

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

The Mayor Pro Tem then asked for the reading of the September 11, 2006 Regular Session, September 20, 2006 Special Call Meeting and Executive Session minutes. Mr. Martin made a motion to approve the minutes as recorded. The motion was seconded by Dr. Johnson. The motion carried unanimously.

Mr. Baroni asked that the following additions be made to the agenda: an addition to the neighborhood task force; three nuisance complaints (NC-06-14, NC-06-15 and NC-06-16); and a proclamation for National Business Women's Week. Mr. Baroni also asked that the Smith/Swanson annexation be removed from the agenda at the request of the applicants. The Council agreed to make the changes to the agenda.

Mr. Rodriguez presented the proclamation to representatives of the Business and Professional Women Association proclaiming October 15, 2006 through October 21, 2006 as National Business Women's Week.

#### CONSENT AGENDA

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

1. Approval of additional job position for Meter Department for a Meter Reader. Base salary shall be for Pay Grade 17. See Meter Department job description, attached hereto as Exhibit "A."
2. Approval of additional job position for Municipal Court for a Clerk Training Officer. Base salary shall be for Pay Grade 23. See Municipal Court job description, attached hereto as Exhibit "B."
3. Approval of Kimley-Horn, LCI Transportation recommendations as described in September 20 Work Session detailing plan for two-way streets in Downtown Lawrenceville. See Plan attached as Exhibit "C".
4. Approval of Agreement with Hayes James & Associates, Inc. for supervision of construction, engineering and design pursuant to Contract regarding T-Grant. See Agreement attached as Exhibit "D".
5. Approval of Hayes James & Associates, Inc. as consulting engineers for relocation of water lines for Highway 29 Widening Project pursuant to contract. See Interoffice Memorandum from Jim Steadman attached as Exhibit "E".

6. Approval of funding of storm water curb repairs on King Arthur Drive not to exceed the amount of \$14,000.00. See Interoffice Memorandum from Jim Steadman attached as Exhibit "F".
7. Approval of funding of stormwater curb repairs on Nottingham Drive not to exceed the amount of \$14,000.00. See Interoffice Memorandum from Jim Steadman attached as Exhibit "G".
8. Approval of funding to replace electric line at Gwinnett County Airport. See Interoffice Memorandum from Jim Steadman attached as Exhibit "H".
9. Approval of additional capital outlay expense item for acquisition of truck and mower for Street Department. See Interoffice Memorandum from Jim Steadman attached as Exhibit "I".
10. Approval of change order for the amount of \$8,800.00 for Theatre for wall parging in bell tower. See Change Order attached as Exhibit "J".
11. Approval of change order to Foster & Company for substitution of materials for exterior façade. See Change Order attached as Exhibit "K".
12. Approval of an instruction to Municipal Court requesting that bench warrants for property maintenance violations be considered "contempt of court" instead of "failure to appear" and not a finger-printable offense. See Memorandum from Melody Glouton attached as Exhibit "L".

Mr. Clark made a motion to approve the Consent Agenda and change the downtown plan on item #3 to have two through lanes and a turn lane onto Chestnut Street. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

#### PUBLIC HEARING – OLD BUSINESS

Mr. Powell presented the second reading of the Conservation Subdivision Ordinance Amendment. The Mayor Pro Tem asked if there were any comments from the audience. There were none. Dr. Johnson then made a motion to approve the second reading of the Conservation Ordinance. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Lee Tucker appeared on behalf of the City Enclave development requesting that a change of condition for the property located on Gwinnett Drive be approved. Mr. Tucker briefly explained the documentation that was presented to the council for the meeting. After some discussion, Dr. Johnson made a motion to table this matter so that the council

could review the booklet that was just presented by the applicant. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

#### PUBLIC HEARING – 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 Pro Tem Rodriguez asked that Jay Johnson be added to the neighborhood task force. Mr. Martin made a motion to affirm the Mayor Pro Tem's recommendation. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Brad Leonard presented the first reading of the amendment to the Group Home Ordinance. Dr. Johnson made a motion to approve the first reading of the amendment. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

The Mayor Pro Tem called on a representative of P&E Title and Check Cashing to present the special use request. Mr. Powell informed the council that Dick Carothers, the attorney for the applicant, requested that the special use application be withdrawn. The council agreed. (See Exhibit File)

The Mayor Pro Tem called on the First Christian Church to present their rezoning request. Mr. Lee Thompson appeared before the council on behalf of the First Christian Church. Mr. Thompson asked that the council rezone their property on Sugarloaf Parkway from RS-150 to O&I. Mr. Thompson stated that they needed to utilize the facility for an office to house an outreach program. Mr. Rodriguez asked for Mr. Leonard to present the Planning Commission's recommendation. Mr. Leonard stated that the Planning Commission recommended that the property be rezoned with the following stipulations: 1) Fence along the rear property line, 2) fence along side property line from rear property line to the back of the house, 3) buffer to remain as it is today. Dr. Johnson then made a motion to approve the rezoning request with the Planning Commission's stipulations and a condition that if the property changes use from a church and non-profit, the property will revert to RS150. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented the first reading of Zoning Ordinance Amendment 7.18. Mr. Powell stated that this amendment sets the point where the regulations for the overlay district start. Mr. Powell stated that this is the first reading of Zoning Ordinance Amendment 7.18. The council asked that this be placed on the next Work Session agenda for additional discussion. Dr. Johnson made motion to proceed to the second reading. The

motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Brad Leonard presented the first reading of the amendments to sections 7.2, 7.3, 7.3.1, 7.5, 7.5.1, 7.5.3, 7.7.1, 7.8, 7.9, 7.10, 7.11 and 7.13 of the Zoning Ordinance. Dr. Johnson made a motion to approve the first reading of the amendments. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

#### COUNCIL BUSINESS MEETING – OLD BUSINESS

Ms. Beverly Dryden, Chairman of the Windsor Farms Task Force presented a report for council consideration. Ms. Dryden also stated that she would be coming back to the council with the findings from their meetings.

#### COUNCIL BUSINESS MEETING – NEW BUSINESS

Mr. Chris Franklin of Sterling Builders presented a preliminary sketch plat for their residential project on Highway 124. Mr. Leonard stated that the Planning Commission recommended approval. Mr. Franklin indicated that the only change to the plat include a stub street toward the rear of the subdivision in lieu of crossing a creek. Mr. Martin then made a motion to approve the sketch plat. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented a change order to the Aurora Theatre that would include window replacement on the west side of the building. Mr. Powell indicated that when the window frames were examined, extensive rotting was noted. The change order is \$10,232.00 for the window replacement. Dr. Johnson made a motion to approve change order #4. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented an additional change order for the Aurora Theatre to upgrade the seating. Mr. Powell stated that change order #5 would increase the contract price by \$9,977.00. The Aurora Theatre has agreed to pay for this upgrade, but Mr. Powell stated that it needs to be included in our Aurora contract. Mr. Martin made a motion to approve Change Order #5. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Powell asked that the council approve a change order on the Jackson Street project with the stipulation that the cost not exceed \$5,000.00. Mr. Powell stated that this is to place a brick facade on a retaining wall to match the Wages Funeral Home building. Mr. Powell also asked that the easement that he presented be approved. Mr. Clark made a motion to approve the change order and easement. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented nuisance complaint NC-06-14 located at 445 Crogan Street. Mr. Leonard stated that this location is in a dilapidated state. Dr. Johnson then made a motion to proceed with the nuisance process. The motion was seconded by Mr. Martin. The motion carried unanimously.

Mr. Leonard presented nuisance complaint NC-06-15 located at 473 Crogan Street. Mr. Leonard stated that this location is in a dilapidated state. Mr. Martin then made a motion to proceed with the nuisance process. The motion was seconded by Dr. Johnson. The motion carried unanimously.

Mr. Leonard presented nuisance complaint NC-06-16 located at 479 Crogan Street. Mr. Leonard stated that this location is also in a dilapidated state. Dr. Johnson then made a motion to proceed with the nuisance process. The motion was seconded by Mr. Clark. The motion carried unanimously.

There being no further business, Dr. Johnson made a motion to adjourn the meeting. The motion was seconded and carried unanimously.

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David Rodriguez, Mayor Pro Tem

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Robert P. Baroni, City Clerk