



CITY COUNCIL

Rusty Paul, Mayor

John Paulson – District 1
Ken Dishman – District 2
Graham McDonald – District 3
Gabriel Sterling – District 4
Tibby DeJulio – District 5
Andy Bauman – District 6

Tuesday, March 4, 2014

Summary Minutes

6:00 PM

A) INVOCATION – Rabbi Ellen Nemhauser, Congregation Or Hadash

B) CALL TO ORDER – Mayor Rusty Paul

Mayor Paul called the meeting to order at 6:02 p.m.

C) ROLL CALL AND GENERAL ANNOUNCEMENTS

Mayor: Mayor Paul present

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

D) PLEDGE OF ALLEGIANCE – Mayor Rusty Paul

E) PUBLIC COMMENT

F) APPROVAL OF MEETING AGENDA

Motion and Vote: Councilman Paulson moved to approve the Regular Meeting agenda for March 4, 2014. Councilman McDonald seconded the motion. The motion carried unanimously.

G) CONSENT AGENDA

(Agenda Item No. 14-043)

1. Meeting Minutes:
 - a) February 18, 2014 Regular Meeting
(Michael Casey, City Clerk)

Motion and Vote: Councilman Sterling moved to approve the Consent Agenda for March 4, 2014. Councilman DeJulio seconded the motion. The motion carried unanimously.

H) PRESENTATIONS

1. Recognition of Jared Ogden, former Navy SEAL - Councilman Paulson
2. CREATE Community Award for Environmental Sustainability - John McDonough

I) PUBLIC HEARINGS

(Agenda Item No. 14-044)

1. **TA13-002** - An Ordinance to Amend Article 3, Definitions, Article 12B, Sandy Springs Overlay District, and Section 28.2 Land Use Petitions, of the Sandy Springs Zoning Ordinance

(Presented by Director of Community Development, Angela Parker)

(Invitation for Public Comment)

Motion and Vote: Councilman Sterling moved to approve Agenda Item No. 14-044, TA13-002 - An Ordinance to Amend Article 3, Definitions, Article 12B, Sandy Springs Overlay District, and Section 28.2 Land Use Petitions, of the Sandy Springs Zoning Ordinance, with the addition of “convenience store” to the list of prohibited uses in the Main Street overlay found in Section 12B.7, but only in the area identified on the “Proposed Illustrative Master Plan” map found in the Sandy Springs Center Master Plan adopted by City Council on December 18, 2013; and also with the staff amendment that sets the Planning Commission dates and definitions. Councilman Paulson seconded the motion. The motion carried unanimously.

Ordinance No. 2014-03-07

J) UNFINISHED BUSINESS *(none)*

K) NEW BUSINESS

(Agenda Item No. 14-045)

1. Resolution to authorize the use of eminent domain to acquire property located at 6196 Roswell Road, N.E., Sandy Springs, Georgia, Parcel ID: 17-0089-0004-031-9 (“Property”) for public use

(Presented by City Attorney, Wendell Willard)

Motion and Vote: Councilman McDonald moved to approve Agenda Item No. 14-045, a resolution to authorize the use of eminent domain to acquire property located at 6196 Roswell Road, N.E., Sandy Springs, Georgia, Parcel ID: 17-0089-0004-031-9 (“Property”) for public use. Councilman Paulson seconded the motion. The motion carried 5-1, with Councilman Sterling voting in opposition.

Resolution No. 2014-03-19

(Agenda Item No. 14-046)

2. Resolution to authorize the use of eminent domain to acquire property located at 5903 Roswell Road (Parcel #4)

(Presented by City Attorney, Wendell Willard)

Motion and Vote: Councilman Sterling moved to approve Agenda Item No. 14-046, a resolution to authorize the use of eminent domain to acquire property located at 5903 Roswell Road (Parcel #4). Councilman Paulson seconded the motion. The motion carried unanimously.

Resolution No. 2014-03-20

(Agenda Item No. 14-047)

3. Resolution to authorize the use of eminent domain to acquire property located at 5925 Roswell Road (Parcel #6)

(Presented by City Attorney, Wendell Willard)

Motion and Vote: Councilman DeJulio moved to approve Agenda Item No. 14-047, a resolution to authorize the use of eminent domain to acquire property located at 5925 Roswell Road (Parcel #6). Councilman Dishman seconded the motion. The motion carried unanimously.

Resolution No. 2014-03-21

(Agenda Item No. 14-048)

4. Resolution to authorize the use of eminent domain to acquire property located at 5925 Roswell Road (Parcel #7)
(Presented by City Attorney, Wendell Willard)

Motion and Vote: Councilman DeJulio moved to approve Agenda Item No. 14-048, a resolution to authorize the use of eminent domain to acquire property located at 5925 Roswell Road (Parcel #7). Councilman Sterling seconded the motion. The motion carried unanimously.

Resolution No. 2014-03-22

(Agenda Item No. 14-049)

5. Resolution to authorize the use of eminent domain to acquire property located at 5925 Roswell Road (Parcel #8)
(Presented by City Attorney, Wendell Willard)

Motion and Vote: Councilman DeJulio moved to approve Agenda Item No. 14-049, a resolution to authorize the use of eminent domain to acquire property located at 5925 Roswell Road (Parcel #8). Councilman Dishman seconded the motion. The motion carried unanimously.

Resolution No. 2014-03-23

(Agenda Item No. 14-050)

6. Consideration of Revised Non-Profit Funding and Support Policy
(Presented by Assistant City Manager, Eden Freeman)

Motion and Second: Councilman Bauman moved to approve Agenda Item No. 14-050, a Revised Non-Profit Funding and Support Policy. Councilman DeJulio seconded the motion.

Amendment to the Motion and Vote: Councilman Bauman moved to approve Agenda Item No. 14-050, a Revised Non-Profit Funding and Support Policy, with two additional changes:

- 1) In section II, General Provisions, paragraph D., Requirements, 2, Public Need and Benefit: the final sentence should state, "Resources shall not be granted to support operational or administrative functions."; followed by the additional language, "If an eligible organization is requesting financial resources for programming or an event which has a fundraising component, the City Manager may establish additional procedures to ensure that such financial resources are segregated and separately accounted for and used solely for the staging of such programming or Event."
- 2) In section II, paragraph D., 3, under Direct Relationship with Non-Profit Organization Required, the sentence, "Events that are conducted for a fundraising purpose are not eligible for City Resources" should be deleted.

Councilman Paulson seconded the motion. The motion carried unanimously.

(Agenda Item No. 14-051)

7. Reappoint Member to the Board of Appeals (Ken Moller)
(Presented by Mayor, Rusty Paul)

Motion and Vote: Councilman Paulson moved to approve the nomination by Mayor Paul reappointing Ken Moller to the Board of Appeals. Councilman Sterling seconded the motion. The motion carried unanimously.

Resolution No. 2014-03-24

(Agenda Item No. 14-052)

8. Recommendation by Staff for Selection of Civic Facility Architectural Firm
(Presented by City Manager, John McDonough)

Motion and Vote: Councilman Sterling moved to approve Agenda Item No. 14-052, a recommendation by Staff for Selection of Civic Facility Architectural Firm and to authorize the City Manager to enter into negotiations and to execute a contract with Rosser International, subject to legal approval, for architectural services for the first phase of design for the City Center project. Councilman Dishman seconded the motion. The motion carried unanimously.

L) REPORTS

1. Mayor and Council Reports
2. Staff Reports
 - a) Discuss Google Fiber Initiative
 - b) Update on the Marsh Creek Headwaters Best Management Practice (BMP) Project (Capital Improvement CC007) Conceptual Design
 - c) January 2014 Financial Report – Finance Director Karen Ellis

M) PUBLIC COMMENT

N) EXECUTIVE SESSION

There was no Executive Session.

O) ADJOURNMENT

Motion and Vote: Councilman DeJulio moved to adjourn the meeting. Councilman Paulson seconded the motion. The motion carried unanimously. The meeting adjourned at 8:13 p.m.