



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, May 7, 2013

Summary Minutes

6:00 PM

A) INVOCATION – Rabbi Josh Heller, B’Nai Torah

B) CALL TO ORDER – Mayor pro tempore Tibby DeJulio

Mayor pro tempore Tibby DeJulio called the meeting to order at 6:07 p.m.

C) ROLL CALL AND GENERAL ANNOUNCEMENTS

Mayor: Mayor Eva Galambos absent. Mayor pro tempore Tibby DeJulio present.

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

D) PLEDGE OF ALLEGIANCE – Mayor pro tempore Tibby DeJulio

E) PUBLIC COMMENT

F) APPROVAL OF MEETING AGENDA

Motion and Vote: Councilmember Fries moved to approve the Regular Meeting agenda for May 7, 2013. Councilmember Sterling seconded the motion. The motion carried unanimously.

G) CONSENT AGENDA

(Agenda Item No. 13-061)

1. Meeting Minutes:
 - a) April 16, 2013 Regular Meeting
 - b) April 16, 2013 Work Session

(Michael Casey, City Clerk)

(Agenda Item No. 13-062)

2. Consideration of Approval of the Georgia Department of Transportation (GDOT) Lighting Agreement for SR9 from Johnson Ferry Road to Abernathy Streetscape Project (CIP T-0012)
(Garrin Coleman, Director of Public Works)

Resolution No. 2013-05-27

Motion and Vote: Councilmember Sterling moved to approve the Consent Agenda for May 7, 2013. Councilmember Fries seconded the motion. The motion carried unanimously

H) PRESENTATIONS

1. Fulton County Tax Assessors Chief Appraiser - David Fitzgibbon

D) PUBLIC HEARINGS**(Agenda Item No. 13-063)**

1. **TA13-001** - An Ordinance to Create Section 105-23, Commercial Car Wash Water Recycling, of the Code of the City of Sandy Springs
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 13-063, TA13-001 - An Ordinance to Create Section 105-23, Commercial Car Wash Water Recycling, of the Code of the City of Sandy Springs. Councilmember Fries seconded the motion. The motion carried unanimously.

Ordinance No. 2013-05-05**(Agenda Item No. 13-064)**

2. Resolution Authorizing the Adoption of the City of Sandy Springs 2013-17 Consolidated Plan and 2013 Annual Action Plan for Submission to the U.S. Department of Housing and Urban Development (HUD) for Participation in the Community Development Block Grant (CDBG) Program
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 13-064, a Resolution Authorizing the Adoption of the City of Sandy Springs 2013-17 Consolidated Plan and 2013 Annual Action Plan for Submission to the U.S. Department of Housing and Urban Development (HUD) for Participation in the Community Development Block Grant (CDBG) Program. Councilmember Paulson seconded the motion. The motion carried unanimously.

Resolution No. 2013-05-28**J) UNFINISHED BUSINESS****(Agenda Item No. 13-065)**

1. Authorize the Mayor to Sign the GDOT Project Framework Agreement (PFA) for the SR 9 ATMS Project (T-0044), Phase II (PI 0012629)
(Presented by Director of Public Works, Garrin Coleman)

Motion and Vote: Councilmember Meinzen McEnery moved to approve Agenda Item No. 13-065, Authorizing the Mayor to Sign the GDOT Project Framework Agreement (PFA) for the SR

9 ATMS Project (T-0044), Phase II (PI 0012629). Councilmember Sterling seconded the motion. The motion carried unanimously.

Resolution No. 2013-05-29

(Agenda Item No. 13-066)

2. Authorize the Mayor to Sign the GDOT Local State Route Acceptance Resolution and the Contract for Maintenance of Highways on the Proposed State Highway System Revisions in the City of Sandy Springs, Fulton County: State Route 1254, Project PI 751580 (Widening of Northridge Road, NH000-0056-01(061)); CIP T-0037
(Presented by Director of Public Works, Garrin Coleman)

Motion and Second: Councilmember Sterling moved to approve Agenda Item No. 13-066, Authorizing the Mayor to Sign the GDOT Local State Route Acceptance Resolution and the Contract for Maintenance of Highways on the Proposed State Highway System Revisions in the City of Sandy Springs, Fulton County: State Route 1254, Project PI 751580 (Widening of Northridge Road, NH000-0056-01(061)); CIP T-0037. Councilmember Fries seconded the motion.

Substitute Motion and Vote: Councilmember Meinzen McEnery moved to defer Agenda Item No. 13-066, Authorizing the Mayor to Sign the GDOT Local State Route Acceptance Resolution and the Contract for Maintenance of Highways on the Proposed State Highway System Revisions in the City of Sandy Springs, Fulton County: State Route 1254, Project PI 751580 (Widening of Northridge Road, NH000-0056-01(061)); CIP T-0037, to the May 21, 2013, City Council meeting. Councilmember Paulson seconded the motion. The substitute motion failed on a vote of 3-3, with Councilmembers Fries, Sterling, and DeJulio voting in opposition.

Vote on the Original Motion: The motion failed on a vote of 3-3, with Councilmembers Collins, Paulson, and Meinzen McEnery voting in opposition.

K) NEW BUSINESS

(Agenda Item No. 13-067)

1. Appeal of the City's Denial of Certain Permits Related to the Artsapalooza Event
(Presented by City Attorney, Wendell Willard)

Motion and Vote: Councilmember Paulson moved to uphold the City Manager's decision to deny both of the applications for certain permits related to the Artsapalooza event due to the disruption to neighboring businesses. Councilmember Sterling seconded the motion. The motion carried unanimously.

(Agenda Item No. 13-059)

2. Amendment of Vehicle Immobilization (Booting) Ordinance
(Presented by Director of Public Safety, Terry Sult)

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 13-059, Amendment of Vehicle Immobilization (Booting) Ordinance. Councilmember Paulson seconded the motion. The motion carried unanimously.

Ordinance No. 2013-05-26

(Agenda Item No. 13-068)

3. Resolution for GDOT Revive 285 Impact on Allen Park
(Presented by Director of Public Works, Garrin Coleman)

Motion and Vote: Councilmember Sterling moved to deny Agenda Item No. 13-068, a resolution regarding the GDOT Revive 285 impact on Allen Park. Councilmember Meinzen McEnery seconded the motion. The motion carried unanimously.

L) REPORTS

1. Mayor and Council Reports
2. Staff Reports
 - a) March Financial Report – Finance Director, Karen Ellis

M) PUBLIC COMMENT

N) EXECUTIVE SESSION – Litigation and Real Estate

Motion and Vote: Councilmember Sterling moved to enter into Executive Session to discuss litigation and real estate matters. 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 began at 7:13 p.m.

Motion and Vote: Councilmember Collins moved to adjourn Executive Session. 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 adjourned at 7:47 p.m.

O) ADJOURNMENT

Motion and Vote: Councilmember Collins moved to adjourn the meeting. Councilmember Fries seconded the motion. The motion carried unanimously. The meeting adjourned at 7:48 p.m.