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

Mayor Millsaps called for the approval of the March 5, 2007 Regular Session and the March 21, 2007 Executive Session minutes. Mr. Martin made a motion to approve the minutes as recorded. The motion was seconded by Mr. Crow. The motion carried unanimously.

Mayor Millsaps asked that the council delete item #5 under Council Business Meeting – New Business. He stated that he had not had an opportunity to review the Police Department's Operations Manual. Mr. Crow made a motion to approve the Mayor's request to delete item #5 from the agenda. The motion was seconded by Mr. Clark. The motion carried unanimously.

Mayor Millsaps presented the Consent Agenda.

CONSENT AGENDA

1. Approval of the preliminary route of the walking/alternative transportation trail system as shown on the maps prepared by Hayes, James & Associates as presented at the March 2007 work session of the Mayor & Council. The route connects to the exiting TE grant trail at the Fallen Heroes Memorial at the Gwinnett Justice and Administration Center. The route follows the existing sidewalks to the rock quarry at Huff Street. From the quarry the route goes cross county following a Gwinnett County sewer line to its intersection with Lawrenceville-Suwanee Road. The route follows the right of way of Lawrenceville-Suwanee Road to the end of Towler Road. From the potential parking area at the end of Towler Road, the route follows a creek through the cemetery in a southeasterly direction to Highway 29 near the entrance to Carriage Station subdivision. The route then follows the existing sidewalks to Bartow Jenkins Park. In addition, this Approval includes the funding from the 2005 SPLOST [Section II, item (d)] for the cost of designing the walking/alternative transportation trail system. The design shall be prepared by Hayes, James & Associates pursuant to an addendum to the existing trail design contract for an amount not to exceed $7,000.00. See Addendum, attached as Exhibit "A."

2. Approval of Hayes, James & Associates to complete a new TE Grant Application for funding of the construction cost of the walking/alternative transportation trail described in item 1. The cost of the services of Hayes, James & Associates to perform this task shall not exceed $2,000.00. The application shall be submitted between April 2 and June 15 of this year as required by the State of Georgia.

3. Approval of the amendment of the current sidewalk construction project (walking/ alternative transportation trail) route funded by a Transportation

Gwinnett County Justice and Administration Center and ends at Rhodes Jordan Park. This amendment includes the Approval of the following specific details:

a. The existing contract for design of this project with Hayes, James and Associates is amended to add funding from the 2005 SPLOST [Section II, item (d)] to fund the engineering and design services.

b. The route of this TE grant project is amended to start at the Fallen Heroes Memorial at the Gwinnett Justice and Administration Center and run to Luckie Street along the already constructed walking trail. The route then follows the south side of Luckie Street to the eastside of the intersection of Clayton Street and Luckie Street. The route crosses over Luckie Street to the north side of Luckie Street and then crosses Clayton Street following the north side of Luckie Street to the corner at the First Baptist Church property. The route proceeds along the property of the First Baptist Church on the north side of Luckie Street to the intersection with Chestnut Street. The route turns to the north proceeding on the west side of Chestnut Street to its intersection with Crogan Street. The route proceeds along the southern side of Crogan Street ending at Atha Street.

4. Approval of the funding of the design of a sidewalk (walking/ alternative transportation trail) identical in design to the sidewalk approved in Item 3 above to be constructed along a route beginning at the intersection of the north side of Crogan Street and the west side of Chestnut Street; then running along the west side of Chestnut Street to the intersection of the west side of Chestnut Street and Pike Street. This Approval includes funding the cost of construction and the cost of design by Hayes, James & Associates from the 2005 SPLOST [Section II, item (d)] pursuant to the existing TE grant contract for engineering services.

5. Approval for immediate funding of the cost of construction and design of a sidewalk (walking/ alternative transportation trail) identical in detail and design as approved in Item 3 above to run from Atha Street along the south side of Crogan Street to the intersect with Highway 124. This Approval includes funding the cost of design of the improvements by Hayes, James & Associates and the cost of constructing the improvements as a change order within the contract of Gwinnett County on an overlapping road improvement project. The City Clerk is authorized by this Approval to negotiate on behalf of the City an amendment with Gwinnett County to modify the county's existing construction contract to include the construction of sidewalk improvements approved in this item. This Approval includes funding the cost of construction and the cost of design by Hayes, James & Associates from the 2001 and 2005 SPLOST [Section II, item (d)] pursuant to the existing TE grant contract for engineering services.

6. Approval of the design specifications for closing of the Highway 20 entrance to Windsor Farms Drive. The City Attorney is hereby authorized to proceed with negotiations to acquire the necessary right of way for the construction of the attached improvements. The preliminary design plan is attached as Exhibit "B."

7. Approval of Request for Contract Change Order No. 10 with Lusk & Associates, Inc. in the amount of $22,926.00 to provide for conduit to accommodate modifications to the AV System, steel plates and bracing for the Clancy Hoists, and a credit associated with retrofitting the existing doors. The entire cost of this Contract Change Order has been paid for by the Aurora Theatre, Inc. The form of the Change Order is attached as Exhibit "C".

8. Approval of the Request for Contract Change Order No. 12 with Lusk & Associates, Inc. in the amount of $18,030.00 to fund installation of a smoke removal system pursuant to the requirements of the Fire Marshall. The form of the Change Order is attached as Exhibit "D".

9. Approval of the rejection by the City of all bids received for the annual road paving contract based on staff recommendations and authorization of the staff to issue a new call for bids for the annual paving contract for the 2007.

10. Approval of the low bid in the amount of $42,849.00 received from Commercial Insurance Agency for providing the worker's compensation insurance for City employees. See Bid Tabulation, attached as Exhibit "E".

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

PUBLIC HEARINGS – OLD BUSINESS

Mayor Millsaps called on the second reading of Chapter 12 of the Code of Ordinances. Mr. Crow made a motion to table the matter until the next meeting since little discussion has occurred since the first reading. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. David Whidden of Professional Equities requested that the council rezone his property located at 823 North Clayton Street from RS-150 to BG. Mr. Whidden then proceeded to explain the project. After much discussion, Mr. Clark made a motion to approve the rezoning with the following stipulations:

1) All lighting facing down, not across.
2) No equipment in side or rear yard.
3) No outside work.

4) No automotive or motorcycle sales or repair.
5) Office warehouse only.

6) Awnings to be metal or cloth.
7) Front parking to be moved to rear.
8) Three sides brick – colored to match brick.
9) Dumpster as shown on plat.
10) Design is per photos presented and approved by Planning and Zoning.
11) Rezoned for this project only.
12) No rear doors.
13) Mandatory legal condo association for owners.
14) 15' side yard buffers along single family zoning and 50' centerline right of way along North Clayton.
15) 15' landscape strip in front.
16) 10' buffer along multi-family zoning.
17) Leyland Cypress or equivalent around perimeter for sound proofing and visual.

The motion was seconded by Mr. Martin. 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 rezoning request RZ-07-03 located at 3560 Sugarloaf Parkway. Mr. Leonard stated that the original request was for RS-100 to HSB, but the Planning Commission recommended that the zoning classification be BG with a 15' front yard landscape area. Mr. Clark made a motion to approve the first reading. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the first reading of rezoning request RZ-07-02 located at 3500 Sugarloaf Parkway. Mr. Leonard stated that the original request was for RS-100 to HSB, but the Planning Commission recommended that the zoning classification be BG with a 15' front yard landscape area. Mr. Clark made a motion to approve the first reading. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the first reading of Mr. Mark Swanson's rezoning request for the property located at 942 Buford Drive. Mr. Leonard stated that the property is currently zoned M-1 and Mr. Swanson is requesting a BG zoning. He also stated that the Planning Commission recommended that it be rezoned BG with a 6' landscape strip around the building. Mr. Clark then made a motion to approve the first reading. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the first reading of Mr. Mark Smith's rezoning and special use permit request for the property located at 963 Buford Drive. Mr. Leonard stated that the property currently is C-1, C-2 and R-100. The request is to change the property to BG. Mr. Clark made a motion to approve the first reading. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the first reading of the special use permit at 108 East Crogan Street. Mr. Leonard stated that the request is from BG to townhomes within the Live/Work/B area. Mr. Leonard stated that the Planning Commission recommended denial. Mr. Clark then made a motion to approve the first reading. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the first reading of the Zoning Ordinance amendment to Section 7.9. Mr. Leonard stated that this section deals with the auto brokers use in the BG district. Mr. Martin made a motion to approve the first reading. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the first reading of the Zoning Ordinance amendment to Sections 7.3.1 and 7.3. Mr. Leonard stated that this ordinance provision requires a homeowners association for developments in the RS-150 and RS-180 districts. Mr. Crow made a motion to approve the first reading. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the first reading of the Zoning Ordinance amendment to Sections 7.16 and 7.17. After some discussion, Mr. Clark made a motion to table this matter for discussion at the work session. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the first reading of the Zoning Ordinance amendment to Section 11.11. Mr. Martin made a motion to approve the first reading. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

COUNCIL BUSINESS MEETING – NEW BUSINESS

Mr. Leonard presented nuisance complaint NC-07-06 for the property located on Griffin Street and known as 5-147-039A on the Gwinnett County tax records. After the presentation, Mr. Crow made a motion to proceed with the nuisance complaint. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented a commercial rate increase from Bellsouth Entertainment. Mr. Baroni stated that no action is required, that this is presented for the public record. (See Exhibit File)

Mr. Steadman presented the bids for the electric line relocation on Highway 29. Mr. Steadman stated that the only bidder was Over and Under General Contractors, Inc. at $230,710.00. Mr. Steadman said he felt some of the items in the bid were unnecessary

and he planned to have them removed. Mr. Clark then made a motion to accept the bid subject to negotiations with the Mayor either signing or rejecting the contract. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Mike Reedy presented the sign locations for the "Welcome to Historic Lawrenceville" signs. Mr. Clark made a motion to approve the signs pending State approval since all will be located on State highways. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

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

____
Rex Millsaps, Mayor

____
Robert P. Baroni, City Clerk