

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

Mayor Sikes then asked for a reading of the July 13, 2005 City Council minutes, as well as the August 1st regular session and the 15th and 17th special call meetings and for approval of the Executive Sessions for the August 1st, 15th and 17th. Dr. Johnson made a motion to approve the minutes as recorded. The motion was seconded by Mr. Rodriguez. The motion carried unanimously.

OLD BUSINESS

Mr. Baroni presented a request from the Boys and Girls Club to waive the sidewalk requirements on Nottingham Drive. Mr. Baroni stated that this was discussed at the August 17th Work Session and placed on the council agenda. Mr. Baroni stated that the request stems from the fact that the sidewalks required by the City will not meet ADA requirements and will not receive any federal funding under the Community Development Block Grant program. Mr. Burson made a motion to approve the waiver. The motion was seconded by Dr. Johnson. The motion carried with Mr. Burson, Dr. Johnson and Mr. Johnson voting for the motion. Mr. Rodriguez voted in opposition to the motion. (See Exhibit File)

CONSENT AGENDA

Mayor Sikes called on Mr. Powell to present the consent agenda.

1. Approval of the authorization for Mayor Sikes to enter into an agreement on behalf of the City of Lawrenceville with Foreman, Seeley, Fountain, Architects for the design of the municipal theater building. See Agreement for Architectural Services, attached hereto as "Exhibit A."
2. Approval of the authorization for Mayor Sikes to enter into an agreement on behalf of the City of Lawrenceville with John Heard and Foster & Company for the architectural design and building of the municipal parking deck. See Agreement for Services, attached hereto as "Exhibit B."
3. Approval of the authorization for Mayor Sikes to enter into an agreement on behalf of the City of Lawrenceville with Pond & Company for the design of the new City Police Department and a separate facility for the Utilities Office warehouse building. The site design and engineering services shall include a plan and design for hydrology and detention improvements in the downtown area. See Agreement for Engineering Services, attached hereto as "Exhibit C."

4. Approval of authorization for Mayor Sikes to sign and execute contractual amendments between Gwinnett County and the City for the additional Tier III 2001 Special Purpose Local Option Sales Tax (SPLOST) funding as recommended by the Gwinnett Municipal Association and approved by the Gwinnett County Board of Commissioners. See (1) Second Amendment to 2001 Special Purpose Local Option Sales Tax City Assistance for Park and Recreation Program Agreement and (2) Second Amendment to 2001 Special Purpose Local Option Sales Tax City Assistance for Transportation Program Agreement, attached hereto as "Exhibit D".

Mr. Powell asked that Item #3 be tabled until the September Work Session. Mr. Rodriguez then made a motion to approve the consent agenda as presented with the exception of Item #3. The motion was seconded by Rick Johnson. The motion carried unanimously. (See Exhibit File)

NEW BUSINESS

Mr. Powell presented the second reading of the recodification of the Zoning Ordinance of the City of Lawrenceville. Mr. Powell stated that the second reading in the adoption process is pursuant to Chapter 2.26 of the Code of Ordinances for the City of Lawrenceville and that the Zoning Ordinance is entitled "The Planning and Zoning Code for the City of Lawrenceville 2005". Mr. Victor Moldovan appeared before the council representing Gene Smith and asked that his letter dated September 12th be made part of the record. The following individuals then spoke in opposition and in and favor of the recodification: (1) Toni Gilbert opposed the Overlay District because of the size. Ms. Gilbert felt that it was too large. (2) Parker Gann, Jr. said he is not opposed to revitalization and said that if the council is voting for the motion, they should do so with the exception of the architectural standards, the Overlay District and the Zoning Ordinance. (3) Mr. Carter Carlson of Canterbury Lane felt the size was correct and that the City needs more walking trails. (4) Mr. Dennis Norton indicated that the Overlay District lacks clarity for guidelines and enforcement. (5) Parker Gann opposed to the recodification (6) Gene Smith stated that he had a petition with 140 people opposed to the recodification, however, the petition was not received by the council. (7) David Still asked that the council move forward with the recodification process; (8) Marie Beiser asked that the council not amend the Overlay District and not restrict it to the 9-block area of the square; (9) Tracy Mulkey, 413 Waverly Drive – Court felt that this was needed to insure the safety of families, however she was concerned about redeveloping her property should something happen with their property on S. Clayton Street; (10) Mr. Neal Wilson of Oak Street stated that there has been a lot of misinformation on this matter and that several of the old families in the Oak Street area are concerned that the City may take their houses for multiple family dwelling units. After much discussion, Mr. Johnson made a motion to approve the Zoning Ordinance without the Overlay District and architectural standards pending recommendation of the DDA. Mr. Johnson and Mr. Burson voted in favor of the motion. Dr. Johnson and Mr. Rodriguez voted in opposition to the motion. Mayor Sikes broke the tie in opposition to the motion.

Mr. Rodriguez then made a motion to approve the recodification as presented. The motion was seconded by Dr. Johnson. The motion carried with Dr. Johnson, Mr. Rodriguez voting for the motion; Mr. Burson, Mr. Johnson voted in opposition to the motion; Mayor Sikes voted in favor of the motion. (See Exhibit File)

Mr. Powell then presented the recodification of the Development Regulations and read the pertinent sections. Mr. Victor Moldovan representing Gene Smith requested that his letter of September 12th be made part of the record. Mr. Powell stated that the recodification process of the Development Regulations is in compliance with Section 2.26 of the City Code of Ordinances. There was no further discussion. Mr. Rodriguez made a motion to recodify the ordinance with the stipulation to include the appendix in the same document. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Powell then presented the recodification of the City Code of Ordinances and stated that this is also pursuant to Section 2.26 of the City Code of Ordinances. Mr. Moldovan asked that his letter dated September 12th be made part of the record. Mr. Powell asked that the council include in the recodification the new Speed Zone Ordinance that was recently adopted in the attachment. Dr. Johnson made a motion to recodify the City Code of Ordinances and include the Speed Zone Ordinance. The motion was seconded by Mr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented an agreement with Gwinnett County for the upgrades on Jackson and Seminary Streets. Mr. Johnson made a motion to approve the agreement. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File).

Mr. Baroni presented resolutions to appoint the necessary election officials for the 2005 Election and set salaries for the Election workers. Dr. Johnson made a motion to approve the resolutions. The motion was seconded by Mr. Burson. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the City's Short Term Work Program to the Comprehensive Plan. After some discussion, Mr. Rodriguez made a motion to approve the Short Term Work Program without the architectural board creation. The motion was seconded by Mr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented the FY 2005-2006 City budget. Mr. Baroni stated that the budget was in excess of \$75 million and that the council previously approved the millage rate at 2.46 mills. Mr. Rodriguez stated that he would like to have the budget adopted subject to Mr. Baroni's memo dated September 9, 2005 and have the budget put on the Internet. Mr. Burson then made a motion to that affect. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented the annual Energy Assistance Agreements from the Department of Human Resources. Mr. Burson made a motion to approve the Energy Assistance Agreements. The motion was seconded by Mr. Rodriguez. The motion carried unanimously. (See Exhibit File)

Mr. Paul Austin presented the Jackson Street Widening Project bids and recommended that the council reject all bids and re-bid the project. Mr. Austin stated that there was only one bid received for the project and it is \$2.8 million. Mr. Rodriguez then made a motion to reject all bids and re-bid the project. The motion was seconded by Mr. Burson. The motion carried unanimously. (See Exhibit File)

At the request of the City Attorney, Mr. Johnson 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 to those present that four items pertaining to real estate acquisition were discussed. Four votes were taken and all votes were unanimous.

Dr. Johnson then asked that the City authorize the application for a T-Grant for walking trails with the State Department of Transportation. The motion was seconded by Mr. Burson, the motion carried unanimously.

There being no further business, the meeting was adjourned.

Bobby Sikes, Mayor

Robert P. Baroni, City Clerk