



LAWRENCEVILLE

GEORGIA

CITY COUNCIL REGULAR MEETING MINUTES

Monday, June 22, 2020
7:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

PRESENT

Mayor David Still
Council Member Glenn Martin
Council Member Victoria Jones
Mayor Pro Tem Bob Clark
Council Member Keith Roche

Prayer

Council Member Glenn Martin delivered the prayer.

Pledge of Allegiance

Mayor David Still led the group in the Pledge of Allegiance.

Agenda Additions / Deletions

Motion to approve the Agenda as presented made by Mayor Pro Tem Clark, Seconded by Council Member Jones.

Voting Yea: Mayor Still, Council Member Martin, Council Member Jones, Mayor Pro Tem Clark, Council Member Roche

Recognitions

1. Gas Department

Mayor David Still recognized the Gas Department for the SOAR Award.

Announcements

Mayor Still announced his thankfulness to the Police Department during the recent protests in keeping the City safe.

Consent Agenda

These are items on which the Mayor and Council are in agreement to approve and are placed on the agenda to be approved in one vote.

Motion to approve Consent Agenda made by Council Member Roche, Seconded by Council Member Jones.

Voting Yea: Mayor Still, Council Member Martin, Council Member Jones, Mayor Pro Tem Clark, Council Member Roche

2. Purchase of Police Uniforms on an Annual Contract
3. Purchase of Tyler Technologies "ExecuTime" Timeclock System
4. Paper Mill Road Sanitary Sewer Easement
5. Purchase of Parcel R5146A015 known as 150 Honest Alley
6. Resolution to include municipal boundaries as part of the Gwinnett County multi-jurisdictional hazard mitigation plan

Public Hearing Old Business

Discussion will be limited to 7 minutes per side including rebuttal. Discussions on Zoning issues will be limited to 10 minutes per side including rebuttal. Questions and answers from Council Members will not infringe on the time limit.

7. FY 2021 Budget Public Hearing and Resolution
Keith Lee delivered the presentation.

Motion to approve FY 2021 Budget Public Hearing and Resolution made by Council Member Roche, Seconded by Council Member Martin. Voting Yea: Mayor Still, Council Member Martin, Council Member Jones, Mayor Pro Tem Clark, Council Member Roche

8. ANX-19-02; The Residential Group c/o Mahaffey Pickens Tucker, LLP- Shane Lanham; Buford Drive (SR 20) at University Parkway (SR 316)

Todd Hargrave delivered the presentation. Shane Lanham, the applicant, also presented.

Motion to deny ANX-19-02; The Residential Group c/o Mahaffey Pickens Tucker, LLP- Shane Lanham; Buford Drive (SR 20) at University Parkway (SR 316) made by Mayor Pro Tem Clark, Seconded by Council Member Martin.

Voting Nay: Mayor Still, Council Member Martin, Council Member Jones, Mayor Pro Tem Clark, Council Member Roche

9. RZC2019-00010 & SUP2019-00022; The Residential Group c/o Mahaffey Pickens Tucker, LLP- Shane Lanham; Buford Drive (SR 20) at University Parkway (SR 316) Pending Annexation.

Administrative Withdrawal

Public Hearing New Business

Discussion will be limited to 7 minutes per side including rebuttal. Discussions on Zoning issues will

be limited to 10 minutes per side including rebuttal. Questions and answers from Council Members will not infringe on the time limit.

10. RZR2020-00005; Aizaz Shaikh, LLC; 284 Hurricane Shoals Road

Todd Hargrave delivered the presentation.

Motion to approve RZR2020-00005; Aizaz Shaikh, LLC; 284 Hurricane Shoals Road with staff conditions made by Council Member Jones, Seconded by Council Member Roche.

Voting Yea: Mayor Still, Council Member Martin, Council Member Jones, Mayor Pro Tem Clark, Council Member Roche

11. SUP2019-00018; Jon Stewart; 905 Grayson Highway

Todd Hargrave delivered the presentation. Jon Stewart also came forward.

Motion to approve SUP2019-00018; Jon Stewart; 905 Grayson Highway with staff conditions made by Council Member Martin, Seconded by Mayor Pro Tem Clark.

Voting Yea: Mayor Still, Council Member Martin, Council Member Jones, Mayor Pro Tem Clark, Council Member Roche

12. SUP2020-00029; Enterprise Leasing; 600 Grayson Highway

Todd Hargrave delivered the presentation. The applicant, Josh Strickland, also came up and presented.

Motion to deny SUP2020-00029; Enterprise Leasing; 600 Grayson Highway made by Council Member Roche, Seconded by Mayor Still.

Voting Nay: Mayor Still, Council Member Martin, Council Member Jones, Mayor Pro Tem Clark, Council Member Roche

13. SUP2020-00030; Maxsouth Steel Erectors, LLC; 192 Industrial Park Drive

Todd Hargrave delivered the presentation.

Motion to approve SUP2020-00030; Maxsouth Steel Erectors, LLC; 192 Industrial Park Drive made by Mayor Still, Seconded by Council Member Martin.

Voting Yea: Mayor Still, Council Member Martin, Council Member Jones, Mayor Pro Tem Clark, Council Member Roche

Council Business Old Business

There is no public comment during this section of the agenda unless formally requested by the Mayor and the Council after an official vote.

14. Construction Manager at Risk Services Change Order 1

Chuck Warbington delivered the presentation.

Motion to approve Construction Manager at Risk Services Change Order 1 made by Mayor Still, Seconded by Council Member Roche.

Voting Yea: Mayor Still, Council Member Martin, Council Member Jones, Mayor Pro Tem Clark, Council Member Roche

15. Gas Rate Analysis and Ordinance Amendment

Todd Hardigree delivered the presentation.

Motion to approve Gas Rate Analysis and Ordinance Amendment made by Council Member Roche, Seconded by Mayor Pro Tem Clark.

Voting Yea: Mayor Still, Council Member Martin, Council Member Jones, Council Member Clark, Council Member Roche

16. Amend Chapter 30 – Solid Waste and Chapter 30 - Utilities

Keith Lee delivered the presentation.

Motion to approve Amend Chapter 30 – Solid Waste and Chapter 30 - Utilities made by Council Member Jones, Seconded by Council Member Martin.

Voting Yea: Mayor Still, Council Member Martin, Council Member Jones, Mayor Pro Tem Clark, Council Member Roche

Council Business New Business

There is no public comment during this section of the agenda unless formally requested by the Mayor and the Council after an official vote.

17. 2020 Annual LMIG Resurfacing Project

Dennis Billew delivered he presentation.

Motion to approve 2020 Annual LMIG Resurfacing Project made by Council Member Roche, Seconded by Mayor Pro Tem Clark.

Voting Yea: Mayor Still, Council Member Martin, Council Member Jones, Mayor Pro Tem Clark, Council Member Roche

18. Scenic Hwy at New Hope Road and Scenic Hwy at Grayson Hwy – Engineering and Surveying Services

Dennis Billew delivered the presentation.

Motion to approve Scenic Hwy at New Hope Road and Scenic Hwy at Grayson Hwy – Engineering and Surveying Services made by Council Member Roche, Seconded by Mayor Still.

Voting Yea: Mayor Still, Council Member Martin, Council Member Jones, Mayor Pro Tem Clark,

Council Member Roche

Final Adjournment

Motion to adjourn made by Mayor Pro Tem Clark, Seconded by Council Member Jones.

Voting Yea: Mayor Still, Council Member Martin, Council Member Jones, Mayor Pro Tem Clark,
Council Member Roche

Minute Signatures

David R. Still, Mayor

Karen Pierce, City Clerk

RESOLUTION RES-2020-15

**RESOLUTION TO INCLUDE MUNICIPAL BOUNDARIES
AS PART OF THE GWINNETT COUNTY MULTI-JURISDICTIONAL
HAZARD MITIGATION PLAN**

WHEREAS, the City of Lawrenceville, Georgia, understands the need to develop a multi-jurisdictional hazard mitigation plan in order for the City to comprehend its vulnerability to natural and man-made hazards, and the actions needed to reduce or eliminate those risks; and

WHEREAS, the City of Lawrenceville, Georgia, realizes the development of such a plan is vital to the protection, health, safety and welfare of its citizens as well as its visitors; and

WHEREAS, the City of Lawrenceville, Georgia, understands that in order for the City to receive mitigation funding from the Federal Emergency Management Agency (FEMA), it must have a mitigation plan in place at the time of submitting a proposal.

NOW THEREFORE, BE IT RESOLVED by the City of Lawrenceville, Georgia, that the city will work with Gwinnett County to include its municipal boundaries as part of the Gwinnett County Multi-Jurisdictional Hazard Mitigation Plan.

PASSED AND ADOPTED, this the 22nd day of June, 2020 by the Mayor and Governing Board of Lawrenceville, Georgia, assembled in regular session.

David R. Still, Mayor

ATTESTED:

Karen Pierce, City Clerk

RESOLUTION RES-2020-16

A RESOLUTION ADOPTING A BUDGET FOR THE FISCAL YEAR 2021 FOR EACH FUND OF THE CITY OF LAWRENCEVILLE, APPROPRIATING THE AMOUNTS SHOWN IN THE FOLLOWING SCHEDULES FOR SELECTED FUNDS, ADOPTING THE ITEMS OF ANTICIPATED FUNDING SOURCES BASED ON THE ESTIMATED FISCAL YEAR 2021 REVENUES; AFFIRMING THAT EXPENDITURES IN EACH DEPARTMENT MAY NOT EXCEED APPROPRIATIONS; AND PROHIBITING EXPENDITURES FROM EXCEEDING ANTICIPATED FUNDING SOURCES.

WHEREAS, the Mayor and Council of the City of Lawrenceville ("Council") is the governing authority of said City; and

WHEREAS, the City Manager has presented a Proposed Budget which outlines the City's financial plan for said fiscal year which includes all projected revenues and allowable expenditures; and

WHEREAS, advertised public hearings have been held on the 2021 Proposed Budget, as required by State and Local Laws and regulations; and

WHEREAS, the Mayor and Council decrees that the Proposed 2021 Budget and changes presented in Attachment A shall in all cases apply to and control the financial affairs of City departments and all other agencies subject to the budgetary and fiscal control of the governing authority; and

WHEREAS, the Mayor and Council may authorize and enact adjustments and amendments to appropriations as to balance revenues and expenditures; and

WHEREAS, each of the funds has a balanced budget, such that Anticipated Funding Sources equal Proposed Expenditures.

NOW, THEREFORE, BE IT RESOLVED that this Budget is hereby adopted specifying the Anticipated Funding Sources for each Fund and making Appropriations for Proposed Expenditures to the departments or agencies named in each Fund as specified in Attachment A; and

BE IT FURTHER RESOLVED that Expenditures of any Operating Budget Fund shall not exceed the Appropriations authorized by this Budget Resolution and any Amendments thereto or Actual Funding Sources, whichever is less; and

BE IT FUTRHER RESOLVED that all Expenditures of any operating Fund are subject to the policies as established by the Mayor and Council and City Manager; and

BE IT FUTHER RESOLVED that the Five-Year Capital Plan as specified in Attachment

B is accepted with multiple-year project budgets as provided for the Official Code of Georgia Annotated Section § 36-81-3(b)(2); and

BE IT FURTHER RESOLVED that transfers of appropriations in any Fund among the various categories within a Department shall require only the approval of the City Finance Director so long as the total budget for each Department is not increased; and

BE IT FURTHER RESOLVED that the 2021 Budget shall be amended so as to adapt to changing governmental needs during the fiscal year as follows: Any increase in Appropriations in any Fund for a Department, whether through a change in Anticipated Revenues in any Fund or through a transfer of Appropriations among Departments, shall require the approval of the Mayor and Council, except in the following cases where authority is granted to:

I. The City Manager to:

- (a) set fee structures provided that they are not restricted by rate setting policies and agreements approved by the Mayor and Council;
- (b) transfer funds from Department budgets to establish Capital Projects for amounts matching the City Procurement Ordinance City Manager authorization;
- (c) transfer funds within a capital project from fund or program contingencies and/or savings in existing projects to establish new projects for amounts matching the City Procurement Ordinance City Manager authorization;
- (d) after consultation with the Finance Director, transfer funds from contingency to fund projects or line items, including but not limited to travel, training, education, or capital projects that have reduced budgets or were not funded but not to exceed the amounts in Attachment D;

II. The City Finance Director to:

- (a) allocate funds to the appropriate Department from insurance proceeds and/or from the Casualty and Liability Insurance fund for the replacement or repair of damaged equipment items within existing approved policies and procedures;
- (b) allocate funds to the appropriate Department or Agency or Fund from insurance proceeds and/or from the Worker's Comp and/or Health Insurance funds for the payment of claims as approved by the appropriate adjusting third party management company;

- (c) allocate funds from the established contingency to the appropriate Department or Agency for required expenses as approved by Mayor and Council;
- (d) allocate funds from Non-Departmental contingencies and reserves to cover existing obligations/expense in accordance with the intent and actions of the Mayor and Council; however, in no case shall appropriations exceed actual available funding sources; allocate funds from established reserves for leave balances at retirement; transfer funds resulting from salary savings or transfer balances resulting from under expenditures in operating accounts into contingencies or reserves;
- (e) authorize preparation and submission of applications for grant funding; however, acceptance of all grant awards is subject to the approval of the Mayor and Council
- (f) adjust revenue and appropriation budgets to capital projects as necessary to incorporate grant awards previously approved by the Mayor and Council;
- (g) adjust revenue and appropriation budgets to incorporate collected revenue for confiscated assets as approved by Mayor and Council;

BE IT FURTHER RESOLVED that such amendments shall be recognized as approved changes to this resolution in accordance with O.C.G.A. 36-81-3. These authorities for transfers of appropriations shall not be used as an alternative to the normal budget process and are intended to be used only when necessary to facilitate the orderly management of projects and/or programs; transfers approved under these authorities may not be used to change the approved scope or the objective of any capital project; and

BE IT FURTHER RESOLVED that the compensation for city appointments by the Mayor and Council to the various Boards and Authorities have been set. This does not preclude any department from reimbursing those members for actual expenses incurred in the performance of duty as approved by law or City Ordinance or Policy; and

BE IT FURTHER RESOLVED that the budget authorizes the City Manager to implement the salary study conducted by Condrey and Associates in 2020; and

BE IT FURTHER RESOLVED that seven new positions including four (4) police officers and three (3) street maintenance crew workers with associated operating and capital costs are approved. These positions are authorized as of January 1, 2021. The

required millage increase to fund these positions for FY 2022 is approximately 0.4 mils and it is hereby advised that the additional millage will be implemented in calendar year 2021; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby approves allocated positions as outlined in Attachment C and shall approve increases in total City authorized positions. Vacant positions and associated budget may be reallocated within the same Department or reassigned to another Department and filled authorized positions and associated budget may be reassigned at the same grade level between Departments with authorization of the City Manager. All changes are authorized within the pay and classification plan and the City Manager is authorized to approve changes in individual salaries in conformity with the adopted plan and existing City policies.

IT IS SO RESOLVED this 22nd day of June, 2020.

David R. Still, Mayor

ATTEST:

Karen Pierce, City Clerk

ORDINANCE NO. ZON-ORD 2020-10

CASE NUMBER: ANX-19-02

**ORDINANCE TO ANNEX PROPERTY INTO THE MUNICIPAL LIMITS OF THE
CITY OF LAWRENCEVILLE, GEORGIA**

The Council of the City of Lawrenceville, Georgia hereby ordains:

WHEREAS, the City of Lawrenceville did receive an application to have lands annexed into the existing corporate limits of the City of Lawrenceville, Georgia; and

WHEREAS, it appears to the governing body of the City of Lawrenceville, Georgia, that the area proposed to be annexed is contiguous to the existing corporate limits of the City of Lawrenceville, that the applicants represent one hundred percent (100%) of the owners of the land area proposed to be annexed and that said application complies with the laws of the State of Georgia; and

WHEREAS, the governing body of the City of Lawrenceville, Georgia, has determined that the annexation of the area proposed to be annexed would not be in the best interests of the citizens of the City of Lawrenceville, Georgia;

NOW, THEREFORE, BE IT ORDAINED that the City of Lawrenceville City Council does hereby deny annexation request ANX-19-02 for the annexation of approximately 42.1 acres, as described on Exhibit A, which is attached hereto, and shall not be incorporated into the corporate limits of the City of Lawrenceville, Georgia.

BE IT FURTHER ORDAINED, that the Clerk of the City of Lawrenceville or her designee certify a copy hereof and file such reports as are required by state and federal law.

IT IS SO ORDAINED, this 22nd day of June 2020.

David R. Still, Mayor

Attest:

Karen Pierce, City Clerk

ORDINANCE NO. ZON-ORD 2020-11

MAYOR AND COUNCIL

CITY OF LAWRENCEVILLE, GEORGIA

ORDINANCE

READING AND ADOPTION:

At the regular meeting of the Mayor and Council of the City of Lawrenceville, held at City Hall, 70 S. Clayton Street, Lawrenceville, Georgia.

<u>PRESENT</u>	<u>VOTE</u>
<u>David Still</u> , Mayor	<u>Yes</u>
<u>Bob Clark</u> , Council Member	<u>Yes</u>
<u>Victoria Jones</u> , Council Member	<u>Yes</u>
<u>Glenn Martin</u> , Council Member	<u>Yes</u>
<u>Keith Roche</u> , Council Member	<u>Yes</u>

On motion of Council Member Jones, Seconded by Council Member Roche, which carried 5-0, the following ordinance was adopted:

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Planning Commission of the City of Lawrenceville has held a duly advertised public hearing and has filed a formal recommendation with the Mayor and Council of the City of Lawrenceville upon an Application to Amend the Official Zoning Map from RM-12 (General Residence District) to BG (General Business District) by Aizaz Shaikh, LLC for the proposed use of a Real Estate Office on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning

Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of the City of Lawrenceville; and

WHEREAS, a public hearing was held by the Mayor and Council of the City of Lawrenceville on June 22, 2020 and objections were not filed.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Lawrenceville this the 22nd day of June, 2020, that the aforesaid application to amend the Official Zoning Map from RM-12 (General Residence District) to BG (General Business District) is hereby APPROVED. Approval as BG (General Business District), subject to the following enumerated conditions:

1. To restrict the use of the property as follows:

To allow uses permitted in the BG Zoning District. The following uses shall be prohibited:

- a. Adult Bookstores or Entertainment
- b. Automotive Parts Stores
- c. Bail Bonding
- d. Contractors Offices
- e. Emissions Inspection Stations
- f. Equipment Rental
- g. Extended Stay Hotels or Motels
- h. Hookah/Vapor Bar or Lounge
- i. Pawn Shop
- j. Recovered Materials Processing Facilities
- k. Smoke or Novelty Shop
- l. Tobacco or Novelty Shop
- m. Tattoo and Body Piercing
- n. Taxidermists
- o. Title Loan Facility
- p. Yard Trimming Composting Facilities

2. Provide and maintain a 10-foot enhanced buffer along the eastern and southern property lines. Sparsely vegetated area shall be enhanced. Allowing

driveway encroachment into the western property line buffer. Future development; Provide and maintain a 10-foot enhanced buffer along all property lines. Sparsely vegetated area shall be enhanced.

3. The existing structure and site shall be brought into compliance with all applicable building, development, and zoning rules and regulations.
4. All parking and driveway surfaces shall be paved and striped to City standards
5. The property shall have a 10-foot wide landscape strip along the right-of-way fronting Hurricane Shoals Road except for ingress and egress subject to the review and approval by the Director of Planning and Development.
6. Window signage (signs displayed on the interior or exterior of the business storefront windows) shall be prohibited, except for open/closed signs or required by the city, state or federal law. Flashing or blinking signs and exposed neon or LED signs shall be prohibited. Exposed or visible lighting strips mounted on the building or around window frames shall be prohibited.
7. No tents, canopies, temporary banners, streamers or roping decorated flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No balloons hot air balloons shall be displayed on the site. Yard and/or bandit signs, sign-twirlers or sign walkers shall be prohibited.
8. Lighting shall be contained in cut-off type luminaries and shall be directed in towards the property so as not to shine directly into adjacent properties or right-of-ways.
9. Peddlers and/or parking lot sales shall be prohibited.
10. Outdoor storage shall be prohibited.
11. Dumpsters shall be screened by solid masonry walls matching the building, with an opaque metal gate enclosure.
12. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

13. Outdoor storage and overnight parking shall be prohibited.

IT IS SO ORDAINED this 22nd day of June, 2020

David R. Still, Mayor

ATTEST:

Karen Pierce, City Clerk

ORDINANCE NO. ZON-ORD 2020-12

MAYOR AND COUNCIL

CITY OF LAWRENCEVILLE, GEORGIA

ORDINANCE

READING AND ADOPTION:

At the regular meeting of the Mayor and Council of the City of Lawrenceville, held at City Hall, 70 S. Clayton Street, Lawrenceville, Georgia.

PRESENT

VOTE

David Still, Mayor

Yes

Bob Clark, Council Member

Yes

Victoria Jones, Council Member

Yes

Glenn Martin, Council Member

Yes

Keith Roche, Council Member

Yes

On motion of Council Member Martin, seconded by Council Member Clark, which carried 5-0, the following ordinance was adopted:

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Planning Commission of the City of Lawrenceville has held a duly advertised public hearing and has filed a formal recommendation with the Mayor and Council of the City of Lawrenceville upon an Application for a Special Use Permit for the proposed use of Outdoor Recreation on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News

Organ of the City of Lawrenceville; and

WHEREAS, a public hearing was held by the Mayor and Council of the City of Lawrenceville on June 22nd, 2020 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED by the Mayor and Council of the City of Lawrenceville this the 22nd day of June, 2020, that the aforesaid application for a Special Use Permit is hereby APPROVED.

Approval of Special Use Permit for Outdoor Recreation, subject to the following enumerated conditions:

1. Outdoor recreation shall be limited to practice only. The use of the field shall be limited to Infield or Outfield drills specific to a position.
2. The following uses or structures shall be prohibited.
 - a. Back Stop or Score Box
 - b. Batting Practice
 - c. Competitive games (casual or organized)
 - d. Concession Stand
 - e. Permanent Seating or Structures
 - f. Score Board
3. Hours of operations shall be limited to 9 AM until 6 PM, Monday through Sunday.
4. Existing Pole Sign shall be brought into compliance with the rules and regulations of the Zoning Ordinance, within 12 months of the adoption of an Ordinance amending the City of Lawrenceville Official Zoning Map. Subject to the review and approval of the Planning and Development Director.
5. Ground Signage shall be limited to a maximum height of 12 feet and shall be setback from the right-of-way a minimum of 12 feet. The maximum sign display area shall be limited to 32 square feet.
6. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-twirlers or sign walkers shall be prohibited.
7. Outdoor lighting associated with outdoor recreation shall be prohibited.

8. Peddlers and/or any parking lot sales unrelated to the Special Use shall be prohibited.
9. Outdoor storage shall be prohibited.
10. Dumpsters shall be screened by solid masonry walls matching the building, with an opaque metal gate enclosure.
11. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

IT IS SO ORDAINED this 22nd day of June, 2020

David R. Still, Mayor

ATTEST:

Karen Pierce, City Clerk

ORDINANCE NO. ZON-ORD 2020-13

MAYOR AND COUNCIL

CITY OF LAWRENCEVILLE, GEORGIA

ORDINANCE

READING AND ADOPTION:

At the regular meeting of the Mayor and Council of the City of Lawrenceville, held at City Hall, 70 S. Clayton Street, Lawrenceville, Georgia.

<u>PRESENT</u>	<u>VOTE</u>
<u>David Still</u> , Mayor	<u>Yes</u>
<u>Bob Clark</u> , Council Member	<u>Yes</u>
<u>Victoria Jones</u> , Council Member	<u>Yes</u>
<u>Glenn Martin</u> , Council Member	<u>Yes</u>
<u>Keith Roche</u> , Council Member	<u>Yes</u>

On motion of Council Member Roche, seconded by Council Member Still, which carried 5-0, the following ordinance was adopted:

A ORDINANCE TO DENY A SPECIAL USE PERMIT

WHEREAS, the City of Lawrenceville has held a duly advertised public hearing before the Mayor and Council of the City of Lawrenceville upon an Application for a Special Use Permit by Enterprise Leasing for the proposed use of a Truck and Car Rental Facility with Accessory Carwash on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Special Use Permit has been duly published in THE GWINNETT DAILY POST, the Official News Organ of the City of Lawrenceville; and

WHEREAS, a public hearing was held by the Mayor and Council of the City of Lawrenceville on June 22, 2020.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Lawrenceville this the 22nd day of June, 2020, that the aforesaid application for a Special Use Permit is hereby DENIED:

IT IS SO ORDAINED this 22nd day of June, 2020

David R. Still, Mayor

ATTEST:

Karen Pierce, City Clerk

ORDINANCE NO. ZON-ORD 2020-14

MAYOR AND COUNCIL

CITY OF LAWRENCEVILLE, GEORGIA

ORDINANCE

READING AND ADOPTION:

At the regular meeting of the Mayor and Council of the City of Lawrenceville, held at City Hall, 70 S. Clayton Street, Lawrenceville, Georgia.

<u>PRESENT</u>	<u>VOTE</u>
<u>David Still</u> , Mayor	<u>Yes</u>
<u>Bob Clark</u> , Council Member	<u>Yes</u>
<u>Victoria Jones</u> , Council Member	<u>Yes</u>
<u>Glenn Martin</u> , Council Member	<u>Yes</u>
<u>Keith Roche</u> , Council Member	<u>Yes</u>

On motion of Mayor Still, seconded by Council Member Clark, which carried 5-0, the following ordinance was adopted:

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Planning Commission of the City of Lawrenceville has held a duly advertised public hearing and has filed a formal recommendation with the Mayor and Council of the City of Lawrenceville upon an Application for a Special Use Permit for the proposed use of Outdoor Storage, Commercial Vehicle Parking (Tractor and/or Trailer) on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official

Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of the City of Lawrenceville; and

WHEREAS, a public hearing was held by the Mayor and Council of the City of Lawrenceville on June 22nd, 2020 and objections were not filed.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Lawrenceville this the 22nd day of June, 2020, that the aforesaid application for a Special Use Permit is hereby APPROVED.

Approval of Special Use Permit for Outdoor Storage and Commercial Vehicle Parking (Tractor and/or Trailer), subject to the following enumerated conditions:

1. The property shall be developed with changes necessary to meet conditions of zoning, requirements of the Zoning Ordinance and/or Development Regulations, and other minor adjustments and shall be subject to the review and approval of the Director of Planning and Development.
 - a. To abide by the following requirements, dedications, and improvements:
 - i. Access to the property must align with Industrial Park Circle; Private Drive/Entrance shall be 32 feet in width, with a 40 foot radius, and designed to the following minimum standards
 1. 28 feet of pavement width
 2. 8 inch X 24 Inch X 14" at 3000 PSI curb and gutter
 3. 40 foot radii on curbs
 - ii. Parcels must be combined before the issuance of any development permits.
 - iii. The building shall be of brick, stacked stone, and/or glass finish on all sides. Architectural plans shall be submitted to the Planning and Development Department for review and approval.
 - iv. The building shall be positioned in the southwestern portion of the property and north of the 50-foot front yard building setback and east of the side yard setback a distance of 1-foot.
 - v. The portion of the property containing outdoor storage shall be fenced.
2. Provide a four-foot concrete sidewalk, with a two-foot beauty strip along the northern right-of-way of Industrial Park Drive. Sidewalk shall be designed to the following minimum standards:
 - a. Sidewalk to be constructed of 3000 PSI concrete at 28 days

- b. Sidewalk shall be four-inches thick.
 - c. 1/2-inch premoulded expansion joint required at all driveway, curbs, etc.
 - d. Sidewalk slope of typical sidewalk section shall be 1/4-inch per foot.
 - e. Sidewalk slope of sections intersection the driveway shall be 1-inch per foot.
 - f. Sidewalk shall be compacted to 95-percent of maximum theoretical density.
3. Provide 24 parking spaces and one loading spaces designated for clients and employees parking. Client and employee parking shall be located in the front yard area. Parking and driveway surfaces shall be paved and striped to City standards.
4. The parking of vehicles used for commercial or industrial related service, sales or delivery shall be on an approved hard surface and shall be limited to the side yard or rear yard areas, and outside of any required stream or zoning buffer.
5. Outdoor storage of any items and/or materials shall be subject to the rules and regulations of Article 2, Supplementary Regulations, Section 200.3.52 Outdoor Storage (Industrial). Subject to the review and approval of the Planning and Development Department.
 - a. In industrial zoning districts, outdoor storage of items, equipment, materials and supplies which are not offered for sale but which are considered to be an accessory to the principal permitted use, shall be allowed, subject to the following restrictions and requirements:
 - i. Outdoor Storage shall not be located within a required front yard;
 - ii. Outdoor storage shall not be located in the area between the front of the principal structure and the public right-of-way;
 - iii. Outdoor Storage shall be located within a side or rear yard area only, and screened from ;
 - iv. Outdoor storage shall be screened from the Right-of-Way by a slatted or screened chain-link fence at least 6 feet in height;
 - v. Fencing shall be not be located within the required front yard, and shall be limited to the side yard or rear yard areas only.
 - vi. Fence lines running parallel to Industrial Park Drive or the front yard area shall be landscaped.
 - vii. Outdoor Storage shall be setback a distance of at least 15 feet from any side or rear property lines; stream buffer and zoning buffer.
 - viii. Setback area shall be landscaped to provide an affective year-round visual screening;
 - ix. Materials or vehicles stored outdoors shall not be placed or stacked at a height exceeding that of the screening fence.
 - x. Outdoor Storage of junk, scrap materials or metal, rags, paper, abandoned, junk or wrecked vehicles, material shall be prohibited.
6. Provide a 10 foot Landscape Strip adjacent to the right-of-way Industrial Park Drive, excluding encroachments of impervious surfaces except for perpendicular ingress

and egress access. The landscape strip shall consist of 19 deciduous trees, 56 evergreen shrubs. At time of planting, deciduous trees shall be three inches in diameter. At time of planting, evergreen shrubs shall be at least three-gallon container size and must be of a species with a minimum mature height of three feet. The landscaping and buffer shall be subject to the review and approval by the Planning and Development Department.

7. Provide landscaping immediately adjacent to any fence line running parallel to or facing Industrial Park Drive. The landscaping shall include a variety of evergreen shrubs and trees that are consistent with the genus and species listed in the Development Regulations for the City of Lawrenceville, Article VIII, Landscape Ordinance Appendix A. The landscaping and buffer shall be subject to the review and approval by the Planning and Development Department.
8. The site shall be required to meet the standards of Article VIII of the Development Regulations for parking lot trees
9. Provide a 50 foot undisturbed/natural vegetative buffer and impervious surface setback along the rear and side property lines. Where existing vegetation and site topography are insufficient to accomplish the purpose of the required buffer area, existing vegetation shall be supplemented. The buffer shall be reestablished to provide adequate screening from adjacent residentially-zoned properties. The landscaping and buffer shall be subject to the review and approval by the Planning and Development Department.
10. Ground Signage shall be limited to a monument-type sign with a maximum height of 8 feet and shall be setback from the right-of-way a minimum of 12 feet. The maximum sign display area shall be limited to 32 square feet. Ground Signage shall be prohibited within the required 10 foot landscape strip.
11. Lighting shall be contained in cut-off type luminaries and shall be directed toward the property so as not to shine directly into adjacent properties or right-of-ways.
12. The owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
13. Dumpsters shall be located in the side yard or rear yard area and outside of any required stream or zoning buffer a minimum of 5 feet. The dumpster shall be screened on all sides by a minimum 6-foot high brick or masonry wall with access via an opaque gate. Dumpster enclosure shall be constructed of materials consistent with materials and colors of the primary structure.

14. Dumpster Pad shall be placed on concrete pads of sufficient size and strength to support the weight of service vehicles. The size of the pad shall not be less than 10 feet wide by 30 feet long.

IT IS SO ORDAINED this 22nd day of June, 2020

David R. Still, Mayor

ATTEST:

Karen Pierce, City Clerk

ORDINANCE NO. DEV-ORD 2020-2

**AN ORDINANCE TO AMEND SECTION 4-103 OF ARTICLE IV OF THE DEVELOPMENT
REGULATIONS OF THE CITY OF LAWRENCEVILLE, GEORGIA RELATED TO NATURAL GAS /
PIPELINE SALES**

The City Council of the City of Lawrenceville, Georgia hereby amends Section 4-103 of Article IV of the Development Regulations of the City of Lawrenceville by deleting subsection (3) entitled Natural Gas Rates in its entirety and replacing it with the following:

4-103 Pipeline Sales

(3) Natural Gas Rates

- (a) Base Rate: The base rate for natural gas charges to all customers shall be the actual cost of gas per unit paid, including any other charges for services by the City of Lawrenceville. The rate per unit is calculated by the Municipal Gas Authority of Georgia and submitted to the City in the form of an invoice for all natural gas units consumed by the City of Lawrenceville natural gas system. The invoice of the Municipal Gas Authority of Georgia shall include all costs of transportation, subscribed services and all other charges including the units of natural gas consumed. The calculation shall be reduced to a unit measure of 1,000 cubic feet ("MCF").
- (b) Surcharge: In addition to the cost calculated pursuant to part (a) of this paragraph, an additional surcharge of \$4.00 per MCF (1,000 cubic feet) shall be charged to each customer for each MCF used. This surcharge is the cost charged by the City of Lawrenceville for providing the services from the point of delivery of the units to the City on the transportation system to the customers' residential or commercial site for utilization. There shall be no differentiation between the cost charged to customers inside the City limits of Lawrenceville and those customers outside of the City limits of Lawrenceville. This rate is subject to modification after a public hearing before the Mayor and Council of the City of Lawrenceville, which meeting shall be properly advertised for the purpose of notification of gas customers.
- (c) Base Charge: In addition to the costs in part (b) an additional monthly base fee will be charged as follows:

- i. Residential Customers:

- i. \$22.00 - beginning September 1, 2020
 - ii. \$23.00 - beginning September 1, 2021
 - iii. \$24.00 - beginning September 1, 2022
- ii. Commercial Customers:
 - i. Commercial customers with meter sizes and volume ranging from 250 cubic feet per hour (CFH) through 1,500 cubic feet per hour (CFH), the following base charges will apply:
 - i. \$28.00 – beginning September 1, 2020
 - ii. \$29.00 – beginning September 1, 2021
 - iii. \$30.00 – beginning September 1, 2022
 - ii. For customers requiring a large volume of gas and larger meter, the following base charges will apply:
 - i. 1.5M Meter (+/-1,500 CFH) - \$ 38.00 - beginning September 1, 2020
 - ii. 2M Meter (+/-2,000 CFH) - \$ 38.00 - beginning September 1, 2020
 - iii. 3M Meter (+/-3,000 CFH) - \$ 40.00 - beginning September 1, 2020
 - iv. 5M Meter (+/-5,000 CFH) - \$ 65.00 - beginning September 1, 2020
 - v. 7M Meter (+/-7,000 CFH) - \$ 65.00 - beginning September 1, 2020
 - vi. 11M Meter (+/-11,000 CFH) - \$ 65.00 - beginning September 1, 2020
 - vii. 16M Meter (+/-16,000 CFH) - \$ 200.00 - beginning September 1, 2020
 - viii. 23M Meter (+/-23,000 CFH) - \$ 225.00 - beginning September 1, 2020
- (2) Dual Fuel Customers:
 - i. \$27.00 – beginning September 1, 2020 for customers that pay a \$500 up front demand charge
 - ii. \$28.00 – beginning September 1, 2021 for customers that pay a \$500 up front demand charge
 - iii. \$29.00 – beginning September 1, 2022 for customers that pay a \$500 up front demand charge
 - iv. \$32.00 – beginning September 1, 2020 for customers that do not pay the \$500 up front demand charge
 - v. \$33.00 – beginning September 1, 2021 for customers that do not pay the \$500 up front demand charge
 - vi. \$34.00 – beginning September 1, 2022

- (d) Special Rates: The department head of the City of Lawrenceville Gas Department is authorized to enter into specific contracts with customers for gas rates that differ from paragraph (a), (b) and (c) above in the event the customer can demonstrate that they utilize a large quantity of natural gas during off-season periods when demand is lower and the utilization of the natural gas assists the City in covering the cost of transportation. In addition, the department head shall be authorized to enter into contracts with large volume customers at preferred rates. The above base rates shall apply to these customers based upon size of meter and gas volume. This special rate procedure shall only be authorized after a written agreement is submitted to the Mayor and Council for review and formal adoption of a specialized rate must be justified by the circumstances after a public hearing before the Mayor and Council. As of the adoption of this ordinance, the City has a special rate for Publix Distribution Center facility, Ricoh and the Gwinnett County Hospital System. Contracts with these three specialized users are hereby approved consistent with the contracts that have already been reviewed by the Mayor and Council. Specialized contracts for specialized rates must be reduced to writing and be available for review at the City of Lawrenceville Gas Department.

IT IS HEREBY ORDAINED that the other and remaining provisions of Section 4-103 shall continue unchanged and in full force and effect.

IT IS SO ORDAINED, this 22nd day of June, 2020.

David R. Still, Mayor

Attest:

Karen Pierce, City Clerk

ORDINANCE NO. ORD-2020-3

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF LAWRENCEVILLE,
GEORGIA, CHAPTER 30 SOLID WASTE FOR THE PURPOSE OF AMENDING BILLING DATES AND
CHAPTER 38 UTILITIES TO ADOPT A NEW ORDINANCE RELATED TO PUBLIC UTILITIES**

The City Council of the City of Lawrenceville, Georgia hereby ordains that the Code of the City of Lawrenceville, Georgia be amended as follows:

Section 1:

By deleting Sections 30-12(2) in its entirety and inserting in lieu thereof, the following:

Sec. 30-12. Residential fees.

(2) All garbage bills will follow the schedule set forth in Chapter 38.

Section 2:

By deleting Sections 30-26(d) in its entirety and inserting in lieu thereof, the following:

Sec. 30-26. Commercial Fees.

(d) All garbage bills will follow the schedule set forth in Chapter 38.

Section 3:

By deleting Sections 38-1 to 38-32 in their entirety and inserting in lieu thereof, the following:

Chapter 38 – UTILITIES

ARTICLE I. - IN GENERAL

Sec. 38-1. – Definitions.

As used in this chapter, the following terms shall have the meanings ascribed to them respectively:

Statement Date means the Date the bill is calculated by the City.

Sec. 38-2. - Application for utility service.

Application for the use of city utilities shall be made to the City by the owner or agent of the property to be benefited, designating the location of the property and stating the purpose for which the utility may be required. The city manager or designee shall

prescribe the forms, information, and processes necessary for obtaining an application for utility service. An application fee of \$50.00 shall be charged for processing utility service applications.

Sec. 38-3. – Billing.

The City Manager or designee may set billing schedules for various customers to ensure efficiency in government operations and collection of fees. The utility bills shall be due 21 days from the statement date. Disconnection of services for non-payment may occur 45 days from statement date.

Sec. 38-4. – Deposit.

The City Manager or designee may set deposit schedules, fees, and procedures for various customers to ensure efficiency in government operations and collection of fees.

Sec. 38-5. – Interest and late fees.

The bill is past due if it remains unpaid 21 days from the statement date. A late fee of 1.5% of the past due balance shall be applied no earlier than 21 days from the statement date. This date shall be known as the penalty date.

Sec. 38-6. - Time limit for disconnection.

At the expiration of 24 days from the penalty date specified on the utility bills submitted by the City of Lawrenceville to its customers, the City of Lawrenceville shall terminate the utility service to the premises which utilized the service. Disconnection by the City may occur if any portion of a bill remains unpaid 24 days from the penalty date specified on the utility bills submitted by the City of Lawrenceville to its customers.

Sec. 38-7. - Notice of disconnection.

No utility service may be disconnected for non-payment unless:

- (1) The customer has been given written notice of the proposed disconnection at least five days prior to the date of disconnection. The date of the disconnection must be a business day when a representative is available to receive payment from the customer.
- (2) Such notice shall be:
 - a. Served upon the customer by the U.S. mail, electronic means, or other means that are available to the general public.
- (3) Such notice shall state:
 - a. The earliest date for the proposed disconnection;

- b. The amount due and the reason for the proposed disconnection;
- c. A telephone number and email, which the affected consumer may contact for information about the proposed disconnection.

Sec. 38-8. - Restrictions on disconnection.

- (a) The City shall not discontinue gas or electric service to a residential customer between November 15th and March 15th if the forecasted local temperature is below 32°F for a 48-hour period beginning at 8:00 a.m. on the date of the proposed disconnection;
- (b) The City shall not discontinue electric service to a residential customer if, prior to 8:00 A.M. on the date of the scheduled disconnection, a National Weather Service Heat Advisory or Excessive Heat Warning is in effect, or is forecasted to be in effect by the National Weather Service;
- (c) Service shall not be disconnected for nonpayment of a bill to a residential customer who has a serious illness which would be aggravated by the disconnection - provided that the customer:
 - 1. Notifies the City of this condition in writing. The customer may also notify the City orally, but must send the City a written notice within 10 days of the oral notification.
 - 2. Within 10 days of providing initial notice to the City, a written statement from a physician, county board of health, hospital or medical clinic identifying the illness, its expected duration, and certifying that the illness would be aggravated by such disconnection must be received by the City.

Sec. 38-9. – Restoring Service.

The City shall reconnect service if the past due balance is paid within 10 days of when service was disconnected for nonpayment. The customer will be charged a reconnection fee of \$60.00. Reconnection will occur no earlier than the day after payment of outstanding balance. Same day restoration may be requested and if available, then the same-day reconnection fee of \$65.00 shall be charged, in addition to the \$60.00 reconnection fee. If payment for past due balance is more than 10 days after service was disconnected for nonpayment, customer must sign up for new service and may be subject to application fees, credit screening, new terms of service, outstanding balances and a connection fee of \$60.00.

Sec. 38-10. – Administrative fines.

- (a) The City Manager or designee may issue administrative fines for the following infractions:
 - 1. Meter tampering and meter repair;
 - 2. Hydrant tampering and repair;

3. Valve tampering and repair;
 4. Unauthorized use.
- (b) Any person tampering with utility infrastructure will be responsible for the cost of repairs including materials, labor, and city staff and equipment time.
 - (c) When the City Manager or designee finds that a person has violated, or continues to violate, any provision of this article, the city may issue a fine in an amount not to exceed \$1,000.00. Such fines shall be assessed on a per-violation, per-day basis. Fines may be assessed for each day during the period of violation.
 - (d) Unpaid charges, fees, fines, and penalties shall, after 30 calendar days, be assessed an additional penalty of ten percent of the unpaid balance, and interest shall accrue thereafter at a rate of ten percent per month. A lien against the person's property shall be sought for unpaid charges, fines, and penalties.
 - (e) Persons desiring to dispute administrative fines must file a written request to the City Manager for the city to reconsider the fine within 14 days of being notified of the fine. Where a request has merit, the City Manager or designee may convene an administrative hearing on the matter.
 - (f) Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the person in violation.

Sec. 38-11. - Prohibitions.

- (a) Unauthorized connections. No person shall connect to, tap on, or discharge service from any line or main belonging to the city without first obtaining the permission of the City Manager or designee through permits or other means to do so, and paying the required deposits or account initiation fees, tap fees, system development charges, and connection charges.
- (b) Meter tampering. No person shall break, alter, change the reading of, or tamper with the mechanism of any meter of the city without the authority of the City Manager or designee.
- (c) Bypassing meter. No person shall attach any line, pipe, device or mechanism of any kind or type to any line, pipe or main, in such a manner as to cause any service to flow through, by or around any city meter without the meter properly measuring and recording the quantity thereof.

- (d) Taking service by any method to avoid payment. No person shall attach any line, pipe, device or mechanism of any type or kind to any city utility line, pipe or main, in such a manner as to take service to avoid payment.
- (e) Obstructing meter. No person shall cover a meter with dirt or other material so that the cover or the meter is not visible to city personnel, meter inspectors, meter readers or contract personnel contracted to read meters.
- (f) Unauthorized reconnection. No person shall reconnect or turn on any utility connection, where the connection has been disconnected by City personnel or authorized contractor personnel for nonpayment of bills, or for other purposes.
- (g) Preventing access or obstructing valves. No person shall remove or cover a utility valve with any material so that it is not visible or direct access to the valve is denied to City personnel or other personnel authorized by the City.
- (h) Damage of distribution system. No person shall damage, destroy, deface, impair the function of, or otherwise vandalize any portion of the City utility distribution systems or appurtenances.

Sec. 38-12. - Unauthorized use of utility.

The procedures under this chapter will not be required when there is an unauthorized use of the utility service, bad checks, safety hazards, or building code violations.

Sec. 38-13. - Maintenance of access to metering devices.

- (a) Owners and lessees of property shall be responsible to maintain access to City utility meters located on property owned or leased by them, clear of obstructions so that the meter may be accessed, read, and maintained easily by City employees.
- (b) All meter set assemblies shall be maintained free from any landscaping obstructions in an area not less than three feet in front of and two feet to either side of the meter set assembly. Landscaping obstructions include, but are not limited to, rocks, bushes, fences, or other manmade or natural structures that restrict access to the meter set assembly.
- (c) The City may relocate the meter away from an obstruction if the City, in its discretion, deems relocation to be the least expensive alternative or an appropriate alternative to removing the obstruction. The costs of relocating the meter shall be billed to the owner or lessee as part of their regular utility bill.

- (d) Subject to the provisions set forth in this chapter, and in addition to the remedies provided in this section, the City is authorized to disconnect utility service to any property should the owner or lessee fail to remove any obstruction to the meter after receiving notice of the obstruction as set forth in this section.
- (e) Employees or contractors of the City may trim or remove any plant within ten feet of the front or five feet of the side of a transformer, gas meters, gas mains, water main, water box or fire hydrant which poses any safety hazard or threatens to interrupt service to City customers.

Sec. 38-14. - Planting and utility maintenance near transformers, water mains, water boxes and fire hydrants, gas valves and other utility components.

- (a) No shrub, bush, flower, tree or other plant shall be planted within ten feet of the front or five feet of the side of a City transformer, water main, water box, or fire hydrant.
- (b) Employees or contractors of the City may trim or remove any plant within ten feet of the front or five feet of the side of a transformer, gas meters, gas mains, water main, water box or fire hydrant which poses any safety hazard or threatens to interrupt service to City customers.

Secs. 38-15 -- 38-32. - Reserved.

IT IS SO ORDAINED, this 22nd day of June, 2020.

David R. Still, Mayor

Attest:

Karen Pierce, City Clerk