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

After Mayor Millsaps was administered the oath of office by the City Clerk, he in turn administered the oath of office to Council Member-elect Dr. Judy Johnson and Council Member-elect Mike Crow.

Mayor Millsaps presented his staff appointments for 2007 to the council. The appointments are as follows: Tony Powell, City Attorney; Dennis Still, Municipal Court Judge; James Garner and Larry Owens, Assistant Municipal Court Judges; Councilman Clark, Mayor Pro Tem. Mayor Millsaps asked for a motion affirming his appointments. Dr. Johnson made a motion approving the Mayor's appointments. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps presented the following Board and Commission appointments for council approval:

Planning Commission:
- Dennis Norton – term expiring 2009
- John Merrill – term expiring 2009
- Charles Mathis – term expiring 2010

Board of Appeals:
- Eron Moore – term expiring 2008
- John Pentecost – term expiring 2008
- Ronnie Allen – term expiring 2008
- Mark Burson – term expiring 2009
- David Mellard – term expiring 2009

Architectural Review Board:
- DDA Representative: Danny Gravitt – term expiring 2009
- At Large Member: David Jones – term expiring 2009
- Landscape Architect: Dot Yount – term expiring 2009
- Engineer: Greg Noah – term expiring 2009

Mayor Millsaps then asked for a motion affirming his appointments. Mr. Clark made a motion to approve the appointments. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps asked for approval of the December 4, 2006 City Council minutes. Mr. Clark asked that page 5 be corrected to show the name as Sarran Marshall in lieu of its current spelling. Dr. Johnson made a motion to approve the minutes as recorded and amended. The motion was seconded by Mr. Martin. The motion carried unanimously.

Mayor Millsaps asked if any of the Council Members had any additions or deletions to the agenda. Mayor Millsaps then asked that item #4 under Council Business Meeting – New Business be deleted since it is on the Consent Agenda. Mr. Clark made a motion to approve the agenda with the deletion. The motion was seconded by Dr. Johnson. The motion carried unanimously.

Mayor Millsaps presented the Consent Agenda.

CONSENT AGENDA

1. Approval of 5% increase in total budget per department. Additionally, department heads may use discretion in adjusting an individual employee's salary by up to 7½%.

2. Approval of revised utility deposit policy. See revised policy, attached as Exhibit "A".

3. Approval of Jackson Electric Franchise Agreement. See Agreement, attached as Exhibit "B".

4. Approval of the authorization for Mayor Millsaps to enter into an agreement with the Municipal Electric Authority of Georgia, and the City of Cartersville for purchase of excess reserve capacity from the City of Cartersville. See Agreement, attached as Exhibit "C".

5. Approval of the authorization for Mayor Millsaps to enter into an agreement with the Department of Transportation for resurfacing on Jackson Street from Crogan Street to Pike Street. See Agreement, attached as Exhibit "D".

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

PUBLIC HEARINGS – OLD BUSINESS

Mr. Sarran Marshall and Mr. Nileshchauhan presented a request for the tall structure permit at 480 Pike Street. Mr. Marshall indicated that the required information and letters were sent to each adjoining property owners. Several issues dominated the conversation. Those issues were joint use with the City utilities and ground elevation in relation to the tower height. Mayor Millsaps asked if there was any opposition from anyone in the audience. Mr. Rob Carlson asked questions concerning the flight patterns in relation to the location of the tower. Mr. Clark then made a motion to table this matter until the questions could be resolved. The motion was seconded by Mr. Crow. 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. James Corcoran, 148 South Clayton Street requested that the property located at 428 Grayson Highway be rezoned from RS-150 to BG. Mr. Corcoran explained to the council all surrounding uses. Mayor Millsaps asked for any opposition. There was none. Mr. Clark made a motion to approve the rezoning with the Planning Commission's stipulation of no bars or nightclubs. Mr. Martin then asked if Mr. Clark would clarify the stipulation with the following: No establishment may sell more than 50% alcohol. Mr. Clark amended his motion to reflect Mr. Martin's request. The motion was then seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the first reading of Article VII, Section 7-101 of the City's Development Regulations. Mr. Leonard stated that this amendment updates the building codes that the City uses. Mr. Leonard informed the council that the Planning Commission reecommends approval. Dr. Johnson 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 Article 16.3.2B(10). He stated that this amendment specifies the type berm and vegetation required in the Conservation Ordinance. Mr. Martin made a motion to approve the first reading of the Development Regulations amendment. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented a nuisance complaint on the dwelling at 831/833 Bedford Bay Trail. Mr. Leonard explained that both sides of this duplex are in bad repair and should be declared a nuisance. Dr. Johnson made a motion to proceed with nuisance complaint. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented a nuisance complaint on the property located at 320 Thornbush Trace. He also presented pictures as evidence of the dilapidated and unsanitary condition of the house. Dr. Johnson then 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 legal ad to set qualifying fees for the next election. Mr. Baroni stated that two council posts were up this election and the qualifying fee should be set at $216.00. Mr. Crow made a motion to approve the legal ad and qualifying fees. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps presented a change order for the gas line on State Route 20 that was necessitated by the blasting requirements in the original contract with Hodge Construction. Mr. Millsaps asked that the change order be reduced from $90,000.00 to $82,513.89 since this was the projected cost. Dr. Johnson then made a motion to approve the change order with the corrected amount. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Paul Austin requested that the council delete funding on his Assistant City Engineering position and approve an Engineering Tech position. Dr. Johnson made a motion to approve the Engineering Tech position and delete the funding for the Assistant City Engineer. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

PUBLIC COMMENT

Rebecca Carlson presented an update on the Quinn Ridge subdivision. She presented Quality of Life issues and asked that she be allowed to come back at a later date to present another update.

Mayor Millsaps asked for a motion to adjourn into Executive Session to discuss a matter of litigation. Dr. Johnson made a motion to adjourn into Executive Session for that purpose. The motion was seconded by Mr. Martin. The motion carried unanimously.

After the Executive Session, the council reconvened into regular session. At that point, Mr. Powell 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, the meeting was adjourned.

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Rex Millsaps, Mayor

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Robert P. Baroni, City Clerk