



City of Tucker, GA

Mayor & City Council Minutes

January 8, 2018 at 7:00 PM

City Hall Annex, 4228 1st Ave, Suite 2-4, Tucker, GA 30084

CALL TO ORDER

Mayor Frank Auman called the meeting to order at 7:00 PM.

REGULAR MEETING: JANUARY 8, 2018 WITH A RECESS TO JANUARY 9, 2018

ROLL CALL

The following were in attendance:

Attendee Name	Title	Status	Arrived
Frank Auman	Mayor	Present	7:00 PM
Pat Soltys	District 1, Post 1	Present	7:00 PM
William (Bill) Rosenfeld	District 1, Post 2	Present	7:00 PM
Matt Robbins	District 2, Post 1	Present	7:00 PM
Noelle Monferdini	District 2, Post 2	Present	7:00 PM
Michelle Penkava	District 3, Post 1	Present	7:00 PM
Anne Lerner	District 3, Post 2	Present	7:00 PM

PLEDGE OF ALLEGIANCE

Pledge led by the Tucker Football League.

SWEARING IN CEREMONY

Judge Ronald Ramsey, Sr performed the Oaths of Office to:

Frank Auman, Mayor

Pat Soltys, Councilmember District 1, Post 1

Matt Robbins, Councilmember District 2, Post 1

Michelle Penkava, Councilmember District 3, Post 1

PUBLIC COMMENTS

Matthew Lee, President of the Tucker Historical Society, spoke of the history of Tucker, Established 1892, Incorporated 2016, and of the desk of the first postmaster Alpheus Chewing which the newly elected officials used to sign their oaths.

MAYOR'S OPENING REMARKS

Mayor Auman and Council Members Pat Soltys, Matt Robbins and Michelle Penkava thanked all for the honor to serve the City.

APPROVAL OF MEETING AGENDA

Monday, January 8, 2018

- MOTION TO AMEND THE AGENDA TO ADD L2B R2018-01-42 RESOLUTION TO ACTIVATE A DOWNTOWN DEVELOPMENT AUTHORITY (DDA), TO ADD L4 TO UNTABLE N2 O2017-06-67 PUBLIC HEARING ON STS DEVELOPMENT GROUP (SAREN COURT), TO GRANT THE DEFERRAL FOR FIRST READ AND ADD TO AGENDA.

- MOTION TO APPROVE AMENDED AGENDA.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Frank Auman, Mayor
SECONDER:	Michelle Penkava, District 3, Post 1
AYES:	Auman, Soltys, Rosenfeld, Robbins, Monferdini, Penkava, Lerner

MINUTES

Mayor & City Council - Special Called Meeting - Dec 4, 2017 4:00 PM

- MOTION TO APPROVE AS PRESENTED

RESULT:	ACCEPTED [6 TO 0]
MOVER:	Noelle Monferdini, District 2, Post 2
SECONDER:	Matt Robbins, District 2, Post 1
AYES:	Auman, Rosenfeld, Robbins, Monferdini, Penkava, Lerner
ABSTAIN:	Pat Soltys

Mayor & City Council - Regular Meeting - Dec 11, 2017 7:00 PM

- MOTION TO APPROVE AS PRESENTED

RESULT:	ACCEPTED [5 TO 0]
MOVER:	William (Bill) Rosenfeld, District 1, Post 2
SECONDER:	Matt Robbins, District 2, Post 1
AYES:	Auman, Rosenfeld, Robbins, Monferdini, Penkava
ABSTAIN:	Pat Soltys, Anne Lerner

Mayor & City Council - Special Called Meeting - Dec 29, 2017 4:00 PM

- MOTION TO APPROVE AS PRESENTED

RESULT:	ACCEPTED [5 TO 0]
MOVER:	William (Bill) Rosenfeld, District 1, Post 2
SECONDER:	Matt Robbins, District 2, Post 1
AYES:	Auman, Rosenfeld, Robbins, Penkava, Lerner
ABSTAIN:	Pat Soltys, Noelle Monferdini

PRESENTATIONS - NONE

STAFF REPORTS

- City Manager Tami Hanlin introduced the Finance Manager: Cynthia Strozier and provided a report for:

Financial Report for October 2017

Financial Report for November 2017

OLD BUSINESS - NONE

NEW BUSINESS

Elect Mayor Pro-Tem per Charter Section 2.09b

- **MOTION TO ELECT MICHELLE PENKAVA AS MAYOR PRO TEMPORE PER CHARTER**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William (Bill) Rosenfeld, District 1, Post 2
SECONDER:	Anne Lerner, District 3, Post 2
AYES:	Auman, Soltys, Rosenfeld, Robbins, Monferdini, Penkava, Lerner

APPOINTMENT OF MEMBERS OF CITY BOARDS, COMMISSIONS AND AUTHORITIES

Mayor Auman read the names of the nominees to the Community Council, Planning Commission, Zoning Board of Appeals, Alcoholic Beverage Review Board, Construction Board of Appeals, and the Downtown Development Board (DDA)

APPOINTMENTS TO COMMUNITY COUNCIL:

- **MEMBERS:** Thomas Lupo, Frank Luton, Jonathan Vaughters, Cara Schroeder, Seth Burrow, William Arroyo, Suzanne Borchert, **EX-OFFICIO:** Jan Mixon and Ann Coppage

- **MOTION TO APPROVE BY COUNCILMEMBER MONFERDINI & COUNCILMEMBER ROBBINS. VOTE UNANIMOUS.**

APPOINTMENTS TO PLANNING COMMISSION:

- **MEMBERS:** Jessica Vargas, Michael Thomas, Frank Sapp, Katherine Atteberry, Steve Smith

- **MOTION TO APPROVE BY COUNCILMEMBER LERNER & COUNCILMEMBER ROSENFELD. VOTE UNANIMOUS.**

APPOINTMENTS TO ZONING BOARD OF APPEALS:

- **MEMBERS:** Charles Abbott, Christopher Hartley, Keith Easterly, Neal Stubblefield, Susan Setterstrom

- MOTION TO APPROVE BY COUNCILMEMBER MONFERDINI & COUNCILMEMBER ROBBINS. VOTE UNANIMOUS.

ALCOHOLIC BEVERAGE REVIEW BOARD:

- Need to Find a Qualified Legal Authority to Serve in the Role and Appoint Soon.

CONSTRUCTION BOARD OF APPEALS:

- MEMBERS: Jason Burton, Charles Logan, and an Architect TBD

- MOTION TO APPROVE BY COUNCILMEMBER LERNER & COUNCILMEMBER ROSENFELD. VOTE UNANIMOUS.

2b: Resolution to Appoint DDA Members and Geographic Area

- A RESOLUTION TO DECLARE THE NEED FOR A DOWNTOWN DEVELOPMENT AUTHORITY TO FUNCTION IN THE CITY OF TUCKER, GEORGIA, PURSUANT TO THE PROVISION OF THE DOWNTOWN DEVELOPMENT AUTHORITIES LAW O.C.G.A. 36-42-1, -ET SEQ.; TO APPOINT A BOARD OF DIRECTORS FOR THE DOWNTOWN DEVELOPMENT AUTHORITY; TO DESIGNATE A DOWNTOWN DEVELOPMENT AREA; TO PROVIDE FOR FILING WITH THE SECRETARY OF STATE OF THE STATE OF GEORGIA A COPY OF THIS RESOLUTION; TO REPEAL CONFLICTING RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

- BOARD MEMBERS:

2 YR TERM: Weslee Knapp and Damyon Clarr-Pressley

4 YR TERM: Joe Kilpatrick and Crayton Lankford

6 YR TERM: Andy Alexander, Honey Van de Kreke, and Bruce Penn

- MOTION TO APPROVE

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Noelle Monferdini, District 2, Post 2
SECONDER:	Matt Robbins, District 2, Post 1
AYES:	Auman, Soltys, Rosenfeld, Robbins, Monferdini, Penkava, Lerner

Consideration of Approving Funding for Pavement Management Study

- Ken Hildebrandt, City Engineer, spoke on the proposal from Stantec to conduct a pavement condition survey, pavement management system analysis, and right-of-way asset inventory for the City of Tucker.

- MOTION TO APPROVE STUDY AND STANTEC PROPOSAL \$36,860.00 WITH FUNDING FROM LMIG.

RESULT: APPROVED [UNANIMOUS]
MOVER: Noelle Monferdini, District 2, Post 2
SECONDER: Pat Soltys, District 1, Post 1
AYES: Auman, Soltys, Rosenfeld, Robbins, Monferdini, Penkava, Lerner

UNTABLE O2017-06-67

- MOTION TO UNTABLE O2017-06-67
- AMEND MOTION TO GRANT DEFERRAL FOR 1ST READ AND ADD TO AGENDA BY MAYOR AUMAN AND COUNCILMEMBER MONFERDINI.

RESULT: APPROVED [UNANIMOUS]
MOVER: Michelle Penkava, District 3, Post 1
SECONDER: Anne Lerner, District 3, Post 2
AYES: Auman, Soltys, Rosenfeld, Robbins, Monferdini, Penkava, Lerner

RECESS MEETING

JANUARY 8, 2018 AT 8:10 PM

- MOTION TO RECESS UNTIL JANUARY 9, 2018 AT 7:00 PM AT THE CITY ANNEX

RESULT: APPROVED [UNANIMOUS]
MOVER: Noelle Monferdini, District 2, Post 2
SECONDER: William (Bill) Rosenfeld, District 1, Post 2
AYES: Auman, Soltys, Rosenfeld, Robbins, Monferdini, Penkava, Lerner

RECONVENE MEETING

- JANUARY 9, 2018 AT 7:00 PM COUNCIL RECONVENED THE JANUARY 8TH MEETING.
- AMEND AGENDA
- MOTION TO AMEND THE AGENDA TO MOVE PUBLIC HEARING ITEMS N4 AND N5 ARDENT COMPANIES TO N1 AND N2.

RESULT: APPROVED [UNANIMOUS]
MOVER: Frank Auman, Mayor
SECONDER: Michelle Penkava, District 3, Post 1
AYES: Auman, Soltys, Rosenfeld, Robbins, Monferdini, Penkava, Lerner

PUBLIC HEARINGS

Public Hearing and First Read of an Ordinance to approve a Rezoning (RZ-17-004) from R-75 to RSM to allow for a 40-unit single-family detached development; Concurrent Variance (VC-17-004-01) to compatibility requirements for new and existing subdivisions for 3254, 3298, 3304 and 3320 Lawrenceville Highway and 4448, 4530 Henderson Drive for applicant Dennis Webb (Ardent Companies).

- John McHenry informed Council of a request to defer until Feb 12th Council Meeting.

- MOTION TO HOLD THE PUBLIC HEARING BY: COUNCILMEMBER MONFERDINI & COUNCILMEMBER ROBBINS. MOTION PASSED 6-1 NAY BY MAYOR.

- Mayor Auman opened the Public Hearing and Mr. Webb spoke in favor and 14 citizens spoke in opposition. Public Hearing closed.

- MOTION TO DEFER FIRST READ UNTIL FEB 12TH.

RESULT:	DEFERRED [UNANIMOUS]	Next: 2/12/2018 7:00 PM
MOVER:	Frank Auman, Mayor	
SECONDER:	William (Bill) Rosenfeld, District 1, Post 2	
AYES:	Auman, Soltys, Rosenfeld, Robbins, Monferdini, Penkava, Lerner	

Public Hearing and First Read of an Ordinance to approve a Rezoning (RZ-17-005) from R-75 to RSM to allow for a 64-unit townhome development at 3193, 3207, 3217, 3227 and 3259 Lawrenceville Highway and 3563 Bishop Drive for applicant Dennis Webb (Ardent Companies).

- John McHenry informed Council of a request to defer until Feb 12th Council Meeting.

- MOTION TO HOLD THE PUBLIC HEARING BY: COUNCILMEMBER MONFERDINI & COUNCILMEMBER ROBBINS. MOTION PASSED 6-1 NAY BY MAYOR.

- Mayor Auman opened the Public Hearing and Mr. Webb spoke in favor and 10 citizens spoke in opposition. Public Hearing closed.

- MOTION TO DEFER FIRST READ UNTIL FEB 12TH.

RESULT:	DEFERRED [UNANIMOUS]	Next: 2/12/2018 7:00 PM
MOVER:	Frank Auman, Mayor	
SECONDER:	William (Bill) Rosenfeld, District 1, Post 2	
AYES:	Auman, Soltys, Rosenfeld, Robbins, Monferdini, Penkava, Lerner	

Public Hearing and Second Read of an Ordinance to approve a rezoning (RZ-17-003) from R-75 to RSM for a 19-unit urban single family detached development; Concurrent variances (VC-17-003-02; VC-17-003-03) to garage standards and architectural variability for 1295, 1303, 1359 & 1365 Montreal Road E and 3402 Alcan Way for applicant Minerva USA.

- Courtney Smith, Deputy Community Development Director, gave a power point presentation on the application. Note: change from urban to conventional single family detached dev.

- Mayor Auman opened the Public Hearing and 3 spoke in favor and nobody in opposition. Public Hearing closed.

- **MOTION TO APPROVE VC-17-003-02 GARAGE STANDARDS WITH NEW LANGUAGE ON #14 OF ORDINANCE BY COUNCILMEMBER MONFERDINI AND COUNCILMEMBER PENKAVA.**

- **MOTION TO APPROVE VC-17-003-03 WITH LANGUAGE ON #18 OF ORDINANCE BY COUNCILMEMBER MONFERDINI AND COUNCILMEMBER ROBBINS.**

- **MOTION TO APPROVE RZ-17-003 BY ORDINANCE O2017-12-81**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Noelle Monferdini, District 2, Post 2
SECONDER:	Matt Robbins, District 2, Post 1
AYES:	Auman, Soltys, Rosenfeld, Robbins, Monferdini, Penkava, Lerner

O2017-06-67 Public Hearing and Second Read of an Ordinance to approve a Rezoning (RZ-17-001) from R-85 to R-60 in Land Lot 211 of the 18th District to allow for a 19-unit single family detached development for 2157 Saren Court, 4513 Lavista Road, 3634 Lawrenceville Highway, and 3514 Lawrenceville Highway for applicant STS Development Group, LLC.

- John McHenry, Community Development Director, gave a power point presentation on the application. Note: last heard in Oct 2017

- Mayor Auman opened the Public Hearing and Mr. Webb spoke in favor and 4 citizens spoke in opposition. Public Hearing closed.

- Second Read and Public Hearing scheduled for January 22, 2018

RESULT:	FIRST READ	Next: 1/22/2018 7:00 PM
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Public Hearing and Second Read of an Ordinance to approve a Special Land Use Permit (SLUP-17-004) for fuel pumps and a Special Land Use Permit (SLUP-17-005) for alcohol sales; Concurrent Variance (VS-17-004-01) to allow increased canopy height (WITHDRAWN); Concurrent Variance (VS-17-004-02) to allow an outdoor ice machine/propane display for Land Lot 139 of the 18th District AKA 5448 E Ponce De Leon Avenue for applicant Jonathan Woher (McBride Dale Clarion) c/o Speedway.

- Courtney Smith, Deputy Community Development Director, gave a power point presentation on the application.

- **MOTION TO APPROVE WITHDRAWAL OF VS-17-004-01 BY MAYOR AUMAN AND COUNCILMEMBER MONFERDINI.**

- Mayor Auman opened the Public Hearing and applicant spoke in favor and nobody spoke in opposition. Public Hearing closed.

- Second Read and Public Hearing scheduled for January 22, 2018

RESULT: FIRST READ Next: 1/22/2018 7:00 PM

MAYOR AND COUNCIL COMMENTS

Mayor and Council thanked everyone for attending the 2 day meeting, there were good questions and staff did a great job, the Tucker Rec Center painting project is Jan 15th, and the Walk To Remember next Sat at Smokerise Baptist Church.

EXECUTIVE SESSION - NONE

ADJOURNMENT – 10:00 PM

- MOTION TO ADJOURN

RESULT: APPROVED [UNANIMOUS]
MOVER: William (Bill) Rosenfeld, District 1, Post 2
SECONDER: Noelle Monferdini, District 2, Post 2
AYES: Auman, Soltys, Rosenfeld, Robbins, Monferdini, Penkava, Lerner

Approved,



Frank Auman, Mayor

Attest:



Bonnie Warne, City Clerk

(Seal)



APPROVED

1/22/2018