

**CITY OF CHAMBLEE, GA.
MINUTES
REGULAR COUNCIL MEETING
APRIL 21, 2009 7:30 P.M.**

PRESENT: Mayor Clarkson, Council members Taylor, Robson, Hogan, and Zanger

Call to Order: The meeting was called to order at 7:30 p.m. by Mayor Clarkson who announced that Councilmember Wedge was absent due to illness.

City Manager – ICMA Recognition: Jim Gleason, City Manager, presented the Mayor and Council with a certificate from the International City/County Management Association (copy included with minutes). This recognition is formal acknowledgement that the City has established a position of professional management for its appointed executive.

Approval of Minutes from March meetings: Motion to approve the minutes from the March 12, 2009 work session and the March 17, 2009 regular council meeting was made by Councilmember Robson, seconded by Councilmember Zanger, and carried unanimously.

Approval of 1st Quarter 2009 trial balance and LGIP report: Motion to approve the reports as submitted (copy included with minutes) was made by Councilmember Zanger, seconded by Councilmember Robson. After a brief discussion where the City Manager clarified that the account receivable due from the car rental tax fund should be considered as reserved within the general fund surplus, the motion carried unanimously.

Request to set dates for Public Hearings on final millage rate: Motion to set hearing dates as Tuesday, May, 12, 2009 at 6:00 p.m. and Thursday, May 14, 2009 at 11:30 a.m. and 6:00 p.m. was made by Councilmember Robson, seconded by Councilmember Zanger, and, after some discussion, carried unanimously.

Request for Variance – Adrenaline Fitness – 5251 Peachtree Blvd: Councilmember Hogan made a motion to table action on the variance application until May for the owner to work with staff on a landscaping plan. Motion was seconded by Councilmember Taylor. After some discussion, Councilmember Taylor made a substitute motion to table action on the variance application until May for the Council to review the recent information which was provided by staff after the work session. Substitute motion was seconded by Councilmember Robson, and, after some discussion regarding the set-back required on the Malone Drive side of the property, substitute motion carried unanimously. Mayor Clarkson then asked for a vote on the original motion by Councilmember Hogan; that motion was defeated with all members opposed.

Request for amendment to City Engineer fees: Motion to approve as submitted by the Development Director and Pond (copy included with minutes) was made by Councilmember Robson, seconded by Councilmember Zanger, and carried unanimously.

**CITY OF CHAMBLEE, GA.
MINUTES (page 2)
REGULAR COUNCIL MEETING
APRIL 21, 2009 7:30 P.M.**

Request for approval of resolution to extend Service Delivery Strategy Agreements with DeKalb County: Motion to approve as submitted by the City Manager (copy included with minutes) was made by Councilmember Taylor, seconded by Councilmember Robson, and carried unanimously.

Report regarding farmers markets and/or special events as Accessory Uses: Councilmember Hogan made a motion to table action on this item until the May work session and direct staff to research area ordinances and report at that time. Motion was seconded by Councilmember Taylor, and, after some discussion, carried unanimously.

Date for the opening ceremony and naming of the Keswick multi-use trail: Councilmember Zanger made a motion to have the ceremony on June 13, 2009 at 3:00 p.m. and approve the guest list as submitted by the Parks and Recreation Director. Motion was seconded by Councilmember Taylor. During discussion, it was decided that suggested names would be requested from the public via the City's May newsletter and those names will be brought to the Council at the May work session to make a final decision so that a draft dedication plaque can be approved prior to 5/22/09. Motion was carried unanimously.

Financial Transparency policy: Councilmember Hogan made a motion to set a policy requiring the City Manager to post the City's audited financial statements and quarterly financial reports to a conspicuous place on the City's web site within 30 days after approval by the City Council. Motion was seconded by Councilmember Robson, and, after discussion, motion carried unanimously.

Economic Development: Councilmember Hogan made a motion to direct the staff to research methods for formulating an economic development plan for the City and to present a strategy to the Council in June or July. Motion was seconded by Councilmember Zanger, and, after discussion, motion carried unanimously.

New and Used Car Sales: The City Manager reported that he would have code enforcement handle the issue addressed at work session with no action necessary from the Council.

**CITY OF CHAMBLEE, GA.
MINUTES (page 3)
REGULAR COUNCIL MEETING
APRIL 21, 2009 7:30 P.M.**

Streetscape Typical: Councilmember Taylor made a motion to direct staff to give an update to the Council at the May work session on the current approved guidelines for typical streetscape designs. Motion was seconded by Councilmember Zanger. Councilmember Hogan offered a friendly amendment that the update is to include any recommended changes to the current guidelines. The friendly amendment was accepted by Councilmember Taylor with second by Councilmember Zanger and motion with amendment carried unanimously.

Authority required make changes in or to the city right-of-ways: Councilmember Taylor made a motion to direct staff that no contractors, other than utility companies with approved franchise agreements, are allowed to do work within the City right-of-ways without plans being submitted to and approved by the City Council. Motion was seconded by Councilmember Hogan, and carried unanimously.

New Miller Street Sidewalk, Parking and Landscaping : City Manager, Jim Gleason, has distributed a drawing from the developer and a memo from Pond outlining the modifications that will be made to make the streetscape conform better with the other developments on Miller Drive.

Pedestrians crossing Peachtree Road: Councilmember Taylor made a motion to approve the project as submitted on the staff report with an amount not to exceed \$8,000 from existing expense allotments. Motion was seconded by Councilmember Hogan, and, after some discussion, carried with Councilmembers Taylor, Hogan and Robson voting in favor; Councilmember Zanger opposed.

Second Reading of Ordinance for Adoption: The City Attorney read the ordinance for a Charter Amendment to delete Permits and Inspections Director (as a department head position). Motion to adopt ordinance was made by Councilmember Taylor, seconded by Councilmember Hogan, and carried unanimously.

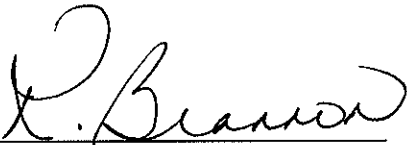
Report on proposed revisions to sign ordinance: Both the City Attorney and the City Planner (Michelle Alexander with Pond) have given written reports to the Council. Councilmember Hogan made a motion to table action on the sign ordinance until May for the Council to review the reports. Motion was seconded by Councilmember Robson, and carried unanimously.

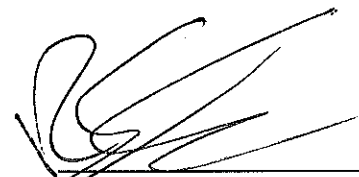
Citizen Comment: Jim Hanson thanked the Council for approving the crosswalk project and voiced his support for burying utility lines. Jacob McLendon asked who to contact regarding his variance application postponement.

**CITY OF CHAMBLEE, GA.
MINUTES (page 4)
REGULAR COUNCIL MEETING
APRIL 21, 2009 7:30 P.M.**

Executive Session: Motion to suspend rules to add executive session to the agenda was made by Councilmember Taylor, seconded by Councilmember Hogan, and carried unanimously. Motion to adjourn to executive session at 8:28 p.m. to discuss personnel matter was made by Councilmember Robson, seconded by Councilmember Hogan, and carried unanimously. The executive session was adjourned by unanimous consent at 8:59 p.m.

Meeting Adjourned: Motion to adjourn council meeting at 9:00 p.m. was made by Councilmember Robson, seconded by Councilmember Taylor and carried unanimously.


Kathy Brannon – City Clerk


R. Eric Clarkson - Mayor

AFFIDAVIT PURSUANT TO OCGA § 50-14-4(b)

STATE OF GEORGIA

COUNTY OF DEKALB

Personally appeared before the undersigned attesting officer, duly authorized to administer oaths, R. Eric Clarkson, who, after being duly sworn, deposes and on oath states the following:

(1) I was the presiding officer of a meeting of the Chamblee City Council held on the 21st day of April, 2009

(2) That is my understanding that OCGA § 50-14-4(b) provides as follows:

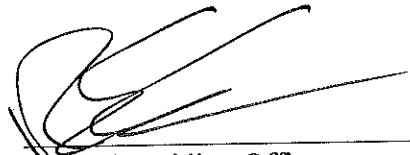
When any meeting of an agency is closed to the public pursuant to subsection (a) of this Code section, the chairperson or other person presiding over such meeting shall execute and file with the official minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting or the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception.

(3) The subject matter of the closed meeting or closed portion of the meeting held on the 21st day of April, 2009, which was closed for the purpose(s) of discussion of personnel matter

as allowed by OCGA, Title 50, Chapter 14, was devoted to matters within those exceptions and as provided by law.

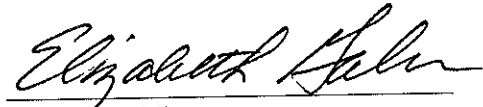
(4) This affidavit is being executed for the purpose of complying with the mandate of OCGA § 50-14-4(b) that such an affidavit be executed.

This 29th day of April, 2009.



Mayor/Presiding Officer

Sworn to and subscribed before me
this 6th day of MAY, 2009



Notary Public

OCT 9, 2011
Commission Expiration:



NOTE: Because violation of the Open Meetings Act may be grounds for recall from office, if there is the slightest doubt, or any question whatsoever, as to whether a matter can be the subject of a closed meeting, DO NOT CLOSE.

TYPES OF MEETINGS COMMON TO MUNICIPALITIES WHICH MAY BE CLOSED

1. Staff meetings held for investigative purposes, under duties or responsibilities imposed by law, may be closed. OCGA § 50-14-3(1).
2. Meetings where any agency is discussing future acquisition of real estate may be closed. However, notice that such meeting is taking place must be given and minutes taken. When the deal is either completed or abandoned, those minutes must be disclosed. OCGA § 50-14-3(4).
3. Meetings when discussing employment, periodic evaluations or disciplinary actions regarding a public officer or employee may be closed. However, the presentation of evidence or argument in disciplinary cases must be open. And the vote on any such matter must occur at an open meeting. OCGA § 50-14-3(6).