

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

Mayor Millsaps called for approval of the minutes for the July 9, 2007 regular meeting and the July 18, 2007 Special Call meeting. Dr. Johnson made a motion to approve the minutes as recorded with the exception of a spelling correction on Joel Darsey's name in the July 9<sup>th</sup> minutes. The motion was seconded by Mr. Crow. The motion carried unanimously.

Mayor Millsaps presented the Consent Agenda.

### CONSENT AGENDA

1. Approval of authority for the Mayor to execute and bind the City to a Lease Agreement with the City of Lawrenceville Downtown Development Authority for the use of the historic Oakes House located adjacent to the Lawrenceville Cultural Arts Center under the following terms:
  - (a) Rental rate is \$2.00 per year.
  - (b) Utilities shall be paid by the Lessee.
  - (c) The City shall continue grounds maintenance.
  - (d) The term shall be 12 months from September 1, 2007.
2. Approval of the only bidder for a gas line realignment located along S.R. 8/U.S.29/Crogan Street and designated as project number F-0039 (4106) Gwinnett County in the amount of \$119,387.95. The Mayor approved to execute a contract with the low bidder to perform the work in the form advertised. See Exhibit "A".
3. Approval of authority for the Director of the Gas Department to purchase materials for the project referenced in Item 2 for the low bidder as shown on Exhibit "B".
4. Approval of a capital outlay request for authority for the Chief of Police to acquire a police vehicle from proceeds from an insurance settlement and from asset forfeiture funds as requested in Exhibit "C".

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

PUBLIC HEARINGS – OLD BUSINESS

Mr. Powell presented the second reading of the Caswell rezoning request for the Ruth Street property. Mr. Crow made a motion to table this matter until the September meeting. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps called on the presentation of the rezoning request for 171-179 Stone Mountain Street. Mr. Robert Brush appeared on behalf of Mr. Billy Joe Dickerson in his rezoning request. Mr. Brush stated that they are requesting that the property be rezoned from RS150 to O&I. Mr. Brush stated that two brick office buildings are planned for this site. Mayor Millsaps asked if there was any opposition from the audience. There was none. Dr. Johnson then made a motion to approve the rezoning request with the stipulations from the Planning Commission. The motion was seconded by Mr. Crow. The motion carried unanimously. The stipulations referenced in the motion are as follows: minimum buffers and building elevation to be approved by the Architectural Review Board. (See Exhibit File)

Mr. Leonard presented the second reading of Zoning Ordinance Amendment 7.1. Mr. Leonard stated that this amendment changes the height of front yard fences to 4 feet. Mr. Crow made a motion to approve the ordinance amendment and change all references from the Board to the Board of Appeals. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the second reading of Zoning Ordinance Amendment 7.14(D). Mr. Leonard informed the council that this ordinance amendment allows used car brokers as a special use permit in the overlay district. Mr. Crow made a motion to approve the amendment. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the second reading of Zoning Ordinance Amendment 7.11.1 and 7.11.2. Mr. Leonard stated that these amendments are for the high-rise building developments. Mr. Crow made a motion to table this amendment for additional work at the work session. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented the second reading of an amendment to Section 21.11 of the Development Regulations. Mr. Powell stated that this amendment deals with swimming pools and clarifies the old ordinance at the request of the Police Department for enforcement purposes. Mr. Martin made a motion to approve the amendment to the Development Regulations. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented the second reading of an amendment to Zoning Ordinance 10.4 and 10.5. Mr. Powell advised that the ordinance amendment allows for the use by non-profits, allows a change every minute and it requires the sign to be utilized for public service announcements by the City. Dr. Johnson made a motion to approve the ordinance amendment. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Chief Johnson presented the second reading of an amendment to the Speed Zone Ordinance for council approval. After a brief explanation, Mr. Crow made a motion to approve the Speed Zone Ordinance amendment. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

#### PUBLIC HEARINGS – 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. Powell presented the first reading of the Billiards Ordinance, Chapter 32. Dr. Johnson made a motion to proceed to the second reading. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Leonard informed the council that a rezoning request for 425 Scenic Highway has been submitted and that the applicant is requesting that the property be rezoned from RS180 to O&I. Mr. Leonard stated that the Planning Commission recommended approval with full fencing and enhanced vegetative screening on the rear property with Leyland Cypress 6' to 10' on center or similar. Mr. Crow 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 stated that Enterprise Car Rental located at 531 West Pike Street is requesting a car wash at their location. This use would be permitted only through a special use permit. Mr. Leonard informed the council that the Planning Commission recommended approval with a 15' landscape strip, a vegetative screening from West Pike Street, no bays on front to face West Pike Street and non-metal building facades. Dr. Johnson made a motion to proceed to the second reading. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the first reading of Zoning Ordinance Amendment 7.9. Mr. Leonard stated that this refers to the BG zoning district, particularly the outdoor storage area. He stated that outdoor storage is listed twice and the correction would be to eliminate one of the references to outdoor storage and is strictly a technical correction.

Mr. Martin made a motion to proceed to the second reading. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

#### COUNCIL BUSINESS MEETING – NEW BUSINESS

Chief Johnson presented a surplus property schedule and asked that the schedule be approved so that the equipment could be disposed of at public auction. Dr. Johnson made a motion to approve the surplus property schedule. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps called on the City Attorney to present the selection of a consultant for the well water projects. Mayor Millsaps then recused himself since he is employed by one of the companies competing for the well water contract. Mr. Powell stated that the selection committee recommended Precision Planning since they are well respected in the field, presented what they considered the best proposal and are a local firm. Mr. Crow made a motion to approve the selection of Precision Planning, Inc. for the well water project. The motion was seconded by Mr. Martin. The motion carried unanimously.

Mr. Leonard presented Nuisance Complaint NC-07-12 for the property located at 379 Shoal Court. Mr. Leonard stated that the house is in very poor condition and recommended that the City move forward with the nuisance complaint. Dr. Johnson made a motion to move forward with the nuisance complaint. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mr. Mark Rudolph presented a request for two commercial curb cuts on the entrance road to Scenic View Subdivision. After some discussion, Mr. Crow made a motion to table this matter for the Special Call meeting on August 15, 2007. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented a proposal from Frank McGowan of Patterson Road Partners for the donation of property for a park on Sugarloaf Parkway. Mr. Powell stated that the property is approximately two acres and all that would be required of the City is to accept the donation and pay for an appraisal. Mr. Crow made a motion to approve the necessary funding for the appraisal and accept the property. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. Jim Steadman presented a list of proposed roads to be included in the 2008 LARP program. Mr. Steadman requested that the City delete Northdale Road from his original memo and add another street that is to be designated by he and Mr. McDaniel. Mr. Martin made a motion to approve the list with the deletion of Northdale Road and the addition of another street. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented Nuisance Complaint NC-07-14 for the property located at 715 Buford Drive. Mr. Leonard stated that the property in question is a deserted gas station that is in very poor condition. Mr. Martin made a motion to proceed with the nuisance complaint. The motion was seconded by Dr. Johnson. The motion carried unanimously.

Mr. Leonard presented Nuisance Complaint NC-07-15 for another deserted gas station located on the other side of Buford Drive. Mr. Leonard stated that this property is also in very poor condition. Dr. Johnson made a motion to proceed with the nuisance complaint. The motion was seconded by Mr. Martin. The motion carried unanimously.

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