

**Regular Meeting of the Mayor and City Council of Sandy Springs was held December 19, 2006 at 7:00 PM, Mayor Eva Galambos presiding.**

**Invocation** - Rabbi Bradley G. Levenberg, Temple Sinai, Assistant Rabbi gave the invocation.

**Call to Order**

Mayor Galambos called the meeting to order at 7:09 p.m.

**Roll Call and General Announcements**

Mayor Galambos requested that the City Clerk call the Roll.

**Acting 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.

**Acting City Clerk Rowland** called the roll.

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

**Pledge of Allegiance**

Mayor Galambos led the Pledge of Allegiance.

**Approval of Meeting Agenda**

**Acting City Clerk Rowland** stated the first agenda item is the approval of the Meeting Agenda.

Mayor Galambos received request to add an item, a Resolution for the Business Occupational Tax Amnesty Program. We will waive penalties to folks that got caught in the middle between City of Sandy Springs and Fulton County.

City Attorney Willard requested to add a Resolution for the Fire Station located on Heards Ferry to the agenda. This station is under a COPs (Certificate of Participation) Loan Program through Fulton County. He explained that the City is still going through the process with Fulton County in trying to resolve how the Fire Station can be transferred over in a long term lease/purchase. Staff is asking the Mayor and City Council to authorize by Resolution a six (6) month sublease of that station which will then provide for a payment which runs about \$20,500 month. This will authorize the City to continue the use of that station and get these matters resolved. We will then come back to City Council early next year with recommendation.

**Motion and Vote:** Councilmember Fries moved to approve the Meeting Agenda as amended, adding two Resolutions. A Resolution for the Business Occupational Tax Amnesty Program and a Resolution authorizing a six month sublease for the Heards Ferry Fire Station. Councilmember Paul seconded the motion. There was no Council discussion. The motion carried unanimously.

**Consent Agenda**

**City Manager McDonough** explained that the Agreement between the City of Sandy Springs and the Fulton County School District is specifically for the Spalding Elementary Schools for park use. The language in agreement would require us to provide a certain level of public safety at the facility. We want to make sure that we provide the same level of service at that facility as we do city wide. On page 2, of agreement there is an administrative change. On page 9, Exhibit B, "Sandy Springs shall at its expense install split rail fencing as agreed between the parties". Previously, it referred to a certain number of feet. We want to change the certain number of feet to "as agreed to between City and School District". With those changes staff recommends approval.

**Regular Meeting of the Sandy Springs City Council**

**Tuesday, December 19, 2006 at 7:00 PM**

**Page 2 of 18**

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1. Approval of Minutes:
  - a. December 5, 2006 Regular Meeting Minutes
  - b. December 12, 2006 Work Session Minutes
2. Approval of a Resolution approving a Mutual Aid Agreement with Dekalb County.  
**Resolution No. 2006-12-102**
3. Approval of a Resolution appointing Christina Rowland as the City Clerk.  
**Resolution No. 2006-12-103**
4. Approval of a Resolution authorizing the Mayor to execute a contract with Post Buckley Schuh & Jernigan (PBSJ) for the Abernathy Greenway Park Design, City of Sandy Springs, Georgia.  
**Resolution No. 2006-12-104**
5. Approval of a Resolution establishing Ethics Principles for the City of Sandy Springs.  
**Resolution No. 2006-12-105**
6. Approval of a Resolution establishing the Sandy Spring Festival and the Green Tour/Pro Criterium as the Official Special Events of the City pursuant to the agreement between the City and CH2MHILL.  
**Resolution No. 2006-12-106**
7. SSGAL06-0218 - Approval of Alcoholic Beverage License Application for Yong He Inc. d/b/a North Peking Chinese Restaurant located at 8540 Roswell Road Ste 400, Sandy Springs, GA 30350. Applicant is Shan He Zhang for Consumption on the Premises for the Sale of Wine and Malt Beverages.
8. SSGAL06-0220 – Approval of Alcoholic Beverage License Application for Big B Drugs, Inc., d/b/a CVS #4729 located at 6300 Powers Ferry Rd, Sandy Springs, GA 30339. Applicant is CVS Pharmacy #4729 for Retail/Package Sale of Wine and Malt Beverage License.
9. Approval of a Resolution authorizing a sixty (60) day extension of an agreement for the North Fulton Tennis Center.  
**Resolution No. 2006-12-107**
10. Approval of a Resolution approving 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.  
**Resolution No. 2006-12-108**
11. Approval of a Resolution regarding non profit special events and waiving the event fees.  
**Resolution No. 2006-12-109**

**Motion and Vote:** Councilmember Greenspan moved to approve the Consent Agenda as presented. Councilmember Fries seconded the motion. There was no Council discussion. The motion passed unanimously.

Mayor Galambos asked for a modification in the order of business and asked if City Council had any objection to moving the Sign Ordinance to the beginning of agenda. There was no objection from City Council.

**Oath of Office**

**City Attorney Willard** administered the Oath of Office to Christina V. Rowland.

**Presentations**

**In Recognition of the outstanding services provided by Scott Schulten and Charles Feder of Schulten, Ward & Turner, LLP and Edmund P. Burke of Attorney Certified Land Title, LLC.**

Mayor Galambos recognized Mr. Scott Schulten and Mr. Charles Fedder of Schulten, Ward & Turner, LLP. She presented them with a Proclamation in recognition of their outstanding work on the transfer of the park properties from Fulton County to the City. Together they have done a huge job and have saved the City about \$20,000.

Mayor Galambos recognized Mr. Edmund Burke of Attorney Certified Land Title, LLC and presented him with a Proclamation in recognition of his outstanding work with the examination and certification of the title to the park properties. Mr. Burke provided approximately \$5,000.00 in pro bono work for the City.

Mayor Galambos introduced Tish Lanier who is the Past President of the Sandy Springs Society. The Sandy Springs Society is the organization that provided the funds for the Parks.

Tish Lanier presented the "Key to the Parks" to Mayor Galambos. She stated that the society was able to raise \$500,000 through its Turtle Project in the last two years. It was the community that came forward and gave them the money and now they are able to give it back to the City. She stated that \$16,000 of that went into the Park system in buying the eleven (11) Parks.

Mayor Galambos thanked Ms. Lanier and the Sandy Springs Society for all they have done.

**RZ06-058-An Ordinance to amend Article 33, Signs, Article 12A, Overlay District Authority, and Article 12B, Sandy Springs Overlay District of the City of Sandy Springs Zoning Ordinance.**

**Community Development Director Leathers** stated this is a complete new Sign Ordinance that Council discussed at the last work session. The proposed ordinance does not change most of the major provisions of the existing ordinance except to take out certain provisions the attorneys will talk about. Secondly, it takes into an account all the prior studies and public hearings both on the Sign Ordinance and the Sandy Springs Overlay District here in Sandy Springs and previously in Fulton County. There is a document we have had in office available for Council to read which is called Billboard Research and Information. She submitted this into record.

City Attorney Willard introduced the attorneys who have been working with staff on this matter. Andy Lewis, firm of Riley, Lewis and McLendon and Laurel Hendersen who has represented the City in a pending matter on the signs.

Andy Lewis distributed two documents to the Mayor and City Council. One is the final proposed Sign Ordinance and the other is very similar with revisions in the margin. Last time they were here they talked about the proposed Sign Ordinance which essentially took most of the standards that were existing in the previous Sign Ordinance and made it a little bit more navigable and took out some problematic issues, basically made it a cleaner and applicable ordinance. Since the Work Session they have also presented before the Planning Commission. The Planning Commission looked through the ordinance in great detail, had several comments which were incorporated into the draft. Staff also had some comments at that meeting that were incorporated into this draft. He stated that this is the final version and explained that the one in Council's packet was the version before changes were made based on Planning Commission's and staff comments.

Councilmember Fries explained how Council does not like receiving things at the last minute.

Councilmember Paul stated he would like to defer this item because there are some significant changes in this ordinance and it would provide everyone time to review it.

**City Attorney Willard** explained that Council should probably extend the moratorium through to the next meeting in January because it expires at the end of this year. He also suggested that there be an extension of the current Sign Ordinance to the first meeting in January 16, 2007 because it is set to expire at the end of this year.

Councilmember Meinzen McEnery questioned if it would be better for Council to meet again and vote on this after they have time to review it rather than postponing to January.

Laurel Hendersen explained that Council needs to extend the moratorium until this final adoption occurs. She wants Council to be comfortable with the Ordinance they are adopting. She wants Council to be comfortable with the findings in this ordinance. While Planning Commission has been through it in a lot of detail, Council needs to get familiar with it and have the ability to ask questions about it.

**City Attorney Willard** stated that this will come before Mayor and Council in Work Session in early January. Councilmember DeJulio stated that a Work Session is needed just on the modifications of this Ordinance.

**Regular Meeting of the Sandy Springs City Council**

**Tuesday, December 19, 2006 at 7:00 PM**

**Page 4 of 18**

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Ms. Hendersen stated they have tried to keep the regulations as close to the previous regulations, particularly with the Sandy Springs Overlay District in terms of substance and regulations. The procedural regulations are extensively rewritten. The Planning Commission also suggested some upgrades to the substantive regulations to make a consistent across district.

**Motion and Vote:** Councilmember Greenspan moved to defer consideration of RZ06-058, An Ordinance to amend Article 33, Signs, Article 12A, Overlay District Authority, and Article 12B, Sandy Springs Overlay District of the City of Sandy Springs Zoning Ordinance until the January 16, 2007 with discussion at the January 9, 2007 Work Session. Councilmember Paul seconded the motion. The motion carried unanimously.

Mayor Galambos stated Council reviewed portions of this previously in the first proposed Sign Ordinance. She inquired about the kind of changes that have been made in this proposed ordinance.

Mayor Galambos requested a memo be sent to her and Council on the all the minor and major changes that have been made. Mr. Lewis stated he would be happy to do so. Councilmember Fries stated she would like to have the memo as soon as possible so they have time to go over it before the work session.

Mayor Galambos called for public comment.

**City Clerk Rowland** stated she received one comment card in which the speaker wishes to have comments read into the record, from Michelle Wislow, 6627 B Roswell Road. Her comments are in regard to window graphics. "What does this have to do with law enforcement's visibility (as was mentioned in the media?) If it is in good taste it should not pose a problem to the community. The city should get more involved in the traffic, crime and run down apartments. I have a small business here in Sandy Springs, just trying to make a living".

Mayor Galambos explained a Resolution is now needed to extend the billboard moratorium.

**Resolution No. 2006-12-112**

**Motion and Vote:** Councilmember Jenkins moved to extend the Moratorium through January 16, 2007. Councilmember Paul seconded the motion. There was no Council discussion. The motion carried unanimously.

**Public Hearings**

**Budget**

**Public Hearing to receive input regarding an Ordinance to adopt the Amended General and Emergency 911 Fund Budgets for Fiscal Year 2007 (July 1, 2006 through June 30, 2007).  
Ordinance No. 2006-12-89**

**City Clerk Rowland** stated that the next agenda item is a public hearing to receive input regarding an Ordinance to adopt the Amended General and Emergency 911 Fund Budgets for Fiscal Year 2007 (July 1, 2006 through June 30, 2007). This will be presented by Director of Finance Steve Rapson.

**Director of Finance Rapson** stated this ratifies the actions discussed at last Work Session and ratifies the action to the mid-year budget review.

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

**Motion and Vote:** Councilmember Greenspan moved to approve an Ordinance amending budgets for the Fiscal Year 2007 for General and E-911 fund of the City of Sandy Springs, Georgia pursuant to Article VI, Chapter 6 of the Charter of the City, Beginning July 1, 2006 and ending June 30, 2007, appropriating the amounts shown in each budget as expenditures, adopting the item of anticipated funding sources, prohibiting expenditures to exceed

appropriations, and prohibiting expenditures from exceeding actual funding sources. Councilmember Fries seconded the motion. The motion carried unanimously.

## **Zoning Agenda**

### **Rezoning**

**RZ06-040/CV06-023 - 7995 Roberts Drive, Beaver Creek Homes, Inc., from R-2 to R-3 for the development of three single family lots. (Second Reading)**  
**Ordinance No. 2006-12-90**

**City Clerk Rowland** read the zoning rules and stated that the next agenda item is RZ06-040/CV06-023 - 7995 Roberts Drive, Beaver Creek Homes, Inc. This will be presented by Assistant Director of Planning and Zoning Zehner.

**Assistant Director of Planning and Zoning Zehner** stated that this will be the last meeting in which Ordinances require a second reading. This rezoning petition is for property located at 7995 Roberts Drive. The petitioner is Beaver Creek Homes, Inc. represented by William Jakob. This application was originally heard by the Mayor and City Council on November 8, 2006. The Mayor and Council deferred the application at that time to request the applicant to submit a revised two lot configuration plan. The applicant has done so. The Planning Commission recommended approval of the application to R-2A for two lots. Staff recommended denial of the R-3 request, however has listed conditions should the Mayor and City Council recommends approval of this application.

Bill Jakob, President of Beaver Creek Homes, 4885 Kitty Hawk Drive stated since the last meeting he put together a design and submitted to staff and they have reviewed it. He explained that he has reviewed the plan with some neighbors.

Councilmember Fries inquired about the proposed setbacks on the sides.

Mr. Jakob stated the side setbacks are 15 feet as the zoning requires. They have added another 10 feet to the south corner. The green section is the landscape buffer that was suggested at last meeting. On the east side, back part of property the building line requires 40 feet and they have indicated a 10 foot landscape buffer, continued with 15 feet making it 25 feet. The setback did not change. The only change is on the south side with an increase in setback from 15 to 25 feet.

Councilmember Greenspan stated that at the last meeting there was great concern regarding line of sight issues from the adjoining neighbor's property onto the applicant's property. He asked what they had done to address those issues.

Mr. Jakob stated that the landscape buffer will address that problem to a certain extent. There will be a two story house there; technically as far as the height of the structure nothing has been changed.

Councilmember Fries asked if there could be a request or a condition that the landscape buffer be evergreens.

**Assistant Director of Planning and Zoning Zehner** stated that it would be appropriate to add a condition that the landscape buffer be primarily evergreens.

**Community Development Director Leathers** explained that buffers generally are considered to be evergreen to the extent that there is existing material that will stay in and fill as evergreens.

Councilmember Meinzen McEnery questioned if the setback was undisturbed with evergreen with a 10 foot setback.

**Assistant Director of Planning and Zoning Zehner** stated that the buffer would be undisturbed except for replanting where sparse and the setback would not be undisturbed.

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**Community Development Director Leathers** explained the difference between buffering setbacks and improvement setbacks.

Mayor Galambos called for public comments.

**Fred Jewell, 1520 Bakers Glen Drive**, President of Bakers Glen Community Association, stated he had a very good meeting with Mr. Jakob. He is pleased with the changes that have been made so far. They still feel the side setback is insufficient given the height between the two neighborhoods. They would like to see the same setback on the side as on the rear. The zoning law requires a deeper setback in the rear because houses tend to be back to back. That is their concern for the first two houses on the street, making sure that the house that is built is not only 15 feet from the edge of their property which is what would be allowed in the current stipulations. He feels the evergreens are important. His final concern is that there are no sidewalks in the plans.

Councilmember Greenspan asked if the sidewalks were mandatory in this zoning.

**Assistant Director of Planning and Zoning Zehner** stated that when they file for their subdivision plat of the property from one to two lots they would have to provide for sidewalks.

Bill Jakob expressed his concerns regarding his two houses being built close together while the neighbors have the benefit of being 80 feet away.

Councilmember Fries asked if he would be willing to work with the City's Arborist on some evergreens to help the side setback. Mr. Jakob agreed to include evergreens in the landscape buffer.

Councilmember Meinzen McEnery questioned if they had enough room to accommodate the neighborhood's request so that he would not have to put his houses closer together. She questioned if he could provide an additional 15 feet on the southern edge to include a 30 foot undisturbed buffer with a 10 foot improvement setback.

Mr. Jakob explained that his house is going to be 15 feet over from where it could be and he has already given ten extra feet on that side. He explained that this is not a rear setback for his lots. The neighboring house has a setback of 40 feet so there is plenty of room there.

Councilmember Greenspan questioned what the City's protocol is regarding the evergreens.

**Community Development Director Leathers** explained that the buffer that is in the condition to zoning which is installed as part of the development plan must remain in place. At any time, if the plants do not survive we can enforce to reproduce the area to make sure that buffer remains in place. It is part of the conditions on the property.

Councilmember Greenspan stated if the lots are 150 feet wide and your footprint is 75 feet, theoretically there could be 35 feet on each side which is fairly consistent with almost a 40 foot setback which is what the opposition is requesting. He asked if it were possible to have a 35 foot setback on the rear, south side.

Councilmember Meinzen McEnery stated a good combination of the 35 feet would be 10 feet for improvement setback and 25 feet undisturbed. Mr. Jakob accepted Councilmember Meinzen McEnery's request.

Councilmember Paul expressed his concerns regarding the process Council is using to handle these issues. He requested clarification from the City Attorney regarding the process of negotiating with the applicant in a situation where the entire Council may or may not agree. He stated that it puts the person at the podium in a very uncomfortable situation. He questioned if it was more appropriate to condition an application in the form of a motion.

City Attorney Willard explained that if Council is going to impose conditions and they are not something that is already agreed to between the staff and applicant, there should be a point in which the applicant accepts a new or revised condition.

Mr. Jakob stated that he rather not give up the additional feet Council has requested.

**Motion:** Councilmember Fries moved to approve RZ06-040/CV06-023 at 7995 Roberts Drive rezoning property from R-2 to R-2A with the following staff conditions to include a 20 foot buffer planted to buffer standards to be evergreens and a 5 foot improvement setback:

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. Two (2) single family residential lots at a density of 1.43 units per acre.
  - b. The minimum heated floor area per dwelling unit shall be 4,000 square feet.
2. To the owner's agreement to abide by the following:
  - a. To the revised site plan received by the Department of Community Development dated November 28, 2006. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance, the Development Standards contained therein, and these conditions prior to the approval of a Land Disturbance Permit. The applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.
3. To the owner's agreement to provide the following site development standards:
  - a. The owner/developer shall dedicate thirty (30) feet of right-of-way from centerline on Roberts Drive along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Sandy Springs.
  - b. To a twenty-five (25) foot building setback along the south property line, twenty (20) feet of which shall be an undisturbed buffer and five (5) feet of which shall be an improvement setback.

**Second:** Councilmember Jenkins seconded the motion.

**Motion to Amend and Vote:** Councilmember Greenspan moved to amend the motion that the south property line setback be 35 feet. Councilmember Meinzen McEnerny seconded the motion. The motion to amend failed 2-4 with Councilmember Fries, Councilmember Paul, Councilmember Jenkins, and Councilmember DeJulio voting in opposition.

**Vote on Main Motion:** The motion carried 5-1 with Councilmember Greenspan voting in opposition.

**RZ06-042 – 4986 and 4994 Long Island Drive, Design Construction by Craftmaster, Inc., from R-2 to R-2A for the development of three (3) single-family lots. (Second Reading)  
Ordinance No. 2006 12-91**

City Clerk Rowland stated that the next agenda item a rezoning request for property located at 4986 and 4994 Long Island Drive by Design Construction by Craftmaster, Inc. A second reading of an Ordinance to rezone property from the R-2 (Single Family Dwelling) District to the R-2A (Single Family Dwelling) District, property located at 4986 and 4994 Long Island Drive.

**Assistant Director of Planning and Zoning Zehner** stated the petitioner is Design Construction by Craftmaster, represented by Gary Unell. The applicant is requesting to rezone the property from R-2 to R-2A for the development of three single family lots at a density of 0.95 units per acre. In addition, the applicant is also requesting a concurrent variance for a reduction in lot width. The application was heard by the Planning Commission on October 19 and November 16 and was heard by the Mayor and City Council on December 5, 2006. Staff is recommending approval of the request to R-2 with the concurrent variances for reduction in lot width for the development of three single family

**Regular Meeting of the Sandy Springs City Council**

**Tuesday, December 19, 2006 at 7:00 PM**

**Page 8 of 18**

residential lots at a density of 0.95 units per acre. A reduction of lot widths would be from 150 feet as required, to 112, 121, and 134 respectfully.

**Gary Unell, 785 Wesley Oak Road, Sandy Springs** agreed to all conditions as presented by staff.

Councilmember Meinzen McEnery inquired what the Planning Commission recommended.

**Assistant Director of Planning and Zoning Zehner** stated the Planning Commission recommended approval to R-2 with staff's recommended conditions.

Mayor Galambos called for public comment.

**Nina Cramer, 5280 Long Island Drive** spoke in support of this variance. She expressed that the neighborhood is pleased that this property is not being rezoned to R-2A. She asked that when it comes to develop these three homes that they will stay in conform with the two homes north to this property. This is beautifully developed and the applicant has saved, protected and maintained some beautiful specimen trees. She believes everyone can work together and have a beautiful area in the community.

Councilmember Meinzen McEnery stated for the record that there is no request at this time to remove specimen trees.

**Motion:** Councilmember Paul moved to approve RZ06-042/CV06-036 rezoning property at 4986 and 4994 Long Island Drive to R-2 with the following staff conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. Three (3) single family residential lots at a density of 0.95 units per acre.
  - b. The minimum heated floor area per dwelling unit shall be a minimum of 5,500 square feet.
2. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Community Development dated October 25, 2006. Said site plan would be conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Land Disturbance Permit. The applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.
3. To the owner's agreement to provide the following site development standards:
  - a. The owner/developer shall dedicate 30' of right-of-way from the centerline of the road along entire property frontage along Long Island Drive or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Sandy Springs.
  - b. The owner/developer shall provide protective screening along the west property line adjacent to property zoned R-2 (Single Family Dwelling District). Said screening shall be subject to the approval of the Sandy Springs Arborist.
  - c. The garage proposed for Lot 4-A, as shown on the site plan received by the Department of Community Development dated August 30, 2006, shall not be located along the west property line adjacent to property zoned R-2 (Single Family Dwelling District).
  - d. To a reduction in the required 150 foot minimum lot width to 112 feet for Lot 4-A as shown on the site plan received by the Department of Community Development dated October 25, 2006. (CV06-036)

- e. To a reduction in the required 150 foot minimum lot width to 121 feet for Lot 4-B as shown on the site plan received by the Department of Community Development dated October 25, 2006. (CV06-036)
- f. To a reduction in the required 150 foot minimum lot width to 134 feet for Lot 5 as shown on the site plan received by the Department of Community Development dated October 25, 2006. (CV06-036)

**Second and Vote:** Councilmember Meinzen McEnery seconded the motion. The motion carried unanimously.

**RZ06 046/CV06-032-4579 Roswell Road (SR 9), 261 Hedden Street, and Windsor Parkway (17 00940001020) Applicant: Slavic Evangelic Christian Church, from R-4 to C-1 to maintain the existing church structure and to convert the existing accessory building into an art/auction gallery, with six (6) concurrent variances. (Second Reading)**

**City Clerk Rowland** stated that the next agenda item is a rezoning request for property located at 4579 Roswell Road (SR 9), 261 Hedden Street, and Windsor Parkway. A second reading of an Ordinance to Rezone Property from the R-4 (Single Family Dwelling) District to C-1 (Community Business) District, Property located at 4579 Roswell Road (SR 9), 261 Hedden Street, and Windsor Parkway.

**Assistant Director of Planning and Zoning Zehner** stated the petitioner is Paul Brown with PDB Family Trusts, LLP represented by Pete Hendricks. The applicant is requesting to rezone from R-4 to C-1 to maintain the existing church structure and to convert to an Art Auction Gallery. The applicant/owner is not proposing any new development on the site. The applicant/owner is requesting four concurrent variances to maintain the existing structure on the property. Staff is recommending approval of the request to O & I with the conditions as listed for the use of the existing building. The Planning Commission recommended denial in a 4-1 vote at their November 16, 2006 meeting.

**Paul Brown, 4577 Roswell Road** made request for more time to go back to the neighbors and discuss further. He has been in contact with Mr. Early and has agreed to meet early next year to try and work some things out. He personally contacted some of the immediate neighbors and has met with Rebecca Redback, the Association President. They are working towards a resolution. He explained that would like to host a yearly Arts Festival on the property. He has been in contact with Suzanne Engel, and some other local artists. Instead of charging the artists rent for their space, he would have them make a donation to the High Point Civic Association or some other worthy local organization. He has also been in contact with Ridgeview Middle School, a charter school which has an outstanding arts and music program. He would like to let them use his facility to do a yearly concert to raise funds for their charter school. He wants to be engaged in the arts community and engaged with the community at large but, has to be engaged in the business community before first or he cannot do any of it. That is what he would like to do. He asked the Mayor and Council for deferral of his application until February 6, 2007 to give him a chance to reach out to the community and to explain what he is trying to do.

Councilmember Fries reminded Mr. Brown that she would not be in favor of any outside displays. She would like for that be included in the conditions. Mr. Brown explained that he had no problem with that. He wants to operate a nice, classy art gallery and engage the community in this.

Mayor Galambos called for public comment.

**Suzanne Engel, 180 Grosvenor Place** stated she is a long time resident of Sandy Spring and she is in support of this application.

**Nancy Early, 5220 High Point Road**, President and representative of High Point Civic Association. She is speaking with the full authority of their Board of Directors on this matter. They did oppose the initial application by Mr. Brown before the Planning Commission. The Planning Commission voted to support their definition of Community Facility which is in accordance with the land use plan. There are two main issues; one is the density and the other is the land use plan. The land use plan calls for Community Facility. The association has a differing opinion with staff on the definition of Community Facility. The definition given in the regulation is that it would be something like a library, a park, a senior center. These are all very public type of operations. They are not opposed to an Arts Community at all.

**Regular Meeting of the Sandy Springs City Council**

**Tuesday, December 19, 2006 at 7:00 PM**

**Page 10 of 18**

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This is a land use issue. Mr. Brown is going to operate a private retail operation. If Council should choose to rezone this to a community business as is, then the current existing building is over 10,000 square feet per acre in density that exceeds all the surrounding density. She requested that Council consider that issue and the issue of a land use plan. No one in her community has given Paul any encouragement that rezoning this to retail would be acceptable. The designation as an Art Auction Gallery is what they object to the most because it is a retail-private operation. They feel strongly that it should not be rezoned to commercial or community business at this time or for this use. She has the endorsement of opposition from the Cherokee Park Homeowners Association President. She feels this is a self imposed hardship. Our Comprehensive Land Use Plan is very clearly marked as to what this should be and is. They do not feel that this would affect the viability of this property. They will support a deferral and will continue to work with Mr. Brown.

**Susan Heard, 286 Windsor Parkway**, representing Buckhead Homeowners Association, stated that they will be the most affected by this. They are concerned about things outside like the fire hydrant and some planters. They are also very concerned about buffers. They are also concerned that it goes against the land use plan. This is not the arts, but a retail business. The fact that he would like to do the Arts Festival scares them even more. They will park on Hedden and Windsor Parkway. She has lived there for 20 years and has lived with noise that comes from that fellowship hall building over the years as well as many drainage issues from almost an acre of water that comes up with that parking lot. Those issues would not be resolved if Council allows this.

**Anna Hirsch, 4690 Huntley Drive** spoke in support of the deferral of application. She is also speaking as a representative of a new association, Homeowners Adjacent to Roswell Road Corridor. They have formed this group to address issues just like this where commercial ventures along Roswell Road significantly impact their neighborhood. At this time they have no position because they are so new that they have not had an opportunity to meet with any of the parties involved. They have a number of questions that they would like Council to consider when voting. First, this is her next door neighbor and is one street away from the property right off of Windsor Parkway. Sandy Springs Transportation Department tells her they are recommending no egress or ingress on Roswell Road for this property but, hope to use Windsor Parkway along with Walgreen's and Popeye's. There is currently no buffer at all between the parking lot and the condos. There is nothing about where the dumpsters will be located, nothing about time restrictions about when they can be on the property.

**Motion and Vote:** Councilmember DeJulio moved to defer consideration of RZ06-046/CV06-032 to the February 6, 2007 meeting. Councilmember Jenkins seconded the motion. The motion carried unanimously.

Mr. Zehner stated that staff would assume that Council's intent was to have staff mediate those meetings.

**City Attorney Willard** cautioned Council about discussion made on a specific use under a commercial category of the property. This is not something Council can do as far as tying to it a condition as to how a business can be conducted. You can add conditions as to the development of the property.

**RZ06-047/CV06-033-161 Mount Paran Road, Applicant: AJC International, from R-3 to O-I to allow the existing residence to be converted into an office, with four (4) concurrent variances. (Second Reading)  
Ordinance No. 2006-12-92**

**City Clerk Rowland** stated that the next agenda item is a rezoning request for property located at 161 Mount Paran Road, applicant AJC International. A second reading of an Ordinance to Rezone Property From The R-3 (Single Family Dwelling) District to O-I (Office and Institutional) District, Property Located At 161 Mount Paran Road.

**Assistant Director of Planning and Zoning Zehner** stated the petitioner is AJC International, represented by Sandra Raeder. The applicant is requesting to rezone the property from R-3 to O-I to convert the existing structure and also request four (4) concurrent variances needed to maintain the existing structure in its current location and reduce setback of landscape strips. This item was heard by the Planning Commission on November 16, 2006 at which time they recommended approval 5-0. Staff is recommending approval from R-2 to O-I with the conditions listed in staff report and approving concurrent variance request.

Sandra Raeder stated the purpose of request is to expand their canvas in order to facilitate more comfortable workstations for current employees. There is no growth of employees projected until 2010.

Councilmember Jenkins questioned how many single family homes they were using as office space.

Ms. Raeder stated that 151 have tenants and 141 is property they use from time to time for visiting employees. Councilmember Jenkins stated she is against using single family residences for office buildings because you are never going to get a redevelopment of that section. It is her understanding that all the houses across the street are going through demolition and nicer homes are being built along Mount Paran. She would prefer to see O-I up against Roswell Road and not creeping into the neighborhood.

Ms. Raeder stated that 161 will meet their needs at least until 2010 and possibly more because some of their jobs are going off shore. They have offices in several different locations globally. It would force them to move if Council does not allow this rezoning at 161. It was not their intention to do anything further with 151 or 141 in the immediate.

Councilmember DeJulio questioned the type of business.

Ms. Raeder stated that AJC is a distributor of cooking products throughout the world; chicken, beef, pork and vegetables. They have very little customer contact in their offices so there is not a lot of traffic. They just need to house 100 employees and make it more comfortable.

Mayor Galambos called for public comments in opposition. There were no comments in opposition.

Councilmember Fries questioned if any structural changes can be made one Council approves this. Mr. Zehner stated that the proposal is for the existing structure only. The site plan is clearly labeled exiting one story frame and shows their parking to be at the rear of the structure. They could do maintenance to the outside but not expand the footprint.

**Motion:** Councilmember DeJulio moved to approve RZ06-047/CV06-033 rezoning property from R-3 to O-I with the following staff conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. To office uses in the existing 1,728 square foot structure at a density of 6,171.43 square feet per acre. No modifications will be made to the exterior of the structure, other than normal maintenance.
2. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Community Development dated November 7, 2006. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance, the Development Standards contained therein, and these conditions prior to the approval of a Land Disturbance Permit. The applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.
3. To the owner's agreement to provide the following site development standards:
  - a. The owner/developer shall dedicate thirty (30) feet of right-of-way from centerline on Mount Paran Road along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Sandy Springs.
  - b. To reduce the required twenty (20) foot side yard setback to ten (10) feet along the west property line to allow the existing structure to remain (CV06-033).

- c. To reduce the required twenty-five (25) foot buffer and ten (10) foot improvement setback to a ten (10) foot landscape strip along the west property line adjacent to property zoned R-3 (Single Family Dwelling District) to allow the existing structure to remain. Said landscape strip shall be planted to buffer standards and shall be subject to the approval of the City Arborist (CV06-033).
- d. To reduce the required ten (10) foot landscape strip to zero (0) feet along portions of the south property line adjacent to property zoned C-1 (Community Business District) to allow for the installation of the proposed parking area (CV06-033).
- e. To reduce the required ten (10) foot landscape strip to zero (0) feet along the east property line adjacent to property zoned C-1 (Community Business District) to allow for the installation of the proposed parking area (CV06-033).
- f. The driveway along Mount Paran Road shall be an entrance only.
- g. To allow for shared parking with the property to the south for one (1) parking space. At such time that the owner of either property changes, the owner of the subject site shall provide a shared parking agreement with the property's new owner for the additional space.

**Second and Vote:** Councilmember Meinzen McEnery seconded the motion. The motion carried 5-1 with Councilmember Jenkins voting in opposition.

#### Text Amendments

**RZ06-058-An Ordinance to amend Article 33, Signs, Article 12A, Overlay District Authority, and Article 12B, Sandy Springs Overlay District of the City of Sandy Springs Zoning Ordinance.**

*Clerk Note: Agenda Item 06-394 was moved up on the agenda by motion and vote..*

#### **SOLID WASTE MANAGEMENT PLAN**

**Public Hearing to receive input regarding the needs and goals for the City of Sandy Springs Solid Waste Management Plan.**

**City Clerk Rowland** stated that the next agenda items is a public hearing to receive input regarding the needs and goals for the City's Solid Waste Management Plan.

**Comprehensive Plan Project Manager Fonts** gave the following presentation.

#### A State Requirement

- **Each local Jurisdiction must:**
  - Submit a plan that meets state standards
  - Endorse the goal of reducing solid waste by 25% through recycling
  - Submit annual reports to the state
- **Approved plan qualifies the City for State grants, loans, and permits**

#### Key Assets to Achieve State Goals

- **An approved Solid Waste Management Plan**
- **An Ordinance that requires:**
  - Recycling by single-family units, multi-family units, and businesses

- Reports from approve haulers
- Public education on recycling

■ **A cooperative partnership with non-profits engaged in public education on recycling, antilitter, and similar issues**

**A Solid Waste Management Plan**

■ **Required planning elements**

- Analysis of solid waste disposal stream
- Identification of waste reduction options
- Collection systems
- Disposal options
- Land limitations for landfills
- Education and Public involvement
- Implementation schedule

**Plan Recommendations**

■ **Implement new city ordinance**

- Emphasizes recycling
- Establishes reporting requirements
- Keeps open competition model

■ **Ramp up public education**

- Consider partnerships with non-profits
- Require haulers to publicize recycling

■ **Establish Solid Waste manager duties**

- Create reporting regimen
- File reports with state

Mayor Galambos called for public comment.

**Herb Daws, 280 Dodd Moore Circle**, stated approximately January of this year Mayor Galambos had him appointed as a member of a study group on the Solid Waste Recycling Center. He served on committee for about five months and some of the few people who were making the plans disappeared. For about two months nothing happened. He has studied this plan and is in agreement with it. The concern he has is some of the support that is necessary for our school garbage collection, our recycle program and yard debris program. He strongly believes we need a person in charge of this Solid Waste, the pick-ups and supervising the haulers and things of that nature need to be looked at very carefully. Solid Waste is very important.

Mayor Galambos questioned staff if there was a plan to call together a Solid Waste Committee. Mr. Fonts stated that calls have already gone out on that. Mayor Galambos stated that we need to rejuvenate that committee. We realize the list of haulers needs to be updated and that the haulers are not living up to the contract. She thinks it is important that the committee see the copy of the actual Franchise Agreement. She thinks there will be a meeting of the Solid Waste Committee at a very early date so they can look into all the various ideas you have brought before us.

Mr. Fonts stated that the Ordinance will be presented at the second hearing.

Mayor Galambos stated she has read the Ordinance very carefully and there is one part of it she would like to bring to everyone's attention. It is a definite change from our current situation and that is it would be obligatory for all of us to contract with a hauler for recycling. She wanted everybody to know that was in the ordinance.

Councilmember Jenkins stated that Council had asked for that to be taken out. Mayor Galambos concurred.

Mr. Fonts stated the intent was that it would be provided if the customer wanted it. Mayor Galambos stated that is not the way the ordinance is worded.

Councilmember Fries stated that it is stated in there that you will pay if you use it or not. Council was clear that they did not want it to be mandatory. She has received many calls about safeguards on the haulers actually treating the recyclables in the correct manner and how the City can follow up to make sure they are not dumping it all in one place. She would like to get an answer from staff at some point.

Councilmember Meinzen McEnery questioned if the three key elements of a required solid waste management plan are stipulated by the state. Mr. Fonts stated that the state stipulations a goal established to be a 25% reduction.

Councilmember Greenspan questioned if the committee had even looked at the ordinance.

**City Manager McDonough** stated that the committee will have an opportunity to review the ordinance. The ordinance will come back to Council at a work session with an opportunity for staff presentation

**Assistant City Manager Crace** stated that when the city first started they did use a Solid Waste Advisory Committee and adopted a Solid Waste Ordinance. Then the committee brought forward their ideas and there was an update and they presented a second ordinance which is what is on the books today. At that point, the committee was inactivated and staff did not pursue it any further. With the Comprehensive Plan, a separate process is required by the Department of Community Affairs that we have a Solid Waste component. The manager has also charged staff with pursuing the various registered haulers to bring them into compliance in a separate program.

### Unfinished Business

**SSGAL06-0216 - Approval of Alcoholic Beverage License Application for The Tasting Room/Sandy Springs, LLC, d/b/a Antica Posta Tasting Room located at 6010 Sandy Springs Circle, Sandy Springs, GA 30328. Applicant is Dr. Gerald Frank Jenkins for Consumption on the Premises for the Sale of Distilled Spirits, Wine and Malt Beverage License**

**City Clerk Rowland** stated that the next agenda items is the approval of Alcoholic Beverage License Application for The Tasting Room/Sandy Springs, LLC, d/b/a Antica Posta Tasting Room located at 6010 Sandy Springs Circle, Sandy Springs, GA 30328. Applicant is Dr. Gerald Frank Jenkins for Consumption on the Premises for the Sale of Distilled Spirits, Wine and Malt Beverage License. This will be presented by Assistant City Manager Crace.

**Assistant City Manager Crace** stated the applicant Mr. Jenkins, his attorney, architect and contractors have all worked in good faith since January to get their license. The applicant had an incomplete application. They came forward and corrected this by getting their building permit. We felt like it would be overbearing to make them wait until January and they cleared their entire obligation and are in good standing in our review as of last Friday.

**Motion and Vote:** Councilmember Greenspan moved to approve SSGAL06-0216, Alcoholic Beverage License Application for The Tasting Room/Sandy Springs, LLC, d/b/a Antica Posta Tasting Room located at 6010 Sandy Springs Circle, Sandy Springs, GA 30328. Applicant is Dr. Gerald Frank Jenkins for Consumption on the Premises for the Sale of Distilled Spirits, Wine and Malt Beverage License. Councilmember DeJulio seconded the motion. There was no Council discussion. The motion carried unanimously.

**SSGAL06-0217- Approval of Alcoholic Beverage License Application for Atlantic Wine & Package/Sandy Springs, LLC d/b/a Atlantic Wine & Spirits located at 6010 Sandy Springs Cir Suite 2B Sandy Springs, GA 30328. Applicant is Dr. Gerald Frank Jenkins Retail/Package Sale of Wine, Beer and Distilled Spirits.**

**City Clerk Rowland** stated that the next agenda item is the approval of Alcoholic Beverage License Application for Atlantic Wine & Package/Sandy Springs, LLC d/b/a Atlantic Wine & Spirits located at 6010 Sandy Springs Cir Suite 2B Sandy Springs, GA 30328. Applicant is Dr. Gerald Frank Jenkins Retail/Package Sale of Wine, Beer and Distilled Spirits.

**Assistant City Manager Crace** stated this is a package store next door to his other business and they are completely separated. Staff is satisfied that they meet the requirements and do not anticipate any problem with the state.

**Motion and Vote:** Councilmember DeJulio moved to approve SSGAL06-0217, Alcoholic Beverage License Application for Atlantic Wine & Package/Sandy Springs, LLC d/b/a Atlantic Wine & Spirits located at 6010 Sandy Springs Cir Suite 2B Sandy Springs, GA 30328. Applicant is Dr. Gerald Frank Jenkins Retail/Package Sale of Wine, Beer and Distilled Spirits. Councilmember Jenkins seconded the motion. There was no Council discussion. The motion carried unanimously.

### New Business

#### **Consideration of Approval of an Ordinance amending by readopting Chapter 1, General Provisions of the Code of Ordinances of the City of Sandy Springs, Georgia.**

##### **Ordinance No. 2006 12-93**

**City Clerk Rowland** stated that the next agenda item is the consideration of approval of An Ordinance Amending by Readopting Chapter 1, General Provisions of the Code Of The Code Of Ordinances Of The City of Sandy Springs, Georgia.

**City Attorney Wendell** stated this item was presented at the work session, this is an update. We are doing a revision to tweak the different chapters. Staff recommends adoption of this General Provisions chapter by the Council.

**Motion and Vote:** Councilmember Meinzen McEnery moved to approve an Ordinance amending by readopting Chapter 1, General Provisions of the Code of Ordinances of the City of Sandy Springs, Georgia. Councilmember DeJulio seconded the motion. There was no Council discussion. The motion carried unanimously.

#### **Consideration of Approval of an Ordinance amending by readopting Chapter 2, Administration of the Code of Ordinances of the City of Sandy Springs, Georgia.**

##### **Ordinance No. 2006-12-94**

**City Clerk Rowland** stated the next agenda item is the consideration of approval of An Ordinance Amending by Readopting Chapter 2, Administration of the Code of Ordinances of the City of Sandy Springs, Georgia.

**City Attorney Wendell** stated this item was presented at the Council Work Session and this is an update. We are doing a revision to tweak of the Administration Chapter of the Code making changes that were needed. Nothing was changed as far as substance, just some grammatical and typographical errors corrected. Staff recommends adoption of this Administration chapter by the Council.

**Motion and Vote:** Councilmember Paul moved to approve an Ordinance amending by readopting Chapter 2, Administration of the Code of Ordinances of the City of Sandy Springs, Georgia. Councilmember Jenkins seconded the motion. There was no Council discussion. The motion carried unanimously.

#### **Consideration of Approval of an Ordinance amending by readopting Chapter 3, Elections of the Code of Ordinances of the City of Sandy Springs, Georgia.**

##### **Ordinance No. 2006-12-95**

**City Clerk Rowland** stated that the next agenda item is the consideration of approval of an Ordinance amending by readopting Chapter 3, Elections of the Code of Ordinances of the City of Sandy Springs, Georgia.

**Regular Meeting of the Sandy Springs City Council**

**Tuesday, December 19, 2006 at 7:00 PM**

**Page 16 of 18**

**City Attorney Wendell** stated there has been an addition to Article 2, Section 1(c) which now requires that all candidates for elected municipal office shall be registered to vote in the City of Sandy Springs at the time of qualification.

**Motion and Vote:** Councilmember DeJulio moved to approve an Ordinance amending by readopting Chapter 3, Elections of the Code of Ordinances of the City of Sandy Springs, Georgia. Councilmember Meinzen McEnery seconded the motion. There was no Council discussion. The motion carried unanimously.

**Consideration of Approval of an Ordinance extending the Franchise Agreement for Georgia Power for sixty (60) days.**

**Ordinance No. 2006-12-96**

**City Clerk Rowland** stated that the next agenda item is the consideration of approval of An Ordinance Extending The Franchise Agreement For Georgia Power Company For A Period of Sixty (60) Days.

**City Attorney Wendell** stated staff is asking for this extension because we are in the process of negotiating with Georgia Power for a long term Franchise Agreement. The way theirs was drafted initially it called for just a one year agreement without any automatic language for extension. We are requesting sixty (60) days to finalize the Franchise negotiations.

**Motion and Vote:** Councilmember Paul moved to approve an Ordinance extending the Franchise Agreement for Georgia Power for sixty (60) days. Councilmember Meinzen McEnery seconded the motion. There was no Council discussion. The motion carried unanimously.

**Consideration of Approval of a Utility Right-of-Way Ordinance for the City of Sandy Springs.**

**Ordinance No. 2006-12-97**

**City Clerk Rowland** stated that the next agenda item is the consideration of a Utility Right-of-Way Ordinance for the City of Sandy Springs.

**City Attorney Wendell** stated this is an Ordinance needed to enforce a franchise fee for the use of the right-of-way. We currently do not have an Ordinance that states that.

Councilmember DeJulio inquired on the status of the lawsuit. City Attorney Wendell stated there was to be another hearing but, has not heard if that was set up. He will check on that and report back to Council.

Mayor Galambos questioned if we had a liaison that can deal with and file complaints for citizens.

**City Manager McDonough** stated that we do. The City receives complaints and staff tries to help city residents through this process with the City of Atlanta. Staff met with their compliance staff six weeks ago. We do have a point of contact and recently have got some help.

Councilmember Jenkins stated that the City of Atlanta did fix the break in the water main or water meter at Wingate at Spalding. It had been a problem for the past five years and Sandy Springs staff resolved this issue.

**Motion and Vote:** Councilmember Fries moved to approve an Ordinance establishing terms within the City of Sandy Springs for use and occupancy of City streets, City right-of-way, City Easements, or any other City property, providing for the establishment of Franchise Agreements and Collection of Fees. Councilmember Greenspan seconded the motion. There was no Council discussion. The motion carried unanimously.

**Consideration of approval of a Resolution authorizing a Business Occupational Tax Amnesty program waiving penalties and interest for new businesses in Sandy Springs through March 31, 2007. (Added by motion and vote)**  
**Resolution No. 2006-12-10**

**City Clerk Rowland** stated the next agenda item is a Resolution authorizing a Business Occupational Amnesty program waiving penalties and interest for new businesses in Sandy Springs through March 31, 2007.

**City Attorney Willard** stated this is for businesses not previously licensed by the City of Sandy Springs.

**City Manager McDonough** stated staff estimates there could be several thousand businesses that have not yet received a business license in Sandy Springs. As part of the Revenue Enhancement Program, letters have gone out and the calls Council and staff are receiving are about the doctors and attorneys. Staff is trying to work through this. There are companies out there that did not know they were supposed to get a business license. Staff is recommending Council consider an Amnesty program that would waive penalties and interest for one time only and run this through March 31, 2007.

**Motion and Vote:** Councilmember Fries moved to approve a Resolution authorizing a Business Occupational Tax Amnesty program waiving penalties and interest for new businesses in Sandy Springs through March 31, 2007. Councilmember Jenkins seconded the motion. There was no Council discussion. The motion carried unanimously.

**Approval of a Resolution approving and authorizing the Mayor to execute a sublease with Fulton County for Fire Station No. 22 at 6025 Heards Road. (Added by motion and vote)**  
**Resolution No. 2006-12-110**

**City Clerk Rowland** stated this is a Resolution authorizing the Mayor to execute a sublease with Fulton County for Fire Station No. 22 at 6025 Heards Road.

**City Attorney Wendell** stated this is a request to approve a Resolution for the Mayor to sign a six month lease for the Heards Ferry Fire Station, which will allow additional time to complete negotiations regarding how this station should be transferred to the city. He explained that this has been an unusual situation. The City needs to sit down with the Trustees and work this out.

**Motion and Vote:** Councilmember Paul moved to approve of a Resolution approving and authorizing the Mayor to execute a sublease with Fulton County for Fire Station No. 22 at 6025 Heards Road. Councilmember Greenspan seconded the motion. There was no Council discussion. The motion carried unanimously.

**Reports and Presentation**

**Mayor and Council Reports**

Mayor Galambos announced that there are now two vacancies on the Design Review Board. She proposed that Mr. Colin Lichtenstein, an Architect, be reappointed to Post 2. He has done a wonderful job and meets all the criteria needed to do this job. The other opening is for a business member who has to live in Sandy Springs and have a business on Main Street. He recommended Mr. Bruce Alterman be appointed to Post 1.

**Motion and Vote:** Councilmember DeJulio moved to reappoint Mr. Colin Lichtenstein to post 2 of the Design Review Board and Mr. Bruce Alterman to post 1 of the Design Review Board. Councilmember Jenkins seconded the motion. There was no Council discussion. The motion carried unanimously.

**Staff Reports**

City Manager McDonough reminded Council that the Fire Department will assume their duties on December 29, 2006 at 9:00 a.m. Fulton County will be moving out of the building at 8:45 a.m. and we will be moving in at 9:00 a.m. He welcomed everyone to come and share the excitement.

**Public Comment**

There were no public comments.

**Regular Meeting of the Sandy Springs City Council**

**Tuesday, December 19, 2006 at 7:00 PM**

**Page 18 of 18**

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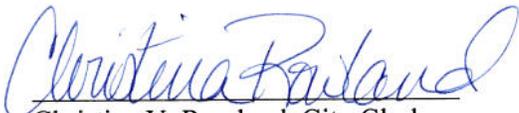
Mayor Galambos wished everyone Happy Hanukkah and Happy Holidays. She announced there would be no Regular Council Meeting held the in the first week of January, and that the next meeting for City Council would be on January 9, 2007.

**Adjourn**

**Motion and Vote:** Councilmember Greenspan moved to adjourn the meeting. Councilmember Fries seconded the motion. There was no Council discussion. The motion carried unanimously.

After no further business, the meeting adjourned at 9:28 p.m.

Date Approved: January 16, 2007

  
Christina V. Rowland, City Clerk

  
Eva Galambos, Mayor