

The regularly scheduled meeting of the Conyers, Georgia, City Council was held at 7:05 p.m. on July 18, 2012, in the City Council Chambers at 1194 Scott Street, Conyers, GA.

Roll Call – Present: Mayor Randy Mills, Council Members Chris Bowen, Vince Evans, John Fountain, Gerald Hinesley, and Cleveland Stroud.

Invocation – The invocation was given by Council Member John Fountain.

Pledge of Allegiance – Mayor Randy Mills led everyone in the Pledge of Allegiance.

Mayor’s Communication – Mayor Mills welcomed everyone.

Citizens’ Communication – Mr. Ronnie Burrell addressed the Council regarding the Hardin Street project.

Agenda Revisions: There were no agenda revisions.

Minutes – Council Member Chris Bowen made a motion to approve the minutes of the June 20, 2012 regularly scheduled City Council meeting. Council Member John Fountain seconded the motion. Mayor Mills called for a vote of the Council. All members voted aye. Mayor Mills declared the motion carried.

New Business:

1. **Public hearing – Zoning Case No. 2012-05: A request to approve Ordinance No. 880 to rezone 7.686 acres of land from the Residential Single-family (RS-14) District under Tier Two of the Mixed-use Village Overlay District to the General Business (BG) District under Tier Two of the Mixed-use Village Overlay District with a Special Use Permit for an automotive parts and accessory store as an additional permitted use within the General Business (BG) district.** Council Member John Fountain presented Ordinance No. 880 to the Council and stated that the Conyers/Rockdale County Planning Commission conducted a public hearing on July 12, 2012, and recommended approval of the applicant’s request with conditions. Council Member Fountain made a motion to approve Ordinance No. 880 and waive the second reading. Council Member Gerald Hinesley seconded the motion.

Council Member Fountain asked Mayor Mills to open the public hearing.

Mayor Mills opened the public hearing at 7:10 p.m.

Fred Straub of Straub Associates, Inc. addressed the Council in favor of the rezoning and a Special Use Permit for an automotive parts and accessory store as an additional permitted use within the General Business district.

Eric Rafalik of Merganser Enterprises also addressed the Council in favor of the rezoning and a Special Use Permit for an automotive parts and accessory store as an additional permitted use within the General Business district.

Mayor Mills closed the public hearing at 7:23 p.m.

After discussion, Mayor Mills called for a vote of the Council. All members voted aye. Mayor Mills declared the motion carried.

2. **Public hearing. Request to approve Ordinance No. 881 to amend the Zoning Ordinance of the City of Conyers, Chapter 7 of Title 8 of the Code of Ordinances of the City of Conyers, Georgia, so as to amend Section 8-7-44 Village Design (VD) District by renaming said district from the Village Design (VD) District to the Gateway Village (GV) District; and providing additional criteria regarding accessory uses, building safety, landscaping, signs, and architectural requirements for buildings within the Gateway Village (GV) District for clarity purposes.** Council Member John Fountain presented Ordinance No. 881 to the Council and stated that the Conyers/Rockdale County Planning Commission conducted a public hearing on July 12, 2012, and recommended approval. Council Member Fountain made a motion to approve Ordinance No. 881 and waive the second reading. Council Member Cleveland Stroud seconded the motion.

Council Member Fountain asked Mayor Mills to open the public hearing.

Mayor Mills opened the public hearing at 7:25 p.m.

There was no one wishing to address the Council.

Mayor Mills closed the public hearing at 7:25 p.m.

Mayor Mills called for a vote of the Council. All members voted aye. Mayor Mills declared the motion carried.

3. **(1) Request approval of Ordinance No. 883 to amend Title 2, Chapter 5 of the Code of the City of Conyers to allow for the creation of the Office of Prosecuting Attorney of the City of Conyers Municipal Court; to set the jurisdiction of said prosecuting attorney; to set the qualifications of said prosecuting attorney; to set the term, appointment, oath and compensation of said prosecuting attorney; to provide an effective date; to repeal conflicting ordinances; and for other purposes.** City Manager Tony Lucas presented Ordinance No. 883 to the Council to allow for the creation of the Office of Prosecuting Attorney for Council's approval and to waive the second reading. Council Member Cleveland Stroud made a motion to approve Ordinance No. 883 and to waive the second reading. Council Member Gerald Hinesley seconded the motion. Mayor Mills called for a vote of the Council. All members voted aye. Mayor Mills declared the motion carried.

(2) Appointment of Michael S. Waldrop as the prosecuting attorney. Council Member Cleveland made a motion to appoint Michael S. Waldrop as the prosecuting attorney for the City of Conyers Municipal Court. Council Member Vince Evans seconded the motion. Mayor Mills called for a vote of the Council. All members voted aye. Mayor Mills declared the motion carried.

(3) Oath of Office. Mayor Mills administered the Oath of Office to Michael S. Waldrop.

4. **Request approval of Ordinance No. 884 to amend Title 5, Chapter 3 of the Code of the City of Conyers to allow for the adoption of cemetery rules and regulations for the City of Conyers cemetery and to allow for the adoption of a written form contract to be used for the sale of burial rights at said City cemetery; to provide an effective date; to repeal conflicting ordinances; and for other purposes.** Council Member Chris Bowen presented Ordinance No. 884 to the Council and made a motion to approve and waive the second reading. Council Member John Fountain seconded the motion. After discussion Mayor Mills called for a vote of the Council. All members voted aye. Mayor Mills declared the motion carried.

Committee Reports:

- Council Member Gerald Hinesley, Co-Chairman of the *Finance Oversight Committee* and Chairman of the *Transportation and Stormwater Committee*, had nothing to report.
- Council Member Chris Bowen, Chairman of the *GIHP, Cherokee Run, BHCNC, and Cemetery Committee* reported that new grass was already growing on the Cherokee Run golf greens. He also reported He also reported that rule and regulations, a contract, and burial rights had been prepared for the selling of lots in Eastview Cemetery.
- Council Member Cleveland Stroud, Chairman of the *Public Safety Committee*, stated that the Police Department is moving forward and making progress in the upcoming CALEA inspection.
- Council Member Vince Evans, Chairman of the *Economic Development Committee*, reported that the DDA has a signed lease for the front part of the Bumper-to-Bumper building for an accounting business and karaoke store. He also reported that the CRCA will present the Trailer Park musical; and that they have just finished the Art Smart Camp and Drama Camp.
- Council Member John Fountain, Chairman of the *Community Development Committee*, had nothing to report.

City Manager's Update – City Manager Tony Lucas addressed the Council and stated that he is very pleased with the progress on the “renovation” of the greens at Cherokee Run, and that they should be ready about the last week in August. He also reported that the horse shows recently held at the Horse Park were a huge success. He also stated that Director of the GHF Jennifer Bexley had submitted a memo commending Lonnie Abercrombie and Jim Cowan for their long hours and work in extreme hot temperatures.

Executive Session – City Manager Tony Lucas stated there was a need for an executive session to include the City Manager Tony Lucas, City Attorney Mike Waldrop, Police Chief Gene Wilson and Chief Operating Officer David Spann to discuss potential litigation.

There being no further business to come before the Council, the meeting was adjourned at 7:45 p.m.

Attest:



Patricia I. Smith, City Clerk



Randal S. Mills, Mayor

AFFIDAVIT RE: CLOSURE OF OPEN MEETING

[Pursuant to O.C.G.A. § 50-14-4(b)]

STATE OF GEORGIA
COUNTY OF ROCKDALE

Personally appeared before the undersigned officer, duly authorized under the laws of the State of Georgia to administer oaths, Randal S. Mills, who in his/her capacity as Mayor or Mayor Pro Tem, the person presiding over a meeting of the City Council of the City (the "City Council") of Conyers, Georgia (the "City"), and after being first duly sworn, certifies under oath and states to the best of his/her knowledge and belief the following:

At its meeting held on July 18, 2012, the City Council voted to recess into executive session and closed all or a portion of its meeting to the public. The legal exceptions applicable to those exempt matters addressed during such closed meeting are as follows:

(Check or initial as appropriate)

- Staff meetings held for investigative purposes under duties or responsibilities imposed by law [O.C.G.A. § 50-14-3(1)]
- Discussing the future acquisition of real estate [O.C.G.A. § 50-14-3(4)]
- Discussing or deliberating upon the appointment, employment, compensation, hiring, disciplinary action, dismissal, periodic evaluation or rating of a public officer or employee of the City [O.C.G.A. § 50-14-3(6)]
- Privileged consultation with legal counsel pertaining to pending or potential litigation, settlements, claims, administrative proceedings or settlements [O.C.G.A. § 50-14-2] *include City Mgr, Chief Wilson, and City Attorney and David Spann*
- Tax matters made confidential by state law [O.C.G.A. § 50-14-2]
- Inspection of physical facilities under the jurisdiction of the City [O.C.G.A. § 50-14-1(a)(2)]
- Meeting with a governing body, officer, agent or employee of another agency at a location outside the geographical jurisdiction of the City or such other agency and at which not final action is taken [O.C.G.A. § 50-14-1(a)(2)]
- Other: _____

I hereby certify that the subject matter of the meeting or the closed portion thereof was devoted to matters of official business or policy within the exceptions provided by law as set forth above.

Randal S. Mills
Mayor or Mayor Pro Tem

Sworn to and subscribed before me this
18th day of July, 2012.

Patricia I. Smith
Notary Public



Date Commission Expires _____