

Regular meeting of the Mayor and City Council of the City of Sandy Springs was held May 6, 2008 at 6:01 p.m., Mayor Eva Galambos presiding.

Invocation

Reverend Kelly Barge, Sandy Springs United Methodist Church gave the invocation.

Call to Order

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

Roll Call and General Announcements

City Clerk Christina Rowland 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 at the conclusion of the meeting under public comment section, are required to complete a public comment card. They are located at the back counter and need to be turned in to the Clerk.

Councilmembers 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 Paul moved to amend the agenda, adding an Executive Session for pending litigation. Councilmember DeJulio seconded the motion. There was no Council discussion. The motion carried unanimously.

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

Consent Agenda

1. Meeting Minutes:
 - a. March 11, 2008 Work Session Minutes
 - b. April 8, 2008 Work Session Minutes
 - c. April 15, 2008 Regular Meeting Minutes

Motion and Vote: Councilmember Fries moved to approve the Consent Agenda. Councilmember DeJulio seconded the motion. There was no Council discussion. The motion carried unanimously.

Presentations

Recognition of Outgoing Board Officers

Mayor Galambos presented certificates of recognition to Roger Rupnow, Planning Commission, Al Pond, Board of Zoning Appeals and Jim Langlais, Ethics Board for their dedicated services to the City of Sandy Springs.

Proclamation-National Tourism Week

Mayor Galambos presented the Proclamation in recognition of National Tourism Week to Kym Hughes, Executive Director of the City of Sandy Springs Hospitality & Tourism Board.

Suzanne Ingles, Brush Strokes, an artist of Sandy Springs presented the Mayor and City Council a painting 'Gone Fishing' on the Chattahoochee River to be displayed at City Hall.

Public Hearings

Alcoholic Beverage License

Consideration of Approval of Alcoholic Beverage License Application for Food Mart #516-Shell at 7800 Holcomb Bridge Rd Sandy Springs, GA 30092. Applicant is Mosab Zakaria Omar for Retail/Package Wine and Malt Beverage.

Director of Administrative Services Horn stated that the applicant submitted a completed application. Staff has reviewed the application. All administrative requirements of the Ordinance have been met. The public hearing has been advertised as required. Staff recommends approval.

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

Motion and Vote: Councilmember Fries moved to approve Alcoholic Beverage License Application for Food Mart #516-Shell at 7800 Holcomb Bridge Rd Sandy Springs, GA 30092. Applicant is Mosab Zakaria Omar for Retail/Package Wine and Malt Beverage. Councilmember Meinzen McEnery seconded the motion. There was no Council discussion. The motion carried unanimously.

Consideration of Approval of Alcoholic Beverage License Application for Food Mart #521-Shell at 5640 New Northside Dr Sandy Springs, GA 30328. Applicant is Wael Ahmed Naguib for Retail/Package Wine and Malt Beverage.

Director of Administrative Services Horn stated that the applicant submitted a completed application. Staff has reviewed the application. All administrative requirements of the Ordinance have been met. The public hearing has been advertised as required. Staff recommends approval.

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

Motion and Vote: Councilmember Meinzen McEnery moved to approve Alcoholic Beverage License Application for Food Mart #521-Shell at 5640 New Northside Dr Sandy Springs, GA 30328. Applicant is Wael Ahmed Naguib for Retail/Package Wine and Malt Beverage. Councilmember Fries seconded the motion. There was no Council discussion. The motion carried unanimously.

Approval of Alcoholic Beverage License Application for Soiree at 1100 Abernathy Rd Ste 345 Sandy Springs, GA 30328. Applicant is Kheraj, Amirali Sultan for Retail/Package Wine and Malt Beverage.

Director of Administrative Services Horn stated that the applicant submitted a completed application. Staff has reviewed the application. All administrative requirements of the Ordinance have been met. The public hearing has been advertised as required. Staff recommends approval.

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

Motion and Vote: Councilmember Fries moved to approve Alcoholic Beverage License Application for Soiree at 1100 Abernathy Rd Ste 345 Sandy Springs, GA 30328. Applicant is Kheraj, Amirali Sultan for Retail/Package Wine and Malt Beverage. Councilmember Jenkins seconded the motion. There was no Council discussion. The motion carried unanimously.

New Business

Consideration of approval of a resolution designating the Sandy Springs Hospitality Board, Inc. ("Hospitality") as the destination marketing organization for the City of Sandy Springs (the "City").
Resolution No. 2008-05-21

Executive Director of Sandy Springs Hospitality Board Hughes stated that the Hospitality Board is a non profit corporation which operates exclusively for the purpose of promoting tourism, conventions, and trade shows within the City. Hospitality currently markets the City as a tourism destination and otherwise supports the goals of the City. Funded by the lodging tax, Hospitality is in partnership with the hotels and attractions offered by the City. This partnership allows Hospitality to speak a unified voice to promote the many attractions and amenities that the City offers to potential visitors. The Board requests that the City Council approve the Resolution designating the Hospitality as the destination marketing organization for the City of Sandy Springs.

Motion and Vote: Councilmember DeJulio moved to approve a resolution designating the Sandy Springs Hospitality board, Inc. as the designation marketing organization for the City of Sandy Springs. Councilmember Fries seconded the motion. There was no Council discussion. The motion carried unanimously.

Consideration of approval of the 2008 Georgia Department of Transportation LARP contracts, LAU08-S011-00(498) and LAU08-S011-00(499), and authorize the Mayor to sign.

Public Works Director Parham stated that staff submitted 21 streets to GDOT to be considered for the LARP program. The list was approved by City Council on October 2, 2007. GDOT has approved 16 streets as part of the 2008 contract. A list of approved streets was provided to City Council.

Motion and Vote: Councilmember Paul moved to approve the 2008 Georgia Department of Transportation LARP contracts, LAU08-S011-00(498) and LAU08-S011-00(499), and authorize the Mayor to sign. Councilmember Jenkins seconded the motion. There was no Council discussion. The motion carried unanimously.

Consideration of approval of an Intergovernmental Agreement Between the City of Sandy Springs, Georgia and the Fulton County Board of Education for the Use of the Spalding Drive Charter School Premises and Facilities.

City Attorney Willard stated that this is a continuation of a one year Intergovernmental Agreement. This Agreement is for a five (5) year term and will expire on December 31, 2013, as a permissive use of the playground area, recreation area at Sandy Springs Middle School. The Attorney's office recommends approval of this agreement.

Motion and Vote: Councilmember Paul moved to approve an Intergovernmental Agreement between the City of Sandy Springs, Georgia and the Fulton County Board of Education for the Use of the Spalding Drive Charter School Premises and Facilities. Councilmember Jenkins seconded the motion. There was no Council discussion. The motion carried unanimously.

Consideration of approval of a Resolution to authorize reimbursement of fees and expenses ("Reimbursement Resolution") in connection with the implementation of a 9-1-1 emergency telephone service for the City of Sandy Springs (the "City").
Resolution No. 2008-05-22

City Attorney Willard stated that the Resolution will allow the City to be reimbursed for advances made by the City in preparation for the 9-1-1 System from the monthly 9-1-1 telephone subscribers charges. The City Attorneys office recommends approval of the Reimbursement Resolution.

Councilmember MacGinnitie questioned if the City would be allowed to reimburse itself with the fees and if it would be sufficient to cover the operating expenses.

City Manager McDonough stated that staff does not know at this time, but it is anticipated. The City should have the fee analysis and information within the next five weeks. Staff will know what the actual fees will be in late June. Last year the City was told it would be about \$2.6 million. The City's partnership with Johns Creek should bring in about \$1.5 million per year.

Mayor Galambos questioned if this was permissive or compulsory.

City Attorney Willard stated that this is required in order for the City to get back potential reimbursement. This is known as an "earmark" fund.

City Manager McDonough stated that it is anticipated the City could spend several million of dollars from the General Fund, in advance of starting the operation. The City could fully take it over until the fees come in. He encouraged the Council to allow the fees, in order to pay back the General Fund in the future.

Councilmember Meinzen McEnery stated that Rocky Moore of Fulton County 9-1-1 had stated a couple of years ago that there are significant fees generated in Sandy Springs in surplus, meaning the City contributed more than was spent. Therefore, it seems that Sandy Springs has a good fee base especially if Johns Creek comes in.

Motion and Vote: Councilmember Fries moved to approve a Resolution to authorize reimbursement of fees and expenses in connection with the implementation of a 9-1-1 emergency telephone service for the City of Sandy Springs. Councilmember MacGinnitie seconded the motion. There was no Council discussion. The motion carried unanimously.

Consideration of approval of the bid award and contract for Replacement and Repair of the Lighting at Morgan Falls Athletic Ball Fields to Southeast Electrical Contractors Inc. in the amount of \$299,000.

Assistant City Manager Rapson stated that competitive bids were solicited for the lower fields (1-4). The entire light structure will be replaced in conjunction with the Sports Association. This item was budgeted in the 2008 budget and is within the budget of recreational improvements. The work will be done between July 1 and September 12, 2008, and will not interrupt use of the fields.

Motion and Vote: Councilmember Jenkins moved to approve the bid award and contract for Replacement and Repair of the Lighting at Morgan Falls Athletic Ball Fields to Southeast Electrical contractors Inc. in the amount of \$299,000. Councilmember Fries seconded the motion. There was no Council discussion. The motion carried unanimously.

Consideration of approval of Draft CDBG Program 2008-2012 Consolidated Plan, 2008 Annual Action Plan and request for approval to advertise each plan for a 30-day public comment period.

Deputy Director of Planning and Zoning McNeill stated that this is a draft of the planning document that is required by HUD to secure CDBG funds. It represents broad goals that HUD requires the City to include, as well as the proposed use of the funding in 2008. It must also fit with one of the projects that Public Works has identified. Maps have been provided to Council that shows the entire City, and the three areas staff reviewed. The area staff is looking at that currently has no proposed funding is between Northridge and Morgan Falls. This would be a sidewalk project that would rebuild the existing sidewalks to streetscape standards. It would also connect the gaps, so that the areas that have multi-family properties, and are in the target area, will have better access to all the commercial areas at Northridge, as well as Big Trees and Morgan Falls Park. Staff is open to any changes Council

may have. In order to stay on schedule, and submit document by July 1, 2008, this will need to be advertised soon, in order to meet the 30 day period that is required for public comments.

Councilmember Meinzen McEnery questioned how this particular project was selected. Mr. McNeill stated that the project was selected because it has no proposed funding. The area has a tremendous amount of foot traffic along the shoulders of the road. This would allow connectivity to vital areas of the City; commercial areas at Northridge and parks to residential areas that have been identified by the census data as target lot groups.

Councilmember Meinzen McEnery stated that the Big Trees Park shows intended improvements in front of the annex. She questioned why the City would want to separate the streetscape in front of the park. Mr. McNeill stated that there is a census block line where it has to end. The project could go beyond the census line, but would need other funding to continue outside of the target area.

Councilmember Paul explained that anything outside of the census block line would require City funds.

Councilmember Meinzen McEnery asked for confirmation on how far the project would extend. Mr. McNeill stated that he would meet with the Public Works staff and get a better definition on where the project would end.

Mayor Galambos questioned if the City's designated dollar amount would be sufficient. Mr. McNeill stated that the funds available will start the design and construction of the project. Mayor Galambos stated that Roswell Road needs to have the standard five (5) foot sidewalks and is not sure if Pitts Road would need the five (5) foot sidewalks when the four (4) foot sidewalk might work.

Councilmember Jenkins stated that there are existing sidewalks already on Pitts Road and they would have to match up. She believes this project is a fantastic way to use the CDBG funds.

Program Director Crace stated that HUD will require the City to meet ADA standards.

Mayor Galambos stated that there is still a huge amount of people jaywalking across Roswell Road at a close distance to traffic lights. She would like for staff to put up some type of signage that will direct people to cross at the light. Mr. McNeill stated that he would meet with Public Works staff on this matter.

Motion and Vote: Councilmember Jenkins moved to approve the Draft CDBG Program 2008-2012 Consolidated Plan, 2008 Annual Action Plan and request for approval to advertise each plan for a 30-day public comment period. Councilmember Fries seconded the motion. There was no Council discussion. The motion carried unanimously.

Consideration of approval of a Project Framework Agreement with Georgia Department of Transportation for construction of the half-diamond interchange at Hammond Drive and State Route 400 – CSNHS-0008-00 (415) Fulton County, P.I. 0008415.

Director of Public Works Parham stated that this is a request to sign a revised version of the Project Framework Agreement with GDOT for construction of the half-diamond interchange at Hammond Drive and State Route 40.

The original PFA for this Project was executed by the City on November 20, 2007. GDOT has revised this document to show only the construction cost. PCID is paying for the design and will pay up to \$5,000,000 for the construction. , GDOT is paying for the right-of-way and is obligated for \$16,184,000 for the construction. The Project Framework Agreement needs to be signed by the local government and can not be executed with PCID.

City Attorney Willard stated that this project is still moving forward, but has been held up because the Commissioner is reviewing everything again. Mr. Willard stated that he is meeting with the Commissioner and Ms. Williams, PCID regarding the funding that needs to go to GDOT for this project. There will also be discussion on the concerns Council has regarding the vacant houses located on Abernathy Road that needs to be resolved quickly.

Motion and Vote: Councilmember Paul moved to approve a Project Framework Agreement with Georgia Department of Transportation for construction of the half-diamond interchange at Hammond Drive and State Route 400 – CSNHS-0008-00 (415) Fulton County, P.I. 0008415. Councilmember DeJulio seconded the motion. There was no Council discussion. The motion carried unanimously.

Reports and Presentations:

Mayor and Council Reports

Mayor Galambos brought forward two items for Council discussion.

Consideration of approval for the Friends of Sandy Springs to promote naming rights for the City of Sandy Springs facilities.

Mayor Galambos explained that the Friends of Sandy Springs need Council approval to promote naming rights for various City facilities, islands, ball fields, etc. in order to start raising donations. Mayor Galambos provided Council a summary of a study that was done on naming rights.

Mayor Galambos stated that the City may have a chance to rebuild the Hammond gymnasium and the entire sports facility. She questioned if the number, \$3.5 million would be enough for the highest amount to request.

Councilmember Jenkins stated that the numbers are a little low, especially for Hammond because the City is about to put in a half diamond at Hammond and Glenridge, and the amount of traffic generated at that intersection will give high visibility to whomever's name will be on the Park building.

Councilmember MacGinnitie questioned if this needed to be voted on by Council tonight. Mayor Galambos stated that the Friends of Sandy Springs is ready to go out and raise money. The City can not give Friends of Sandy Springs a list until Council's approval.

Councilmember MacGinnitie questioned if the naming rights lasted forever. Mayor Galambos explained that it would not and that it would depend on the time period. Councilmember MacGinnitie stated that it would be difficult for him to approve this tonight.

Councilmember DeJulio explained that the value is on a national basis, where there are naming rights to everything and basically it is the value a business receives out of the publicity.

Councilmember MacGinnitie stated that he is interested in knowing what the public thinks about the City selling off naming rights of public property.

Mayor Galambos requested that Council review the Naming Rights Study.

Motion and Vote: Councilmember Paul moved to table this item to the May 20, 2008 regular Council Meeting. Councilmember MacGinnitie seconded the motion. There was no Council discussion. The motion carried unanimously.

Mayor Galambos questioned if anyone had seen the emails about the School Board failing its obligations on the turf field at North Springs High School.

Councilmember Paul stated that he has and that the Board has not taken any action yet.

Mayor Galambos stated that it looks dangerous. Councilmember Paul stated that he is concerned about it too. Mayor Galambos stated that this is another occasion of a Sandy Springs facility that was on the SPOST list.

Councilmember Paul stated that he would like for the representatives from the School Board to meet with members of Council to discuss this item.

Public Comment

Jennifer Steel, 4827 Kitty Hawk Drive, President of Cherokee Park Civic Association, District 6, stated that the Civic Association will soon have a new Board of Directors. The current Board has been extremely proactive this year in getting all issues taken care for the neighborhood. The Board has addressed all of the signage issues. Everything is up to code and corrected. The Board even went over budget to buy "neighborhood watch" signs in order to get them up to date. The board is now trying to lay the ground work for the next Board members. Currently, they have an awkward area, an extremely wide triangle that looks as if it was shaved off a bit at the juncture of Mystic Drive and Mystic Place. There is concern over how this juncture will meet. She has tried in several ways to get information and still needs the City's help in obtaining information on the schematics of about a 50 foot round-around, the curb age and infrastructure that it would entail. She met with a gentleman today from the private sector, who may be able to help them reduce the cost. This would eventually take some of the burden away from the taxpayers in the future. She requested Council's help in getting the schematics in place.

Mayor Galambos stated that Council would meet with the Public Works Transportation staff and discuss this matter.

(Agenda Item added by motion of vote)

Executive Session – Pending Litigation

Motion and Vote: Councilmember Fries moved to enter into Executive Session to discuss pending litigation. Councilmember DeJulio seconded the motion. There was no Council discussion. The motion carried unanimously with Councilmember MacGinnitie, Councilmember Fries, Councilmember Jenkins, Councilmember DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. There was no Council discussion. Executive session began at 6:55 p.m.

Motion and Vote: Councilmember Paul moved to adjourn Executive Session. Councilmember DeJulio seconded the motion. There was no Council discussion. The motion carried unanimously with Councilmember MacGinnitie, Councilmember Fries, Councilmember Jenkins, Councilmember DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. There was no Council discussion. Executive session adjourned at 7:15 p.m.

Adjournment

Motion and Vote: Councilmember Paul moved to adjourn the meeting. Councilmember MacGinnitie seconded the motion. The motion carried unanimously. There was no Council discussion. The meeting adjourned at 7:16 p.m.

Date Approved: May 20, 2008



Eva Galambos, Mayor



Christina V. Rowland, City Clerk

CITY OF SANDY SPRINGS, GA

STATE OF GEORGIA
FULTON COUNTY

May 6, 2008

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 6th day of May, 2008, in the city aforesaid, a meeting of the Council was closed to the public for the following reason(s):

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 6 day of May, 2008.



Notary public

