



**CITY COUNCIL**

Eva Galambos, Mayor

John Paulson – District 1

Dianne Fries – District 2

Chip Collins – District 3

Gabriel Sterling – District 4

Tibby DeJulio – District 5

Karen Meinzen McEnery – District 6

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Tuesday, September 18, 2012

Summary Minutes

6:00 PM

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**A) INVOCATION** – Reverend Joe B. Martin, Mount Vernon Presbyterian Church

**B) CALL TO ORDER** – Mayor Eva Galambos

Mayor Eva Galambos called the meeting to order at 6:03 p.m.

**C) ROLL CALL AND GENERAL ANNOUNCEMENTS**

**Mayor:** Mayor Eva Galambos present

**Councilmembers:** Councilmember John Paulson, Councilmember Dianne Fries, Councilmember Chip Collins, Councilmember Gabriel Sterling, Councilmember Tibby DeJulio, and Councilmember Karen Meinzen McEnery present.

**D) PLEDGE OF ALLEGIANCE** – Mayor Eva Galambos

**(Agenda Item No. 12-229)**

**E) APPROVAL OF MEETING AGENDA**

**Motion and Vote:** Councilmember Fries moved to approve the Regular Meeting agenda for September 18, 2012. Councilmember Sterling seconded the motion. The motion carried unanimously.

**F) CONSENT AGENDA**

**(Agenda Item No. 12-230)**

1. Meeting Minutes:
  - a) September 11, 2012 Regular Meeting
  - b) September 11, 2012 Work Session

*(Michael Casey, City Clerk)*

**Motion and Vote:** Councilmember DeJulio moved to approve the Consent Agenda for September 18, 2012. Councilmember Fries seconded the motion. The motion carried unanimously.

**G) PRESENTATIONS**

1. Proclamation for 225th Anniversary of Ratification of American Constitution to Daughters of the American Revolution (DAR)

**H) PUBLIC HEARINGS****Rezoning****(Agenda Item No. 12-231)**

1. **RZ12-007/CV12-010** - 4579 Roswell Road, *Applicant: Community Funeral Service, LLC*, To rezone the subject property from O-I (Office and Institutional District) conditional to O-I (Office and Institutional District) conditional, with Concurrent Variances, to allow the location and operation of a funeral home in the former church building  
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

**Motion:** Councilmember DeJulio moved to deny Agenda Item No. 12-231, RZ12-007/CV12-010 - 4579 Roswell Road, *Applicant: Community Funeral Service, LLC*, To rezone the subject property from O-I (Office and Institutional District) conditional to O-I (Office and Institutional District) conditional, with Concurrent Variances, to allow the location and operation of a funeral home in the former church building. The motion failed for lack of a second.

**Motion and Vote:** Councilmember Fries moved to approve Agenda Item No. 12-231, RZ12-007/CV12-010 - 4579 Roswell Road, *Applicant: Community Funeral Service, LLC*, To rezone the subject property from O-I (Office and Institutional District) conditional to O-I (Office and Institutional District) conditional, with Concurrent Variances, to allow the location and operation of a funeral home in the former church building with staff conditions. Councilmember Meinzen McEnery seconded the motion. The motion carried 5-1, with Councilmember DeJulio voting in opposition.

**Ordinance No. 2012-09-30****(Agenda Item No. 12-232)**

2. **RZ12-008** - 100 North River Drive, *Applicant: Silver Tree Investments, LLC*, To rezone the subject property from A (Medium Density Apartment District) conditional to O-I (Office and Institutional District) to allow office use in the existing building  
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

**Motion and Vote:** Councilmember Fries moved to approve Agenda Item No. 12-232, RZ12-008 - 100 North River Drive, *Applicant: Silver Tree Investments, LLC*, To rezone the subject property from A (Medium Density Apartment District) conditional to O-I (Office and Institutional District) to allow office use in the existing building. Councilmember Sterling seconded the motion. The motion carried unanimously.

**Ordinance No. 2012-09-31****(Agenda Item No. 12-233)**

3. **RZ12-009/CV12-011** - Northeast Corner of Spalding Drive at River Exchange Drive, *Applicant: Dunwoody Place Venture, LLC*, To rezone the subject property from C-1 (Community Business District) conditional to A-L (Apartment Limited District) to allow construction of a senior apartment building, with concurrent variances  
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

**Motion and Vote:** Councilmember Paulson moved to defer Agenda Item No. 12-233, RZ12-009/CV12-011 - Northeast Corner of Spalding Drive at River Exchange Drive, *Applicant: Dunwoody Place Venture, LLC*, To rezone the subject property from C-1 (Community Business District) conditional to A-L (Apartment Limited District) to allow construction of a senior apartment building, with concurrent variances, to the October 16, 2012, City Council meeting. Councilmember Fries seconded the motion. The motion carried unanimously.

**I) UNFINISHED BUSINESS** (*none*)

**J) NEW BUSINESS**

**(Agenda Item No. 12-234)**

1. Consideration for Approval of Settlement Agreement Regarding Outdoor Advertising  
(*Presented by City Attorney, Wendell Willard*)

**Motion and Vote:** Councilmember Sterling moved to approve Agenda Item No. 12-234, Approval of Settlement Agreement Regarding Outdoor Advertising. Councilmember Fries seconded the motion. The motion carried unanimously.

**K) REPORTS**

1. Mayor and Council Reports
2. Staff Reports

**L) PUBLIC COMMENT**

**M) EXECUTIVE SESSION** (*none*)

**(Agenda Item No. 12-235)**

**N) ADJOURNMENT**

**Motion and Vote:** Councilmember DeJulio moved to adjourn the meeting. Councilmember Paulson seconded the motion. The motion carried unanimously. The meeting adjourned at 7:16 p.m.