

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

Mayor Johnson then called for the approval of the following minutes: July 11, 2011 Regular and Executive Session; July 28, 2011 Special Call and Executive Session; August 1, 2011 Regular meeting; August 17, 2011 Special Call and Executive Session; August 31, 2011 Executive Session; and September 6, 2011 Special Call meeting. Mr. Powell made a motion to approve the minutes with corrections to August 17 Special Call and August 31 Executive Session. The addition to August 17 includes "and any item not previously approved by official action of council." The correction to August 31 deletes Mr. Martin's name because he was not present. The motion was seconded by Mr. Martin. The motion carried unanimously.

Mr. Baroni requested that items #1, 2, and 9 be moved to the September work session. Mr. Powell made a motion to approve the agenda as amended. The motion was seconded by Mr. Martin. 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 Change Order # 5 dated July 29, 2011 for the Winer Industrial Way Drainage Project Contract with Contour Grading and Pipe, LLC and revises the original quantities specified in the bid by an increase of \$6,197.84. See Exhibit A.
2. Approval of a request by Tunnell, Spangler & Walsh for additional funding to the Jackson Street Park contract for an additional \$5,000.00. The increase is justified due to an increase in the number of meetings requested by the City Council enumerated in Exhibit B.
3. Approval for the expenditure from the Asset Forfeiture Fund in the amount of \$29,145.00. The expenditures will be for the purchase of a license plate reader for \$15,395.00 and a John Deere utility vehicle for \$13,750.00. The items are itemized in more detail on Exhibit C.
4. Approval of a request to allocate \$834,497.00 of the 2009 SPLOST funds to the Raw Water Line Project. A detail of the reallocation of the funding is listed in 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. Beiser. The motion carried unanimously. (See Exhibit File)

PUBLIC HEARINGS – OLD BUSINESS

Mr. Chris Collin presented the request for a Special Use Zoning Permit to sell beer and wine in a residential district. Mr. Chris Collin stated that they planned to move from Gwinnett County to Lawrenceville with the hopes of having a larger area to be able to host team functions and larger groups. Mr. Ferguson stated that this was the second reading and 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. Beiser made a motion to approve the Special Use Zoning Permit. The motion was seconded by Mr. Powell. The motion carried unanimously. (See Exhibit File)

COUNCIL BUSINESS MEETING – OLD BUSINESS

Mr. Baroni presented the bid tabulation for the electric bids for the hospital project. Mr. Fowler explained that this would tie everything together and allow for a back up system so that we could get the hospital up and running quickly if the original system went down. The bids are as follows:

Marable – Pirkle, Inc.	\$108,500.00
Advanced Power & Lighting, Inc.	\$ 49,000.00
Over & Under Contractors, Inc.	\$ 46,880.00

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

Mr. Thompson presented the second reading of the Alcohol Ordinance Chapter 34-101 dealing with drinking in public. Mr. Powell made a motion to approve. The motion was seconded by Ms. Beiser. The motion carried unanimously. (See Exhibit File)

Mr. Thompson presented the second reading of the Property Maintenance Ordinance Chapter 17 Sections 204, 301, and 303. Mr. Thompson explained that this would make changes to the outdoor storage, swimming pool, and roof maintenance items in the ordinance. There was a motion made by Mr. Martin to approve the second reading. The motion was seconded by Ms. Beiser. The motion carried unanimously. (See Exhibit File)

COUNCIL BUSINESS MEETING – NEW BUSINESS

Mr. Baroni requested the approval of the salary adjustment for the Gas Departments GIS Tech as it was discussed by Ms. McKnight at the August work session. Mr. Powell

made a motion to approve the salary at \$40,000 per year. Ms. Beiser seconded the motion. The motion carried unanimously. (See Exhibit File)

Mr. Tom Fowler presented the MEAG Supplemental power subscription request. After some discussion it was decided that Mr. Fowler and Mr. Baroni would discuss the item further with Mr. John Hewitt and Mr. Stuart Jones. Mr. Powell made a motion to table the item for a Special Call meeting. The motion was seconded by Mr. Martin. The motion carried unanimously.

Mr. Jim Steadman presented the landscaping bids for the Mahlon Burson Water Treatment Facility. The bids are as follows:

Pebblestone Landscape Group	\$ 4,925.00 annually
Leach Landscaping	\$ 7,140.00 annually
Excellawnt Care, Inc.	\$ 8,340.00 annually
Tommy Reese	\$11,745.00 annually

Ms. Beiser made a motion to approve the low bid from Pebblestone Landscape Group. The motion was seconded by Mr. Powell. The motion carried unanimously. (See Exhibit File)

Mr. Thompson then presented the first reading of the ordinance amendment to change alcohol sales for wine shops to sell both beer and wine by the drink. 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 presented the first reading of the Municipal Court Ordinance Chapter 5 Section 109 to change the amount of court fees. Mr. Powell made a motion to approve the first reading of the ordinance amendment. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented the Gas Department budget revision and explained that it was not an increase only a line item movement. Mr. Martin made a motion to approve the adjustment. The motion was seconded by Ms. Beiser. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented a list of vehicles to be declared as surplus in order to dispose of them at public or online auction. (See Exhibit File)

Mr. Thompson presented the information on the acquisition of the Luckie Street (Auto Zone) property. He explained that the city approved condemnation of the property since we were unable to acquire during negotiation and have now received an appraisal for the property. The owner's appraisal is \$35,000 more than the city's appraisal. The owners have agreed to accept \$75,000 which is between the two appraisals. Mr. Martin made a motion to accept the offer and pay the \$75,000. The motion was seconded by Ms. Beiser. The motion carried unanimously.

Mr. Powell explained that he hoped to give the new code enforcement officer some guidelines by bringing up some quality of life issues. After some discussion Mr. Powell made a motion to place a 90 days moratorium on signage that does not meet the requirements of a pole sign in particular on sculpted figures and neon signage until our ordinance could be rewritten. Mr. Powell then amended his motion to say exposed exterior neon signage. The motion was seconded by Mr. Martin. The motion carried unanimously.

Mr. Powell expressed concern that issues have developed over years and that the city needs to give businesses time to come into compliance but that the city needs to begin supporting the new code enforcement officer in his zoning enforcement. Mr. Powell made a motion that the City Manager should work to coordinate that the Quality of Life and Zoning people work together on issues. Mr. Martin seconded the motion. Ms. Beiser stated that she felt no motion was needed because that was the goal from the beginning. Mr. Powell explained that it was just giving clear direction to both areas on the goal. The vote followed and failed with a 2-1 decision. The nay vote being cast by Ms. Beiser.

Mr. Powell made a motion to move the creation and appointment of a special judge for quality of life cases to the September work session. The motion was seconded by Mr. Martin. The motion carried unanimously.

Mr. Powell made a motion to authorize the bidding of the Forest Valley Road Project as requested by Mr. Paul Austin. The motion was seconded by Ms. Beiser. The motion carried unanimously.

Mr. Powell stated that he would like to put the probation services for the Municipal Court out for bid. Mr. Powell made a motion to carry over to the September work session. The motion was seconded by Mr. Martin. The motion carried unanimously.

Mr. Powell proposed changing the dates for the November and December Council meetings to the third Monday. Mr. Martin made a motion to move the dates to the third Monday. The motion was seconded by Mr. Powell. Mr. Josh Ferguson stated that the Planning Commission meets on the third Monday in the assembly room. The motion failed with a vote of 2-1. The nay vote was cast by Ms. Beiser and the dates will stay as advertised.

Mr. Powell made a motion to carry the Park at Midtown discussion over to the September work session. The motion was seconded by Mr. Martin. The motion carried unanimously.

Mr. Powell made a motion to move the schedule for the 2012 budget year to the September work session. The motion was seconded by Mr. Martin. The motion carried unanimously.

### NEIGHBORHOOD UPDATES

None.

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

After the Executive Session, the council adjourned back into regular session. Mr. Thompson reported that items of pending and potential litigation, purchase of real estate and personnel were discussed. No votes were taken.

Mr. Thompson requested that the Council authorize Mr. Jim Steadman to move forward with the demolition of the house at 210 Dogwood Drive as part of the court order under the nuisance ordinance. Ms. Beiser made a motion to approve moving forward with the clean up. The motion was seconded by Mr. Powell. The motion carried unanimously.

Mr. Baroni requested to have the pay scale for the Assistant Director of Information Technology set at level 68 with a salary of \$85,000 on the pay scale. Ms. Beiser made a motion to approve the pay scale. The motion was seconded by Mr. Martin. The motion carried unanimously.

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

\* Under City Charter there must be three yes votes for an item to be approved. The Mayor only votes in a tie situation so the motions failed in this scenario. This was confirmed by the City Attorney.

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Judy Jordan Johnson, Mayor

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Karen Pierce, City Clerk