

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

Mayor Millsaps called for the approval of the April 6, 2009 Regular and Executive Session minutes and the April 22, 2009 Special Call meeting minutes. Mayor Millsaps asked that one correction be made on page 4 in the 6<sup>th</sup> paragraph. Mayor Millsaps asked that the minutes read "re-convened" instead of "re-adjourned". Mr. Crow made a motion to approve the minutes with the Mayor's correction. The motion was seconded by Ms. Beiser. The motion carried unanimously.

Mayor Millsaps added the WRT contract as item #2 under Council Business Meeting, Old Business and the Engineering Agreement with Hayes, James & Associates under Council Business Meeting, New Business as item #6.

Mayor Millsaps then presented the Consent Agenda.

#### CONSENT AGENDA

1. Approval of funding for the purchase of a vacuum/jet truck for \$237,202.00, as described on the attached Exhibit "A", utilizing \$220,000.00 from SPLOST funds and \$17,202.00 from Stormwater Utility funds.
2. Approval of three (3) Change Orders for the Oakes House Welcome Center Renovation Project from Hogan Construction in the amounts of \$38,847.00, \$1,596.00, and \$7,756.00 attached hereto as Exhibit "B".

Mr. Martin made a motion to approve the Consent Agenda as presented. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

#### PUBLIC HEARING - NEW BUSINESS

Mr. Baroni informed the audience that the council is required to answer ethics questions on zoning issues. For the following rezoning requests, all council members including the Mayor, answered "no" to all the ethics questions. Mr. Baroni stated that the council's affidavits are on file in the Planning and Zoning office.

Mayor Millsaps presented the first reading to the Springlake Cove Condominium rezoning. The Council initiated a rezoning from R-12 to RM-4-C. Mr. Clark then made a motion to approve the first reading. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps presented the first reading of the Dogwood Forest subdivision rezoning request. The City Council is requesting that the subdivision to be rezoned from BG to RS-150. Mr. Crow made a motion to approve the first reading. The motion was seconded by Ms. Beiser. The motion carried unanimously. (See Exhibit File)

COUNCIL BUSINESS MEETING – OLD BUSINESS

Mayor Millsaps called on the second reading of the amendment to the Charter regarding Council voting. Mayor Millsaps asked that the council table this issue until the June Council meeting. Mr. Martin made a motion to table this matter until the June meeting. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps presented the WRT contract for council consideration. After some discussion, Mr. Crow made a motion to approve the WRT contract for the Ezzard Road well project subject to the land swap with Gwinnett County. The motion was seconded by Ms. Beiser. The motion carried with Mr. Crow and Ms. Beiser voting for the motion. Mr. Clark and Mr. Martin voted in opposition to the motion. Mayor Millsaps broke the tie in favor of the motion. (See Exhibit File)

COUNCIL BUSINESS MEETING – NEW BUSINESS

The next item of business is the lease of the depot to the Downtown Development Authority. Mayor Millsaps recommended that the council table this until he gets a firm commitment from the DDA. Mr. Crow made a motion to table this matter. The motion was seconded by Ms. Beiser. The motion carried unanimously. (See Exhibit File)

Mr. Paul Austin presented the following bids for the Chestnut Street Sidewalk and Retaining Wall Project at the Welcome Center:

Hogan Construction Group	\$21,243.85
G.S. Construction	\$22,335.75
J.D. Gibbs Grading, Inc.	\$30,475.00

Mr. Austin recommended that the council accept the low bid in the amount of \$21,243.85 from Hogan Construction. Mayor Millsaps indicated that this money would be paid through the SPLOST program. Mr. Crow asked that electrical conduit be placed adjoining the sidewalks. Mr. Crow then made a motion to approve the low bid and funding from the SPLOST program. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Tom Fowler presented the bids for the Underground Electric Cable Replacement in Hanarry Estates North and Camden Square subdivision. Mr. Fowler stated that the bids are as follows:

Marable-Pirkle, Inc.	\$583,405.56
Comtran Group, Inc.	\$443,813.89
Over & Under Construction, Inc.	\$382,469.90
Utility Lines Construction	\$426,988.93

Mr. Fowler recommended that the City take the low bid of \$382,469.90 from Over & Under Construction, Inc. Mr. Clark made a motion to accept the low bid. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented the following list of surplus vehicles for council approval. Mr. Baroni stated that the equipment will be sold at public auction. Mr. Crow then made a motion to approve the surplus vehicle schedule. The motion was seconded by Ms. Beiser. The motion carried unanimously.

Mr. Gussio explained the Rock, Paper, Scissors agreement for the City's website update. Mr. Gussio stated that the contract is for \$18,000.00 for the first Phase. After some discussion, Mr. Crow made a motion to approve the agreement subject to the City obtaining ownership for the City's current domain or obtaining a new domain. The motion was seconded by Ms. Beiser. The motion carried unanimously. (See Exhibit File)

Mr. Gussio presented the Hayes, James & Associates agreement for engineering services to design a 12" water line on New Hope Road. Mayor Millsaps stated that this is a \$1.5 million project in which the City will receive a \$600,000.00 stimulus grant and a loan through GEFA for the balance. The City also has preliminary approval of a \$60,000.00 stimulus grant toward a \$150,000.00 project for adding a 12" water line on Luckie Street between Clayton Street and Culver Street. Mayor Millsaps stated that he plans to pay the GEFA loan off with SPLOST funding. Mayor Millsaps also stated that it is essential to begin the process since the stimulus money comes with deadlines attached. Mr. Crow then made a motion to proceed. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Ms. Beiser made a motion to adjourn into Executive Session to discuss five litigation matters and two real estate issues. The motion was seconded by Mr. Crow. The motion carried unanimously.

After the Executive Session, the council re-convened into regular session. Mr. Powell explained that two votes were taken on two matters. Both votes were 3 to 1 and no other action was taken on the five litigation matters and two real estate issues that were discussed.

There being no further business, Mr. Crow made a motion to adjourn. The motion was seconded by Mr. Clark. The motion carried unanimously.

---

Rex Millsaps, Mayor

---

Robert P. Baroni, City Clerk