



PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, JULY 25, 2022

Present: Mayor Barbara Bender, Mayor Pro Tem Dave Emanuel, Council Members Solange Destang, Cristy Lenski, Gretchen Schulz, and Tod Warner. Also present: City Manager Butch Sanders, City Attorney Chuck Ross and Assistant City Attorney Jay Crowley with Powell and Edwards Attorneys at Law, Captain Zach Spahr, Planning and Development Director Jason Thompson, Public Information Officer Brian Arrington, Public Works Director Gaye Johnson, Public Works Manager Craig Barton, and City Clerk Melisa Arnold. (Assistant City Manager Matthew Pepper and Chief Greg Perry were absent.)

CALL TO ORDER

Mayor Bender called the meeting to order at 7:30 p.m.

INVOCATION

Mr. Jomy George gave the invocation.

PLEDGE TO THE FLAG

Public Works Director Gaye Johnson led the Pledge of Allegiance.

CEREMONIAL MATTERS

PRO 2022-12 – Recognition of Gaye Johnson

Mayor Bender read the proclamation recognizing Gaye Johnson for her 29 years of service into the record and presented it to her.

MINUTES

Approve the Minutes of the July 11, 2022 Meetings

Mayor Pro Tem Emanuel made a motion to approve the minutes of the July 11, 2022 meetings, 2nd by Council Member Lenski; voted 6 in favor and 0 opposed, motion approved.

INVITED GUESTS

Jomy George –Snellville Community Meets

Mr. George spoke about the Snellville Community Meets organization.

COMMITTEE / DEPARTMENT REPORTS

None

APPROVAL OF THE AGENDA

Council Member Lenski made a motion to approve the agenda, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved.

City of Snellville Administration Department

PUBLIC HEARING

2nd Reading – CIC 22-02 – Consideration and Recommendation on Application by TOMCO2 Systems Company Requesting a Change in Conditions and Variances from the Snellville Unified Development Ordinance to Allow Certain Nonconformities to Remain ‘as-is’ While also Allowing for a 2,400 sq. ft. Expansion of an Existing Nonconforming Metal Building. The Property Consists of: a) Tract 1, 2.699± Acres, Zoned OP (Office Professional) District, 3320 Brushy Fork Road, Loganville (Tax Parcel R5099 003); b) Tract 2A, 6.90± Acres, Zoned LM (Light Manufacturing) District, 3340 Rosebud Road, Loganville (Tax Parcel 5099 005); and c) Tract 2B, 8.32± Acres, Zoned LM (Light Manufacturing) District, 3330 Rosebud Road, Loganville (Tax Parcel 5099 027)

Planning Director Thompson gave an overview of the application.

Tyler Lasser, Alliance Engineer and Planning, 299 S. Main Street, Ste. A, Alpharetta spoke representing the applicant TOMCO2 Systems. He stated they want to expand an existing non-conforming building and advised that any non-conformities would be brought into compliance when phase two of the project commences gets scheduled and started.

Mayor and Council asked questions of the Mr. Lasser.

Mayor Bender opened the floor to public comment for anyone in favor or opposed.

No one came forward to speak.

Mayor Bender closed public comment.

Mayor Pro Tem Emanuel made a motion to approve CIC 22-02, 2nd by Council Member Warner; voted 6 in favor and 0 opposed, motion approved. (Reference ORD 2022-13, which is attached to and made a part of these minutes.)

2nd Reading - RZ 22-05 – Consideration and Recommendation on Application by Lazaro Mota (applicant) and Britt and Camp, LLC (property owner) requesting to amend the Official Zoning Map from RS-30 (Single-family Residential) District to RS-5 (Single-family Residential) District for an 11-lot single-family (detached) residential subdivision on a 2.765± acre site having a gross density of 3.978 units per acre, located at 2706 Lenora Church Road, Snellville, Georgia (Tax Parcel 5028 001)

Planning Director Thompson gave an overview of the application and advised the Planning Department and Planning Commission recommended approval with conditions. Mayor and Council asked questions about the development.

Tyler Lasser, Alliance Engineer and Planning, 299 S. Main Street, Ste. A, Alpharetta spoke representing the applicants Lazaro Mota and Britt and Camp and answered questions of the Mayor and Council.

Mayor Bender opened the floor to public comment and the following people came forward: Betty Ann Kumin – 2155 Woodberry Run Drive, Snellville asked about the retention pond.

Barry Wiggs, 2210 Stockton Walk Lane, spoke about the width of the roads and retention pond.

No one else came forward so Mayor Bender closed public comment.

Tyler Lasser, Alliance Engineer and Planning came forward and spoke. He advised that the plan will go through the City's review process and all standards and codes will be met.

Council Member Lenski made a motion to deny RZ 22-05, 2nd by Council Member Warner.

A discussion about recusal was held and Attorney Ross advised there is no conflict.

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Mayor Bender asked Tyler Lasser if he would like to withdraw the application and he agreed and asked that the application be withdrawn.

Council Member Lenski withdrew her motion to deny and made a motion to approve the request for withdrawal, 2nd by Council Member Warner; voted 5 in favor and 1 abstention with Council Member Destang abstaining. (Per Article II, Division 1, Section 2-47 of the Code of Ordinances, an abstention shall be counted as an affirmative vote.) Motion approved.

2nd Reading – RZ 22-07 LUP 22-06 – Consideration and Recommendation on applications by Century Communities of Georgia, LLC (applicant) and Hazel L. Lee and Brenda G. Lee (property owners) requesting: a) to amend the 2040 Comprehensive Plan Future Land Use Map from Medium-Density Residential to Low-Density Residential; b) to amend the Official Zoning Map from RS-15 (Single-family Residential) District to RS-5 (Single-family Residential) District for a 98-lot single-family (detached) residential subdivision on a 25.052± acre site having a gross density of 3.91 units per acre, located at 1689 and 1725 Rockdale Circle, Snellville, Georgia (Tax Parcels 5060 008 and 5060 023)

Mayor Bender advised that the applicant asked for the item to be tabled.

Council Member Schulz made a motion to table until August 22, 2022, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved.

CONSENT AGENDA

None

OLD BUSINESS

None

NEW BUSINESS

Consideration and Action on RES 2022-07 – Adoption of the 2022 Millage Rate [Bender]

City Manager Sanders advised that a millage rate of 4.00 mills is recommended to balance the Fiscal Year 2023 budget.

Mayor Pro Tem Emanuel made a motion to approve RES 2022-07, 2nd by Council Member Lenski; voted 6 in favor and 0 opposed, motion approved.

Consideration and Action on the Approval of the Contractor and Budget for the Construction of The Hall at the Grove [Bender]

Mayor Bender explained that there is not information from the developer to make a decision.

Council Member Lenski made a motion to table, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved.

COUNCIL REPORTS

Council Members Destang, Warner, Lenski, Schulz and Mayor Pro Tem Emanuel each gave a report.

MAYOR'S REPORT

Mayor Bender gave a report.

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PUBLIC COMMENTS

The following citizens spoke:

Kelly McAloon, 2916 Overwood Lane, Snellville.
Norman Carter, 2777 Nathaniel Way, Grayson.
Deborah Jones, 1657 Ramblewood Way, Snellville.
Melvin Everson, 1725 Winding Creek Circle, Snellville.
Bobby Howard, 2240 Pinehurst Road, Snellville.
Preston Wren, 3680 Pine Bloom Place, Loganville.
Tricia Rawlins, 2088 Harbour Oaks Drive, Snellville.
Barry Wiggs, 2210 Stockton Walk Lane, Snellville.

EXECUTIVE SESSION

None

ADJOURNMENT

Mayor Pro Tem Emanuel made a motion to adjourn, 2nd by Council Member Schulz; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 9:21 p.m.



Barbara Bender, Mayor



Melisa Arnold, City Clerk

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2022-13

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 17.89± ACRE TRACT OF LAND LOCATED IN LAND LOT 99 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 3320 BRUSHY FORK ROAD; 3330 AND 3340 ROSEBUD ROAD, LOGANVILLE, GEORGIA; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**APPLICANT/
PROPERTY OWNER:**

TOMCO2 Systems Co.
Loganville, Georgia 30052

LOCATION:

3340 Rosebud Road
Loganville, Georgia 30052

TAX PARCELS:

R5099 003; R5099 005; and R5099 027

CONTACT:

Tyler Lasser
Alliance Engineering and Planning
Alpharetta, Georgia 30009
770-225-4730 or TylerL@allianceco.com

DEVELOPMENT/PROJECT:

Building Expansion

WHEREAS, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and,

WHEREAS, the governing authority of the City of Snellville, Georgia desires to amend its official zoning map as it applies to the 15.195± acre tract of land located at 3330 and 3340 Rosebud Road, Loganville, Georgia (Tax Parcel R5099 005 and R5099 027) to

add conditions affecting the property and allow the continuance of certain non-conforming elements on the property for a meal building addition. and,

WHEREAS, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance; therefore:

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. The Official Zoning Map for the City of Snellville, Georgia for the 15.195± acre tract of land described and shown on the boundary/topographic survey for “TOMCO2 Systems”, sealed and dated 9-17-2021 (stamped received 5-16-2022) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby amended to be subject to the following enumerated variances and conditions:

VARIANCES:

1. Existing metal buildings to remain and allow for the expansion of the building to be metal.
2. Parking areas to remain as existing, including gravel parking and storage.
3. Maintain existing stormwater facilities and not require curb and gutter standards.
4. Allow existing lighting on site to remain as is.
5. Allow current tree density.
6. Allow current parking lot islands.

CONDITIONS:

1. The property shall be developed in accordance with the rezoning site plan showing the building addition submitted with the application, with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the rezoning site plan, as determined by the Director of Planning and Development will require Mayor and Council approval.

2. The property owner shall obtain a sign permit and complete construction of a new monument sign prior to the issuance of a Certificate of Occupancy for the new building addition. The freestanding sign shall meet all requirements of the current sign ordinance regulations.
3. All nonconforming elements of the site as identified in the above variance list, excluding nonconforming building façade/architectural materials, and approved herein as variances must be made conforming at the time of phase two as indicated by the applicant in the letter of intent.
4. Conditions of approval for #CIC 22-02 shall only apply to parcel numbers R5099 005 and R5099 027. All previously approved conditions as outlined in Ordinance No. 2021-15, applying to parcel R5099 003, shall remain in full-force and effect.

Section 2. The zoning for the 2.699± acre Tract 1 property, located at 3320 Brushy Fork Road, Loganville, shall remain unchanged as currently zoned OP (Office Professional) District. All conditions as approved by the Mayor and Council on 4-26-2021 for case #RZ 21-04 and Ordinance No. 2021-15 shall remain in full-force and effect.

Section 3. The changes in zoning classification are to be noted on the Official Zoning Map of the City of Snellville, Georgia as approved by the Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The Official Zoning Map of the City of Snellville, Georgia, shall also be amended with an editorial note specifying the date these Snellville zoning amendments were approved by the Mayor and Council and specifying the parcels affected by this Ordinance. Until the changes are indicated on the Official Zoning Map of the City of Snellville, Georgia, as approved by the Mayor and Council, this Ordinance shall govern over Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council to the extent of any discrepancy between this Ordinance and the Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council.

Section 4. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 5. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance..

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 6. Penalties in effect for violations of Chapter 1 of the Code of Ordinances, City of Snellville, Georgia at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

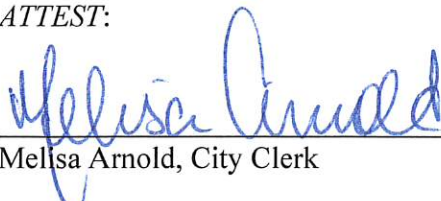
Section 7. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

Section 8. This Ordinance was adopted on July _____, 2022. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.


[SIGNATURES BEGIN ON THE FOLLOWING PAGE]


ORDAINED this 25 day of July, 2022.

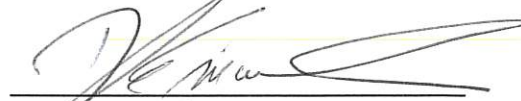
ATTEST:


Melisa Arnold, City Clerk

APPROVED AS TO FORM:


W. Charles Ross, City Attorney
Powell & Edwards, P.C.


Barbara Bender, Mayor


Dave Emanuel, Mayor Pro Tem


Cristy Lenski, Council Member


Solange Destang, Council Member


Gretchen Schulz, Council Member


Tod Warner, Council Member

EXHIBIT "A"

FRONT: 10 FEET
SIDE: 10 FEET
REAR: 20 FEET
MAXIMUM BUILDING HEIGHT: 40 FEET

ANY SETBACKS AND BUFFERS SHOWN ARE GOVERNED BY THE LOCAL JURISDICTION AND SHOULD BE CONSIDERED IN WRITING FOR LAND PLANNING OF ANY CONSTRUCTION ACTIVITIES

TRACT 2 IS ZONED UH PER CALL TO CITY OF SHELBYVILLE
ZONING DEPARTMENT ON 08/16/2021

THE SETBACKS FOR ZONE UH LIGHT MANUFACTURING PER
CITY OF SHELBYVILLE MUNICIPAL ORDINANCE ON 08/16/2021
ARE AS FOLLOWS:

FRONT: 30 FEET
SIDE: 20 FEET (SIDEWAYS), 35 FEET (FEET)
REAR: 15 FEET
MAXIMUM BUILDING HEIGHT: 30 FEET

ANY SETBACKS AND BUFFERS SHOWN ARE GOVERNED BY THE
LOCAL JURISDICTION AND SHOULD BE CONFIRMED BY WRITING
PRIOR TO LAND PLANNING OR ANY CONSTRUCTION ACTIVITIES

LEADER

Figure 1 consists of seven micrographs labeled (a) through (g), showing the surface morphology of a polyimide film after treatment with different solvents. The surfaces become progressively rougher from (a) to (g). Below the micrographs is a legend:

- (a) JET
- (b) CLP
- (c) DP
- (d) PFC
- (e) FFC
- (f) FUC
- (g) FCB

CLIM	PAID	AG LENGTH	CHRD LENGTH	CHRD BEARING	CHRD ANGLE
1234.56	345.67	345.67	345.67	345.67	345.67
789.01	123.45	123.45	123.45	123.45	123.45
234.56	567.89	567.89	567.89	567.89	567.89
567.89	901.23	901.23	901.23	901.23	901.23
901.23	345.67	345.67	345.67	345.67	345.67

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466
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² Surveyor attempted to locate Station 8 between pipes between two smaller laterals in pipes. Surveyor recommends to cap CTR and/or make a relocation of any laterals or structures in the vicinity of any proposed construction.

[illegible]

SURVEYOR CERTIFICATION

[illegible][illegible]



CITY OF SNELLVILLE

Resolution

RES 2022-07

Adoption of the 2022 Millage Rate

WHEREAS, Georgia law and the City Code of Ordinances require the City to adopt a balanced budget for its operations; and

WHEREAS, through public hearings, the City staff, Mayor and City Council have drafted such a budget to comply with the requirements of State law; and

WHEREAS, the adoption of that budget required the passage of a millage rate sufficient to allow for the collection of taxes necessary to cover the cost of operating the City government according to the budget; and

WHEREAS, the Mayor and Council find it necessary and desirable to establish certain millage rates for properties in Gwinnett County in fairness to the taxpayers of the City and in compliance with State law; and

WHEREAS, the tax rate of 4.000 per \$1,000 of assessed valuation for City of Snellville taxpayers in Gwinnett County is required for the raising of sufficient revenues to support municipal operations and meeting the requirements of State law for establishing rates; and

WHEREAS, notices required by law have been published in the legal organ of the City of Snellville; and


WHEREAS, the City has conducted public hearings to receive comments from citizens on the proposed budget and rates.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF SNELLVILLE hereby ordains and resolves that the millage rate of 4.000 per \$1,000 of assessed valuation for City of Snellville taxpayers in Gwinnett County enumerated above is approved and ordained for fiscal year 2022-2023.


RESOLVED this 25th day of July, 2022.

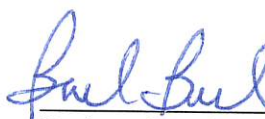


ATTEST:

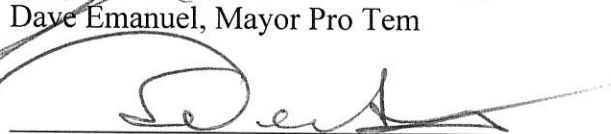

Melisa Arnold, City Clerk

APPROVED AS TO FORM:


W. Charles Ross, City Attorney
Powell & Edwards, Attorneys at Law, P.C.


Barbara Bender, Mayor


Dave Emanuel, Mayor Pro Tem


Solange Destang, Council Member


Cristy Lenski, Council Member


Gretchen Schulz, Council Member


Tod Warner, Council Member