



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

Tuesday, June 18, 2013

Summary Minutes

6:00 PM

A) INVOCATION – Reverend Danny Gulden, Sandy Springs Christian Church

B) CALL TO ORDER – Mayor Eva Galambos

Mayor Eva Galambos called the meeting to order at 6:07 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 – Boy Scout Russell Clark

E) APPROVAL OF MEETING AGENDA

Motion and Vote: Councilmember Fries moved to approve the Regular Meeting agenda for June 18, 2013. Councilmember Sterling seconded the motion. The motion carried unanimously.

F) CONSENT AGENDA

(Agenda Item No. 13-100)

1. Meeting Minutes:
 - a) June 4, 2013 Regular Meeting
 - b) June 4, 2013 Work Session
 - c) May 21, 2013 Budget Presentation

(Michael Casey, City Clerk)

Motion and Vote: Councilmember DeJulio moved to approve the Consent Agenda for June 18, 2013. Councilmember Paulson seconded the motion. The motion carried unanimously

G) PRESENTATIONS *(none)*

H) PUBLIC HEARINGS

Alcoholic Beverage License

(Agenda Item No. 13-101)

1. Approval of Alcoholic Beverage License Application for Northridge Bottle Shop at 8333 Roswell Rd, Sandy Springs, Georgia 30350. Applicant is Hyun Woo Cho for Retail/Package Wine, Malt Beverage & Distilled Spirits
(Presented by Finance Director, Karen Ellis)

(Invitation for Public Comment)

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 13-101, Alcoholic Beverage License Application for Northridge Bottle Shop at 8333 Roswell Rd, for Retail/Package Wine, Malt Beverage & Distilled Spirits. Councilmember Sterling seconded the motion. The motion carried unanimously.

Budget (Second Public Hearing)

(Agenda Item No. 13-102)

2. Consideration of approval of an Ordinance to Provide for the Adoption of a Budget, its Execution and Effect for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014
(Presented by City Manager, John McDonough)

(Invitation for Public Comment)

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 13-102, an Ordinance to Provide for the Adoption of a Budget, its Execution and Effect for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014. Councilmember Fries seconded the motion. The motion carried unanimously.

Ordinance No. 2013-06-08

Zoning Modification

(Agenda Item No. 13-103)

3. **201202129** - 5730 Glenridge Drive, Applicant: 5730 Glenridge Partners LLC, To modify conditions 4 & 6 of Z79-0074 to allow driveway access onto Glenforest Road
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Vote: Councilmember DeJulio moved to defer Agenda Item No. 13-103, 201202129 - 5730 Glenridge Drive, Applicant: 5730 Glenridge Partners LLC, to modify conditions 4 & 6 of Z79-0074 to allow driveway access onto Glenforest Road, to the August 20, 2013, City Council meeting. Councilmember Paulson seconded the motion. The motion carried unanimously.

Rezoning

(Agenda Item No. 13-104)

4. **201201766 (DRI)** - 4550, 4558, 4586, 4616 Roswell Road, Applicant: JLB Partners, To rezone from A-1 (Apartment District) to MIX (Mixed Use District) to allow a mixed-use development (residential, office, and commercial), with a use permit and concurrent variances
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Vote: Councilmember Meinzen McEnery moved to refer Agenda Item No. 13-104, 201201766 (DRI) - 4550, 4558, 4586, 4616 Roswell Road, *Applicant: JLB Partners*, to rezone from A-1 (Apartment District) to MIX (Mixed Use District) to allow a mixed-use development (residential, office, and commercial), with a use permit and concurrent variances, to the June 20, 2013, Planning Commission meeting and to defer this item to the July 16, 2013, City Council meeting. Councilmember Sterling seconded the motion. The motion carried unanimously.

(Agenda Item No. 13-105)

5. **201300662** - 6558 Roswell Road, *Applicant: Cortland Development, LLC*, To rezone from A-O (Apartment-Office District) and R-3 (Single Family Dwelling District) to A-L (Apartment Limited Dwelling District) to redevelop a 295 unit apartment complex
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Vote: Councilmember Collins moved to defer Agenda Item No. 13-105, 201300662 - 6558 Roswell Road, *Applicant: Cortland Development, LLC*, to rezone from A-O (Apartment-Office District) and R-3 (Single Family Dwelling District) to A-L (Apartment Limited Dwelling District) to redevelop a 295 unit apartment complex, to the July 16, 2013, City Council meeting. Councilmember Fries seconded the motion. The motion carried unanimously.

Use Permit**(Agenda Item No. 13-106)**

6. **201300689** - 1150 Mount Vernon Highway (700 Northpark), *Applicant: Hines Interests Limited Partnership*, To exceed the maximum zoning district height
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Second: Councilmember Fries moved to approve Agenda Item No. 13-106, 201300689 - 1150 Mount Vernon Highway (700 Northpark), *Applicant: Hines Interests Limited Partnership*, to exceed the maximum zoning district height with the addition of two conditions: installing a sidewalk on the north side of Northpark Place; and enhancing the pedestrian crossing at Mount Vernon Highway by working with the PCID. Councilmember Paulson seconded the motion.

Substitute Motion and Vote: Councilmember Sterling moved to deny Agenda Item No. 13-106, 201300689 - 1150 Mount Vernon Highway (700 Northpark), *Applicant: Hines Interests Limited Partnership*, to exceed the maximum zoning district height. Councilmember DeJulio seconded the motion. The vote was split 3-3 with Councilmembers Sterling, DeJulio, and Meinzen McEnery voting in favor and Councilmembers Fries, Collins, and Paulson voting in opposition. The motion failed for lack of a majority.

Vote on the Original Motion: The vote was split 3-3 with Councilmembers Fries, Collins, and Paulson voting in favor and Councilmembers Sterling, DeJulio, and Meinzen McEnery voting in opposition. The motion carried 4-3 with Mayor Galambos breaking the tie by voting in favor of the motion.

Ordinance No. 2013-06-09

Grant**(Agenda Item No. 13-107)**

7. Consideration of Approval of Application for Allocation under FY2013 Edward Byrne Memorial Justice Assistance Grant (JAG) Program
(Presented by Assistant City Manager, Eden Freeman)

(Invitation for Public Comment)

Motion and Vote: Councilmember DeJulio moved to approve Agenda Item No. 13-107, an application for Allocation under the FY2013 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. Councilmember Paulson seconded the motion. The motion carried unanimously.

I) UNFINISHED BUSINESS *(none)***J) NEW BUSINESS****(Agenda Item No. 13-108)**

1. Consideration of Approval of Purchase of Property located at 7475 Trowbridge Road from PLH Sandy Springs, LLC
(Presented by City Attorney, Wendell Willard)

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 13-108, the purchase of property located at 7475 Trowbridge Road from PLH Sandy Springs, LLC. Councilmember DeJulio seconded the motion. The motion carried unanimously.

(Agenda Item No. 13-109)

2. Consideration of Approval of Purchase of Property located at 6204 Roswell Road from HDK Properties, LLLP
(Presented by City Attorney, Wendell Willard)

Motion and Vote: Councilmember DeJulio moved to approve Agenda Item No. 13-109, the purchase of property located at 6204 Roswell Road from HDK Properties, LLLP. Councilmember Sterling seconded the motion. The motion carried unanimously.

(Agenda Item No. 13-110)

3. Consideration of Matrix Resources Incentive Request
(Presented by Director of Economic Development, Andrea Hall)

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 13-110, the Matrix Resources Incentive Request. Councilmember DeJulio seconded the motion. The motion carried unanimously.

(Agenda Item No. 13-111)

4. Motion to Authorize the Mayor to Sign the GDOT Agreement for the Off System Safety Project, (PI No. 0012692) for Safety Improvements along Spalding Drive
(Presented by Director of Public Works, Garrin Coleman)

Motion and Vote: Councilmember Paulson moved to approved Agenda Item No. 13-111, to authorize the Mayor to Sign the GDOT Agreement for the Off System Safety Project, (PI No. 0012692) for Safety Improvements along Spalding Drive. Councilmember Fries seconded the motion. The motion carried unanimously.

Resolution No. 2013-06-36

(Agenda Item No. 13-112)

5. Approval of an Agreement between the City of Sandy Springs and Fulton County to Conduct the General Election on November 5, 2013, and Authorize the Mayor to Sign
(Presented by City Attorney, Wendell Willard)

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 13-112, an Agreement between the City of Sandy Springs and Fulton County to Conduct the Municipal General Election on November 5, 2013, a runoff election if needed, and to authorize the Mayor to sign the agreement. Councilmember Paulson seconded the motion. The motion carried unanimously.

(Agenda Item No. 13-113)

6. Resolution to authorize the use of eminent domain to acquire property located at 6224 Roswell Road, N.E., Sandy Springs, Georgia, Parcel ID: 17-0089-0004-027-7 (“Property”) for public use
(Presented by City Attorney, Wendell Willard)

(Invitation for Public Comment)

Motion and Vote: Councilmember Paulson moved to approve Agenda Item No. 13-113, to adopt a resolution to authorize the use of eminent domain to acquire property located at 6224 Roswell Road, N.E., Sandy Springs, Georgia, Parcel ID: 17-0089-0004-027-7 (“Property”) for public use. Councilmember Fries seconded the motion. The motion carried 5-1, with Councilmember Sterling voting in opposition.

Resolution No. 2013-06-37**(Agenda Item No. 13-114)**

7. Fulton County Animal Control Intergovernmental Agreement
(Presented by City Manager, John McDonough)

Motion and Vote: Councilmember Meizen McEnery moved to approve Agenda Item No. 13-114, the Fulton County Animal Control Intergovernmental Agreement, for another year. Councilmember Sterling seconded the motion. The motion carried unanimously.

K) REPORTS

1. Mayor and Council Reports
2. Staff Reports
 - a) Update on Lake Forrest Drive
 - b) Update on timeline and public input for Windsor Parkway Improvement Project
 - c) Update on Storm Cleanup

L) PUBLIC COMMENT**M) EXECUTIVE SESSION – Litigation and Real Estate**

There was no Executive Session.

N) ADJOURNMENT

Motion and Vote: Councilmember Fries moved to adjourn the meeting. Councilmember DeJulio seconded the motion. The motion carried unanimously. The meeting adjourned at 9:16 p.m.