

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

Mayor Johnson then called for the approval of the July 20, 2011 Special Call and Executive Session minutes. Ms. Smith made a motion to approve the minutes as recorded. The motion was seconded by Ms. Beiser. The motion carried unanimously.

Mayor Johnson called on Mr. Thompson to present the Consent Agenda.

CONSENT AGENDA

Mr. Thompson explained the following Consent Agenda items.

1. Approval of funding for the purchase of a surveillance van in the amount of \$143,350.00 as described on the Attached Exhibit "A" utilizing funds from the Asset Forfeiture Account.
2. Approval of the purchase of four vehicles with lights, radios and cameras from the Asset Forfeiture Account. The amount of funding will be \$177,980.60 and is itemized in Exhibit "B".
3. Approval of a request from the Gas Department to fund two (2) Utility Locate Technicians at a cost of \$106,640.00. The unfunded request is shown in the proposed 2011-12 Budget. See Exhibit "C".
4. Affirm the Mayor's Authority to authorize Precision Planning to provide a Topo of the Jackson Street area. The cost is a lump sum fee of \$4,230.00. See Exhibit D.

After Mr. Thompson's explanation, Mr. Martin made a motion to approve the Consent Agenda as presented. The motion was seconded by Ms. Smith. The motion carried unanimously. (See Exhibit File)

PUBLIC HEARINGS – OLD BUSINESS

Mr. Thompson presented the second reading of an ordinance amendment to allow for the sale of alcoholic beverages by the package on Sundays. Mr. Thompson stated that the sale is subject to approval by a referendum on November 8, 2011. Ms. Smith informed the audience that this amendment allows citizens to vote on the issue of Sunday sales. Mr. Powell stated that no one requested that the City allow Sunday sales of alcohol by the package. Ms. Smith then made a motion to approve the ordinance amendment as presented by Mr. Thompson. The motion was seconded by Ms. Beiser. The motion carried with Ms. Smith, Ms. Beiser and Mr. Martin voting for the motion. Mr. Powell voted in opposition to the motion. (See Exhibit File)

Mayor Johnson called on the presentation of the Pawn @ 20 LLC application for a Special Use Permit. Ms. Shayna Garland presented a Special Use application and stated that the building would look essentially the same as it does now. Mr. Billew informed the council that the Planning Commission and staff recommended approval. Mayor Johnson asked if there was any opposition from anyone in the audience. There was none. Ms. Smith made a motion to approve the Special Use Permit with the stipulation that no outside storage or displays would be permitted. The motion was seconded by Ms. Beiser. The motion failed with Ms. Beiser and Ms. Smith voting for the motion. Mr. Powell and Mr. Martin voted against the motion. Mayor Johnson broke the tie and voted against the motion. (See Exhibit File)

Mayor Johnson called on Mitch Maghiari to present his request to rezone 545 Scenic Highway from RS-180 to O&I. The property is a 1.7017 acre tract and is known as 5-116-003a; 5-116-103; and 5-116-104 on the Gwinnett County tax records. Mr. Billew informed the council that he recommended approval with the stipulation that the buildings keep a residential appearance. Mayor Johnson read the Planning Commission's five stipulations:

- 1) Screen stormwater facility with evergreen trees.
- 2) Eliminate buffer requirement along northern property line.
- 3) Upon approval of rezoning, applicant must obtain a combination plat of the three parcels prior to the issuance of a development permit.
- 4) Signage must be externally lit and of monument style only.
- 5) Architecture must conform to single family architectural style and future construction limited to one story height.

There was no opposition from the audience. After further discussion, Mr. Martin made a motion to approve the rezoning request with the Planning Commission's five stipulations and that the buffers be consistent with Shumard Oak, Southern Magnolia or Nellie R. Stevens Holly. The motion was seconded by Ms. Beiser. Mr. Martin then amended his motion to require that the Site Plan be reviewed by the Mayor and Council prior to the issuance of a Development Permit and Architectural Plans will be reviewed by the Mayor and Council prior to issuance of a building permit. Ms. Beiser agreed with the amendment. The vote on the amendment was unanimous. Mayor Johnson then called for a vote on the motion as amended. The motion carried unanimously. (See Exhibit File)

Mayor Johnson called on Accent Landscaping LLC to present their request to have the property located at 635 Buford Drive rezoned from BG to LM. Mr. Martin informed the council that he would have to recuse himself due to a potential conflict of interest. Mayor Johnson called on the applicant to present the rezoning. The applicant was not present. Mr. Powell then made a motion to deny the request. The motion was seconded by Ms. Beiser. The motion carried with Mr. Powell, Ms. Beiser and Ms. Smith voting for the motion. After the vote was taken, Mr. Martin returned to the meeting. (See Exhibit File)

PUBLIC HEARINGS – NEW BUSINESS

Ms. Lejla Slowinski, Executive Director of the Lawrenceville Housing Authority, explained the process for the waiting list for Housing Authority vacancies and gave her ideas on Section 8 housing. No action was taken.

Mayor Johnson called on Amy Gore of Bleakley's Advisor Group to present the proposed Opportunity Zone. Ms. Gore explained the Opportunity Zone and the tax credits that exist for ten years. She stated that if the council wished to proceed with the Opportunity Zone, they would need to adopt the resolution that was presented to them with the City of Lawrenceville City Center Urban Redevelopment plan prepared in July of 2011. Mr. Martin made a motion to approve the plan and resolution as presented by Ms. Gore. The motion was seconded by Ms. Smith. The motion carried unanimously. (See Exhibit File)

Mayor Johnson informed those present that this meeting is a public hearing for the 2011-12 Fiscal Year Budget. Ms. Smith recused herself because of potential conflict of interest. Mr. Baroni gave a general description of the budget document. Ms. Beverly Dryden spoke on the importance of budget planning and control and complained that the prior year's budget is unreadable on the website. No action was taken.

Mayor Johnson called for the first reading of the special use application for Johnny's Pizza located at 3157 Sugarloaf Parkway. Mr. Powell made a motion to approve the first reading. The motion was seconded by Ms. Beiser. The motion carried unanimously. (See Exhibit File)

Mr. Thompson presented a public notice of the Municipal General Election for the City of Lawrenceville's election that is to be held November 8, 2011. The public notice sets dates pertinent to the election and fees for office. Mr. Martin made a motion to approve the public notice. The motion was seconded by Ms. Beiser. The motion carried unanimously. (See Exhibit File)

COUNCIL BUSINESS MEETING – OLD BUSINESS

Mr. Thompson presented and explained the second reading of the ordinance that establishes a City Manager for the City. Mr. Powell made a motion to approve the ordinance amendment. The motion was seconded by Ms. Smith. The motion carried unanimously. (See Exhibit File)

Mayor Johnson called on Mr. Powell for the presentation of the discussion on the Hotel/Motel ordinance enforcement. After discussing some of the merits in the enforcement of the occupancy provision of the Hotel/Motel ordinance, Mr. Powell made a motion to allow three minutes of debate by each of the opposing attorneys. The motion was seconded by Mr. Martin. The motion carried unanimously.

The following attorneys made a three-minute presentation opposing the City's enforcement of the 45-day occupancy rule: Ivy Cadle representing Village Lodge; Mr. Harold Buckley representing Extended Stay; and Mr. Richard Herbert representing Suburban Lodge. Mr. Herbert addressed the ordinance and said it violated the 14th amendment of the U.S. Constitution. No action was taken.

Mayor Johnson asked for council approval on the Annual Paving Bid/Contract. Mr. Powell made a motion to approve the paving contract subject to review by the City Attorney. The motion was seconded by Ms. Smith. The motion carried unanimously.

COUNCIL BUSINESS MEETING – NEW BUSINESS

Mayor Johnson asked that the truck parking item be placed on the August Work Session and on the September council meeting.

Mayor Johnson called on the first reading of the amendment to Chapter 17 of the General Code of Ordinances. This ordinance changes certain aspects of the property maintenance ordinance for roofs, exterior surface treatment and open or outdoor storage. 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 then called on the first reading of the ordinance amendment to change alcohol sales for outside events. Mr. Martin made a motion to approve the first reading of the ordinance amendment. The motion was seconded by Ms. Beiser. The motion carried unanimously. (See Exhibit File)

Mr. Thompson asked the council for authority to correct the following nuisances located at:

210 Dogwood Lane
Saddle Shoals Recreation area.

Mr. Thompson stated that the corrective action would be extensive and would probably require a professional to do a cost analysis. Ms. Smith made a motion to proceed. The motion was seconded by Ms. Beiser. The motion carried unanimously.

Mayor Johnson called on discussion of the City Manager and City Clerk. After some discussion, Mr. Powell made a motion to hire Mr. Baroni as City Manager. The motion was seconded by Mr. Martin. The motion carried with Ms. Beiser, Mr. Powell and Mr. Martin voting for the motion. Ms. Smith voted in opposition to the motion.

Mr. Powell then made a motion to appoint Karen Pierce as City Clerk. The motion was seconded by Mr. Martin. The motion carried with Ms. Beiser, Mr. Powell and Mr. Martin voting for the motion. Ms. Smith voted in opposition to the motion.

PUBLIC COMMENT

Mr. David Mellard presented the LNA view on requirements for the City's Manager's position.

NEIGHBORHOOD UPDATES

None.

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

The council adjourned back into regular session. Mr. Thompson reported that items of litigation, purchase of real estate and personnel were discussed. No votes were taken.

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

Judy Jordan Johnson, Mayor

Robert P. Baroni, City Clerk