

CITY OF BROOKHAVEN
BROOKHAVEN CITY COUNCIL
FINAL MINUTES

August 22, 2017

Regular Meeting

7:00 PM

4362 Peachtree Road, Brookhaven, GA 30319

A) INVOCATION

B) CALL TO ORDER

Attendee Name	Title	Status	Arrived
Linley Jones	District 1	Present	
John Park	District 2	Present	
Bates Mattison	Mayor Pro Tem / District 3	Present	
Joe Gebbia	District 4	Present	
John Ernst	Mayor	Present	

C) PLEDGE OF ALLEGIANCE

D) RECOGNITION OF PET BY LIFELINE

E) MAYOR'S ANNOUNCEMENTS

1. Commendation in Recognition of Malena Shipley Soap Box Derby World Champ
2. City Attorney Chris Balch - Announced that the Performance Review of City Manager had taken place and the review would be placed in his Personnel File by the HR Director.

F) PUBLIC HEARINGS

1) Majestic Investment Corporation - Rezone the Subject Properties from R-100 (Single-Fami

Open Public Hearing and Background by City Manager and/or Staff

Applicant (Speakers have 10 minutes)

Opposition (Speakers have 10 minutes)

Fay Ann Sherris

Bill Gannon

Tom Reilly

Tom Daniel

Thad Ellett

Trishanda Treadwell

Support (Speakers have 10 minutes)

Rebuttal (Remaing Time)

Close Public Hearing

Rezoning Ordinance (ID # 2806): RZ17-04: Majestic Investment Corporation - Rezone the Subject Properties from R-100 (Single-Family) to R-A5 (Single-Family) to Allow 17 Townhomes - 1611, 1621, & 1659 Johnson Ferry Road - *Consideration of Vote After Public Hearing*

RESULT:	DENIED [UNANIMOUS]
MOVER:	Linley Jones, District 1
SECONDER:	John Park, District 2
AYES:	Jones, Park, Mattison, Gebbia

2) **ORD-2017-08-02 : TA17-13 an Ordinance to Amend Chapter 27 Zoning, Article VI Enforcement & Penalties, of the Code Of**

Open Public Hearing and Background by City Manager and/or Staff

Ordinance ORD-2017-08-02: TA17-13 an Ordinance to Amend Chapter 27 Zoning, Article VI Enforcement & Penalties, of the Code of the City of Brookhaven - *Consideration of Vote After Public Hearing*

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bates Mattison, Mayor Pro Tem / District 3
SECONDER:	Joe Gebbia, District 4
AYES:	Jones, Park, Mattison, Gebbia

3. **Ordinance ORD-2017-08-03:** TA17-14 an Ordinance to Amend Section 27-1410, Agriculture and Forestry, Chapter 27, of the Code of the City of Brookhaven - *Consideration of Vote After Public Hearing*

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Linley Jones, District 1
SECONDER:	John Park, District 2
AYES:	Jones, Park, Mattison, Gebbia

Open Public Hearing and Background by City Manager and/or Staff

4. **Ordinance ORD-2017-08-04:** TA17-15 an Ordinance to Amend Section 27-1408, Accessory Buildings, Structures, and Uses, Chapter 27, of the Code of the City of Brookhaven - *Consideration of Vote After Public Hearing*

RESULT: APPROVED [UNANIMOUS]
MOVER: Joe Gebbia, District 4
SECONDER: Bates Mattison, Mayor Pro Tem / District 3
AYES: Jones, Park, Mattison, Gebbia

Open Public Hearing and Background by City Manager and/or Staff

5. **Ordinance ORD-2017-08-05:** TA17-16 an Ordinance to Amend Section 27-1443 Places of Worship; Convents; Monasteries; Temporary Religious Meetings; General Requirements, Chapter 27, of the Code of the City of Brookhaven - *Consideration of Vote After Public Hearing*

RESULT: APPROVED [UNANIMOUS]
MOVER: John Park, District 2
SECONDER: Linley Jones, District 1
AYES: Jones, Park, Mattison, Gebbia

Open Public Hearing and Background by City Manager and/or Staff

G) APPOINTMENTS

1. Peachtree Creek Greenway Steering Committee Appointments

Motion to Appoint Sally Epstein to the Peachtree Creek Greenway Steering Committee

RESULT: APPROVED [UNANIMOUS]
MOVER: Joe Gebbia, District 4
SECONDER: Bates Mattison, Mayor Pro Tem / District 3
AYES: Jones, Park, Mattison, Gebbia

2. Alcoholic Beverage License and Appeal Board - No appointments.

H) AGENDA ANNOUNCEMENTS

1. Motion to Amend the Agenda to add Item #5 - Approval of Amendment to the City Manager's Contract to the Consent Agenda

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bates Mattison, Mayor Pro Tem / District 3
SECONDER:	Joe Gebbia, District 4
AYES:	Jones, Park, Mattison, Gebbia

I) PUBLIC COMMENT

1. Sean Gordon - Comfort Women Statue should not be placed in Blackburk Park

J) CONSENT AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bates Mattison, Mayor Pro Tem / District 3
SECONDER:	John Park, District 2
AYES:	Jones, Park, Mattison, Gebbia

1. Approval of August 8, 2017 Brookhaven City Council Regular Meeting Minutes
2. Approval of August 8, 2017 Brookhaven City Council Work Session Meeting Minutes
3. Consideration and Approval of Community Garden Policy
4. Consideration of Approval of Title VI Procedures and Agreement Between City of Brookhaven and Georgia Department of Transportation and Designation of Title VI Specialist (HR Director, Rick Stone)
5. Motion to Approve City Manager's Contract

K) ANNOUNCEMENTS**L) REPORTS AND PRESENTATIONS****M) OLD BUSINESS****N) NEW BUSINESS**

1. **Ordinance ORD-2017-08-06:** Consideration and Approval of TA17-11 an Ordinance to Amend Chapter 7, Buildings & Construction, of the Code of the City of Brookhaven - *Public Comment for Ordinance - Action Item*

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Joe Gebbia, District 4
SECONDER:	Bates Mattison, Mayor Pro Tem / District 3
AYES:	Jones, Park, Mattison, Gebbia

Terrell Carstens

2. **Ordinance ORD-2017-08-07:** Consideration and Approval of TA17-12 an Ordinance to Amend Chapter 14, Land Development & Subdivisions, of the Code of the City of Brookhaven - *Public Comment for Ordinance - Action Item*

RESULT: APPROVED [UNANIMOUS]
MOVER: Bates Mattison, Mayor Pro Tem / District 3
SECONDER: John Park, District 2
AYES: Jones, Park, Mattison, Gebbia

Terrell Carstens

3. **Ordinance ORD-2017-08-08:** Consideration and Approval of an Ordinance to Amend the Budget for the Fiscal Year Beginning January 1, 2017 and Ending December 31, 2017 for the HOST and Capital Improvement Funds of the City of Brookhaven 2017 - *Public Comment for Ordinance - Action Item*

RESULT: APPROVED [UNANIMOUS]
MOVER: John Park, District 2
SECONDER: Linley Jones, District 1
AYES: Jones, Park, Mattison, Gebbia

4. **Ordinance ORD-2017-08-09:** Consideration and Approval of an Ordinance to Amend the Budget for the Fiscal Year Beginning January 1, 2017 and Ending December 31, 2017 for the Capital Improvement Funds of the City of Brookhaven - *Public Comment for Ordinance - Action Item*

RESULT: APPROVED [UNANIMOUS]
MOVER: Linley Jones, District 1
SECONDER: Bates Mattison, Mayor Pro Tem / District 3
AYES: Jones, Park, Mattison, Gebbia

5. Consideration and Approval of a Purchase Order to Precise Development Group to Construct 800 LF of Sidewalk Along Woodrow Way and Lanier Drive - *Action Item*

RESULT: APPROVED [UNANIMOUS]
MOVER: Bates Mattison, Mayor Pro Tem / District 3
SECONDER: Linley Jones, District 1
AYES: Jones, Park, Mattison, Gebbia

6. Consideration and Approval of Public Works Road and Stormwater Maintenance Contract - OPTECH - *Action Item*

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Joe Gebbia, District 4
SECONDER:	Bates Mattison, Mayor Pro Tem / District 3
AYES:	Jones, Park, Mattison, Gebbia

O) OTHER BUSINESS

P) PUBLIC COMMENTS

Q) MAYOR'S COMMENTS

R) EXECUTIVE SESSION (IF NEEDED) TO DISCUSS PERSONNEL, REAL ESTATE, AND/OR PENDING/POTENTIAL LITIGATION

S) ADJOURNMENT

1. Motion to Adjourn

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Park, District 2
SECONDER:	Bates Mattison, Mayor Pro Tem / District 3
AYES:	Jones, Park, Mattison, Gebbia

APPROVED:

John Arthur Ernst Jr., Mayor

ATTEST:

Susan Hiott, City Clerk