

**CITY OF CHAMBLEE, GA.
MINUTES
PUBLIC HEARINGS AND WORK SESSION
AUGUST 13, 2009**

PRESENT: Mayor Clarkson, Council Members Wedge, Robson, Hogan, Zanger and Taylor

Public Hearings called to order: Mayor Clarkson called the public hearings to order at 6:08 p.m.

Public Hearing: proposed amendments to zoning ordinance: Mayor Clarkson read the rules of order for the public hearing and identified an application for zoning variances by Teresa Torres of JP Morgan Chase at 1841 Chamblee Tucker Road to allow an insignia to be larger than the sign's lettering not in conformance with Article II, Section 208 of the zoning ordinance.

To allow insignia larger than the sign's lettering: At the direction of Mayor Clarkson, City Planner, Michelle Alexander with Pond and Company, read and entered into the record, the planner's opinion recommending approval on the variance application. The Mayor then asked for those wishing to speak in favor of the variance request to come to the microphone. Laura Levine representing J.P. Morgan/Chase spoke in favor. The Mayor then asked for those wishing to speak in opposition to the variance request to come to the microphone. No one spoke in opposition to the variance requests. The Mayor then gave the City Council the opportunity to ask questions of staff or the applicant. There were no questions or discussion by the Council.

Public Hearing: proposed amendments to zoning ordinance: Mayor Clarkson identified an application for zoning variances by Kiet Changivy at 4102 Clairmont Road to allow a reduction in the rear buffer not in conformance with Article X, Section 1102 of the zoning ordinance.

To allow a reduction in the rear buffer: At the direction of Mayor Clarkson, City Planner, Michelle Alexander with Pond and Company, read and entered into the record, the planner's opinion recommending denial of the variance application. The Mayor then asked for those wishing to speak in favor of the variance request to come to the microphone. Jeff Westall, Westall Architects Inc., representing the owner spoke in favor of the variance. He proposed building a 6 to 8 foot masonry wall to replace the required 30 foot rear buffer stating it would reduce unsightliness and noise.

The Mayor then asked for those wishing to speak in opposition to the variance request to come to the microphone. Mrs. Kay Shaheed, owner of the residence at 1920 Ham Drive immediately behind the proposed restaurant, opposed the variance expressing concerns about noise, sanitation and unsightliness. The Mayor then asked if the Council wished to hear further public input. A **motion to extend public input by 5 minutes** was made by Councilmember Wedge, seconded by Councilmember Hogan, and **carried** unanimously.

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Public Hearing – (con't.)

The Mayor asked individuals wishing to speak in favor of the variance request to come to the microphone. Several Chamblee citizens came forward and voiced their support for the restaurant and allowing the variance.

The Mayor then asked for those wishing to speak in opposition to the variance request to come to the microphone. No opponent came forward. The Mayor made note of an email received by the Development Director from Betty Kirkland and her mother at 4124 Clairmont Road. Ms. Kirkland also opposed the variance.

The Mayor then gave the City Council the opportunity to ask questions of staff or the applicant. After questions and discussion by the Council, the Mayor moved to the next item.

Public Hearing: proposed amendments to zoning ordinance: Mayor Clarkson identified an application for zoning variances by Kiet Changivy at 4102 Clairmont Road to allow a reduction in parking not in conformance with Article XII, Section 1203 F 22. of the zoning ordinance.

To allow a reduction in required parking: At the direction of Mayor Clarkson, City Planner, Michelle Alexander with Pond and Company, read and entered into the record, the planner's opinion recommending approval with conditions on the variance application. The Mayor then asked for those wishing to speak in favor of the variance request to come to the microphone. Claire Allen with Westall Architects, Inc. representing the owner spoke in favor of the requested variance. Several other City residents also spoke in favor of the variance and the restaurant.

The Mayor then asked for those wishing to speak in opposition to the variance request to come to the microphone. James Balban, Mrs. Shaheed's brother, spoke in opposition of the variance based on limited space and quality of life issues. Mr. Balban suggested a better location should be found.

The Mayor then gave the City Council the opportunity to ask questions of staff or the applicant. There were questions, some discussion, and statements by Council members. There being no further comments or questions, **motion to adjourn the public hearings** was made by Councilmember Robson, seconded by Councilmember Taylor, and **carried** unanimously.

Work Session called to order: The work session was called to order at 7:40 p.m. by Mayor Clarkson.

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Taste of Chamblee Update: Councilmember Hogan asked to suspend the rules to add a brief presentation reference an update on the Taste of Chamblee. **Motion to add a presentation as an immediate item to the work session agenda** was made by Councilmember Hogan, seconded by Councilmember Robson. Motion **carried** with Councilmembers Hogan, Robson, Taylor, and Zanger voting in favor; Councilmember Wedge opposed.

Bill Watson, JRM Management, provided a presentation updating last months report on the Taste of Chamblee including an update on committed participants, sponsors and advertising. Letters will go out to residents and business owners affected by the event tomorrow. Vintage will assist with vendor parking. Volunteers are being sought for the event. There was discussion by the Council. Item will not move to the regular agenda for action.

Staff Action Items for Regular Meeting 8-18-09:

City Clerk:

6A-1. Approval of Minutes from July meetings: There was no discussion on this item at the work session. Item will move to the regular agenda for action.

Development Director:

6B-1. Request for variances – Chase-WaMu Conversion – 1841 Chamblee Tucker Road. There was no further discussion. Item will move to regular agenda for action.

6B-2. Request for variance – Au-Rendez-vous Restaurant – 4102 Clairmont Road. There was no further discussion. Item will move to regular agenda for action.

6B-3. Request for variance – Au-Rendez-vous Restaurant – 4102 Clairmont Road. There was no further discussion. Item will move to regular agenda for action.

Chief of Police:

6C-1. Request for approval of Police Department Reorganization Proposal. The Police Chief presented his plan to reorganize the Police Department by deleting the position of Assistant Police Chief and adding/replacing that position with the position of Police Captain. This will result in salary savings. Position moved from Grade 32 to Grade 28. A revised job description was included. After discussion by Council, the item was moved to the regular agenda for action.

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Staff Discussion Items:

Development Director

7A-1. Discussion draft ordinance for Shooting Ranges as a Permitted Use: The Development Director presented the ordinance as developed and revised by the City Attorney and staff. After discussion by the Council regarding the City's authority versus the State's authority to regulate firearms as well as safety and noise concerns, the revised ordinance will move to the regular meeting agenda for First Reading.

7A-2. Discussion draft ordinance for Farmer's Market and/or Special Events: The Development Director presented the ordinance as developed and revised by the City planner and staff. Oscar Sinisderra, who manages the Flea Market on Bufford Highway, discussed how that business would appreciate the opportunity to be designated as the Chamblee Farmer's Market event location. After discussion of revisions by Council, the revised ordinance was moved to the regular meeting agenda for First Reading.

Police Chief:

7B-1. Discussion Community Service Pros and Cons: The Police Chief discussed the pros and cons of allowing individuals convicted in the City's Municipal Court to provide Community Service in lieu of paying fines or incarceration. The Parks and Recreation and Public Works Department thought there may be an opportunity for Community Service in their work areas. The item was moved to the agenda for further discussion during the regular meeting.

Finance Consultant:

7C-1. Revision and update June 30, 2009 Financial Statement Quarterly Report: The City Manager reported the Finance consultant had found some additional funding while reviewing past journal entries and department directors had suggested cuts to their budgets that may defer furloughs. Property taxes were beginning to be sent to the City by the County. He and the Finance consultant are reviewing the budget weekly to insure that expenditures do not exceed revenues and steps will be made to insure a balanced annual budget. He also advised that using funds from the TAN had not been necessary to date.

City Attorney:

8-1. Reading of Ordinance to Amend the Sign Ordinance - Second Reading

8-2. Reading of Ordinance to Amend the City Charter to add position of Finance Director
- Second Reading

There was no discussion on City Attorney items at work session.

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Citizen Comment:

The Mayor thanked staff for preparing agenda and reports using two-sided copies.

Executive Session Pursuant to OCGA § 50-14-4(b):

Councilmember Wedge made a **motion to convene into Executive Session at 8:50p.m.**, seconded by Councilmember Robson and **carried** unanimously.

Councilmember Taylor made a **motion to adjourn from Executive Session at 8:58 p.m.**, seconded by Councilmember Wedge and **carried** unanimously.

Meeting adjourned: The work session was adjourned by unanimous consent at 9:00 p.m.



Eric Clarkson – Mayor



Fran Diedrich – City Clerk