

CITY OF BROOKHAVEN, GEORGIA

CITY COUNCIL MEMBERS

J. Max Davis, Mayor

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Rebecca Chase Williams – District 1

Jim Eyre – District 2

Bates Mattison – District 3

Joe Gebbia – District 4

CITY COUNCIL

Regular Meeting

FEBRUARY 12, 2013

7PM

Oglethorpe University, Lupton Auditorium, 4484 Peachtree Road Northeast, Brookhaven, GA

A) INVOCATION

B) CALL TO ORDER – Mayor Davis

C) ROLL CALL – City Clerk Susan Hiott

D) PLEDGE OF ALLEGIANCE –

E) OPENING REMARKS – Mayor Davis

F) MINUTES –

- January 8, 2013 Regular Council Meeting Minutes
- January 14, 2013 Special Called Meeting Minutes
- January 14, 2013 Public Hearing Meeting Minutes
- January 15, 2013 Public Hearing Meeting Minutes
- January 15, 2013 Special Called Meeting Minutes
- January 22, 2013 Regular Council Meeting Minutes

G) PUBLIC COMMENT –

H) CONSENT AGENDA

I) ANNOUNCEMENTS

J) REPORTS AND PRESENTATIONS

K) OLD BUSINESS

1. **ACTION ITEM:** Consideration and Approval of CBeyond Contract (*Tabled from 1/22/13 Meeting*)

L) NEW BUSINESS

- 1. ACTION ITEM: Consideration and Approval of City of Brookhaven Code Compliance Sweeps and Inspections Policy**
- 2. Consideration and Approval of an One Read Ordinance 02013-02-01 Property Maintenance and Housing Standards, Chapter 18 Nuisances with an effective date of April 16, 2013**

AN ONE READ ORDINANCE TO ADOPT AND APPROVE CHAPTER 18: NUISANCES AND PROVIDING FOR INCLUSION AND IDENTIFICATION IN THE CODE OF ORDINANCES FOR THE CITY OF BROOKHAVEN, GA; TO BE REFERENCED IN THE FUTURE AS CHAPTER 18: NUISANCES

- 3. Consideration and Approval of First Read Ordinance 02013-02-02 Property Maintenance and Housing Standards, Chapter 18 Nuisances with an effective date of April 16, 2013**

AN ORDINANCE TO ADOPT AND APPROVE CHAPTER 18: NUISANCES AND PROVIDING FOR INCLUSION AND IDENTIFICATION IN THE CODE OF ORDINANCES FOR THE CITY OF BROOKHAVEN, GA; TO BE REFERENCED IN THE FUTURE AS CHAPTER 18: NUISANCES (First Read)

- 4. Consideration and Approval of an One Read Ordinance 02013-02-03- Providing for the Amendment of Chapter 15, Licenses, Permits and Miscellaneous Business Regulations, Amending Article II Business Occupation Tax**

AN ONE READ ORDINANCE PROVIDING FOR THE AMENDMENT OF THE CODE OF ORDINANCES OF THE CITY OF BROOKHAVEN, GEORGIA, OF CHAPTER 15 LICENSES, PERMITS AND MISCELLANEOUS BUSINESS REGULATIONS BY AMENDING ARTICLE II BUSINESS OCCUPATION TAXES

- 5. Consideration and Approval of First Read Ordinance 02013-02- 04 – Providing for the Amendment of Chapter 15, Licenses, Permits and Miscellaneous Business Regulations, Amending Article II Business Occupation Tax**

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE CODE OF ORDINANCES OF THE CITY OF BROOKHAVEN, GEORGIA, OF CHAPTER 15 LICENSES, PERMITS AND MISCELLANEOUS BUSINESS REGULATIONS BY AMENDING ARTICLE II BUSINESS OCCUPATION TAXES (First Read)

6. Consideration and Approval of One Read Ordinance 02013-02 –05 amending Chapter 4 – Alcoholic Beverages to amend Section 4-56 (A) that alcoholic beverage appeals shall be heard by a hearing board instead of hearing officer

AN ONE READ ORDINANCE PROVIDING FOR THE AMENDMENT OF CHAPTER 4 - ALCOHOLIC BEVERAGES TO AMEND SECTION 4-56 (A) ALCOHOLIC BEVERAGE APPEALS HEARING OFFICER AMENDING THAT ALCOHOLIC BEVERAGE APPEALS SHALL BE HEARD BY A HEARING BOARD INSTEAD OF HEARING OFFICER AND THE DEFINITION OF HEARING BOARD BE ADDED TO SECTION 4-1 DEFINITIONS

7. Consideration and Approval of an Ordinance 02013-02 –06 amending Chapter 4 – Alcoholic Beverages to amend Section 4-56 (A) that alcoholic beverage appeals shall be heard by a hearing board instead of hearing officer

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF CHAPTER 4 - ALCOHOLIC BEVERAGES TO AMEND SECTION 4-56 (A) ALCOHOLIC BEVERAGE APPEALS HEARING OFFICER AMENDING THAT ALCOHOLIC BEVERAGE APPEALS SHALL BE HEARD BY A HEARING BOARD INSTEAD OF HEARING OFFICER AND THE DEFINITION OF HEARING BOARD BE ADDED TO SECTION 4-1 DEFINITIONS (First Read)

8. Consideration and Approval of One Read Ordinance 02013-02-07 to Amend Chapter 2 Administration by adding Section 2-66 Budgetary Policies

AN ONE READ ORDINANCE TO AMEND CHAPTER 2 ADMINISTRATION BY ADDING SECTION 2-66 BUDGETARY POLICIES, ADOPTING THE POLICY RELATING TO THE BUDGETARY PROCESS, AS A COMPONENT OF THE FINANCIAL MANAGEMENT PROGRAM FOR THE CITY OF BROOKHAVEN, GA AND TO PROVIDE FOR GUIDANCE IN ADMINISTERING THE POLICY

9. Consideration and Approval of First Read Ordinance 02013-02-08 to Amend Chapter 2 Administration by adding Section 2-66 Budgetary Policies

AN ORDINANCE TO AMEND CHAPTER 2 ADMINISTRATION BY ADDING SECTION 2-66 BUDGETARY POLICIES, ADOPTING THE POLICY RELATING TO THE BUDGETARY PROCESS, AS A COMPONENT OF THE FINANCIAL MANAGEMENT PROGRAM FOR THE CITY OF BROOKHAVEN, GA; AND TO PROVIDE FOR GUIDANCE IN ADMINISTERING THE POLICY (First Read)

10. Consideration and Approval of One Read Ordinance 02013-01-xx to readopt original intent for SOB due to scrivener's error

11. Consideration and Approval of First Read Ordinance 02013-01-xx to readopt original intent for SOB due to scrivener's error

12. **ACTION ITEM: Consideration and approval of franchise agreement for payment of franchise fees to the City for use of the City Right of Way for electrical lines and mayor to sign and execute agreement**
13. **ACTION ITEM: Consideration and approval of R2013-02-01 a resolution requesting amendment to the Charter to set term limits**
14. **ACTION ITEM: Schedule of Planning Commission and Zoning Board of Appeals Meetings**
15. **ACTION ITEM: Approval of estimated budget for court build out**
16. **ACTION ITEM: Consideration and approval of appointments of commissions, boards and authorities**
17. **ACTION ITEM: Mayor’s Nomination of Court Judges with Motion for Ratification by Council (Oaths to follow)**
18. **ACTION ITEM: Order establishing offenses payable through the City of Brookhaven Traffic Violations Bureau**
19. **ACTION ITEM: Consideration and approval of Resolution R2013-02-02 adopting the Municipal Court Fee Schedule to offset expenses and defray the cost of operation of the Brookhaven Municipal Court and for other purposes**

M) OTHER BUSINESS

N) PUBLIC COMMENTS

O) MAYOR’S COMMENTS

P) EXECUTIVE SESSION

Q) ADJOURNMENT