

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

Mayor Millsaps called for the approval of the September 14, 2009 Executive Session minutes. Mr. Clark made a motion to approve the minutes that were presented in the Work Session and again tonight. Ms. Beiser seconded the motion. After some discussion, Ms. Beiser withdrew her second. Mr. Clark withdrew his motion. (See Exhibit File)

Mayor Millsaps then called for the approval of the minutes of the October 5, 2009 Regular Session and October 21, 2009 Special Call and Executive Sessions. Mr. Martin made a motion to approve the minutes as recorded. The motion was seconded by Mr. Clark. The motion carried unanimously.

Mayor Millsaps presented the Consent Agenda which is as follows:

CONSENT AGENDA

1. Approval of the agreement between the City of Lawrenceville and Sky Design for the Contract Administration of Phase I Signage, attached hereto as Exhibit "A".
2. Approval of the expenditure of asset forfeiture funds to purchase a Video Enhancement System for \$30,000.00 and a 2010 F250 Crew Cab Truck for \$26,500.00, all as described on the attached Exhibit "B".
3. Approval of an amendment to certain Transportation and Public Safety budget items in the 2005 SPLOST Fund as described on the attached Exhibit "C".

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

PUBLIC HEARING - OLD BUSINESS

Mr. Michael Sullivan presented the tall structure permit request to construct a cell tower on the Central Baptist Church site located on Gwinnett Drive. Mr. Sullivan informed the council that the plan has been revised to allow one curb cut and a combined use of easements for the drive to the City property and the tower. Mr. Sullivan also responded to a previous question from the last meeting regarding the cost of the tower. Mr. Sullivan stated that the cost is \$250,000.00. Mr. Butler Fevrier presented the council with technical data on the service area. Mr. Clark asked for the possibility of a balloon test and to show the propagation maps at various heights. Mr. Rodney Camren, 271 Sherwood Drive, asked that the council obtain more information before they moved forward, such as the number of potential users. Mr. Terrence Perry, 221 Paperwood Drive, expressed concerns about the tower. Mr. Clark then made a motion to table this

matter until a balloon test could be scheduled. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Ms. Linda Campbell presented a wine tasting permit at the Rock, Paper, Scissors site on Crogan Street. It was brought out that the application requested beer and wine, however wine would be the only item that could be served. Mr. Martin made a motion to approve the permit. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

PUBLIC HEARING - NEW BUSINESS

Mayor Millsaps presented the first reading of the Special Use Permit for a hand carwash and emissions testing station at 259 Scenic Highway. Mr. Clark made a motion to proceed with the first reading. The motion was seconded by Ms. Beiser. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps presented the first reading of the Special Use Permit for billiards/game room at 102 Stanley Court. Mr. Martin made a motion to proceed with the first reading. The motion was seconded by Ms. Beiser. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps presented the first reading of the Special Use Permit for an automotive sales and repair shop at 693 Grayson Highway. Ms. Beiser made a motion to proceed to the second reading. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

COUNCIL BUSINESS MEETING – OLD BUSINESS

Mayor Millsaps presented the second reading of the Job Description Ordinance Amendment. Mr. Gussio stated that the only change in the description is the BS degree added to the Planning Director's job description. Mr. Clark then made a motion to adopt the job descriptions of Risk Management, Building Maintenance and Economic Development Manager as written with a pay scale of 66 for the Economic Development Director and directed the Mayor to move the Planning and Zoning Director to Building Maintenance. The motion was seconded by Mr. Martin. The motion carried with Ms. Beiser, Mr. Martin and Mr. Clark voting for the motion. Mr. Crow abstained. (See Exhibit File)

Mr. Mike Bowie presented the second reading of the proposed Water Rate Ordinance for council approval. He stated that this is just a flow through for the wholesale rate increase from Gwinnett County. Ms. Beiser made a motion to approve the ordinance amendment. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps presented the second reading of amendments to Chapter 17 of the Code of Ordinances and Chapter 21 of the Development Regulations. Mayor Millsaps stated that the City Attorney is recommending that action be tabled. Mr. Crow made a motion to table action on this issue. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

COUNCIL BUSINESS MEETING – NEW BUSINESS

Mr. Paul Austin presented a request for an additional employee in his department. Mr. Austin asked the council to approve a Construction and Engineering Inspector. Mr. Clark made a motion to approve the request. The motion was seconded by Ms. Beiser. The motion carried unanimously. (See Exhibit File)

Mr. Paul Austin and Mr. Lamar Hall presented a request to purchase an excavator for the Stormwater Utility use. The desired equipment is a 2009 Takeuchi TB 135 at a price of \$31,000.00. Mr. Hall informed the council that the prices range from \$46,000.00 down to \$31,000.00. The reason for the disparity is this a closeout model. Ms. Beiser made a motion to approve the purchase. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps presented the web hosting agreement. After some discussion, Mr. Clark made a motion to table this matter until Mr. Gaguski and Mr. Martin could discuss the issue. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mr. Gussio presented four cases of emergency nuisances for council action. The locations are: 67-69 Ezzard Street, 250 Omega Street, 414 Saddle Shoals Trail and 295-297 Forest Place. Mr. Gussio stated that they all involve tall grass. Mr. Crow made a motion to approve the emergency nuisance cases. The motion was seconded by Ms. Beiser. The motion carried unanimously.

Mr. Gussio presented an agreement with ICIA for a telecommunications audit. Mr. Crow made a motion to approve the agreement. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented a list of City Council meeting dates for 2010. Mr. Baroni asked that the council approve the 2010 dates as presented with the exception of the December meeting dates which should be changed to December 13th.

Mr. Crow made a motion to adjourn into Executive Session to discuss two real estate issues, two litigation issues and one attorney client privilege. The motion was seconded by Mr. Martin. The motion carried unanimously.

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After the Executive Session, Mr. Gussio explained to those present that the council discussed two real estate issues, two litigation issues and one matter of attorney client privilege. One vote was taken. That vote was 3 to 0 with one abstention.

There being no further business, a motion was made and seconded to adjourn. The motion carried unanimously.

Rex Millsaps, Mayor

Robert P. Baroni, City Clerk