

Mayor Millsaps called the regularly scheduled meeting to order at 7:00 P.M. with all Council Members present.

After a prayer by Dennis Roland, Coach at Central Gwinnett High School, Mr. Clark asked for everyone to stand for the pledge of allegiance.

Mayor Millsaps then asked for the approval of the August 6, 2007 City Council minutes, the August 15, 2007 Special Call and Executive Session minutes. Dr. Johnson made a motion to approve the minutes as recorded with the exception of correcting the motion going into the Executive Session on August 15, 2007 to reflect Mr. Martin making the motion to adjourn into the Executive Session and Dr. Johnson seconding the motion. The motion was seconded by Mr. Clark. The motion carried unanimously.

Mayor Millsaps presented Dr. Valerie Clark, Principal at Central Gwinnett High School a proclamation for Central's recent academic achievement.

Mayor Millsaps asked that the council approve the following appointments to the Comprehensive Plan Steering Committee. The plan members are as follows: Charles Mathis, Eron Moore, Mary Thompson, Craig Willis, Mike Crow, Marie Beiser, and Gene McKay. Mr. Clark made a motion to approve Mayor Millsaps' appointments to the Comprehensive Plan Steering Committee. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps presented the Consent Agenda.

CONSENT AGENDA

1. Approval of authority for the Mayor Pro Tem to execute and bind the City to an Agreement with Precision Planning, Inc. of Lawrenceville, Georgia to provide engineering services for the City's Water Department in the form attached hereto as Exhibit "A".
2. Approval of the funding to hire Trees Unlimited of Cave Springs, Georgia to trim trees surrounding the electric power lines of the City through a contract for Distribution Services offered by the Municipal Electric Authority of Georgia. The City is to be billed separately for this service, but payments shall be made through MEAG. Trees Unlimited was the low quote received by the Director of Utilities for this service which will be billed by the hour for the service performed. The memorandum of the bid is attached hereto as Exhibit "B".
3. Approval of authority for the Mayor to execute and bind the City to an Agreement for Subscription Regulatory Compliance Service with the Municipal Gas Authority of Georgia to assist the City's Gas Department in the development and implementation of mandated programs to insure compliance with Federal Pipeline Safety Regulations and other services as described in the agreement attached hereto as Exhibit "C".

After the presentation, Mr. Clark made a motion to approve the Consent Agenda as presented subject to giving the Mayor authority to negotiate and execute the contract with the Municipal Gas Authority of Georgia. The Authority is to amend the agreement to be in the best interest of the City. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

PUBLIC HEARINGS – OLD BUSINESS

Mayor Millsaps called on Mr. Powell to present the second reading of the rezoning request by Caswell Realty on Ruth Street. Mr. Powell explained that this item was remanded back to the City by the Court and the deadline for action is September 10, 2007. Mayor Millsaps called on Ms. Tracy Blasi to present the rezoning request on behalf of Caswell Realty. Ms. Blasi informed the council that Ruth Street would be paved and curbed with considerable green space in the subdivision. She stated that the anticipated price of housing units are \$230,000.00 plus. Mayor Millsaps called for any opposition to the rezoning. Mrs. James White, Mrs. E. Shewmake and Ms. Linda Chambers all appeared in opposition to the rezoning request. Destruction of wildlife habitat and problems associated with blasting were discussed. After some discussion, Dr. Johnson made a motion to deny the rezoning request. The motion was seconded by Mr. Crow for the purpose of discussion. After much discussion, Mayor Millsaps called for a vote. The motion did not pass with Dr. Johnson voting for the motion. Mr. Clark, Mr. Crow and Mr. Martin voting in opposition to the motion. Mr. Martin then made a motion to approve the rezoning request as presented and with all the stipulations from the Planning Commission in the August 13, 2007 meeting with the exception of the first amendment to the original motion being deleted, the rock outcrop be preserved, post blasting testing shall be done within 1,300 feet from the blast and the stone and brick sign listed as A & B and the flower beds being installed. The motion was seconded by Mr. Crow. The motion carried with Mr. Crow, Mr. Martin and Mr. Clark voting for the motion. Dr. Johnson voted in opposition to the motion. (See Exhibit File)

Mr. Leonard presented the second reading of the Billiards Ordinance – Chapter 32 for council approval. After Mr. Leonard explained the ordinance amendment, Ms. Linda Nguyen of Linda's Billiards asked that the council not approve the ordinance. Ms. Nguyen stated that if the ordinance is approved as presented, she would be put out of business. Ms. Nguyen advised the council that she opened her business in November of 2006 with an investment of approximately \$150,000.00. After much discussion, Dr. Johnson made a motion to table this matter until the work session. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the second reading of the rezoning request at 425 Scenic Highway. Mr. Leonard informed the council that Sam T. Samuel requested that the property be rezoned from RS-180 to O&I. He stated that there will be no structural change on the property and Mr. Martin asked if the real estate office would fit into an O&N zoning. Mr. Leonard indicated that it would. After much discussion, Mr. Martin made a motion to approve the rezoning request as O&N with six parking spaces, a

fence on the rear property line and a vegetative 15' buffer. Mr. Crow asked for the stipulation that if the owner cannot get six parking spaces on the site, they will reduce the staff size accordingly. Mr. Martin agreed to amend his motion to reflect Mr. Crow's request. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps called on Mr. Leonard to present the second reading of the Special Use Permit for a carwash located at 531 West Pike Street. Mr. Leonard stated that the applicant requested that the City grant a Special Use Permit so that they could wash their rental cars at the 531 Pike Street location. Ms. Nancy Grimm appeared before the council representing Enterprise Rent-A-Car and their Special Use Permit. Ms. Grimm stated that they had amended the site plan to show a 15' buffer and that the car would be utilized for their vehicles only. Mayor Millsaps asked if there was any opposition from the audience. There was none. Mr. Clark then made a motion to deny the special use permit. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the second reading of Zoning Ordinance Amendment 7.9. He stated that this is a clerical change and that outdoor storage is mentioned two times in this ordinance. The intent is to remove one reference to outdoor storage and place the remaining reference in alphabetical order. Mr. Martin made a motion to approve the second reading of Zoning Ordinance Amendment 7.9. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Ms. Melody Glouton presented the second reading of recommended technical revisions to Alcohol, Solid Waste, Stormwater, Taxicab and Criminal Penalty Provisions of the Code of Ordinances. Ms. Glouton stated that the corrections to the various ordinances are technical in nature or to bring various ordinances into compliance with State Code. Dr. Johnson made a motion to approve the second reading of the technical revisions. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps called on the second reading of Zoning Ordinance Amendment 7.11.1 and 7.11.2. Mr. Crow made a motion that this amendment be tabled until the September 19, 2007 Special Call Meeting. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

PUBLIC HEARINGS – NEW BUSINESS

Mr. Leonard presented the first reading of Zoning Ordinance Amendment 7.2. He stated that this amendment would allow for helicopter pads in the agricultural residential district. Mr. Crow made a motion to proceed to the second reading. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Powell asked that the council delete the first reading of the Backflow Prevention/Cross Connection Ordinance from the agenda. The council agreed.

Mr. Leonard presented the first reading of Zoning Ordinance Amendment 6.2. Mr. Leonard stated that this code section deals with the historic district. Dr. Johnson made a motion to proceed to the second reading. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the first reading of a Zoning Ordinance Amendment to Sections 7.16 and 7.17 for council approval. Mr. Leonard stated that this amendment deals with the downtown overlay district concerning the historical areas. Dr. Johnson made a motion to proceed to the second reading. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mr. Leonard asked for council approval on the first reading of an amendment to Section 32.213 of the Code of Ordinances. Mr. Leonard stated that this amendment allows the City to issue a business license for the practice of massage therapy if the applicant has been granted a Georgia Massage Therapy license. If no license has been issued, the old ordinance requirements would prevail. Dr. Johnson made a motion to proceed to the second reading. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

COUNCIL BUSINESS MEETING – NEW BUSINESS

Mr. Leonard presented Nuisance Complaint NC-07-16 for the property located at 203 Pineview Drive. Mr. Leonard stated that the house is dilapidated and the council needs to proceed with the next step of the nuisance complaint process. Dr. Johnson made a motion to proceed with the nuisance complaint. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented Nuisance Complaint NC-07-17 for the property located at 54 Sherwood Drive. Mr. Leonard stated that the house is dilapidated and the council needs to proceed with the next step of the nuisance complaint process. Dr. Johnson made a motion to proceed with the nuisance complaint. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented the Energy Assistance Program that is offered through the Department of Community Affairs. Mr. Baroni asked for council approval of the Vendor Agreement. Mr. Baroni stated that the City had participated in this program for low income heating assistance for over 20 years. Mr. Crow made a motion to authorize Mr. Baroni to sign the agreement. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented a resolution concerning appointments for the election to be held November 6, 2007. Mr. Baroni asked that the following appointments be made:

Robert P. Baroni, Municipal Superintendent and Registrar, Gwinnett Board of Registration and Elections as Chief Registrar; Karen Pierce, Assistant Municipal Superintendent;

Donna Wiernik, Absentee Ballot Clerk and authority to appoint an Absentee Ballot Clerk in her absence; Emily Powell, Poll Manager with the Poll Manager or Superintendent to choose qualified Poll Workers. Mr. Baroni stated that the resolution also sets the compensation for the election workers. Mr. Crow made a motion to approve the resolution. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented Nuisance Complaint NC-07-18 for the property located at 300/302 Bedford Bay Lane. Mr. Leonard stated that this property is very dilapidated and that the owner cannot be located. Dr. Johnson made a motion to proceed with the nuisance complaint. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented an agreement and resolution for a loan for Rock, Paper, Scissors at Crogan and Chestnut Street. Mayor Millsaps stated that the loan is through the Downtown Development Authority and does not obligate the City for the loan funds. Mr. Clark made a motion to approve the loan agreement. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps asked that the Stormwater Management Plan be tabled. Mr. Crow made a motion to table this matter. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented the Aurora Lease Agreement. After some discussion, Mr. Crow made a motion to table this matter until the Work Session and hear it at a Special Call Meeting on that date. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps presented the following audit bids:

Rushton & Company	\$30,850.00
Hubert A. Briscoe, CPA	\$37,500.00
Robert A. McAlister	\$26,600.00
Mauldin & Jenkins	\$30,000.00

Mayor Millsaps informed the council that the apparent low bid is Robert McAlister, however, several items need to be checked further. Mr. Crow made a motion to authorize the Mayor to sign an agreement when he is sure which bid is low. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps presented the bid tabulation for the Windsor Farms Drive Cul-de-Sac Project. The bids are as follows:

G.S. Construction, Inc.	\$164,475.50
C.S. Britton, Inc.	Bid received late – not opened

September 10, 2007

Page 6 of 6

The Council asked Mayor Millsaps to negotiate with G.S. Construction, Inc. since they were the only valid bid received and it was higher than anticipated. Mr. Clark then made a motion to empower Mayor Millsaps to proceed with a contract subject to his satisfaction with the renegotiated amount. The motion was seconded by Mr. Crow. The motion carried with Mr. Crow, Mr. Clark, and Mr. Martin voting for the motion. Dr. Johnson voted in opposition to the motion. (See Exhibit File)

Dr. Johnson then made a motion to adjourn into Executive Session. The motion was seconded by Mr. Crow. The motion carried unanimously.

After the Executive Session, Mr. Crow made a motion to adjourn back into regular session. The motion was seconded by Dr. Johnson. The motion carried unanimously.

The City Attorney then explained to those present that one real estate matter and one personnel matter were discussed. No votes were taken.

There being no further business, the meeting was adjourned.

Rex Millsaps, Mayor

Robert P. Baroni, City Clerk