

**CITY OF CHAMBLEE, GA**  
**MINUTES OF CITY COUNCIL MEETING**  
**August 17, 2010 – 7:30 p.m.**

Mayor Eric Clarkson called the meeting to order at 7:30 p.m.

Councilmembers present were: Mr. Tom Hogan, Ms. Leslie Robson, Mr. Scott Taylor, Mr. Mark Wedge, and Mr. Dan Zanger.

**STAFF ITEMS:**

**City Clerk:**

- 1) **Approval of Minutes – July 7, 2010 – Special Called Meeting** - Mr. Wedge made a motion to approve the minutes of the Special Called Meeting held on June 7, 2010, as amended. Ms. Robson seconded the motion. The motion passed unanimously.
- 2) **Approval of Minutes – July 15, 2010 – Public Hearing and Work Session** - Mr. Hogan made a motion to approve the minutes of the Public Hearing and Work Session held on July 15, 2010, as submitted. Mr. Taylor seconded the motion. The motion passed unanimously.
- 3) **Approval of Minutes – July 20, 2010 – Regular Council Meeting** – Mr. Hogan made a motion to approve the minutes of the meeting held on July 20, 2010, as amended. Ms. Robson seconded the motion. The motion passed unanimously.

**City Manager:**

- 1) **Approval to re-classify City Clerk from Pay Grade 28 back to Pay Grade 32** - Mr. Taylor made a motion to change the City Clerk pay grade from Grade 28 back to Grade of 33. Ms. Robson seconded the motion. The motion passed with Mr. Wedge opposing.
- 2) **Discuss Retiree Life Insurance Status** - Mr. Hogan made a motion to postpone this item until September. Mr. Wedge seconded the motion. The motion passed unanimously.
- 3) **GMA Approval of Defined Contribution Retirement Plan** - Mr. Hogan made a motion to adopt the following Defined Contribution Retirement Plan documents:
  1. Resolution and Adoption Agreement for the Georgia Municipal Association 401(a) "Defied Contribution Plan; and
  2. Amendment 1 to the GMA 401 (a) Defined Contribution Plan Adoption Agreement

Mr. Zanger seconded the motion. The motion passed unanimously.

Mr. Wedge made a motion to adopt the following Defined Benefit Retirement Plan documents:

1. General Addendum to the Georgia Municipal Employees' Benefit System, Defined Benefit Retirement Plan Adoption Agreement;
2. DB-DC Plan Election Notice to Employees; and
3. DB-DC Employee Election Form

Ms. Robson seconded the motion. The motion passed unanimously.

**4) Personnel – City Manager’s Weekly Report** - The Council heard testimony concerning an employee complaint at the work session held on August 12, 2010. Mr. Wedge made a motion to support the City Manager 100%, as no evidence of wrong doing was found, and to place copies of all documents concerning this matter in the complaining employee’s personnel file, as requested. Mr. Hogan seconded the motion. The motion passed unanimously.

**Development Director:**

**1) Variance Requests – Stephen Tyde – 3673-3689 School St (5 lots, 7 variances)** – A public hearing for several variance requests was held on August 12, 2010. The requests were as follows:

- A. 3689 School Street - To allow house to project more than three feet beyond the front door threshold – (Section 512)
- B. 3685 School Street - To allow house to project more than three feet beyond the front door threshold – (Section 512)
- C. 3685 School Street – To move the threshold from its original location (elevation and setback) – (Section 512)
- D. 3681 School Street - To allow house to project more than three feet beyond the front door threshold – (Section 512)
- E. 3681 School Street – To move the threshold from its original location (elevation and setback) – (Section 512)
- F. 3677 School Street - To allow house to project more than three feet beyond the front door threshold – (Section 512)
- G. 3673 School Street - To allow house to project more than three feet beyond the front door threshold – (Section 512)

Mr. Zanger made a motion to approve the above listed variance requests with the following conditions:

1. No elevation shall exceed eight feet from the threshold.
2. An eight foot covered porch shall be provided on any home that does not have at least 1 additional elevation between the threshold and the garage.;  
and
3. New sidewalks shall be installed in the front of each lot.

Mr. Hogan seconded the motion. The motion passed unanimously.

- 2) Approval to work in the Right-of-Way - Pure Taqueria – 5000 Peachtree Blvd -** Mr. Wedge made a motion to authorize work in the City's right-of-way at 5000 Peachtree Blvd, with the condition the City's streetscape requirements are met and grass shall be planted in the front. Mr. Taylor seconded the motion. Mr. Hogan suggested a friendly amendment to the motion and to require a right-turn only from the property.

Mr. Wedge accepted Mr. Hogan's suggestion and restated his motion to: authorize work in the City's right of way at 5000 Peachtree Blvd, with the following conditions:

1. The City's typical streetscape requirements will be met;
2. Grass will be planted in front of the property; and
3. Vehicles will only be allowed to turn right into and out of the property.

Mr. Taylor seconded the restated motion. The motion carried unanimously.

- 3) Approval to work in the Right-of-Way - S & S Bottle Shop – 4865 Peachtree Blvd -** Mr. Wedge made a motion to approve work in the right-of-way at 4865 Peachtree Blvd with the following conditions:

1. The City's typical streetscape requirements will be met; and
2. Grass will be planted in front of the property

Mr. Taylor seconded the motion. The motion passed unanimously.

- 4) Completion of City Streetscape along the southeastern side of Peachtree Blvd from Chamblee Tucker Road to Pierce Drive -** Mr. Hogan made motion to approve the completion of the City streetscape along the southeastern side of Peachtree Blvd, with a cost not to exceed \$275,000. Mr. Zanger seconded the motion. Mr. Hogan rescinded his motion and Mr. Zanger agreed. Mr. Hogan made a motion to post pone this item until September and to instruct staff to re-submit a plan that included acorn lights. Mr. Zanger seconded the motion. The motion passed unanimously.

- 5) **Consider Lights Off Policy for the City. \*City Manager, Blinds for City Hall.** - Mr. Wedge made a motion to approve the Lights Off Policy as submitted. Ms. Robson seconded the motion. The motion passed unanimously. Ms. Robson made a motion to approve the purchase of blinds for City Hall for an amount not to exceed \$800. Mr. Wedge seconded the motion. The motion passed unanimously.
- 6) **Discussion or Direction of work by Aaron Fortner and Robert Zoeckler** - Mr. Hogan made a motion to post pone this item until September. Mr. Zanger seconded the motion. The motion passed unanimously.

#### **Chief of Police:**

- 1) **Door-to-Door Sales Ordinance** - Mr. Hogan made a motion to post pone this item until September. Mr. Zanger seconded the motion. The motion passed unanimously
- 2) **Zoning Ordinance – Prohibition of Vehicles for Sale** - Mr. Hogan made a motion to direct staff, particularly the Police Department, not to enforce the provision in section 611 of the Zoning Ordinance prohibiting the display of vehicles for sale; and future, to direct staff to have the provision removed from the zoning ordinance in conjunction with the next required amendment to the zoning ordinance. Mr. Zanger seconded the motion. The motion passed unanimously.
- 3) **Pay Increase for Police Officer** - Mr. Taylor made a motion to authorize Chief Johnson to raise Officer Gerald Thompson's salary 6% above his current rate. Mr. Wedge seconded the motion. The motion passed unanimously.

#### **Parks and Recreation:**

- 1) **Field or Facility Dedication Policy** - Mr. Hogan made a motion to direct staff to research policies for field and facility dedications. Ms. Robson seconded the motion. The motion passed with Mr. Wedge opposing.

#### **CITY ATTORNEY ITEMS:**

- 1) **Legal Update on Proposed Annexation** - Mr. Fowler, the City Attorney, presented the Mayor and City Council with a brief update about the upcoming annexation process. He explained the requirements of the U.S. Department of Justice and discussed requirements for zoning.

- 2) **First Read for Zoning Ordinance Amendment, Seasonal Activities Permits and Temporary Outdoor Sales** - Mr. Fowler presented the first read for a zoning ordinance amendment concerning Seasonal Activities Permits and Temporary Outdoor Sales. A public hearing on this matter will be held in September.

**MAYOR AND CITY COUNCIL ITEMS:**

**Council Member Leslie Robson:**

- 1) **Festoons and Balloons** - Ms. Robson made a motion to postpone discussion of this item until next month. Mr. Zanger seconded the motion. The motion passed unanimously.

**CITIZEN COMMENTS:**

Ms. Jessica Weston, Sales Manager for 5300 Lofts, asked the Council to consider a change to the sign ordinance to allow signs to be placed on the sidewalk.

Councilman Hogan complimented the Mayor on his job presiding over the City Council meetings and also shared his thoughts about parliamentary procedures and rules of order.

Councilmember Wedge left the meeting.

Mr. Zanger made a motion to adjourn the meeting. Ms. Robson seconded the motion. The motion passed unanimously and the meeting adjourned at 8:11 p. m.

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Nancy Williams, City Clerk

Attest: \_\_\_\_\_  
Eric Clarkson, Mayor