

Regular Meeting of the Sandy Springs City Council was held on Tuesday, August 5, 2014, at 6:00 p.m., Mayor Rusty Paul presiding

INVOCATION

There was no invocation.

CALL TO ORDER

Mayor Paul called the meeting to order at 6:01 p.m.

ROLL CALL AND GENERAL ANNOUNCEMENTS

City Clerk Michael Casey reminded everyone to silence all electronic devices at this time. Additionally, those wishing to provide public comment during either a Public Hearing or the Public Comment segment of the meeting are required to complete a public comment card. The cards are located at the entrance and need to be turned in to the City Clerk.

City Clerk Casey called the roll.

Mayor: Mayor Paul present

Councilmembers: Councilman John Paulson, Councilman Graham McDonald, Councilman Gabriel Sterling, Councilman Tibby DeJulio, and Councilman Andy Bauman were present. Councilman Ken Dishman was absent.

PLEDGE OF ALLEGIANCE

Mayor Rusty Paul led the Pledge of Allegiance

PUBLIC COMMENT

There were no public comments.

APPROVAL OF MEETING AGENDA

Motion and Vote: Councilman DeJulio moved to approve the Regular Meeting Agenda for August 5, 2014. Councilman Paulson seconded the motion. The motion carried unanimously.

CONSENT AGENDA

(Agenda Item No. 14-171)

1. Meeting Minutes:
 - a) July 9, 2014 Special Called Meeting
 - b) July 15, 2014 Regular Meeting
 - c) July 15, 2014 Work Session

(Michael Casey, City Clerk)

Motion and Vote: Councilman Sterling moved to approve the Consent Agenda for August 5, 2014. Councilman McDonald seconded the motion. The motion carried unanimously.

PRESENTATIONS

There were no presentations.

PUBLIC HEARINGS

Ad Valorem Tax

(Agenda Item No. 14-172)

1. An Ordinance of the Mayor and Council of the City of Sandy Springs, Georgia, to Fix the Ad Valorem Tax Rate of the City of Sandy Springs for Fiscal Year 2015; and for Other Purposes (FINAL PUBLIC HEARING and ADOPTION)

City Manager John McDonough stated this item is to fix the ad valorem tax rate for fiscal year 2015 at 4.731 mills. Staff recommends Council approve the ordinance.

Mayor Rusty Paul called for public comments in support of or in opposition to the proposed millage rate. There were no public comments. Mayor Paul closed the public hearing.

Motion and Vote: Councilman DeJulio moved to approve Agenda Item No. 14-172, An Ordinance of the Mayor and Council of the City of Sandy Springs, Georgia, to Fix the Ad Valorem Tax Rate of the City of Sandy Springs for Fiscal Year 2015; and for Other Purposes. Councilman Sterling seconded the motion. The motion carried unanimously.

Ordinance No. 2014-08-19

Alcoholic Beverage License

(Agenda Item No. 14-173)

2. Approval of Alcoholic Beverage License Application for Dantanna's Tavern, 6649 Roswell Road NE Unit 30, Sandy Springs, Georgia 30328. Applicant is David Clapp for Consumption Wine, Liquor, and Malt Beverage.

Finance Director Karen Ellis stated this is a new alcoholic beverage application for consumption on the premises of wine, malt beverage, and distilled spirits at Dantanna's Tavern. The applicant has met all requirements and staff recommends approval.

Mayor Rusty Paul called for public comments in support of or in opposition to the application. There were no public comments. Mayor Paul closed the public hearing.

Motion and Vote: Councilman Sterling moved to approve Agenda Item No. 14-173, an Alcoholic Beverage License Application for Dantanna's Tavern, 6649 Roswell Road NE Unit 30, for consumption of Wine, Liquor, and Malt Beverage. Councilman Paulson seconded the motion. There was no Council discussion. The motion carried unanimously.

(Agenda Item No. 14-174)

3. Approval of Alcoholic Beverage License Application for La Petite Maison Bistro, 6510 Roswell Rd, Sandy Springs, Georgia 30328. Applicant is Stephanie Spells for Consumption Wine, Liquor, and Malt Beverage.

Finance Director Karen Ellis stated this item is a change of ownership application for consumption on premises of wine, malt beverage, and distilled spirits. The applicant has met all the requirements and staff recommends approval.

Mayor Rusty Paul called for public comments in support of or in opposition to the application. There were no public comments. Mayor Paul closed the public hearing.

Motion and Vote: Councilman DeJulio moved to approve Agenda Item No. 14-174, an Alcoholic Beverage License Application for La Petite Maison Bistro, 6510 Roswell Rd, Sandy Springs, Georgia 30328, for consumption of Wine, Liquor, and Malt Beverage. Councilman Paulson seconded the motion. There was no Council discussion. The motion carried unanimously.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

(Agenda Item No. 14-175)

1. Consideration of Award of the FY 2015 Capital Resurfacing/LMIG 2014 Contract

Director of Public Works Garrin Coleman stated there were five bidders for this project. Staff recommends approval of a contract not to exceed an amount of \$3,135,677.20. The total sum of funds available for the project is \$2.5 million plus the \$635,677.20 the City received from LMIG funds from GDOT. Staff recommends awarding the contract to Northwest Georgia paving.

Motion and Second: Councilman Sterling moved to approve Agenda Item No. 14-175, awarding the FY 2015 Capital Resurfacing/LMIG 2014 contract to Northwest Georgia Paving. Councilman Bauman seconded the motion.

Councilman Gabriel Sterling asked if the total is \$3.9 million or \$3.3 million.

Director of Public Works Coleman stated the total awarded for this construction is \$3.1 million.

Councilman Andy Bauman asked how often the roads and rankings are reviewed.

Director of Public Works Coleman stated this is done every three years and it will be done again this spring.

Vote on the Motion: The motion carried unanimously.
Resolution No. 2014-08-71

(Agenda Item No. 14-176)

2. Consideration of Approval of a Contract to Construct Project T-0039, Spalding Drive at Mt. Vernon Road Intersection Improvement Project, Subject to Validation and Approval by the Legal and Finance Departments

Director of Public Works Garrin Coleman stated this contract will be for 120 days. The engineer's estimate was \$930,000. Staff recommends awarding the contract to Baldwin Paving, due to administrative issues with Summit Construction's low bid. Baldwin's bid was at \$1,128,361.82.

Motion and Second: Councilman Paulson moved to approve Agenda Item No. 14-175, a Contract with Baldwin Paving to Construct Project T-0039, Spalding Drive at Mt. Vernon Road Intersection Improvement Project, Subject to Validation and Approval by the Legal and Finance Department. Councilman Sterling seconded the motion.

Councilman John Paulson asked about the right-of-way.

Assistant City Attorney Cecil McLendon stated there are option agreements in place to acquire all of the necessary right-of-way on this and they should be brought to Council at the next meeting.

Councilman Paulson asked when the project will begin and end.

Director of Public Works Coleman stated the timeframe is based on the right-of-way acquisitions and utility relocations. The contractor will be given notice to proceed ten days after that.

Vote on the Motion: The motion carried unanimously.

Resolution No. 2014-08-72

REPORTS

1. Mayor and Council Reports

Councilman Graham McDonald stated he will not be able to attend the Special Called Meeting on Wednesday, August 6th.

Councilman John Paulson stated he has attended two of the three MARTA meetings regarding extending the MARTA rail line north of the current station. Council discussed this in December and he would like this subject again on a future Council meeting agenda.

City Manager John McDonough stated MARTA is scheduled to attend the August 19th meeting to make a presentation. He does not know that Council is informed enough to hear a presentation and make a decision that night. He does understand the desire for public input.

Mayor Rusty Paul stated rather than voting on anything that night, the presentation will be heard along with a public discussion. This will give Council time to absorb the information at a subsequent meeting and then a resolution can be brought back to Council.

2. Staff Reports

a) ADA RAMP at Morgan Falls – Director Recreation and Parks Ronnie Young

Director Recreation and Parks Ronnie Young gave a PowerPoint Presentation on the ADA Ramp at Morgan Falls Park. It was discovered that the wall where the mural will be painted is deteriorating. The estimated value of the painting is \$50,000. He suggested the wall be covered with marine plywood painted a gray color before the mural is painted on the wall. The estimated cost of repairing the wall is approximately \$13,000.

Councilman John Paulson stated the wall does not appear to be unstable. The issue is there is seepage in the cracks through the wall. There is a lack of drainage/weep holes on the wall. The stucco facing is peeling off and not sticking to the concrete.

Director Recreation and Parks Young stated he spoke to the original contractor that worked on the wall and he will be sending someone over to look at the wall. He is not sure what the contractor's commitment would be to repair the wall.

Assistant City Attorney Cecil McLendon stated staff will look at the contract to see what warranties are in the contract.

Councilman Graham McDonald asked if there is confidence that the \$13,000 plywood fix will weather well for seven years.

Director Recreation and Parks Young stated he would be willing to stand behind that, if the correct plywood is used.

Councilman McDonald asked if the artist painting on plywood instead of the concrete impacts anything.

Director Recreation and Parks Young stated he only spoke to Art Sandy Springs and not the Atlanta Hawks. If the wall wasn't going to be painted on, it would just be sandblasted and then more stucco placed on the wall.

There was a consensus of Council to have staff review the contract first. If there is no recourse for that option, the City will spend \$13,000 to repair the wall and determine what needs to be done for the drainage system.

PUBLIC COMMENT

Motion and Vote: Councilman DeJulio moved to recess the regular meeting to hear the Work Session Agenda Items. Councilman Sterling seconded the motion. The motion carried unanimously. The meeting recessed at 6:32 p.m.

Motion and Vote: Councilman DeJulio moved to end the recess and resume the regular meeting. Councilman Sterling seconded the motion. The motion carried unanimously. The recess ended at 7:51 p.m.

EXECUTIVE SESSION – Litigation and Real Estate

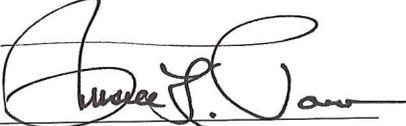
Motion and Vote: Councilman DeJulio moved to enter into Executive Session to discuss litigation and real estate. Councilman Paulson seconded the motion. The motion carried unanimously, with Councilman Paulson, Councilman McDonald, Councilman Sterling, Councilman DeJulio, and Councilman Bauman voting in favor of the motion. Executive Session began at 7:51 p.m.

Motion and Vote: Councilman DeJulio moved to adjourn Executive Session. Councilman Paulson seconded the motion. The motion carried unanimously, with Councilman Paulson, Councilman McDonald, Councilman Sterling, Councilman DeJulio, and Councilman Bauman voting in favor of the motion. Executive session adjourned at 8:19 p.m.

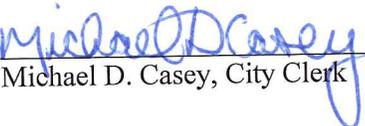
ADJOURNMENT

Motion and Vote: Councilman DeJulio moved to adjourn the meeting. Councilman Bauman seconded the motion. The motion carried unanimously. The meeting adjourned at 8:20 p.m.

Date Approved: August 19, 2014



Russell K. Paul, Mayor



Michael D. Casey, City Clerk

CITY OF SANDY SPRINGS, GA

STATE OF GEORGIA
FULTON COUNTY

August 5, 2014

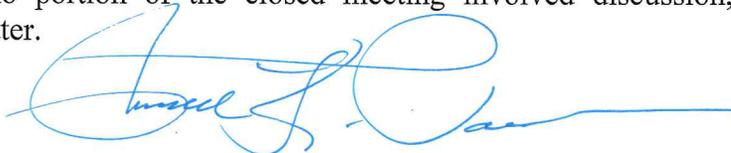
AFFIDAVIT FOR EXECUTIVE SESSION

Personally comes Russell K. Paul, Mayor of the City of Sandy Springs, who on oath says that to the best of his knowledge and belief, on the 5th day of August, 2014, in the city aforesaid, a meeting of the Council was closed to the public for the following reason(s):

Discussion or voting on real estate matters pursuant to O.C.G.A, 50-14-3(b)(1);

Attorney/client privilege in order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved, pursuant to O.C.G.A. 50-14-2(1).

and that except for the foregoing, no portion of the closed meeting involved discussion, presentation, or action on any other matter.



Russell K. Paul, Mayor

Sworn to and subscribed before me,
this 5th day of August, 2014.



Notary public

