

Regular Meeting of the Sandy Springs City Council was held Tuesday, May 5, 2009, 6:00 p.m., Mayor Galambos presiding.

Invocation – Rabbi Elana Perry, Temple Sinai

Rabbi Elana Perry, Temple Sinai offered the invocation.

Call to Order

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

Roll Call and General Announcements

Interim City Clerk Michael Casey reminded everyone to silence their cell phones and pagers at this time. Additionally, those wishing to provide public comments, either during a public hearing or before the conclusion of the meeting under the public comment section, are required to complete a public comment card. Cards are located at the back counter and need to be turned in to the Clerk before speaking.

Interim City Clerk Casey called the roll.

Mayor: Mayor Eva Galambos

Councilmember's Present: Councilmember Doug MacGinnitie, Councilmember Dianne Fries, Councilmember Rusty Paul, Councilmember Ashley Jenkins, Councilmember Tibby DeJulio, and Councilmember Karen Meinzen McEnerny.

Pledge of Allegiance

Mayor Galambos led the Pledge of Allegiance.

Approval of Meeting Agenda

Motion and Vote: Councilmember Fries moved to approve the meeting agenda. Councilmember Paul seconded the motion. There was no Council discussion. The motion carried unanimously.

Consent Agenda

(Agenda Item No. 09-114)

1. Approve Final 2009 CDBG Action Plan

Resolution No. 2009-05-28

(Nancy Leathers, Community Development Director)

(Agenda Item No. 09-115)

2. Resolution in Support of EcoDriving Techniques

Resolution No. 2009-05-29

(Rusty Paul, Councilmember)

Motion and Vote: Councilmember Fries moved to approve the consent agenda. Councilmember Meinzen McEnerny seconded the motion. There was no Council discussion. The motion carried unanimously.

Presentations

Riverwood International Charter School Robotics Team

Mayor Galambos congratulated and presented a certificate to the RoboRaiders, Riverwood International Charter School's Robotic Team, for their extraordinary achievement in winning the FTC (First Tech Challenge) World Championship out of 100 teams, with teams from as far away as Norway, The Netherlands and Canada. The team won all six (6) qualifying matches and was ranked third among 50 competing teams from around the world in the Edison Division. The competition was held April 16-17, 2009 in Atlanta, Georgia.

Proclamation – Ehlers-Danlos Syndrome (EDS) Awareness Day

Mayor Galambos read the Ehlers-Danlos Syndrome Awareness (EDS) Awareness Day Proclamation.

Civilian Assist of SSPD - Mr. Donald Bolena

Chief of Police Terry Sult stated that this is a special time when the City gets to thank one of its own citizens for truly stepping up and partnering in the ultimate fashion. Will Officer Derrall Philson and Lieutenant Scott Jamison come forward? This is about a citizen coming to the aid of a police officer. Officer Philson will explain what happened, what type of call he was on, and what took place. Then we will recognize the person who came to his aid.

Officer Derrall Philson stated that he got a call to Wachovia Bank located on Roswell Road about a guy conducting fraudulent transactions. Once he got on scene, he went into the establishment. The guy saw him and took off running. He chased the "Bad Guy", because it's his job. Once he got outside, he gave orders for the "Bad Guy" to stop. The bad guy stopped and looked at him like "the fight is on". At that point, the fight was on. The suspect was a big guy, so Officer Philson felt threatened a little bit, but was able to finally got one cuff on him. Officer Philson slipped on some pine straw and the suspect tried to get out of his hold. Out of the blue, like a knight in shining armor, he saw a man jump out of a pickup truck while about 50 citizens stood there watching him fight the guy. The guy from the truck jumped on top of him and the suspect and helped handcuff the suspect. It was a blessing this gentleman was there because the arrest could have ended badly. This incident reassured Officer Philson about Sandy Springs citizens in that they do love their police department and love law enforcement. He appreciates everything Mr. Bolena did to help him.

Chief of Police Terry Sult introduced Mr. Donald Bolena.

Donald Bolena stated that he comes from a family of law enforcement. He has watched members of his family die and saw one take eight bullets in the line of duty and live through it. When we dial 911, the officers come to our aid, and this is what Officer Philson was doing. He was fighting for Sandy Springs and people were just standing around watching. Mr. Bolena could not stand there and watch it happen. He asked the officer if he could help him and Officer Philson said yes he could. When he was allowed to jump in and help, he did. This is one of the greatest pleasures God has ever given him to share and be a part of something for the good of society. Mr. Bolena lives in Sandy Springs and is so proud to be a resident. In his eyes Sandy Springs has the greatest police force in all of Atlanta. This is a direct reflection of the City's Chief and Lieutenant, and the Mayor who is so gracious. He feels Sandy Springs is a God serving community and is proud to know that his Lord and Savior is wonderful and good, and still allows us to have a voice, and allows us to know that there are men like Officer Philson who protect us.

Mayor Galambos stated that the City is very grateful to Mr. Bolena for all he did to help Officer Philson.

Public Hearings

Alcoholic Beverage

Approval of Alcoholic Beverage License Application for Fanoos Restaurant at 6125 Roswell Rd Ste 104 Sandy Springs, GA 30328. Applicant is Javad Khadivi for Consumption on Premise Wine, Malt Beverage and Distilled Spirits.

Director of Administrative Services Tarsha Patterson stated that this application is relative to a change of ownership. She stated that staff has reviewed the application and all the administrative requirements have been met. The public hearing has been advertised as required and staff recommends approval.

Mayor Galambos called for public comments. There were no comments from the public.

Motion and Vote: Councilmember Fries moved to approve (Agenda Item No. 09-116), Alcoholic Beverage License Application for Fanoos Restaurant at 6125 Roswell Rd Ste 104 Sandy Springs, GA 30328. Applicant is Javad Khadivi for Consumption on Premise Wine, Malt Beverage and Distilled Spirits. Councilmember Jenkins seconded the motion. There was no Council discussion. The motion carried unanimously.

Approval of Alcoholic Beverage License Application for The Flying Biscuit Café at 5975 Roswell Rd Ste G25 Sandy Springs, GA 30328. Applicant is Barbara Juhan for Consumption on Premise Wine and Malt Beverage.

Director of Administrative Services Tarsha Patterson stated that this application is relative to a new business. She stated that staff has reviewed the application and all the administrative requirements have been met. The public hearing has been advertised as required and staff recommends approval.

Mayor Galambos called for public comments. There were no comments from the public.

Motion and Vote: Councilmember Fries moved to approve (Agenda Item No. 09-117), Alcoholic Beverage License Application for The Flying Biscuit Café at 5975 Roswell Rd Ste G25 Sandy Springs, GA 30328. Applicant is Barbara Juhan for Consumption on Premise Wine and Malt Beverage. Councilmember Paul seconded the motion. There was no Council discussion. The motion carried unanimously.

Approval of Alcoholic Beverage License Application for Publix Super Market #1249, 5630 Roswell Rd, Sandy Springs, GA 30342. Applicant is James Leonard Speake III for Retail Package Wine and Malt Beverage.

Director of Administrative Services Tarsha Patterson stated that this application is relative to a new business. She stated that staff has reviewed the application and all the administrative requirements have been met. The public hearing has been advertised as required and staff recommends approval.

Mayor Galambos called for public comments. There were no comments from the public.

Motion and Vote: Councilmember Meinzen McEnery moved to approve (Agenda Item No. 09-118), Alcoholic Beverage License Application for Publix Super Market #1249, 5630 Roswell Rd, Sandy Springs, GA 30342. Applicant is James Leonard Speake III for Retail Package Wine and Malt Beverage. Councilmember Fries seconded the motion. There was no Council discussion. The motion carried unanimously.

Reports and Presentations

Mayor Galambos explained the plan of action. Council will recess this meeting and go into Work Session. At the conclusion of Work Session, City Council will discuss budget issues. She noted that this would not be a budget hearing. After the budget discussion, Council will resume the Regular Meeting, make a motion to go into Executive Session, adjourn Executive Session and then close the Regular meeting.

City Attorney Wendell Willard stated that Council is aware of the discussions he was having with CH2M HILL regarding the City's insurance. He did receive the requested documents and has had discussion with several CH2M HILL personnel. An agreement has been reached between the City and CH2M HILL in that the City will receive a credit in the amount of \$237,744 for the Insurance Premiums paid from January 1, 2006 to present. The City's Finance Director has reviewed and concurs with this agreement.

Mayor Galambos thanked Mr. Willard for getting this matter settled with CH2M HILL.

Public Comment

There were no comments from the public.

Motion and Vote: Councilmember DeJulio moved to recess meeting at 6:21 p.m. in order to commence the Work Session Meeting. Councilmember Fries seconded the motion. The motion carried unanimously.

City Council held the Work Session meeting at this time.

Following the Work Session, City Council and staff held Budget Workshop #1 for the FY2010 Budget. The Regular Meeting of City Council resumed at 9:33 p.m.

Executive Session – Litigation and Real Estate

Motion and Vote: Councilmember DeJulio moved to enter into Executive Session to discuss litigation and real estate. Councilmember Fries seconded the motion. The motion carried unanimously with Councilmember MacGinnitie, Councilmember Fries, Councilmember Paul, Councilmember Jenkins, Councilmember DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. Executive session began at 9:34 p.m.

Motion and Vote: Councilmember DeJulio moved to adjourn Executive Session. Councilmember Fries seconded the motion. The motion carried unanimously with Councilmember MacGinnitie, Councilmember Fries, Councilmember Paul, Councilmember Jenkins, Councilmember DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. Executive session adjourned at 9:43 p.m.

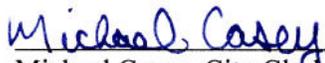
Adjournment

Motion and Vote: Councilmember DeJulio moved to adjourn the meeting. Councilmember Fries seconded the motion. The motion carried unanimously. The meeting adjourned at 9:44 p.m.

Date Approved: August 18, 2009



Eva Galambos, Mayor



Michael Casey, City Clerk

CITY OF SANDY SPRINGS, GA

STATE OF GEORGIA
FULTON COUNTY

May 5, 2009

AFFIDAVIT FOR EXECUTIVE SESSION

Personally comes Eva Galambos, Mayor of the City of Sandy Springs, who on oath says that to the best of her knowledge and belief, on the 5th day of May, 2009, in the city aforesaid, a meeting of the Council was closed to the public for the following reason(s):

Future acquisition of real estate pursuant to O.C.G.A, 50-14-3(4);

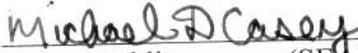
Attorney/client privilege in order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any 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.



Eva Galambos, Mayor

Sworn to and subscribed before me,
this 5TH day of MAY, 2009.



Notary public (SEX: M)

