

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 administered the oaths of office to Council Members Martin and Clark. Both were re-elected to their posts in November.

Mayor Millsaps informed the council that he is deferring action on annual appointments until the February Council meeting to allow for discussion at the January work session. The Mayor asked that the council approve Mr. Martin as Mayor Pro Tem for 2008. Mr. Clark made a motion to appoint Mr. Martin as Mayor Pro Tem. The motion was seconded by Dr. Johnson. The motion carried unanimously.

Mayor Millsaps called on the approval of the December 3, 2007 Regular and Executive Session minutes. Dr. Johnson made a motion to approve the minutes. The motion was seconded by Mr. Crow. The motion carried unanimously. Mayor Millsaps asked that action on the December 19, 2007 Special Call meeting and Executive Session be tabled until the February meeting. The council agreed.

Mayor Millsaps asked that the council add a proclamation in favor of the Brain Train to Item #5 of the Consent Agenda. There was no opposition.

Mayor Millsaps then presented the Consent Agenda.

#### CONSENT AGENDA

1. Approval of the Lawrenceville Tourism & Trade Association 2008 Proposed Annual Budget and 2008 Agreement for Promotion of Tourisms, Conventions and Trade Shows with the City of Lawrenceville, the details of which are attached as Exhibit "A".
2. Approval of the renewal agreement with the third party administrator to increase the deductible by \$5,000 as demonstrated on Exhibit "B" attached hereto and incorporated herein.
3. Approval of the transfer station agreement between the City of Lawrenceville and RTS Landfill, Inc. in the form attached hereto as Exhibit "C".
4. Approval of the recycling agreement with Latham Home Sanitation in the form attached hereto as Exhibit "D".
5. Approval of a contribution of \$25,000 to retain a contractor to represent the City with regard to advocacy of the extension of the commuter rail system through the depot area of Downtown Lawrenceville subject to the approval of an agreement prepared by the City Attorney and approved by the Mayor.

6. Approval of a right-of-way agreement for transferring the obligations of the Georgia Department of Transportation to private property owners in the Downtown Overlay District in the form attached hereto as Exhibit "E".

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

#### PUBLIC HEARINGS – OLD BUSINESS

Mr. Leonard asked that action on the second reading of the Crown Properties rezoning and annexation request be tabled. Mr. Leonard stated that the council referred this item back to the Planning Commission. At the last Planning Commission meeting, the item was tabled. Dr. Johnson then made a motion to table the Crown Properties rezoning and annexation request until the February meeting. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mayor Millsaps called on Mr. Sudhir Malhotra to present the second reading of his rezoning request for 435 Scenic Highway. Mr. Malhotra is requesting that the property be rezoned from RS-150 to O&I. Mr. Martin asked if he could accept an O&N zoning for this location. Mr. Malhotra indicated that he could not. Mr. Leonard stated that the architectural standards for the house in this zoning would be that it remains a house. After some discussion, Mr. Martin made a motion to approve the rezoning request with a 25' rear buffer and minimum side yard buffers. The motion was seconded by Dr. Johnson. Mr. Martin then amended his motion to include that any addition to the structure be residential in nature. The amendment was seconded by Mr. Crow. All Council Members except Mr. Clark voted to add the amendment to Mr. Martin's motion. The motion and amendment carried unanimously. (See Exhibit File)

Ms. Linda Nash presented the second reading of her application to change the Overlay District to include her depot property. Ms. Nash indicated that this is required if she is to qualify for the Downtown Revolving Loan Funds. Mr. Crow made a motion to approve the application to include her property in the Overlay District as sub-area classification Live-Work-B. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

Mr. James Hinkle presented the second reading of his rezoning request for his property located at 395 Scenic Highway. Mr. Hinkle requested that the property be rezoned from O&N to O&I. He stated that Ms. Lowe is planning to open an art school at this location. 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 as presented. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Ms. Melody Glouton presented the second reading of the amendment to section 7.9 of the zoning ordinance. After some discussion, Dr. Johnson made a motion to table this

matter until the February meeting. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Ms. Glouton presented the second reading of an amendment to Section 34-105 (Billiards) of the Code of Ordinances. Ms. Glouton stated that this ordinance amendment outlines the five requirements for grandfathering. Mr. Clark made a motion to approve the ordinance amendment. The motion was seconded by Mr. Crow. The motion carried with Mr. Clark, Mr. Crow and Mr. Martin voting for the motion. Dr. Johnson voted in opposition to the motion.

Ms. Glouton also presented the second reading of an amendment to Section 32-222 (Billiards) of the Code of Ordinances. Ms. Glouton explained the ramifications of the ordinance. Mr. Martin made a motion to approve the ordinance amendment. The motion was seconded by Mr. Crow. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented second reading of Section 7.3 and 7.3.1 of the City's Zoning Ordinance. Mr. Leonard stated that these ordinance amendments set the architectural standards for RS-180 and RS-150 zoning. After some discussion, Mr. Martin made a motion to table this matter until the work session date and have a special call meeting for the purpose of adopting the ordinance amendment. 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 7.1 and 7.1.2. Mr. Leonard stated that this ordinance amendment deals with the High-rise Overlay District. A short discussion ensued, after which Mr. Crow made a motion to approve the amendment. 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. Leonard presented the first reading of a rezoning request for property located at the 600 block of Old Norcross Road. Mr. Leonard stated that the property is unzoned and that the City has initiated action to zone the property Light Manufacturing. Mr. Crow made a motion to approve the first reading. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the first reading of Capital Rentals' request for a Special Use Permit at 425 West Pike Street. Mr. Leonard indicated that Capital Rentals is requesting a Special Use Permit for auto/vehicle rental. Mr. Martin made a motion to approve the

first reading. The motion was seconded by Dr. Johnson. The motion carried unanimously. (See Exhibit File)

Mr. Leonard presented the first reading of an amendment to Section 6.2 of the Zoning Ordinance. Mr. Leonard informed the council that this ordinance amendment deals with the Historic Overlay Zone and essentially deletes this zone from the Overlay District. Mr. Martin made a motion to approve the first reading. The motion was seconded by Mr. Clark. The motion carried unanimously. (See Exhibit File)

### COUNCIL BUSINESS MEETING – NEW BUSINESS

Mr. Baroni presented the election notice for the November 2008 Municipal Election. Mr. Baroni stated that the council needs to call the election and set the qualifying fees for the November election. Mr. Crow made a motion to approve the public notice setting the election at November 4, 2008 to elect a Mayor and two Council Members and set the qualifying fees for the office of Council Member at \$216 and the office of Mayor at \$288. The motion was seconded by Mr. Martin. The motion carried unanimously. (See Exhibit File)

Mr. Powell presented the Council salary adjustment issue for the Mayor and Council. He stated that this item is on his annual calendar for the January meetings. After some discussion, Mr. Martin made a motion to table this matter to the February meeting and discussion at the January Work Session. The motion was seconded by Dr. Johnson. The motion carried with Mr. Martin, Mr. Clark and Dr. Johnson voting for the motion. Mr. Crow voted in opposition to the motion. (See Exhibit File)

Mr. Baroni asked that the council allocate up to \$5,000.00 as matching funds for a recycling grant that the City is trying to obtain. Mr. Baroni explained that the two projects that the City is looking at would be a technical assessment of improving recycling methods in the downtown commercial district and a technical assessment of the City's composting program. Mr. Crow made a motion to approve the grant request and \$5,000.00. The motion was seconded by Mr. Clark. The motion carried unanimously.

### PUBLIC COMMENT

Mayor Millsaps called for Mr. Harold Jacobs to present his issue in the Public Comment section of the meeting. Mr. Jacobs was not present.

Mr. Crow then 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 explained to those present that four real estate issues and one litigation matter were discussed. No votes were taken.

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Mr. Crow then made a motion to adjourn. The motion was seconded by Dr. Johnson. The motion carried unanimously.

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Rex Millsaps, Mayor

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Robert P. Baroni, City Clerk