

CITY OF CHAMBLEE, GA
MINUTES OF PUBLIC HEARING AND REGULAR CITY COUNCIL MEETING
April 19, 2011

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 members present were: Mr. Marc Johnson, Acting City Manager/Police Chief; Mr. Tillman Hannon, Public Works Director; Mr. Joel Holmes, Director of Parks & Recreation; and Mrs. Nancy Williams, City Clerk.

PUBLIC HEARING:

Mayor Clarkston read the rules for conducting a public hearing and called the hearing to order.

1. Variance Request from the Acura Dealership located at 5700 Peachtree Blvd

Ms. Michelle Alexander, Pond and Company, read the staff's report which recommended approval with conditions. She explained there were two requests for variances to the City's Zoning Ordinance for the property located at 5700 Peachtree Road, currently known as the Acura Dealership.

The first request concerned redevelopment criteria listed in Section 504 of the Zoning Ordinance. The construction cost to renovate one building on the site was over 50% of the fair market value of the building but only 14% of the fair market value of the entire site. The current ordinance requires compliance with Sections 9, 11, and 12, (related to building form, relations to the street, fenestration, parking and streetscape, etc.) if the cost for improvement to a building is more than 50% of its value. The applicant asked to be relieved from complying with the improvements required in Section 504 and offered to provide a new sidewalk, lighting and landscaping along Peachtree Boulevard. Pond recommended approval of this variance request, with conditions.

The second request concerned building setback requirements listed in Section 1004 of the Zoning Ordinance. The ordinance required a rear yard setback of 20' from the bordering property line. The proposed construction would put the building 13.78' from the property line. Pond recommended approval of this variance request.

Mayor Clarkson asked to hear from those who wished to speak in favor of the variance. Hearing no comments, Mayor Clarkson asked to hear from those who wished to speak in opposition to the variance. Hearing no comments, Mayor Clarkson asked for a motion to adjourn the public hearing. Mr. Hogan made a motion to adjourn the public hearing. Mr. Zanger seconded the motion. The motion passed unanimously.

STAFF ITEMS:

City Clerk:

1. Approval of Minutes – March 10, 2011 – Public Hearing and Work Session - Mr. Zanger made a motion to approve the minutes of the Public Hearing and Work Session held on March 10, 2011, as submitted. Mr. Taylor seconded the motion. The motion passed unanimously.

2. Approval of Minutes – March 15, 2011 – Regular City Council Meeting - Ms. Robson made a motion to approve the minutes of the Regular City Council Meeting held on March 15, 2011, as submitted. Mr. Taylor seconded the motion. The motion passed unanimously.

City Manager:

1. Speed Limit Resolution to add Savoy Drive back to the list - Mr. Taylor made a motion to add Savoy Drive back to the list of streets on the list maintained in the office of the City Clerk. Mr. Zanger seconded the motion. The motion passed unanimously.

Ms. Robson made a motion to adopt the Speed Limit Resolution. Mr. Wedge seconded the motion. The motion passed unanimously.

2. RFP's for Marketing & Communication – Mr. Taylor made a motion to have the City Council hear proposals from the following three marketing firms:

- 1) The Zimmerman Agency
- 2) Gold Concepts
- 3) Robbie R. Gring

Mr. Hogan seconded the motion. Ms. Robson asked for a friendly amendment to Mr. Taylor's motion, to add Pivot Point Communications to the list. He declined. Ms. Robson made a motion to add Pivot Point Communications to the list. The motion died for lack of a second. Mayor Clarkson called for a vote on Mr. Taylor's motion. The motion passed with Ms. Robson voting in opposition.

3. Review of Quarterly Financial Statements – 4th Qtr 2010 & 1st Qtr 2011 - Mr. Wedge made a motion to approve the quarterly financial statements to be posted on the City's website. Ms. Robson seconded the motion. The motion passed unanimously.

4. Adoption of DeKalb County Multi-Jurisdictional Hazard Mitigation Plan - Mr. Taylor made a motion to adopt the Resolution for the DeKalb County Hazard Mitigation Plan. Mr. Zanger seconded the motion. The motion passed unanimously.

5. Shared Parking Agreement for 3514 Broad Street – Mr. Taylor made a motion to approve the shared parking agreement, as submitted with revisions made by the City Attorney. Ms. Robson seconded the motion. The motion passed unanimously.

Development Director:

1. Discussion and approval of streetscape for 3514 Broad Street – Mr. Taylor made a motion to grant a temporary Certificate of Occupancy for 3514 Broad Street, as it relates to the street scape only, to give the City Council time to discuss and create a Street Scape Bank. If the Council does not take action to require the owners of the property to participate in a Street Scape Bank within six months, the certificate of Occupancy will become permanent. Mr. Zanger seconded the motion. The motion passed unanimously.

2. Storm water Management Post-Development Maintenance Bonds – No action was taken.

3. Adoption of new Zoning Map which combines recently annexed area with original area - No action was taken.

4. Corrections to Soil & Erosion Control Ordinance – No action was taken.

5. Variance Request from the Acura Dealership located at 5700 Peachtree Blvd - Ms. Robson made a motion to approve a variance to section 1004 of the Zoning Ordinance for property located at 5700 Peachtree Boulevard, as requested. Mr. Taylor seconded the motion. The motion passed unanimously.

Mr. Robson made a motion to approve a variance to section 504 of the Zoning Ordinance for property located at 5700 Peachtree Boulevard, with the following conditions:

- 1) The applicant shall provide sidewalk, landscape and lighting improvements along Peachtree Boulevard in keeping with the streetscape typical and with plantings as allowed and approved by the Georgia Department of Transportation (GDOT) and demonstrated in the attached site plan.
- 2) The variance shall apply to this building permit only. Any future development requests will be considered based on a new calculation of construction costs to the value of all buildings on the site.

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

6. Update on current grants

a) **Peachtree Rod LCI/CDBG Grant** – No action taken.

b) **Peachtree Road Streetscape TE Grant** – Ms. Robson made a motion to approve a contract with Pond and Company, in an amount not to exceed \$3,500, to prepare a concept plan to determine the cost of completing the streetscape along Peachtree Road, pending approval from CSX Railroad. Mr. Zanger seconded the motion. The motion passed unanimously.

c) **GEFA Grant with City of Decatur** – Mr. Taylor made a motion to approve accepting the grant with funds to be used primary for replacing the air conditioning system at the Civic Center. Ms. Robson seconded the motion. The motion passed unanimously.

Public Works:

1. **Approval of Lease Agreement for Sanitation Truck** – Mr. Taylor made a motion to approve a lease agreement with GA Municipal Association for the purchase of a new 25-yard rear loader garbage truck in the amount of \$152,000 with payments to be spread over a 5-year period. Mr. Wedge seconded the motion. The motion passed unanimously.

Parks and Recreation:

1. **Parks and Recreation Program Update** – Mr. Holmes gave his presentation at the work session. No action was taken.

2. **Request to Purchase New Pickup Truck** – Ms. Robson made a motion to move \$16,147 from the Contingency Line Item to the Parks and Recreation Line item to purchase a 2011 Ford F-150 truck. Mr. Taylor seconded the motion. The motion passed unanimously.

City Attorney

1. **2nd Reading of Purchasing Policy Ordinance** - Mr. Fowler read the proposed amendment to the Purchasing Policy. Mr. Taylor made a motion to approve the ordinance as submitted. Mr. Wedge seconded the motion. The motion passed unanimously.

2. **1st Reading of Adoption of New Zoning Map** – Mr. Fowler read the proposed ordinance to adopt the new zoning map and pointed to the map on display for the public to view. A second reading of the ordinance will be held in May.

3. 1st Reading of Corrections to Soil & Erosion Control Ordinance - Mr. Fowler read the proposed amendment to the Soil and Erosion Control Ordinance. A second reading of the ordinance will be held in May.

4. 1st Reading of Changes to Storm Water Maintenance Bond Ordinance – Mr. Fowler read the proposed amendment to the Storm Water Maintenance Bond Ordinance. A second reading of the ordinance will be held in May.

Mayor and City Council Items.

Councilman Tom Hogan:

1. Human Cremation – No action was taken on this item.

Councilwoman Robson:

1. Establish design criteria for gravel driveways – Ms. Robson made a motion to instruct staff to come up with design criteria for driveways. Mr. Zanger seconded the motion. The motion passed unanimously.

Councilman Wedge:

1. Pay raise for the Interim City Manager/Chief of Police Marc Johnson for his performance and duty to the City of Chamblee – Mr. Wedge made a motion to raise Marc Johnson's salary to the maximum allowed on the Archer Payscale, effective July 1, 2011 and for his current salary as Interim City Manager to stay in place until then. Mr. Zanger seconded the motion. The motion passed unanimously.

Councilman Zanger:

1. Referendum for Sunday alcohol sales – Mr. Zanger made a motion to adopt a resolution calling for an election for the purpose of submitting the question of Sunday package sales by retailers of malt beverages, wine and distilled spirits to the electors of the City of Chamblee for approval or rejection. Mr. Taylor seconded the motion. The motion passed unanimously.

Citizen Comments:

Mr. Hogan announced the next meeting of the Chamblee Business Association will be Thursday at 7:45 a.m. He also said they need volunteers for the Taste of Chamblee event that will be held in August.

Mr. Zanger said there would be a Blood Drive at the Police Department this Thursday beginning at 7:00 a.m.

Mr. Taylor made a motion to adjourn the meeting. Mr. Wedge seconded the motion and the meeting adjourned at 8:32 p.m.

Nancy Williams, City Clerk

Attest: _____
Eric Clarkson, Mayor

