

**CITY OF CHAMBLEE, GA
MINUTES OF CITY COUNCIL MEETING
REGULAR SESSION
DECEMBER 15, 2009 – 7:30 p.m.**

The regular monthly meeting of the Chamblee City Council was called to order by Mayor Eric Clarkson on Tuesday, December 15, 2009, at 7:30 p.m.

City Council Members present were: Mr. Tom Hogan, Mrs. Leslie Robson, Mr. Scott Taylor, Mr. Mark Wedge, and Mr. Dan Zanger

STAFF ACTION ITEMS:

City Clerk:

- 1) Approval of Minutes - November 12, 2009 - Public Hearing/Work Session
November 17, 2009 - Regular Council Meeting**

A motion to approve the minutes from the November 12, 2009, Public Hearing/Work Session and the minutes from the November 17, 2009, Regular Council Meeting (as amended on Thursday's workshop and resubmitted) was made by Mr. Hogan. The motion was seconded by Mr. Zanger and passed unanimously.

City Manager:

- 1) Resolution to Appoint Municipal Elections Superintendent**

A motion to appoint Mrs. Nancy Williams as the Municipal Elections Superintendent was made by Mr. Hogan. The motion was seconded by Mr. Taylor and passed unanimously.

- 2) Appointment of Pension Committee Secretary**

A motion to appoint Mrs. Nancy Williams, as the Pension Committee Secretary was made by Mr. Hogan. The motion was seconded by Mr. Zanger and passed unanimously.

- 3) July 4, 2010**

A motion to celebrate Independence Day on Saturday, July 3, 2010 in the City of Chamblee was made by Mr. Hogan. The motion was seconded by Mr. Zanger and passed unanimously.

Development Director:

- 1) Variance Request – Mr. William D’Onofrio - 5030 Buford Highway**

A public hearing was held previously on December 10, 2009, to consider a request by Mr. William D’Onofrio for a variance to Section 908.D.3 of the Zoning Ordinance to allow a loading space to face a public street at 5030 Buford Highway.

A motion to deny the request for the variance was made by Mr. Taylor, as recommended by the City Planner. The motion was seconded by Mr. Wedge and passed with Mr. Hogan abstaining from the vote.

2) Variance Request – Mr. William D’Onofrio - 5030 Buford Highway

A public hearing was held previously on December 10, 2009, to consider a request by Mr. William D’Onofrio for a variance to Chapter 94 Section 1202 F of the Zoning Ordinance to allow two (2) curb cuts on one street frontage.

A motion to deny the request for the variance was made by Mr. Taylor, as recommended by the City Planner. The motion was seconded by Mr. Wedge and passed unanimously.

3) Appeal – Goodwill of North Georgia - 5347-5373 Peachtree Blvd.

At the workshop held on December 10, 2009, Ms. Laurel David, from Dillard and Galloway, LLC, presented an appeal to the City Council. She requested the Council to overturn the City Manager’s decision that the proposed development of the 5 remaining acres of the Planned Unit Development (PUD) located on Peachtree Blvd. was more than a minor change to the original approved PUD.

Mr. Hogan moved to grant the appeal and declare that the proposed development of the 5 remaining acres located on Peachtree Blvd. was a minor change to the original approved plan. The motion was seconded by Mrs. Robson. Mr. Wedge stated for the record that he disagreed and believed the proposed development was more than a minor change to the approved plan. The motion passed with Mr. Zanger and Mr. Wedge voting in opposition.

Finance Director:

1) Resolution to Adopt Budget for Fiscal Year 2010

A motion was made by Mr. Taylor to approve the Resolution to Adopt the Budget for the Fiscal Year 2010. The motion was seconded by Mr. Wedge and passed unanimously.

Police Chief

1) Consider Fee Increase for Taxi Driver Permits

A motion was made by Mr. Wedge to raise the fee for Taxi Driver Permits to \$100, as recommended by the Police Chief. The motion was seconded by Mr. Taylor and passed unanimously.

2) Consider Supplemental Compensation for Judges and Solicitor for Three (3) Additional Court Sessions that were added in December

A motion was made by Mr. Wedge and seconded by Mr. Taylor to approve the Police Chief's recommendation that the judges and solicitor should receive additional compensation for the additional court sessions that have been added and to transfer \$5,633.10 from the Police Department's Salary line item to the Court Budget. \$1,000 will be applied to the Interpreters Fees line item and the remaining \$4,633.10 will be applied to the Judges Salaries and distributed as follows: Judge Werbin - \$1,187.19, Judge Duncan - \$1,484.00, Judge Gunn \$807.00, and Solicitor Gary Vey - \$1,154.91. The motion passed unanimously.

MAYOR AND/OR COUNCIL MEMBER DISCUSSION:

Council Member Wedge

1) City Alcohol Ordinance – The Dog House

Mr. Wedge asked that this item be withdrawn from the agenda.

Mr. Hogan moved to instruct staff to work with the applicant and provide further information at the next work session. The motion died from a lack of a second.

Mr. Taylor moved to remove this item from the agenda. Mr. Wedge seconded the motion. The motion passed with Mr. Hogan voting in opposition.

Council Member Hogan

1) Parallel Parking – Peachtree Road, south of Pierce Drive and north of Malone

Mr. Hogan moved to defer this item until the January work session and to direct staff to provide comprehensive information to allow the City Council to make a decision concerning parallel parking on Peachtree Road. Mr. Taylor seconded the motion. The motion was passed with Mr. Wedge voting in opposition.

CITIZEN COMMENTS:

Mr. Jim Hanson, 5300 Peachtree Road, said he didn't understand why the Doghouse could not sell alcoholic beverages. He felt the restaurant was similar to a pizza restaurant.

ADJOURN:

A motion was made by Mr. Wedge to adjourn the meeting. Mr. Zanger seconded the motion. The motion passed unanimously and the meeting adjourned at 7:55 p.m.

Nancy Williams, City Clerk

Attest: _____
Eric Clarkson, Mayor