

Mayor Pro Tem David Rodriguez called the regularly scheduled meeting to order at 7:00 P.M. with the following Council Members present: Dr. Judy Johnson and P.K. Martin.

Mr. Rodriguez called for the approval of the minutes of the March 6, 2006 Regular Session and the March 15, 2006 Special Call meeting and Executive Session. Mr. Martin made a motion to approve the minutes as recorded. The motion was seconded by Dr. Johnson. The motion carried unanimously.

Mr. Rodriguez asked that he council add under Public Hearings New Business Item # 8 – Moratorium Issues. The Council agreed.

### CONSENT AGENDA

Mayor Pro Tem Rodriguez called on the presentation of the Consent Agenda. Mr. Powell presented the following items on the Consent Agenda for council approval:

1. Approval of the City to exercise its options and rights to purchase the leased premises at 225 East Pike Street. Said option stipulates that the City will pay owner an additional \$37,500, and will share in paying part of the cost of the environmental clearance letter. See Correspondence addressed to Mr. Emory Morsberger with plats of the subject property, attached hereto as Exhibit "A."
2. Additionally, the City will pay owner an additional amount in the form of parking credits.
3. Approval of the funding for the 2006 Planning Retreat for the Mayor and Council.
4. Approval of the instruction to City Engineer Paul Austin to issue formal letters on behalf of the City to reject all prior bids submitted for the construction and renovation of the Aurora Theatre.
5. Approval of the funding for a hydraulic study for the monitoring of the City of Lawrenceville's water system on an hourly basis with the engineering group of Keck & Wood, Inc. See Correspondence and proposal from Keck & Wood, Inc., attached hereto as Exhibit "B."
6. Approval to review and edit the list of businesses that were no longer operating in the City of Lawrenceville as of January 1, 2006. See Business license list, attached hereto as Exhibit "C."
7. Approval of a modification to the City of Lawrenceville Tuition Reimbursement Program to remove the limitation to five (5) employees per year. See Resolution amending the Tuition Reimbursement Program, attached hereto as Exhibit "D."

8. Approval of the request of the Court Administrator for the Municipal Court to hire a Deputy Court Clerk I at a pay rate of \$13.169 per hour to assist with the additional workload generated by the Municipal Court. See Employee Request and Court Activity Report, attached hereto as Exhibit "E."
9. Approval of the issuance of Letters of Credit for utility deposits for commercial account holders only when the amount of the deposit exceeds \$50,000.00.
10. Approval to include the annual Consumer Confidence Report ("CCR") with the April water bill to satisfy both the requirements of the EPD and EPA regarding publication of the report to all water customers within the State of Georgia no later than June 1. The report informs all water customers of the contents of the water delivered to the population. See Interoffice Memorandum from Mike Bowie, attached hereto as Exhibit "F."

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

#### PUBLIC HEARING – OLD BUSINESS

After some discussion, the council agreed to remove the Policy Procedure item from the agenda as a first reading and present it as discussion only. No action was taken on the procedure.

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. Christopher Harris stated that his agenda item is to request clarification on the status of the RS-60 zoning in regards to the old requirements or the new requirements. Mr. Harris stated that this pertains to his development at 750 Five Forks Trickum Road. Mayor Pro Tem Rodriguez called on Mr. Leonard to present the Planning Commission's recommendation. Mr. Leonard stated that the Planning Commission recommended that if no permit is issued within six months from the last meeting, the project would revert back to the current zoning requirements. Mr. Leonard stated that this date would be July 3<sup>rd</sup>. Mr. Harris stated that he could meet the time frame recommended by the Planning Commission. Dr. Johnson then made a motion to approve Planning Commission's recommendation. The motion was seconded by Mr. Martin. The motion carried on a 3-0 vote. (See Exhibit File)

Mr. Chris Palmer represented Christopher Harris in the sketch plat approval for Green Valley subdivision. Mr. Palmer presented a revised sketch plat. Mayor Pro Tem

Rodriguez asked Mr. Leonard for the Planning Commission's recommendation. Mr. Leonard indicated that the Planning Commission recommended approval of the plat. Mr. Martin then made a motion to approve the sketch plat. The motion was seconded by Dr. Johnson. The motion carried with a 3-0 vote. (See Exhibit File)

Mr. David Whitten presented a rezoning request on behalf of Professional Equities to have the property at 823 North Clayton Street rezoned from RS-150 to BG. Mr. Whitten stated that he is planning to construct an office warehouse condo with 20' bays in the structure. Mr. Leonard informed the council that the Planning Commission recommended approval on this rezoning request. Mr. Danny Gravitt spoke out in opposition to the general concept, stating that it would greatly impact his mother's residential dwelling. Mr. Whitten stated that he could move the building to the other side of the lot. Mr. Martin then made a motion to table this matter so that Mr. Whitten could come back with a better plan and for some discussion to consider whether to rezone the property O&I. The motion was seconded by Dr. Johnson. The motion carried by a 3-0 vote. (See Exhibit File)

Mr. Leonard presented the Zoning Ordinance Amendment to Article VII, Sections 6.2, 7.12 and 7.13. Mr. Leonard stated that these amendments refer to solid waste transfer stations by regulating the locations and specific use categories. Mr. Leonard stated that the ordinance places solid waste transfer stations in the Light Manufacturing district and in the HM district as a special use. Dr. Johnson made a motion to approve the amendments. The motion was seconded by Mr. Martin. The motion carried with Dr. Johnson, Mr. Martin and Mr. Rodriguez voting for the motion. (See Exhibit File)

Mayor Pro Tem Rodriguez called on the presentation of the Wallwood II sketch plat. Mr. Leonard stated that no one appears to be present for the sketch plat approval process. Mr. Rodriguez then asked Mr. Leonard for the Planning Commission's recommendation. Mr. Leonard stated that since they are planning to use New Hope Road for ingress and egress, the Planning Commission approved the project with the same standards as RS-60. Mr. Leonard stated that these are for architectural standards only and not development standards. Mr. Leonard stated that it would be impractical to require the developer to exit on Papermill Road due to the stream crossings. Ms. Alice Templet asked for more clarification as to why they cannot come out on Papermill Road. Mr. Jerry Moore, 115 Wayside Drive, stated that a traffic light should be required at this location. Mr. Rodriguez wanted to know if we could compel the developer to install the light. Mr. Powell stated that since it is a county road, an approval could be subject to the county reviewing the need for a light and requiring installation if approved. Mr. Derrick Cheek appeared before the council stating that he is for the project. Dr. Johnson and Mr. Martin both expressed disappointment that the applicant was not here to present the plat for approval. Mr. Martin then made a motion to table this matter until the next meeting. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Rodriguez called on the Jim Caswell rezoning (Remand) for the Ruth Street property. Ms. Tracy Blasi explained the history of the project and presented a plat. Mr. Rodriguez asked if this project would cater to the elderly. Ms. Blasi indicated that it would not. After she requested to rezone the property from RS-180 to RS-60, Mr. Baroni asked if there was any opposition. The following individuals spoke in opposition to the project: Ms. Carol White, Mr. Ken Smith, Mr. Robert Carlson, Ms. Else Shewmake, and Ms. Alice Topeley. The opposition cited traffic problems, possible blasting damage, imposition of economic hardship on people living in the area, and inconsistency with the other area zonings. After some discussion, Dr. Johnson made a motion to deny the rezoning request. The motion was seconded by Mr. Martin. The motion carried with Dr. Johnson, Mr. Martin and Mr. Rodriguez voting for the motion. (See Exhibit File)

Mr. Powell presented a rezoning for the Philip Boulevard property. Mr. Powell stated that the property was zoned RM-12 and is being rezoned by the City to O&I since the development permit expired. Mr. Powell asked that the council table action on this matter until the May meeting at which time it would be discussed without public debate. Dr. Johnson made a motion to table the matter. The motion was seconded by Mr. Martin. The motion carried with Dr. Johnson and Mr. Martin voting for the motion. (See Exhibit File)

Mr. Powell presented the amendments to the Zoning Ordinance that pertain to the recent moratorium imposed by the City Council. Mr. Powell stated that this is the second reading of the ordinance amendment. After Mr. Powell presented the amendments, Mr. Nathan Toney spoke in favor of the zoning change and asked that it be approved by the council. Mr. Martin made a motion to approve the amendments. The motion was seconded by Dr. Johnson. After much discussion, Mr. Martin made a motion to amend his original motion to approve the ordinance amendments with the following changes:

- 1) In the section for Mobile Home Sales Lots, the reference to used cars will be deleted.
- 2) In the section relating to Used Cars, the reference to mobile homes will be deleted.
- 3) Remove all lighting requirements in all of the zoning categories under approval tonight and recommend that these be addressed at a later Work Session.
- 4) Strike the length of time for the Special Use Permit for mobile homes and sales lots.

The motion was seconded by Dr. Johnson. The motion carried with Mr. Martin and Dr. Johnson voting for the motion. Mayor Pro Tem Rodriguez also voted for the motion. Mr. Martin then made a motion to approve the amendments as amended. The motion was seconded by Dr. Johnson. The motion carried with all members voting for the motion. (See Exhibit File)

Mr. Martin stated that with the approval of the ordinance amendment as amended, he is now making a motion to repeal the moratorium. The motion was seconded by Dr. Johnson. The motion carried unanimously.

#### COUNCIL BUSINESS MEETING – OLD BUSINESS

Mr. Ron Foster appeared on behalf of Steve Pickens for his rezoning request at 296 Culver Street at the previous meeting. Mr. Pickens requested that the property be rezoned from RS-150 to O&N. After some discussion, Mr. Foster requested that the rezoning be withdrawn. Mr. Martin then made a motion to take this item off the table. The motion was seconded by Dr. Johnson. The motion carried with Mr. Martin, Dr. Johnson and Mr. Rodriguez voting for the motion. (See Exhibit File)

#### COUNCIL BUSINESS MEETING – NEW BUSINESS

Mr. Powell asked that the council name the park that will be placed on the property donated by the Baggetts “J.J. Baggett Park”. Dr. Johnson made a motion to approve the naming of the proposed park. The motion was seconded by Mr. Martin. The motion carried unanimously.

Mr. Powell presented the proposed bid modifications for the Aurora Theatre. Dr. Johnson made a motion to approve the changes as requested by the City Attorney. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented a Right of Entry for the City’s property located on Georgia Highway 20 at Main Street in Grayson. Mr. Powell stated that the Right of Entry will be for the DOT to begin construction but will in no way limit our ability to seek damages for the property that will be taken. Dr. Johnson made a motion to approve the Right of Entry. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented Nuisance Complaint NC-06-09 (formerly NC-01-03). Mr. Leonard stated that the property located at 149 Honeysuckle Avenue has two structures that are in complete disrepair and that he is recommending that they be removed. Mr. Martin made a motion to proceed to the next step with the nuisance complaint. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

#### PUBLIC COMMENT

Mr. David Still requested that the City close the alley connecting Highway 29 and Pike Street to all traffic except pedestrian traffic and beautify the area. The item was deferred until the Work Session. (See Exhibit File)

Mr. Mahlon Burson commended Councilman Martin for his action on the moratorium issues.

There being no further business, the meeting was adjourned.

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David Rodriguez, Mayor Pro Tem

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Robert P. Baroni, City Clerk