

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

Mayor Millsaps called for the approval of the April 2, 2007 City Council minutes and the April 18, 2007 Special Call meeting minutes. Mr. Martin made a motion to approve the minutes as recorded. The motion was seconded by Mr. Crow. The motion carried unanimously.

PUBLIC HEARINGS – OLD BUSINESS

Mr. Mohsin Ashfaque presented a rezoning and annexation request on behalf of Randy Cono and Miriam Parker for the property located at 3530 Sugarloaf Parkway. Mr. Ashfaque requested that the property be rezoned HSB so that a small shopping center could be placed on the site. Mayor Millsaps asked if there was any opposition from the audience. There was none. After some discussion, Mr. Crow began the process with a motion to annex Mr. Cono's property. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Crow then made a motion to approve the property as BG zoning under the plans submitted with a 10' landscape strip in the front. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Mohsin Ashfaque presented an annexation request and the second reading of a rezoning request for the property located at 3560 Sugarloaf Parkway. After much discussion, Mr. Crow made a motion to annex the property as requested. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Crow made a motion to approve the request with the stipulations of the Planning Commission, with the exception of the 15' landscape strip. The landscape strip will be 10' and the applicant must submit to the City plans prior to construction. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Mark Swanson presented an annexation and rezoning request for his property located at 942 Buford Drive. During the discussion of the rezoning portion of the business, Mayor Millsaps asked if there was any opposition from the audience. There was none. Mr. Clark made a motion to approve the annexation. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Crow then made a motion to approve Mr. Swanson's rezoning request as BG with a 10' front yard, landscape strip, no metal facades on front or sides (brick or hardiplank only) or car lots. The motion was seconded by Dr. Johnson. The motion carried with Mr. Crow, Dr. Johnson, and Mr. Clark voting for the motion. Mr. Martin voted in opposition to the motion.

Mr. Mark Smith presented an annexation, rezoning and special use permit request for his

property located at 963 Buford Drive. Mr. Smith explained the annexation and stated that
May 7, 2007

Page 2 of 5

he agrees with all conditions placed on the property with the exception of the 15' front yard landscape strip. He asked that it be reduced to 10'. Mayor Millsaps asked if there was any opposition to the rezoning from the audience. There was none. Mr. Clark then made a motion to annex the property. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Crow made a motion to approve Mr. Smith's rezoning and special use request with the stipulations imposed by the Planning Commission, with the following additions or corrections: Use a black wire, vinyl coated fence on the back line with wire on top and an opaque fence in other areas, 10' front yard landscape strip on Georgia 20 and 124 corridor, the detention pond to have an earthen berm facing the road with staggered row of trees and to allow for outdoor storage of materials. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Atoosh presented a special use permit for the approval of townhomes within the Live Work B category at 108 E. Crogan Street. The property is owned by Jordan Park, LLC. Mr. Razi Madani questioned some of the conditions placed on his Papermill Road project but not on this project. It was explained that requirements are different in the Live Work B category. Mr. Martin then made a motion to approve the request. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the second reading of Zoning Ordinance amendment to Section 7.9. Mr. Leonard stated that this ordinance addresses used car brokers. Ms. Mary Thompson spoke to the council and asked that they be careful in considering this ordinance amendment. Mr. Martin made a motion to approve the second reading of the amendment subject to the used car brokers not being permitted within 100' of residential property. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the second reading of Zoning Ordinance amendment to Sections 7.3.1 and 7.3. Mr. Leonard stated that this amendment makes homeowners associations mandatory in the zoning categories listed in the ordinance sections that are being amended. Mr. Crow made a motion to approve the second reading. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the second reading of Zoning Ordinance amendment to Section 11.11. Mr. Leonard informed the council that this section deals with the Architectural Review Standards in the downtown area. Dr. Johnson made a motion to approve the second reading. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Capt. Smith presented the Police Operations Manual for council approval. Mr. Clark made a motion to approve the manual and resolution as presented. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented the second reading of the Street Gang ordinance. After some discussion, Dr. Johnson made a motion to approve the ordinance as presented. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented the second reading of the amendment to Chapter 12 of the City Code of Ordinance. Mr. Powell stated that these ordinance amendments deal with stormwater and sanitation pick-up. Mr. Crow made a motion to approve the ordinance amendments with the stipulation that all typing errors be corrected. The motion was seconded by Mr. Clark. 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.

Mr. Luis Ramirez presented an application for a massage therapy license. After some discussion, Mr. Clark made a motion to table this matter and refer it to the City Attorney for further study. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the first reading of a special use permit request at 465 West Pike Street. Mr. Leonard stated that a title pawnshop is planned for this location and that the Planning Commission recommended denial of the special use permit. Mr. Martin made a motion to proceed with the second reading. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the first reading of special use permit for townhomes located at 279 West Crogan Street. Mr. Clark made a motion to proceed to the second reading. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the first reading of a rezoning request at 85 Benson Street. The rezoning request is to have the property rezoned from RS-150 to BG for the purpose of placing a beauty shop at this location. Mr. Martin made a motion to proceed. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the first reading of a rezoning request at 330 Scenic Highway. The rezoning request is to have the property rezoned from RS-180 to ON for the purpose of a professional office at this location. Mr. Leonard stated that the Planning Commission recommended approval of this request. Dr. Johnson made a motion to proceed. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Christopher Palmer presented a request to have the Green Bridge Creek sketch plat change to allow that the divided median be taken out of the main entrance road. After some discussion, Dr. Johnson made a motion to table this matter until the Special Call meeting on May 16, 2007. The motion was seconded by Mr. Crow. The motion carried with Dr. Johnson, Mr. Crow and Mr. Clark voting for the motion. Mr. Martin voted in opposition to the motion. (See Exhibit File of May 16, 2007)

Mr. Powell presented the first reading of the alcohol ordinance. Mr. Martin made a motion to approve the first reading. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

COUNCIL BUSINESS MEETING – NEW BUSINESS

Mr. Leonard presented nuisance complaint NC-07-07 for the property located at 237 Carver Street. Mr. Leonard presented photographs of the complaint. Mr. Martin then made a motion to proceed with the nuisance complaint. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Mike Bowie presented the following bids for the waterline relocation project on U.S. Highway 29:

Universal Water	\$ 927,054.00
G.S. Construction	\$ 909,760.00
D. Ragsdale Construction	\$ 804,200.00
Jan R. Smith Construction Co.	\$ 978,898.00
John D. Stephens	\$ 889,988.00
G.P.'s Enterprises, Inc.	\$ 1,197,328.07

Mr. Bowie recommended that the City take the low bid. Mr. Clark then made a motion to accept the low bid on the waterline project. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Baroni asked that the council declare a 2001 Ford Ranger VIN A72094 surplus property and purchase an additional truck as a replacement for the Meter Department. Mr. Baroni stated that the value of the truck is \$5,000.00 with repair costs totaling \$3,560.00. Mr. Crow made a motion to surplus the vehicle. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Tommy McDaniel presented the 2007 resurfacing bids for council approval. The bids are as follows:

C.W. Matthews Contracting	\$ 113.20/ton
Pittman Construction	\$ 83.20/ton
E.R. Snell Contractors, Inc.	\$ 77.34/ton
Stewart Brothers	\$ 103.99/ton

May 7, 2007

Page 5 of 5

Mr. McDaniel recommended that the council accept the low bid. Dr. Johnson made a motion to accept the low bid. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps asked that the council appoint a GMA voting delegate and alternate delegate for 2007. Dr. Johnson made a motion to appoint Mayor Millsaps and Mr. Baroni as voting delegate and alternate delegate. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. John Heard presented a variance request for the council to approve a variance to the handicapped provision under the City Code at the parking deck. Mr. Martin made a motion to grant the variance to eliminate requirement for a covered van parking space. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Dr. Johnson then made a motion to adjourn into Executive Session. The motion was seconded by Mr. Clark. The motion carried unanimously. After the Executive Session, the City Attorney explained that one personnel issue was discussed. No action was taken.

There being no further business, the meeting was adjourned.

Rex Millsaps, Mayor

Robert P. Baroni, City Clerk