



**CITY OF TUCKER
SPECIAL CALLED COUNCIL MEETING MINUTES
July 11, 2016 at 6:30AM**

The Mayor and Council of the City of Tucker held a Council Meeting at Discover DeKalb, 1957 Lakeside Parkway, Suite 510, Tucker, GA, 30084. The following were in attendance:

Mayor	Frank Auman
Council Member	Honey Van De Kreke – District 1, Post 1
Council Member	Bill Rosenfeld – District 1, Post 2
Council Member	Matt Robbins – District 2, Post 1
Council Member	Noelle Monferdini – District 2, Post 2
Council Member	Michelle Penkava – District 3, Post 1
Council Member	Anne Lerner – District 3, Post 2
Interim City Manager	Tami Hanlin
City Clerk	Jennifer Davis
City Attorney	Brian Anderson
Community Development Director	John McHenry

CALL TO ORDER: Mayor Frank Auman called the meeting to order at 6:30 am

PLEDGE OF ALLEGIANCE: Mayor Frank Auman led the Pledge of Allegiance.

PUBLIC COMMENT: Frank Nix thanked those attending and stated that he appreciates all the efforts of Mayor and Council.

MAYOR'S OPENING REMARKS:

Mayor Frank Auman provided background regarding adoption of ordinances for the City of Tucker.

MINUTES: None

CONSIDERATION OF THE MEETING AGENDA:

MOTION TO APPROVE THE COUNCIL MEETING AGENDA.

By: Council Member Robbins

Seconded by: Council Member Monferdini

Vote: (7-0) (Robbins, Monferdini, Auman, Van De Kreke, Rosenfeld, Penkava, Lerner)

OLD BUSINESS:

O01-2016-01

One Read and Adoption of the Zoning Ordinance and Zoning Map & associated Overlay Districts

MOTION TO ADOPT O 01-2016-01.

By: Council Member Penkava

Seconded by: Council Member Rosenfeld

MOTION TO AMEND O 01-2016-01 AS FOLLOWS:

ARTICLE 7 ADMINISTRATION

27-7.1 DIVISION 1. GOVERNING BODIES AND AUTHORITY

7.2.1. Purpose and intent; compliance with law.

- B. The mayor and city council, planning commission, zoning board of appeals, and community councils shall comply with all applicable provisions of state law, now and as they may be amended hereafter, including, but not limited to, state law concerning open records, open meetings and records retention.**

7.2.2. Governing bodies.

B. Community council.

- 1. There is hereby established a volunteer community council. The community council shall consist of seven (7) members, two (2) from each of the city three districts whom shall be a resident of the district represented, and one (1) at large whom shall be a resident of the city.**
- 2. Members of each community council shall serve at the pleasure of the mayor and city council making the appointment or until their successor is appointed and qualified, unless such term ends sooner in a manner set forth herein. Community council members may be reappointed to successive terms without limitation. Any vacancy in the membership of the community council shall be filled in the same manner as the initial appointment. If a community council member moves outside the district for which the community council is established, that action shall constitute an immediate resignation from the council, effective immediately.**
- 3. The Community Council is created to review applications for rezonings, land use plan amendments, special land use permits and text amendments, and to report their recommendations to the planning commission. A community council may consider such ordinances and applications in relation to the applicable standards and criteria contained in this chapter, the adopted comprehensive plan and any of the community's quality of life issues.**

27-7.3 DIVISION 3. ZONING AND COMPREHENSIVE PLAN AMENDMENTS AND PROCEDURES

7.3.6. Community council review of proposed amendments.

- A. Following the monthly closing date for the introduction or filing of an application to amend the Official Zoning Map, to amend the text of this chapter, to amend the comprehensive plan land use maps, for a special land use permit, or for a major modification to zoning conditions, a copy of all such applications shall be made available by the community development director**

to the appropriate community council for consideration. This requirement does not apply to the initial adoption by the City of the Official Zoning Map, the text of this chapter, and the comprehensive plan land use maps.

- B. Applicants are required to attend community council meetings to present their applications. The presentation shall take place prior to the formulation of any final written recommendations by the community development director. At the discretion of community development department staff, the applicant may be required to make a formal presentation to explain the application, but at a minimum the applicant shall be available to answer questions about the application. Community council shall consider such applications in relation to the applicable standards and criteria contained in this chapter, the adopted comprehensive plan, and any of the community's quality of life issues.
- C. The recommendation of the community council shall be presented at the subsequent planning commission meeting where the application is considered. The failure of any community council to timely comply with the provisions of this subsection shall not constitute grounds for deferral or denial of any proposed amendment by the mayor and city council.

MOTION TO AMEND THE PRESENTED VERSION TO THE PREVIOUSLY PRESENTED VERSION REGARDING COMMUNITY COUNCIL INCLUDING MODIFICATIONS IN PRESENTED AMENDMENTS BY COUNCIL MEMBER MONFERDINI.

By: Council Member Monferdini

Seconded by: Council Member Van De Kreke

**Vote: (4-3) (Monferdini, Van De Kreke, Rosenfeld, Robbins)
(Auman, Penkava, Lerner opposed)**

Staff recommended amending the presented Zoning Ordinance Article 4.2.6 (B) from 1,000 feet from any church to 500 feet from any church.

MOTION TO ADOPT STAFF RECOMMENDATION TO AMEND THE PRESENTED ZONING ORDINANCE ARTICLE 4.2.6 (B) FROM 1,000 FEET FROM ANY CHURCH TO 500 FEET FROM ANY CHURCH.

By: Council Member Penkava

Seconded by: Council Member Robbins

Vote: (7-0) (Penkava, Robbins, Auman, Van De Kreke, Rosenfeld, Monferdini, Lerner)

MOTION TO ADOPT O01-2016-01 AS AMENDED

By: Council Member Penkava

Seconded by: Council Member Rosenfeld

Vote: (7-0) (Penkava, Rosenfeld, Auman, Van De Kreke, Robbins, Monferdini, Lerner)

O2016-06-07

Second Read and Adoption of the Zoning Ordinance and Zoning Map & associated Overlay Districts

MOTION TO ADOPT O2016-06-07 WITH SAME AMENDMENTS AS O01-2016-01

By: Mayor Auman

Seconded by: Council Member Rosenfeld

Vote: (7-0) (Auman, Rosenfeld, Van De Kreke, Robbins, Monferdini, Penkava, Lerner)

O01-2016-02

One Read and Adoption of the Comprehensive Plan and the Future Land Use Map

MOTION TO ADOPT O01-2016-02

By: Mayor Auman

Seconded by: Council Member Rosenfeld

Vote: (7-0) (Auman, Rosenfeld, Van De Kreke, Robbins, Monferdini, Penkava, Lerner)

O2016-06-08

Second Read and Adoption of the Comprehensive Plan and the Future Land Use Map

MOTION TO ADOPT O2016-06-08

By: Mayor Auman

Seconded by: Council Member Rosenfeld

Vote: (7-0) (Auman, Rosenfeld, Van De Kreke, Robbins, Monferdini, Penkava, Lerner)

O01-2016-03

One Read and Adoption of the Sign Ordinance

MOTION TO ADOPT O01-2016-03

By: Mayor Auman

Seconded by: Council Member Robbins

Vote: (7-0) (Auman, Robbins, Van De Kreke, Rosenfeld, Monferdini, Penkava, Lerner)

O2016-06-09

Second Read and Adoption of the Sign Ordinance

MOTION TO ADOPT O2016-06-09

By: Council Member Penkava

Seconded by: Council Member Robbins

Vote: (7-0) (Penkava, Robbins, Auman, Van De Kreke, Rosenfeld, Monferdini, Lerner)

O01-2016-04

One Read and Adoption of an Ordinance to establish a moratorium on applications and permits

MOTION TO ADOPT O01-2016-04

By: Council Member Rosenfeld

Seconded by: Council Member Van De Kreke

Vote: (7-0) (Rosenfeld, Van De Kreke, Auman, Robbins, Monferdini, Penkava, Lerner)

O2016-06-11

Second Read and Adoption of an Ordinance to establish a moratorium on applications and permits

MOTION TO ADOPT O2016-06-11

By: Council Member Monferdini

Seconded by: Council Member Penkava

Vote: (7-0) (Monferdini, Penkava, Auman, Van De Kreke, Rosenfeld, Robbins, Lerner)

R2016-07-14

A Resolution to establish a moratorium on applications and permits

MOTION TO APPROVE R2016-07-14

By: Council Member Rosenfeld

Seconded by: Council Member Robbins

Vote: (7-0) (Rosenfeld, Robbins, Auman, Van De Kreke, Monferdini, Penkava, Lerner)

O01-2016-05

One Read and Adoption of the Buildings and Building Regulations Ordinance

MOTION TO ADOPT O01-2016-05

By: Council Member Penkava

Seconded by: Council Member Rosenfeld

Vote: (7-0) (Penkava, Rosenfeld, Auman, Van De Kreke, Robbins, Monferdini, Lerner)

O2016-07-12

Second Read and Adoption of the Buildings and Building Regulations Ordinance

MOTION TO ADOPT O2016-07-12

By: Council Member Penkava

Seconded by: Council Member Rosenfeld

Vote: (7-0) (Penkava, Rosenfeld, Auman, Van De Kreke, Robbins, Monferdini, Lerner)

O01-2016-06

One Read and Adoption of the Land Development Ordinance

MOTION TO ADOPT O01-2016-06

By: Council Member Robbins

Seconded by: Council Member Penkava

Vote: (7-0) (Robbins, Penkava, Auman, Van De Kreke, Rosenfeld, Monferdini, Lerner)

O2016-07-13

Second Read and Adoption of the Land Development Ordinance

MOTION TO ADOPT O2016-07-13

By: Council Member Rosenfeld

Seconded by: Council Member Robbins

Vote: (7-0) (Rosenfeld, Robbins, Auman, Van De Kreke, Monferdini, Penkava, Lerner)

O01-2016-07

One Read and Adoption of the Model Soil Erosion, Sedimentation and Pollution Control Ordinance

MOTION TO ADOPT O01-2016-07

By: Council Member Rosenfeld

Seconded by: Council Member Robbins

Vote: (7-0) (Rosenfeld, Robbins, Auman, Van De Kreke, Monferdini, Penkava, Lerner)

O2016-07-15

Second Read and Adoption of the Model Soil Erosion, Sedimentation and Pollution Control Ordinance

MOTION TO ADOPT O2016-07-15

By: Council Member Penkava

Seconded by: Council Member Rosenfeld

Vote: (7-0) (Penkava, Rosenfeld, Auman, Van De Kreke, Robbins, Monferdini, Lerner)

O01-2016-08

One Read and Adoption of the Nuisances Ordinance

MOTION TO ADOPT O 01-2016-08

By: Council Member Penkava

Seconded by: Council Member Robbins

Vote: (7-0) (Penkava, Robbins, Auman, Van De Kreke, Rosenfeld, Monferdini, Lerner)

O2016-07-14

Second Read and Adoption of the Nuisances Ordinance

MOTION TO ADOPT O2016-07-14

By: Council Member Penkava

Seconded by: Council Member Robbins

Vote: (7-0) (Penkava, Robbins, Auman, Van De Kreke, Rosenfeld, Monferdini, Lerner)

NEW BUSINESS:

R2016-07-15

A Resolution to approve IGA with DeKalb County for E-HOST/SPLOST

MOTION TO APPROVE R2016-07-15 WITH TWO AMENDMENTS

By: Mayor Auman

Seconded by: Council Member Rosenfeld

Vote: (7-0) (Auman, Rosenfeld, Van De Kreke, Robbins, Monferdini, Penkava, Lerner)

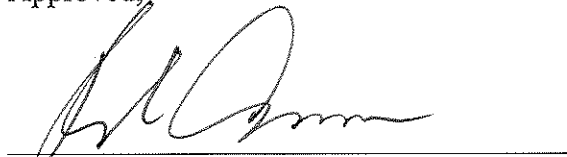
EXECUTIVE SESSION: None

MAYOR AND COUNCIL COMMENTS:

Council Member Matt Robbins thanked guests and staff for attending the meeting.

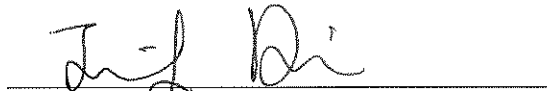
ADJOURNMENT: The City Council Meeting adjourned at approximately 8:16 am.

Approved,



Frank Auman, Mayor

Attest:



Jennifer Davis, City Clerk

(Seal)