

**CITY OF BROOKHAVEN**  
**BROOKHAVEN CITY COUNCIL**  
**FINAL MINUTES**

October 23, 2018

Regular Meeting

7:00 PM

4362 Peachtree Road, Brookhaven, GA 30319

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**A) INVOCATION**

**B) CALL TO ORDER**

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

**C) PLEDGE OF ALLEGIANCE**

**D) RECOGNITION OF PET BY LIFELINE**

**E) PUBLIC HEARINGS**

1. **Rezoning Ordinance (ID # 3284):** TA18-12 an Ordinance to Amend Chapter 27, Zoning, of the Code of the City of Brookhaven - Community Development Director Patrice Ruffin - *Consideration of Votes After Public Hearing*

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 11/27/2018 7:00 PM</b>
<b>MOVER:</b>	Bates Mattison, District 3	
<b>SECONDER:</b>	John Park, District 2	
<b>AYES:</b>	Jones, Park, Mattison, Gebbia	

2. **Rezoning Ordinance (ID # 3285):** TA18-13 an Ordinance to Rezone Identified Properties from Existing Districts to Renamed Districts as Part of the Zoning Ordinance Rewrite and Readopt the Official Zoning Map of the City of Brookhaven - Community Development Director Patrice Ruffin - *Consideration of Votes After Public Hearing*

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 11/27/2018 7:00 PM</b>
<b>MOVER:</b>	Bates Mattison, District 3	
<b>SECONDER:</b>	John Park, District 2	
<b>AYES:</b>	Jones, Park, Mattison, Gebbia	

3. **Rezoning Ordinance ORDRZ-2018-10-05:** RZ18-03: Planners & Engineers Collaborative - Major Modification to Delete Conditions #1 and #2 for Rezoning Case CZ-77009 on Property Currently Zoned RM-100 - 3028 Clairmont Road - Community Development Director Patrice Ruffin - *Consideration of Votes After Public Hearing*

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

4. Presentation and First Public Hearing of FY 2019 Budget - City Manager Christian Sigman - *Public Hearing*

## F) MAYOR'S ANNOUNCEMENTS

## G) APPOINTMENTS

1. 3354 : Appointment of Renee Areng as Director of the Brookhaven Convention and Visitors Bureau (BCVB)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	John Park, District 2
<b>SECONDER:</b>	Joe Gebbia, Mayor Pro Tem / District 4
<b>AYES:</b>	Jones, Park, Mattison, Gebbia

2. Appointment of Mike Dardano to the Zoning Board of Appeals (ZBA) - Term Ending 12/31/2020

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bates Mattison, District 3
<b>SECONDER:</b>	John Park, District 2
<b>AYES:</b>	Jones, Park, Mattison, Gebbia

## H) AGENDA ANNOUNCEMENTS

1. Motion to table Item # N5 - Ordinance - Small Wireless Facilities in the Rights-Of-Way, Adding Article VII of Chapter 23

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

**I) PUBLIC COMMENT**

1. Matt Goldberg - About N3 - RES 20188-10-03 - Expressed support of RES 2018-10-03 - waiving of the permit fees
2. Katie Roney - RES 2018-10-03 expressed support of waiving te permit fees
3. Rebekah Morris - of Los Vecinos de Buford Highway

**J) CONSENT AGENDA**

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

1. Approval of October 9, 2018 Brookhaven City Council Work Session Meeting Minutes
2. Approval of October 9, 2018 Brookhaven City Council Regular Meeting Minutes
3. Consideration and Approval of Amendment/Addendum to Contract with Charles Abbott Associates, Inc., for Permit and Business License Technician and Extending Term of Contract to December 31, 2019

**K) ANNOUNCEMENTS****L) REPORTS AND PRESENTATIONS**

1. 3335 : Presentation of 2018 Community Development Fee Schedule Update - No action taken.

**M) OLD BUSINESS****N) NEW BUSINESS**

1. Consideration and Approval of External Auditor Agreement with Mauldin & Jenkins - Internal Auditor Bill Mulcahy - *Action Item*

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

2. **Ordinance ORD-2018-10-03:** Consideration and Approval of an Ordinance to Amend the General Fund Budget for the Fiscal Year Beginning January 1, 2018 and Ending December 31, 2018 - Appropriating \$1,712,371 from the General Fund Balance for the Purchase of Land and Building from QuikTrip Corporation, Allowing for the Renovation of the Property in the Amount of \$180,000, Allowing the Finance Department to Make Technical Changes as Necessary, and Prohibiting Expenditures from Exceeding Actual Funding Sources, and for Other Purposes - Assistant City Manager/CFO Steve Chapman - *Public Comment for Ordinance - Action Item*

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

3. **Resolution RES-2018-10-03:** Consideration and Approval of a Resolution to Establish a Residential Deck Inspection Program and Temporarily Waive Permit Fees for Deck Repairs - City Manager Christian Sigman - *Action Item*

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Joe Gebbia, Mayor Pro Tem / District 4  
**SECONDER:** John Park, District 2  
**AYES:** Jones, Park, Mattison, Gebbia

4. Consideration and Approval of the Contract Amendment for Wood Wind Construction Company for the Parking Lot Improvements for the Creative Play Zone at Murphey Candler Park - \$48,830 - Parks and Recreation Director Brian Borden - *Action Item*

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

5. **Ordinance ORD-2018-10-07:** : TABLED - Motion to table under Item H - Consideration and Approval of an Ordinance Establishing Standards for Small Wireless Facilities in T - *Public Comment for Ordinance - Action Item*

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

6. **Ordinance ORD-2018-10-04:** Consideration and Approval of an Ordinance to Amend Section 4-302 Hours of Operation; Sunday Sales of Chapter 4, Alcoholic Beverages of the City of Brookhaven Code of Ordinances - City Attorney Chris Balch - *Public Comment for Ordinance - Action Item*

**RESULT:** APPROVED AS AMENDED [UNANIMOUS]  
**MOVER:** Bates Mattison, Joe Gebbia  
**AYES:** Jones, Park, Mattison, Gebbia

7. **Ordinance ORD-2018-10-06:** (TA 18-10) Consideration and Approval of an Ordinance to Amend Chapter 15 Licenses, Permits, & Business Regulations of the City of Brookhaven Municipal Code to Establish Permit Requirements for Film Production in the City, Adding Article XIV - Film Production - City Attorney Chris Balch - *Public Comment for Ordinance - Action Item*

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

8. **Ordinance ORD-2018-10-05:** Consideration and Approval of an Ordinance to Amend the Budget for the Fiscal Year Beginning January 1, 2018 and Ending December 31, 2018 for the Capital Improvement Fund of the City of Brookhaven Pursuant to Article V of the City of Brookhaven Charter Appropriating the Amounts Shown in the Budget as Expenditures, Adopting the Item of Anticipated Funding Sources, and Prohibiting Expenditures from Exceeding Actual Funding Sources - Assistant City Manager Steve Chapman - *Public Comment for Ordinance - Action Item*

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

9. Consideration and Approval of Award of Contract with Lewallen Construction for Peachtree Creek Greenway Phase I Construction Services - \$7,987,229.63 and Authorize Mayor to Execute Document - Assistant City Manager Steve Chapman - *Action Item*

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Joe Gebbia, Mayor Pro Tem / District 4
<b>SECONDER:</b>	John Park, District 2
<b>AYES:</b>	Jones, Park, Mattison, Gebbia

**O) OTHER BUSINESS**

**P) PUBLIC COMMENTS**

**Q) MAYOR'S AND COUNCIL'S COMMENTS**

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

**S) ADJOURNMENT - PARK ADJOURNED BY ACLAMATION**

APPROVED:

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John Arthur Ernst Jr., Mayor

ATTEST:

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Susan Hiott, City Clerk