

Regular Meeting of the Sandy Springs City Council was held on Tuesday, March 18, 2014, at 6:00 p.m., Mayor Rusty Paul presiding

INVOCATION

Rabbi Josh Heller, B’Nai Torah, offered the invocation.

CALL TO ORDER

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

ROLL CALL AND GENERAL ANNOUNCEMENTS

City Clerk Michael Casey reminded everyone to silence all electronic devices at this time. Additionally, those wishing to provide public comment during either a Public Hearing or the Public Comment segment of the meeting are required to complete a public comment card. The cards are located at the back counter and need to be turned in to the City Clerk.

City Clerk Casey called the roll.

Mayor: Mayor Rusty Paul present

Councilmembers: Councilman John Paulson, Councilman Ken Dishman, Councilman Graham McDonald, Councilman Gabriel Sterling, Councilman Tibby DeJulio, and Councilman Andy Bauman present.

PLEDGE OF ALLEGIANCE

Mayor Rusty Paul led the Pledge of Allegiance

APPROVAL OF MEETING AGENDA

Motion and Vote: Councilman Paulson moved to approve the Regular Meeting agenda for March 18, 2014. Councilman Dishman seconded the motion. The motion carried unanimously.

CONSENT AGENDA

(Agenda Item No. 14-053)

1. Meeting Minutes:
 - a) March 4, 2014 Regular Meeting
(Michael Casey, City Clerk)

(Agenda Item No. 14-054)

2. Consideration of the Acceptance of a Dedication of Right of Way Deed as part of the Zoning Requirements (211 Mount Vernon Hwy)
(Garrin Coleman, Director of Public Works)

Resolution No. 2014-03-25

Motion and Vote: Councilman DeJulio moved to approve the Consent Agenda for March 18, 2014. Councilman Paulson seconded the motion. The motion carried unanimously.

PRESENTATIONS

There were no presentations.

PUBLIC HEARINGS

City Clerk Michael Casey read the rules for the Public Hearings segment of the meeting.

(Agenda Item No. 14-055)

1. **201302561** - 5855 Riverside Drive, *Applicant: Tabula Rasa*, to increase the number of students from 70 to 150 and to allow a 10,000 square foot addition to the existing church

Director of Community Development Angela Parker stated this agenda item is a request for a permit. However, staff has received a request for withdrawal of the application. Staff recommends this zoning request be withdrawn.

Nathan Hendricks, representative of the applicant, stated this application has been before Council a few times due to the property ownership issue. The applicant has been pursuing getting the property under contract and purchased. At this point in time, it would be best to withdraw the application.

Ralph Clements, 7158 Surrey Pt, stated he represents the Presbytery of Greater Atlanta. When the church of St. Andrew closed at the end of December 2013, the property ownership reverted to the Presbytery. The lease for the school will end at the end of the school year in 2015. The Presbytery is looking for a new congregation to occupy this facility. No one should interpret this situation to mean that the Tabula Rasa school or owners have tried to do anything deceptive.

Mayor Rusty Paul called for public comments in support of or in opposition to the application. There were no public comments. Mayor Paul closed the public hearing.

Motion and Vote: Councilman Bauman moved to approve the withdrawal of Agenda Item No. 14-055, 201302561 - 5855 Riverside Drive, *Applicant: Tabula Rasa*, to increase the number of students from 70 to 150 and to allow a 10,000 square foot addition to the existing church. Councilman Sterling seconded the motion. There was no Council discussion. The motion carried unanimously.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

(Agenda Item No. 14-056)

1. Consideration of the Extension of the Atlanta Grand Bohemian Hotel Land Disturbance Permit under Chapter 103, Article 6, Section 103-27(b)(4) Development Regulations Ordinance of the Code of the City of Sandy Springs

Director of Community Development Angela Parker stated this is a request to extend the land disturbance permit. No work has begun on the permit. Council has extended this particular permit six times. The applicant has submitted all of the required documents in order for staff to recommend favorably that the permit be extended.

Motion and Second: Councilman Sterling moved to approve Agenda Item No. 14-056, the Extension of the Atlanta Grand Bohemian Hotel Land Disturbance Permit under Chapter 103, Article 6, Section 103-27(b)(4) Development Regulations Ordinance of the Code of the City of Sandy Springs. Councilman Dishman seconded the motion.

Mayor Rusty Paul asked if after repeatedly extending the permit it will automatically expire at some point.

Director of Community Development Parker stated this permit is open ended, if the Council chooses to extend it. The extensions are for 180 days. The applicant will come back to Council again after this extension expires, if they so choose.

Councilman Gabriel Sterling stated this is a project that should remain in the City. The previous Council asked staff if the extension could be for up to 18 months due to the financial situation. The longest the extension can be is 6 months.

Councilman Tibby DeJulio stated he thought he read somewhere that the applicant decided they would not build the hotel.

Mayor Paul stated the applicant is still actively working to move forward on this project.

Joe Foltz, representative of the applicant, stated a competitor may have promoted a rumor of that nature. He appreciates Council's patience with this request. Mr. Kessler is very dedicated to this project and this location in Sandy Springs.

Vote on the Motion: The motion carried unanimously.

(Agenda Item No. 14-057)

2. A Resolution to Adopt the City of Sandy Springs 2014 Planning and Zoning Schedules

Director of Community Development Angela Parker stated at the last Council meeting Council voted to transfer the function of the Design Review Board to the Planning Commission. This is the revised meeting schedule to incorporate that change. The change indicates the design review will occur by the Planning Commission and a second meeting is being added to the schedule. Staff's goal is to have one meeting a month and only hold the second meeting if necessary.

Councilman Gabriel Sterling asked if the asterisk indicates that those days were rescheduled.

Director of Community Development Parker stated normally there are certain days of the month the meetings are held, but when there is a holiday the schedule can be adjusted accordingly.

Motion and Vote: Councilman Dishman moved to approve Agenda Item No. 14-057, a resolution to Adopt the City of Sandy Springs 2014 Planning and Zoning Schedules. Councilman Paulson seconded the motion. The motion carried unanimously.

Resolution No. 2014-03-26

(Agenda Item No. 14-058)

3. Consideration of Approval of a Contract to Construct Project T-6012-1, Mt. Paran Road Improvements, Roswell Road to Long Island Drive, Subject to Validation and Approval by the Legal and Finance Departments

CIP Unit Manager Marty Martin stated this project will construct over a half mile of sidewalk on the south side of Mount Paran Road from the intersection of Mount Paran and Roswell Road to west of Lake Forrest and Mount Paran. On February 18th, the City received eight bids for the work. The apparent low bidder, Construction Engineering and Management was not GDOT prime prequalified. This is a City standard for contractor prequalification. Staff recommends awarding the contract to Summit Construction, the next low bidder, for a total price of \$298,072.95. Summit Construction has completed

two projects for the City previously on the sidewalk program and in addition they were just awarded a sidewalk project at Hammond and Barfield Road.

Motion and Second: Councilman Bauman moved to approve Agenda Item No. 14-058, Approval of a Contract to Construct Project T-6012-1, Mt. Paran Road Improvements, Roswell Road to Long Island Drive, Subject to Validation and Approval by the Legal and Finance Departments. Councilman Sterling seconded the motion.

Councilman Andy Bauman asked what the time period is for this project.

CIP Unit Manager Martin stated he believes the project will take 90 days, but he will confirm this estimate.

Vote on the Motion: The motion carried unanimously.
Resolution No. 2014-03-27

REPORTS

1. Mayor and Council Reports
2. Staff Reports

There were no Mayor and Council or Staff reports.

PUBLIC COMMENT

Vicky Jefson, 6090 River Shore Pkwy NW, stated she is the Vice President of the Rivershore Estates HOA and is speaking this evening about private cameras in the public right-of-way. During the past few years her neighborhood has experienced an increase in daytime burglaries. Some burglaries were attempted when residents, including children, were home. The HOA has been in contact with the Sandy Springs Police Department to determine what efforts to take to help catch criminals and prevent future incidents. The police department has many suggestions that include a neighborhood watch and installing security cameras at the entrances of the subdivision. After several months of researching options, the HOA identified a contractor and camera system that will provide the police department with the images they need. The HOA reached out to the neighborhood to see if they will support installing the security cameras. During a high burglary time the police department placed their own security cameras at the Riverside Drive entrance to collect license plate information to demonstrate the use of cameras. With the support of more than 160 individual households, the HOA has raised over \$21,000 to purchase and maintain a camera system for both of the subdivision entrances.

Karen Dabbs, 500 Riverhill Dr NW, stated she is an attorney and the secretary of the Rivershore Estates HOA. Her HOA has a fully funded proposal for license plate cameras for both entrances in the subdivision. The HOA has been ready to install the cameras for over five months while working with the City for permitting. The presentation by staff this evening includes steps that her HOA has completed. The proposed policy calls for a petition process which is similar to the traffic calming policy. Her HOA board has voted to move forward with the cameras. More than 160 households in her subdivision are in support of the cameras. This policy calls for installing cameras outside of the encroachment before installing cameras inside the encroachment. In September 2013 her HOA met with a contractor and a City employee. To achieve the correct camera angle to capture license plate images, the cameras must be installed in the encroachment close to the curb. She encouraged staff to work with her HOA in order to avoid duplication of this effort. The proposed policy also includes the option of the City abandoning small parcels of land where camera poles can be located. This process indicates that the issues are truly

the private ownership of cameras on public encroachment. If issues arise with this abandonment, the HOA is glad to discuss deeding the cameras or the data to the City, so it is no longer privately held. The HOA will maintain the cameras and in either case no one will monitor the data. The images are available to the police if an incident should occur. If the City does not want to own the data due to retention policies, the HOA can give the City the access code to the data, rather than the data itself. The HOA is willing to be flexible in expediting the permitting of the cameras.

EXECUTIVE SESSION

There was no Executive Session.

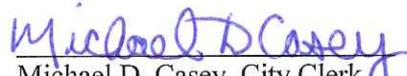
ADJOURNMENT

Motion and Vote: Councilman Sterling moved to adjourn the meeting. Councilman Paulson seconded the motion. The motion carried unanimously. The meeting adjourned at 6:26 p.m.

Date Approved: April 1, 2014



Russell K. Paul, Mayor



Michael D. Casey, City Clerk