

Mayor Sikes called the regularly scheduled meeting to order at 7:02 P.M. with all Council Members present except Councilman Rodriguez who was out of town.

Mayor Sikes then called for the reading of the July 11, 2005 Regular and Executive Sessions minutes, the July 20, 2005 Executive Session minutes and the July 25, 2005 Special Call meeting. Dr. Johnson made a motion to approve all minutes as recorded. The motion was seconded by Mr. Burson. The motion carried unanimously.

Mayor Sikes announced that he is appointing Mr. Scott Frye to fill the unexpired term of Mr. John Heard on the Downtown Development Authority. Mr. Johnson made a motion to approve Mr. Frye's appointment. The motion was seconded by Dr. Johnson. The motion carried unanimously.

CONSENT AGENDA

Mayor Sikes called on Mr. Powell to present the consent agenda. Mr. Powell asked that the council approve Item #1 by approving a resolution for the appointment of Rick Johnson, Laurie Williams, Sandra Wages, David Still, Lee Merritt, Trey Futch, Sandy Futch to serve as committee members on the Education Committee and Becky Kendall to serve as Chairperson. Mr. Powell asked that Item #2 be deleted. Mr. Burson made a motion to approve the consent agenda as presented by the City Attorney. The motion carried with Mr. Burson and Dr. Johnson voting for the motion. Mr. Johnson abstained.

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.

Mayor Sikes called on the Special Use Permit requested by Ms. Denise Hamm. Mr. Leroy Hamm spoke on behalf of the applicant requesting that the home at 471 Thornbush Trace be given a special use permit for a group home. Mr. Hamm stated that the home would be closely supervised for six individuals between the ages of 6 and 17. Mayor Sikes asked Mr. Leonard for the Planning Commission's recommendation. Mr. Leonard reported that the Planning Commission recommended denial of the Special Use Permit. Responding to Mr. Hamm's presentation, Mr. Powell stated that the paperwork shows that this is clearly a for profit operation and that State approval has not been received for the home. Mayor Sikes then asked for discussion from the audience. Mr. David Mellard and Mr. Eric Reid spoke in opposition to the group home. After much discussion, Dr. Johnson made a motion to deny the Special Use Permit. The motion was seconded by Mr. Burson. The motion carried unanimously. (See Exhibit File)

Mayor Sikes called on Ms. Venice Mondesir to present their request for a Special Use Permit at 290 Thornbush Trace. Mr. Adrian Mondesir stated that he is requesting a group home but declined to discuss the request citing that his request is the same as the Hamms. Mayor Sikes called on discussion from the audience. Mr. David Mellard addressed the council in opposition to the granting of the Special Use Permit. Dr. Johnson then made a motion to deny the Special Use Permit request. The motion was seconded by Mr. Burson. The motion carried unanimously. (See Exhibit File)

Mayor Sikes called on Mr. Powell for the recodification of the Zoning Ordinance. Mr. Powell explained the changes from the Planning Commission and explained that they were typing and spelling errors. Mr. Powell stated that the amendments were moved to the body of the ordinance and that there were no changes in the ordinance. Mayor Sikes called for any comments from the audience. Mr. Gib Dean spoke in opposition to the recodification on behalf of the MEA Family Investments Group. Mr. Brian Daughdrill, attorney for Parker Gann, spoke in opposition to the ordinance and recommended that the council not recodify the ordinance. Other members of the audience spoke in opposition. After some discussion, Dr. Johnson made a motion to approve the recodification of the Zoning Ordinance. The motion died due to the lack of a second.

Mr. Powell then asked that, in light of the previous action, the council remove the recodification of the Development Regulations and the City Code of Ordinances from the agenda. The council agreed.

Mr. Jeff Mahaffey and Mr. Joel Dixon presented the sketch plat of Greenbriar Creek subdivision. Mr. Dixon stated that the only deviation from the regulations would be allowing a footbridge to connect part of the greenspace property. Dr. Johnson made a motion to approve the sketch plat as presented. The motion was seconded by Mr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. John Goodhugh appeared before the council representing AEC, Inc. in their request for approval of the Amelia Grove Way subdivision. Mayor Sikes asked Mr. Leonard for the Planning Commission's recommendation. Mr. Leonard stated that the Planning Commission recommended approval with the stipulation that a commercial curb cut be required on Amelia Grove Way and that the road be brought up to the current standards. Mr. Burson made a motion to approve the plan with the Planning Commission's stipulations. The motion was seconded by Mr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Sweitzer presented the council with bids for the Ezzard Road Pump Station project. Mr. Sweitzer said that the project includes the pump house, well enclosure, electric controls to modify the well. Mr. Sweitzer stated that the bids are as follows:

Allsouth Constructors, Inc.	\$182,742.00
Cheek Brothers Contractors, Inc.	\$192,450.00
Lanier Contracting Company	\$213,900.00
Willow Construction, Inc.	\$224,494.00

Mr. Sweitzer asked that the council approve the low bid and contract subject to the City Attorney's approval. Mr. Burson then made a motion to that affect. The motion was seconded by Ms. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Steadman asked that the council approve the following streets under this year's Local Assistance Road Program:

Forest Valley Road
Pine Forest Drive
Hickory Lane
Old Timber Road

Mr. Burson made a motion to approve the LARP paving schedule as presented. The motion was seconded by Mr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Baroni asked that the council approve the legal that was sent in the agenda packet for the municipal election. Mr. Baroni informed the council that Mr. Wilson completed this and on council approval, it will be forwarded to the paper. Dr. Johnson made a motion approving the municipal election legal ad. The motion was seconded by Mr. Johnson. The motion carried unanimously. (See Exhibit File)

Mayor Sikes called on Mr. Baroni for the Speed Limit Ordinance. Mr. Baroni asked Mr. Powell to read the pertinent parts for the first reading of the ordinance adoption process. After the reading, Mr. Johnson made a motion to approve the Speed Limit Ordinance as a first reading. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Powell asked that the council adjourn into Executive Session. Mr. Johnson made a motion to adjourn into Executive Session. After the Executive Session, Mr. Powell explained to those present what occurred in the Executive Session. Mr. Burson then made a motion to adjourn. The motion was seconded by Dr. Johnson. The motion carried unanimously.

Bobby Sikes, Mayor

Robert P. Baroni, City Clerk