

Regular meeting of the Mayor and City Council of the City of Sandy Springs was held February 19, 2008 at 6:00 p.m., Mayor Galambos presiding.

Invocation

Rabbi Scott Saulson 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 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 the 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.

City Clerk Rowland called the roll.

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

Nicole Motahari, City Council Page led the Pledge of Allegiance.

Approval of Meeting Agenda

Motion and Second: Councilmember DeJulio moved to approve the meeting agenda. Councilmember Fries seconded the motion.

Amendment to Motion: Councilmember Paul moved to amend the meeting agenda, adding a Resolution in Support of House Bill 975. Councilmember Meinzen McEnery seconded the motion. There was no Council discussion.

Vote on Main Motion: The motion carried unanimously.

Consent Agenda

1. Meeting Minutes:
 - a. January 8, 2008 Work Session Minutes
 - b. February 5, 2008 Regular Meeting Minutes
2. Approval of a five percent bonus for the City Manager.
3. Approval of the Consultant Design-Build Services Contract with Protronix, Inc. for an Advanced Traffic Management Center (T-9401).
4. Approval to cancel the May 13, 2008 work session.

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

Public Hearings

Zoning

RZ07-038/U07-015/CV07-028, 1140 & 1150 Hammond Drive, Applicant: Corporate Campus, LLC To rezone the subject property from MIX conditional to MIX for the development of 753,000 square feet of commercial and office space, a 160-room hotel, and 400 residential units, with concurrent variances and a use permit to exceed the maximum district height.

Planner Ruffin stated that this is a zoning petition for the Corporate Campus Development located at the north east corner of Peachtree-Dunwoody Road and Hammond Drive. Staff is recommending that the application be deferred to allow the applicant time to revise their site plan to address the traffic study that was submitted for the Hammond Drive corridor, also to address the concerns by the Planning Commission at the January 17, 2008 Planning Commission hearing.

Pete Hendricks, 6085 Lake Forrest Drive, stated that the Planning Commission and staff have recommended that this item be deferred in order to clear up the traffic issues. The property is presently zoned to the MIX conditional use for the development of 753,000 square feet of commercial and office space. The applicant is in agreement with the deferral and requests that his application be deferred for 30 days.

Director of Community Development Leathers stated that the Planning Commission requested that the applicant's request be deferred back to them in 30 days, because they did not receive the new information on the transportation study and back to City Council in 60 days.

Motion and Second: Councilmember DeJulio moved to defer RZ07-038/U07-015/CV07-028, 1140 & 1150 Hammond Drive, Applicant: Corporate Campus, LLC for 30 days. Councilmember Fries seconded the motion.

Withdrawal of Motion: Councilmember DeJulio withdrew his motion. Councilmember Fries withdrew her second.

Motion and Vote: Councilmember DeJulio moved to defer RZ07-038/U07-015/CV07-028, 1140 & 1150 Hammond Drive, Applicant: Corporate Campus, LLC to the April 15, 2008 Regular Meeting. Councilmember Fries seconded the motion. There was no Council discussion. The motion carried unanimously.

Zoning Modifications

ZM07-010 - 1100 Johnson Ferry Road, Applicant: Duke Realty Corporation- To modify conditions 1.a., 2.a., and 3.e. of Z83-0185 to change the permitted net leasable floor area to gross floor area, to substitute the approved site plan, and to delete the impervious surface requirement.

Planner Ruffin stated that this zoning modification was heard at the January 15, 2008, City Council Regular Meeting. The petition was deferred to allow the applicant time to work with staff on some issues that were raised about a traffic light at the entrance to the property. The applicant did prepare the traffic study and which has been reviewed by the Public Works staff. Public Works staff has determined that a new traffic light is not warranted as it is located within 1,000 linear feet of another traffic light located at the intersection of Johnson Ferry and Peachtree Dunwoody. Staff recommends approval of the request conditional to modify conditions 1.a., 2.a., 3.e., and 3.f. to allow the applicant to convert a portion of the building from general office space to medical office space.

Michael Prochaska, Duke Realty, 3950 Shackleford Road, Duluth, stated that the applicant was here at the last council meeting requesting approval to add 79 parking spaces and convert 170,000 square feet of the existing office building to a medical use. At that time, staff recommended approval and received public opposition from the homeowners across the street and deferred to tonight's meeting. The applicant met with staff to decide on how to proceed. Council recommended that the applicant provide a traffic study. The applicant prepared a traffic study and submitted it to staff. The study analyzed not only the existing volumes but proposed volumes as well. The study also analyzed the existing distances between existing traffic lights. The applicant also prepared some alternatives in anticipation that the traffic study would say a signal was not warranted. The applicant met with the Homeowners Association to talk about the alternative ideas. It was found that a traffic signal is not warranted and that the existing

situation still remains acceptable to what the applicant is proposing. The applicant is requesting Council approval of his application.

Mayor Galambos stated that Council was provided with the applicant's information on changes, exits and entrance.

Mr. Prochaska stated that the applicant could take the existing main entrance and make it a right out only and move the existing sign to the other entrance and make it their main entrance. This was discussed with the Homeowners Association and they had no interest in the new changes because they still want the traffic signal put in.

Mayor Galambos called for public comments in opposition of this application.

Bryan Kovacs, 31 Johnson Ferry Parkway, NE, President of the Johnson Ferry Park Homeowners Association, stated that he received a memo that stated construction had already started on the applicants building, putting water lines and power lines in. He would have thought the applicant needed approval before starting the process. He questioned the location of the automated tube counters. The major issue with this application is the traffic that will be coming in and out of the medical center. In his opinion the center point of egress and ingress is still a major issue. Homeowners met with Tom Whittenburg and discussed some of the changes being proposed by the applicant. One thing the applicant proposed is a right turn only. He stated that this proposed change would be better than nothing at all, because it would help with some of the traffic coming out of the center. He stated that having a medical center at this location will increase traffic significantly and that there is a safety issue as well. He stated if Council approved the applicants request without having a traffic light installed, that it was just a matter of time before someone got killed at this location. He stated that Council would be responsible if that happened. He believes this safety issue can be addressed and fixed.

Marvin Weintraub, 3641 W. Ferry Drive, NE, Johnson Ferry Park Homeowners Association, stated that the automated tube counters were placed improperly and the traffic was not counted. He has worked at Johnson Ferry Park with every developer in the area and this is the first time the association has spoke in opposition to anything because of the safety issue. He stated if Council approved the applicants request without having a traffic light installed, that it was just a matter of time before someone got killed at this location. He stated that Council would be responsible if that happened.

Transportation Planner Moore stated that Public Works and Community Development staff met with the applicant and his engineer. Public Works staff did a traffic study as well as the applicant. Both traffic studies were reviewed and found that there is not enough traffic to warrant a traffic light at this location based on the guidelines of the City and State. After conducting a site visit, the most significant impediment to left turning traffic outbound from the townhouses was restricted sight distance to the east. Insufficient sight distance makes gap acceptance more difficult for outbound drives. The severe grade of the town house driveway means that only a single car is likely to be able to make use of any gap in traffic. Staff would recommend removing some trees that are encroaching on the sight line of the townhouse driveway. There is also an unused utility pole in the sight line that should be removed. The sight distance problem is the only thing staff found that could characterize as a safety concern.

Upon review of the count data and operational analysis of the corridor, staff would recommend against the elimination of left turning outbound traffic at the Center Pointe eastern driveway. The western driveway has limited sight distance for outbound left turns due to vertical curvature, and such movement is more likely to interfere with queuing traffic from Peachtree Dunwoody. If any of the two driveways for Center Pointe on Johnson Ferry were to be made a right-in/right-out, staff would recommend it be the western one.

The Saint Joseph's drive is marked for one-way inbound traffic. Staff would recommend that this driveway be widened, if possible, for two-way traffic and signage be installed internal to the site to direct traffic to use it. If it is not possible to widen the driveway, staff would recommend that it be reconfigured to handle outbound traffic, and appropriate on-site signage be installed.

The department highly recommends that the applicant discuss the opportunity to open a northeastern driveway from their parking lot to the St. Joseph's access road along the eastern edge of their property. This would significantly

decrease outbound left turning traffic on Johnson Ferry, as it would provide access to the new signalized intersection at Old Johnson Ferry. Staff believes this to be the best single improvement to traffic access and operations possible on this site.

Councilmember Paul questioned if Council were to approve, what would it do to the traffic volume in this area. Transportation Planner Moore stated that it would increase the traffic but not substantially enough to see a difference. The good news about medical office compared to general office is that it does produce more trips in a 24 hour period, but it spreads those trips out throughout the day more. The traffic during peak times are lower for medical than for general office.

Councilmember DeJulio questioned how long it might take if Council were to ask the applicant to go back and study the alternate entrance and find out if it is feasible.

Transportation Planner Moore stated that it is feasible; the biggest problem would be getting permission from St. Joseph's because it would take an easement from the hospital.

Councilmember Meinzen McEnery questioned if any of these ideas had been discussed with the traffic engineers who conducted the traffic Study. Transportation Planner Moore stated that it has been discussed with the applicant and at the time they were unsure of the status of the easement agreements. The easement to the east would be a new connection and would require discussion with St. Joseph's.

Mayor Galambos questioned what the standard distance is between traffic lights. Mr. Moore stated the distance between traffic signals is 1,000 feet. Mayor Galambos questioned how this additional traffic light fit into that standard. Transportation Planner Moore stated that it is about 600 feet from the existing signal at Peachtree Dunwoody and about 500 feet from the other signal. Mayor Galambos stated that it is definitely against the City's policy.

Mr. Prochaska stated that all of the suggestions about tying into the St. Joseph's property are all good suggestions but, it is St. Joseph's private road and not a public road. St. Joseph's may have a problem with making it an exit out because of the emergency ambulance entrance. There are also some grade challenges and they would need to study to see how that would work.

Councilmember Meinzen McEnery questioned if the applicant had spoken with anyone from St. Josephs. Mr. Prochaska stated they had only on a preliminary basis. Councilmember Meinzen McEnery questioned if he would be willing to try again. Mayor Galambos stated that the City would be a party to this as well and could be partners in approaching St. Joseph's. Mr. Prochaska stated that it is to everyone's benefit for this to work. He questioned if this would delay approval from City Council. Councilmember Meinzen McEnery stated that it would.

Councilmember Fries questioned staff why condition 3(e) impervious surface requirement was deleted. stated that under the original conditions of zoning Fulton County had said that they could only have 45% impervious surface and was never enforced. The applicant currently has 60% impervious surface and with the addition of the parking area they would still not meet that requirement. Staff felt it was appropriate to have it match what the current O-I standard, which is 70%.

Mr. Prochaska stated that the applicant prepared a very in depth traffic study and the recommendation and conclusion of the traffic study state that the volumes that would be generated from this project currently will work with the existing geometry and all the existing entrances as they are today. The traffic study states that the volumes of traffic does not warrant any of the things being discussed and that it can function properly with what is being proposed by the applicant.

Mayor Galambos questioned if the applicant would be willing to assume the cost of removing the pole and shrubbery so the sight distance could be improved. Mr. Prochaska stated that they would.

Councilmember Fries stated that she is not comfortable denying or deferring this application because the applicant has met the obligations that were put on him when Council first deferred applicant's application.

Councilmember Paul stated that he heard Mr. Moore say that the methodology study was sound and came to different conclusions than the applicant's traffic engineer.

Transportation Planner Moore stated that he agrees with the conclusions in the study because the methodology, the data and the conclusions are sound. He saw the applicant's conclusions and took it a step further. He believes that the ultimate solution and the ultimate way to address the problems in this area are to go that extra step and open the dialogue with St. Joseph's.

Councilmember Meinzen McEnery stated that staff highly recommends that the applicant discuss the opportunity to open a northeastern driveway from their parking lot to the St. Joseph's access road along the eastern edge of their property. Based upon staff's recommendations she feels that further study is warranted and recommended a 60 day deferral to allow the applicant to discuss with St. Joseph's in partnership with the Public Works staff to determine if the two additional access points are feasible before Council makes final decision.

Motion and Second: Councilmember Meinzen McEnery moved to defer ZM07-010 - 1100 Johnson Ferry Road, Applicant: Duke Realty Corporation to the April 15, 2008 Regular Meeting. Councilmember Jenkins seconded the motion.

Discussion on the Motion: Councilmember Jenkins stated that the City requires interparcel connectivity on Roswell Road for a reason and that is when you have a corridor that is highly congested, you have to have alternatives.

Councilmember MacGinnitie stated that he is not opposed to Councilmember Meinzen McEnery motion but feels that it is not solving anyone's problem.

Councilmember Meinzen McEnery stated that the neighbors request for a traffic light is not the best management practices for transportation planning. She does not believe the neighborhood is averse at all to looking at additional access points that are not right in front of their development. That is why she is interested in a more formal process with St. Joseph's.

Councilmember DeJulio stated that there needs to be a long term solutions to moving traffic and all options need to be explored.

Mayor Galambos questioned Councilmember DeJulio if he felt that the long term solutions could be worked out in a 60 day deferral.

Councilmember DeJulio stated that he did not think so but that it could be the beginning of getting a new entryway to St. Joseph's Hospital.

Councilmember Paul stated that by deferring we are looking at an alternative and secondly Council is sending a signal to property owners to start looking at being a part of the solution and not continue to be part of the problem.

Vote: The motion carried 5-1, with Councilmember Fries voting in opposition.

Text Amendments

RZ08-002 - An Ordinance to Amend Article 3, Definitions, of the Sandy Springs Zoning Ordinance.

Planner Ruffin stated that this is a text amendment to Article 3, Definitions of the Zoning Ordinance to make some additions and revise some of the current definitions in the Ordinance. The amendment was heard at the January 17, 2008 Planning Commission hearing. The Planning Commission recommended deferral with remand to the Planning Commission. Staff supports the Planning Commission's recommendation.

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

Motion and Vote: Councilmember Fries moved to defer RZ08-002 - An Ordinance to Amend Article 3, Definitions, of the Sandy Springs Zoning Ordinance. Item to be heard by the Planning Commission at the March 20, 2008 hearing and by the City Council on April 15, 2008, Regular Meeting. Councilmember Meinzen McEnery seconded the motion. There was no Council discussion. The motion carried unanimously.

RZ08-003 - An Ordinance to Amend Article 4, General Provisions, of the Sandy Springs Zoning Ordinance Ordinance No. 2008-02-07

Planner Ruffin stated that this is an amendment to Article 4, General Provisions of the Zoning Ordinance. There are two reasons for this text amendment. The first is to put back in the information regarding the setbacks and how they are determined for flag lots. The 2006 ordinance removed those requirements and then allowed staff in guidance on how to measure the setbacks for those lots that still exist in the City. The second part of this text amendment is the creation of a Cemetery Protection ordinance. Currently, the City has no regulations regarding the protection of cemeteries or development near cemeteries. This item was heard at the January 17, 2008 Planning Commission hearing. The Planning Commission recommended approval of the amendment except Section 4.14E., F., and G. with direction to staff to review these sections and prepare alternative requirements.

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

Councilmember Meinzen McEnery stated that she has reviewed the cemetery ordinance and has two additional items that need to go back to the Planning Commission for review in addition to Section 4.14E., F., and G. She would like for 4.14 D. and a typo in the language where it is talking about the Tree Protection where it states the parcel being developed is adjacent to the cemetery”, in that it requires a 25 foot undisturbed area inside the parcel being developed, Section D. is about where to place the fence at the tree protection fence. It states: “if the cemetery is located on an adjacent parcel, the tree protection fence shall be located along common property lines.” She stated that would eliminate the 25 foot buffer. She made a suggestion to change the wording to “located along the 25-foot undisturbed buffer” and to be considered by the Planning Commission. The cemetery ordinance as written only describes a cemetery within a parcel being developed and also a cemetery adjacent to a parcel being developed. It does not talk about the actual cemetery itself. She would like an informative statement at the end of Section I. to say “in the affirmative a cemetery itself being developed will be subject to what ever the state law is. She would like that to be included and be considered by the Planning Commission as well.

Community Development Director Leathers reminded Council that the moratorium in place expired yesterday. Council will need to make a decision on whether or not to continue the moratorium or approve what is before them tonight as an amendment.

City Attorney Willard stated that a Resolution is needed to move forward with the moratorium.

Motion and Vote: Councilmember Paul moved to approve RZ08-003, An Ordinance to Amend Article 4, General Provisions, of the Sandy Springs Zoning Ordinance and remand to the Planning Commission for review and recommendations. Item to be heard by the Planning Commission at the March 20, 2008 hearing and by the City Council on April 15, 2008, Regular Meeting. Councilmember Meinzen McEnery seconded the motion. There was no Council discussion. The motion carried unanimously.

New Business:

Consideration of approval of bylaws for the Sandy Springs Board of Ethics.

City Attorney Willard recommends that the Council approve the by-laws of the Ethics Board.

Councilmember Fries questioned if Council had approved any of the other committee’s by-laws.

City Attorney Willard stated that the Board of Zoning Appeals, Planning Commission, Design Review Board and Construction Board of Appeals have by-laws and he would bring them back to Council for approval.

Motion and Second: Councilmember Jenkins moved to approve the bylaws for the Sandy Springs Board of Ethics. Councilmember Fries seconded the motion.

Motion and Second: Councilmember MacGinnitie moved to amend Section 7, Complaint, 7.1 to two years. Councilmember Meizen McEnery seconded the motion.

Substitute Motion and Vote: Councilmember Paul moved to table the bylaws for the Sandy Springs Board of Ethics to allow the City Attorney and City Clerk to research the ordinance as it relates to Section 7.1 of the bylaws. Councilmember MacGinnitie seconded the motion. The motion carried unanimously.

**Consideration of approval of an Ordinance to adopt the Sandy Springs Impact Fee program.
Ordinance No. 2008-02-08**

Assistant Director of Community Development Bedi stated before Council tonight is a Resolution adopting the Sandy Springs Impact Fee Program and Ordinance. The initial presentation and discussion of the Impact Fee Advisory Committee's recommendations, a proposed fee structure and draft Impact Fee Ordinance was discussed by the Mayor and City Council at the December 11, 2007, work session. Additional analysis on the fee methodology related to service areas and fees assessed by surrounding jurisdictions was presented to the advisory committee on January 29, 2008. The committee's final recommendations were presented to Mayor and City Council at the February 12, 2008, work session for review.

The Impact Fee Ordinance has been revised to reflect the discussion held by the Mayor and City Council at the February 12, 2008, work session. The revisions made: Page 45: the definition of "economic development project" was deleted because paragraph (b) on page 59 was removed from the Ordinance; Page 54: paragraph (b) under "Exemptions" was deleted because paragraph (a) (4) provides for the flexibility City Council requested, which makes paragraph (b) unnecessary; and Page 55: paragraph (b) (2), the word "projects" on the third line was changed to "system improvements" and paragraph (f) was removed from "Credits" as private facilities should only relate to recreation and parks impact fee and not to transportation impact fees.

Motion and Vote: Councilmember Paul moved to approve an Ordinance to adopt the Sandy Springs Impact Fee program, effective March 1, 2008. Councilmember Meizen McEnery seconded the motion. There was no Council discussion. The motion carried unanimously.

Consideration of approval of a Resolution adopting amendments to the City of Sandy Springs Sidewalk Policy.

Director of Public Works Parham stated that the initial policy was adopted on April 4, 2006, which focused on citizen request and beginning of prioritizing capital projects for sidewalks. This policy has been updated to reflect a plan for sidewalks and pedestrian facilities throughout the town and integrates the work that was done as part of the comprehensive plan and carried on into the transportation master plan which goes to the Planning Commission in March and to Council after that.

The primary changes to the policy include: Sidewalk installation will be required for all developments within the Sidewalk Master Plan Network, Developments within the network that are also within the project limits of an active capital improvement project may pay into the CIP project fund based on the project cost estimate, and All developments must comply with requirements for Land Disturbance Permits and Subdivision Regulations, regardless of location on or off the network.

Councilmember Fries asked for clarification. Director of Public Works Parham stated that it is an option to pay into a bank verses installing the sidewalk.

Councilmember Jenkins stated that in the Work Session Council discussed neighborhood sidewalk program and since there was no funding it would be taken out. Director of Public Works Parham stated that staff could not change it until Council makes a motion to remove it. Councilmember Jenkins stated that her neighborhoods do not want to see sidewalk patchwork throughout redevelopments. She needs for the red areas to be taken off the map.

Director of Public Works Parham stated that they were included because they are a part of the Overlay District. Council may want to adjust that requirement. She has received several comments and request since last week about adding and removing some areas. Councilmember Jenkins suggested putting them on the collectors and arterials, which is what she thought Council had decided at the work session.

Director of Community Development Leathers stated that the Overlay District is not only sidewalks but also pedestrian pavers, streetlights and those types of things, because it gives the opportunity to put in things that normally you would not get as part of the sidewalk project. That is the reason the Overlay District was included. If Council wants to take some of those out, that is fine. Staff wanted to be sure that in the commercial areas of the Overlay District that those go in and are installed because they are more expensive than sidewalks. Staff will be review the Overlay District again and can make revisions at that time. Staff will bring back before Council within the next three months.

Councilmember Jenkins stated that there will be tear downs between now and then and she needs them taken off the map now. Director of Community Development Leathers suggested that Council take it off the residential streets but leave on the major collectors.

Councilmember Meinzen McEnery stated that the City could allow if there is a tear down to pay into a bank. Councilmember Fries stated that the City could not make a developer pay into a bank unless it was a capital improvement project. Councilmember Fries suggested this be put back in the master transportation plan that comes back before Council in April and let this be what it is suppose to be. The City can collect money for the CIP and suggested adding collector or arterial roads as capital improvement programs so the City can collect.

City Manager McDonough suggested that Council adopt the map with arterial and collector roads so that will be in the program.

Director of Community Development Leathers stated that there are two places where sidewalks are required. The existing sidewalk ordinance requires a sidewalk at every house that is constructed when the building permit is pulled. The second is in the subdivision regulations.

Councilmember Fries suggested sending this item back to staff and have them remove the neighborhoods that Council does not want to make it mandatory to have sidewalks put in. On the arterials, make it CIP projects that Council would adopt and then the City can collect money.

Councilmember Meinzen McEnery stated that she would like to see the sidewalk policy have some description in it that if a sidewalk is required and a major tree is in the way, let the department of Community Development administratively put in boardwalks. She would like for this to be added to the policy. Council has indicated that the sidewalk policy is in conformance with all the discussions of what occurred in the Comprehensive Plan as recommendations were incorporated. She would like for Council to consider adding sidewalks to streets that access adjacent parks that serve the Sandy Springs community. (Chastain Park, Brook Run, Roswell Recreation System and portions of Cobb County Parks) She would like for them to be included as a priority in the sidewalk program.

Motion and Vote: Councilmember Fries moved to defer the Resolution adopting amendments to the City of Sandy Springs Sidewalk Policy to the April 15, 2008, Regular Meeting. Councilmember Meinzen McEnery seconded the motion. There was no Council discussion. The motion carried unanimously.

Consideration of approval of a Resolution adopting the City of Sandy Springs Sidewalk Master Plan Network Map.

Motion and Vote: Councilmember Fries moved to defer the Resolution adopting the City of Sandy Springs Sidewalk Master Plan network Map to the April 15, 2008, Regular Meeting. Councilmember Meinzen McEnery seconded the motion. There was no Council discussion. The motion carried unanimously.

**Consideration of approval of a Resolution authorizing the installation of traffic calming devices in the Meadowbrook Neighborhood.
Resolution No. 2008-02-08**

Public Works Director Parham stated that Council discussed this item last week in the Work Session. Staff recommends that the Mayor and the City Council consider installation of traffic calming devices in the Meadowbrook neighborhood, pursuant to The Traffic Calming Policy of the City of Sandy Springs.

Motion and Second: Councilmember DeJulio moved to approve authorizing the installation of traffic calming devices in the Meadowbrook Neighborhood. Councilmember Paul seconded the motion.

Discussion on the Motion: Councilmember Meinzen McEnery stated that she could not support this resolution because it does not follow the City's Traffic Calming Policy. The Traffic Calming Policy has been applied to all the other neighborhoods that have requested the services and assistance of the City. The policy was followed but the Public Works Department showed that it was not warranted. The City needs to apply a standard to the community so they can rely upon it and know that everything is being done in a knowledgeable and even handed method.

Councilmember Fries stated that she agrees with Councilmember Meinzen McEnery. Staff showed that it was not warranted and if they wanted another study after the building went in, then staff would look at it again. She does not like the idea of someone buying their way through the system. This does not meet the criteria of the standards in our City.

Councilmember Jenkins stated that her main concern is about the citizens and developers creating a private agreement which impact the City's public roads without the consent of the City's traffic staff.

Mayor Galambos stated that this agreement made between the neighborhood and WalGreen's was developed while under the jurisdiction of Fulton County. The community is aware that the City of Sandy Springs does not like arrangements such as this.

Vote: The motion passed 4-3, with Councilmember Fries, Councilmember Jenkins and Councilmember Meinzen McEnery voting in opposition. Mayor Galambos broke the tie voting in favor of the motion.

(Tabled by motion)

Consideration of approval of bylaws for the Sandy Springs Board of Ethics.

Motion and Vote: Councilmember Paul moved to take from the table the bylaws for the Sandy Springs Board of Ethics. Councilmember MacGinnitie seconded the motion. The motion carried unanimously.

Motion and Vote: Councilmember Paul moved to approve the bylaws for the Sandy Springs Board of Ethics as submitted. Councilmember MacGinnitie seconded the motion. The motion carried unanimously.

Motion and Vote: Councilmember Paul moved to bring back the Ethics Ordinance to Council Work Session within the next three months. Councilmember MacGinnitie seconded the motion. The motion carried unanimously.

(Item added by motion)

Consideration of approval of a Resolution in support of House Bill 975 relating to counties and municipal corporations in general, so as to provide that it shall be unlawful for any county or municipal corporation to issue any backdated license, permit, or other similar authorization under certain circumstances; to provide for a criminal penalty; to provide for related matters; to state legislative intent; to provide an effective date; to repeal

**conflicting laws; and for other purposes.
Resolution No. 2008-02-09**

Mayor Galambos stated that this Resolution is to urge all our legislators to move forward in this process.

Motion and Vote: Councilmember Fries moved to approve a Resolution in support of House Bill 975 relating to counties and municipal corporations in general, so as to provide that it shall be unlawful for any county or municipal corporation to issue any backdated license, permit, or other similar authorization under certain circumstances; to provide for a criminal penalty; to provide for related matters; to state legislative intent; to provide an effective date; to repeal conflicting laws; and for other purposes. Councilmember Meinzen McEnery seconded the motion. The motion carried unanimously.

Reports and Presentations:

Mayor and Council Reports

Councilmember Jenkins stated that a contract between the City and the Sandy Springs Methodist Church should be complete next week for the use of their facility for volleyball and basketball.

Public Comment:

Roger Rupnow, Planning Commission stated that the Planning Commission would like to review the Sidewalk Master Plan.

Mayor Galambos recognized the City Page, Nicole Motahari, Sandy Springs Middle School.

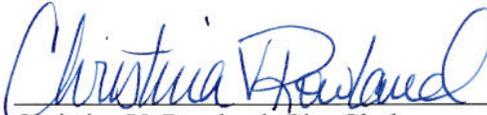
Adjournment:

Motion and Vote: Councilmember DeJulio moved to adjourn the meeting. Councilmember Fries seconded the motion. The motion carried unanimously. The meeting adjourned at 8:00 p.m.

Date Approved: March 18, 2008



Eva Galambos, Mayor



Christina V. Rowland, City Clerk