

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

Mayor Sikes then called for the approval of the September 2005 regular and executive session minutes. Mr. Baroni asked that the council approve the minutes with three changes to the regular changes. Those changes are as follows:

- 1) Page 2 – correct the spelling of Councilman Rodriguez' name.
- 2) Page 2 – Item (2) changed to read “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) Page 2 – Item (8) changed to read “Marie Beiser asked that the council not amend the Overlay District and not restrict it to the 9-block area of the square.”

Dr. Johnson made a motion to approve the minutes as recorded and amended. The motion was seconded by Mr. Rodriguez. The motion carried unanimously.

Mayor Sikes said that the DDA term of Scott Frye ends in November. Mayor Sikes stated that this position was initially to fill the unexpired term of John Heard. Mayor Sikes then proposed for appointment to the DDA Scott Frye. Mr. Burson made a motion to approve Scott Frye for the 6-year term. The motion was seconded by Dr. Johnson. The motion carried with Mr. Burson and Dr. Johnson voting for the motion. Mr. Rodriguez abstained.

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 Hayes, James & Associates for the completion of the T-Grant Application and for design and engineering services on the City's walking trails and conceptual planning for improvements to the City storm water system. See Contract for Engineering Services, attached hereto as “Exhibit A.”
2. Approval of the request of the Lawrenceville Tourism & Trade Association (“LTTA”) to operate an ice skating rink from Thanksgiving through New Year's Day and *approval* of the request of the LTTA to use the recently paved City parking lot as its band event location during the 2nd Annual Lawrenceville Rings New Year's Eve celebration. See Agreement between the City and LTTA, attached hereto as “Exhibit B.”
3. Approval of the request of Paul Austin for the re-design of the parking lot and traffic flow at City Hall and *approval* of the budget for the project. See Memo from Paul Austin to Mayor and Council, attached hereto as “Exhibit C.”

4. Approval of the authorization for Mayor Sikes to enter into a contract on behalf of the City of Lawrenceville with the Municipal Electric Authority of Georgia ("MEAG Power") for MEAG Power's sale of certain excess reserve capacity to the City. See Sale of Excess Reserve Capacity Agreement, attached hereto as "Exhibit D."
5. Approval of the authorization for Mayor Sikes to enter into a funding agreement on behalf of the City of Lawrenceville with Southeastern Power Administration ("SEPA"), Southeastern Power LLC, and Participating Customers. See Funding Agreement, attached hereto as "Exhibit E."
6. Approval of the request of Eric Wiernik to declare property seized by the Lawrenceville Police Department and forfeited to the City as surplus and further *approval* of the release of said property for sale by Property Bureau. See Property Manifest, attached hereto as "Exhibit F."
7. Approval of the Purchase and Sale Agreement between the City of Lawrenceville and Johnie O'Ann Adams for the acquisition of property at 204 Jackson Street. See Purchase and Sale Agreement, attached hereto as "Exhibit G."
8. Approval of the Purchase and Sale Agreement between the City of Lawrenceville and Samuel G. Maxwell and Traci L. Overcash for the acquisition of property at 210 Jackson Street. See Purchase and Sale Agreement, attached hereto as "Exhibit H."

Mr. Rodriguez then made a motion to approve the Consent Agenda with the addition of imposing a \$5,000 cap limit on the Hayes James contract. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

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 a representative of MEA Family Investments to present their rezoning request for the property located at 125 Culver Street. Mr. Burson asked that the council table action on this matter since the representative was not present. Mr. Rodriguez asked that the council act on it. Mr. Burson then made a motion to table the matter. The motion was seconded by Dr. Johnson. The motion to table carried with Mr. Burson and Dr. Johnson voting for the motion. Mr. Rodriguez voted in opposition to the motion. (See Exhibit File)

Mayor Sikes called on a representative from MEA Family Investments to present the rezoning request for the property located at 162 Culver Street. Mr. Burson stated that since the applicant was the same, he is making a motion to table this matter until the next council meeting. The motion was seconded by Dr. Johnson. The motion carried with Mr. Burson and Dr. Johnson voting for the motion; Mr. Rodriguez voted in opposition to the motion. (See Exhibit File)

Mr. Steve Sappington of Precision Planning appeared on behalf of Halpar and requested that action on his rezoning request be tabled until the next meeting. He stated that there were several zoning stipulations from the Planning Commission that needed to be worked out. Mr. Burson asked that the rezoning request be tabled until the next meeting. Mr. Rodriguez pointed out that the applicant had three to four weeks and should have been finished with his changes. Mr. Jerry Moore asked that the item be tabled so that details could be worked out. Ms. Becky Kendall and Ms. Beverly Dryden both spoke in opposition to the rezoning in the tabling and stated that to rezone would create spot zoning. Mr. James F. Brand asked that the council deny the rezoning and not table it. Mr. Rodriguez made a motion to hear the rezoning request and vote on it tonight. The motion was seconded by Dr. Johnson. The motion carried with Mr. Rodriguez and Dr. Johnson voting for the motion. Mr. Burson voted in opposition to the motion. Mr. Sappington asked that Mr. Gann's letter dated October 3, 2005 with constitutional objections be made a part of the record. Mr. Sappington stated that the property is located at the corner of Moon Road and Scenic Highway and that the other three corners are zoned BG. Mr. Sappington said that the plans call for a 10,500 square foot retail and business site with operational limits of 6:00 AM until 11:00 PM. Mayor Sikes then called on Mr. Leonard to present the Planning Commission's recommendation. Mr. Leonard stated the Planning Commission recommended approval with ten stipulations. Mr. Gann stated that in addition to the ten stipulations, an additional stipulation was agreed upon concerning the architectural standards. Mr. Gann spoke in favor of the rezoning and stated that he had given everyone notice through the advertising process. The following individuals spoke in opposition to the rezoning: Becky Kendall, Drew Slayton, Beverly Dryden, Sonny Brand. After much discussion, Mr. Burson made a motion to approve the rezoning with the Planning Commission's stipulations. The motion died due to the lack of a second. Mr. Rodriguez then made a motion to deny the request and reopen the request for discussion. Dr. Johnson said that it was clear to her that the delineation line for commercial is at Moon Road. Mr. Rodriguez also stated that he was in favor of revitalization the whole town, not just downtown. Mayor Sikes then called for the vote. The motion carried with Mr. Rodriguez and Dr. Johnson voting for the motion. Mr. Burson voted in opposition to the motion.

Mr. Mitch Peevy appeared before the council representing Mr. Shawn Bakhtiar in his request for the proper zoning classification for the location of a martial arts school. Mr. Peevy stated that the Planning Commission is asking that the council approve the BN zoning classification for this use. Mr. Leonard stated that this is the first reading for this ordinance. Mr. Rodriguez made a motion to approve the classification and to add

gymnastics academy to the uses for consideration at the next City Council meeting. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)
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Mr. Steve Sappington presented the Green Bridge Subdivision plat for council approval. Mr. Sappington said that a revision occurred on this plat showing a landscaped island in the middle of the public street. He stated that this would have a calming affect on traffic and increased open space area. He also stated that the developer is to exclude the island from the right of way and have the homeowners responsible for maintaining that area. Mr. Burson made a motion to approve the sketch plat. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented a zoning amendment to Section 7.17, An Ordinance to Amend Article 7 of the City of Lawrenceville Zoning Ordinance to add section 7.15 – Architectural Controls of the Overlay District. Mr. Powell stated that this amendment extends the architectural standards outside of Sub-Area 8, Courthouse Square when you do not opt in the Overlay District. He also stated that the words in green are additions and the sections in red are deletions. Mr. Powell explained the ramifications of the ordinance. At that time, Dr. Johnson made a motion to place this item on the agenda for the next meeting. The motion was seconded by Mr. Rodriguez. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the proposed amendment to the subdivision regulations. Mr. Leonard told the council that this change was recommended by Mr. Paul Austin and it is also know as the K-factor. Mr. Steve Sappington also explained the ramifications of this change. Dr. Johnson made a motion to place this on the agenda for the next City Council meeting. The motion was seconded by Mr. Rodriguez. The motion carried unanimously. (See Exhibit File)

Mr. Baroni requested that the council change the November Council meeting to November 21st. After some discussion, Mr. Rodriguez made a motion to postpone it to the 21st. The motion died due to the lack of a second. Dr. Johnson then stated that the City needed to proceed with the council meetings and made a motion to change the meeting to November 14th. The motion carried with Dr. Johnson and Mr. Burson voting for the motion. Mr. Rodriguez voted in opposition to the motion.

Mr. Baroni requested that the council adopt a resolution appointing Mrs. Emily Powell and Mrs. Robin Leonard as Deputy Absentee Ballot Clerks. Dr. Johnson made a motion to approve the resolution. The motion was seconded by Mr. Rodriguez. The motion carried unanimously. (See Exhibit File)

There being no further business, the meeting was adjourned.

Bobby Sikes, Mayor

Robert P. Baroni, City Clerk