



**CITY OF TUCKER  
COUNCIL MEETING MINUTES  
February 13, 2017 at 7:00 PM**

The Mayor and Council of the City of Tucker held a Council Meeting at Tucker Recreation Center, 4898 Lavista Road, 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 - Absent
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

**CALL TO ORDER:** Mayor Frank Auman called the meeting to order at 7:04 pm.

**PLEDGE OF ALLEGIANCE:** Smoke Rise Prep Student Council led the Pledge of Allegiance.

**PUBLIC COMMENT:**

Marsha Ashby, Helen Von Waldner, Mike Merck, Holly Duncan, and Steve Hagen made public comment.

**MAYOR'S OPENING REMARKS:**

Mayor Frank Auman mentioned the Comprehensive Plan meeting on Thursday, Public Information Session on February 28 regarding level of service and franchise fees by Comcast, and the proposed annexation by Chamblee.

**MINUTES:**

**MOTION TO APPROVE THE COUNCIL MEETING MINUTES FROM THE  
JANUARY 23, 2017 MEETING**

**By: Council Member Rosenfeld**

**Seconded by: Council Member Penkava**

**Vote: (6-0) (Rosenfeld, Penkava, Auman, Van De Kreke, Robbins, Lerner)**

**MOTION TO APPROVE THE WORK SESSION MEETING MINUTES FOM THE FEBRUARY 6, 2017 MEETING**

**By: Council Member Rosenfeld**

**Seconded by: Council Member Penkava**

**Vote: (6-0) (Rosenfeld, Penkava, Auman, Van De Kreke, Robbins, Lerner)**

**PRESENTATIONS AND REPORTS:**

Proclamation 17-01: Tucker Day

Mayor Auman presented a proclamation in recognition of Tucker Day on May 13, 2017. Charlton Allen accepted on behalf of Main Street Tucker Alliance.

**APPROVAL OF THE MEETING AGENDA:**

Den Webb, applicant, for SLUP-16-005 & VS-16-005-01 requested and consented to the deferral of the application until February 27<sup>th</sup> City Council Meeting. Council Member Michelle Penkava asked to remove new business item 3.

**MOTION TO APPROVE THE COUNCIL MEETING AGENDA WITH OLD BUSINESS ITEM 1: O2017-01-51 (SLUP-16-005 & VS-16-005-01) DEFERRED AND NEW BUSINESS ITEM 3: R2017-02-31 REMOVED.**

**By: Council Member Penkava**

**Seconded by: Council Member Lerner**

**Vote: (6-0) (Penkava, Lerner, Auman, Van De Kreke, Rosenfeld, Robbins)**

**OLD BUSINESS:**

**O2017-01-51**

**Public Hearing & Second Read** of Ordinance to approve special land use permit (SLUP-16-005) for a mixed-use, multi-family development over 24-units per acre and concurrent variance (VS-16-005-01) to reduce public space requirement for 2200 Northlake Parkway and 2180 Northlake Parkway for applicant Northlake Investment Partners c/o Kathryn Zickert.

Item was deferred to City Council Meeting on February 27, 2017 for Second read. Mayor Frank Auman opened the public hearing to anyone wanting to speak in favor or opposition. There was no public comment. Public hearing was closed.

**O2017-01-54**

**Public Hearing & Second Read** of Ordinance to approve special land use permit (SLUP-16-003) for an existing church and proposed 14,500-square-foot family life center; concurrent variance (VS-16-003-01) to allow an accessory structure within the front yard; concurrent variance (VS-16-003-02) to exceed the permitted height of an accessory structure at 1983 Brockett Road for applicant Mt. Moriah Missionary Baptist Church of Tucker.

John McHenry, Community & Economic Development Director, gave an overview of the application and staff recommendations. Michele Battle, applicant, gave a brief overview of the application and agrees to all conditions except conditions 6 and 13.

#### **SLUP-16-003 Public Hearing**

Mayor Frank Auman opened the public hearing to anyone wanting to speak in favor or opposition. Michele Battle spoke in favor. Laurel Jackson spoke in opposition. Public hearing was closed.

#### **VS-16-003-01 Public Hearing**

Mayor Frank Auman opened the public hearing to anyone wanting to speak in favor or opposition. Michele Battle and Wayne Morehead spoke in favor. Laurel Jackson spoke in opposition. Public hearing was closed.

#### **VS-16-003-02 Public Hearing**

Mayor Frank Auman opened the public hearing to anyone wanting to speak in favor or opposition. Michele Battle spoke in favor. No one spoke in opposition. Public hearing was closed.

Mayor and City Council Members discussed, among other items, street trees, and strength of illumination on existing sign.

**MOTION TO APPROVE SLUP-16-003, BASED ON STAFF RECOMMENDATIONS WITH MODIFICATIONS TO THE FOLLOWING CONDITIONS: CONDITION #1 TO READ: "THE PROPERTY SHOULD BE DEVELOPED IN GENERAL CONFORMANCE WITH THE SITE PLAN SUBMITTED ON OCTOBER 5, 2016 TO THE COMMUNITY DEVELOPMENT DEPARTMENT AND AMENDED WITH REGARD TO THE BUILDING FOOTPRINT AS SUBMITTED ON DECEMBER 19, 2016, WITH ADDITIONAL REVISIONS TO MEET THESE CONDITIONS"; MODIFICATION TO CONDITION #6 TO READ "OWNER/DEVELOPER SHALL PROVIDE AND PLANT STREET TREES WITHIN THE 16-FOOT STREETScape ZONE ALONG THE ENTIRE PROPERTY FRONTAGE OF BROCKETT ROAD WITH PLACEMENT AND TYPE OF TREES APPROVED BY THE CITY ARBORIST"; AND MODIFICATION TO CONDITION #13 TO READ " THE FAMILY LIFE CENTER SHALL BE SETBACK A MINIMUM OF 160-FEET FROM THE CURRENT PROPERTY RIGHT OF WAY."**

**By: Council Member Lerner**

**Seconded by: Council Member Robbins**

**Vote: (6-0) (Lerner, Robbins, Auman, Van De Kreke, Rosenfeld, Penkava)**

**MOTION TO APPROVE CONCURRENT VARIANCE (VS-16-003-01) TO ALLOW AN ACCESSORY STRUCTURE WITHIN THE FRONT YARD.**

**By: Council Member Penkava**

**Seconded by: Council Member Robbins**

**Vote: (6-0) (Penkava, Robbins, Auman, Van De Kreke, Rosenfeld, Lerner)**

**MOTION TO APPROVE CONCURRENT VARIANCE (VS-16-003-02) TO EXCEED THE PERMITTED HEIGHT OF AN ACCESSORY STRUCTURE.**

**By: Council Member Rosenfeld**

**Seconded by: Council Member Penkava**

**Vote: (6-0) (Rosenfeld, Penkava, Auman, Van De Kreke, Robbins, Lerner)**

**O2017-01-55**

**Second Read** and consideration of an Ordinance to annex land pursuant to application dated January 16, 2017.

**MOTION TO APPROVE O2017-01-55.**

**By: Council Member Lerner**

**Seconded by: Council Member Robbins**

**Vote: (6-0) (Lerner, Robbins, Auman, Van De Kreke, Rosenfeld, Penkava)**

**NEW BUSINESS:**

**Action Item**

Presentation of applications for annexation

No applications were presented for annexation.

**O2017-02-56**

**First Read** and Consideration to adopt the Fire Ordinance

Second read will be on February 27, 2017.

**Action Item**

Consideration of awarding Parks Assessment Contract

**MOTION TO AWARD A CONTRACT WITH LOWE ENGINEERS FOR PARKS ASSESSMENT.**

**By: Council Member Lerner**

**Seconded by: Council Member Robbins**

**Vote: (6-0) (Lerner, Robbins, Auman, Van De Kreke, Rosenfeld, Penkava)**

**Action Item**

Consideration of approval for membership to DeKalb Municipal Association

**MOTION TO APPROVE MEMBERSHIP FOR DEKALB MUNICIPAL ASSOCIATION.**

**By: Council Member Robbins**

**Seconded by: Council Member Rosenfeld**

**Vote: (6-0) (Robbins, Rosenfeld, Auman, Van De Kreke, Penkava, Lerner)**

**Action Item**

Consideration of approval to amend CH2M contract

**MOTION TO APPROVE AMENDMENT TO THE CH2M CONTRACT.**

**By: Council Member Lerner**

**Seconded by: Council Member Robbins**

**Vote: (6-0) (Lerner, Robbins, Auman, Van De Kreke, Rosenfeld, Penkava)**

**EXECUTIVE SESSION:**

**MOTION TO GO INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING LITIGATION MATTER.**

**By: Council Member Van De Kreke**

**Seconded by: Council Member Robbins**

**Vote: (6-0) (Van De Kreke, Robbins, Auman, Rosenfeld, Penkava, Lerner)**

**MOTION TO COME OUT OF EXECUTIVE SESSION.**

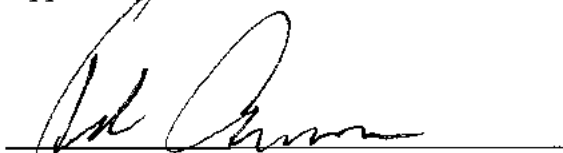
**By: Council Member Rosenfeld**

**Seconded by: Council Member Van De Kreke**

**Vote: (6-0) (Rosenfeld, Van De Kreke, Auman, Robbins, Penkava, Lerner)**

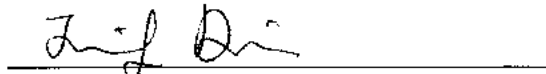
**ADJOURNMENT:** The City Council Meeting adjourned at approximately 9:12 pm.

Approved,



Frank Auman, Mayor

Attest:



Jennifer Davis, City Clerk

(Seal)

