

Mayor Millsaps called the regularly scheduled meeting of the City Council to order at 7:00 P.M. with all Council Members present.

Mayor Millsaps called for approval of the January 8, 2007 Regular and Executive Session and the January 17, 2007 Executive Session City Council minutes. Dr. Johnson made a motion to approve the minutes as recorded. The motion was seconded by Mr. Clark. The motion carried unanimously.

Mayor Millsaps presented the Consent Agenda.

### CONSENT AGENDA

1. Approval of the request of Lamar Hall to purchase three (3) replacement vehicles for use in the meter department using funds from the capital outlay budget. The vehicles to be acquired are 2007 Ford Ranger short bed trucks and would cost approximately \$10,702.00 per vehicle. The three meter trucks currently in use are hereby surplused to be sold according to City requirements. The vehicles will be purchased from Allan Vigil Ford. See memorandum from Lamar Hall, attached as Exhibit "A."
2. Approval of amended pay scale classification chart. See Pay Scale, attached as Exhibit "B."
3. Approval of Utility Voucher Payment Policy Amendment. The City will no longer accept vouchers as payment credit which would prevent a customer from disconnection of utility service for non-payment. See voucher policy, attached as Exhibit "C."
4. Approval of the request of Chief Johnson for the purchase of portable radios, four (4) car radios, seven (7) cameras and DVR system totaling \$61,037.85 using funds from the police asset forfeiture account. See memorandum from Chief L. R. Johnson, attached as Exhibit "D."
5. Approval of bid and contract for Barbizon to install stage equipment controllers in the Cultural Arts Civic Center for use by the Aurora Theatre. See bid documents, attached hereto as Exhibit "E."

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

### PUBLIC HEARINGS – OLD BUSINESS

Mr. Leonard gave the second reading of an Amendment to the Development Regulations Article 7-101. Mr. Leonard stated that this amendment amends the codes

the City utilizes for the permitting process. Dr. Johnson made a motion to approve the second reading. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps called on Mr. Leonard to present the second reading of an amendment to the Development Regulations, Article 16.3.2B(10). Mr. Leonard stated that this section deals with conservation subdivisions. Mr. Martin made a motion to approve the amendment with a change in the distance required between columns to be 30 feet instead of 20 feet. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Baroni informed the council that the T-Mobile tower permit was withdrawn by the applicant.

#### 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 Millsaps called on the A R Motorsports representative to explain their Special Use Permit. Mr. A.R. Hoshmandy requested a Special Use Permit at 1004 Lawrenceville Highway to put in a used car lot with bays. Mr. Leonard stated that the Planning Commission approved the Special Use Permit request with 17 stipulations. Mayor Millsaps then called on any opposition from the audience. The following individuals presented opposition that included congestion, noise and theme does not fit the area: David Mellard, Scott Davis, Bernice McClure, Merytre Rodriguez, and William Hosford. Mr. Martin made a motion to approve the special use permit request with a limit of three bays with no mechanical repairs on the site and with the recommendations of the Planning Commission with the exception of # 1 and #7. The motion died from the lack of a second.

Mr. Martin then made a motion to approve both lots for car sales with no mechanical repair, a maximum of three bays and the stipulations put forth by the Planning Commission with the exception of #1 and #7. The motion was seconded by Dr. Johnson. After some discussion, Mayor Millsaps called for a vote. The motion failed with Mr. Martin, Dr. Johnson, Mr. Clark, and Mr. Crow voting against the motion.

Dr. Johnson then made a motion to approve the Special Use Request for an auto sales lot with no service or mechanical bays, three bays for washing, detailing and pictures, and including the stipulations from the Planning Commission with the exception of #1 and #7. The motion was seconded by Mr. Martin. Mayor Millsaps then called for a vote. The motion failed with Mr. Martin, Mr. Clark, Mr. Crow voting against the motion and Dr.

Johnson voted in favor of the motion.

Mr. Martin then made a motion to table this matter until the next meeting. The motion died due to the lack of a second.

Mr. Clark then made a motion to deny the Special Use Permit, citing that it is not a compatible use. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

### COUNCIL BUSINESS MEETING – NEW BUSINESS

Mr. Leonard presented Nuisance Complaint NC-07-03 for the property located at 274 Honeysuckle. Dr. Johnson made a motion to proceed with the Nuisance Complaint process. The motion was seconded by Mr. Clark. The motion carried with Dr. Johnson, Mr. Clark and Mr. Crow voting for the motion. Mr. Martin abstained. (See Exhibit File)

Mr. Baroni presented the council with sign bids from:

Global Signs	\$8,944.00
Southeastern Sign, Inc.	\$7,500.00
Wizard Sign Studio	\$8,800.00

Mr. Baroni stated that the signs were previously approved by the council to highlight the downtown area. Dr. Johnson made a motion to accept the low bid. The motion was seconded by Mr. Crow. The motion carried with Dr. Johnson, Mr. Crow and Mr. Clark voting for the motions. Mr. Martin abstained. (See Exhibit File)

Mr. Powell presented a request from the tenant at the Oakes house that she be allowed to continue renting from the City for six months. Mr. Powell stated that the tenant asked that the rent be \$390.00 per month plus utilities. Mr. Crow made a motion to approve the rental for six months with the stipulation that the Planning and Zoning Director and the Risk Manager check the building for code violations. The motion was seconded by Mr. Martin. The motion carried unanimously.

Ms. Melody Glouton presented the first reading of Chapter 12 of the City's Code of Ordinances. Mr. Glouton explained that this amendment includes the Solid Waste and Stormwater Utility Ordinances. Dr. Johnson made a motion to proceed with the second reading. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Ms. Glouton presented a request from Tom Cain to provide a quit claim deed for property located on Perry Street adjoining the Ford property. Ms. Glouton asked that the City reserve a 10' right of way for any utilities. Mr. Martin made a motion to approve the request for the quit claim deed for the unclaimed City property and reserve the utility right

of way. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented a list of surplus vehicles for council approval. Mr. Baroni stated that the vehicles are described as follows:

- 1992 Ford Ranger – SN 98946
- 1994 Ford Ranger – SN 08118
- 1999 Dodge Dakota – SN 10643
- 1989 Ford Van – SN 46774
- 1991 Ford Van – SN 30663
- 1991 International Garbage Truck – SN 72609

Dr. Johnson made a motion to approve the surplus vehicles for the purpose of sale. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Baroni presented a resolution from the Municipal Electric Authority of Georgia changing the signatures for the Municipal Competitive Trust Fund. Mr. Baroni stated that previously the fund signatures were the City Clerk and Mayor Sikes. Mr. Baroni asked that the council substitute Mayor Millsaps for Mayor Sikes. Mr. Martin made a motion to adopt the resolution as requested. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps presented a change order in the amount of \$66,665.00 for the Aurora Theatre. The Mayor reported that this change order is for electric work related to the Black Box Theatre. Mr. Millsaps stated that the change order originally started at over \$88,000.00 and through negotiations was reduced to \$66,665.00. He also indicated that the Aurora Theatre is paying \$12,665.00 on this proposed change order with a net cost to the City of \$54,000.00. Mr. Martin commended the Mayor for his efforts in getting the cost reduced on this change order. Mr. Crow then made a motion to approve the change order as presented by the Mayor. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Clark made a motion to adjourn into Executive Session. The motion was seconded by Dr. Johnson. The motion carried unanimously.

After the Executive Session, Mr. Powell reported to those present that three matters were discussed, two concerning real estate acquisition and one litigation matter. One vote was taken and that vote was 3 to 1.

February 5, 2007

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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