

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 administered the oath of office to Council Members-elect P.K. Martin and Katie Hart Smith.

Mayor Millsaps presented his appointments for 2010. The appointments are as follows:

|              |                                 |             |
|--------------|---------------------------------|-------------|
| David Gussio | City Attorney                   | Interim     |
| Dennis Still | Municipal Court Judge           | 1 year term |
| James Garner | Assistant Municipal Court Judge | 1 year term |
| Larry Owens  | Assistant Municipal Court Judge | 1 year term |
| P.K. Martin  | Mayor Pro Tem                   | 1 year term |

Planning Commission

- John Merrill (unexpired term) 2011
- Leon Smith
- Bill Childers

Board of Zoning Appeals

- Ronnie Allen
- Eron Moore
- John Pentecost

Architectural Review Board

- Danny Gravitt            DDA Member 1
- Gene McKay             At Large 2

Lawrenceville Downtown Development Authority

- Danny Gravitt            November 2009
- John Heard                November 2009

Lawrenceville Development Authority

- Danny Gravitt
- Patrick Rann

Mr. Crow made a motion to affirm the Mayor's 2010 appointments. The motion was seconded by Ms. Beiser. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps called for the approval of the minutes of the December 7, 2009 Regular and Executive Sessions and the December 16, 2009 Special Call Meeting and Executive Session. Ms. Beiser made a motion to approve the minutes as recorded. The motion was seconded by Ms. Smith. The motion carried unanimously.

Mayor Millsaps presented the Consent Agenda.

CONSENT AGENDA

1. Approval of the Option 17 Insurance Renewal, along with the Amendment regarding mental disorders and substance abuse, both of which are attached hereto as Exhibit "A".
2. Approval of the Mutual Aid Agreement regarding police services between the municipal governments of Gwinnett County and the Gwinnett Sheriff's Department, a copy of which is attached hereto as Exhibit "B".
3. Approval of the Amendment to Addendum II of the Agreement with Kimley Horn, attached hereto as Exhibit "C", to remove the GDOT Concept Report from the scope of services to be provided by Kimley Horn and to reduce the contract price by \$9,390.00.

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

PUBLIC HEARINGS – OLD BUSINESS

Mayor Millsaps asked that the council table action on the second reading of the amendment to the group home ordinance upon the recommendation of staff. Mr. Crow made a motion to table this matter. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Ms. Tracy Blasi presented the Special Use Permit for 259 Scenic Highway. Mr. Fred Parandi and Mr. Doo-Sang were also present. Ms. Blasi stated that the operation at this location could continue as a hand carwash. However, they are asking to expand and be allowed to do emission testing on this site. She stated that the additional use would be compatible with the existing use. Ms. Blasi also addressed the issue of restrooms for this location. Ms. Blasi advised that the owner agreed to provide access to the restrooms and has done so within the lease agreement for the car wash/emissions testing station. Mr. Crow then made a motion to approve the Special Use Permit with the following stipulations:

1. No outside activities, repairs, testing or maintenance.
2. Signs in compliance with the City's sign ordinance.
3. Conform to beautification program in City.
4. No temporary shelters.

The motion was seconded by Ms. Smith. The motion carried with Mr. Crow, Ms. Smith and Ms. Beiser voting for the motion. Mr. Martin voted in opposition to the motion. (See Exhibit File)

COUNCIL BUSINESS MEETING – OLD BUSINESS

Mayor Millsaps presented his response to the ethics investigative report presented by the City Attorney at the December meeting. After Mayor Millsaps presented his response, he turned the meeting over to Mayor Pro Tem Martin and left the council chamber. After some discussion, Mr. Crow stated that the council needs to move forward and resolve the issue. Mr. Crow then read a resolution stating that the evidence fails to show Mayor Millsaps violate the City Code of Ordinances as alleged in the City Attorney's report of December 7, 2009. Mr. Crow then made a motion to approve the resolution. The motion was seconded by Ms. Smith. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps presented the legal ad required for setting qualifying fees for the 2010 City election at \$288.00 for the office of Mayor or \$216.00 for the office of Council Member. Mr. Crow made a motion to approve the fees and legal ad. The motion was seconded by Ms. Smith. The motion carried unanimously. (See Exhibit File)

Chief Johnson presented the 2010 Department Operations Manual for council approval. Mr. Martin made a motion to approve the 2010 Department Operations Manual as presented. The motion was seconded by Ms. Beiser. The motion carried unanimously. (See Exhibit File)

Mr. Paul Austin presented the bids for the Lancelot Way Drainage Improvement project. Mr. Austin stated that the bids are as follows:

|                                     |              |
|-------------------------------------|--------------|
| Gary's Grading & Pipeline Co., Inc. | \$ 73,608.00 |
| The Dickerson Group, Inc.           | \$ 89,870.00 |
| Leach Landscaping, Inc.             | \$ 96,470.00 |
| Frank Suddeth & Sons, Inc.          | \$ 98,890.50 |
| G.S. Construction, Inc.             | \$101,971.92 |
| Site Engineering, Inc.              | \$137,701.00 |
| Southeastern Site Development, Inc. | \$139,811.50 |
| Kemi Construction Company, Inc.     | \$158,435.00 |

Mr. Austin recommended that the council accept the second low bid from The Dickerson Group since the bid submitted by Gary's Grading & Pipeline did not meet all City requirements. Mr. Gussio stated that a representative from Gary's Grading & Pipeline did not come to the mandatory pre-bid conference and therefore the bid does not qualify. Mr. Crow made a motion to accept the lowest valid bid from The Dickerson Group with instruction to the City Engineer to try and negotiate the price down toward the Gary's Grading and Pipeline bid. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Gussio explained the proposed changes to the MEAG Bond Resolution. Mr. Gussio stated that Alston & Bird made several changes to the Bond resolution including protection to the cities if Jacksonville Electric defaults on its part of the Plant Vogtle

project. Mr. Gussio indicated that these changes do not require council action and this information was presented to keep the council informed.

Mr. Crow made a motion to adjourn into Executive Session to discuss one matter of litigation. The motion was seconded by Ms. Beiser. The motion carried unanimously.

After the Executive session, Mr. Gussio informed those present that one matter of litigation was discussed. One vote was taken. That vote was unanimous.

Mr. Martin then made a motion to adjourn. The motion was seconded by Mr. Crow. The motion carried unanimously.

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Rex Millsaps, Mayor

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Robert P. Baroni, City Clerk