

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

Mayor Millsaps called for the approval of the minutes from the December 19, 2007 Special Call Meeting and Executive Session, January 7, 2008 Regular and Executive Sessions, January 16, 2008 Special Call Meeting and the January 29, 2008 Special Call Meeting. Dr. Johnson made a motion to approve all the minutes as recorded. The motion was seconded by Mr. Crow. The motion carried unanimously.

Mayor Millsaps presented the following citizen appointments for 2008:

Planning Commission

Term expires January 2008                      new expiration 2011

Richard Johnson (current chairman)

Eron Moore

Term expires January 2010

Vacant (formerly held by Charles Mathis)

William "Bill" Childers

Board of Zoning Appeals

Term expires January 2008                      new expiration 2010

Eron Moore (current chairman)

John Pentecost

Ronnie Allen

Lawrenceville Downtown Development Authority

Term expires November 2007                      new expiration 2013

Marie Beiser

Mike Reedy

Kathy Monroe

Term expires November 2011

Vacant (formerly held by Scot Frye)

Mary Kay Jordan

Lawrenceville Development Authority

Term expires November 2007                      new expiration 2013

Marie Beiser

Jack Baggett Jr.

Linda Oakes

Term expires November 2011

Vacant (formerly held by Scot Frye)

Perry Tanner

Architectural Review Board

Term expires January 2008

new expiration 2010

Marie Beiser (DDA member)

Mary Thompson (At large)

Don Alford (Architect)

Mayor Millsaps also recommended Tony Powell as City Attorney, Dennis Still as Municipal Court Judge, James Garner as Assistant Municipal Court Judge, and Larry Owens as Assistant Municipal Court Judge. Mr. Martin made a motion to approve the 2008 appointments. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps then presented the Consent Agenda.

CONSENT AGENDA

1. Approval of the City of Lawrenceville Comprehensive Plan 2030 Update Community Participation Program as recommended by Precision Planning, Inc. and the citizen committee which is attached hereto as Exhibit "A".
2. Approval of the funding of an amendment to the walking trail contract with Hayes, James & Associates funding planning and design engineering services up to \$3,980 to prepare preliminary exhibits for a public hearing on the walking trails proposed by Councilmember P. K. Martin.
3. Approval of a compensation and classification study proposal from the Atlanta Regional Commission as set forth on Exhibit "B" attached hereto and incorporated herein. Funding shall be up to but not to exceed \$16,140. Additionally, approval of an instruction to the Atlanta Regional Commission to add a position to the City of Lawrenceville's job description for a human resources director including establishment of an appropriate salary and benefits package and pay grades to accompany the job position.
4. Approval of an amendment to the City of Lawrenceville's personnel policy adding a Chapter 9 entitled "Workers' Compensation, Disability and Temporary Restricted Duty Policy" in the form attached hereto as Exhibit "C" and incorporated herein.
5. Approval of Precision Planning, Inc. as the firm to design and plan transportation and zoning restrictions from the Downtown Lawrenceville Overlay to the Georgia Gwinnett College as shown on Exhibit "D" attached hereto and incorporated herein. The City Attorney is authorized to move forward with drafting a contract to evidence the award of the work.
6. Approval of the reorganization of the Water Department as set forth on the memorandum to Council attached hereto as Exhibit "E".

7. Approval of authorization to fund the repair of the roof on the Police Department for a price not to exceed \$51,000 as evidenced in the bid document attached hereto as Exhibit "F" attached hereto and incorporated herein.
8. Approval of the proposal of G.S. Construction, Inc. as the low bidder for the City's ADA Sidewalk Project with funding of up to \$65,578.73 pursuant to the terms of a grant and as tabulated on Exhibit "G" attached hereto.
9. Approval of a consent agreement negotiated by the Georgia Municipal Association with the Georgia Public Service Commission for settling of certain long-standing and continuing violations of certain federal and state pipeline safety rules by authorization of Terry Farmer to execute the consent agreement on behalf of the City as attached hereto as Exhibit "H".
10. Approval of the Rock, Paper, Scissors Resolution affirming the Mayor's authority to execute the Resolution for the revitalization loan with the Department of Community Affairs attached hereto as Exhibit "I".

Mr. Crow made a motion to approve the Consent Agenda as presented. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

#### PUBLIC HEARINGS – OLD BUSINESS

Mr. Leonard presented the second reading of the City of Lawrenceville's rezoning request to have the 600 block of Old Norcross Road rezoned from a no-zoning category to Light Manufacturing. Mr. Leonard stated that the Planning Commission recommended that the property be zoned Light Manufacturing. He informed the council that this property is an old railroad right of way. Dr. Johnson then made a motion to approve the rezoning. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Mike Runyon appeared on behalf of R&J at Sugarloaf requesting that the property located at 660 Sugarloaf Parkway be rezoned from BN to BG. Mr. Leonard stated that this is the second reading of the rezoning request. Mr. Richard Laman and Ms. Teresa Tant spoke in opposition to the rezoning request. Mr. Runyon stated that they are trying to expand the retail and medical offices in this location. Mr. Martin made a motion to table the rezoning request. There was a second by Mr. Crow. Mr. Martin and Mr. Crow voted for the motion. Dr. Johnson and Mr. Clark voted against the motion. Mayor Millsaps voted in opposition to the motion. Mr. Clark then made a motion to deny the rezoning request. The motion was seconded by Dr. Johnson. The motion carried with Mr. Clark, Dr. Johnson and Mr. Crow voting for the motion. Mr. Martin voted in opposition to the motion. (See Exhibit File)

Mayor Millsaps called on the representative from Capital Retail, Inc. to present the second reading of their Special Use Permit request. No one appeared for the applicant.

Mayor Millsaps asked if there was any opposition to the Special Use Permit. Mary Thompson spoke in opposition to the request. After some discussion, Mr. Martin made a motion to deny the request. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps called on the annexation/rezoning proceedings for Crown Properties. Mayor Millsaps stated that the City Council will discuss the rezoning aspects first. However, before the vote on the rezoning is taken, the Council will act on the annexation request. Mr. Larry Chessman presented the annexation request for Crown Properties located at 1091 Grayson Highway. After the presentation, Mr. Clark made a motion to approve the annexation. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps then called on the presentation and second reading of the rezoning request. Mr. Larry Chessman presented the rezoning request for the 1091 Grayson Highway property. Mayor Millsaps asked if there was any opposition. Several residents appeared before the council indicating they would prefer to not have the property developed, however, they stated they were okay with the plans. After some discussion, Mr. Martin made a motion to approve the rezoning as follows: the first 300' of the property as BG, the balance to be O&I; the following stipulations are included: 40' buffer along the Northfield Subdivision with 30' being undisturbed and 10' being enhanced; a 15' landscape buffer along Carmel East subdivision; an office building setback on north property line of 25'; development is site plan specific on a plat for Crown Properties dated 12/26/06 and marked as Exhibit A; conditions enumerated in letter from Gwinnett County; developer to provide a three-year bond to ensure the survival of landscaped plants for the long term; and, the fence around the storm water detention pond should be "decorative" (i.e., color coated back or dark green chain-link). The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the second reading of an amendment to Section 7.3 of the Zoning Ordinance. Mr. Leonard stated that this amendment deals with the architectural standards in the RS-180 zoning. Mr. Martin made a motion to approve the ordinance amendment with the following stipulations: "artificial stucco" be deleted from item 6 under Minimum Architectural Requirements; vacant lots in subdivisions will fall under this ordinance when construction begins. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the second reading of the amendment to Section 7.3.1 of the Zoning Ordinance. Mr. Leonard stated that this ordinance amendment affects the architectural standards in RS-150. Mr. Martin made a motion to approve the ordinance amendment with the following stipulations: "artificial stucco" be deleted from item 6 under Minimum Architectural Requirements; vacant lots in subdivisions will fall under this ordinance when construction begins. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the second reading of the amendment to Sections 6.2, 7.16 and 7.17 of the Zoning Ordinance. Mr. Leonard stated that these amendments were brought forward by the DDA and were approved by the Planning Commission. The amendments deal with the historic zone for downtown. Mr. Crow made a motion to approve the ordinance amendments. The motion died due to the lack of a second. Mr. Martin then made a motion to table action on the amendments until the next council meeting. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the second reading of the amendment to Section 7.9 of the Zoning Ordinance (Billiards). Mr. Leonard informed the council that this amendment adds billiards as a special use instead of a principal permitted use and asked that the current moratorium be lifted. Mr. Crow made a motion to approve the amendment and lift the moratorium. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

#### PUBLIC HEARING - NEW BUSINESS

Mr. Baroni informed the audience that the council is required to answer ethics questions on zoning issues. For the following rezoning requests, all council members including the Mayor, answered "no" to all the ethics questions. Mr. Baroni stated that the council's affidavits are on file in the Planning and Zoning office.

Mr. Leonard presented the first reading of a Special Use Permit for Title Pawn Shop at 575 West Pike Street. Mr. Clark made a motion to proceed to the second reading. The motion was seconded by Mr. Martin. The motion carried with Mr. Clark, Mr. Martin and Dr. Johnson voting for the motion. Mr. Crow voted in opposition to the motion. (See Exhibit File)

Mr. Leonard presented the sketch plat for the Stephens 316 Park. Mr. Leonard stated that the Planning Commission recommended approval. Mr. Crow made a motion to approve the sketch plat. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented the first reading of an amendment to Section 6.2 of the Zoning Ordinance. Mr. Powell stated that this ordinance amendment addresses Quality of Life issues. Dr. Johnson made a motion to proceed to the second reading. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented the first reading of an amendment to Section 31-101 of the Code of Ordinances regarding disorderly conduct. Mr. Powell stated that this is a Quality of Life issue. Mr. Martin made a motion to proceed to the second reading. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented the first reading of an amendment to Section 49-105 of the Code of Ordinances regarding violations. Mr. Powell stated that this is also a Quality of Life issue. Mr. Crow made a motion to proceed to the second reading. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented the first reading of an amendment to Section 21 of the Development Regulations – Property Maintenance. Mr. Powell stated that this amendment addresses Quality of Life issues. Mr. Crow made a motion to proceed to the second reading. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented the first reading of an amendment to Section 7.1 of the Zoning Code regarding modifying permitted accessory uses. Mr. Crow made a motion to proceed to the second reading. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

#### COUNCIL BUSINESS MEETING – OLD BUSINESS

Mayor Millsaps asked if there was to be any discussion or a motion on the council salaries for future councils. Some discussion followed, however, no action was taken.

#### COUNCIL BUSINESS MEETING – NEW BUSINESS

Mr. Baroni presented a schedule of surplus vehicles and equipment for sale. The vehicles and equipment are from the following departments: Planning and Zoning, Street, Police and Garage. Mr. Martin made a motion to approve the surplus vehicle/equipment schedules. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Paul Austin presented the bids for the Carver Circle Improvement project. The bids are as follows:

|                   |              |
|-------------------|--------------|
| Fowler Precast    | \$199,783.22 |
| G.S. Construction | \$238,950.00 |

Mr. Austin recommended that the City accept the low bid from Fowler Precast. Dr. Johnson then made a motion to approve the low bid as recommended by Mr. Austin. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented a franchise fee, resolution, and requested authority to notify the State and applicants of a pending franchise fee ordinance amendment. Mr. Clark made a motion to approve the resolution and notify the State and applicants. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Mike Reedy asked that the City allow Paul Austin to help them create a bid package for renovation of the Oakes house. Mr. Crow made a motion to approve the use of Paul Austin to create the bid package. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps asked for approval of a resolution to allow that two appointments be made by the City Council for the Airport Authority. Mr. Crow made a motion to approve the resolution. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Clark made a motion to adjourn into Executive Session. The motion was seconded by Mr. Crow. The motion carried unanimously.

After the Executive Session, Ms. Glouton explained to those present that one matter of litigation was discussed, one vote was taken and that vote was unanimous.

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

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Rex Millsaps, Mayor

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Robert P. Baroni, City Clerk