



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 McEnerny – District 6

Tuesday, December 20, 2011

Action Minutes

6:00 PM

A) **INVOCATION** – Reverend Ron Gilreath, Mount Vernon Presbyterian Church

B) **CALL TO ORDER** – Mayor pro tempore Tibby DeJulio

Mayor pro tempore Tibby DeJulio called the meeting to order at 6:06 p.m.

C) **ROLL CALL AND GENERAL ANNOUNCEMENTS**

Mayor: Mayor Eva Galambos absent. Mayor pro tempore Tibby DeJulio present.

Councilmembers: Councilmember John Paulson, Councilmember Dianne Fries, Councilmember Chip Collins, Councilmember Gabriel Sterling, and Councilmember Karen Meinzen McEnerny present.

D) **PLEDGE OF ALLEGIANCE** – Mayor pro tempore Tibby DeJulio

(Agenda Item No. 11-284)

E) **APPROVAL OF MEETING AGENDA**

Motion and Vote: Councilmember Fries moved to approve the Meeting Agenda for December 20, 2011. Councilmember Sterling seconded the motion. The motion carried unanimously.

F) **CONSENT AGENDA**

(Agenda Item No. 11-285)

1. Meeting Minutes:
 - a) December 6, 2011 Regular Meeting
 - b) December 6, 2011 Work Session

(Michael Casey, City Clerk)

(Agenda Item No. 11-286)

2. Acceptance of a Permanent and Construction, Maintenance and Utility Easement from Hammond Center Joint Venture in connection with the Perimeter Community Improvement District's (PCID) Pedestrian Plazas' construction project on Peachtree-Dunwoody Road
(Kevin Walter, Director of Public Works)

Resolution No. 2011-12-111**(Agenda Item No. 11-287)**

3. Acceptance of Two (2) Permanent Construction Easements for Construction and Maintenance of Sidewalks for the FY-10 Sidewalk Program/ Spalding Drive Sidewalks (Nesbit Ferry Extension), T-6010-14
(Kevin Walter, Director of Public Works)

Resolution No. 2011-12-112**(Agenda Item No. 11-288)**

4. Acceptance of Three (3) Temporary Driveway Easements for the FY 11 Sidewalk Program - Old Powers Ferry Road Sidewalks T-6011-5
(Kevin Walter, Director of Public Works)

Resolution No. 2011-12-113**(Agenda Item No. 11-289)**

5. Revision of Task Order to Jacobs Engineering for Gymnastics/Hammond Park Gymnasium
(John McDonough, City Manager)

(Agenda Item No. 11-290)

6. Issuance of Task Order for Additional Staff in Municipal Court
(John McDonough, City Manager)

(Agenda Item No. 11-291)

7. Issuance of Task Order to ST Services of Georgia
(John McDonough, City Manager)

(Agenda Item No. 11-292)

8. Lease Agreement for Liquid Propane Fueling Station
(Wendell Willard, City Attorney)

Motion and Vote: Councilmember Fries moved to approve the Consent Agenda for December 20, 2011. Councilmember Sterling seconded the motion. The motion carried unanimously.

G) PRESENTATIONS

1. Proclamation for Lt. Jared Ogden

H) PUBLIC HEARINGS**Zoning Modification****(Agenda Item No. 11-293)**

1. **ZM11-003** - 5505 Glen Errol Road, Applicant: Mike Ivey, To modify condition 4.c. of Z89-068 to delete the requirement for the owner/applicant to install sidewalks
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Vote: Councilmember Meinzen McEnery moved to approve Agenda Item No. 11-293, ZM11-003 - 5505 Glen Errol Road, *Applicant: Mike Ivey*, To modify condition 4.c. of Z89-068 to delete the requirement for the owner/applicant to install sidewalks. Councilmember Fries seconded the motion. The motion carried unanimously.

Ordinance No. 2011-12-20

D) UNFINISHED BUSINESS (*none*)

J) NEW BUSINESS (*none*)

K) REPORTS AND PRESENTATIONS

1. Mayor and Council Reports
2. Staff Reports

L) PUBLIC COMMENT

Following Public Comment:

Motion and Vote: Councilmember Collins moved to recess the regular meeting for a short break and to hear one of the Work Session Agenda Items. Councilmember Sterling seconded the motion. The motion carried unanimously. The meeting recessed at 6:29 p.m.

Motion and Vote: Councilmember Sterling moved to end the recess and resume the regular meeting. Councilmember Fries seconded the motion. The motion carried unanimously. The recess ended at 7:12 p.m.

(Agenda Item No. 11-294)

M) EXECUTIVE SESSION – Litigation and Real Estate

Motion and Vote: Councilmember Fries moved to enter into Executive Session to discuss pending or potential litigation and real estate. Councilmember Paulson seconded the motion. The motion carried unanimously, with Councilmember Paulson, Councilmember Fries, Councilmember Collins, Councilmember Sterling, Mayor pro tempore DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. Executive Session began at 7:14 p.m.

Motion and Vote: Councilmember Sterling moved to adjourn Executive Session. Councilmember Fries seconded the motion. The motion carried unanimously, with Councilmember Paulson, Councilmember Fries, Councilmember Collins, Councilmember Sterling, Mayor pro tempore DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. Executive session adjourned at 8:16 p.m.

(Agenda Item No. 11-295)

N) ADJOURNMENT

Motion and Vote: Councilmember Sterling moved to adjourn the meeting. Councilmember Fries seconded the motion. The motion carried unanimously. The meeting adjourned at 8:16 p.m.