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

Mayor Millsaps then called for the approval of the minutes of the October 1, 2007 Council meeting and the October 17, 2007 Special Call and Executive Session meetings. A motion and second was made. The minutes were approved as recorded by unanimous vote.

Mayor Millsaps asked that the council consent to his appointment of Theresa Bullock and Rick Johnson to the Aurora Theatre Board. Mr. Crow made a motion to approve the Aurora Theatre Board appointments. The motion was seconded by Dr. Johnson. The motion carried unanimously.

Mayor Millsaps also asked that the council affirm his appointment of Mark Burson to the Zoning Board of Appeals and Mary Thompson to the Architectural Review Board to fill their unexpired terms that were created when they stepped down to run for office. Mr. Martin made a motion to approve both appointments. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps asked for Council approval of a proclamation proclaiming November 15, 2007 as America Recycles Day. Mr. Crow made a motion to approve the proclamation. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps presented the Consent Agenda for council approval.

<u>CONSENT AGENDA</u>

1. Approval of authority for the Mayor to execute and bind the City to an Agreement with Hodge Enterprises to construct a gas line relocation project along Highway 81. Hodge Enterprises is the low bidder for the total lump sum contract price maximum of $107,000.00 as evidenced by the Bid Tabulation sheet attached hereto as Exhibit "A". Approval of authority for the Gas Department to acquire $27,340.00 of materials for the same project

2. Approval of the funding of a Planner position increasing the salary step within the pay grade of Step A providing a salary of $33,375.00 up to Step I for a total salary of $39,672.00 as described in a memorandum from the Director of Planning and Zoning attached hereto as Exhibit "B".

3. Approval of authority for the Mayor to execute an agreement to fund up to $25,000.00 from the 2001 SPLOST transportation funds for storm water improvements along Chestnut Street as requested by the City Engineer.

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

PUBLIC HEARINGS – OLD BUSINESS

Mr. Powell explained the second reading of the Backflow Prevention/Cross Connection Ordinance. Mr. Powell stated that most of the items in the ordinance are requirements of the State EPD. After the discussion Mr. Crow made a motion to approve the amendments as presented. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented the second reading of an amendment to sections 6.2, 7.7, 7.9 and 7.11 of the Helicopter Pad Ordinance. After some discussion, Mr. Crow made a motion to approve the ordinance amendments with an amendment to section 6.2, (42) Helicopter Landing Pad – a facility which meets the following imposed standards:

1) Air service not permitted to be the primary business or use of the property. No commercial air services are permitted, i.e., air taxis, sight-seeing, crop dusting, aircraft sales, etc.
2) Special Use Permit is conditioned on a permit from the Federal Aviation Administration.
3) The permits are subject to all conditions imposed by the Mayor and Council at the hearing on the Special Use Permit.

The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the second reading of Mr. Shudhir Malhotra's rezoning request at 435 Scenic Highway. Mr. Leonard stated that the rezoning request is to change the property from RS-180 to O&I. Mayor Millsaps called on the applicant. The applicant was not present. Mr. Clark made a motion to table this matter until the December meeting. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the second reading of the change of conditions on zoning at 963 Buford Highway. The applicant is Mr. Mark Smith who is planning to construct a building supply store on that location. Mr. Smith asked the council to take the 10' stipulation of a landscape buffer off the Highway 20 side and put in curbing. Mr. Leonard stated that the Planning Commission recommended that the landscape buffer be reduced from 10' to 3'. Mayor Millsaps asked if there was any opposition. Mr. Kerwin Dryden spoke in opposition to the change of conditions. After some discussion, Mr. Martin made a motion to reduce the landscape buffer to 5' on the Highway 20 side and 3' on the Braselton Highway side with no parking on the out parcel and no metal façade on the out parcels facing the street. Mayor Millsaps called for the vote. The motion carried with Mr. Martin and Mr. Crow voting for the motion. Dr. Johnson and Mr. Clark voted in opposition to the motion. Mayor Millsaps broke the tie in favor of the motion. (See Exhibit File)

Mr. Leonard presented the second reading of the Special Use Permit for Better Way Rent-A-Car, Inc. at 395 West Pike Street. The applicant is requesting that a Special Use

Permit be granted to convert a restaurant into a rental car facility. Mr. Leonard stated that the applicant does not appear to be present and asked that it be tabled. Mr. Martin made a motion to table this matter until the December meeting. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

PUBLIC HEARINGS – NEW BUSINESS

Mr. Leonard presented the first reading of the rezoning and annexation of Crown Properties located at 1091 Grayson Highway. Mr. Crow made a motion to approve the first reading. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented the first reading of the Taxicab Ordinance, 32-214. Mr. Powell called attention the changes made in the proposed City Code amendment handout. Mr. Martin made a motion to approve the first reading. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented the first reading of the water rates. Mr. Crow made a motion to approve the first reading. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps called on the issue of funding for a Chamber of Commerce program called Gwinnett Partnership. Mayor Millsaps stated that the council was previously given the information and it is for economic development within Gwinnett County. After some discussion on the Chamber's request for funding of the amount of $24,567.00. Mr. Crow made a motion to forward a check in the requested amount to the LTTA with a recommendation that Jay Markwalter consider funding this program. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

COUNCIL BUSINESS MEETING – NEW BUSINESS

Mr. Baroni presented the results for the general 2007 City Election and asked for council certifcation. The results are as follows:

For Council Member – Post 3	
Mark Burson	397
Robert "Bob" Clark	520
Write-Ins	3
	920

For Council Member – Post 4	
P.K. Martin IV	636
Eddie Oakes	278
Write-Ins	1
	915

Dr. Johnson made a motion to certify the election results as presented. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented Nuisance Complaint NC-07-01 located at 137 North Perry Street. Mr. Leonard stated that this is a building on the square and that the bricks are breaking away from the block and the façade is in disrepair. Mr. Crow made a motion to proceed with the nuisance complaint process. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Crow presented an emergency water plan for the City. Mr. Crow outlined the plan that provided for the activation of City wells and buying pumps and tank trucks in case of an emergency. After some discussion, Mr. Crow made a motion for a vote of confidence to the utility department to acquire the equipment and the planning of the water plan. Mayor Millsaps called for a second. There was none. The motion died due to the lack of a second. Dr. Johnson then made a motion to discuss this matter in the work session. The motion was seconded by Mr. Clark. The motion carried unanimously. (No copy available for Exhibit File)

Mr. Baroni presented a request and resolution authorizing the extension of the spending of the 2006 Community Development Block Grant Funds in the amount of $30,000.00. Mr. Crow made a motion to approve the extension. 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 Dr. Johnson. The motion carried unanimously.

After the Executive Session, Mr. Powell explained that two matters of litigation and one property acquisition issue was discussed. No action was taken.

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

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Rex Millsaps, Mayor

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Robert P. Baroni, City Clerk