

**Regular meeting of the Mayor and City Council of the City of Sandy Springs was held May 1, 2007 at 6 PM, Mayor Eva Galambos presiding.**

**Invocation**

Dr. Carol Strickland, Associate Minister, Mt. Vernon Presbyterian offered the invocation.

**Call to Order**

Mayor Galambos called the meeting to order at 6:00 p.m.

**Roll Call and General Announcements**

Mayor Galambos requested that the City Clerk call the roll.

**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 City Clerk.

**City Clerk Rowland** called the roll.

**Councilmembers Present:** Councilmember Dave Greenspan Councilmember Dianne Fries, Councilmember Karen Meinzen McEnery, Councilmember Ashley Jenkins, Councilmember Rusty Paul, and Councilmember Tibby DeJulio.

**Pledge of Allegiance**

Mayor Galambos led the Pledge of Allegiance.

**Approval of the Meeting Agenda**

Mayor Galambos asked if there were any changes to the agenda.

**Motion and Vote:** Councilmember Fries moved to approve the meeting agenda. Councilmember Jenkins seconded the motion. The motion carried unanimously.

**Consent Agenda**

1. Approval of Minutes:
  - a. March 20, 2007 Regular Meeting minutes
  - b. April 10, 2007 Work Session minutes
  - c. April 17, 2007 Regular Meeting minutes

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

**Presentations**

Mayor Galambos read the Proclamation for GBS Awareness Month and presented it to Mr. Robbins.

Mayor Galambos read the Proclamation for Better Hearing and Speech Month and presented it to Cory Dorfman, Joanie Dorfman, and Will Sharkey.

**Unfinished Business**

**Consideration of approval to participate in the MARTA bus shelter advertising program.**

**City Clerk Rowland** stated that the next agenda item is the consideration of approval to participate in the MARTA bus shelter advertising program.

**Finance Director Steve Rapson** explained the following options:

Option #1 – Execute an intergovernmental agreement for the MARTA Bus Shelter Advertising Program. This would replace shelters over 10 years old and generate advertising revenue.

Option #2 – Execute an intergovernmental agreement for the MARTA Bus Shelter Advertising Program. Use the advertising revenue as a special purpose revenue funding source for the construction of new bus shelters to enhancement the existing system.

Option #3 - Do not execute an intergovernmental agreement for the MARTA Bus Shelter program. Request MARTA replace and add new shelters based on their funding availability and needs criteria.

Option #4 – Do not execute the intergovernmental agreement for the MARTA Bus Shelter program. This would eliminate the advertising at 25 locations but plan for the systematic upgrade of bus shelters as part of the FY08 capital program.

Councilmember Fries questioned if Option 2 was missing the recommendation that the Town Center area be removed from the program. Mr. Rapson stated that could be option 5.

**Finance Director Rapson** reviewed the revenue ramifications.

Councilmember Meinzen McEnery stated that \$15,000 per year is an insufficient amount to have the busy, cluttered look on the City's major corridor. She stated that a 10 year agreement is a long term to be tied up while the City is developing new ideas to clean up the City corridor.

**Motion and Second:** Councilmember Meinzen McEnery moved that the City not execute the intergovernmental agreement for MARTA Bus Shelter Program. Councilmember Jenkins seconded the motion.

**Discussion on the motion:** Councilmember Fries stated that there are a large number of bus stops in her district. They are certainly needed. She stated that the advertising is not offensive.

**Substitute Motion and Second:** Councilmember Fries offered a substitute motion approving the participation in the MARTA bus shelter advertising program, with the exception of the Town Center area and authorize the City Manager and City Attorney to negotiate a contract with MARTA to that effect with the recommendation that funds from advertising be used to construct bus shelters on the Town Center. Councilmember Paul seconded the motion.

**Discussion on the motion:** Councilmember Jenkins expressed concerns regarding entering into an agreement with MARTA and the City not having any input into the design of the bus shelters. Councilmember Paul questioned if the Council could allocate this revenue to a particular project. City Attorney Willard stated that a recommendation could be made however, funds could not be allocated unless through the budget process.

Councilmember Meinzen McEnery stated that she feels the City should not enter a long term contract for this.

Councilmember Greenspan questioned if impact fees could be used for bus shelters. City Attorney Willard stated that he would have to check on that matter. Councilmember Greenspan stated that there is talk about a local transportation loop in the discussion in the Land Use Plan. This may allow more control over time and design.

Councilmember DeJulio stated that the City should be careful of the things they take on. He expressed the need for these shelters and his concurrence with Councilmember Fries.

Mayor Galambos questioned if the advertising could be restricted. Councilmember Fries stated that was discussed in MARTA's proposal.

Councilmember Jenkins questioned if CDBG money could be used for this. Councilmember Paul stated that would probably not be possible.

**Vote on Substitute Motion:** The motion carried 4-3 with Councilmember Greenspan, Councilmember Jenkins, and Councilmember Meinzen McEnery voting in opposition. Mayor Galambos broke the tie vote voting in favor of the motion.

### **New Business**

#### **Consideration of approval of a Letter of Support for purchase of the Miles property.**

**City Clerk Rowland** stated that the next agenda item is the consideration of approval of a Letter of Support for the purchase of the Miles property.

**Councilmember DeJulio** stated that he and the Mayor along with members of staff met with several members of the Trust for Public Land at Ms. Miles property. He explained the location of the property. He stated that Ms. Miles' father bought this property in 1903 and she has lived on it her entire life. She does not want this land disturbed or developed. She has offered this land to the City of Sandy Springs as a passive park. Councilmember DeJulio stated that the total price in partnership with the Trust for Public Land is \$1 million. He stated that there is currently \$150,000 in the budget and a resident has pledged to raise the additional \$350,000.

Councilmember Greenspan questioned what this letter would mean. City Manager McDonough stated that this means the City will bring forward \$500,000 for this property. Councilmember Greenspan questioned if this would allow a tax break for the donors. City Attorney Willard stated that the donations would go directly to the Trust for Public Land and would therefore be tax deductible.

**Motion and Vote:** Councilmember DeJulio moved to approve a Letter of Support for the purchase of the Miles property. Councilmember Meinzen McEnery seconded the motion. The motion carried unanimously.

#### **Consideration of approval of bid award for LARP projects.**

**City Clerk Rowland** stated that the next agenda item is the consideration of approval of bid award for LARP projects.

**Director of Public Works Angelia Parham** explained that the City received four bids for the LARP paving for 2005 and 2006. The bids range from \$1.5 million to \$1.697 million. She stated that the staff estimate was done by Mr. Ron Adderly and was \$1.6 million. She stated that staff is recommending the award of the bid to the low bidder, C.W. Matthews.

Councilmember Meinzen McEnery questioned why these were for 2005 and 2006. Director of Public Works Parham stated that the County did not follow through with the bid awards. She stated that 2007 will be come before Council shortly.

**Motion and Vote:** Councilmember Paul moved to approve the bid award for the 2005-2006 LARP projects to C.W. Matthews. Councilmember Jenkins seconded the motion. The motion carried unanimously.

#### **Consideration of approval of the North Fulton Municipal Association bylaws.**

Mayor Galambos stated that these were presented at a previous work session. She explained the composition of the Association and the advantages of having this Association.

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**Tuesday, May 1, 2007 at 6:00 PM**

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Councilmember Fries questioned if all elected officials were members. Mayor Galambos stated that they were. She stated that the terms for the Board of Directors are one year. She questioned if that would be too much turn over. Mayor Galambos stated that this was decided between the Mayors.

Councilmember Fries questioned if the Directors would be able to vote by proxy. Mayor Galambos stated that they would not.

Councilmember Greenspan stated that the bylaws include elected officials in the membership. He questioned if that included Roswell's elected judges. Mayor Galambos stated that had not been addressed but she would bring it before the Association.

Councilmember Meinzen McEnery questioned if only the Board of Directors would vote. Mayor Galambos stated that was correct. Mayor Galambos stated that Mayor Bodker would be the first president.

Councilmember Paul stated that this is an excellent opportunity to look at service delivery across North Fulton.

Councilmember Meinzen McEnery questioned why the elected officials would be invited to be members but have no vote. Mayor Galambos stated that this is the way all Association bylaws are written.

**Motion and Vote:** Councilmember Paul moved to approve the North Fulton Municipal Association bylaws. Councilmember DeJulio seconded the motion. The motion carried unanimously.

**Reports and Presentations**

**Staff Reports**

**Finance Director Rapson** stated that there are 162 taxpayers identified that still have not paid their Occupational Tax. They are now over 120 days past due. This puts them into the penalties and interest clause. He stated that Council could waive the interest. This is to inform Council that they will be receiving phone calls.

**Public Comment**

There were no public comments.

**Adjournment**

**Motion and Vote:** Councilmember Fries moved to adjourn the meeting. Councilmember Paul seconded the motion. After no further Council discussion, the meeting adjourned at 6:56 p.m.

Date Approved: May 15, 2007

  
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Eva Galambos, Mayor

  
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Christina V. Rowland, City Clerk