

Mayor Millsaps called the meeting to order at 7:00 P.M. with all Council Members present. Mayor Millsaps called for the approval of the November 13, 2006 Regular and Executive Session minutes and the November 15, 2006 Special Call meeting minutes. Mr. Baroni asked that the minutes reflect the following changes: November 13<sup>th</sup> - the vote be changed on the first motion from "for" to "against" and on the Executive Session minutes, the spelling changed on Mr. Clark's name. Dr. Johnson made a motion to approve the minutes as presented with the changes. The motion was seconded by Mr. Martin. The motion carried unanimously.

### CONSENT AGENDA

Mr. Powell presented the Consent Agenda for council approval.

1. Approval of Contract Change Order No. 3 to contract with Foster & Company for rock removal in the amount of \$90,217.00. See Change Order, attached hereto as Exhibit "A".
2. Approval of Contract Change Orders with Lusk & Associates, Inc.: (a) No. 6 in the amount of \$8,418 to provide a sanitary sewer line, (b) No. 7 in the amount of \$4,145 to provide MDF ceiling replacement, and (c) No. 8 in the amount of \$14,797 to provide for office refits. See Change Orders, attached as Exhibit "B".
3. Approval of the request of Lamar Hall to purchase a vehicle lift to be purchased using funds from the capital outlay budget for the garage. The approximate cost for this purchase is \$11,893.05. The lift will be purchased from Johnson Industries. See Memorandum from Lamar Hall, attached as Exhibit "C".
4. Approval of the request of Lamar Hall to purchase two (2) trucks for use in the gas department using funds from the capital outlay budget. The first vehicle to be acquired is a ½ ton regular cab pick-up truck for the approximate cost of \$13,550.00. The second vehicle to be acquired is a ¾ ton HD series truck for the approximate cost of \$18,500.00. The vehicles will be purchased from Bill Heard Chevrolet. See Memorandum from Lamar Hall, attached as Exhibit "D".
5. Approval of funding of removal and replacement of 1,685 linear feet of curb, removal and replacement of sidewalks, placement of detectable warning strips, and removal and replacement of 1,728 square feet of driveway aprons on Culver Street not to exceed the amount of \$100,000.00. See Interoffice Memorandum from Jim Steadman attached as Exhibit "E".

6. Approval of the Lawrenceville Tourism & Trade Association proposed budget for 2007. See Proposed Budget, attached as Exhibit "F".
7. Approval of termination of contracts with Boys & Girls Club and authority of Mayor Millsaps to enter into new agreements with both the Boys & Girls Club and the YMCA. See termination letter and contracts attached as Exhibit "G".
8. Approval of increase in entry-level salary for meter reader from pay grade 17 to pay grade 20. This increase will affect some existing employees and all new hires. See Memorandum and spreadsheet from Kellie Brownlow of the Atlanta Regional Commission attached as Exhibit "H".
9. Approval of Downtown parking credits allowing the property owners to satisfy the parking requirements for the Downtown by paying \$6,000 per space to the City's Downtown Parking Credits Policy.
10. Approval of the revised Water Conservation Policy and the Enforcement Policy.
11. Approval of the King Arthur Drive project to allow additional change order up to \$63,000 to provide for the bidding of the balance of the project estimated to be approximately \$103,000.
12. Approval of salary for members of the Architectural Review Board in the amount of \$75 per meeting per member.

Mr. Powell made a correction to the King Arthur Drive contract amount (item #11). He stated that the change order is in the amount of \$65,050.00, bringing the total to \$139,089.00.

Mr. Baroni asked that the schedule for the Meter Department (item #8) be corrected to reflect that the second individual from the bottom is currently a Grade 17, Level U and is proposed to go to a Grade 20, Level O.

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

#### PUBLIC HEARING – OLD BUSINESS

Mayor Millsaps called on the Enclave request for a change of conditions on Gwinnett Drive. Mr. Martin made a motion to approve the rezoning. Mr. Martin made a motion to approve the change of conditions on the Enclave's request with the following zoning conditions:

1. The Applicant shall provide a 25 foot re-graded and re-planted buffer adjacent to the residential properties in the Martin Estates subdivision. The re-graded and re-planted buffer shall be planted with Cryptomeria, Thuga "Green Giant", Southern Magnolia and Nellie R. Stevens in three staggered rows and spaced on 15 foot centers with 20% of the buffer area planted in trees 8 to 10 feet tall and 80% of the buffer area planted in trees 6 to 8 feet tall. Said buffer shall include an irrigation system.
2. The 25 foot buffer described above shall be included within a 40' building setback from the subject property lines adjacent to Martin Estates. Accessory uses as per the ordinance shall be allowed within said setback as long as such uses do not encroach into 25 foot buffer.
3. The Applicant shall be required to maintain a 50 foot undisturbed buffer and a 100 foot setback along the entire length of the common property line with the Windsor Farms Subdivision. Accessory uses as per the ordinance shall be allowed within said setback as long as such uses do not encroach into 50 foot buffer.
4. Applicant shall provide a yearly inspection report of the detention facility to the designated neighborhood representatives depicting proper care and maintenance.
5. Applicant shall install a 6 foot tall vinyl coated chain link fence the entire length of the common property line with adjoining residentially zoned properties. Said fence shall be constructed on the Applicant's development side of any required buffer. The color of the fence shall be determined by the neighborhood representatives at the time of installation.
6. Applicant shall work with the adjacent homeowners in the Martin Estates neighborhood to channel storm-water drainage away from their properties and into the proposed detention facility or into the existing County infrastructure. This will entail a 25' easement parallel to the common property line and all paperwork will be handled by the Applicant. This condition must be completed prior to Applicant obtaining a building permit for any buildings.
7. Applicant shall install street trees along the entire length of Gwinnett Drive frontage. The street trees will be 3 inch caliper and installed every 35 feet on center. The trees will be determined by the Applicant and landscape contractor.
8. Applicant shall limit the trash pick up times to between 7 a.m. and 7 p.m., Monday through Saturday.
9. No building construction shall begin until such time as the required re-planted buffers are installed.
10. Applicant shall make efforts to minimize construction activity on weekends. Outside construction activity shall not begin before 7:30 a.m.
11. Applicant shall communicate with designated representatives of Martin Estates and Forrest Hills regarding the development of the subject property in order to proactively address any issues relating to the development which may impact the adjoining property owners.

12. Applicant shall provide five (5) 3 inch caliper trees of the variety outlined in paragraph 1 above to the City's tree bank upon request by the City for use in restoring buffers within the City.

Mr. Martin also included in his motion that construction will be site plan specific. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented the second reading of Zoning Ordinance amendments to sections 6.2 and 7.6. Mr. Powell stated that the ordinance amendments deal primarily with manufactured homes. Mr. Clark then made a motion to approve the second reading. The motion was seconded by Mr. Rodriguez. The motion carried unanimously. (See Exhibit File)

Mr. Powell asked that the council consider the submittal of a pre-qualification application to ARC for funding of the return to two-way streets in the downtown area. Mr. Powell informed the council this would in no way obligate them for funding at this point. Mr. Rodriguez made a motion to approve the submittal for the pre-qualification. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented various proposals for the pension plan. After some discussion, Mr. Martin made a motion to approve Option #3. There was no second. Mayor Millsaps asked if there was another motion on the floor. Mr. Rodriguez then made a motion to approve Option #3. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Bowie presented the second reading of Ordinance 20-111 to adopt new water rates. Mr. Bowie stated that this is passing on the increase in wholesale rates from Gwinnett County. Mr. Clark made a motion to approve the new rate structure. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Farmer presented the second reading of Amendment to Section 4-103 of the Development Regulations. Mr. Farmer stated that this will standardize the rates between City and County customers. Mr. Farmer indicated that the rate would be \$2.75 above the wholesale rate. Dr. Johnson made a motion to approve the second reading. The motion was seconded by Mr. Martin. The motion carried with Dr. Johnson, Mr. Martin and Mr. Clark voting for the motion. Mr. Rodriguez voted in opposition to the motion. (See Exhibit File)

Mayor Millsaps called for discussion on the Windsor Farms issue concerning the closing of Windsor Farms Drive. Mr. Clark made a motion to close Windsor Farms Drive at Georgia Highway 20, place pavers, install fencing, construct a 6' berm above the grade of the houses, and landscaping. Mr. Clark also asked that the City try to find funding for this project. The motion was seconded by Mr. Rodriguez. The motion carried with Mr. Clark, Mr. Rodriguez and Mr. Martin voting for the motion. Dr. Johnson voted in opposition to the motion.

PUBLIC HEARING – NEW BUSINESS

Ms. Patty Walker appeared for the Clarks requesting that the property located at 881 Georgia Highway 20 South be annexed into the City as an O&I zoning. Mayor Millsaps asked if there is any opposition to the annexation. There was no opposition to the annexation. Dr. Johnson then made a motion to approve the annexation request. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Ms. Walker asked that the property be rezoned to O&I. Mayor Millsaps asked if there was any opposition to the rezoning. There was none. Mr. Martin made a motion to approve the rezoning request with the following stipulations: 15' landscape buffer in the rear; 10' landscape buffer along sides. No fencing required. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Jimmy Calhoun appeared before the council requesting that the property located at 920 Cripple Creek Drive be annexed into the City. Mr. Baroni stated that the property will be annexed as Light Manufacturing which is equivalent to the existing County zoning of M-1. Mayor Millsaps asked if there was any opposition to the annexation. There was none. Dr. Johnson then made a motion to approve the annexation of 920 Cripple Creek Drive. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps stated that the council discussed the rezoning issue when they discussed the annexation and asked if there was any opposition to the rezoning. There was none. Mr. Clark then made a motion to rezone the property. The motion was seconded by Mr. Rodriguez. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps called on the Rodav, LLC Special Use Request. Mr. Joel Rowland represented the owners in the Special Use Permit for a used car lot at the property located at 390 West Pike Street. Mr. Rowland stated that no cars would be located on this site. They would all be purchased at individual locations and shipped directly overseas. Mayor Millsaps asked if there was any opposition to the special use permit. There was none. Mr. Martin made a motion to approve the Special Use Request subject to no more than two cars stored on the site at any one time and no cars can be for sale on the lot. The motion was seconded by Mr. Clark. The motion carried with Mr. Clark, Mr. Martin and Dr. Johnson voting for the motion. Mr. Rodriguez voted in opposition to the motion. (See Exhibit File)

Mayor Millsaps called on the T-Mobile representative to present the tall structure permit. Mr. Sarran Marshall appeared before the council to request to have a tall structure permit located at 480 Pike Street. After some discussion, it was determined that the adjoining property owners were not properly notified by T-Mobile. Mr. Rodriguez then made a motion to table this matter. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

COUNCIL BUSINESS MEETING – NEW BUSINESS

Mr. Leonard presented Nuisance Complaint NC-06-19 for the property located at 441 and 443 Charter Court. Mr. Leonard stated that the property is severely damaged and requested that the council authorize him to continue with the nuisance complaint process. Dr. Johnson made a motion to approve the nuisance complaint and proceed with the process. The motion was seconded by Mr. Rodriguez. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented the Bellsouth Entertainment rate increase. He stated that no action was required, that this is presented at the council meeting for public notification. (See Exhibit File)

Mr. Baroni presented the quotes for the 2007 Health Plan. Mr. Baroni stated that the City received ten options from three different companies that submitted bids for the coverage and that he and the third party administrator recommended that the City take Option #2. Mr. Martin informed the council that he had gone over the proposal and recommended and concurred with the City Clerk's recommendation. He then made a motion to adopt Option #2. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

PUBLIC COMMENT

Mr. Bahman Bayke requested council assistance in correcting the storm drainage structure on his property. He was informed that when the storm water utility was formulated, his project would be on a schedule.

There being no further business, the meeting was adjourned.

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Rex Millsaps, Mayor

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Robert P. Baroni, City Clerk