6)

State of: Georgia County of: Jackson  
 Subscribed and sworn to before me this 27 day of June, 1995  
 Notary Public: [Signature]  
 My Commission expires: 2/21/99

**ARCHITECT'S CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief, the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED ..... \$ \_\_\_\_\_  
 (Attach explanation if amount certified differs from the amount applied for.)  
 ARCHITECT:

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

**APPLICATION AND CERTIFICATE FOR PAYMENT** AIA DOCUMENT G702 (Instructions on reverse side) PAGE ONE OF PAGES

TO (OWNER): SUGAR HILL PROJECT: SUGAR HILL GOLF COURSE CLUBHOUSE APPLICATION NO: 4 Distribution to:  
 OWNER  
 ARCHITECT  
 CONTRACTOR

FROM (CONTRACTOR): PARADISE CONSTRUCTION INC. VIA (ARCHITECT): PRESTON STURGIS ARCHITECT'S PROJECT NO:

CONTRACT FOR: CONTRACT DATE:

*110*

**CONTRACTOR'S APPLICATION FOR PAYMENT**

CHANGE ORDER SUMMARY		
Change Orders approved in previous months by Owner	ADDITIONS	DEDUCTIONS
TOTAL		
Approved this Month		
Number	Date Approved	
TOTALS		
Net change by Change Orders		

**AUG 15 1995**

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: PARADISE CONSTRUCTION INC.

By: *[Signature]* Date: 08/01/95

**ARCHITECT'S CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

Application is made for Payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

- 1. ORIGINAL CONTRACT SUM ..... \$ 369,000.00
- 2. Net change by Change Orders ..... \$ -0-
- 3. CONTRACT SUM TO DATE (Line 1 ± 2) ..... \$ 369,000.00
- 4. TOTAL COMPLETED & STORED TO DATE ..... \$ 180,200.00  
(Column G on G703)
- 5. RETAINAGE:
  - a. 10 % of Completed Work \$ 18,020.00  
(Column D + E on G703)
  - b. \_\_\_ % of Stored Material \$ \_\_\_\_\_  
(Column F on G703)
  - Total Retainage (Line 5a + 5b or Total in Column I of G703) ..... \$ 18,020.00
- 6. TOTAL EARNED LESS RETAINAGE ..... \$ 162,180.00  
(Line 4 less Line 5 Total)
- 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) ..... \$ 125,460.00
- 8. CURRENT PAYMENT DUE ..... \$ 36,720.00
- 9. BALANCE TO FINISH, PLUS RETAINAGE ..... \$ 206,820.00  
(Line 3 less Line 6)

State of: Georgia County of: Jackson  
 Subscribed and sworn to before me this 01 day of August, 19 95  
 Notary Public: *Debra P. Moore*  
 My Commission expires: 2/21/95

AMOUNT CERTIFIED ..... \$ 36,720.00  
 (Attach explanation if amount certified differs from the amount applied for.)

ARCHITECT: *Preston Sturgis* Date: *Aug 14, 1995*

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

*[Signature]*

Preston Sturgis Associates

Architects / Environmental Consultants

1827 Powers Ferry Road. Bldg.11

Atlanta, Georgia 30339

August 29, 1995

Mr. Warren Nevad  
City Manager  
City of Sugar Hill  
234 W. Broad Street  
Sugar Hill, Georgia 30518

AUG 30 1995

111

Re: A New Clubhouse for Sugar Hill Golf Course, Sugar Hill, Georgia

---

INVOICE FOR SERVICES

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Project Administration	\$2000.00
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Sincerely,

Preston Sturgis

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Please respond to the following standards in the space provided or use and attachment as necessary:

A. Whether a proposed rezoning (or Special Exception) will permit a use that is suitable in view of the use and development of adjacent and nearby property:

This property is bounded on two sides by the rights-of-way for Peachtree Industrial Boulevard and the proposed Outer Loop. The proposed retail/commercial use is suitable because of the effect of these highways.

B. Whether a proposed rezoning (or Special Exception) will adversely affect the existing use or usability of adjacent or nearby property:

The proposed change from Industrial to General Business/Commercial zoning should not have an adverse effect on adjacent property.

C. Whether the property to be affected by a proposed rezoning (or Special Exception) has reasonable economic use as currently zoned:

The property has an economic use as zoned, but will have a higher and better use which is more appropriate to the area as a result of the rezoning.

D. Whether the proposed rezoning (or Special Exception) will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

The proposed rezoning should not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning.

This property is located at the intersection of Peachtree Industrial Blvd., which is being planned for widening, and the proposed Outer Loop Highway, and will have easy access to each of these major roads. Changes in traffic flows  
\* \* \* \* \*

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER R2-95-002

RECEIVED BY K. Sanders

DATE RECEIVED 10-20-95

will result in retail/commercial being the most appropriate use for this property.

REZONING APPLICANT'S CERTIFICATION

The undersigned below is authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the Mayor and Council.

Harry E. Morgan  
Signature of Applicant 10 / 11 / 95  
Date

Harry E. Morgan, President  
Typed or Print Name and Title

Mary L. Sink  
Signature of Notary Public 10 / 11 / 95  
Date NOTARY SEAL

Notary Public, Gwinnett County, Georgia  
My Commission Expires Feb. 4, 1999

\*\*\*\*\*

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER RZ-95-002  
RECEIVED BY K. Sanders DATE RECEIVED 10-20-95



REZONING PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the Mayor and Council.

Wendell M. Starke 10, 13, 95  
Signature of Applicant Date

Wendell M. Starke, Trustee  
Typed or Print Name and Title

Maricia A. Kubovetz 10, 13, 95  
Signature of Notary Public Date NOTARY SEAL  
Notary Public, Cobb County, Georgia.  
My Commission Expires January 21, 1997.

\*\*\*\*\*

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER R2-95-002  
RECEIVED BY K. Sanders DATE RECEIVED 10-20-95

**CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS**

The undersigned below, making application for rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

Harry E. Morgan                      10 / 11 / 95                      Harry E. Morgan, President  
 Signature of Applicant                      Date                      Type or Print Name and Title

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
 Signature of Applicant's                      Date                      Type or Print Name and Title  
 Attorney or Representative

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
 Signature of Notary Public                      Date                      NOTARY SEAL

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Mayor and Council or a member of the City of Sugar Hill Planning and Zoning Board.

no (yes/no)

If the answer is yes, please completed the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all Which Aggregate to \$250 or More)	DATE CONTRIBUTION WAS made (Within Last Two Years)

Attached additional sheets if necessary to disclose or describe all contributions.

\*\*\*\*\*

**PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY**

CASE NUMBER R2-95-002  
 RECEIVED BY K. Sanders                      DATE RECEIVED 10-20-95

ADMINISTRATIVE RECOMMENDATION FORM

TO: Planning & Zoning Board Members  
FROM: Ken Crowe - Director: Planning & Development  
RE: ADMINISTRATIVE RECOMMENDATION FOR RZ-95-002  
A.K.A. - Rezoning for Starke Tract  
DATE: November 8, 1995

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APPROVAL - Provided that proper buffers are provided or modification granted prior to issuance of permits. Ponds shown in buffer areas have been discussed. Currently they are an allowable use but applicant is aware that ordinance changes may be forthcoming. Previous administration believed that Commercial Chart on the Zoning Map was like a ladder and that this was already an allowable use, however this is not the case. This rezoning is required to have a Commercial (retail) rather than an Industrial use on this property.

# The Myrick Company

Commercial Real Estate Services

October 6, 1995

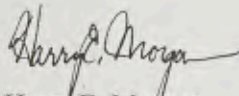
Sugar Hill Planning & Development Department  
4988 West Broad Street  
Sugar Hill, Georgia 30518

Dear Sir/Madame:

Please accept this letter as the Letter of Intent filed on behalf of the Owner (owned under Declaration of Trust dated 12/31/87, Wendell M. Starke, as Trustee) in connection with an application to rezone a 43.8± acre tract of land located at the intersection of Peachtree Industrial Boulevard and the right-of-way for the proposed Outer Loop. The property is intended for use as a commercial/retail development, and the applicant is requesting that the zoning classification be changed from HM-1 to BG. The maximum density is planned to be 10,000 square feet per acre and approximately 2,200 parking spaces will be provided. Buildings will be limited to two-stories in height.

The Owner and The Myrick Company as applicant respectfully request that this application for rezoning be granted as submitted.

Sincerely,



Harry E. Morgan  
President

HEM:lj

6025 The Corners Parkway  
Norcross, Georgia 30092  
404/449-5622  
Fax 404/448-7381



# CITY OF SUGAR HILL

---

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518  
(404) 945-6716

## ADJOINING PROPERTY OWNER NOTIFICATION

TO: To Whom it May Concern

FROM: Kimberly B. Landers - Administrative Assistant

RE: PROPOSED REZONING CASE# RZ-95-002

DATE: November 7, 1995

You are hereby informed that the attached Notice for Proposed Rezoning is contiguous to your property.

A public hearing will be held at the Sugar Hill City Hall on November 20, 1995 at 7:30 p.m. in the Community Center.

If you should have an interest in this petition, please plan to attend this meeting.

Thank you.

ADJOINING PROPERTY OWNERS OF RECORD

Land Lot	Parcel#	Owner	Address
274	7	Michael D. O'Rouke	5627 O'Rouke Rd Buford, Ga 30518
275	26	James Greeson etal	689 Level Creek Rd. Buford, Ga 30518
275	123	David R. Bowen	4795 West Price Rd. Buford, Ga 30518
289	5	Gloria P. McDaniel	421 Level Creek Rd Buford, Ga 30518
289	7	Guy Gober	375 Level Creek Rd Buford, Ga 30518
289	9	Michael A. Tuohy	319 Level Creek Rd Buford, Ga 30518

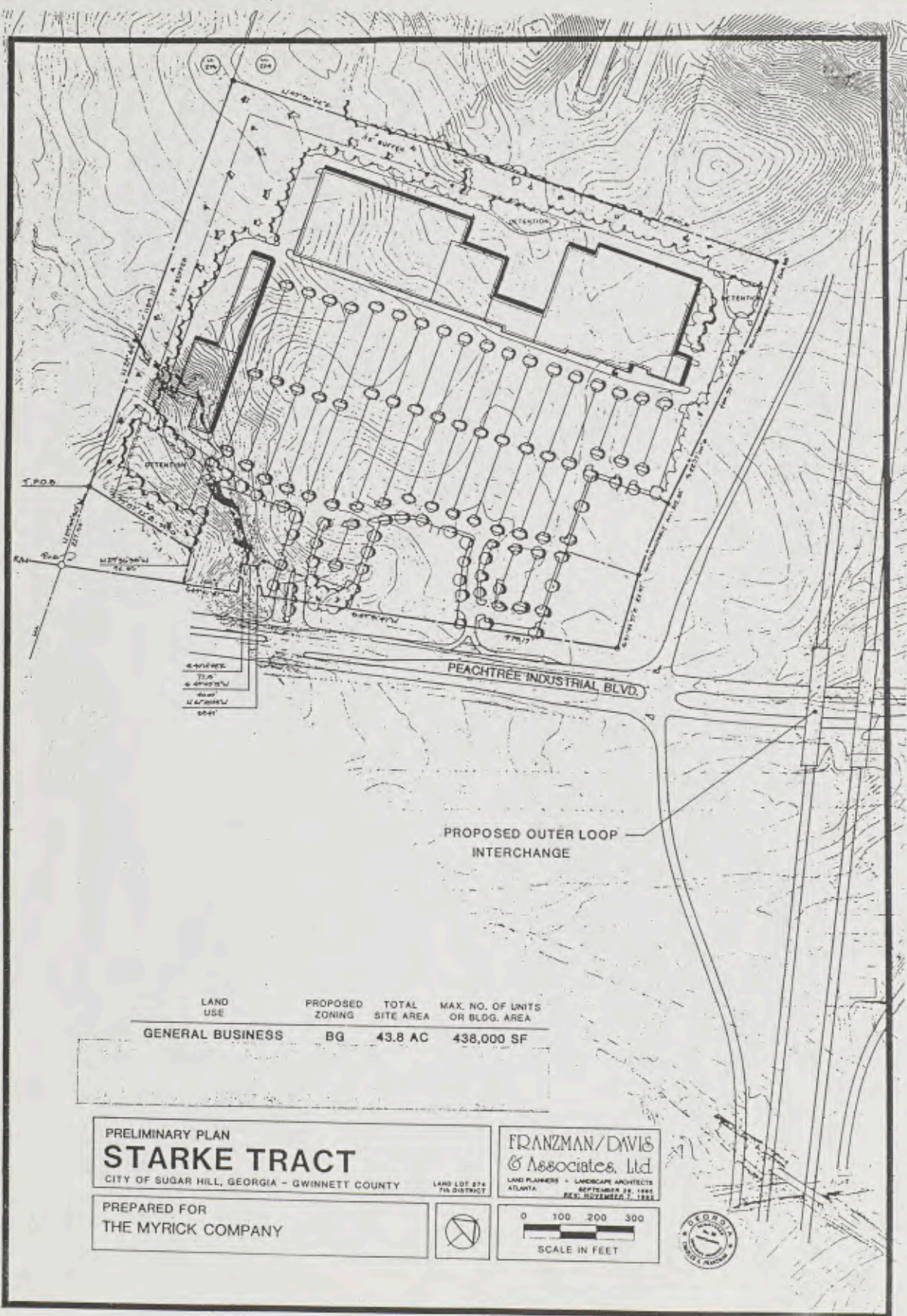
\* All Parcels Are In District 7

## STARKE TRACT

All that tract or parcel of land lying and being in Land Lot 274 of the 7th District of Gwinnett County, Georgia and being more particularly described as follows:

To locate the point of beginning commence at the point formed by the intersection of the Northwestern right-of-way line of Peachtree Industrial Boulevard (200' R/W) with the Land Lot line dividing Land Lots 274 and 275; thence N29°49'50"W a distance of 227.94' to the True Point of Beginning; thence N29°49'50"W a distance of 1189.11' to a point; thence leaving said Land Lot line N59°30'42"E a distance of 1550.8' to a point on Southeasterly right-of-way line of the proposed Outer Loop Interchange (varied R/W); thence along said right-of-way line Southwesterly an ARC distance of 260.83' to a point; thence S22°17'00"E a distance of 466.99' to a point, thence Southeasterly an ARC distance of 212.82' to a point; thence S31°45'57"E a distance of 211.37' to a point on the Northwestern right-of-way line of Peachtree Industrial Boulevard (200' R/W); thence along said right-of-way line S49°51'47"W a distance of 973.19' to a point; thence N61°18'43"W a distance of 83.47' to a point; thence, S49°45'12"W a distance of 40.00' to a point; thence S40°14'48"E a distance of 77.15' to a point; thence S49°51'47"W a distance of 150'± to a point thence leaving said right-of-way N29°36'38"W a distance of 92.83' to a point; thence S73°07'22"W a distance of 333.0' to the True Point of Beginning.

Said tract being±43.8 acres, and all of the tract of land owned under the Declaration of Trust dated 12/31/87, Wendell M. Starke, as Trustee located west of Peachtree Industrial Boulevard and South of proposed Outer Loop.



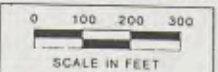
4'-0" WIDE  
 7'-0" WIDE  
 12'-0" WIDE  
 15'-0" WIDE  
 20'-0" WIDE

LAND USE	PROPOSED ZONING	TOTAL SITE AREA	MAX. NO. OF UNITS OR BLDG. AREA
GENERAL BUSINESS	BG	43.8 AC	438,000 SF

PRELIMINARY PLAN  
**STARKE TRACT**  
 CITY OF SUGAR HILL, GEORGIA - GWINNETT COUNTY

**FRANZMAN/DWIS & Associates, Ltd.**  
 LAND PLANNERS - LANDSCAPE ARCHITECTS  
 ATLANTA  
 SEPTEMBER 28, 1988  
 REV. NOVEMBER 7, 1988

PREPARED FOR  
**THE MYRICK COMPANY**







Bethy

ELECTION REPORT

The City of Sugar Hill held the Run-off from the General Election on November 28, 1995.

There were seven hundred eighty-seven (787) Ballots cast on the day of the Election, of those votes, Meg Avery received four hundred seventeen (417) and Steve Bailey received three hundred sixty-six (366). There were four (4) which did not register on the counter.

There were 90 Absentee Ballots cast with Meg Avery receiving five (5) votes and Steve Bailey receiving eighty-four (84) with one (1) ballot not recording on the counter.

The final results was:	Bailey	450
	Avery	422

There was an automatic recount before the Poll Workers were released and the results were identical to the first count.

*Certified  
Motion - Done  
J. Davis  
5-0*

Planning Commission Meeting  
Monday November 20, 1995  
7:30 p.m.

A G E N D A

Reading and approval of October 16, 1995 minutes.

Order of Business

1. PUBLIC HEARING - RZ-95-002 - REZONING MAP# 7-274-004  
The Myrick Company is requesting to Rezone 43.8 acres off  
Peachtree Industrial Boulevard from HM-1 to BG.
2. PUBLIC HEARING - RZ-95-003 - REZONING MAP# 7-253-022  
B.T. Baltimore Revocable Trust is requesting to Rezone 3.0051  
acres off Peachtree Industrial Boulevard from HM-1 to BG.

Boardmembers Comments

Citizens Comments

Adjournment

PLANNING COMMISSION RECOMMENDATION

Monday, November 20, 1995

MAYOR AND COUNCIL PUBLIC HEARING WILL BE HELD ON: 12-11-95

RZ-95-002 Myrick Company 7-274-004

Rezone 43.8 acres from HM-1 to BG.

Planning Commission recommended approval to rezone the 43.8 acres from HM-1 to BG with the stipulations noted;

- 1 - detention ponds located outside the buffer zones.
- 2 - that it be recognized that Cecil Gober does have Agricultural property contiguous to the said property and that he does farm cattle and chickens on this property.

CITY OF SUGAR HILL  
ITEM COUNT FOR FEE CALCULATION

PAGE 1

PERMIT : 9501487

TYPE: RZ - REZONING APPLICATION

MASTER PERMIT: NOT FOUND

PROJECT: 95 PP

ADDRESS: 7-274 PORTION OF PARCEL 4

OWNER NAME: WENDELL M. STARKE, AS TRUSTEE

CONTRACTOR: THE MYRICK COMPANY

FEE DUE FROM: THE MYRICK COMPANY

CODE CNT

DESCRIPTION OF ITEMS SELECTED	QUANTITY	AMOUNT
ALL REZONINGS RC#113	1.00	350.00
SUBTOTAL OF ITEM AMOUNTS		350.00

Check - 23416

610

PAID  
( OCT 19 1995 )

RZ-95 002

Rz-95-002

# REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUGAR HILL, GEORGIA.

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>The Myrick Company</u>	NAME: <u>Owned under Declaration of Trust dated</u>
ADDRESS: <u>6025 The Corners Pkwy, Suite 100</u>	ADDRESS: <u>12/31/87, Wendell M. Starke, as Trustee</u>
CITY: <u>Norcross</u>	CITY: <u>c/o Invesco, 1315 Peachtree Rd, NE, Atlanta</u>
STATE: <u>Ga</u> ZIP: <u>30092</u>	STATE: <u>GA</u> ZIP: <u>30309</u>
PHONE: <u>(770) 449-5622</u>	PHONE: <u>(404) 892-0896</u>
<u>(770) 448-7381 fax</u>	
CONTACT PERSON: <u>Harry Morgan</u>	
PHONE: <u>(770) 449-5622</u>	FAX: <u>(770) 448-7381</u>

\* Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:		
<input checked="" type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER	<input type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICT(S): <u>HM-1</u>	REQUESTED ZONING DISTRICT: <u>BG</u>	
LAND DISTRICT(S): <u>7</u>	LAND LOT(S): <u>274</u>	ACREAGE: <u>43.8</u>
<i>parcel # 4</i>		
ADDRESS OF PROPERTY: <u>Peachtree Industrial Blvd.</u>		
PROPOSED DEVELOPMENT: <u>Commercial retail development</u>		

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDING/LOTS _____
DWELLING UNIT SIZE (sq. ft.) _____	TOTAL GROSS SQUARE FEET <u>438,000</u>
GROSS DENSITY _____	DENSITY <u>10,000</u> square feet per acre
NET DENSITY _____	

### LETTER OF INTENT

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED.

PLANNING COMMISSION RECOMMENDATION

Monday, November 20, 1995

MAYOR AND COUNCIL PUBLIC HEARING WILL BE HELD ON: 12-11-95

RZ-95-003 B.T. Baltimore Revocable Trust 7-253-022

Rezone 3.0051 acres from HM-1 to BG.

Planning Commission recommended approval to rezone the  
3.0051 acres from HM-1 to BG



RZ-95-003

CITY OF SUGAR HILL

ITEM COUNT FOR FEE CALCULATION

PERMIT : 9501407

TYPE: RZ - REZONING APPLICATION

MASTER PERMIT: NOT FOUND

PROJECT: 95 ON ADDRESS: 120 PEACHTREE INDUSTRIAL BOULEVARD

OWNER NAME: B.T. BALTIMORE REVOCABLE TRUST

CONTRACTOR: B.T. BALTIMORE REVOCABLE TRUST

FEE DUE FROM: B.T. BALTIMORE REVOCABLE TRUST CODE CNT

DESCRIPTION OF ITEMS SELECTED	QUANTITY	AMOUNT
ALL REZONINGS RC#113	1.00	350.00
SUBTOTAL OF ITEM AMOUNTS		350.00

Check - 3445

PAID  
OCT 23 1995

RZ-95-003

# REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUGAR HILL, GEORGIA.

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>B. T. Baltimore Revocable Trust</u>	NAME: <u>B. T. Baltimore Revocable Trust</u>
ADDRESS: <u>P O Box 620005</u>	ADDRESS: <u>P O Box 620005</u>
CITY: <u>Atlanta</u>	CITY: <u>Atlanta</u>
STATE: <u>GA</u> ZIP: <u>30362</u>	STATE: <u>GA</u> ZIP: <u>30362</u>
PHONE: <u>770/448-7133</u>	PHONE: <u>770/448-7133</u>
CONTACT PERSON: <u>B. T. Baltimore</u>	
PHONE: <u>770/448-7133</u>	FAX: <u>770/448-7560</u>

\* Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:

OWNER'S AGENT   
 PROPERTY OWNER   
 CONTRACT PURCHASER

PRESENT ZONING DISTRICT(S): HM-1    REQUESTED ZONING DISTRICT: BG

LAND DISTRICT(S): 7    LAND LOT(S): <sup>253</sup>~~12~~    ACREAGE: 3.0051

ADDRESS OF PROPERTY: 120 Peachtree Ind. Blvd. Parcel ~~11~~ 22

PROPOSED DEVELOPMENT: Lighting Distributor

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDING/LOTS <u>1</u>
DWELLING UNIT SIZE (sq. ft.) _____	TOTAL GROSS SQUARE FEET <u>20,000 approx.</u>
GROSS DENSITY _____	DENSITY <u>1 building of approx. 20,000 sq ft</u>
NET DENSITY _____	<u>on 3.0051 acres</u>

### LETTER OF INTENT

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED.

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Please respond to the following standards in the space provided or use and attachment as necessary:

A. Whether a proposed rezoning (or Special Exception) will permit a use that is suitable in view of the use and development of adjacent and nearby property:

YES - The property adjacent is currently zoned HM-1 and is not developed

B. Whether a proposed rezoning (or Special Exception) will adversely affect the existing use or usability of adjacent or nearby property:

NO - The adjacent tracts have yet to be developed.

C. Whether the property to be affected by a proposed rezoning (or Special Exception) has reasonable economic use as currently zoned:

Property is currently zoned for light manufacturing, however, the size of the lot and location is more suitable for commercial use.

D. Whether the proposed rezoning (or Special Exception) will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

NO

E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning.

With the development of the commercial center at Peachtree Ind & Suwanee Dam Road, it appears this area may be more suitable for commercial application, rather than industrial.

\*\*\*\*\*

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER RZ-95-003

RECEIVED BY Kimberly Sanders DATE RECEIVED 10-23-95

REZONING APPLICANT'S CERTIFICATION

The undersigned below is authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the Mayor and Council.

B. I. Baltimore 10 / 23 / 95  
Signature of Applicant Date

B. I. Baltimore/Owner  
Typed or Print Name and Title

Arita C. Meadows 10 / 23 / 95  
Signature of Notary Public Date NOTARY SEAL  
Notary Public, Gwinnett County, Georgia  
My Commission Expires October 4, 1996

\*\*\*\*\*

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER RZ-95-003  
RECEIVED BY Kimberly B. Sanders DATE RECEIVED 10-23-95

REZONING PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the Mayor and Council.

B. T. Baltimore 10 / 23 / 95  
Signature of Applicant Owner Date

B. T. Baltimore/Owner  
Typed or Print Name and Title

Arita C. Meadows 10 / 23 / 95  
Signature of Notary Public Date

NOTARY SEAL

Notary Public, Gwinnett County, Georgia  
My Commission Expires October 4, 1996

\*\*\*\*\*

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER R2-95-003

RECEIVED BY Kimberly B. Sanders DATE RECEIVED 10-23-95

**CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS**

The undersigned below, making application for rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

B. T. Baltimore 10/23/95 B. T. Baltimore/Owner  
Signature of Applicant Date Type or Print Name and Title

B. T. Baltimore 10/23/95 B. T. Baltimore/Owner  
Signature of Applicant's Date Type or Print Name and Title  
Attorney or Representative

Arita C. Meadows 10/23/95  
Signature of Notary Public Date NOTARY SEAL

Notary Public, Gwinnett County, Georgia  
My Commission Expires October 4, 1998

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Mayor and Council or a member of the City of Sugar Hill Planning and Zoning Board.

NO (yes/no)

If the answer is yes, please completed the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all Which Aggregate to \$250 or More)	DATE CONTRIBUTION WAS made (Within Last Two Years)

Attached additional sheets if necessary to disclose or describe all contributions.

\*\*\*\*\*

**PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY**

CASE NUMBER R2-95-003

RECEIVED BY Kimberly B. Sanders DATE RECEIVED 10-23-95

ADMINISTRATIVE RECOMMENDATION FORM

TO: Planning & Zoning Board Members

FROM: Ken Crowe - Director: Planning & Development

RE: ADMINISTRATIVE RECOMMENDATION FOR RZ-95-003  
A.K.A. - Rezoning for B.T. Baltimore

DATE: November 8, 1995

---

APPROVAL - All requirements of Zoning Ordinance and Development Regulations must be met before permits will be issued. Previous administration believed that Commercial Chart on the Zoning Map was like a ladder and that this was already an allowable use, however this is not the case. This rezoning is required to have a Commercial rather than an Industrial use on this property.

# Colonial Lighting Supply Company

*Distributors - Quality Lighting*

P.O. BOX 620005 • ATLANTA, GEORGIA 30362  
TELEPHONE 404-448-7133



October 23, 1995

Mr. Ken Crowe  
Inspections  
City of Sugar Hill  
4988 W Broad Street  
Sugar Hill GA 30518

Dear Mr. Crowe:

With the approval of the City of Sugar Hill, it is my intent to construct the following building for the purpose of distribution of lighting fixtures to the wholesale building trade:

A building with the approx. dimensions of 120' X 167' with approx. 34 parking spaces on the 3.0051 acres, or 130,902 sf. I am requesting a zoning change from HM to BG on 1 lot.

The building height will be approx. 22 feet. The interior space allotment of the approx. 20,000 sf will consist of approx. 8500 sf of showroom space, approx. 1500 sf of office space and approx. 10,000 sf of warehouse space.

At this time, I anticipate no changes in the buffer.

I respectfully submit the above for your approval, and if you have any further questions, please feel free to contact me.

Sincerely,

B. T. Baltimore

BTB/cm





# CITY OF SUGAR HILL

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4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518  
(404) 945-6716

## ADJOINING PROPERTY OWNER NOTIFICATION

TO: To Whom it May Concern  
FROM: Kimberly B. Landers - Administrative Assistant  
RE: PROPOSED REZONING CASE# RZ-95-003  
DATE: November 7, 1995

You are hereby informed that the attached Notice for Proposed Rezoning is contiguous to your property.

A public hearing will be held at the Sugar Hill City Hall on November 20, 1995 at 7:30 p.m. in the Community Center.

If you should have an interest in this petition, please plan to attend this meeting.

Thank you.

"EXHIBIT A"

Owners of adjacent property are:

Mason I. Lowance, Jr.  
100 Lincoln Ave  
Amherst, MA 01002

413/549-7993



# NORTON & ASSOCIATES

LAND SURVEYING

963-7756

441 HUNTERS GLEN COURT  
LAWRENCEVILLE, GA 30244



## LEGAL DESCRIPTION

All that tract or parcel of land containing 3.0051 acres and lying in Land Lot 253 of the 7th District within the City Limits of Sugar Hill, Gwinnett County, Georgia and being more particularly described as follows:

To find the 'TRUE POINT' of BEGINNING commence at a point on the existing centerline of Peachtree Industrial Boulevard 2104.9' northeasterly along said centerline from its intersection with the centerline of Tench Road (existing centerline of Peachtree Ind. Blvd. is located 68 feet N.W. and parallel to the S.E. 200' R/W of said roadway), thence S31°18'00"E a distance of 72.72' to a point on the S.E. 200' R/W at the POINT of BEGINNING; thence N37°56'59"E a distance of 200.02' along said R/W to a point located 687.6' southwesterly from the intersection with the Land Lot Line common to Land Lots 253 and 254; thence leaving said R/W S31°18'00"E a distance of 699.91' along the S.W. line of Tract 11 to a point located 0.14' N.E. of a 1/2" rebar; thence S37°59'04"W for a distance of 199.97' along the N.W. line of Tract 17 C to an iron pin found (1/2" rebar); thence N31°18'00"W for a distance of 699.78' along the N.E. line of Tract 13 to a point located 0.28' S.E. of a nail found at a bent 1/2" rebar, said point being the aforementioned POINT of BEGINNING.

Above described tract is also known as Tract 12 of MRS. Mason Lowance Property as surveyed by S.R. Fields on 7-13-76 and last revised 3-20-78, this description is based on current survey by Norton & Associates dated October 23, 1995.



## A RESOLUTION OF THE CITY OF SUGAR HILL

### APPROVING THE SUPPLEMENTAL CONTRACT BETWEEN THE CITY OF SUGAR HILL (THE "CITY") AND THE MUNICIPAL GAS AUTHORITY OF GEORGIA AND AUTHORIZING THE EXECUTION AND DELIVERY OF THE SUPPLEMENTAL CONTRACT

---

WHEREAS, the 1987 Session of the General Assembly of Georgia adopted an Act creating the Municipal Gas Authority of Georgia (the "Authority"), providing for its organization and purposes and authorizing it to contract with certain municipalities and other political subdivisions for the provision of an adequate and dependable wholesale supply of gas to meet the needs of the gas distribution systems of such political subdivisions, said Act being codified as Article 4, Chapter 4 of Title 46 of the Official Code of Georgia Annotated (O.C.G.A. Section 46-4-80 through 46-4-125), as amended (the "Act"); and

WHEREAS, the City has heretofore entered into a Gas Supply Contract with the Authority providing for the Authority's obligation to furnish the City with certain gas supplies and for the City's obligation to pay for such supplies; and

WHEREAS, Section 703 of the Gas Supply Contract provides that the Member and the Gas Authority are authorized to enter into one or more Supplemental Contracts with one or more Members for the acquisition, purchase, construction or improvement of a Project or Projects (defined in the Gas Supply Contract), as the case may be, and that the Gas Authority may issue debt to finance the costs of such Projects, provided only that no Member (defined in the Gas Supply Contract) shall be responsible for any portion of such Project Debt (defined in the Gas Supply Contract) with respect to a Project or Projects unless the Member shall have expressly undertaken an obligation with respect to such Project Debt in a Supplemental Contract with the Authority with respect to such Project Debt; and

WHEREAS, after diligent study and review, the Gas Authority has determined that it is in the best interest of its Members to provide for the issuance of its Gas Revenue Bonds (Gas Portfolio II Project) (the "Gas Portfolio II Project") in series as may be determined by the Gas Authority, up to an amount of \$350,000,000 (the "Bonds"), pursuant to the terms of a Gas Portfolio II Project Gas Revenue Bond Resolution to be adopted by the Gas Authority for the benefit of the owners of the Bonds (the "Bond Resolution"), which provides for the issuance of the Bonds over a period of sixty (60) months from the effective date of such Supplemental Contract; and

WHEREAS, the Authority has determined to issue the Bonds as described above to provide funds to be applied to the acquisition of certain gas supplies for the benefit of the Members of the Gas Authority who determine to participate in such Project; and

WHEREAS, it is necessary under the terms of the Act for the City to determine and find that it is in its best interest to contract with the Authority for certain services and for gas supplies; and

WHEREAS, after diligent study and review, the City has determined that it is in the best interest of its citizens to enter into a certain Supplemental Contract with respect to the Gas Portfolio II Project, dated as of January 1, 1996 (the "Supplemental Contract"), as permitted by Section 703 of the Gas Supply Contract, and it is therefore necessary for the City to authorize the execution, delivery and performance of the Supplemental Contract; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City in meeting duly assembled, and IT IS HEREBY RESOLVED by authority thereof:

**Section 1.** The City hereby finds and determines that it is in its best interest to contract with the Authority pursuant to O.C.G.A. Sections 46-4-99 and 46-4-100, and pursuant to the Constitution of the State of Georgia, Article IX, Section III, Paragraph I, and the City hereby declares, in accordance with the Act, its intention to so contract with the Authority for the purchase of its gas supply.

**Section 2.** The City hereby approves and authorizes the execution and delivery of the Supplemental Contract in substantially the form of the draft of the Supplemental Contract attached to this Resolution as Exhibit "A" and hereby incorporated herein by reference, with such minor changes and omissions as may be approved by such chief elected officer. The execution of the Supplemental Contract by such chief elected officer shall be conclusive evidence of such approval. The chief elected officer of the City is hereby authorized to execute the Supplemental Contract, and the Clerk is hereby authorized and directed to impress the City's seal thereon, and to deliver the Supplemental Contract to the Authority. When so executed and delivered, the Supplemental Contract shall be binding upon the City in accordance with its terms. In the adoption of this Resolution, the City hereby recognizes that this action will be relied upon by the other Members, and that the City is also relying upon the adoption of such Resolutions by the other Members.

**Section 4.** All resolutions or parts of resolutions in conflict herewith are hereby repealed.

RESOLVED this \_\_\_\_\_ day of \_\_\_\_\_, 199\_\_.

CITY OF SUGAR HILL

By: \_\_\_\_\_  
Mayor

[SEAL]

Attest:

\_\_\_\_\_  
City Clerk

RESOLUTION 95-10

**A RESOLUTION ENDORSING THE PROPOSED  
GWINNETT COUNTY SPECIAL PURPOSE ONE-PER  
CENT LOCAL OPTION SALES TAX.**

**WHEREAS**, the Mayor/City Council believes that the passage of the one-per cent special purpose Local Option Sales Tax would benefit the citizens of Sugar Hill; and

**WHEREAS**, the city would greatly benefit by road and sidewalk improvements from the passage of this tax.

**NOW, THEREFORE BE IT RESOLVED** that the City of Sugar Hill endorses the passage of the Gwinnett County special purpose One- Per Cent Local Option Sales Tax.

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

Received by the Mayor \_\_\_\_\_

Approved by the Mayor:  
\_\_\_\_\_

Returned by the Mayor \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk



*Mayor David  
Barker  
3/11/95  
4-1*



SUGAR HILL GENERAL AND SPECIAL ELECTION  
NOVEMBER 7, 1995  
POLL WORKERS

As Election Superintendent, I, James B. McCalla, recommend the following Poll Workers to serve during the November 7, 1995 General and Special Election:

POLL MANAGER: RUTH SWITZER

ASSISTANT POLL MANAGERS: MARION SCHOECK  
EDWARD M SCHOECK

POLL WORKERS AND\OR CLERKS: MARY ANN DIXON  
STELLA JANUARY  
JOAN B. HAWTHORNE  
EDWARD DECHAU, JR.  
AZALEAN DECHAU

ABSENTEE BALLOT CLERK: SHIRLEY GIBBS

Following is compensation for Poll Workers:

Manager	\$95.00
Assistant Managers	\$80.00
Clerks	\$75.00

AGENDA  
CITY OF SUGAR HILL COUNCIL MEETING  
MONDAY, NOVEMBER 13, 1995 7:30 P.M.

CALL TO ORDER, PLEDGE TO FLAG, AND INVOCATION:

APPROVAL OF AGENDA:

APPROVAL OF MINUTES OF OCTOBER MINUTES:

COMMITTEE REPORTS:

- |   |                 |         |
|---|-----------------|---------|
| A) PLANNING & ZONING, ZONING APPEALS BOARD: | <i>see tape</i> | DODD    |
| B) RECREATION BOARD:                        | <i>see tape</i> | DAVIS   |
| C) BUDGET AND FINANCE:                      |                 | GARBUTT |
| D) SOLID WASTE:                             | <i>see tape</i> | STANLEY |
| E) ECONOMIC DEVELOPMENT:                    |                 |         |
| F) GOLF AND SOLID WASTE:                    |                 | BAILEY  |

CITIZEN'S AND GUEST'S COMMENTS:

OLD BUSINESS:

- |  |                                |           |
|--|--------------------------------|-----------|
| A) REPORT ON RECYCLING:                    | <i>Waste Management R.F.S.</i> | DAVIS     |
| B) REPORT ON ELECTION:                     |                                | MCCALLA > |
| C) UPDATE ON CLUB HOUSE:                   |                                | NEVAD     |
| D) UPDATE ON CONSENT ORDER:                |                                | NEVAD     |
| E) UPDATE ON SOLID WASTE MANAGEMENT PLAN:  |                                | NEVAD     |
| F) UPDATE ON WATER AND SEWER SALE:         |                                | NEVAD     |
| G) APPOINTMENTS TO BOARDS:                 | <i>→ January Meeting</i>       | WEBSTER   |
| H) UPDATE ON MID-AMERICAN:                 |                                | STANLEY   |
| I) UPDATE ON SOCCER FIELDS:                |                                | DAVIS     |
| J) ZONING ORDINANCE AMENDMENT ON DAY CARE: |                                | CROWE     |
| K) COMMERCIAL SIGN ORDINANCE AMENDMENT:    |                                | CROWE     |

NEW BUSINESS:

- |   |  |               |
|---|--|---------------|
| A) OCTOBER EMPLOYEE OF THE MONTH:           |  | NEVAD         |
| B) BUDGET WORK SESSION:                     |  | GARBUTT       |
| C) REPORT ON OCCUPATIONAL TAX:              |  | GARBUTT -     |
| D) REZONING RZ-95-001 BROGDON ROAD:         |  | CROWE         |
| E) DESIGNATION OF LEGAL ORGAN:              |  | GARBUTT/CROWE |
| F) EXECUTIVE SESSION PROCEDURES:            |  | DODD          |
| G) PAVEMENT AGREEMENT WITH GWINNETT COUNTY: |  | NEVAD         |

CITY CLERK'S REPORT:

GARBUTT

CITY MANAGER'S REPORT:

NEVAD

COUNCIL REPORTS:

CITIZEN'S AND GUEST'S COMMENTS:

ADJOURNMENT:

**PLANNING AND ZONING BOARD MEETING  
MONDAY, OCTOBER 16, 1995 - 7:30 P.M.**

The Planning and Zoning Board held a meeting on Monday, October 16, 1995 at 7:30 P.M. in the Community Center.

Chairman Jay Asgari called the meeting to order and led in the Pledge to the Flag.

Those present were Board Chairman Jay Asgari, Board Members Granville Betts, Bob Parris and Rose Payne, Development Director Ken Crowe, Council Members W.J. Dodd, and Jim Stanley, City Clerk/Finance Director Betty B. Garbutt, Inspector Joe Appling, guests Mayor Richard Trice and Council Member Chris Yoder from Suwanee, Wayne Eleton, Chuck Lloyd, and David Jenkins.

Board Member Rose Payne made a motion to approve the minutes of the September meeting, seconded by Board Member Bob Parris and passed unanimously. (4-0)

Chairman Asgari stated that Mr. Tim Pugh has resigned from the Board due to being a Candidate for a Council seat.

Chairman Asgari presented the RZ 59 001 application for rezoning of a 16.71 acre tract on Brogdon Road from HM 1 to HM 2 for the construction of an asphalt plant.

Mr. Wayne Eleton explained the work they are planning for the property. He stated that they would only use half of the tract of 16.71 acres and plan to sell the other half later on. He explained that they plan to place a buffer around the property and the railroad will also serve as a buffer. Chuck Lloyd gave his background with asphalt plants and addressed the concern of odor from the plant, explaining why there is sometimes an odor from some asphalt plants.

Mr. David Jenkins stated that they would accept a rezoning of half of the tract from HM1 to HM2. Board Member Rose Payne questioned them on the use of the additional land. She stated that she visited a similar plant today, and everything they are stating was verified by what she was told while visiting the asphalt plant. They are buying the whole tract because the seller did not want to split the property. This was discussed with pros and cons of the construction of the plant, mainly the concern was the proximity to the subdivision, Ruby Forest.

Mayor Richard Trice and Council Member Yoder expressed concern over the location of the plant. They were concerned that it might detract from the Ruby Forest Subdivision. This was discussed and determined if a buffer was built and the site of the plant moved to the West end of the tract the facility would not be seen from the entrance of Ruby Forest. They also were concerned over the amount of traffic which would be routed through Suwanee. Mr. Jenkins, Eaton and Lloyd talked about the traffic and that most of the concerns would be covered under the rules from EPD of the State. This was discussed among those present.

Council Member Stanley gave the background of the zoning of the property as industrial. He also gave the practical side of having this type of industry. He also stated that this industry would be a high gas user, even in the Summer months when we had low gas usage from our utility customers. He feels this will be of great benefit to the City.

Director Crowe discussed with the asphalt representatives the time line on the contract for the purchase of the land. The placement of the plant was discussed and it was decided that the site would be moved to the West end of the property and they would see that buffers are on each side of the property.

After considerable discussion on each point brought out, Board Member Rose Payne made a motion to rezone eight (8) acres on the West side of the property to HM2 provided the other half would remain HM1 and all the contingencies discussed and appropriate buffers would be included. Board Member Bob Parris seconded the motion which passed unanimously. (4-0)

#### **COMMERCIAL SIGNS:**

Director Crowe gave the recommendation from the Staff and stated that all advertising has been done. It was now before the Board and open for the Board to make their recommendation. After discussion, Board Member Granville Betts recommended that it be sent to Council for approval. Board Member Bob Parris seconded the motion which passed unanimously. (4-0) (see attached Ordinance)

#### **DAY CARE CENTERS:**

Director Crowe gave the background of the requirements on space in playyards of Day Care Centers. He reported that Staff recommends that we change from 200 square feet per child to 100 square feet per child for playyards at child care centers. Mrs. Rose Payne reported visiting a child care facility earlier in the day and was very pleased with what she saw. This was discussed and Board Member Bob Parris made a motion to approve the recommendation made by Staff. Chairman Asgari seconded the motion which passed unanimously. (4-0) (see attached Ordinance)

Council Member Dodd expressed appreciation to Board Member Payne for her research into the matters which came before the Board tonight.

Council Member Stanley asked the P&Z Board to read an article he was going to copy to them on Storm Water, especially in light of the damage done during the construction going on at the Sugar Hill Methodist Church.

Balancing commercial with residential annexing was discussed among the board members and Council Members Dodd and Stanley.

The meeting adjourned at 9:00 P.M.

***Council Report for the Golf Course & Waste Water Treatment Facility  
For the Month of October, 1995  
By Steven C. Bailey, Council Member***

**Waste Treatment Facility**

The plant itself continues to operate well. Staff has indicated repairs had to be made on lift-stations at Pinecrest Drive and Princeton Oaks. The remainder of the stations received their general maintenance only. Total available capacity at both plants combined were 540,706 GPD, however there remains 157 lots approved but not yet tapped.

**Golf Course**

October saw a good recovery from September with total rounds being up 7.68% and revenues were up 5.34% for the same period in 1994. The year to date activity shows that revenues overall are 6.74% higher than the first ten months of 1994, and rounds are up 5.09% for the same period. Resident play has increased 6.06% over last year however represent only about 12% of total rounds played.

*End of Report 11/13/95*

Sugar Hill Golf Club  
1995 to 1994 Comparisons

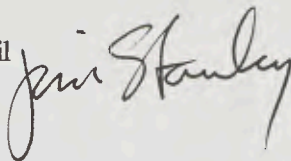
11/13/95

1994 Actuals			1995 Y. T. D.			Rounds	1994		1995		Revenue		
Month	Total Res Rds	Total Non-Res	Total Rounds	Month	Total Res Rds	Total Non-Res	Total Rounds	Percent Change	Month	Total Revenue	Month	Total Revenue	Percent Change
Jan	68	481	549	Jan	137	602	739	34.61%	Jan	18,871.18	Jan	24,394.54	29.27%
Feb	176	888	1064	Feb	111	646	757	-28.85%	Feb	35,163.29	Feb	27,312.83	-22.33%
Mar	206	1825	2031	Mar	231	1589	1820	-10.39%	Mar	71,574.99	Mar	66,042.68	-7.73%
Apr	275	2165	2440	Apr	478	2249	2727	11.76%	Apr	85,849.87	Apr	101,256.59	17.95%
May	297	2280	2577	May	261	2340	2601	0.93%	May	91,961.62	May	93,556.83	1.73%
Jun	223	2031	2254	Jun	307	2409	2716	20.50%	Jun	81,346.69	Jun	102,600.66	26.13%
Jul	294	2245	2539	Jul	331	2961	3292	29.66%	Jul	93,324.10	Jul	120,628.58	29.26%
Aug	258	2060	2318	Aug	300	2105	2405	3.75%	Aug	81,286.15	Aug	87,057.89	7.10%
Sep	308	1815	2123	Sep	158	1568	1726	-18.70%	Sep	78,548.04	Sep	63,384.89	-19.30%
Oct	205	1423	1628	Oct	136	1617	1753	7.68%	Oct	59,546.24	Oct	62,726.75	5.34%
Nov	214	1408	1622	Nov					Nov		Nov		
Dec	243	1164	1407	Dec					Dec		Dec		
<b>Totals:</b>	<b>2767</b>	<b>19785</b>	<b>22552</b>		<b>2450</b>	<b>18086</b>	<b>20536</b>	<b>5.09%</b>		<b>697,472.17</b>		<b>748,962.24</b>	<b>6.74%</b>

Ratio of Resident play 1995 compared to 1994: 6.06% increase

Ratio of Non-Resident play 1995 compared to 1994: 5.07% increase

MEMO TO: Mayor and City Council  
FROM: Jim Stanley  
SUBJECT: Solid Waste Disposal  
DATE: 11/13/95



Several recent events related to Solid Waste Disposal require consideration and action by the Sugar Hill City Council. In general, Mid American Waste Systems (MAWS) is refusing to comply with certain provisions of our contract with them. Specifically, please consider all of the following:

1. By letter dated October 4, 1995 MAWS notified the City of its intent to discontinue, as of October 18, 1995, the disposal of solid waste delivered to the landfill by the City. At our October council meeting, we discussed this matter and directed the City Attorney to advise MAWS that discontinuation of that service was not acceptable to the City, and that we would insist that MAWS continue providing the services agreed to in the lease agreements. Paragraph 12 of the lease agreement reads as follows, "Lessee shall allow lessor free disposal at the landfill, including but not limited to Clean and Beautiful Week and the Sugar Maple Festival.
2. On October 17, Mayor Webster, Warren Nevad, Betty Garbutt, Lee Thompson and I met with representatives of MAWS, and pointed out to them that the specific language of the lease agreement required MAWS to provide rubbish disposal service, as a part of the compensation to the City for leasing the 44 acre landfill site. We also pointed out to them that our franchise agreement requires that Gwinnett Sanitation (a MAWS company) pick up and dispose of rubbish placed at curbside by our residents. Gwinnett Sanitation has not been doing so. Instead, our prison crews have collected that material and delivered it to the landfill transfer station. (I do not know how we ever got in the business of doing the collection work for Gwinnett Sanitation). At the October 17 meeting MAWS agreed to delay closure of the transfer station until after our November council meeting, and agreed to scheduled a second negotiating session for October 30. At the October 30 meeting MAWS introduced its new general manager for landfill operations, Mr. Jay Powell, who promptly advised the group that transfer station operations would end as of 5 o'clock PM that day. Mr. Nevad has estimated that it would cost the City approximately \$140,000.00 per year to replace the transfer station service.
3. The City has mailed notices to all garbage customers that it will now be necessary to properly cut, bundle, and bag refuse for pickup by Gwinnett Sanitation. Prison crews are no longer able to pickup limbs and trash because we do not have a disposal location. Prisoners can be made available to assist residents in cutting and packaging materials for pickup.
4. MAWS has also indicated to Mr. Nevad that they will not honor the franchise agreement requirements to pick up and dispose of furniture and appliances

without additional charge to the City. Paragraph 5.A.(f) of the franchise agreement reads as follows: "(f) Inoperative, privately used or worn out household appliances (including refrigerators, stoves, washing machines, dryers, discarded furniture) will not be collected at the curb by the Franchisee for the regular fee, except, upon reasonable notice to Franchisee; hot water heaters, mattresses and box springs shall be picked up at the curb." The key phrase in that paragraph is "...except, upon reasonable notice...". The City has advised residents to provide at least a one week notice.

5. Recent efforts by Betty Garbutt to account for continuing losses in our Sanitation Services have revealed that MAWS (Gwinnett Sanitation) has not been advising the City when changes occur in their commercial pickups. Gwinnett Sanitation has in many cases, provided larger dumpsters and/or more frequent garbage pickups, as requested by customers, and has billed the City for the services, but has done so without notifying the City so that our billings to customers could be properly adjusted. As a direct result, the City has been under-billing customers and losing an estimated \$30,000.00 to \$40,000.00 per year. The franchise agreement, Paragraph 12.B. requires only that the City pay for commercial customers "...the full amount of the customer's fee received by the City..." Paragraph 13.C. of the agreement provides that, " the City shall be responsible for no loss due to non payment by customers, except single-family residential customers." Paragraph 13.E requires that, Franchisee shall provide all necessary billing information to the City on or before the twenty-fifth day of each month."

It is clear to me that MAWS and Gwinnett Sanitation have violated several provisions of their agreements with the City. It is equally clear to me that they should be held accountable, and that the Citizens of Sugar Hill should not bear the costs related to their actions, their failure to perform under the contracts, or their failure to provide required billing information. It is my recommendation that the City attorney be instructed to file suit against MAWS and Gwinnett Sanitation to force compliance with all contract provisions, and/or that we sue for breach of contract and terminate all contractual relations with them. As a first step I recommend that the City withhold payments otherwise due to Gwinnett Sanitation until we have recovered the commercial sanitation fees paid but not collected. In this regard I suggest that you receive with real skepticism any claims by the Franchisee that detailed billing information was not provided to the City because it was too confusing, or because the City told them not to send it.

I do not believe that there will be a landfill constructed in Sugar Hill. That does not mean, however, that our struggle with MAWS is over. The City must still insure that the old landfill is properly capped and closed, that post-closure monitoring is properly performed, and that the Citizens of Sugar Hill are held harmless in the process.



PLANNING AND ZONING BOARD OF APPEALS  
MONDAY, OCTOBER 23, 1995  
7:30 P.M.

M I N U T E S

Attendance

Present: Board Members Ed Phillips, Dorland Baird, and Rick January, Mike Fogarty, and Clyde Story. Director of Planning & Development - Ken Crowe

Absent: Liaison W.J. Dodd,

Mr. Phillips called the meeting to order at 7:30 p.m.  
Mr. Phillips leads in the pledge to the flag.

Reading and Approval of Previous Minutes

Mr. Phillips made a motion to approve the May 22, 1995 minutes. Second to the motion Mr. January. Vote unanimous.

Variance Request

Variance Request # 95-1303 MAP # 7-337-126 PRINCETON OAKS - 130A

Denney Construction, Inc. is requesting a 12' front yard variance.

Mr. January made a motion to table the 12' front yard variance request for Lot 130A, Princeton Oaks Subdivision. Mr. January has requested Denney Construction to provide all board members with a copy of their written procedures stipulating that future measures will be taken in order to prevent the need for these types of variance request. Second to the motion Mr. Story. Vote unanimous.

Board Members Comments

Mr. Phillips made a comment about the possibilities of upgrading the Inspections Department requirements and regulations requiring better verifications on Builders constructing new homes within the city limits.

Citizens Comments

Mr. Hawthorne stated that he has applied for an appeal to be heard before the Board next month and would like to invite the board members over to take a look at the situation. Mr. Hawthorne also stated his concerns about waiting until the scheduled November meeting and the possibilities of future problems occurring.

Mr. Phillips has called a Meeting for Thursday, November 2, 1995 at 7:30 p.m. in order to discuss the above stated appeal.

Adjournment

Meeting adjourned 8:10 p.m.



# CITY OF SUGAR HILL

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4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518  
(404) 945-6716

## M E M O R A N D U M

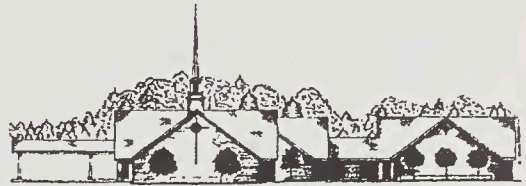
TO: Appeals Board Members  
FROM: Kimberly B. Landers *KBL*  
RE: CALLED MEETING FOR NOVEMBER 2, 1995  
DATE: October 31, 1995

Please be advised that the November 2, 1995 Called Meeting has been cancelled. The applicant has withdrawn their appeal (see attached).

The Regular scheduled Meeting will be on November 27, 1995 at 7:30 p.m. in the Community Center. All boardmembers are expected to attend.

Thank you.

*Sugar Hill*  
*United Methodist Church*



*"Then will I purify the lips of the peoples, that all of them may call on the name of the LORD and serve him shoulder to shoulder."*

Zephaniah 3:9 (NIV)

October 26, 1995

To our neighbors of Frontier Forest:

Thank you for meeting with our church officials on October 25, 1995 at the Sugar Hill Community Center as we work to resolve several issues related to our Phase II construction project. I'm sure you join with me in acknowledging Councilman Charles Spradlin's professional attitude in mediating the meeting.

I'd like to take this opportunity to outline the following agreements:

Since all parties prefer a pond that does not "hold water permanently", and since the approved site development plan includes a pond that does not "hold water permanently", Sugar Hill U.M.C. will:

- ◆ Continue with the site development, giving priority for completing the pond area as soon as possible, followed by parking and grassing.
- ◆ Raise the height of the dam of the pond to help minimize overflows.
- ◆ Reposition the two exterior lights shining towards the subdivision as soon as curb development permits.
- ◆ Have engineers resurvey the buffer zone and then reestablish the 50 foot buffer zone where it may have been inadvertently disturbed during grading by planting trees as a screen between the church property and the residential areas.
- ◆ Within the 50' buffer zone and more specifically in the area of the dam of the pond where it may not be permitted to plant trees, a plank fence will be erected. (This is primarily behind the houses owned by the Barr and Hawthorne families.)
- ◆ The additional requests were not related to the pond/buffer issue and are not noted here but were recorded in the minutes of the meeting.

Page 2

October 26, 1995

The target date for these items to be addressed by the church is December 31, 1995. Final completion of the tree planting and fence erection may be adjusted due to inclement weather and construction progress.

The above is contingent upon:

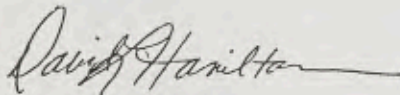
- ◆ All parties terminating their pursuit of and withdrawing their October 17, 1995 request for a hearing by the City of Sugar Hill Planning and Zoning Board of Appeals regarding the placement of a detention pond, the protection of the 50 foot buffer zone, and the stop work order. This shall be done in writing to the Board of Appeals, copies provided to the church and to Councilman Spradlin, prior to the appeals board's called meeting on November 2, 1995.

Perhaps the individual(s) who coordinated the appeals request would also coordinate the appeal withdrawal request.

To best communicate information related to these items and future issues, we ask that all correspondence be directed to Judi Jackson at the church office, as well as a copy mailed to my attention as Chairperson of the Administrative Board.

Again, thanks for your cooperation towards a win-win resolution of these issues. Our congregation is very excited about our expansion and the many opportunities of ministry it will bring. We sincerely extend our apologies for the inconvenience you may have experienced. Our intentions are to continue to comply with all regulatory agencies, keep the construction project on tract, and at the same time be a "good neighbor". Not an easy task, but one we feel can be accomplished with communication and cooperation.

Sincerely,



David L. Hamilton  
Chairperson, Administrative Board  
Sugar Hill United Methodist Church

cc: Councilman Charles Spradlin  
City of Sugar Hill Planning and Zoning Board of Appeals  
Ken Crowe, City of Sugar Hill

October 27, 1995

We, the undersigned, hereby withdraw our appeal for a hearing by the Sugar Hill Planning and Zoning Board of Appeals, dated October 17, 1995, regarding the placement of a detention pond, the protection of the 50-foot buffer zone, and the stop-work order.

We are withdrawing our appeal because of the agreement reached on October 25, 1995, with the Sugar Hill United Methodist Church. This agreement is detailed in an October 26, 1995, letter from David Hamilton, Chairperson of the Administrative Board of the Sugar Hill United Methodist Church.

Jean B. Hawthorne	4571	S. Roberts Drive	Sugar Hill
David B. Hawthorne	4571	S. Robert Drive	Sugar Hill
Conni Doster	4581	S. Roberts Drive	Sugar Hill
Conni Doster	4581	S Roberts Drive	Sugar Hill
Jay D. Math	4601	S ROBERTS DR	SUGAR HILL
Jess Math	4601	S ROBERT DR	SUGAR HILL
Janette K. Bau	4551	S. Roberts Dr	Sugar Hill
Dawn Bau	4551	S. ROBERTS DR	SUGAR HILL
Jim Comer	4541	S ROBERTS DR.	SUGAR HILL
Heidi Comer	4541	S. Roberts Dr.	Sugar Hill
Carol Mundy	4511	S. Robert Dr.	Sugar Hill
Rumette Clum	4531	S. Roberts Dr.	Sugar Hill

CHECK REQUEST

DATE: 10-31-95 AMOUNT: \$ 150<sup>00</sup>

PAYABLE TO: Dave Hawthorne

NAME 4571 South Roberts Drive

ADDRESS Sugar Hill, GA 30518

REASON FOR REQUEST: \_\_\_\_\_

Withdrawn Appeal

CHARGE TO: RC # 175

FORWARDED BY: Kim Sanders APPROVED BY: \_\_\_\_\_

1995  
BOARD OF APPEALS MEMBERS  
OF THE CITY OF SUGAR HILL, GEORGIA

Board Member Mike Fogarty.....Term Expires 12-31-96  
P.O. Box 936.....Home # 271-8111  
Buford, GA 30518.....Work # 932-1300

Board Member Rick January.....Term Expires 12-31-96  
1282 Frontier Drive.....Home # 271-1730  
Sugar Hill, GA 30518.....Work # 416-1123

Board Doland Baird .....Term Expires 12-31-97  
1251 Frontier Drive.....Home # 945-7681  
Sugar Hill, GA 30518.....Work # Same

Board Member Ed Phillips.....Term Expires 12-31-97  
5162 Creek Lane.....Home # 932-2739  
Sugar Hill, GA 30518.....Pager # 703-0418  
Voice Mail # 771-2031

Replaced Kevin Pugh as of... 6-12-95

Board Member Clyde L. Story.....Term Expires 12-31-96  
4701 Deep Creek Drive.....Home # 932-2995  
Sugar Hill, Ga. 30518.....Work # 798-3833

Liaison to Mayor & City Council:

Council Member W.J. Dodd.....Home # 945-4933  
4898 Roosevelt Circle.....Work # 945-3633  
Sugar Hill, GA 30518.....Mobile # 683-4593

***Council Report for the Golf Course & Waste Water Treatment Facility  
For the Month of November, 1995  
By Steven C. Bailey, Council Member***

**Waste Treatment Facility**

The plant and its associated infrastructure is continuing to operate well. The transition activity for the pending sale is well underway with our staff cooperating with the County in ascertaining assets and operational data. Staff has repaired a damaged force main located near the Border Street lift station, performing lift station pumping and monitoring throughout the Thanksgiving Holiday weekend until the final repairs could be made the following Monday. We are most fortunate to have such dedicated employees.

**Golf Course**

November, with its extremely high number of rainy days proved to also rain on its revenue and activity forecasts. Total rounds were down 17.39% and revenues were down also roughly 18% for the same period in 1994. The year to date activity shows that revenues, overall are still up, being now 4.49% higher than the first eleven months of 1994. Resident play, year to date, has increased 2.77% over last year and represent about 12% of total rounds played. The Staff and this Councilmember are anxiously awaiting the opening and use of the much needed new Clubhouse, with anticipated use commencing in January.

*End of Report 12/11/95*



FINANCE DIRECTOR'S REPORT  
NOVEMBER MEETING-1995

I am busy working on the 1996 Budget. Most of the figures are in the document, but we need to schedule a Budget Work Session the week after the election, so the Budget can be finalized to present at the December Meeting for approval.

We received the Premium Tax which was in the amount of \$150,44.63. This was a pleasant surprise, since we had budgeted only \$138,000. I have made an adjustment in the Revenues for 1996 to budget \$152,000 in Premium Tax. I also made an adjustment to budget \$52,000 in Occupational Taxes for 1996. We have to adopt a new Ordinance by January 1, 1995. Everything will remain the same with the exception of adding a minimum license fee of \$15.00 where there has been no minimum previously. You will receive a copy of the Ordinance as soon as Georgia Northrup from Thompson and Sweeney has it ready. This needs to be reviewed for adoption at the December 1995 Council Meeting.

We have paid the November 1995 GMA Lease Pool Payment of \$59,602.44. We had this money in escrow and will begin this week making the payments to the escrow Sinking Fund of \$648.00 per week to have the November 1996 Payment of \$33,670 available when due.

We still are managing to keep the \$500,000 we have saved and I do not think we will have to go into this since the taxes are beginning to be paid, and also the gas revenue will be going up. We want to use this to add to the balance after the Bonds are paid off with the money from the sale of the Water and Sewer Systems to try to clear up the GEFA Loan and only have the SRF Loan at 4% to move to the Golf Department.

Warren and I met with the financial advisors from Gwinnett County and gave them the requested information they will need to finalize the payment from Gwinnett County on the sale of the Water and Sewer System. Looks like this will be done by the end of the year. They were making sure that the money is available for the January 1, 1996 payments. This is all handled by South Trust in the bond accounts.

September 11, 1995  
5555 Austin Garner Rd  
Sugar Hill, Ga. 30518

Mayor Gary Webster  
City of Sugar Hill  
4988 W. Broad St.  
Sugar Hill, Ga. 30518

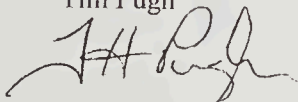
Re: Planning and Zoning Board

I wish to advise you that it is necessary for me to resign my position with the planning and zoning board. I am running for the City Council and am not permitted to hold a position on this board since I am campaigning for the Council seat.

Thank you for the privilege for serving on this board.

Sincerely,

Tim Pugh

A handwritten signature in cursive script, appearing to read "T. Pugh", written in dark ink.



# CITY OF SUGAR HILL

---

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518  
(404) 945-6716

## MEMORANDUM 95-079

TO: Mayor/City Council  
FR: Warren P. Nevad *WPN*  
RE: Agenda Item: Soccer Field Agreement  
DATE: November 6, 1995

Attached is copy of proposed agreement with the West Gwinnett Soccer Club. We will request approval to authorize the Mayor to sign this agreement.

West Gwinnett consists of more than 1300 players ranging in age from four to eighteen years old, plus parents, coaches, referees and volunteers. Approximately 30% of the members reside in Sugar Hill.

This agreement authorizes West Gwinnett to schedule two 12 week seasons per year in exchange future field improvements and maintenance of soccer related equipment.

WPN:bms

attachment

*David  
H. Dole & Bailey  
5-1*

**AGREEMENT BETWEEN THE CITY OF SUGAR HILL AND WGSC**

1. Due to rapid growth the West Gwinnett Soccer Club (WGSC) needs additional field space for matches to continue to serve the citizens of northern and western Gwinnett County.
2. WGSC is a non-profit corporation that operates a youth soccer program affiliated with the Georgia State Soccer Association (GSSA)
3. WGSC is bound by the rules and regulations of membership in the GSSA and as an Athletic Association under the Gwinnett County Parks and Recreation and is subject to the specific conditions detailed in the Exhibit A agreement with the County. WGSC is also bound by its bylaws of the corporation.
4. The City of Sugar Hill (the City) owns and operates the E. E. Robinson City Park that includes a an athletic field of suitable dimensions for use as a soccer field and has funds available to improve the playing field.
5. The City desires to have its facilities utilized by a soccer club open to participation by children living in and around the City.

**The City and WGSC agree as follows:**

- A. WGSC will be permitted to schedule soccer matches and to reserve the use of the field during the spring and fall soccer seasons as determined by the GSSA on Saturdays and Sundays. These seasons will generally consist of 10 to 12 continuous weeks, in the fall beginning in September and in the spring beginning in March. Prior to the start of each season, WGSC will provide a Field Use Schedule to the City identifying the scheduled game times.
- B. The City will use the available funding to upgrade the soccer field to make it suitable for league play. WGSC and the City will coordinate their efforts to enhance the field condition.
- C. WGSC will schedule league games, provide referees and coaches, install corner flags, maintain field markings during the season, maintain the goals and nets to keep the field suitable for league play. WGSC will twice each year schedule a "Field Day" to provide volunteers to work to enhance the facility.
- D. The City will maintain the facilities including mowing of the grass. During the seasons, the City will coordinate its mowing and irrigation with the WGSC Director of Fields.
- E. Between seasons the City and WGSC will work together to improve the field including sodding of damaged areas on the field.
- F. This agreement is effective for a one year period from the date signed and will automatically renew unless the City or WGSC notifies the other in writing of an intent not to renew.

Agreed this 5th day of October, 1995

Agreed this \_\_\_\_\_ day of \_\_\_\_\_ 1995

by

*[Signature]*  
Bob Bernstein  
President-elect  
WGSC Board of Directors

by

\_\_\_\_\_  
The City of Sugar Hill

*Mr. Fowler  
5-0*

PUBLIC NOTICE

NOTICE OF PROPOSED ZONING ORDINANCE AMENDMENT

The Planning Commission of the City of Sugar Hill will conduct a Public Hearing to consider an amendment to the Zoning Ordinance of the City of Sugar Hill, regarding Nursery Schools, Day Care Facilities, and Kindergartens, minimum required play area per child. Said amendments would meet the standards of the Georgia Department of Human Resources. Said amendment would require;

- 1 - At least one hundred (100) square feet of play area shall be available for each child occupying the outside play area at any one time;
- 2 - Groups of children may be rotated if necessary so that one hundred (100) square feet per child is provided at all times.

The Public Hearing will be held at the Sugar Hill City Hall on Monday, October 16, 1995 at 7:30 p.m. All those having an interest in the petition should be present.

Administrative Assistant  
City of Sugar Hill

DAY CARE

To consider an amendment to the Zoning Ordinance of the City of Sugar Hill regarding Day Care Centers/Nursery Schools and minimum required play area per child. Said amendments would meet the standards of the Georgia Department of Human Resources. Said amendment would require;

- 1 - At least one hundred (100) square feet of play area shall be available for each child occupying the outside play area at any one time;
- 2 - Groups of children may be rotated if necessary so that one hundred (100) square feet per child is provided at all times.

Section 1102 (10)  
1103 (11)

ZONING ORDINANCE AMENDMENT

The Council of the City of Sugar Hill ordains that Section 1102, Paragraph (10) and Section 1103, Paragraph (11) of the Zoning Ordinance of the City of Sugar Hill, Georgia are deleted in their entirety and the following inserted in their place:

Section 1102. Medium Density Single-Family Residential District (RS-100)

- (10). Nursery schools, day care facilities, and kindergartens, provided that at least one hundred (100) square feet of play area shall be available for each child occupying the outside play area at any one time. Groups of children may be rotated if necessary so that one hundred (100) square feet per child is provided at all times. Play area shall be surrounded by a permanent solid wall or woven wire fence having a height of at least four (4) feet.

Section 1103. Multifamily Residential District (RG-80)

- (11) Nursery schools, day care facilities, and kindergartens, provided that at least one hundred (100) square feet of play area shall be available for each child occupying the outside play area at any one time. Groups of children may be rotated if necessary so that one hundred (100) square feet per child is provided at all times. Play area shall be surrounded by a permanent solid wall or woven wire fence having a height of at least four (4) feet.

Except as amended herein, all other provision of said Ordinance shall remain in full force and effect.

IT IS SO ORDAINED this \_\_\_\_ day of \_\_\_\_\_ 1995.

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

APPROVED BY:

\_\_\_\_\_  
MAYOR

This \_\_\_\_ day of \_\_\_\_\_, 1995.

Received by the Mayor \_\_\_\_\_.  
Returned by the Mayor \_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
City Clerk

b:daycare.amd



PUBLIC NOTICE

*Stanley spirit*  
*4-1*

NOTICE OF PROPOSED ZONING ORDINANCE AMENDMENT

The Planning Commission of the City of Sugar Hill will conduct a Public Hearing to consider an amendment to Section 609 of the Zoning Ordinance of the City of Sugar Hill, paragraph 4(a) as it refers to signage for commercial and professional identification signs. A copy of the proposed changes will be available for review at City Hall during regularly scheduled business hours beginning Monday, October 2, 1995.

The Public Hearing will be held at the Sugar Hill City Hall on Monday, October 16, 1995 at 7:30 p.m. All those having an interest in the petition should be present.

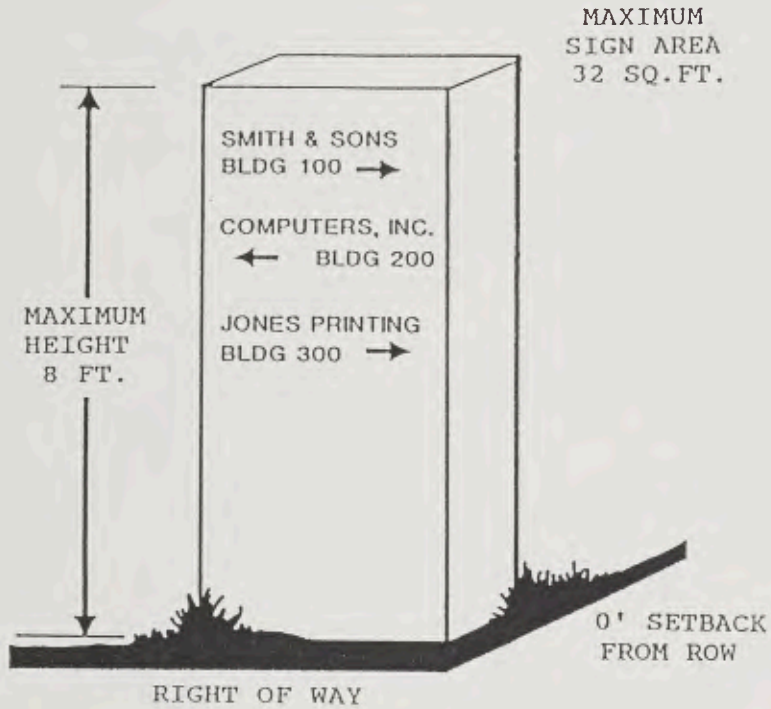
Administrative Assistant  
City of Sugar Hill

STRUCTURAL & ELECTRICAL REQUIREMENTS FOR  
BUILDING PERMITS FOR GROUND SIGN

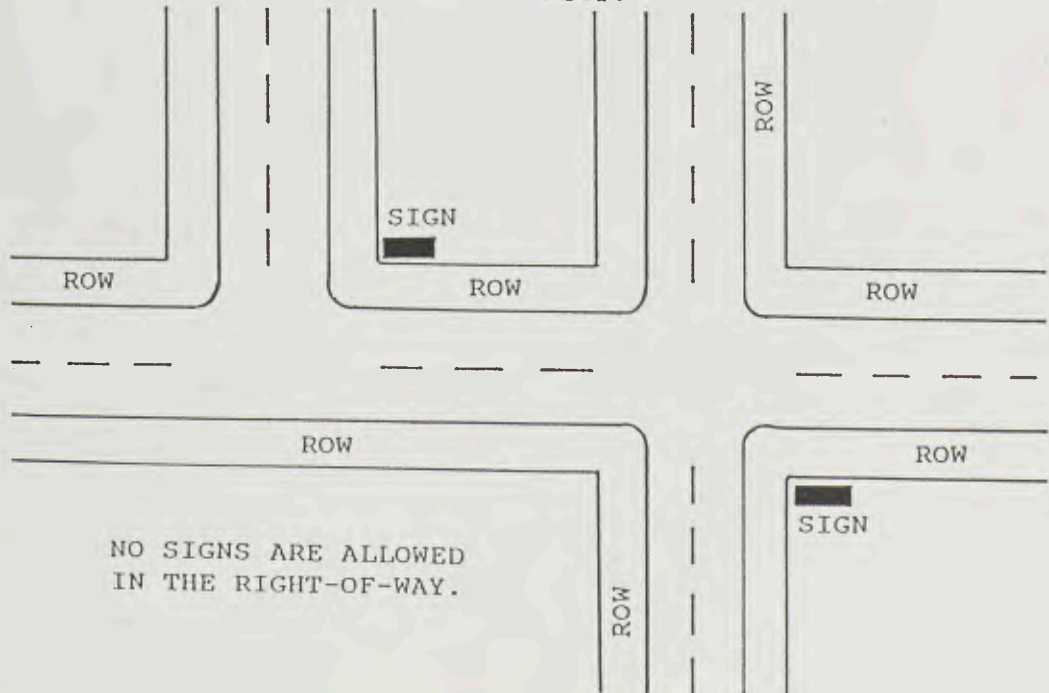
- 1) Submit two (2) complete sets of plans for review, including site plans, to the Building Plan Review Department.
- 2) Provide complete Engineered plans for above ground structure showing types of materials, connections and construction details.
- 3) Provide complete Engineered foundation plans specifying dimensions, strength of concrete, anchor bolts, reinforcing and soil bearing capacity design criteria.
- 4) Signs greater than fifty (50) square feet in area and/or greater than twelve (12) feet in height shall be designed by a Professional Engineer registered in the State of Georgia. An original ink P.E. seal imprint with an original signature shall be stamped on all structural drawings and specifications.
- 5) State on plans that soil bearing capacity will be verified at the time of excavation.
- 6) State on plans that sign structures and foundations are designed to withstand the forces of 80 MPH winds (1991 Standard Building Code).
- 7) Call for an inspection of the foundation hole, reinforcing and bolts, prior to pouring concrete. \*See NOTE below.
- 8) Electrical drawings are to include the conduit size; disconnect location and size; type of wiring and size; grounding; breaker size and type; panel location and estimated load.
- 9) All wiring must comply the 1993 National Electrical Code and must be installed by a State Licensed Electrician and registered with this office.
- 10) All Electrical work must be inspected.
- 11) All sign electrical components (transformers, lamp holders, etc.) must be listed by a nationally recognized testing organization.
- 12) Sub-Contractor Affidavit from Electrical Contractor shall be on file with Sugar Hill before work commences.

\* NOTE: Building Permit card shall be posted at the sign site. Foundation inspection must be approved before Electrical inspection will be made. Erosion control measures shall be maintained throughout the duration of the project.

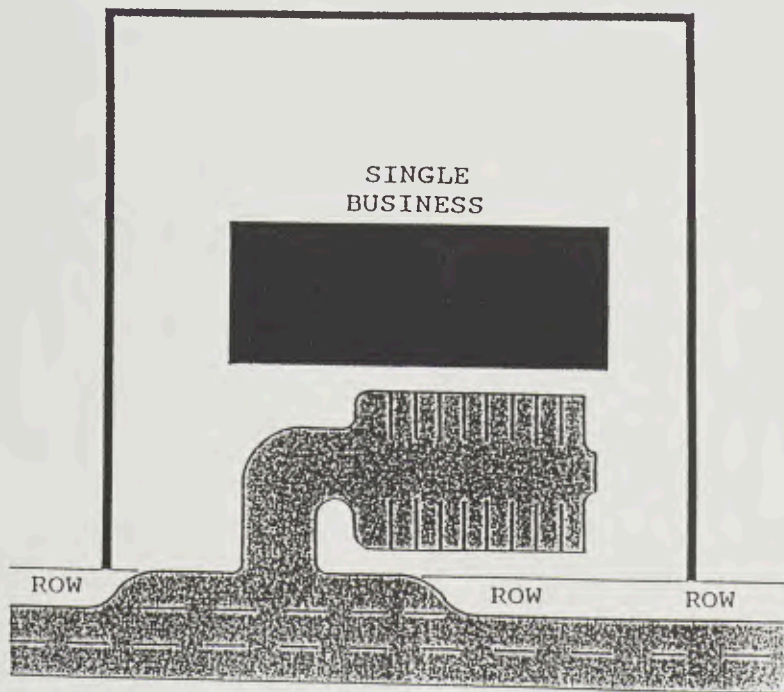
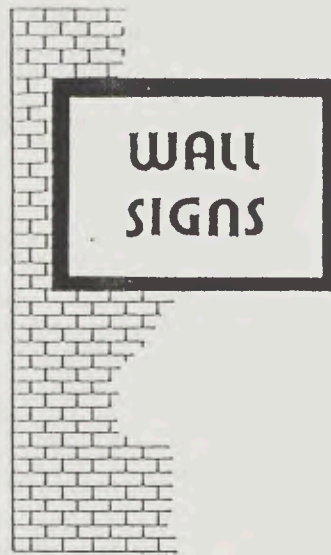
# PROJECT DIRECTIONAL SIGNS



ONLY ONE SIGN MAY BE LOCATED AT EACH INTERSECTION OF PUBLIC STREETS WITHIN THE PROJECT.



BUSINESS SIGNS -  
INDIVIDUAL ESTABLISHMENT  
ON AN INDIVIDUAL LOT



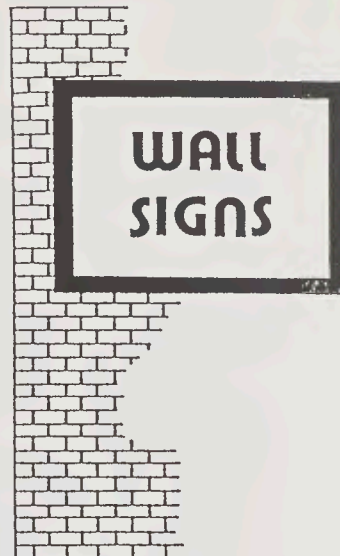
SIGN PERMIT IS REQUIRED  
BUILDING PERMIT IS NOT REQUIRED FOR WALL SIGNS

WALL SIGNS

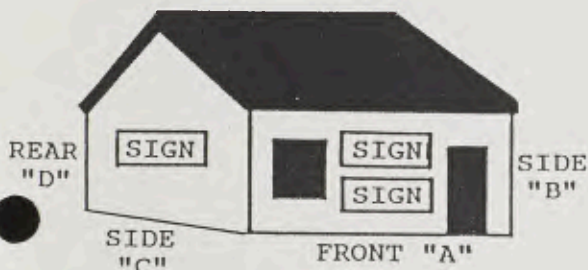
# BUSINESS SIGNS - INDIVIDUAL ESTABLISHMENT ON AN INDIVIDUAL LOT

SIZE OF SIGN IS BASED ON GROSS SQUARE FOOTAGE.  
SEE CHART BELOW.

THERE IS NO LIMIT ON THE NUMBER OF SIGNS ALLOWED.  
MULTIPLE SIGNS PER ELEVATION ARE ALLOWED.



### BUILDING ELEVATIONS:



FRONT "A"

SIDE "B"

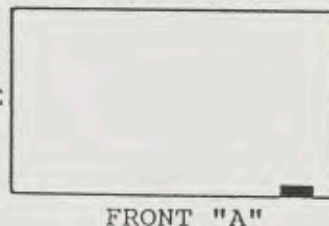
SIDE "C"

REAR "D"

REAR "D"

SIDE  
"C"

SIDE  
"B"



FRONT "A"

BUILDING SIZE  
(GROSS SQ.FT.)

TOTAL SIGN AREA  
ALLOWED ON ONE  
ELEVATION

CUMULATIVE TOTAL  
OF ALL SIGNS ON ALL  
BUILDING ELEVATIONS  
MAY NOT EXCEED

0-2,500 ————— 36 SQ.FT. ————— 72 SQ.FT.

2,501-15,000 ————— 60 SQ.FT. ————— 120 SQ.FT.

15,001-50,000 ————— 100 SQ.FT. ————— 200 SQ.FT.

50,001 AND UP ————— 200 SQ.FT. ————— 400 SQ.FT.

EXAMPLE: IF YOU HAVE A 5,000 SQ.FT. BUILDING YOU  
ARE ALLOWED A TOTAL OF 120 SQ.FT. OF SIGNAGE.  
YOU MAY PUT UP TO 50% (IN THIS CASE 60 SQ.FT.)  
ON A SINGLE BUILDING ELEVATION. IF YOU PUT 60 SQ.FT.  
ON THE FRONT ELEVATION, YOU STILL HAVE 60 SQ.FT.  
TO SPLIT UP BETWEEN THE TWO SIDES AND THE REAR.

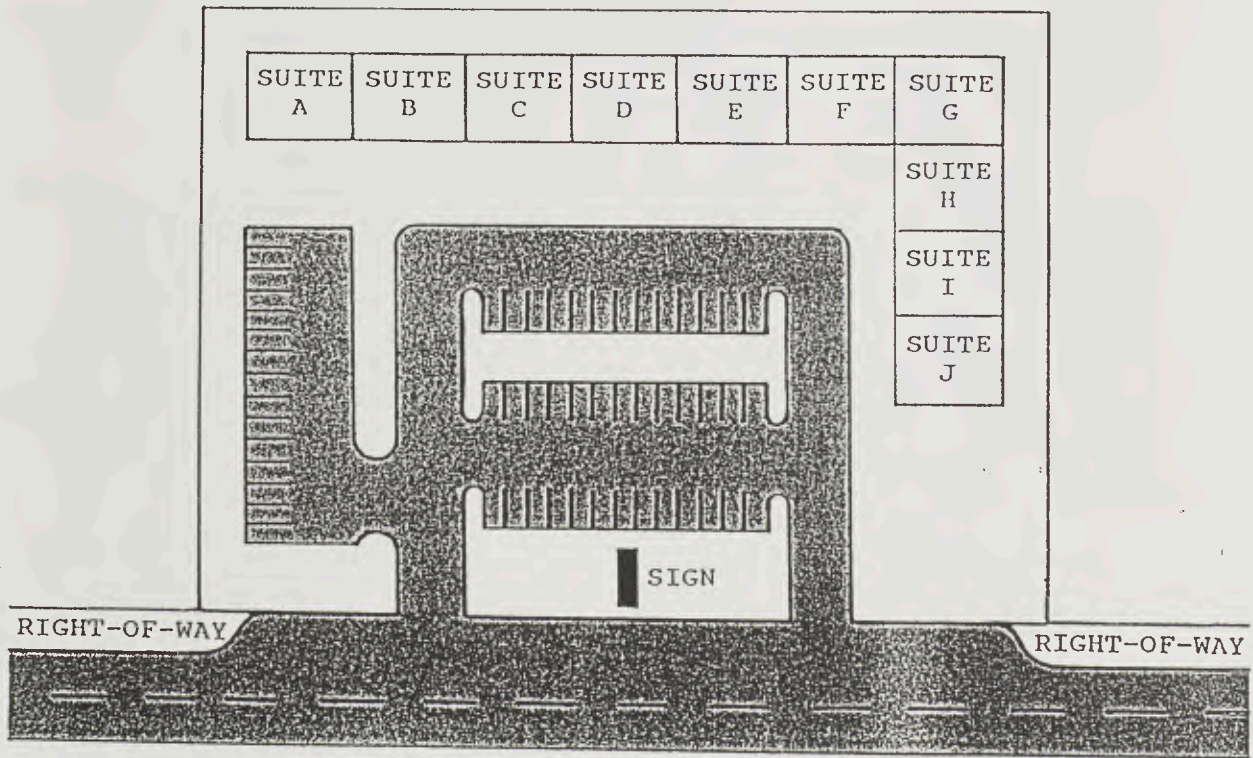
NO SIGNS ARE ALLOWED IN THE RIGHT-OF-WAY.

# GROUND SIGNS FOR PLANNED OFFICE, COMMERCIAL, INDUSTRIAL OR RETAIL CENTER

(NO INDIVIDUAL TENANT SIGNS)

### NOTE:

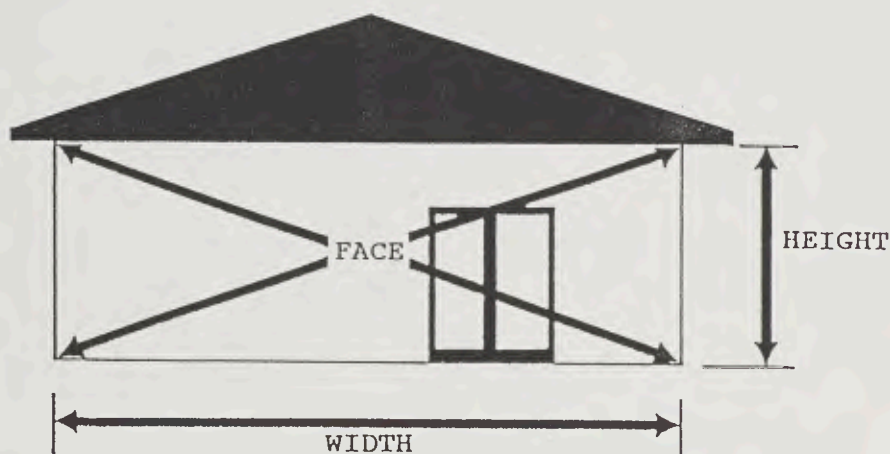
MULTIPLE SIGN FACES ARE PERMITTED ON EACH SIGN STRUCTURE. HOWEVER, TOTAL OF FACES SHALL NOT EXCEED TOTAL PERMITTED SQUARE FEET. PROPERTIES WITH MULTIPLE, PUBLIC ROAD FRONTAGES MAY TRANSFER A MAXIMUM OF 50% OF THE ALLOWABLE SQUARE FOOTAGE FROM ONE PUBLIC ROAD FRONTAGE TO THE OTHER.



SIGN PERMIT IS REQUIRED  
BUILDING PERMIT IS REQUIRED

BUSINESS SIGNS for INDIVIDUAL ESTABLISHMENT  
within an INDUSTRIAL CENTER  
(WALL SIGNS ONLY - NO GROUND SIGNS ALLOWED)

MAXIMUM SIZE ALLOWED PER SIGN IS 20 SQ.FT. OR  
FIVE PERCENT (5%) OF THE WALL AREA, WHICHEVER  
IS GREATER.



$$\text{HEIGHT X WIDTH} = \begin{array}{c} \text{WALL AREA} \\ \text{OR} \\ \text{FACE} \end{array} \times 5\% = \begin{array}{c} \text{SIGN} \\ \text{SIZE} \end{array}$$

ONE WALL SIGN PER BUILDING ELEVATION PER TENANT  
IS ALLOWED.

# BUSINESS SIGNS - INDIVIDUAL ESTABLISHMENT ON AN INDIVIDUAL LOT

SIZE OF SIGN → →  
↓ ↓

COMBINED TOTAL OF ALL FACES

← ← SIGN HEIGHT  
↓ ↓

BUILDING  
0 SQ. FT.  
TO  
10,000  
SQ. FT.

=TOTAL SIGNAGE OF 75 SQ. FT.

BUILDING  
10,001  
SQ. FT.  
TO  
50,000  
SQ. FT.

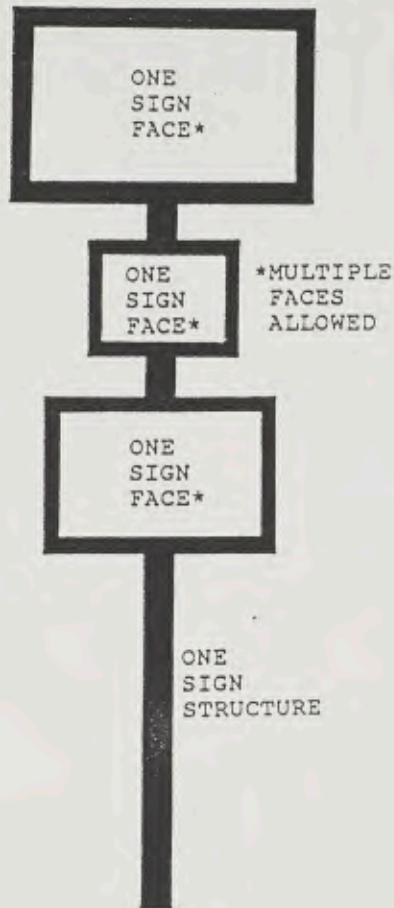
=TOTAL SIGNAGE OF 100 SQ. FT.

BUILDING  
50,001  
SQ. FT.  
TO  
100,000  
SQ. FT.

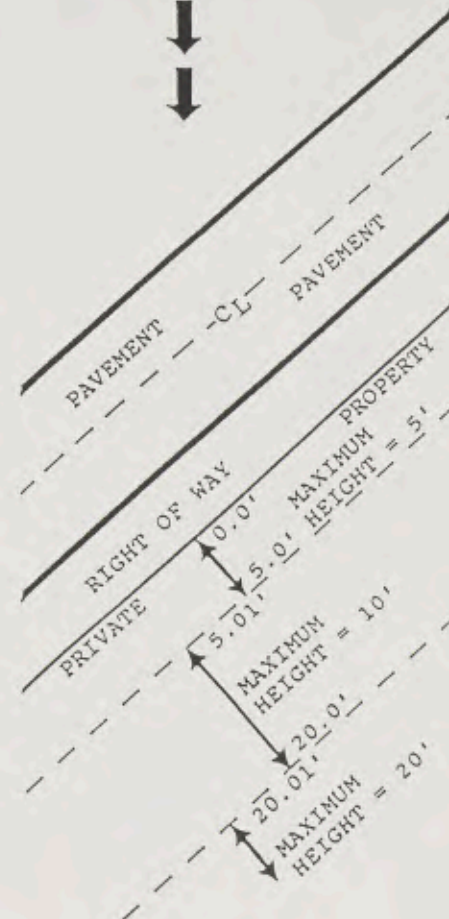
=TOTAL SIGNAGE OF 150 SQ. FT.

BUILDING  
100,001  
SQ. FT.  
AND UP

=TOTAL SIGNAGE OF 200 SQ. FT.



NO SIGNS ARE ALLOWED IN THE RIGHT-OF-WAY

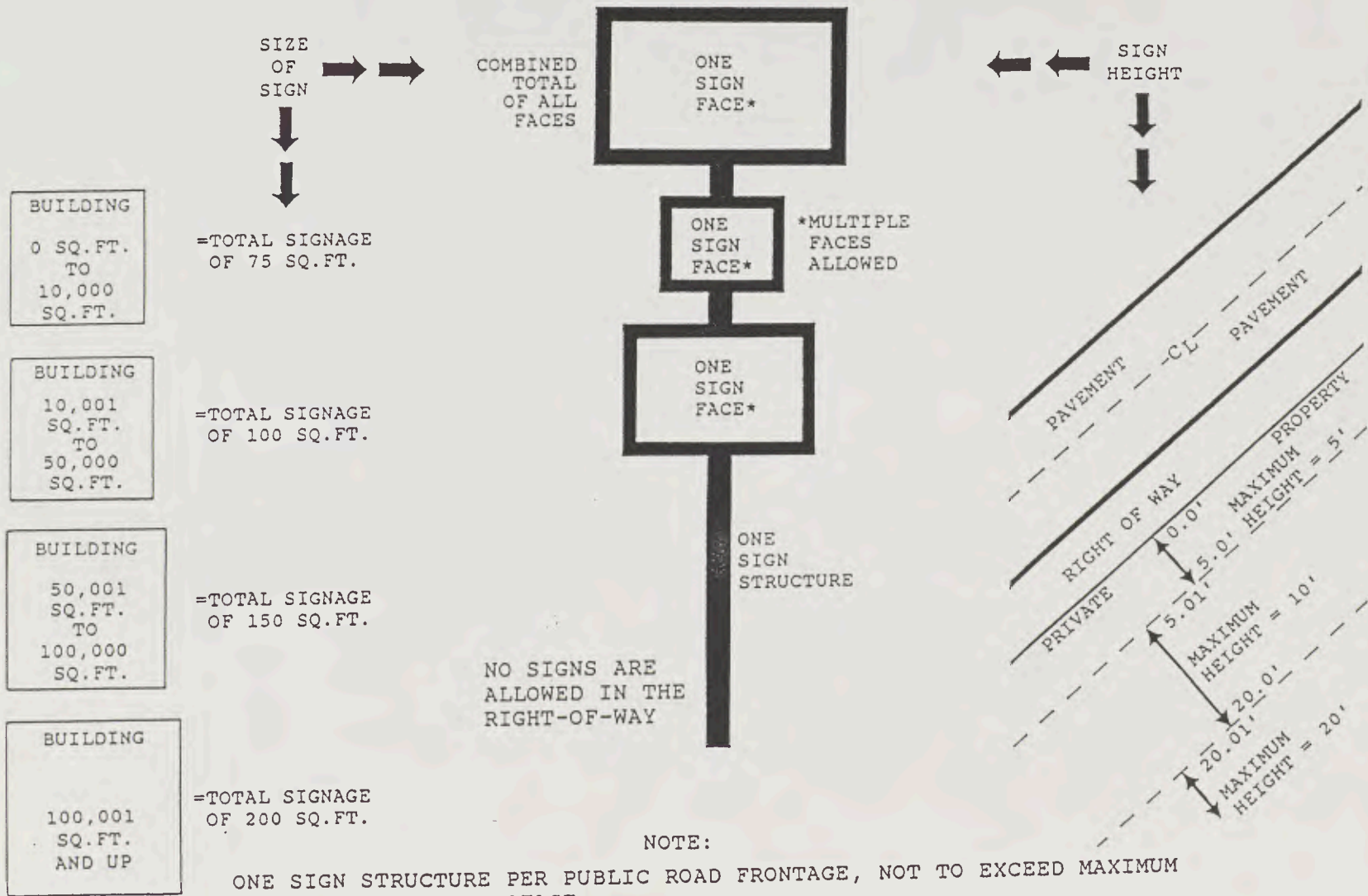


NOTE: ONE SIGN STRUCTURE PER PUBLIC ROAD FRONTAGE, NOT TO EXCEED MAXIMUM ALLOWABLE SQUARE FOOTAGE.



# GROUND SIGNS FOR PLANNED OFFICE, COMMERCIAL, INDUSTRIAL OR RETAIL CENTER

(NO INDIVIDUAL TENANT SIGNS)



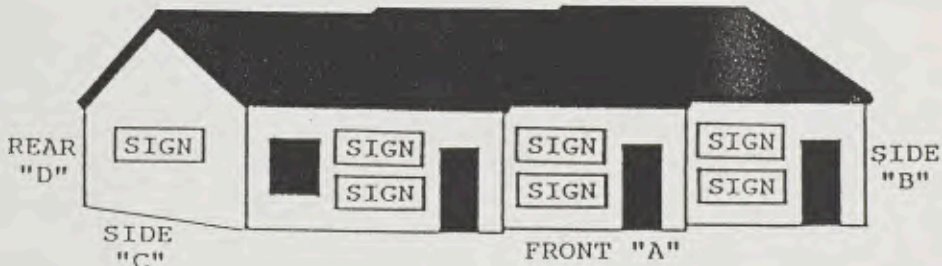
NOTE:  
ONE SIGN STRUCTURE PER PUBLIC ROAD FRONTAGE, NOT TO EXCEED MAXIMUM ALLOWABLE SQUARE FOOTAGE.

# BUSINESS SIGNS for INDIVIDUAL ESTABLISHMENT within a PLANNED COMMERCIAL CENTER (WALL SIGNS ONLY - NO GROUND SIGNS ALLOWED)

SIZE OF SIGN IS BASED ON GROSS SQUARE FOOTAGE.  
SEE CHART BELOW

TENANT SIZE (GROSS SQ.FT.)	TOTAL SIGN AREA ALLOWED ON ONE ELEVATION	CUMULATIVE TOTAL OF ALL SIGNS ON ALL BUILDING ELEVATIONS MAY NOT EXCEED
0-2,500	36 SQ.FT.	72 SQ.FT.
2,501-15,000	60 SQ.FT.	120 SQ.FT.
15,001-50,000	100 SQ.FT.	200 SQ.FT.
50,001 AND UP	200 SQ.FT.	400 SQ.FT.

THERE IS NO LIMIT ON THE NUMBER OF SIGNS ALLOWED.  
MULTIPLE SIGNS PER ELEVATION ARE ALLOWED.



BUILDING ELEVATIONS:

- FRONT "A"
- SIDE "B"
- SIDE "C"
- REAR "D"



EXAMPLE: IF YOU HAVE A 5,000 SQ.FT. BUILDING YOU ARE ALLOWED A TOTAL OF 120 SQ.FT. OF SIGNAGE. YOU MAY PUT UP TO 50% (IN THIS CASE 60 SQ.FT.) ON A SINGLE BUILDING ELEVATION. IF YOU PUT 60 SQ.FT. ON THE FRONT ELEVATION, YOU STILL HAVE 60 SQ.FT. TO SPLIT UP BETWEEN THE TWO SIDES AND THE REAR.

ZONING ORDINANCE AMENDMENT

The Council of the City of Sugar Hill ordains that Section 609, Paragraph, 4(a) of the Zoning Ordinance of the City of Sugar Hill, Georgia is deleted in its entirety and the following language is inserted in its place:

- a. Any commercial or professional identification sign located on the property where the commercial or professional enterprise is operated. Said signs shall be permitted and erected in accordance with the requirements set forth in Attachment A to this Ordinance which contains nine pages and is entitled "Structural and Electrical Requirements for Building Permits for Ground Signs". Said Attachment A is incorporated herein by reference and made a part of this Ordinance.

Said Ordinance is further amended by attaching the nine page attachment which is attached hereto as Exhibit A and including said attachment as Attachment A to be located at the end of the existing Ordinance.

Except as amended herein, all other provisions of said Ordinance shall remain in full force and effect.

IT IS SO ORDAINED this \_\_\_\_ day of \_\_\_\_\_ 1995.

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

APPROVED BY:

\_\_\_\_\_  
MAYOR

This \_\_\_\_ day of \_\_\_\_\_, 1995.

Received by the Mayor \_\_\_\_\_.

Returned by the Mayor \_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
City Clerk

b:signord.amd

Planning Commission Work Session  
Monday October 16, 1995  
7:30 p.m.

4-1  
Chandler

A G E N D A

Reading and approval of September 18, 1995 minutes.

Order of Business

1. RZ-95-001 - REZONING  
Rezone 16.71 acres off Brogdon Road from HM-1 to HM-2 for  
purpose of Paving Plant.
2. Recommendation for Commercial Signage Amendments
3. Recommendation for Day Care Facility Amendments

Boardmembers Comments

Citizens Comments

Adjournment

PLANNING COMMISSION WORK SESSION  
MONDAY, SEPTEMBER 18, 1995  
7:30 P.M.

M I N U T E S

Meeting called to order at 7:30 p.m.

Attendance

Present: Vice Chairman Granville Betts, and Boardmembers Tim Pugh, and Rose Payne

Absent: Boardmember Bob Parris

Mayor & Council Members: Jim Stanley and Rueben Davis

Economic Development Committee Members: Lari Webster, Bob Scott and Gail Kelley.

Reading and Approval of Previous Minutes

Mrs. Payne makes a motion to approve the August 21, 1995 minutes. Second to the motion Mr. Pugh. Vote unanimous.

Discussion - Commercial Signage

Lengthy discussion held. Mr. Betts asked that staff move forward with the legal advertisement for the proposed changes and that said changes be placed on the agenda for the October Planning Commission Meeting for further recommendations.

Adjournment

Meeting adjourned 9:05 p.m.

CITY OF SUGAR HILL

ITEM COUNT FOR FEE CALCULATION

PERMIT : 9501016

TYPE: RZ - REZONING APPLICATION

MASTER PERMIT: NOT FOUND

PROJECT: 95 JS

ADDRESS: 7-253-020

OWNER NAME: D J JENKINS

CONTRACTOR: D G JENKINS DEVELOPMENT CORPORATION

FEE DUE FROM: D G JENKINS DEVELOPMENT CORPORATION

CODE CNT

DESCRIPTION OF ITEMS SELECTED	QUANTITY	AMOUNT
ALL REZONINGS	RC#113 1.00	350.00
SUBTOTAL OF ITEM AMOUNTS		350.00

Check - 7946



August 18, 1995

City of Sugar Hill  
Planning Department  
4988 West Broad Street  
Sugar Hill, Ga. 30518

Re: Letter Of Intent

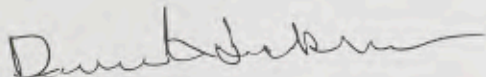
To Whom It May Concern;

This is a letter of intent to explain the reason and purpose of Rezoning this property from HM-1 to HM-2. This property is located on Brogdon Road in Sugar Hill.

The current zoning of the property is HM-1, we are proposing HM-2. The use will be an Asphalt Plant and offices which is not covered under the current HM-1 zoning. This rezoning is in compliance with the surrounding area and developments.

We feel this rezoning is in keeping with the current zonings of this area. Thank you for your time and consideration.

Sincerely,



David G. Jenkins



# REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUGAR HILL, GEORGIA.

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>DAVID JENKINS</u>	NAME: <u>Same</u>
ADDRESS: <u>630 HILLCREST ROAD SUITE 500</u>	ADDRESS: _____
CITY: <u>LILBURN</u>	CITY: _____
STATE: <u>GA</u> ZIP: <u>30247</u>	STATE: _____ ZIP: _____
PHONE: <u>777-9251</u>	PHONE: _____
CONTACT PERSON: <u>DAVID JENKINS</u>	
PHONE: <u>777-9251</u> FAX: <u>381-9689</u>	

\* Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:

OWNER'S AGENT   
  PROPERTY OWNER   
  CONTRACT PURCHASER

PRESENT ZONING DISTRICT(S) HM-1    REQUESTED ZONING DISTRICT: H.M. 2

LAND DISTRICT(S): 253    LAND LOT(S): 7th    ACREAGE: 16.71 Parcel 20

ADDRESS OF PROPERTY: \_\_\_\_\_

PROPOSED DEVELOPMENT: ASPHALT PLANT & OFFICES

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDING/LOTS _____
DWELLING UNIT SIZE (sq. ft.) _____	TOTAL GROSS SQUARE FEET _____
GROSS DENSITY _____	DENSITY _____
NET DENSITY _____	

LETTER OF INTENT

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED.

REZONING APPLICANT'S CERTIFICATION

The undersigned below is authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the Municipal Council.

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Please respond to the following standards in the space provided or use an attachment as necessary:

A. Whether a proposed rezoning (or Special Exception) will permit a use that is suitable in view of the use and development of adjacent and nearby property:

THE REZONING WILL BE SUITABLE TO THE ADJACENT PROPERTIES SINCE THE ADJACENT ZONINGS ARE HM-1

B. Whether a proposed rezoning (or Special Exception) will adversely affect the existing use or usability of adjacent or nearby property:

NOT AS HM-2 EXISTING ZONING BEING HM-1 IS NOT MUCH OF A CHANGE FOR CONDITIONS

C. Whether the property to be affected by a proposed rezoning (or Special Exception) has reasonable economic use as currently zoned:

YES AS HM-1 THIS PROPERTY COULD BE USED FOR SAME USE EXCEPT FOR THE ASPHALT MIXING

D. Whether the proposed rezoning (or Special Exception) will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

THE CURRENT ZONING (MH-1) WILL YIELD THE SAME RESULTS AS THE PROPOSED ZONING (HM-2).

E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning. NONE. THIS AREA HAS BEEN USED FOR THE

Applicant's  
REZONING PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the Mayor and Council.

*David G. Jenkins*

Signature of Applicant

8/18/95

Date

DAVID G. JENKINS, PRESIDENT  
Typed or Print Name and Title

*Wayne T. Elton*

Signature of Notary Public

8/18/95

Date

NOTARY SEAL

Notary Public, Gwinnett County, Georgia  
My Commission Expires 9/13/96

\*\*\*\*\*

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER R2-95-001

RECEIVED BY Kim Sanders DATE RECEIVED 8-18-95

REZONING PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the Mayor and Council.

Mason I. Lowance, Jr.  
Signature of Owner

August 21, 1995  
Date

Mason I. Lowance, Jr., Owner  
Type or Print Name and Title

Alvie Zumburski  
Signature of Notary Public

8/21/95  
Date

NOTARY SEAL

\*\*\*\*\*

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

Case Number \_\_\_\_\_

Received By: \_\_\_\_\_

Date Received: \_\_\_\_\_

**CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS**

The undersigned below, making application for rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

David G. Jenkins 8/18/95 DAVID G. JENKINS, PRESIDENT  
Signature of Applicant Date Type or Print Name and Title

\_\_\_\_\_/\_\_\_\_/\_\_\_\_\_  
Signature of Applicant's Attorney or Representative Date Type or Print Name and Title

Wayne T. Eldon 8/18/95  
Signature of Notary Public Date NOTARY SEAL  
Notary Public, Gwinnett County, Georgia  
My Commission Expires 9/13/98

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Mayor and Council or a member of the City of Sugar Hill Planning and Zoning Board.

No (yes/no)

If the answer is yes, please completed the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all Which Aggregate to \$250 or More)	DATE CONTRIBUTION WAS made (Within Last Two Years)

Attached additional sheets if necessary to disclose or describe all contributions.

\*\*\*\*\*

**PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY**

CASE NUMBER RZ-95-001

RECEIVED BY Kim Landers DATE RECEIVED 8-18-95

ADJOINING PROPERTY OWNER(S) OF RECORD NOTIFICATION

TO: To Whom it May Concern

FROM: Kim Landers - Administrative Assistant

RE: PROPOSED REZONING  
CASE # RZ-95-001 MAP REFERENCE: 7-253-020

DATE: September 19, 1995

You are hereby informed that the attached Notice for Proposed Rezoning is contiguous to your property.

A public hearing will be held at the Sugar Hill City Hall on Monday, October 16, 1995 at 7:30 p.m. in the Community Center.

If you should have an interest in this petition, please plan to attend this meeting.

Thank you.

A D M I N I S T R A T I V E  
R E C O M M E N D A T I O N

RE: RZ-95-001 MAP REFERENCE # 7-253-020

DATE: September 26, 1995

STAFF RECOMMENDATION: APPROVAL



## CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518  
(404) 945-6716

September 29, 1995

City of Suwanee  
Attn: Richard Trice - Mayor  
P.O. Box 58  
Suwanee, Ga. 30174

RE: PROPOSED REZONING IN PROXIMITY TO GWINNETT COUNTY

Dear Mr. Trice,

The City of Sugar Hill is processing a rezoning application on Brogdon Road in proximity to the City of Suwanee. The request is to rezone an 16.71 acre tract from HM-1 (Light Industry District) to HM-2 (Heavy Industry District) for the purpose of a paving plant. Please review the attached information and send any comments to my attention at the City of Sugar Hill.

This case is scheduled for public hearings on October 16, 1995 by the Planning Commission and November 13, 1995 by the Mayor and Council. Please have any comments you may have by October 9, 1995.

Sincerely,

*Kimberly B. Landers*

Kimberly B. Landers  
Administrative Assistant  
CITY OF SUGAR HILL

Attachments

c: RZ-95-001





## CITY OF SUGAR HILL

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4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518  
(404) 945-6716

September 29, 1995

Gwinnett County Commission Chairman  
Attn: Wayne Hill  
75 Langley Drive  
Lawrenceville, Ga. 30245

**RE: PROPOSED REZONING IN PROXIMITY TO GWINNETT COUNTY**

Dear Mr. Hill,

The City of Sugar Hill is processing a rezoning application on Brogdon Road in proximity to Gwinnett County. The request is to rezone an 16.71 acre tract from HM-1 (Light Industry District) to HM-2 (Heavy Industry District) for the purpose of a paving plant. Please review the attached information and send any comments to my attention at the City of Sugar Hill.

This case is scheduled for public hearings on October 16, 1995 by the Planning Commission and November 13, 1995 by the Mayor and Council. Please have any comments you may have by October 9, 1995.

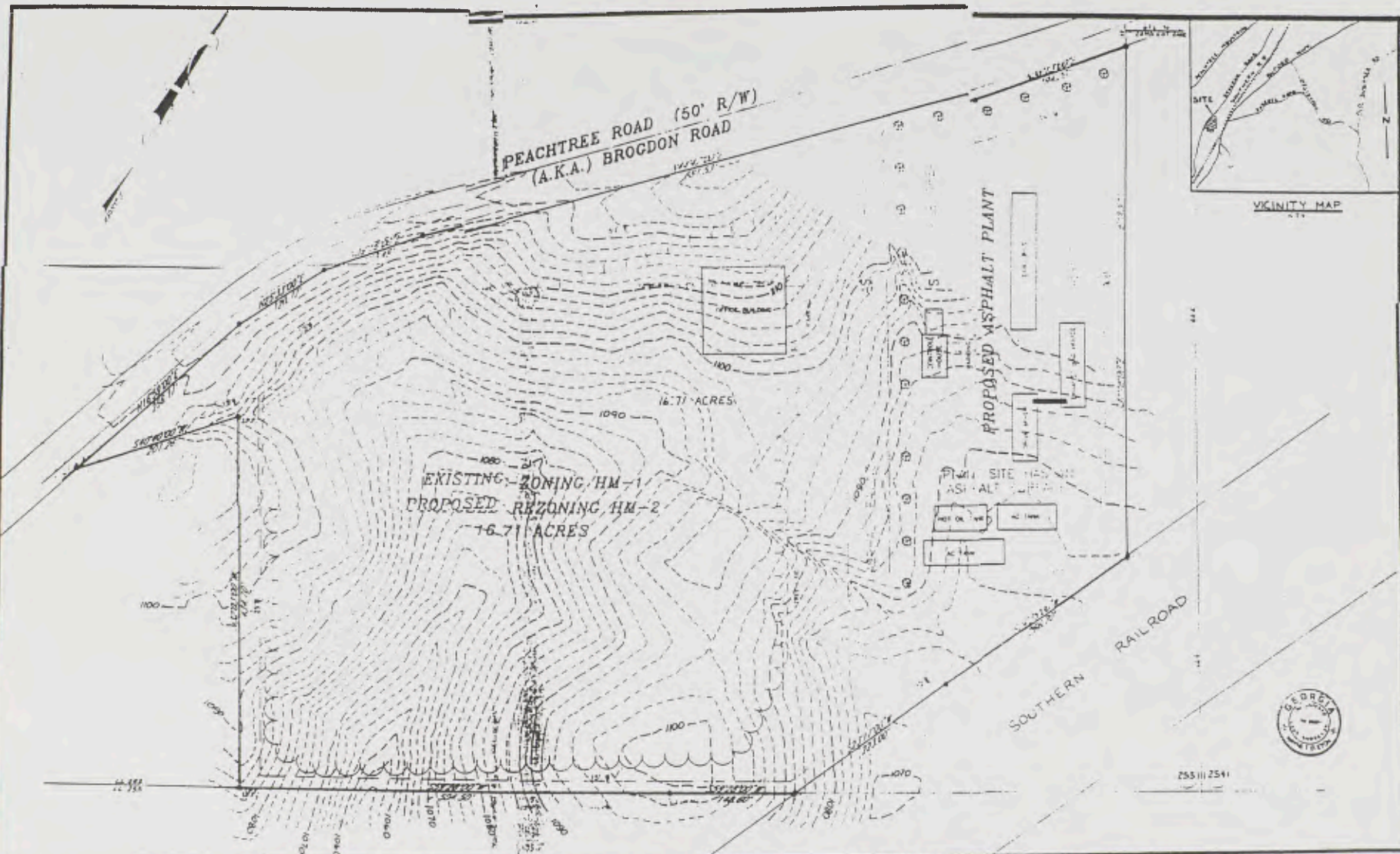
Sincerely,

*Kimberly B. Landers*

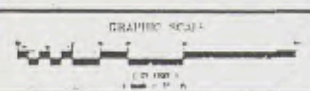
Kimberly B. Landers  
Administrative Assistant  
CITY OF SUGAR HILL

Attachments

c: RZ-95-001



VICINITY MAP



NO.	DATE	REVISIONS

**D. G. JENKINS DEVELOPMENT CORP.**

LAND LOT 553 OF THE 7TH DISTRICT - CITY OF DUBLIN HILL - DEKALB COUNTY, GEORGIA

REZONING PLAN

DRAWN BY R. KEMPER  
 DATE: AUGUST 18, 1995  
 SCALE: 1" = 50'  
 JOB NO. 85-0345  
 SHEET 1 of 1

**Cornerstone Development Consultants, Inc.**

Land Planning • Development • Management • Surveying  
 5500 Liberty • Stone Mt. Road • P.O. Box 435 • Liberty, GA 30228  
 (404) 935-0118 • Fax (404) 381-8888

ORDINANCE

The Council of the City of Sugar Hill, Georgia hereby ordains:

That "The Zoning Ordinance of the City of Sugar Hill" is hereby amended by amending the official zoning map adopted by that ordinance to classify the area described on Exhibit A which is attached hereto and incorporated herein by reference as Heavy Industry District (HM-2) on said official zoning map.

IT IS SO ORDAINED, this \_\_\_\_\_ day of \_\_\_\_\_, 1995.

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

APPROVED BY:

\_\_\_\_\_  
MAYOR

This \_\_\_\_\_ day of \_\_\_\_\_, 1995.

Received by the Mayor \_\_\_\_\_.

Returned by the Mayor \_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
CITY CLERK

ATTACHMENT "A"

All that tract of land lying and being in land lot 253 of the 7th district, Gwinnett County, Georgia, and being more particularly described as follows;

Beginning at a point located in the centerline of Peachtree Road (A.K.A. Brogdon Road), said point being 87.6 feet southwesterly as measured along the centerline of Peachtree Road from land lot line common to land lots 253 and 254; running thence South 31 degrees 18 minutes 00 seconds East a distance of 26,9' to a point; running thence South 38 degrees 13 minutes 00 seconds West a distance of 194.20' to a point; running thence South 44 degrees 47 minutes 00 seconds West a distance of 355.20' to a point, said point being the TRUE POINT OF BEGINNING;

THENCE South 32 degrees 03 minutes 00 seconds East for a distance of 735.11 feet to an IPF;

THENCE South 59 degrees 28 minutes 00 seconds West for a distance of 33.61 feet to an IPF;

THENCE South 59 degrees 28 minutes 00 seconds West for a distance of 504.50 feet to an IPF;

THENCE North 32 degrees 03 minutes 00 seconds West for a distance of 434.10 feet to an IPF;

THENCE South 40 degrees 40 minutes 17 seconds West for a distance of 201.29 feet to and IPF;

THENCE North 16 degrees 59 minutes 00 seconds East for a distance of 256.17 feet to an IPF;

THENCE North 25 degrees 33 minutes 00 seconds East for a distance of 120.77 feet to an IPF;

THENCE North 39 degrees 16 minutes 00 seconds East for a distance of 123.49 feet to an IPF;

THENCE North 44 degrees 47 minutes 00 seconds East for a distance of 326.33 feet to an IPF;

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 8.35 acres more or less.



# CITY OF SUGAR HILL

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4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518  
(404) 945-6716

## MEMORANDUM 95-080

TO: Mayor/City Council  
FR: Warren P. Nevad *WPN*  
RE: Agenda Item: Roadway Resurfacing Agreement  
DATE: November 6, 1995

Attached is copy of a proposed routine supplemental agreement with the Gwinnett County. We will request approval to authorize the Mayor to sign this agreement.

The dollar amount tentatively allocated to the City of Sugar Hill for 1995 is \$59,935.

WPN:bms

attachment

## SUPPLEMENTAL AGREEMENT NO. 2

This Supplemental Agreement, made and entered into by and between Gwinnett County, Georgia, a political subdivision of the state of Georgia ("COUNTY") and the City of Sugar Hill, a municipal corporation chartered by the State of Georgia ("CITY").

### WITNESSETH

WHEREAS, the COUNTY and the CITY have previously entered into a Roadway Resurfacing and Maintenance Agreement as of 10 June 1991; and

WHEREAS, the COUNTY and the CITY desire to supplement and amend such Agreement:

NOW, THEREFORE, the COUNTY and the CITY, in consideration of the mutual promises and agreements set forth herein, do agree as follows:

I. Section 1. is amended to read as follows:

County shall perform certain resurfacing work on roads and highways located within the city limits of the City not to exceed the sum of \$59,935 during the calendar year 1995. County shall not be required to place said funds in any separate accounts or otherwise hold them separately from other County funds. The individual roadways to be resurfaced shall be selected by the City from a list to be prepared by County from its Pavement Management System. Funding for such work shall be provided by County which may contract for the work to be performed by third parties including County's annual Resurfacing Contractors.

III. Section 16. is amended to read as follows:

The provisions of this agreement shall terminate absolutely and without further obligation on the part of the County at the close of the calendar year. This agreement may be automatically renewed from year to year upon the approval by the County of adequate funds to finance the resurfacing work for that calendar year and upon preparation by the County of the list described in paragraph one (1) for that calendar year. Each calendar year, the County shall provide the City with a notice setting forth the amount of funding to be provided by the County under the agreement for that calendar year and providing the list described in paragraph one (1) for that calendar year. Either party to this agreement may withdraw from the agreement by providing written notice of its withdrawal to the other party within forty-five (45) days of the County providing the amount of funding and list for any calendar year. The agreement will terminate immediately and absolutely should the County fail to provide funding for any calendar year to finance the resurfacing

work provided for in this agreement.

Except as herein supplemented, modified and amended, the Agreement dated 10 June 1991, will remain in full force and effect and shall in all respects govern and control.

It is expressly agreed by the parties that this Supplemental Agreement is supplemental to the Agreement of 10 June 1991, and all previous Supplemental Agreements which are by reference made a part hereof. All terms, conditions, and provisions thereof unless specifically modified herein are to apply to this Supplemental Agreement and are made a part hereof as though they were expressly rewritten, incorporated, and included herein.

IN WITNESS WHEREOF, the parties hereto acting through their duly authorized agents have caused this Agreement to be signed, sealed and delivered.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

CITY OF City of Sugar Hill

ATTEST: \_\_\_\_\_

By: \_\_\_\_\_ (SEAL)

Title: \_\_\_\_\_

Title: \_\_\_\_\_

GWINNETT COUNTY, GEORGIA

ATTEST: \_\_\_\_\_  
Clerk, Board of Commissioners

By: \_\_\_\_\_ (SEAL)  
Chairman, Board of Commissioners

APPROVED AS TO FORM:

\_\_\_\_\_

CLERK'S REPORT  
NOVEMBER MEETING-1995

The Clerk's office has been very busy with the November 7, 1995 General Election. Everything seems to be in place, and all materials have been received from the state and Gwinnett County. Mr. McCalla has done a superior job in seeing that everything is ready and done in the correct manner. Deputy Clerk Shirley Gibbs is serving as Absentee Ballot Clerk. She has issued one hundred seventeen (117) Absentee Ballots. There will be no ballots mailed on the day before the Election. Electors may come in on Monday, November 6, 1995 and vote by Absentee Ballot

We are receiving tax payments every day, and collected almost \$20,000 the last half of October. We have made quite a few adjustments of property, on the digest, which is not in the City.

I want to Commend  
Kim Sanders and Ken  
Crawe for the work  
they did in submitting  
annexations <sup>to the Justice Dept.</sup> since  
1986, with the exception  
of two (2) which were  
approved in 1991.

There were 44 submitted  
and the Justice Department  
approved all of them.  
Their work saved the  
City thousands of dollars.



**MEMORANDUM 95-078**

TO: Mayor/City Council

FR: Warren P. Nevad *W. Nevad*

RE: NOVEMBER 13, 1995 CITY MANAGER REPORT

DATE: November 6, 1995

**1. EMPLOYEES:**

Kelly Canady has successfully completed courses in purchasing and capital budgeting. Ruth Switzer scored a 100 in her marketing course. Shirley Gibbs is taking additional coursework related to her Finance certification. Betty Garbutt taught Finance I to our employees. We are extremely pleased with our employee's efforts to become better educated in Local Government.

We held an employee safety meeting on November 2, 1995. Margie Wilson discussed several different topics such as driver safety, prompt filing on injuries, and equipment operation. We also relayed actual experiences that resulted in employee injuries.

Our employees have been very cooperative during our transitory period regarding the transfer of our water and sewer system.

**2. CUSTOMER SERVICE:**

Shirley Fields and Ruth Ann Cooper have been informing the public regarding County utility billing and rate procedures. The County programmers are working on the year end utility billing transition with Margaret McEachern.

We have notified the residents concerning our new trash pick up procedures. Joe Appling and Kim Landers are handling complaints regarding garbage and trash services from Gwinnett Sanitation. The Prison Crew is assisting residents in meeting the appropriate franchise requirements for trash pick up. Further, we notified Mid-American that we expect full compliance with our franchise agreement.

**3. PLANNING/ZONING**

Ken Crowe will be presenting our revised day care and signage regulations to the Mayor/Council. Several residents living on South Roberts Drive have withdrawn their appeal regarding the City's permitting of the Sugar Hill Methodist Church's expansion project. Tony Bauman has been performing inspections on the clubhouse and Blockbuster Video Store.

4. **BUDGET/FINANCE:**

Betty is preparing the 1996 budget for Mayor/Council approval at the December meeting. We are readdressing our capital priorities based upon the feedback received at the workshop. As previously mentioned, we are not proposing any increases in our user fees and tax millage rate. The total amount of our proposed budget is \$4,906, 570.

5. **SOLID WASTE MANAGEMENT PLAN:**

The Atlanta Regional Commission (ARC) has determined that the City's Solid Waste Management Plan is acceptable, subject to documentation regarding disposal capacity for the next ten years. We are very pleased with ARC's review and eagerly await the Department of Community Affairs' final ruling.

6. **CLUBHOUSE:**

The contractor has threatened to cease working at the Clubhouse. Our architect will not certify a change order request of \$35,000 due to elevation deficiencies. In addition, the contractor is extremely upset with his \$100 a day penalty. We have provided you with more detailed correspondence regarding these snags. We have met with Lee Thompson to review our options. We still have over \$115,000 left on our contract with the contractor and we believe (according to Lee) that we are in a better position to deal with the previously mentioned issues.

7. **CONSENT ORDER:**

E.P.D. has still not completed their review of our groundwater monitoring plan. We will notify you when review is completed.

8. **GAS SYSTEM:**

Billy Hutchins is researching better utility locate equipment for our gas system. Billy and Scott Payne are addressing required improvements to our regulators. The Street Department has been extremely busy in catching up from the damage from Hurricane Opal. We seem to have new drainage problems every day.

9. **WATER & SEWER SALE:**

South Trust Securities will serve as our investment banker on the defeasance of our 1993 Water and Sewer Bonds. They will structure our escrow portfolio. Kilpatrick and Cody will serve as bond counsel. Finally, South Trust will seek accounting proposals to prepare an Escrow Verification Report. We have transmitted previous correspondence relating to subject.

Best Wishes for a productive meeting.

WPN: bms



CITY OF SUGAR HILL AGENDA  
COUNCIL MEETING - DECEMBER 11, 1995 - 7:30 P.M.

CALL TO ORDER AND PRAYER:

APPROVAL OF AGENDA:

APPROVAL OF NOVEMBER MINUTES:

COMMITTEE REPORTS:

A:	PLANNING AND ZONING, ZONING APPEALS BOARD:	DODD
B:	RECREATION BOARD:	DAVIS
C:	BUDGET AND FINANCE:	GARBUTT
D:	SOLID WASTE:	STANLEY
E:	ECONOMIC DEVELOPMENT:	
F:	GOLF AND WASTEWATER:	BAILEY

CITIZEN'S AND GUEST'S COMMENTS:

OLD BUSINESS:

A:	REPORT ON RECYCLING:	DAVIS
B:	REPORT ON ELECTION:	MCCALLA
C:	REPORT ON CLUB HOUSE:	NEVAD
D:	REPORT ON SOLID WASTE MANAGEMENT PLAN:	NEVAD
E:	RESOLUTION ON WATER AND SEWER SALE:	NEVAD
F:	REPORT ON CONSENT ORDER\MID-AMERICAN:	NEVAD\ STANLEY
G:	ADOPTION OF 1996 BUDGET:	GARBUTT
H:	ADOPTION OF OCCUPATIONAL TAX ORDINANCE:	GARBUTT
I:	ZIP CODE	SMITH
J:	ZIP CODE	DAVIS

NEW BUSINESS:

A:	SWEARING IN OF COUNCIL MEMBERS-ELECT:	WEBSTER
B:	EMPLOYEE OF THE MONTH:	NEVAD
C:	PUBLIC HEARING ON REZONING RZ-95-002 THE MYRICK COMPANY - HM1 TO BG:	CROWE
D:	PUBLIC HEARING ON REZONING RZ-95-003 B.T. BALTIMORE REVOCABLE TRUST - HM1 TO BG:	CROWE
E:	APPRECIATION AWARD:	BAILEY
F:	INSURANCE CODE REVISION:	GARBUTT
G:	LIQUOR BY THE DRINK ORDINANCE:	THOMPSON
H:	MGAG CONTRACT:	CROWE

CITY CLERK'S REPORT:

GARBUTT

CITY MANAGER'S REPORT:

NEVAD

COUNCIL REPORTS:

CITIZEN'S AND GUEST'S COMMENTS:

ADJOURNMENT:

**MINUTES  
COUNCIL MEETING  
MONDAY, NOVEMBER 13, 1995, 7:30 P.M.**

The Mayor and Council of the City of Sugar Hill met for the Regular Monthly Meeting on Monday, November 13, 1995 at 7:30 P.M. in the Community Center.

Those present were: Mayor Gary L. Webster, Mayor Pro Tem Reuben Davis, Council Members Steve Bailey, W. J. Dodd, Charles Spradlin, and Jim Stanley, City Manager Warren P. Nevad, City Clerk\Finance Director Betty B. Garbutt, Development Director Ken Crowe, employees Brenda Rich, Donna Zinskie, and Danny Hughes, registered guests, other guests, citizens and representatives from the news media.

Mayor Webster called the meeting to order, led in the Pledge to the Flag and Council Member Spradlin gave the invocation.

Council Member Spradlin made a motion to approve the Agenda, seconded by Council Member Bailey, and passed unanimously. (5-0)

Council Member Dodd made a motion to approve the October Minutes, seconded by Council Member Bailey, and unanimously passed. (5-0)

**COMMITTEE REPORTS:**

**PLANNING AND ZONING, ZONING APPEALS BOARD: DODD**

Council Member Dodd reported the Appeals Board met and will have meetings this month of both boards.

**RECREATION BOARD: DAVIS**

Mayor Pro Tem Davis reported that a culvert and street light has been installed at the park. The \$12,500 Grant for the Soccer Fields has been received. Manager Nevad reported that quotes are being received for the sod to redo the soccer fields.

**BUDGET AND FINANCE: GARBUTT**

Finance Director Garbutt told Council work is being done on the 1996 Budget and the reports were in their packets and she would answer any questions. (see report)

**SOLID WASTE: STANLEY**

Council Member Stanley reported that there would be no landfill in Sugar Hill, but the City is still going to have to deal with Mid-American. He will report more later in the meeting.

**ECONOMIC DEVELOPMENT:**

No report due to no liaison to this committee.

**GOLF AND WASTEWATER: BAILEY**

Council Member Bailey reported that the Wastewater Plant

itself continues to operate well. Staff has indicated repairs had to be made on lift-stations at Pinecrest Drive and Princeton Oaks. The remainder of the stations received their general maintenance only. Total available capacity at both plants combined was 540,706 GPD, however there remains 157 lots approved but not yet tapped.

October saw a good recovery from September, at the Golf Course, with total rounds being up 7.68% and revenues were up 5.34% for the same period in 1994. The year to date activity shows that revenues overall are 6.74 higher than the first ten months of 1994, and rounds are up 5.09 % for the same period. Resident play has increased 6.06% over last year, yet only represents about 12% of total rounds played.

#### **CITIZEN'S AND GUEST'S COMMENTS:**

Mr. Herb Payne presented a chart he prepared for the Council to answer several question concerning the Landfill and also a chart for Council Member Dodd to explain figures he quoted at some time earlier concerning the funds projected from a landfill. Mr. Payne requested the figures be supplied tonight or at a later date before next Council Meeting. Council Member Spradlin supplied his answers to Mr. Payne's questions.

Mr. Mike Forgarty stated he has heard all he wants to hear on the landfill issue. He feels it needs to be put behind so other business can continue with important issues. He commented on the fact of preferential treatment for elected officials. He brought up the matter of an official asking that City Hall be opened so he could vote an absentee ballot. He asked that the Council give the same treatment to everyone.

Council Member Elect Tim Pugh expressed appreciation for support in the election. He stated he is looking forward to four (4) years of serving the citizens of Sugar Hill and he will keep the interest of the people at heart at all time. He wants to go on record as opposing a landfill and would be glad to put it up for a vote by the citizens.

Mr. Bob Wagner expressed dismay at the negative press which makes this government look bad. He feels that it comes from misconception. He showed a letter, sent by a former Council Member to the citizens of Sugar Hill, he says was not requested, it was unwanted and unsolicited and was trashed by Mr. Wagner and he stated that it did not come from any of the campaigning for Mr. Pugh by his campaign committee. He is tired of all the negative publicity. He stated the Council should stand for something and clean up their acts.

Mrs. Meg Avery came before the Council asking for the votes of the citizens and expressed thanks to those who voted for her in the General Election on November 7th. She stated that she focused on a clean campaign. She expressed her views on ethics, recycling, rates and also other issues like the landfill. She asked that the

people get out and vote again on November 28th. She would like for the citizens to vote on the landfill.

Council Member Bailey expressed his concern for the community and City. He asked that all the citizens get out and vote on November 28th and he quoted from a saying of Thomas Jefferson, "the government which governs best is the government which governs least." He gave some of his accomplishments of getting taxes lowered and helping with the sale of the Water and Sewer System. He also stated he wanted to run a clean campaign and appreciated those who voted on November 7th.

Council Member Spradlin stated his reason for requesting an absentee ballot and apologized for asking that City employees allow him to vote on the weekend. He feels it is everyones duty to vote.

**OLD BUSINESS:**

**A: REPORT ON RECYCLING: DAVIS**

Mayor Pro Tem Davis reported that we have representatives from BFI and Waste Management to give presentations tonight. Both of the companies representatives gave presentation on what they do in the field of recycling. The Council will set up a work session to hear a more complete description of each companies recycling program.

**B: REPORT ON ELECTION: MCCALLA**

Superintendent McCalla gave a report on the November 7th General Election. He gave the results of each race. (see attached report) He was happy to report that 41.2% of the registered voters participated in the election. He read the Call of the Run Off Election for November 28th. He expressed appreciation to Mr. Wayne Brown, Gwinnett County Election Supervisor, for all the assistance his staff gave the City. He asked that the Council consider paying poll workers \$100.00 per day. Mayor Webster presented Mr. McCalla with a plaque in appreciation for his dedicated service.

**C: UPDATE ON CLUB HOUSE: NEVAD**

Manager Nevad reported as of this date the contractor has incurred \$2,500 in late fees. The contractor has submitted a last minute change order request of \$35,000 due to elevation deficiencies at the site. The architect will not certify this amount because the contract states that the contractor will verify the site before commencement of work. We do not recommend approving the change order. There will be another meeting on November 22rd to discuss this matter and the Council will be kept informed. Attorney Thompson verified the information given by Manager Nevad.

**D: UPDATE ON CONSENT ORDER: NEVAD**

Manager Nevad reported that Piedmont, Olsen and Hensley has notified the City that we are very close to getting our

Groundwater Monitoring Plan approved. We also had to make minor modifications to our Methane Monitoring Plan. Hopefully, EPD will give the City formal approval by the December meeting.

**E: UPDATE ON SOLID WASTE MANAGEMENT PLAN: NEVAD**

Manager Nevad reported that the Atlanta Regional Commission has determined that our Solid Waste Management Plan is acceptable, subject to documentation regarding future disposal capacity. DCA is reviewing the Plan and we anticipate no problems.

**F: UPDATE ON WATER AND SEWER SALE: NEVAD**

The County is preparing the necessary contract and attachments for Council approval at the December meeting. Presently, the County is surveying the Wastewater Plant property. We have received three (3) quotes on the bond defeasance. Kilpatrick and Cody got the contract with a bid of \$5,400. SouthTrust will structure our financial portfolio and escrow funds to pay the bonds when due. Total cost to defease should be between \$10,000 and \$15,000. Our objective is to pay off the '93 Bond Issue and GEFA Loan. This should be around \$9.2 million and should leave approximately \$600,000 to pay after we receive the payment from Gwinnett County of \$9.28 million. We hope to have the necessary funds in the monies saved, by frugality of employees, this year.

**G: APPOINTMENTS TO BOARDS:**

Mayor Webster advised he has been requested to move this item to the January 1996 Meeting.

**H: UPDATE ON MID-AMERICAN: STANLEY**

Council Member Stanley gave a detailed report. (see attached report) Council Member Dodd asked that Attorney Thompson give his interpretation of this issue so the Council can be sure what they are voting on. This was discussed with Council Member Stanley expounding on the issue. This will be discussed further in an Executive Session scheduled for December 9, 1995 during a Budget Work Session.

**I: UPDATE ON SOCCER FIELDS: DAVIS**

Council Member Davis reported that the City will enter into an agreement with West Gwinnett Soccer Club for use of two (2) twelve (12) week seasons at the soccer fields. (see attached agreement) Manager Nevad gave an update on the use of the fields by WGSC. Mayor Pro Tem Davis made a motion to approve the agreement with WGSC, seconded by Council Member Dodd and unanimously passed. (5-0)

**J: AMENDMENT ON DAY CARE ORDINANCE: CROWE**

Director Crowe explained the amendment to the Council reporting that this amendment will put the City in compliance with the state and Gwinnett County on space of 100 feet per child in



play areas. The Planning Commission gave unanimous recommendation for approval of this amendment. Council Member Spradlin made a motion to approve the amendment, seconded by Council Member Bailey and unanimously approved. (5-0) Council Member Stanley made a motion to go into a Public Hearing, seconded by Council Member Spradlin and passed unanimously. (5-0) There was no discussion on this issue. Council Member Bailey made a motion to go back into Regular Session, seconded by Council Member Dodd and passed unanimously. (5-0)

**K: COMMERCIAL SIGN ORDINANCE: CROWE**

Council Member Dodd made a motion which was seconded by Council Member Bailey and approve unanimously to go into a Public Hearing on the Sign Ordinance change. (5-0) There were no comments from citizens. Director Crowe gave the details and unanimous recommendations made on the Commercial Section of the Ordinance by the EDC and P&Z Board. Council Member Spradlin made a motion, seconded by Council Member Bailey, and unanimously approved, to return to Regular Session. (5-0) Council Member Bailey made a motion to adopt the revised Sign Ordinance amendment, seconded by Council Member Dodd and approved. (4-1) Council Member Stanley voted against the amendment.

**NEW BUSINESS:**

**A: EMPLOYEE OF THE MONTH: NEVAD**

Manager Nevad announced that Brenda Rich was the October Employee of the Month. He reported that she has been an employee for four and one half (4 1\2) months, is a very good employee and has a bright future with the City. She was given a Plaque and monetary gift. Brenda expressed her appreciation to Supervisors Billy Hutchins and Scott Payne and to all the employees at the Utility Barn for making her feel a part of the crew.

**B: BUDGET WORK SESSION: GARBUTT**

Finance Director Garbutt asked that a Work Session on the 1996 Budget be scheduled. The Session was scheduled for December 9, 1995 at 10:00 A.M. An Executive Session and Work Session on the presentations on recycling was also scheduled for that day.

**C: OCCUPATION TAX ORDINANCE: GARBUTT**

Clerk Garbutt presented the Council with a revised Occupation Tax Ordinance which will have to be adopted before January 1, 1996. There will have to be a Public Hearing on this before it can be adopted.

**D: REZONING RZ-95-001 BROGDON ROAD: CROWE**

Council Member Dodd made a motion to go into a Public Hearing, seconded by Council Member Spradlin and unanimously approved. (5-0) There were no comments from the citizens. Council Member Spradlin made a motion to return to Regular Session, seconded by Council Member Bailey and passed unanimously. Director

Crowe gave the details of the rezoning for the Asphalt Plant. Only the 8.35 acres will be rezoned which shows on the map. This was discussed with Council Member Spradlin asking for a larger map to review. Mayor Webster called for a recess for Director Crowe to get the map requested. After the recess, the map was reviewed and more discussion took place. Chuck Lloyd addressed some of the concerns and reconfirmed their use of city gas. Council Member Spradlin made a motion to table this until he could review the site, the motion died for lack of a second. Council Member Dodd made a motion to approve the rezoning of RZ-95-001 on Brogdon Road, with the acreage being 8.35 and the stipulation that the asphalt plant use city gas. Council Member Stanley seconded the motion which passed on a vote of four (4) to one (1) with Council Member Spradlin voting against.

**E: DESIGNATION OF LEGAL ORGAN: GARBUTT AND CROWE**

Director Crowe asked that the Gwinnett Daily Post be designated as the legal organ for advertisements by the City. He informed Council that Gwinnett County uses the Gwinnett Daily Post and he and Clerk Garbutt feels it would be more advantageous for the City of Sugar Hill to use the same paper. Council Member Dodd made the motion, seconded by Council Member Spradlin and passed on a unanimous vote. (5-0)

**F: EXECUTIVE SESSION PROCEDURES: DODD**

Council Member Dodd presented a form he would like used to give details of Executive Sessions. Clerk Garbutt told Council that everything on the form is now being given in the Minutes, but it can be put on a form for inclusion in the minutes. Council Member Dodd made a motion to adopt the form, seconded by Council Member Spradlin. After discussion the motion passed on a unanimous vote. (5-0)

**G: PAVING AGREEMENT WITH GWINNETT COUNTY: NEVAD**

Manager Nevad reported to Council that this is a supplemental agreement for the City to share in road funds from Gwinnett County and he is asking that a motion be made to authorize Mayor Webster to sign the agreement. Council Member Dodd made the motion, seconded by Council Member Spradlin and passed unanimously. (5-0)

**CITY CLERK'S REPORT: GARBUTT**

Clerk Garbutt advised Council the report was in their packets. Clerk Garbutt gave recognition to Kim Landers and Ken Crowe for the work they did in getting the approval of the Justice Department for 42 annexations since 1986. This work saved the City thousands of dollars in legal fees.

Mayor Webster asked Election Superintendent McCalla to complete his report on the Election. Mr. McCalla asked for a motion to certify the Election returns. Council Member Dodd made

a motion to certify the returns, seconded by Council Member Spradlin and unanimously passed. (5-0) Mr. McCalla asked that a motion be made to pay all poll workers \$100.00 per day. Council Member Dodd made a motion to pay \$100.00 per day to the Poll Workers, seconded by Council Member Bailey. Council Member Spradlin abstained from voting due to the fact he feels this should have been listed on the Agenda, not because he objects to the amount. The motion passed. (4-0)

**CITY MANAGER'S REPORT:**

**NEVAD**

Manager Nevad stated his report was in the packets.

**COUNCIL REPORTS:**

Council Member Stanley had nothing further to report.

Council Member Davis expressed appreciation for the citizens electing him to his fourth (4th) consecutive term on the Council and he stated he would work not to disappoint anyone.

Council Member Spradlin had nothing further to report.

Council Member Bailey thanked the people for getting out to vote on the cold, windy, rainy Election Day and asked that they again get out to vote on November 28th.

Council Member Dodd commented on some of the statements made by Mr. Herb Payne. He stated some of his views on Regional Landfills. He feels the issue should be put to a vote. He commented on other statements made by Mr. Bob Wagner.

**CITIZEN'S AND GUEST'S COMMENTS:**

Mr. Herb Payne spoke on issues he and Council Member Dodd disagree about. Mr. Payne continued to speak concerning the Landfill and he thanked the people who served on the Solid Waste Management Plan. He wished Council Elect Tim Pugh success as a member of the City of Sugar Hill Council, and stated he would bring more issues to the next meeting.

Mr. Bob Wagner commented negatively about the City on several issues and stated that if he were suppressed from speaking he would take them to court because everything done in Sugar Hill affects he and his wife. He also spoke on the order in the meetings.

Mr. Rick January commented on the current collection of Solid Waste. He would like to see the company relieved of their collection in the City. He commented on some statements made by Council Member Bailey on electing trainees and other subjects.

Council Member Spradlin spoke concerning sticking to the issues and get off the personal vendettas. He asked that the Community work together.

Mr. David Hawthorn thanked Council Member Spradlin for his efforts on resolving the dispute between the Methodist Church and the citizens of South Roberts Drive. He also spoke on looking into the requirements of buffer zones.

Council Member Dodd thanked Council Member Spradlin for the job he did on the church problem and was given a round of applause but Council Member Spradlin gave the credit for the resolving of this problem to the church and the residents.

Mr. Granvill Betts thanked the Council for their decision on the Soccer Fields. He invited the citizens to come watch the play on the soccer fields. He feels this will be an exciting time for the City and the WGSC.

Mr. Mike Forgarty asked that all the fighting stop and be more productive in running the City.

Mrs. Rose Payne told Council Member Spradlin to visit the Asphalt Plant on Fellowship Road if he has any concern on the plant being built in Sugar Hill. She has visited this facility and it was run very efficiently.

Mr. David Edwards thanked the persons who voted for him and he congratulated Mr. Pugh and Mr. Davis and wished luck to Mrs. Avery and Mr. Bailey. He encouraged the citizens to vote with their head and not their heart. He would like to referee at one of the first soccer games on the field. He is proud that we can stand and be counted in America.

Council Member Dodd made a motion to adjourn at 9:26 P.M. seconded by Council Member Bailey and unanimously approved.

CLERK'S REPORT  
DECEMBER 1995

We continue to collect 1995 Property Taxes and also we continue to make adjustments sent to us from Gwinnett County on the 1995 Taxes. To date of November 31, 1995 we have collected the amount of \$191,041.72.

Election Superintendent James McCalla did an excellent job in coordinating the Run-off Election held on November 28, 1995. Incumbent Steve Bailey was successful in his bid to recapture his Council Seat. He defeated Mrs. Margaret (Meg) Avery on a vote of 450 to 422. Mr. McCalla will give a report on the Election at the December 11, 1995 Council Meeting.

The City of Sugar Hill employees will have a Christmas Luncheon on December 18, 1995 at 12:00 Noon in the Community Service Building. The Mayor and Council is invited to participate and if Christmas Bonuses are approved they will be given at the Luncheon. The employees will observe Monday, December 25th and Tuesday, December 26th as the Christmas Holidays.

My special "THANK YOU" to each of you for making my job as Clerk for the City of Sugar Hill so pleasant. I appreciate, more than I can express to you, all the support you have given me since I came to work for the City. You make coming to work an important part of my life and I look forward to working for you for many years to come.

FINANCE REPORT  
DECEMBER 1995

It appears that we are going to end the year with a surplus of \$500,000+. We have worked hard to be frugal to assure that we would not use the savings to fund operating expenses and expenditures.

To say the least, I am very disappointed that we will be receiving approximately \$556,000 less than anticipated in the sale of the Water and Sewer System. Evidently communications were lost, misunderstood or maybe never stated, in relating the expense of two (2) escrow accounts for anticipated repairs and expenses, which if not used will be returned to the City after one (1) year. This means that we will not be able to pay off all of the GEFA Loan.

You will have in your packets the Revenue and Expense/Expenditure Report through November 31, 1995. If you have any questions, please call me and we will discuss them.

I also want to "THANK YOU" for making my job as Finance Director easier to do. You cooperate with me, and I really appreciate the trust you have in me. Please, never hesitate to let me know if I can do anything to make your job of representing the citizens of Sugar Hill easier than it is, or more easily understood.

## REVENUES/INCOME AND EXPENDITURES/EXPENSES REPORT 1995

NOVEMBER

DEPARTMENT: BUDGET '95: '94YTD: '95YTD: PERCENT: NET '95  
'95YTD: YTD-BUDGET:

Administration:					
Revenues	\$980,000	\$584,963	\$884,781	90.28%	\$95,219
Expenditures	\$749,624	\$690,028	\$601,334	80.22%	\$148,290
Net Income:	\$230,376	(\$105,065)	\$283,447	123.04%	(\$53,071)
Inspections:					
Revenues	\$87,500	\$84,807	\$110,264	126.02%	(\$22,764)
Expenditures	\$106,521	\$62,927	\$116,615	109.48%	(\$10,094)
Net Income:	(\$19,021)	\$21,880	(\$6,351)	33.39%	(\$12,670)
Street:					
Revenues	\$67,300	\$55,925	\$73,772	109.62%	(\$6,472)
Expenditures	\$260,641	\$187,266	\$282,177	108.26%	(\$21,536)
Net Income:	(\$193,341)	(\$131,341)	(\$208,405)	107.79%	\$15,064
Sanitation:					
Income	\$347,605	\$359,068	\$283,261	81.49%	\$64,344
Expenses	\$325,525	\$309,846	\$322,923	99.20%	\$2,602
Net Income:	\$22,080	\$49,222	(\$39,662)	-179.63%	\$61,742
Gas:					
Income	\$2,409,100	\$1,865,488	\$1,784,886	74.09%	\$624,214
Expenses	\$1,910,915	\$1,017,761	\$996,194	52.13%	\$914,721
Net Income:	\$498,185	\$847,727	\$788,692	158.31%	(\$290,507)
Water:					
Income	\$670,250	\$613,314	\$603,783	90.08%	\$66,467
Expenses	\$579,980	\$595,271	\$653,120	112.61%	(\$73,140)
Net Income:	\$90,270	\$18,043	(\$49,337)	-54.65%	\$139,607
Sewer:					
Income	\$945,750	\$465,472	\$700,216	74.04%	\$245,534
Expenses	\$1,441,538	\$724,615	\$876,396	60.80%	\$565,142
Net Income:	(\$495,788)	(\$259,143)	(\$176,180)	35.54%	(\$319,608)
Golf:					
Income	\$803,100	\$720,475	\$770,413	95.93%	\$32,687
Expenses	\$832,101	\$689,916	\$600,360	72.15%	\$231,741
Net Income:	(\$29,001)	\$30,559	\$170,053	-586.37%	(\$199,054)
Total Income:	\$6,310,605	\$4,749,512	\$5,211,376	82.58%	\$1,099,229
Total Expenditures/ Expenses	\$6,206,845	\$4,277,630	\$4,449,119	71.68%	\$1,757,726
Variances	\$103,760	\$471,882	\$762,257	734.63%	(\$658,497)

CITY OF SUGAR HILL, GEORGIA  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES AND  
CHANGES IN FUND BALANCE - (GAAP BASIS) AND ACTUAL  
FOR THE YEAR ENDED DECEMBER 31, 1994

	1994		Variance Favorable (Unfavorable)	1993 Actual
	Budget	Actual		
Revenues:				
Taxes-				
Property	\$373,100	\$ 370,248	\$ (2,852)	\$337,285
Intangible	3,600	4,662	1,062	3,639
Transfer	3,000	1,500	(1,500)	2,006
Insurance premium	138,000	141,926	3,926	138,720
Franchise	150,433	168,395	17,962	148,445
Alcohol beverage	20,000	26,656	6,656	22,597
Vehicle	50,000	40,940	(9,060)	35,687
Licenses and permits	125,600	140,167	14,567	135,542
Intergovernmental	75,000	124,068	49,068	65,746
Fines and fifas	3,300	4,615	1,315	430
Interest	5,000	18,438	13,438	15,328
Sale of assets	1,000	1,974	974	7,352
Miscellaneous	77,500	127,507	50,007	134,101
<b>Total Revenues</b>	<b>1,025,533</b>	<b>1,171,096</b>	<b>145,563</b>	<b>1,046,878</b>
Expenditures:				
Current-				
General government	709,726	744,324	(34,598)	857,952
Streets	223,346	198,622	24,724	257,258
Parks and recreation	25,000	74,893	(49,893)	65,014
Capital-				
General government	10,000	28,205	(18,205)	25,691
Streets	6,000	5,582	418	43,641
<b>Total Expenditures</b>	<b>974,072</b>	<b>1,051,626</b>	<b>(77,554)</b>	<b>1,249,556</b>
Excess (deficiency) of Revenues over Expenditures	51,461	119,470	68,009	(202,678)
Fund Balance - Beginning	599,852	599,852	-0-	802,530
Fund Balance - Ending	\$651,313	\$ 719,322	\$ 68,009	\$599,852

The accompanying notes are an integral part  
of these financial statements

(See Independent Auditor's Report)



CITY OF SUGAR HILL, GEORGIA  
GENERAL FUND  
STATEMENT OF EXPENDITURES COMPARED TO BUDGET (GAAP BASIS)  
FOR THE YEAR ENDED DECEMBER 31, 1994  
WITH COMPARATIVE ACTUAL AMOUNTS FOR THE YEAR ENDED DECEMBER 31, 1993

	1994		Variance Favorable (Unfavorable)	1993 Actual
	Budget	Actual		
General Government:				
Salaries and bonuses	\$191,079	\$207,238	\$ (16,159)	\$261,276
Insurance	207,800	152,990	54,810	199,457
Utilities	12,800	10,360	2,440	8,271
Payroll taxes	22,062	19,835	2,227	21,284
Postage	13,700	13,571	129	18,799
Office supplies	21,075	21,438	(363)	29,602
Legal and accounting	48,700	50,458	(1,758)	51,965
Telephone	14,700	14,993	(273)	16,018
Due and Subscriptions	7,000	6,945	55	7,627
Maintenance and repairs	16,525	31,784	(15,259)	19,936
Election expense	2,400	2,008	392	3,080
Inspections	-	-	-	5,053
Mayor and council	24,300	24,075	225	9,972
Prison detail	23,500	42,075	(18,575)	21,769
Employee retirement	16,985	9,915	7,070	15,785
Processing supplies	1,000	903	97	6,392
Training and seminars	11,800	9,568	2,232	14,332
Bank charges	1,000	954	46	1,581
Miscellaneous	35,300	55,966	(20,666)	95,859
Consulting fees	10,000	38,594	(28,594)	29,848
Vehicle gas and oil	28,000	30,654	(2,654)	20,046
Capital outlay	10,000	28,205	(18,205)	25,691
<b>Total</b>	<u>\$719,726</u>	<u>\$772,529</u>	<u>\$ (52,803)</u>	<u>\$883,643</u>

The accompanying notes are an integral part  
of these financial statements.

(See Independent Auditor's Report)

CITY OF SUGAR HILL, GEORGIA  
 COMBINING STATEMENT OF REVENUES, EXPENSES,  
 AND CHANGES IN RETAINED EARNINGS  
 ALL PROPRIETARY FUND TYPES  
 FOR THE YEAR ENDED DECEMBER 31, 1994

	<u>Gas Fund</u>	<u>Water Fund</u>	<u>Sewer Fund</u>
OPERATING REVENUES:			
Charges for services	\$1,936,749	\$ 593,141	\$ 380,239
Connection fees	36,850	21,600	75,774
Other	<u>39,358</u>	<u>8,221</u>	<u>3,778</u>
Total Operating Revenues	2,012,957	622,962	459,791
OPERATING EXPENSES:			
Purchases of product/service	748,722	379,954	138,907
Salaries and benefits	162,288	216,552	141,727
Supplies and materials	71,915	14,185	39,617
Utilities and lift-station expenses	33,261	-0-	125,184
Insurance	33,407	57,944	25,800
Repairs and maintenance	10,916	14,688	21,271
Depreciation and amortization	15,529	47,211	121,634
Other	<u>34,199</u>	<u>22,123</u>	<u>34,282</u>
Total Operating Expenses	<u>1,110,237</u>	<u>752,657</u>	<u>648,422</u>
Operating Income (Loss)	902,720	(129,695)	(188,631)
NON-OPERATING INCOME (EXPENSE):			
Interest revenue	93	-0-	11,092
Interest expense	<u>-0-</u>	<u>(3,338)</u>	<u>(285,350)</u>
Total Non-operating Income (Expense)	<u>93</u>	<u>(3,338)</u>	<u>(274,258)</u>
NET INCOME (LOSS)	902,813	(133,033)	(462,889)
RETAINED EARNINGS - BEGINNING OF YEAR	<u>4,135,980</u>	<u>(170,402)</u>	<u>1,327,923</u>
RETAINED EARNINGS - END OF YEAR	<u>\$5,038,793</u>	<u>\$(303,435)</u>	<u>\$ 865,034</u>

The accompanying notes are an integral part  
of these financial statements.

(See Independent Auditor's Report)

Sanitation Fund	Golf Fund	Total Memorandum Only	
		1994	1993
\$302,138	\$ 763,209	\$3,975,476	\$3,801,984
-0-	-0-	134,224	278,331
<u>22,224</u>	<u>-0-</u>	<u>73,581</u>	<u>98,298</u>
324,362	763,209	4,183,281	4,178,613
306,413	62,058	1,636,054	1,691,353
-0-	276,102	796,669	770,983
-0-	78,931	203,763	213,175
-0-	36,218	194,663	143,233
-0-	36,290	153,441	131,519
2,456	39,010	88,341	165,862
2,694	155,820	342,868	342,735
<u>109,526</u>	<u>60,578</u>	<u>260,708</u>	<u>103,786</u>
421,069	745,007	3,676,507	3,562,646
(96,707)	18,202	506,774	615,967
4,753	-0-	15,938	327,100
<u>-0-</u>	<u>(245,647)</u>	<u>(534,335)</u>	<u>(229,682)</u>
4,753	(245,647)	(518,397)	97,418
(91,954)	(227,445)	(11,623)	713,385
460,995	(168,941)	5,585,555	4,872,170
<u>\$369,041</u>	<u>\$(396,386)</u>	<u>\$5,573,932</u>	<u>\$5,585,555</u>

CITY OF SUGAR HILL  
 SCHEDULE OF DEBT SERVICE  
 REQUIREMENT BY YEAR  
 (PRINCIPAL AND INTEREST)

YEAR	CAPITAL LEASE GOLF COURSE	LEASE POOL GEN FD	1974 GO BONDS WA & SW	1993 REFUNDING BONDS	GEFA LOAN SEWER	SRF LOAN SEWER	1995 BONDS REVENUE GOLF COURSE	TOTAL DEBT SERVICE
1995	\$44,389	\$59,602	\$0	\$589,732	\$218,809	\$104,284		\$1,016,816
1996	\$18,495	\$33,677	\$34,350	\$598,893	\$218,809	\$139,045	\$70,029	\$1,113,298
1997		\$23,136	\$32,175	\$602,067	\$218,809	\$139,045	\$70,029	\$1,085,261
1998				\$609,205	\$218,809	\$139,045	\$70,029	\$1,037,088
1999				\$615,405	\$218,809	\$139,045	\$70,029	\$1,043,288
2000				\$625,515	\$218,809	\$139,045	\$70,029	\$1,053,398
2001				\$644,235	\$218,809	\$139,045	\$70,029	\$1,072,118
2002				\$676,250	\$218,809	\$139,045	\$70,029	\$1,104,133
2003				\$670,595	\$218,809	\$139,045	\$70,029	\$1,098,478
2004				\$699,275	\$218,809	\$139,045	\$70,029	\$1,127,158
2005				\$725,295	\$218,809	\$139,045	\$70,028	\$1,153,177
2006				\$726,720	\$218,809	\$139,045		\$1,084,574
2007				\$726,708	\$218,809	\$139,045		\$1,084,562
2008				\$745,257	\$218,809	\$139,045		\$1,103,111
2009				\$756,220	\$218,809	\$139,045		\$1,114,074
2010				\$759,065	\$218,809	\$139,045		\$1,116,919
2011				\$759,845	\$109,401	\$139,045		\$1,008,291
2012				\$753,560		\$139,045		\$892,605
2013				\$755,505		\$139,045		\$894,550
2014				\$540,090		\$139,045		\$679,135
2015						\$34,770		\$34,770
TOTALS	\$62,884	\$116,415	\$66,525	\$13,579,437	\$3,610,345	\$2,780,909	\$700,289	\$20,916,804

CLERK'S REPORT  
DECEMBER 1995

We continue to collect 1995 Property Taxes and also we continue to make adjustments sent to us from Gwinnett County on the 1995 Taxes. To date of November 31, 1995 we have collected the amount of \$191,041.72.

Election Superintendent James McCalla did an excellent job in coordinating the Run-off Election held on November 28, 1995. Incumbent Steve Bailey was successful in his bid to recapture his Council Seat. He defeated Mrs. Margaret (Meg) Avery on a vote of 450 to 422. Mr. McCalla will give a report on the Election at the December 11, 1995 Council Meeting.

The City of Sugar Hill employees will have a Christmas Luncheon on December 18, 1995 at 12:00 Noon in the Community Service Building. The Mayor and Council is invited to participate and if Christmas Bonuses are approved they will be given at the Luncheon. The employees will observe Monday, December 25th and Tuesday, December 26th as the Christmas Holidays.

My special "THANK YOU" to each of you for making my job as Clerk for the City of Sugar Hill so pleasant. I appreciate, more than I can express to you, all the support you have given me since I came to work for the City. You make coming to work an important part of my life and I look forward to working for you for many years to come.

**MEMORANDUM 95-085**

TO: Mayor/City Council  
FR: Warren P. Nevad  
RE: DECEMBER 11, 1995 CITY MANAGER REPORT  
DATE: December 4, 1995

**1. EMPLOYEES:**

We collected over 200 pounds of canned goods for the needy at Thanksgiving. Margie Wilson is assisting me in our Christmas Toy Drive for our underprivileged small children living in Sugar Hill. As of this date, we have collected over \$1200 in donations. We will hold a Christmas party for the children and needy seniors on December 21 at 6:00 P.M. at the Community Center.

Ruth Switzer assisted me in developing a new uniform policy for our employees. Our objective is to project a professional image to our citizenry and customers. Shirley Gibbs and Betty Garbutt worked extremely hard to guide our elections. I appreciate their efforts.

Our employees have been very cooperative during our transitory period regarding the transfer of our water and sewer system.

**2. CUSTOMER SERVICE:**

Shirley Fields and Ruth Ann Cooper have been informing the public regarding County utility billing and rate procedures. The County programmers are working on the year end utility billing transition with Margaret McEachern.

We purchased two (2) new meter reading vehicles. We had surplus monies in our renewal and replacement fund to purchase these needed vehicles. Shortly, we plan to purchase a long bed truck to replace an aging vehicle in the gas department.

We have been approved for a \$4600 matching grant from the State to refurbish E.E. Robinson Park.

**3. PLANNING/ZONING**

Ken Crowe will be presenting a rezoning proposal regarding the Myrick property. Blockbuster Video Store has recently opened at the Sugar Hill Station.

**4. BUDGET/FINANCE:**

Betty is preparing the 1996 budget for Mayor/Council approval at the December meeting. The 1996 Budget Proposal contains \$227,000 in contingency funds. The renewal and replacement funds are budgeted at \$522,000. The total amount of our proposed budget is \$4,906, 570.

5. **SOLID WASTE MANAGEMENT PLAN:**

The Department of Community Affairs (DCA) has notified the Atlanta Regional Commission that our plan has met the Minimum Planning Standards. We are very pleased with DCA's determination. We will officially adopt the plan at the December Mayor/City Council Meeting.

6. **CLUBHOUSE:**

The contractor has informed us that this project should be completed by year end. Although our architect will not certify a change order request of \$35,000, the contractor has continued working on the project. In addition, the contractor has offered to reduce his change order request to \$25,000. Staff's recommendation is not to approve this amount. This revised offer should be addressed after the building has been certified for occupancy. We have provided you with more detailed correspondence regarding this change order request. We have met with Lee Thompson to review our options.

7. **CONSENT ORDER:**

E.P.D. has stamped and approved our groundwater monitoring plan. Again, we are very pleased with the State's determination. Our next step is to install the wells within 90 days.

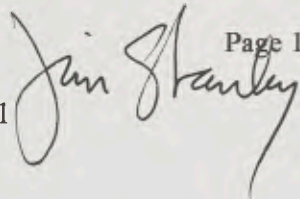
8. **WATER & SEWER SALE:**

We have received a proposed contract draft for Mayor/City Council approval at the December meeting. This subject will be discussed at our December 9th workshop.

Best Wishes for a productive meeting.  
WPN: bms

**MEMO TO:** Mayor and City Council  
**FROM:** Jim Stanley  
**SUBJECT:** Solid Waste Management and Landfill  
**DATE:** 12/11/95

Page 1 of 2



During the past month, there have been a number of significant developments related to Solid Waste Management and Landfill issues, as follows:

1. Our Solid Waste Management Plan has received final approval by all of the State reviewing agencies. The approved plan limits all future landfill development in Sugar Hill to the original 44 acres leased to the landfill company. The Council will consider a resolution for formal adoption of the plan later in its meeting.
2. Shortly after our last regular meeting, the Georgia Court of Appeals issued a ruling in connection with the Citizens lawsuit on the landfill. The Court of Appeals confirmed the Superior Court ruling which found that the Restated Lease Agreement included an illegal "siting decision". The Appeals Court also ruled that other portions of the Restated Lease agreement not dealing with landfill expansion remain valid. This ruling clearly holds Mid American Waste Systems responsible for closure and post closure monitoring of the existing landfill. Mr. Groves and Mr. Driver have subsequently filed a formal motion for reconsideration. An appeal to the Supreme Court would also be possible. Do not expect the Courts to solve your problems or answer your questions.
3. Georgia EPD has finally given approval for the post-closure monitoring plan for the existing landfill. The City retained Piedmont Hensley Olsen to prepare the required plan, and should proceed immediately to implement the plan, with or without the assistance of Mid American. I believe that Mid American should be formally notified that an approved plan has been obtained, and that they may perform closure and post-closure activities themselves, provided that they formally confirm their willingness to do so, and further provided that the work begins immediately and is pursued expeditiously to completion. If the City ends up having to do the work, I recommend that the funds required be drawn from the landfill escrow account.
4. At a Called Council Meeting held on December 9, 1995, a motion was approved to direct the City Attorney to proceed with a formal legal demand that Gwinnett Sanitation (a Mid American subsidiary) repay to the City commercial garbage collection fees, in the amount of \$82,985.62, improperly billed to and paid by the City. The Council resolution indicated that Gwinnett Sanitation will be considered to be in breach of contract unless repayment occurs by the February meeting of the Council. I strongly suggest that the City Council should anticipate a failure to comply by Gwinnett Sanitation and Mid American, and that you should prepare accordingly for that probability.

Another month has gone by and the City has still not received any formal response to our proposal related to landfill closure, return of property, and disposition of escrow



MEMO TO: Mayor and City Council  
12/11/95

Page 2 of 2

funds. I recommend that the City consider setting a time limit for receipt of a formal response, preferably not later than the February Council Meeting.

Nothing that has happened during the past four years gives me any cause for optimism with regard to the City's ongoing dealings with Mid American and Gwinnett Sanitation. I recommend that the City's interests be pursued vigorously, with full legal representation. Do not expect quick solutions or easy answers, both of which tend to lead to bad decisions.

Sugar Hill Golf Club  
1995 to 1994 Comparisons

12/11/95

1994 Actuals			1995 Y. T. D.			Rounds	1994		1995		Revenue		
Month	Total Res Rds	Total Non-Res	Total Rounds	Month	Total Res Rds	Total Non-Res	Total Rounds	Percent Change	Month	Total Revenue	Month	Total Revenue	Percent Change
Jan	68	481	549	Jan	137	602	739	34.61%	Jan	18,871.18	Jan	24,394.54	29.27%
Feb	176	888	1064	Feb	111	646	757	-28.85%	Feb	35,163.29	Feb	27,312.83	-22.33%
Mar	206	1825	2031	Mar	231	1589	1820	-10.39%	Mar	71,574.99	Mar	66,042.68	-7.73%
Apr	275	2165	2440	Apr	478	2249	2727	11.76%	Apr	85,849.87	Apr	101,256.59	17.95%
May	297	2280	2577	May	261	2340	2601	0.93%	May	91,961.62	May	93,556.83	1.73%
Jun	223	2031	2254	Jun	307	2409	2716	20.50%	Jun	81,346.69	Jun	102,600.66	26.13%
Jul	294	2245	2539	Jul	331	2961	3292	29.66%	Jul	93,324.10	Jul	120,628.58	29.26%
Aug	258	2060	2318	Aug	300	2105	2405	3.75%	Aug	81,286.15	Aug	87,057.89	7.10%
Sep	308	1815	2123	Sep	158	1568	1726	-18.70%	Sep	78,548.04	Sep	63,384.89	-19.30%
Oct	205	1423	1628	Oct	136	1617	1753	7.68%	Oct	59,546.24	Oct	62,726.75	5.34%
Nov	214	1408	1622	Nov	144	1196	1340	-17.39%	Nov	56,191.31	Nov	46,062.26	-18.03%
Dec	243	1164	1407	Dec					Dec		Dec		
<b>Totals:</b>	2767	19785	22552		2594	19282	21876	0.30%		753,663.48		795,024.50	4.49%

Ratio of Resident play 1995 compared to 1994: **2.77% increase**

Ratio of Non-Resident play 1995 compared to 1994: **3.55% increase**

O A T H O F O F F I C E

"I, \_\_\_\_\_, do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution of the State of Georgia, the Charter and Ordinances of the City of Sugar Hill, and that I will, to the best of my ability, faithfully perform the duties of the office of Council Member during my continuance therein, so help me God."

\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_

\_\_\_\_\_  
Date:

## RESOLUTION 95-12A

**WHEREAS**, the City of Sugar Hill, Georgia has received an offer from Gwinnett County, Georgia to purchase the City's municipal water and sewer system upon the terms and conditions set forth in the Agreement and letter attached hereto as Exhibit "A" and Exhibit "B"; and

**WHEREAS**, the City of Sugar Hill has evaluated said offer and determined that the offer represents a reasonable value for the water and sewer system and have determined that the sale of the system to Gwinnett County is in the best interest of the citizens of the City of Sugar Hill;

NOW THEREFORE BE IT RESOLVED by the Mayor/City Council of the City of Sugar Hill, and it is hereby resolved by authority of the same, as follows:

- 1) The City of Sugar Hill hereby accepts the offer of purchase extended by Gwinnett County, and the Mayor of the City of Sugar Hill is hereby authorized and directed to execute an "Agreement to Purchase Water and Sewer System" in substantially the same form as the Agreement attached hereto as Exhibit "A" which Agreement is incorporated by reference.
- 2) The Mayor of the City of Sugar Hill is further authorized to do all other acts and things consistent with that agreement and to execute any and all documents necessary to complete the closing of the sale authorized in this Resolution and in the Agreement on the specified date.
- 3) The City Clerk is hereby authorized to attest the signature of the Mayor on all documents authorized by this Resolution, and the City Clerk and/or City Manager are hereby authorized to provide all records contemplated in the "Agreement for Purchase of the Water and Sewer System" and to take all other actions consistent with this Resolution to complete the sale of the municipal water and sewer system.

IT IS SO ORDAINED THIS \_\_\_\_\_ DAY OF DECEMBER, 1995

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

APPROVED BY: \_\_\_\_\_

Mayor

This \_\_\_ day of \_\_\_\_\_, 1995

ATTEST: \_\_\_\_\_

City Clerk