

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

Mayor Pro Tem Rodriguez called for the approval of the August 7, 2006 Regular Session and Executive session minutes, the August 16, 2006 Executive Session minutes, and the August 28, 2006 and August 30, 2006 Special Call Meeting minutes. Mr. Clark made a motion to approve the minutes as recorded. The motion was seconded by Dr. Johnson. The motion carried unanimously.

### CONSENT AGENDA

Mr. Powell presented the Consent Agenda which consisted of the following:

1. Approval of Lease Agreement between the City of Lawrenceville and Lawrenceville Properties, LLC for rental of property to be used as a temporary public parking lot during construction of Municipal Parking Deck. See Lease, attached hereto as Exhibit "A."
2. Approval of Contract Change Order from C. W. Matthews Contracting Company for the Jackson Street Widening Project for the purpose of construction of a retaining wall on New Hope Road. See Contract Change Order, attached hereto as Exhibit "B."
3. Minor reference adjustments to Floodplain Management Ordinance Amendment adopted on July 10, 2006 as requested by Mindy Crean of the Environmental Protection Division. See revised pages to Floodplain Management Ordinance Amendment attached hereto as Exhibit "C."

Mr. Martin made a motion to approve the Consent Agenda. The motion was seconded by Mr. Clark. The motion carried unanimously.

### PUBLIC HEARING – OLD BUSINESS

Mayor Pro Tem Rodriguez called on the Smith/Swanson annexation. Mr. Mark Smith and David Still appeared before the council on behalf of the applicants. After some discussion, Mr. Smith asked that the applications for annexation and rezoning be tabled for one month. Mr. Martin made a motion to table action on the annexation and rezoning until the October 2006 meeting. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Rodriguez called on Mr. Powell to present the City's rezoning issue at Philip Boulevard. Mr. Powell explained the issue with Bostic Construction and reminded the council of the many discussions they have had at the council meetings and work sessions concerning this issue. Mr. Powell stated that he felt that to obtain the results that the council wanted, they should approve a change to O&I on the 4.85-acre tract on Philip

Boulevard and waive the permit expiration and approve the conditions on the list presented with the agenda. After some discussion, Dr. Johnson made a motion to approve the O&I portion of the zoning and waive the permit expiration and approve the conditions on the list and Mr. Martin's earlier request to accept the architectural standards with a 40% requirement for brick as stated in the adoption resolution. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

#### PUBLIC HEARING – NEW BUSINESS

Mr. Powell presented the second reading of the City's Water Conservation Ordinance. He stated that this conservation ordinance is a mandate from EPD. After some discussion, Mr. Clark made a motion to approve the second reading of the ordinance. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented the 2006-2007 fiscal year budget. Mr. Baroni stated that to approve the budget as discussed in the work session and budget meetings, the council should approve the budget as presented with the requirement that all personnel and capital outlay issues come before them prior to implementation. Mr. Clark made a motion to approve the budget as presented. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mayor Pro Tem Rodriguez called on Mr. Powell to present the condemnation of the Maughon property located on South Clayton Street. Mr. Powell stated that this is a public hearing to determine whether a valid City purpose exists for the possible acquisition of the property known as the Maughon property. Mr. Powell stated that the appraised value for the property is \$135,000.00. Ms. Holly Ezzard and Ms. Lyle Sailors appeared before the council and stated that they each had a 25% interest in the property and had no objection to the purchase. Mr. Martin then made a motion to move forward with the condemnation. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

#### COUNCIL BUSINESS MEETING – OLD BUSINESS

Mayor Pro Tem Rodriguez stated that the next item of business is Windsor Farms Drive. The Mayor Pro Tem called for those in favor of the closing of Windsor Farms Drive to come forward for the 5-minute presentation. Ms. Kay Culbreth spoke on behalf of those individuals that are in favor of the closing of this street. Ms. Culbreth stated that this is a quality of life issue and gave a general description of the reasons for closing this street. Mr. Sonny Brand, Gene Owens and Ms. Mary Chamier spoke in opposition to the closing of the street citing safety concerns and cost as a reason for opposing the closing. Mr. Clark then made a motion to approve the closing of the street and create a buffer along Grayson Highway. The motion was seconded by Mr. Martin for discussion purposes only. After the discussion, Mayor Pro Tem Rodriguez called for the vote. The motion failed with Dr. Johnson and Mr. Martin voting against the motion. Mr. Clark voted in favor of the

motion. Mr. Martin then stated that he would like to table this issue until the November City Council meeting and in the interim create a Citizens Task Force on the issue. It was decided to move this issue to the November meeting and appoint a task force at the next work session.

Ms. Kristi Sims presented the Phase One Walk Trail Design that is being requested under the T-Grant program. Ms. Sims explained the map that was presented with the agenda. Mr. Martin made a motion to accept the T-Grant location. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Baroni informed the council that a resolution appointing election officials was presented in their council meeting packet. Mr. Clark made a motion to approve the resolution. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented a request from the courts to amend the probation contract. Mr. Baroni stated that this would eliminate the first-time \$10.00 fee utilized to set up the account and increase the monthly fees from \$30.00 to \$35.00. Mr. Baroni said that their fee has not been raised since 1998. Mr. Baroni also stated that the City judge is in favor of increasing the fee. Mr. Clark then made a motion to approve the probation contract as presented. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented a draft copy of the City's Health Plan and requested Council approval. Mr. Baroni informed the council that the City's third party administrator has restated the plan and is bringing it into conformity with new federal regulations concerning health benefits. Mr. Baroni also stated that the title page should be changed to read "The Employee Health Benefit Plan" and to restate Retirement Benefits on page 3 to conform to City Policy. Mr. Martin made a motion to approve the health plan document. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Powell asked for council direction on the bell at the Aurora Theatre. Mr. Powell said the tower will not support the weight and will need to be rebuilt if the council wants the bell to remain in the tower. The other option is to remove it and place it in the front of the theatre. The council instructed the City Attorney to have the bell removed from the tower and explore options to display the bell on the Aurora site.

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