

Regular Meeting of the Sandy Springs City Council was held on Tuesday, April 16, 2013, at 6:00 p.m., Mayor Eva Galambos presiding.

INVOCATION

Rabbi Eytan Kenter, B’Nai Torah, offered the invocation.

CALL TO ORDER

Mayor Eva Galambos called the meeting to order at 6:03 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 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.

PLEDGE OF ALLEGIANCE

Mayor Eva Galambos led the Pledge of Allegiance

APPROVAL OF MEETING AGENDA

Motion and Vote: Councilmember Sterling moved to approve the Regular Meeting agenda for April 16, 2013, without Agenda Item No. 13-059. Councilmember Fries seconded the motion. The motion carried unanimously.

CONSENT AGENDA

(Agenda Item No. 13-052)

1. Meeting Minutes:
 - a) April 2, 2013 Regular Meeting
(Michael Casey, City Clerk)

(Agenda Item No. 13-053)

2. Acceptance of the dedication of a Right of Way Deed as part of the zoning requirements at 6135 and 6145 Barfield Road
(Garrin Coleman, Director of Public Works)
Resolution No. 2013-04-24

(Agenda Item No. 13-054)

3. Acceptance of the dedication of a Right of Way Deed as part of the zoning requirements at 5229 Roswell Road

(Garrin Coleman, Director of Public Works)

Resolution No. 2013-04-25

(Agenda Item No. 13-055)

4. Acceptance of the dedication of a Right of Way Deed as part of the zoning requirements at 4663 and 4667 Dudley Lane

(Garrin Coleman, Director of Public Works)

Resolution No. 2013-04-26

Motion and Vote: Councilmember DeJulio moved to approve the Consent Agenda for April 16, 2013. Councilmember Fries seconded the motion. The motion carried unanimously

PRESENTATIONS

1. Proclamation - Alexis de Groot

Mayor Eva Galambos asked Alexis de Groot to the front. Mayor Galambos read the proclamation which states, "Alexis de Groot, a senior at Riverwood International Charter High School in Sandy Springs, Georgia, was recognized as one of the top seven High School women players in Georgia and ranks among the top two percent of female soccer players in the United States of America. Alexis de Groot was a freshman starter for the Riverwood Raider Varsity Team, was Rookie of the Year, Player of the Year, received the Raider Award, and assisted in taking the Riverwood Raiders to the soccer State Playoffs in 2010, 2011, 2012 and 2013. Alexis de Groot maintains an academic membership in the National Honor Society and was named a recipient of the University of Rochester's George Eastman Young Leaders Award for 2012. Alexis de Groot participates as an active member of the Concord Fire South Elite club soccer team; winning in the 2011 Georgia State Championship. Alexis has been recruited to play Division I soccer for Elon University in North Carolina upon graduation from high school in 2013. The City of Sandy Springs is proud to honor and commend young citizens such as Alexis de Groot who serve as a role model promoting healthy and active lifestyles alongside academic achievement. Mayor Galambos proclaimed April 16, 2013 Alexis de Groot Day in the City of Sandy Springs.

Alexis de Groot thanked the City. It is an honor to represent the City of Sandy Springs.

2. Proclamation - Fair Housing Month

Mayor Eva Galambos read the proclamation which states, "April 11, 2013, marks the 45th anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended, which enunciates a national policy of Fair Housing without regard to race, color, creed, national origin, sex, family status and handicap. The Fair Housing Law encourages equal housing opportunities for all citizens. The City of Sandy Springs is committed to highlight the Fair Housing Law by continuing to address discrimination in our community, support programs that will educate the public about the right to equal housing opportunities, and to plan partnership efforts with other organizations to help assure every American of their right to fair housing. On March 2, 2010, the Sandy Springs Mayor and City Council adopted the City's first *Analysis of Impediments to Fair Housing* study that identified recommendations and actions to promote fair housing. Steps that are underway to accomplish these recommendations include the recognition of Fair Housing Month." She proclaimed April 2013 as "Sandy Springs Fair Housing Month" in commemoration of the U.S. Fair Housing Law and urges all citizens of Sandy Springs to celebrate and support fair housing throughout the year.

PUBLIC HEARINGS

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

Deferred

(Agenda Item No. 13-056)

1. **201202129** - 5730 Glenridge Drive, *Applicant: 5730 Glenridge Partners LLC*, to modify conditions 4 & 6 of Z79-0074 to allow driveway access onto Glenforest Road

Director of Community Development Angela Parker stated this item is a zoning modification request related to two conditions of zoning. The first condition of zoning is the natural undisturbed buffer along the north property line. The second condition is the condition that prohibits access onto Glenforest Road. Staff is not making a recommendation on this agenda item as there was a lawsuit filed associated with this item.

Ralph Edwards, owner of the medical building, stated he supports the deferral of this item. Progress is being made through negotiations with the neighborhood. He has authorized the dismissal of the lawsuit. A new traffic report was completed to demonstrate the influence of development for the proposed plan.

Mayor Eva Galambos called for public comments in support of the application. There were no public comments.

Mayor Galambos called for public comments in opposition to the application.

Doug Falciglia, 5925 Brookgreen Road, stated he is the President of the Glenridge Hammond Neighborhood Association. The association is in agreement with a sixty day deferral of this agenda item.

Mayor Galambos closed the public hearing.

Motion and Vote: Councilmember DeJulio moved to defer Agenda Item No. 13-056, 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 June 18, 2013 City Council meeting. Councilmember Paulson seconded the motion. The motion carried unanimously.

Rezoning

(Agenda Item No. 13-057)

2. **201300437** - 5776-5880 Glenridge Drive, *Applicant: Pulte Group*, to rezone the subject property from R-2 (Single Family Dwelling District) to TR (Townhouse Residential District) to allow the development of 63 townhomes

Director of Community Development Angela Parker stated this item is a request to rezone for sixty-three townhomes. Staff and the Planning Commission are recommending deferral. The Planning Commission deferred the case to allow the applicant additional time to provide information regarding how the screening will be handled adjacent to the west property line, and how the buildings will be handled along Glenridge Drive. Staff received additional information on elevations, subsequent to the deadline for getting the case complete for this City Council meeting. Staff recommends this item be deferred to the Planning Commission meeting on April 18, 2013, which would bring this item back before City Council on May 21st.

Harold Buckley, Attorney with Wilson, Buck, and Irby LLC, representative of the applicant, stated he is here with Garen Smith, who is in attendance on behalf of Pulte Group. The applicant has worked diligently with the neighborhood on any issues and he is in agreement with the deferral request.

Mayor Eva Galambos called for public comments in support of the application. There were no public comments.

Mayor Galambos called for public comments in opposition to the application.

Doug Falciglia, 5925 Brookgreen Road, stated his neighborhood has met with the applicant a number of times and progress has been made. Hopefully, the best interests of the neighborhood will be considered. He agrees with the thirty day deferral request for this item.

Mayor Galambos closed the public hearing.

Motion and Vote: Councilmember DeJulio moved to defer Agenda Item No. 13-057, 201300437 - 5776-5880 Glenridge Drive, *Applicant: Pulte Group*, to rezone the subject property from R-2 (Single Family Dwelling District) to TR (Townhouse Residential District) to allow the development of 63 townhomes, to the May 21, 2013 City Council meeting. Councilmember Fries seconded the motion. The motion carried unanimously.

Modification

(Agenda Item No. 13-058)

3. **201300088** - 1100 Johnson Ferry Road, *Applicant: Duke Realty Corporation*, To modify conditions 1.a. to convert the existing building from general office to medical office and 2.a. to revise the approved site plan of petition ZM09-009, with a concurrent variance(s)

Director of Community Development Angela Parker stated this item is for a property located approximately 600 feet to the east of the Peachtree Dunwoody Road intersection on Johnson Ferry Road. The applicant is seeking to modify two conditions of zoning and a concurrent variance. The conditions of zoning relate to the use of the property. Currently, the property has a condition that sets a cap on the total amount of space that can be dedicated to medical use. This property is located behind St. Joseph Hospital. There is also a condition the applicant is seeking to modify associated with the site plan. This condition would move the gate entrance further into the property. The parking variance would call for a reduction of 88 parking spaces. The reason for the parking space reduction is the City's code requires more parking for medical offices. The applicant has produced a traffic study that supports the variance in terms of providing adequate parking. Staff has visited the site several times to observe parking on the site. There are more than adequate parking spaces on the site. Staff recommends approval of the modifications and variance request.

Woody Galloway, The Galloway Law Group, representative of the applicant, stated this item has been before Council in the past. The request is to transition these buildings from general office space to medical offices. Duke Realty has spent \$8 million in renovations, which will allow the use of medical offices by upgrading the interiors. This request seeks approval to convert the remainder of the property for medical office use. This request also seeks a site plan modification to move the parking booth farther back on the property. The site modification is the result of a neighborhood request, so there would be parking spaces free of charge outside the gate. The parking spaces will provide additional stacking distance from the gate to Johnson Ferry Road. The applicant did meet with the Johnson Ferry Park neighborhood association across the street. The neighborhood supports this application.

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

Councilmember Tibby DeJulio asked if the sidewalk being installed in front of the neighborhood's property is part of the zoning conditions or a private agreement between the applicant and the neighborhood.

Mr. Galloway responded it is a private agreement between Duke Realty and the neighborhood association. Before the applicant converts additional space for medical office use, the sidewalk will be installed. Duke Realty installing the sidewalk will save the City around \$100,000.

Councilmember DeJulio asked if the agreement can be added as a condition of the zoning.

Director of Community Development Parker stated Council can add this condition as part of the motion.

Councilmember DeJulio asked Mr. Galloway if he has any issues with the sidewalk agreement being added as a condition.

Mr. Galloway responded no, as long as the condition is tied to the certificate of occupancy for the medical office.

Motion and Second: Councilmember DeJulio moved to approve Agenda Item No. 13-058, 201300088 - 1100 Johnson Ferry Road, *Applicant: Duke Realty Corporation*, To modify conditions 1.a. to convert the existing building from general office to medical office and 2.a. to revise the approved site plan of petition ZM09-009, with a concurrent variance(s), with the understanding that Duke Realty will install a sidewalk on their property before the conversion is made, per the agreement between Duke Realty and the neighborhood association. This agreement will be fulfilled before the certificate of occupancy is issued. Councilmember Fries seconded the motion.

Staff conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Office and accessory uses at a maximum density of 27,816.31 gross square feet per acre zoned or 381,000 gross square feet, whichever is less. ~~A maximum of 181,000 square feet may be used as Medical Office.~~
 - b. Limit the height of the two proposed buildings to no more than 6 floors and 11 floors, respectively.
2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development dated ~~November 3, 2009~~ **January 11, 2013**. Said site plan is conceptual only and must meet or exceed the requirements of the Code of Ordinances and these conditions prior to the approval of any Permits. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy. Parking booth and gate locations are subject to the Sandy Springs Traffic Engineer approval.
 - b. To submit to the Director of Community Development for his approval, prior to any defoliation or alteration of the site, a Land Disturbance application with shall include a grading Plan, hydrological study, soil sedimentation and erosion control plan, and proposed provisions for permanent storm water retention and the method of continuing maintenance of these facilities.

- c. To submit to the Director of Community Development for his approval, prior to the approval of a Land Disturbance Permit, a detailed landscape plan for all required buffers and landscape strips. Said landscaping for each phase of development shall be in place within 90 days after the issuance of a Certificate of Occupancy or the connection of permanent power for each phase provided, however, that all landscaping shall be in place prior to the issuance of a Certificate of Occupancy or the connection of permanent power for the final phase of the development.
 - d. To provide and maintain off-street parking on the subject property during the entire construction period.
3. To the owner's agreement to the following site development considerations:
- a. Provide a 50 foot wide landscape strip outside of the new dedicated right-of-way of Johnson Ferry Road penetrated only by approved access drives and utility crossings, and further provide a 250 foot setback from Johnson Ferry Road for the office buildings.
 - b. Provide a landscape strip adjacent to the following property lines in the widths shown:
 - 40 feet wide adjacent to the area reserved for the relocation of Johnson Ferry Road except for the driveway encroachment indicated on the Site Plan received by the Zoning Department on October 4, 1983.
 - 15 feet wide on the north property line.
 - 25 feet wide on the east property line.
 - 5 feet wide on the west property line.
 - c. Maintain as a natural buffer, that area to the southeast and east of the right-of-way reservation for the proposed relocation of Johnson Ferry Road. Said buffer shall be undisturbed except as needed for the removal of the existing structure and shall be replanted where disturbed or sparsely vegetated.
 - d. Any exterior illumination on the site shall not exceed 1.2 foot-candles on any property line adjacent to a residential use or zoning district, nor will the light source be directly visible from adjoining residential properties.
 - e. No more than 2 exits/entrances on Johnson Ferry Road; one of which shall be located at or adjacent to the west property line. The second entrance shall be aligned with the entrance to the Johnson Ferry Park townhomes.
 - f. The exterior of all concrete blocks shall be coated with an architectural treatment (e.g., epoxy, stucco, brick veneer, etc.) or an alternate solution as may be approved by the Director of Planning and Community Development.
 - g. No roof signs are permitted.
 - h. Provide landscape islands throughout the surface parking areas, including a minimum 10 foot wide landscape at the end of each parking bay and a minimum 5 foot wide landscape island for each 225 feet of continuous bay length.

4. To the owner's agreement to abide by the following requirements, dedications and improvements:
- a. Improve the following roadways along the property frontage from the center or road to back of curb as follows:

26 feet from centerline of Johnson Ferry Road west of the easternmost entrance and, for a distance of 200 feet east of said entrance.
 - b. Connect to metropolitan water and public sanitary sewer, available to the site as well as pay all required tap-on fees, front footage assessments and the pro-rated share of the cost of public utility extensions as determined by the Department of Community Development.
 - c. Provide designated fire lanes adjacent to all structures and provide water mains, fire hydrants and access for firefighting equipment if required by the Sandy Springs Fire Department.
 - d. Design required on-site storm water detention facilities such that they are not located within any required buffers or on any required parking areas.
 - e. Pay for the materials necessary for the construction of sidewalks along existing public roads by the Department of Community Development if they are constructed within 5 years of this approval.
 - f. Reserve an 80 foot wide future right-of-way strip running from the intersection of Johnson Ferry Road and south Johnson Ferry Road to the northeast corner of the property, as located and approved by the Director of Community Development.
 - g. To reduce the required off-street parking for Medical Office from 1,372 spaces to 1,284 spaces. (CV 201300088)
 - h. Sidewalk shall be installed per the private agreement between BD Center Pointe, LLC and the Johnson Ferry Park Homeowners Association dated received April 17, 2013, prior to the conversion of any medical office space.

Councilmember Gabriel Sterling asked if a private agreement can be added as a condition of zoning.

City Attorney Wendell Willard stated the private agreement is not being added to the conditions of zoning, but the approval is recognizing there is an agreement. The applicant is to build a sidewalk per what is outlined in the agreement with the neighborhood association.

Mayor Galambos stated there may be something that needs to be changed in the City's parking requirements, if the amount of the parking spaces on the lot does not match what the City requires.

Director of Community Development Parker stated medical office use tends to have higher traffic peaks. The applicant assessed when peak parking would be and it's different than what is normally seen by the Institute of Transportation Engineers (ITE).

Vote on the Motion: The motion carried unanimously.

Ordinance No. 2013-04-04

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

(Agenda Item No. 13-059)

1. Consideration of an Ordinance Amending Chapter 58 of the City of Sandy Springs Code of Ordinances by Regulating Vehicle Immobilization; and for Other Purposes
(Presented by City Attorney, Wendell Willard)

This item was moved from the April 16th agenda to the May 7, 2013 City Council meeting agenda.

(Agenda Item No. 13-060)

2. Request for No Cost Task Order Change - Community Development

City Manager John McDonough stated there has been a significant increase in construction activity compared to 2011 and 2012. The City has a commitment to provide a twenty-four hour turnaround time when contractors request an inspection. This item is a no cost change order with The Collaborative. This task order change would allow the City to take funds saved from other positions and allocate those resources towards the hiring of additional building inspectors. The estimated cost is \$21,906. This is not an additional fund request, but a shifting of resources that have already been allocated under the task order. He recommends that Council approve the no cost task order change.

Councilmember Gabriel Sterling asked if the money is coming from currently unfilled positions in the Code Enforcement division. He asked if the Code Enforcement citation numbers are lower.

City Manager McDonough stated the City is in the third quarter of the fiscal year. Typically during the year there are vacancies that occur for a period of time.

Director of Community Development Angela Parker stated Code Enforcement is currently fully staffed. The savings relates to the period of time from when two individuals resigned until their positions were filled.

Councilmember Sterling asked if in the next budget there will be a slightly higher headcount in Community Development to make up for all the added positions.

City Manager McDonough stated he does not know at this time. Tomorrow he has a meeting with Community Development.

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 13-060, a no cost task order change for Community Development. Councilmember Sterling seconded the motion. The motion carried unanimously.

REPORTS

1. Mayor and Council Reports
2. Staff Reports
 - a) Revive 285 top end - Allen Park – Director of Public Works, Garrin Coleman

Director of Public Works Garrin Coleman stated the Georgia Department of Transportation (GDOT) has been working on alternatives for the Revive 285 top end project. Any time there is a federally funded

transportation project certain rules in the environmental process have to be adhered to and are potentially subject to the U. S. Department of Transportation Act of 1966. One specific portion of the Act is called Section 4(f). This analysis is very time consuming and costly to go through and is required when a park is involved. The proposed plan map was provided by GDOT. The red line shown across Allen Park is a required right-of-way for the current preferred alternative, which is known as 6A. If the alternative is built, it will impact the existing soccer field and basketball court. GDOT is proposing moving those facilities prior to any construction that begins for the road project, as well as reconfiguring the sidewalk. Trees south of Allen Road will be removed between the courts in order to complete the plan. GDOT is asking the City to consider a de minimis approach that will have a minimal impact on the park.

Mayor Eva Galambos asked where the soccer field and basketball court would be moved to.

Director of Public Works Coleman stated the field and court would be moved north towards Allen Road.

Councilmember Gabriel Sterling stated moving the field and court would be needed to make room for a distributor exit ramp onto Sandy Springs Circle.

Mayor Galambos stated GDOT has been studying this plan for ten years and nothing has happened yet.

Councilmember Dianne Fries asked what options Council has.

Director of Public Works Coleman stated Council can choose to not agree to the plan and that would force GDOT to go through the Section 4(f) process.

Councilmember Karen Meinzen McEnery asked if GDOT has the funding for this project.

Director of Public Works Coleman stated he is not aware that GDOT has any construction funding for the Revive 285 project.

Mayor Galambos asked how GDOT gets the funding for all of the studies.

Director of Public Works Coleman stated from what he understands the funding was set aside years ago.

Councilmember Meinzen McEnery asked if the City can make sure GDOT does not make the de minimis changes until they have a source of funding for the project.

City Manager John McDonough stated the purpose of this presentation is to ask Council if there is a desire to change the preferred alternative. If Council supports option 6A, there will be a minor impact on the park that GDOT would be responsible to pay for. It may be many years before this process begins. In order for this process to move forward, GDOT requires a letter of support stating that Sandy Springs concurs with plan 6A and supports the modifications to Allen Park.

Director of Public Works Coleman stated the citizens would still have use of the courts and trails at the park.

Councilmember Meinzen McEnery asked if staff has enough information to know what 6A is.

Councilmember Fries asked if a resolution can be written in a way that will allow Council to not agree once the plan begins, if it is not the same as currently proposed.

Councilmember Meinzen McEnery stated she is not comfortable agreeing to alternative 6A, until Council receives a full briefing on the plan.

Councilmember John Paulson stated conceptually he agrees with the plan. He wants to make sure the City has a chance to review the plan before it begins. At that point, if the City does not agree with the plan, he wants to have the option to not support the plan.

Councilmember Sterling stated the City recently adopted the downtown City Center Master Plan. The 6A plan has an exit going onto Sandy Springs Circle, which is supposed to be a walkable street in the Master Plan. He is not sure Council would want an exit to be at that location.

City Manager McDonough stated there is not enough information on this plan tonight. Staff will provide a full briefing at an upcoming meeting.

Councilmember Sterling stated he is inclined to not agree with this plan. He does not want the plan to extend to Sandy Springs Circle or change Allen Park.

Mayor Galambos stated she thinks it was eleven years ago when GDOT came to Sandy Springs with the revitalization plans. The plans would have doubled the width of I-285 and that would have taken up most of Sandy Springs downtown area. Many citizens did not agree with widening I-285.

Councilmember Chip Collins stated what Councilmember Sterling is saying is Council needs to decide which alternative they prefer. A couple years ago he asked if Council had ever taken an official position on a plan. He thinks Council should decide which alternative they like the best.

Director of Public Works Coleman stated staff can work on a presentation for a future Work Session and ask Aracadis if they would like to brief Council on the alternatives.

PUBLIC COMMENT

Chad Plumly, 610 Mark Trail Court, stated he represents walkingbrandonmill.org. He asked that sidewalks be installed on Brandon Mill Road from the fiscal year 2014 budget. There are connectivity issues between the two parks. There are sidewalks on the north and south end, but they do not connect. From where he lives he cannot walk to either park. No trees would be impacted by sidewalks being installed on the east side of Brandon Mill Road. He has received positive responses from the seventeen homes. There are two homeowners north of Mark Trail that are opposed to sidewalks. Over fifty percent of the homes are in favor of sidewalks being installed. He appreciates Council considering the installation of the sidewalk.

Dan Berger, 7000 Faunsworth Drive, stated he lives in a neighborhood off Brandon Mill Road in the North Springs subdivision. He will address the human impact of sidewalks. There are seven sizeable neighborhoods near Brandon Mill Road. These neighborhoods are full of dog walkers, children, bicycle riders, and joggers. He sees people participating in these activities in his neighborhood, but not on Brandon Mill Road. People drive too fast on Brandon Mill Road, the sight line is bad, and the road has many hills. There was a fatal accident a couple years ago where Brandon Mill Road crosses Marsh Creek. Sidewalks would improve the lifestyle of the residents near Brandon Mill. There is also a public safety issue. He would like it if his daughter could walk to the house of her piano teacher who lives on the other side of Brandon Mill Road. He will not let her walk along Brandon Mill Road, because it is too dangerous. He asked Council to consider installing sidewalks on Brandon Mill.

Councilmember Chip Collins asked Mr. Berger if residents in his neighborhood use the community pool in Seville Chase.

Mr. Berger responded yes.

Councilmember Collins asked if all the neighborhoods attend the Spalding Drive Charter School.

Mr. Berger responded yes.

Mayor Eva Galambos asked if an individual lives on the east side of Brandon Mill, can that person get to Seville Chase by walking on Brandon Mill Road.

Mr. Berger responded yes. There are other neighborhoods that use Brandon Mill Road or walk across Brandon Mill to get to the pool.

Councilmember Dianne Fries stated not only are all the neighborhoods using the pool, the homes are located between two City parks.

Mr. Berger responded yes. A sidewalk on Brandon Mill Road would be a wonderful and helpful addition.

Tom Hayes, 205 Glencourtney Drive, stated he lives in the North Springs subdivision and is a board member. He has lived at this location for twelve years and been a resident of Sandy Springs for fifteen years. He is thrilled with the improvements of the City from when he first moved here. He is from the small town of Gainesville, GA, where the citizens walked to school, pools, and the neighbor's house. He would like to be able to walk more places in his neighborhood, one place being the community garden.

Kevin Farmer, 355 West Spalding Drive, stated he lives in the North Springs neighborhood. The residents would like to have public access from the North Springs neighborhood to the Mark Trail Club pool. At the City's inception staff took great care not to politicize the methodology by which sidewalks are built. At that time, the City had neither one of these parks. One of the reasons Sandy Springs became a City was to have more flexibility and the ability to adjust as conditions change. The City has done great things and developed two wonderful parks. A new sidewalk would have a positive impact on the City. The citizens want to be able to walk to the parks and community garden in this neighborhood. When sidewalks are installed next to a street, drivers slow down. Sidewalks were installed on Dalrymple Road and people driving on that street have slowed down. He asked that Council consider installing sidewalks on Brandon Mill Road.

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 6:51 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 7:09 p.m.

Motion and Vote: Councilmember Sterling moved to authorize the City Attorney to enter into an agreement for a consent order to dismiss with prejudice the litigation matter of Glenridge Partners, LLC vs. the City of Sandy Springs. Councilmember Paulson seconded the motion. The motion carried unanimously.

ADJOURNMENT

Motion and Vote: Councilmember DeJulio moved to adjourn the meeting. Councilmember Fries seconded the motion. The motion carried unanimously. The meeting adjourned at 7:11 p.m.

Date Approved: May 7, 2013



Eva Galambos, Mayor



Michael Casey, City Clerk