

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

Mayor Johnson called for the approval of the May 2, 2011 Regular and Executive Session minutes and the May 18, 2011 Executive Session minutes. Mr. Powell made a motion to approve the May 2, 2011 regular session minutes by adding Mr. McEwen's update on Pendleton Park subdivision and the May 18, 2011 Executive Session. The motion was seconded by Mr. Martin. The motion carried unanimously. The Council agreed to withhold action on the May 2, 2011 Executive Session minutes.

Mr. Powell made a motion to delete item #8 and add the annual resurfacing bid and signing a temporary construction easement for Gwinnett County. Mr. Martin asked Mr. Powell to amend his motion to include deleting item #10. Mr. Powell agreed. Ms. Smith seconded the motion. The motion carried unanimously.

### CONSENT AGENDA

Mr. Lee Thompson presented the Consent Agenda which included the following items:

1. Approval of a contract with Precision Planning to oversee Highway 29 crossing and raw water line installation in the amount of \$12,000.00, authorization to bid Highway 29 crossing and raw water lines as shown on Exhibit A.
2. Approval of Electric Department subscription of services with Electric Cities of Georgia in the amount of \$217,341.00. Subscription enumerated in Exhibit B.
3. Approval of Change Order 3 recommended by Paul Austin for the Winer Industrial Way Drainage Project. Contract is with Contour Grading in the amount of \$24,840.00. Change Order 3 is attached as Exhibit C.
4. Approval of request by Police Department to approve expenditures in the amount of \$112,077.25 from the Police Asset Forfeiture Fund. Details are shown in Exhibit D.
5. Approval of an agreement with Integrated Services Engineering to complete the Federal Mandated Annual NPDES Phase I MS4 Report. Contract is in the amount of \$4,800.00 and is attached hereto Exhibit E.

Mr. Powell asked if the water master plan was part of the approval. Mayor Johnson stated that it is to be included so it will be added as item #6 to the consent agenda. Mr. Thompson stated that item #6 will read as stated on the memo in item #3. Mr. Martin made a motion to approve the Consent Agenda as amended. The motion was seconded by Ms. Beiser. The motion carried unanimously. (See Exhibit File)

PUBLIC HEARINGS – OLD BUSINESS

Mayor Johnson called on the 2<sup>nd</sup> reading of the Sign Ordinance. Mr. Powell made a motion to approve the 2<sup>nd</sup> reading with the following changes:

Page 2:

Leave paragraph B in the ordinance.

Within text replace “Changeable electronic variable message” with Electronic Message Center (EMC)” throughout paragraph.

Add at beginning “Unless restricted as required by this ordinance Electronic Message Center” signs, which.....

Page 3 and 5 under Definitions:

Animated Sign: Leave both red and blue definitions in.

Monument Sign: Leave both red and blue definitions in.

Page 8, Section 10.4 Signs Prohibited, Paragraph (8):

Strike “marketing and promotion arm” and replace with “Destination Marketing Organization (DMO)”.

Page 10, Section 10.4 Signs Prohibited, Paragraph (16) A-frame signs:

Strike “except when placed within 5 ft. of the front door of a building” and replace with “except in the Court House Square Sub-Area and only after obtaining a Special Use Permit from the City of Lawrenceville in accordance with the procedures of Article IV Section 4.19.”

Page 11 Section 10.5 Signs Permitted, Paragraph (11) (a):

The 3<sup>rd</sup> & 4<sup>th</sup> sentences of the red section will be added back at Page 14 as Paragraph (xx). This section reads “At the direction of the City Clerk, all permitted EMC signs shall publish public service announcements for the benefit of the citizens of the City of Lawrenceville. Public service announcements shall include, but are not limited to, dates and times of meetings of the Mayor and Council of the City and the date, time and place of City elections.” The blue Paragraph (11) will remain on page 12.

Page 12 still in Signs Permitted:

Add a new first paragraph: “(i) Obtaining a Special Use Permit from the City of Lawrenceville in accordance with the regulations set forth below and in accordance with the procedures required in Article IV section 4.19.”

Renumber paragraphs.

Paragraph (iii) was (ii) begins EMC signs are restricted: Strike sub-paragraph e).

Page 13 paragraph (ix) which is now (x):

Delete everything after the 2<sup>nd</sup> sentence which ends “exceed 40 square feet.”

Delete paragraph (x) which begins “The total area for the EMC elements may”.

Paragraph (xii), strike “four (4)” and replace it with “six (6).”

Page 14 Paragraph (xvi):

Strike and replace with “EMC signs will be strictly prohibited except as permitted by Special Use Permit and only in the commercial areas specified in Paragraph (iii) above.”

Paragraph (xix):

Replace original text with “An existing sign shall not be converted to an EMC.”

Add paragraph (xx) from page 11.

Page 22 Section 10.10 Nonconforming Signs Paragraph B. of the blue text add and the end “A fee may be assessed to cover the cost of administration of non-conforming signs by the Mayor and Council.”

The motion was seconded by Ms. Beiser. Mayor Johnson then called for any comments from the public. There were none. Mayor Johnson then called for the vote. The motion carried with Ms. Smith, Ms. Beiser and Mr. Powell voting for the motion. Mr. Martin voted in opposition to the motion. (See Exhibit File)

## COUNCIL BUSINESS MEETING – NEW BUSINESS

Mr. Baroni presented a resolution replacing the previous Mayor as voting delegate on the MEAG Elections Board. Mr. Baroni asked that Mr. Steadman be placed as the alternate voting delegate. Mr. Martin made a motion to approve the resolution appointing Mr. Steadman as the alternate voting delegate. The motion was seconded by Ms. Beiser. The motion carried unanimously. (See Exhibit File)

Mr. Baroni asked the council to approve the following utility procedure regarding customer overpayments:

### REFUNDING OVERPAYMENTS

- A. Refund must be requested/initiated in writing by the customer and approved by the City Clerk.
- B. No refund will be granted if payment is made through any kind of assistance (government, church, etc.) unless authorized by paying entity.
- C. First choice will be to credit refund on next month’s bill.

- D. If payment was made by check, there is a clearing time (approximately 10 days) before refund is granted.
- E. Refund will be granted only if account is current.
- F. Refund will be made if credit on account is due to billing error or unusual circumstance.

Mr. Baroni stated that the procedure is not a change. It is just the City's existing policy being placed in a formal document. Ms. Smith made a motion to approve the policy. The motion was seconded by Ms. Beiser. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented a surplus property schedule for council approval. Mr. Baroni stated that the property is from various departments and is to be sold to the highest bidder. Mr. Martin made a motion to approve the surplus property schedule. The motion was seconded by Ms. Smith. The motion carried unanimously. (See Exhibit File)

Mr. Thompson presented the first reading of the proposed taxicab ordinance. After some discussion, Mr. Martin made a motion to approve the first reading. The motion was seconded by Ms. Smith. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented a resolution for council approval appointing a voting delegate for the GMA and an alternate delegate. Ms. Smith made a motion to appoint Mayor Johnson as the voting delegate and Mr. Baroni as the alternate voting delegate. The motion was seconded by Mr. Powell. The motion carried unanimously. (See Exhibit File)

Mr. Baroni asked that the council approve the following budget allocation from the 2009 SPLOST funds. Mr. Baroni requested that \$2,520,000.00 be allocated to the Jackson Street Park under the following expenditure components:

\$ 20,000.00	Transferred from Convention Center Feasibility Study under Jackson Street Park Construction
200,000.00	Engineering
1,000,000.00	Land
<u>1,300,000.00</u>	Construction
 \$2,520,000.00	

Mr. Martin made a motion to approve the SPLOST budget change. The motion was seconded by Ms. Beiser. The motion carried unanimously. (See Exhibit File)

Mr. Thompson explained the City's life insurance ordinance amendment to the council. Ms. Smith made a motion to approve the first reading. The motion was seconded by Ms. Beiser. The motion carried unanimously. (See Exhibit File)

Mayor Johnson called on Mr. Powell to present his concern on parking credits. Mr. Powell gave a history of the parking credit issue and then made a motion to change the parking credit fee from \$6,000.00 to \$100.00 subject to the City Attorney working out our contract obligations with Mr. Morsberger. The motion was seconded by Mr. Martin. The motion carried unanimously.

Mr. Johan Louw presented the following bids for the City's annual paving contract as well as a list of the streets to be included. The bids are as follows:

Baldwin Paving Company, Inc.	\$1,518,197.03
C.W. Mathews	\$1,555,110.67
Sunbelt Asphalt	\$1,561,904.58
Pittman Construction Company	\$1,594,134.80
Steward Brothers	\$1,723,722.38
Strickland & Sons Pipeline, Inc.	\$1,756,175.00

There was a recommendation of the engineering department to accept the low bid of \$1,518,197.03 from Baldwin Paving Company, Inc. Mr. Martin made a motion to approve the low bid. The motion was seconded by Ms. Smith. The motion carried unanimously. (See Exhibit File)

Mr. Thompson presented a temporary construction easement from Gwinnett County for a portion of the City's property located on Papermill Road. Ms. Beiser made a motion to authorize the Mayor to sign the temporary construction easement document. The motion was seconded by Mr. Powell. The motion carried unanimously. (See Exhibit File)

## PUBLIC COMMENT

Ms. Maureen Terry presented the neighborhood report for the Papermill subdivision units I & II.

Ms. Smith made a motion to adjourn into Executive Session. The motion was seconded by Ms. Beiser. The motion carried unanimously.

Mr. Thompson reported that during the Executive Session two real estate issues were discussed. Two votes were taken. Both votes were unanimous and the council discussed one potential litigation matter. Mr. Thompson stated that the council also discussed a change in the Executive Session minutes. Mr. Powell then made a motion to change the May 2, 2011 Executive Session minutes to take out "easements" and replace it with "temporary construction easements".

June 6, 2011

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There being no further business, the meeting was adjourned.

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Judy Jordan Johnson, Mayor

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Robert P. Baroni, City Clerk