

Mayor Pro Tem Rodriguez called the meeting to order at 7:00 P.M. with all Council Members present.

The Mayor Pro Tem stated that the council needs to appoint someone to fill Mayor Sikes' unexpired term ending December 31, 2006. Mr. Clark made a motion to appoint Rex Millsaps to fill the position since he would be taking over in January. The motion was seconded by Mr. Martin. The motion carried unanimously.

Mayor Millsaps was then administered the oath of office.

Mayor Millsaps then called for the approval of the October 2, 2006 Regular Session minutes and the October 18, 2006 Executive Session minutes. Mr. Clark made a motion to approve the minutes as recorded. The motion was seconded by Mr. Martin. The motion carried with Mr. Clark, Mr. Martin and Mr. Rodriguez voting for the motion. Dr. Johnson abstained since she was not at one of the meetings.

Mayor Millsaps called on any additions or deletions to the agenda. Mr. Baroni asked for the following adjustment to the agenda: delete item #1 under Public Hearing – New Business; delete item #4 under Council Business Meeting - New Business; add Grant Resolution to Council Business Meeting – New Business as item #7. Dr. Johnson made a motion to approve the additions and deletions to the agenda. The motion was seconded by Mr. Clark. The motion carried with Dr. Johnson, Mr. Clark and Mr. Martin voting for the motion. Mr. Rodriguez voted in opposition to the motion.

CONSENT AGENDA

Mr. Powell presented the Consent Agenda for council consideration:

1. Approval of personnel requests for Police Department for one (1) police captain, two (2) police officers, and one (1) police communications officer. Approval of capital outlay expenditures for one (1) transport van and TransMax prisoner in the amount of \$30,000, seven (7) patrol vehicles in the amount of \$144,000, eighteen (18) Bushmaster .223 caliber patrol rifles in the amount of \$16,200, and four (4) servers and related software updates See Lawrenceville Police Department Departmental Memorandum from Randy Johnson dated October 3, 2006 and Capital Outlay Justification for Fiscal Year 2006 -2007, attached hereto as Exhibit "A".
2. Approval of addendum to Datamatic contract increasing original contract price by \$65,750 to provide for change in type of electric firefly devices provided. See Addendum, attached hereto as Exhibit "B."
3. Approval of Request for Change Order with Foster & Company General Contractors, Inc. in the amount of \$18,811 to provide for Cast-in-Place Retaining Wall. See Request for Change Order, attached as Exhibit "C".

4. Approval of request from Water Department for the purchase of MWH Soft Info water software in the amount of \$9,020. See Memorandum from James Steadman dated October 10, 2006 and Quote from MWH Soft dated September 22, 2006 attached as Exhibit "D".
5. Approval of Resolution of the Georgia Municipal Association to oppose the petition filed by the Association of County Commissioners of Georgia to require that municipal franchise fees be billed only to municipal customers. See Resolution and Memorandum from Jim Higdon attached as Exhibit "F".
6. Approval of ROC Support Agreement between SureService and the City of Lawrenceville in the amount of \$7,063 for automated system support services for the Gas Department.

Mr. Rodriguez made a motion to approve the Consent Agenda. The motion was seconded by Mr. Martin. The motion carried with Mr. Rodriguez, Mr. Martin and Mr. Clark voting for the motion. Dr. Johnson abstained. (See Exhibit File)

PUBLIC HEARING – OLD BUSINESS

Mr. Lee Tucker presented the City Enclave request to have the conditions of zoning changed for their property on Gwinnett Drive. Mr. Tucker asked that the council consider tabling his request until the December meeting. Mr. Rodriguez made a motion to deny the request. Mr. Clark seconded the motion for discussion purposes. After some discussion, Mayor Millsaps called for the vote. The motion failed with Dr. Johnson, Mr. Clark, Mr. Martin voting against the motion; Mr. Rodriguez voting in favor of the motion. Mr. Clark then made a motion to table this issue until the December meeting. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit file)

Mr. Powell explained and read the second reading of the amendment to the Group Home ordinance. Mr. Rodriguez made a motion to approve the ordinance. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Powell the second reading of Zoning Ordinance Amendment 7.18. Mr. Martin then made a motion to approve the ordinance amendment. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented the second reading of Zoning Ordinance amendment to sections 7.2, 7.3, 7.3.1, 7.5, 7.5.1, 7.5.3, 7.7.1, 7.8, 7.9, 7.10, 7.11 and 7.13. Mr. Powell stated that this makes group home or special use in all zoning categories. Mr. Rodriguez made a motion to approve the amendment. The motion was seconded by Dr. Johnson. 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. Tung Le presented a Special Use request to have an automotive accessories store with retail sales of wheels and tire services including installation of wheels and tires, window tinting and car stereos on his property located at 377 West Pike Street. Mr. Le stated that he represented the Pike Plaza Investment Group in this request. After some discussion, Mr. Rodriguez made a motion to approve the special use permit with the following conditions:

- 1) Place an enhanced buffer and any screening to the back of the lot where none exist.
- 2) No outside storage or display.
- 3) No outside work.
- 4) No outside overnight parking of customers' vehicles.
- 5) Business hours from 8:00 A.M. until 8:00 P.M.
- 6) No repairs, oil changes or mechanical work to be performed.

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

COUNCIL BUSINESS MEETING – OLD BUSINESS

Mr. Steadman presented a request to the council to allow him to obtain bids for the electric, water and gas relocations for the Highway 29 project. Mr. Martin made a motion to proceed with the bidding process. The motion was seconded by Mr. Rodriguez. The motion carried unanimously. (See Exhibit File)

COUNCIL BUSINESS MEETING – NEW BUSINESS

Mr. Leonard presented Nuisance Complaint NC-06-17 for the property located at 1350 Lawrenceville Highway. Mr. Leonard stated that the property is in severe disrepair and needs to be removed. Mr. Rodriguez made a motion to approve the nuisance complaint and proceed with the process. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented Nuisance Complaint NC-06-18 for the property located at 52 Duke Drive. Mr. Leonard stated that the property is in complete disrepair and recommended that the structure be removed. Dr. Johnson made a motion to approve the nuisance complaint and proceed with the process. The motion was seconded by Mr. Rodriguez. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented the first reading of the proposed water rate increase for residential and commercial customers. Mr. Powell stated that primarily the City will be passing on an increase in the wholesale rate from Gwinnett County. Dr. Johnson made a motion to approve the first reading. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented the meeting dates for the 2007 City Council meetings. Mr. Baroni asked that the July meeting be changed from July 2nd to July 9th. Mr. Clark made a motion to approve the council dates for 2007 as amended. The motion was seconded by Mr. Rodriguez. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented the election results from the 2006 City election. The results are as follows:

For Mayor

George Abney	66
Rex Millsaps	1,063
David Rodriguez	<u>702</u>
	1,831

For Council Member – Post 1

Judy Jordan Johnson	1,569
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For Council Member – Post 2

Mike Crow	969
Mary Thompson	840
Write-Ins	<u>6</u>
	1,815

Mr. Clark made a motion to certify the election results. The motion was seconded by Martin. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented the 2001 SPLOST agreement amendment with Gwinnett County. Mr. Baroni stated that by approving the amendment, the County would transfer \$909,930.42 for transportation funds and \$337,460.81 for the recreation funds to the City of Lawrenceville. Mr. Baroni recommended that the agreement be approved. Mr. Rodriguez made a motion to approve the agreement. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Baroni asked that the council approve a resolution to apply for a Community Development Block Grant in the amount of \$120,000.00. Mr. Baroni stated that this would be for handicapped sidewalks. Dr. Johnson made a motion to approve the resolution for the grant. The motion was seconded by Mr. Rodriguez. The motion carried unanimously.

PUBLIC COMMENT

Mr. Bahman Bayke – storm drain structure. Mr. Bayke did not appear, therefore no action was taken.

Ms. Rebecca Carlson presented various issues concerning the Quality of Life. No action was taken.

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

After the Executive Session, the council adjourned into the regular session. Mr. Powell explained to those present that the following matters were discussed: one personnel issue, four real estate issues and one matter of litigation. Two votes were taken and both votes were unanimous.

Dr. Johnson made a motion to amend the agenda to make organizational changes concerning the Property Maintenance Ordinance in the Planning Department. The motion was seconded by Mr. Rodriguez. The motion carried unanimously.

Mr. Rodriguez then asked that a Special Call meeting be announced for Wednesday, November 15, 2006 to discuss the gas rates and Section 7.6 and 6.2 of the zoning ordinance. The motion was seconded by Dr. Johnson. The motion carried unanimously. Mr. Rodriguez then made a motion to eliminate the Code Enforcement Officer's position and make the necessary preparations to transfer this function to the Police Department. The motion was seconded by Mr. Clark. The motion carried unanimously.

Mr. Rodriguez then asked that the individual whose position is being eliminated be granted one month's severance pay. The motion was seconded by Mr. Martin. The motion carried unanimously.

There being no further business, the meeting was adjourned.

Rex Millsaps, Mayor

Robert P. Baroni, City Clerk