

Regular Meeting of the Mayor and City Council of the City of Sandy Springs was held April 1, 2008 at 6:00 p.m., Mayor Eva Galambos presiding.

Invocation

Deacon Tom Shuler, Holy Spirit Catholic Church gave the invocation.

Call to Order

Mayor Galambos called the meeting to order at 6:02 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 McEnery.

Pledge of Allegiance

Mayor Galambos led the Pledge of Allegiance.

Approval of Meeting Agenda

Motion and Vote: Councilmember Jenkins moved to approve the Meeting Agenda. Councilmember Fries seconded the motion. The motion carried unanimously.

Consent Agenda

1. Meeting Minutes:
 - a. March 4, 2008 Regular Meeting Minutes

Motion and Vote: Councilmember Paul moved to approve the Consent Agenda. Councilmember DeJulio seconded the motion. The motion carried unanimously.

Presentations

Proclamation-Donate Life Month and NIPP IT Week

Mayor Galambos stated that no one was present to accept this proclamation.

Proclamation-Georgia Cities Week

Mayor Galambos read the Proclamation for Georgia Cities Week and presented it to the City.

Public Hearings

Eminent Domain

Consideration of approval of the appropriation of the property located at 43 Abernathy Road through the use of eminent domain.

Resolution No. 2008-04-17

City Attorney Willard stated that this is a public hearing regarding the appropriation of the property located at 43 Abernathy Road through the use of eminent domain. An appraisal has been made of \$113,500. This is the fair market value. Negotiations have failed to bring acquisition to a conclusion.

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

Motion and Vote: Councilmember Paul moved to approve the appropriation of the property located at 43 Abernathy Road through the use of eminent domain. Councilmember Fries seconded the motion. The motion carried unanimously.

**Consideration of Approval of the Appropriation of the Property Located at 211 Abernathy Road through the Use of Eminent Domain.
Resolution No. 2008-04-18**

City Attorney Willard stated that this is a public hearing regarding the appropriation of the property located at 211 Abernathy Road through the use of eminent domain. An appraisal has been made of \$422,800. This is the fair market value. Negotiations have failed to bring acquisition to a conclusion.

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

Motion and Vote: Councilmember Paul moved to approve of the Appropriation of the Property Located at 211 Abernathy Road through the Use of Eminent Domain. Councilmember Fries seconded the motion. The motion carried unanimously.

Alcoholic Beverage License

Consideration of approval of an Alcoholic Beverage License Application for H&L Food Mart at 350 North Ridge Rd., Sandy Springs, GA 30350. Applicant is Haassanali Lnu for Retail Package Malt Beverage.

Director of Administrative Services Horn stated that this is relative to a change of ownership. 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 the Alcoholic Beverage License Application for H&L Food Mart at 350 North Ridge Road, Sandy Springs, GA 30350. Councilmember Meinzen McEnery seconded the motion. The motion carried unanimously.

Approval of Alcoholic Beverage License Application (008353) for Food Mart Citgo at 8779 Dunwoody Pl Sandy Springs, GA 30350. Applicant is Jose Guzman for Retail/Package Wine and Malt Beverage.

Director of Administrative Services Horn stated that this application was deferred at the March 4, 2008 meeting. The deferral was requested due to outstanding code enforcement issues. Those have been resolved to the satisfaction of the Community Development Department. Staff recommends approval

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

Councilmember Fries questioned what the code enforcement issues were. Community Development Director Leathers explained that there were signage issues and building code violations. All issues have been corrected.

Motion and Vote: Councilmember Meinzen McEnery moved to approve the Alcoholic Beverage License Application (008353) for Food Mart Citgo at 8779 Dunwoody Place Sandy Springs, GA 30350. Councilmember Fries seconded the motion. The motion carried unanimously.

New Business

Consideration of approval of an Ordinance amending Article I, Section 1.03(b)(30) of the Charter of the City of Sandy Springs relating to the power of the City with regard to Public Utilities and Services and to clarify the City's power to grant franchises and make contracts for Public Utilities and Public Services and to prescribe the rates, fares, regulations, and standards and conditions of service applicable to the service to be provided by the franchise grantee or contractor. (First Reading)

City Attorney Willard explained that this is the required first reading of this charter amendment. This will allow the City to work with a potential ambulance company under a sole franchise. He explained that the amendment is to add "public services". This will allow a sole franchise with one company.

Consideration of Approval of an Ordinance amending Chapter 38, Offenses and Miscellaneous Provisions, Sections 38-26 and 38-63, of the Code of Ordinances of the City of Sandy Springs, Georgia. Ordinance No. 2008-04-12

Police Chief Wilson explained that these ordinances were modeled after the state law. This would allow these offenses to be tried in municipal court.

Councilmember Meinzen McEnery pointed out typographical errors. City Clerk Rowland stated that she would amend this scrivener's error.

Motion and Vote: Councilmember Fries moved to approve an Ordinance amending Chapter 38, Offenses and Miscellaneous Provisions, Sections 38-26 and 38-63, of the Code of Ordinances of the City of Sandy Springs, Georgia. Councilmember Jenkins seconded the motion. The motion carried unanimously.

Consideration of Approval of the execution of a Right-of-Entry Agreement in favor of Georgia Department of Transportation for property located at the northwest corner of Johnson Ferry Road and Riverside Drive.

Deputy Public Works Director Drysdale stated that the Georgia Department of Transportation is planning on extending the pipe and doing some earth work. Mayor Galambos questioned how much parkland they are taking. Deputy Director Drysdale explained the portion of the property in question. Mayor Galambos questioned if this would get rid of the large hole. Deputy Director Drysdale stated that the current plan does not include filling the hole. However, staff has requested that they reconsider.

Mayor Galambos stated that Sandy Springs Women's Club has made great strides at this park. The intention is that the park will be divided among several garden clubs to adopt portions of the park.

Motion and Vote: Councilmember Fries moved to approve the execution of a Right-of-Entry Agreement in favor of Georgia Department of Transportation for property located at the northwest corner of Johnson Ferry Road and Riverside Drive. Councilmember Meinzen McEnery seconded the motion. The motion carried unanimously.

Reports

Mayor Galambos stated that she received an invitation from the Regional Leadership Institute to participate in the institute this fall. She stated that if anyone is interest, please let her know.

City Manager McDonough stated that staff received 22 submittals for the Hammond Park Master Plan. Councilmember DeJulio requested that early warning communication systems be added as a discussion item to the next work session.

Mayor Galambos questioned when the water conservation program would be coming back to Council at a work session. Ms. Leathers stated that the committee had a meeting planned for the following day. She was unsure when the recommendation would be coming forward.

Councilmember Meinzen McEnery questioned when the next discussion of the 60-40 balance of multi-family would be. Ms. Leathers stated that she would have to check on this.

Adjournment

Motion and Vote: Councilmember Paul moved to adjourn the meeting. Councilmember Fries seconded the motion. The motion carried unanimously. The meeting adjourned at 6:24 p.m.

Date Approved: April 15, 2008



Eva Galambos, Mayor



Christina V. Rowland, City Clerk