



CITY COUNCIL

Rusty Paul, Mayor

John Paulson – District 1
Ken Dishman – District 2
Graham McDonald – District 3
Gabriel Sterling – District 4
Tibby DeJulio – District 5
Andy Bauman – District 6

Tuesday, July 15, 2014

Summary Minutes

6:00 PM

A) INVOCATION – Rabbinic Intern Megan Brudney, Temple Sinai

B) CALL TO ORDER – Mayor Rusty Paul

Mayor Paul called the meeting to order at 6:04 p.m.

C) ROLL CALL AND GENERAL ANNOUNCEMENTS

Mayor: Mayor Paul present

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

D) PLEDGE OF ALLEGIANCE – Mayor Rusty Paul

E) APPROVAL OF MEETING AGENDA

Motion and Vote: Councilman DeJulio moved to approve the Regular Meeting Agenda for July 15, 2014. Councilman Dishman seconded the motion. The motion carried unanimously.

F) CONSENT AGENDA

Meeting Minutes

(Agenda Item No. 14-146)

1. Meeting Minutes:
 - a) June 17, 2014 Regular Meeting
 - b) June 17, 2014 Work Session

(Michael Casey, City Clerk)

(Agenda Item No. 14-147)

2. Consideration of Approval of the Georgia Department of Transportation (GDOT) Lighting Agreement for CDBG Sidewalks, Phase 2, Project CIP T-0033-2, Roswell Road – Northridge to Roberts

(Garrin Coleman, Director of Public Works)

Resolution 2014-07-59

(Agenda Item No. 14-148)

3. Consideration of Approval of the Georgia Department of Transportation (GDOT) Transportation Enhancement Activities Agreement for SR9/Roswell Road Streetscape Enhancement, P.I. No. 0002310 (Sandy Springs Project CIP T-0008, Roswell Road Streetscape – Cliftwood to Hammond)

(Garrin Coleman, Director of Public Works)

Resolution 2014-07-60

Motion and Vote: Councilman Sterling moved to approve the Consent Agenda for July 15, 2014. Councilman Paulson seconded the motion. The motion carried unanimously.

G) PRESENTATIONS

1. Recognition of the Citizens on Patrol Volunteers – Mayor Paul and Police Chief DeSimone
2. Recognition of the Police Department for receiving the Phyllis Goodwin Agency of the Year Award from the Georgia Chapter of the Federal Bureau of Investigation's National Academy Associates (FBINAA) – City Manager John McDonough
3. Presentation of Rebate Check from GA Power to City – City Manager John McDonough
4. Presentation on I-285 / Riverside Drive Interchange Scope of Work - Marlo Clowers from GDOT
5. Presentation on I-285 / GA400 Interchange Reconstruction - Marlo Clowers from GDOT
6. Presentation on Tree Canopy Study Results – Community Development Director Angela Parker

H) PUBLIC HEARINGS

Ad Valorem Tax

(Agenda Item No. 14-149)

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 (FIRST PUBLIC HEARING)

(Presented by City Manager, John McDonough)

(Invitation for Public Comment)

Alcoholic Beverage License

(Agenda Item No. 14-150)

2. Approval of Alcoholic Beverage License Application for Krazy Buffalos 4920 Roswell Road Suite 46B, Sandy Springs, Georgia 30342. Applicant is Anthony Cuccia Jr for Consumption Wine, and Malt Beverage

(Presented by Finance Director, Karen Ellis)

(Invitation for Public Comment)

Motion and Vote: Councilman Bauman moved to approve Agenda Item No. 14-150, Alcoholic Beverage License Application for Krazy Buffalos 4920 Roswell Road Suite 46B, for Consumption Wine, and Malt Beverage. Councilman Paulson seconded the motion. The motion carried unanimously.

Rezoning

(Agenda Item No. 14-151)

3. **201300687** (DRI)** - Tax Parcel 17-0019- LL-059 (Abernathy Road, Peachtree Dunwoody Road, Mount Vernon Highway, GA 400), *Applicant: Hines*, to rezone the subject property from O-I (Office and Institutional District) conditional to MIX (Mixed Used District), with a use permit to exceed the maximum district height and concurrent variances
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Vote: Councilman Sterling moved to defer Agenda Item No. 14-151, 201300687 (DRI)** - Tax Parcel 17-0019- LL-059 (Abernathy Road, Peachtree Dunwoody Road, Mount Vernon Highway, GA 400), *Applicant: Hines*, to rezone the subject property from O-I (Office and Institutional District) conditional to MIX (Mixed Used District), with a use permit to exceed the maximum district height and concurrent variances, to the September 16, 2014, City Council meeting. Councilman Dishman seconded the motion. The motion carried unanimously.

(Agenda Item No. 14-152)

4. **201401164** - 8730 Roswell Road, *Applicant: Centric Development, LLC*, to rezone the subject property from AG-1 (Agricultural District) conditional and O-I (Office and Institutional District) conditional to A-L (Apartment Limited District) to allow for a 99-unit residential building, with concurrent variances
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Vote: Councilman Dishman moved to approve Agenda Item No. 14-152, 201401164 - 8730 Roswell Road, *Applicant: Centric Development, LLC*, to rezone the subject property from AG-1 (Agricultural District) conditional and O-I (Office and Institutional District) conditional to A-L (Apartment Limited District) to allow for a 99-unit residential building, with concurrent variances, subject to staff conditions. Councilman Paulson seconded the motion. The motion carried unanimously.

Ordinance 2014-07-17

(Agenda Item No. 14-153)

5. **201401170** - 400 Carpenter Drive, *Applicant: Holt Persinger*, to rezone the subject property from C-1 (Community Business District) conditional to A-L (Apartment Limited District) to allow for a 45-unit residential building, with concurrent variances
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Vote: Councilman Bauman moved to defer Agenda Item No. 14-153, 201401170 - 400 Carpenter Drive, *Applicant: Holt Persinger*, to rezone the subject property from C-1 (Community Business District) conditional to A-L (Apartment Limited District) to allow for a 45-unit residential building, with concurrent variances, to the September 16, 2014, City Council meeting to allow for further review by the Planning Commission of two concerns: 1) the elevations 2) the appropriateness of this project for the City Center district. Councilman DeJulio seconded the motion. The motion carried unanimously.

(Agenda Item No. 14-154)

6. **201401173** - 5188 & 5208 Roswell Road, *Applicant: Halpern Enterprises, Inc.*, to rezone the subject property from O-I (Office and Institutional District) conditional and R-3 (Single Family Dwelling District) to MIX (Mixed Use District) to allow for a mixed use office and residential development, with concurrent variances
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Vote: Councilman Bauman moved to defer Agenda Item No. 14-154, 201401173 - 5188 & 5208 Roswell Road, *Applicant: Halpern Enterprises, Inc.*, to rezone the subject property from O-I (Office and Institutional District) conditional and R-3 (Single Family Dwelling District) to MIX (Mixed Use District) to allow for a mixed use office and residential development, with concurrent variances, to the August 19, 2014, City Council meeting. Councilman Sterling seconded the motion. The motion carried unanimously.

Zoning Modification**(Agenda Item No. 14-155)**

7. **201401133** - 305 Carpenter Drive, *Applicant: Masoud Zahedi*, to delete all conditions related to senior living in Sandy Springs zoning case RZ08-012
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Vote: Councilman Sterling moved to defer Agenda Item No. 14-155, 201401133 - 305 Carpenter Drive, *Applicant: Masoud Zahedi*, to delete all conditions related to senior living in Sandy Springs zoning case RZ08-012, to the September 16, 2014, City Council meeting. Councilman McDonald seconded the motion. The motion carried unanimously.

Text Amendment**(Agenda Item No. 14-156)**

8. **TA14-002** - An Ordinance to Amend Article 12B, Sandy Springs Overlay District, of the Sandy Springs Zoning Ordinance Related to Streetscape Standards
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Vote: Councilman Bauman moved to approve Agenda Item No. 14-156, TA14-002 - An Ordinance to Amend Article 12B, Sandy Springs Overlay District, of the Sandy Springs Zoning Ordinance Related to Streetscape Standards. Councilman DeJulio seconded the motion. The motion carried unanimously.

Ordinance 2014-07-18

D) UNFINISHED BUSINESS (*none*)

J) NEW BUSINESS

(Agenda Item No. 14-157)

1. Consideration of a Resolution Appointing a Member to the Board of Ethics of the City of Sandy Springs (Reed Haggard)
(Presented by Mayor, Rusty Paul)

Motion and Vote: Councilman DeJulio moved to approve Agenda Item No. 14-157, Resolution Appointing a Member to the Board of Ethics of the City of Sandy Springs (Reed Haggard). Councilman Dishman seconded the motion. The motion carried unanimously.

Resolution No. 2014-07-61

(Agenda Item No. 14-158)

2. Consideration of a Resolution Appointing a Member to the Board of Ethics of the City of Sandy Springs (Darlene Trigg) - First Alternate
(Presented by Mayor, Rusty Paul)

Motion and Vote: Councilman Bauman moved to approve Agenda Item No. 14-158, a Resolution Appointing a Member to the Board of Ethics of the City of Sandy Springs (Darlene Trigg) - First Alternate. Councilman Dishman seconded the motion. The motion carried unanimously.

Resolution No. 2014-07-62

(Agenda Item No. 14-159)

3. Consideration of a Resolution Appointing a Member to the Board of Ethics of the City of Sandy Springs (Jonathan Levine) - Second Alternate
(Presented by Mayor, Rusty Paul)

Motion and Vote: Councilman Dishman moved to approve Agenda Item No. 14-159, a Resolution Appointing a Member to the Board of Ethics of the City of Sandy Springs (Jonathan Levine) - Second Alternate. Councilman Sterling seconded the motion. The motion carried unanimously.

Resolution No. 2014-07-63

(Agenda Item No. 14-160)

4. Consideration of a Resolution Designating Signatories for the City of Sandy Springs, Georgia
(Presented by Finance Director, Karen Ellis)

Motion and Vote: Councilman DeJulio moved to approve Agenda Item No. 14-160, a Resolution Designating Signatories for the City of Sandy Springs, Georgia. Councilman Dishman seconded the motion. The motion carried unanimously.

Resolution No. 2014-07-64

(Agenda Item No. 14-161)

5. Approval of Purchase and Closing of 146 Hilderbrand Avenue, Sandy Springs, Georgia
(Presented by Assistant City Attorney, Cecil McLendon)

Motion and Vote: Councilman DeJulio moved to approve Agenda Item No. 14-161, Purchase and Closing of 146 Hilderbrand Avenue, Sandy Springs, Georgia. Councilman McDonald seconded the motion. The motion carried unanimously.

Resolution No. 2014-07-65

(Agenda Item No. 14-162)

6. Consideration of Approval of Public Art – Mural at Morgan Falls Park
(Presented by Community Development Director, Angela Parker)

Motion and Vote: Councilman Dishman moved to approve Agenda Item No. 14-162, Approval of Public Art – Mural at Morgan Falls Park. Councilman DeJulio seconded the motion. The motion carried unanimously.

(Agenda Item No. 14-163)

7. Consideration of Approval of Purchase of Police Vehicles
(Presented by Chief of Police, Ken DeSimone)

Motion and Vote: Councilman Sterling moved to approve Agenda Item No. 14-163, Approval of Purchase of Police Vehicles. Councilman Paulson seconded the motion. The motion carried unanimously.

(Agenda Item No. 14-164)

8. Authorization to Acquire Property under Grant PDMC-PJ-04-GA-2012-002
(Presented by City Manager, John McDonough)

Motion and Vote: Councilman DeJulio moved to approve Agenda Item No. 14-164, Authorization to Acquire Property under Grant PDMC-PJ-04-GA-2012-002. Councilman Bauman seconded the motion. The motion carried unanimously.

Resolution No. 2014-07-66

(Agenda Item No. 14-165)

9. A Resolution to Amend the City of Sandy Springs' Authorization for the use of Eminent Domain to Acquire Property Located at 80 Johnson Ferry Road, Sandy Springs, Georgia, PARCEL ID: 17-008800020098, for Public Use
(Presented by City Attorney, Wendell Willard)

Motion and Vote: Councilman Sterling moved to approve Agenda Item No. 14-165, A Resolution to Amend the City of Sandy Springs' Authorization for the use of Eminent Domain to Acquire Property Located at 80 Johnson Ferry Road, Sandy Springs, Georgia, PARCEL ID: 17-008800020098, for Public Use. Councilman Dishman seconded the motion. The motion carried unanimously.

Resolution No. 2014-07-67

(Agenda Item No. 14-166)

10. A Resolution to Rescind the City of Sandy Springs' Resolution No: 2014-06-43 Adopted June 3, 2014 Authorizing the use of Eminent Domain to Acquire Property Located at 6332 North Hampton Drive, Sandy Springs, Georgia, PARCEL ID: 17-008800020395, for Public Use
(Presented by City Attorney, Wendell Willard)

Motion and Vote: Councilman DeJulio moved to approve Agenda Item No. 14-166, A Resolution to Rescind the City of Sandy Springs' Resolution No: 2014-06-43 Adopted June 3, 2014 Authorizing the use of Eminent Domain to Acquire Property Located at 6332 North Hampton Drive, Sandy Springs, Georgia, PARCEL ID: 17-008800020395, for Public Use. Councilman McDonald seconded the motion. The motion carried unanimously.

Resolution No. 2014-07-68

(Agenda Item No. 14-167)

11. A Resolution to Authorize the use of Eminent Domain to Acquire a Portion of the Property Located at 6332 North Hampton Drive, Sandy Springs, Georgia, PARCEL ID: 17-008800020395, for Public Use
(Presented by City Attorney, Wendell Willard)

Motion and Vote: Councilman DeJulio moved to approve Agenda Item No. 14-167, A Resolution to Authorize the use of Eminent Domain to Acquire a Portion of the Property Located at 6332 North Hampton Drive, Sandy Springs, Georgia, PARCEL ID: 17-008800020395, for Public Use. Councilman Paulson seconded the motion. The motion carried unanimously.

Resolution No. 2014-07-69

K) REPORTS

1. Mayor and Council Reports

2. Staff Reports

- a) May 2014 Financial Report – Finance Director Karen Ellis

L) PUBLIC COMMENT**M) EXECUTIVE SESSION –Real Estate**

Motion and Vote: Councilman DeJulio moved to enter into Executive Session to discuss real estate with the Assistant City Manager and Assistant City Attorney included. Councilman Paulson seconded the motion. The motion carried unanimously, with Councilman Paulson, Councilman Dishman, Councilman McDonald, Councilman Sterling, Councilman DeJulio, and Councilman Bauman voting in favor of the motion. Executive Session began at 9:57 p.m.

Motion and Vote: Councilman DeJulio moved to adjourn Executive Session. Councilman Dishman seconded the motion. The motion carried unanimously, with Councilman Paulson, Councilman Dishman, Councilman McDonald, Councilman Sterling, Councilman DeJulio, and Councilman Bauman voting in favor of the motion. Executive session adjourned at 10:21 p.m.

N) ADDITIONAL BUSINESS**(Agenda Item No. 14-168)**

1. Consideration by City Council of the Acquisition of Property for the Carpenter Drive Realignment
(Presented by City Attorney, Wendell Willard)

Motion and Vote: Councilman DeJulio moved to approve Agenda Item No. 14-168, the Acquisition of Property for the Carpenter Drive Realignment. Councilman Paulson seconded the motion. The motion carried unanimously.

Resolution No. 2014-07-70**O) ADJOURNMENT**

Motion and Vote: Councilman DeJulio moved to adjourn the meeting. Councilman Paulson seconded the motion. The motion carried unanimously. The meeting adjourned at 10:23 p.m.