



## CITY COUNCIL

Eva Galambos, Mayor

John Paulson – District 1

Dianne Fries – District 2

Chip Collins – District 3

Gabriel Sterling – District 4

Tibby DeJulio – District 5

Karen Meinzen McEnery – District 6

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Tuesday, November 12, 2013

Summary Minutes

6:00 PM

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**A) INVOCATION** – Tom Van Laningham, Care and Counseling Center of Georgia

**B) CALL TO ORDER** – Mayor Eva Galambos

Mayor Eva Galambos called the meeting to order at 6:05 p.m.

**C) ROLL CALL AND GENERAL ANNOUNCEMENTS**

**Mayor:** Mayor Eva Galambos present

**Councilmembers:** Councilmember John Paulson, Councilmember Dianne Fries, Councilmember Chip Collins, Councilmember Gabriel Sterling, Councilmember Tibby DeJulio, and Councilmember Karen Meinzen McEnery present.

**D) PLEDGE OF ALLEGIANCE** – Mayor Eva Galambos

**E) PUBLIC COMMENT**

**F) APPROVAL OF MEETING AGENDA**

**Motion and Vote:** Councilmember Fries moved to approve the Regular Meeting agenda for November 12, 2013. Councilmember Paulson seconded the motion. The motion carried unanimously.

**G) CONSENT AGENDA**

**(Agenda Item No. 13-191)**

1. Meeting Minutes:
  - a) October 15, 2013 Regular Meeting
  - b) October 15, 2013 Work Session

(Michael Casey, City Clerk)

**(Agenda Item No. 13-192)**

2. Consideration of the Acceptance of the Dedication of a Right of Way Deed as part of the Zoning Requirements (5440 Mt. Vernon Parkway)  
(*Garrin Coleman, Director of Public Works*)

**Resolution No. 2013-11-69****(Agenda Item No. 13-193)**

3. Consideration of the Acceptance of the Dedication of a Right of Way Deed as part of the Zoning Requirements (5836, 5850, 5866 Glenridge Drive)  
(*Garrin Coleman, Director of Public Works*)

**Resolution No. 2013-11-70**

**Motion and Vote:** Councilmember Fries moved to approve the Consent Agenda for November 12, 2013. Councilmember Paulson seconded the motion. The motion carried unanimously.

**H) PRESENTATIONS** (*none*)**D) PUBLIC HEARINGS****Alcoholic Beverage License****(Agenda Item No. 13-194)**

1. Approval of Alcoholic Beverage License Application for Marlow's Tavern at 5590 Prado Place Suite 160 Sandy Springs, Georgia 30342. Applicant is John Metz for Consumption on Premises Wine & Malt Beverage  
(*Presented by Finance Director, Karen Ellis*)

(Invitation for Public Comment)

**Motion and Vote:** Councilmember Meinzen McEnery moved to approve Agenda Item No. 13-194, Alcoholic Beverage License Application for Marlow's Tavern at 5590 Prado Place Suite 160, for Consumption on Premises Wine & Malt Beverage. Councilmember Fries seconded the motion. The motion carried unanimously.

**(Agenda Item No. 13-195)**

2. Approval of Alcoholic Beverage License Application for Chevron Food Mart at 8295 Roswell Rd, Sandy Springs, Georgia 30350. Applicant is Priti Denta for Retail/Package Wine, and Malt Beverage  
(*Presented by Finance Director, Karen Ellis*)

(Invitation for Public Comment)

**Motion and Vote:** Councilmember Fries moved to approve Agenda Item No. 13-195, Alcoholic Beverage License Application for Chevron Food Mart at 8295 Roswell Rd, for Retail/Package Wine, and Malt Beverage. Councilmember Sterling seconded the motion. The motion carried unanimously.

**J) UNFINISHED BUSINESS** (*none*)**K) NEW BUSINESS****(Agenda Item No. 13-196)**

1. Approval for the Mayor to sign the List of Roadways for submittal to GDOT for funding under the Local Maintenance and Improvement Grant (LMIG)  
(*Presented by Director of Public Works, Garrin Coleman*)

**Motion and Vote:** Councilmember Sterling moved to approve Agenda Item No. 13-196, approval for the Mayor to sign the List of Roadways for submittal to GDOT for funding under the Local Maintenance and Improvement Grant (LMIG). Councilmember Fries seconded the motion. The motion carried unanimously.

**Resolution No. 2013-11-71**

**(Agenda Item No. 13-197)**

2. Approval for the City Manager to Execute a Contract with the Georgia Department of Natural Resources Environmental Protection Division for the 319(h) Grant for the Marsh Creek Headwaters Best Management Practices (BMP) Project (Capital Improvement CC007)  
*(Presented by Director of Public Works, Garrin Coleman)*

**Motion and Vote:** Councilmember Sterling moved to approve Agenda Item No. 13-197, for the City Manager to Execute a Contract with the Georgia Department of Natural Resources Environmental Protection Division for the 319(h) Grant for the Marsh Creek Headwaters Best Management Practices (BMP) Project (Capital Improvement CC007). Councilmember Paulson seconded the motion. The motion carried unanimously.

**Resolution No. 2013-11-72**

**(Agenda Item No. 13-198)**

3. Consideration of the Approval of the Acquisition of the property located at 465 Hammond Drive as part of a Stormwater Purchase  
*(Presented by Assistant City Attorney, Cecil McLendon)*

**Motion and Vote:** Councilmember Fries moved to approve Agenda Item No. 13-198, Approval of the Acquisition of the property located at 465 Hammond Drive as part of a Stormwater Purchase. Councilmember Meinzen McEnergy seconded the motion. The motion carried unanimously.

**Resolution No. 2013-11-73**

**(Agenda Item No. 13-199)**

4. Distributive Antenna Systems (“DAS”) Regulation  
*(Presented by Assistant City Attorney, Cecil McLendon)*

**Motion and Vote:** Councilmember Sterling moved to approve Agenda Item No. 13-199, Distributive Antenna Systems (“DAS”) Regulation. Councilmember Fries seconded the motion. The motion carried unanimously.

**Ordinance No. 2013-11-20**

**(Agenda Item No. 13-200)**

5. Consideration and Approval of Land Exchange for property located at the Cox Communications Campus at 6305 Peachtree Dunwoody Road, Land Lot 18, 17th District as a right-of-way donation of 0.035 acres for an exchange of 0.035 acres on same parcel of land  
*(Presented by Assistant City Attorney, Cecil McLendon)*

**Motion and Vote:** Councilmember Fries moved to approve Agenda Item No. 13-200, Approval of Land Exchange for property located at the Cox Communications Campus at 6305 Peachtree Dunwoody Road, Land Lot 18, 17th District as a right-of-way donation of 0.023 acres for an exchange of 0.046 acres on the same parcel of land. Councilmember Meinzen McEnergy seconded the motion. The motion carried unanimously.

**Resolution No. 2013-11-74**

**(Agenda Item No. 13-201)**

6. Donation of Land Located at 445 Abernathy Road  
*(Presented by Assistant City Attorney, Cecil McLendon)*

**Motion and Second:** Councilmember Sterling moved to approve Agenda Item No. 13-201, Donation of Land Located at 445 Abernathy Road. Councilmember Meinzen McEnery seconded the motion.

**Friendly Amendment to the Motion:** Councilmember Meinzen McEnery offered a friendly amendment to the motion to include the stipulation of a non-exclusive parking easement to allow public access to the property. Councilmember Sterling accepted the friendly amendment to the motion.

**Substitute Motion and Vote:** Councilmember Sterling moved to table Agenda Item No. 13-201, Donation of Land Located at 445 Abernathy Road, until the November 19, 2013, City Council meeting. Councilmember Fries seconded the motion. The motion carried unanimously.

**(Agenda Item No. 13-202)**

7. Consideration of the Waiving of Tardiness for a Late Submittal for the City Center RFQ  
(Presented by City Attorney, Wendell Willard)

**Motion and Vote:** Councilmember Meinzen McEnery moved to approve Agenda Item No. 13-202, Waiving of Tardiness for a Late Submittal for the City Center RFQ. Councilmember Fries seconded the motion. The motion carried unanimously.

**L) REPORTS**

1. Mayor and Council Reports
2. Staff Reports
  - a) September Financial Report – Finance Director Karen Ellis
  - b) False Alarm Ordinance Implementation – Chief of Police Ken DeSimone

**Motion and Vote:** Councilmember Fries moved to approve a refund to the individuals that were fined \$100 for failure to register their alarm systems and paid the fine, as long as they have since registered their alarms; to implement a grace period of 14 days once an individual is notified they have not registered their alarm through February 1, 2014; and after February 1, 2014 to return to the existing appeals process. Councilmember Sterling seconded the motion. The motion carried unanimously.

- c) Lake Forrest Slope Stabilization Update – Assistant City Manager Bryant Poole

**M) PUBLIC COMMENT**

**N) EXECUTIVE SESSION – Litigation and Real Estate**

**Motion and Vote:** Councilmember DeJulio moved to enter into Executive Session to discuss litigation and real estate matters. Councilmember Paulson seconded the motion. The motion carried unanimously, with Councilmember Paulson, Councilmember Fries, Councilmember Collins, Councilmember Sterling, Councilmember DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. Executive Session began at 7:39 p.m.

**Motion and Vote:** Councilmember DeJulio moved to adjourn Executive Session. Councilmember Fries seconded the motion. The motion carried unanimously, with Councilmember Paulson, Councilmember Fries, Councilmember Collins, Councilmember Sterling, Councilmember DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. Executive session adjourned at 8:48 p.m.

**O) ADJOURNMENT**

**Motion and Vote:** Councilmember DeJulio moved to adjourn the meeting. Councilmember Fries seconded the motion. The motion carried unanimously. The meeting adjourned at 8:49 p.m.