

Regular Meeting of the Sandy Springs City Council was held on Tuesday, April 2, 2013, at 6:00 p.m., Mayor Eva Galambos presiding.

INVOCATION

Tom Van Laningham, Care and Counseling Center of Georgia, offered the invocation.

CALL TO ORDER

Mayor Eva Galambos called the meeting to order at 6:04 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 Dianne Fries, Councilmember Gabriel Sterling, Councilmember Tibby DeJulio, and Councilmember Karen Meinzen McEnery present. Councilmember John Paulson and Councilmember Chip Collins were absent.

PLEDGE OF ALLEGIANCE

Mayor Eva Galambos led the Pledge of Allegiance

PUBLIC COMMENT

There were no public comments.

APPROVAL OF MEETING AGENDA

Motion and Vote: Councilmember Sterling moved to approve the Regular Meeting agenda for April 2, 2013. Councilmember Fries seconded the motion. The motion carried unanimously.

CONSENT AGENDA

(Agenda Item No. 13-044)

1. Meeting Minutes:
 - a) March 19, 2013 Regular Meeting
(Michael Casey, City Clerk)

Motion and Vote: Councilmember Sterling moved to approve the Consent Agenda for April 2, 2013. Councilmember Fries seconded the motion. The motion carried unanimously

PRESENTATIONS

1. Recognize Appointment of Terry Sult to Position of Director of Public Safety

City Manager John McDonough stated recent reorganization in the Police Department resulted in two deserving individuals being promoted. He asked Terry Sult, Mayor Galambos, City Councilmembers, and Police Officers in the audience to the front. He administered the oath of office to Sandy Springs first Director of Public Safety, Terry Sult, and congratulated him on his promotion. Director of Public Safety Sult's son pinned the new promotion rank on his uniform.

2. Recognize Appointment of Kenneth DeSimone to Position of Chief of Police

City Manager John McDonough called Kenneth DeSimone to the front. He administered the oath of office to Police Chief Kenneth DeSimone and congratulated him on his promotion. Police Chief DeSimone's wife and sons pinned the promotion rank and badge on his uniform.

Councilmember Dianne Fries stated each Councilmember was given a Living It Upscale newsletter that includes the advertisements for the Sandy Springs Cycling Challenge and Taste of Sandy Springs. Council was also given a sample letter that was sent to the Sandy Springs restaurants for participation in Taste of Sandy Springs and a list of the restaurants already signed up. The restaurant registration does not end until April 22nd, but the number of restaurants participating is already almost as large as last year. Every new restaurant in the City has signed up for Taste of Sandy Springs with the exception of one, because they are having a Cinco de Mayo party that day. She asked for the Global Imports Sandy Springs Cycling Challenge commercial to be played for all in the audience. Last year an individual took high definition video footage at the event, so this commercial is in high definition. The sponsor for the Taste of Sandy Spring is Gas South.

Mayor Eva Galambos asked what television channels will be airing the commercial.

Councilmember Fries stated this weekend the commercial will be played on NBC Sports on Comcast during the Spring Classics. The commercial will then be aired on Fulton County Television. Tom Branch with Lava Productions has created the annual commercial from the inception of the Sandy Springs Cycling Challenge as an in-kind contribution. Her goal is to have thirty restaurants participating in the Taste of Sandy Springs

Mayor Galambos asked if there will be an admission fee to the event or just the fee when buying tickets for the food.

Councilmember Fries stated there will be no charge to attend the Cycling Challenge or the Taste of Sandy Springs. The only charge is for food sampling tickets which are \$1 a piece. The sponsorship of Gas South pays for the tents, tables, and chairs for the restaurants. There is no fee for the restaurants to participate.

Councilmember Tibby DeJulio asked if the restaurants receive the \$1.

Councilmember Fries stated the restaurants will receive half of the \$1. It is better to not charge the restaurants for the showcasing of their food.

PUBLIC HEARINGS

Alcoholic Beverage License

(Agenda Item No. 13-045)

1. Approval of Alcoholic Beverage License Application for Tailfeathers LLC at 5975 Roswell Rd Sandy Springs, Georgia 30328. Applicant is Steve Kemp for Consumption on Premises Wine, Malt Beverage and Distilled Spirits

Finance Director Karen Ellis stated this item is a new application for consumption on premises of wine, malt beverage, and distilled spirits. The applicant has met all requirements and staff recommends approval.

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

Motion and Vote: Councilmember DeJulio moved to approve Agenda Item No. 13-045, Alcoholic Beverage License Application for Tailfeathers LLC at 5975 Roswell Rd, for consumption on premises of wine, malt beverage and distilled spirits. Councilmember Fries seconded the motion. The motion carried unanimously.

Reapportionment

(Agenda Item No. 13-046)

2. Consider an amendment to the Charter of the City of Sandy Springs, Georgia, to reapportion the electoral districts of the City pursuant to the 2010 census

City Attorney Wendell Willard stated this is the second reading for the proposed Charter amendment. The change is to the Council district boundaries and if approved, will be in place for the upcoming election this year.

Mayor Eva Galambos called for public comments in support of or opposition to the proposed amendment to the City Charter. There were no comments from the public. Mayor Galambos closed the public hearing.

Motion and Vote: Councilmember DeJulio moved to approve Agenda Item No. 13-046, an ordinance to amend the Charter of the City of Sandy Springs, Georgia, to reapportion the electoral districts of the City pursuant to the 2010 census. Councilmember Fries seconded the motion. The motion carried unanimously. This was the second of the two votes required for amending the City Charter. (First vote on March 19, 2013)

Ordinance No. 2013-03-03

River Corridor

(Agenda Item No. 13-047)

3. **RC-13-02SS** (110 and 105 River North Court)

Director of Community Development Angela Parker stated this item is for two lots in the River North Subdivision. The lots were originally developed with a house on one property and a tennis court on the other property. The owner now wishes to subdivide and develop the tennis court property with a new single family house. Staff recommends approval. The Atlanta Regional Commission (ARC) has approved the project.

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

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 13-047, RC-13-02SS (110 and 105 River North Court). Councilmember Fries seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS

(Agenda Item No. 13-048)

1. Resolution Awarding Contract for Capital Paving 2013 Program

Director of Field Services Charlie Roberts stated this item is a recommendation to award a contract for the 2013 capital resurfacing project to Northwest Georgia Paving. The company's references include the City of Roswell. He has viewed their work, which looks good. Staff's recommendation is to award a contract of \$2,379,000 that will cover thirteen miles of paving.

Mayor Eva Galambos asked if this is a new company for Sandy Springs.

Director of Field Services Roberts responded yes. This company bid on two other City contracts this year, but they were not awarded the contracts. They submitted a very favorable quote on this bid.

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 13-048, a resolution awarding a contract to Northwest Georgia Paving Incorporated for the Capital Paving 2013 Program. Councilmember Sterling seconded the motion. The motion carried unanimously.

Resolution No. 2013-04-19

(Agenda Item No. 13-049)

2. Resolution Awarding Contract for GDOT FY12 LMIG Resurfacing

Director of Field Services Charlie Roberts stated this item is a recommendation for awarding the local maintenance and improvement grant (LMIG) project to E.R. Snell Contractor, Inc. for \$738,590.68. The grant amount, which is reimbursable by GDOT, is \$590,000. The City is responsible for the difference that will cover the patching of the roads not included in this grant. E.R. Snell is a major contractor in Georgia and he has worked with them in the past.

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 13-049, a resolution awarding a contract to E.R. Snell Contractor, Inc. for the GDOT FY12 LMIG Resurfacing. Councilmember Fries seconded the motion. The motion carried unanimously.

Resolution No. 2013-04-20

NEW BUSINESS

(Agenda Item No. 13-050)

1. Consideration of a Resolution regarding the Future of Heard's Ferry Elementary School

Mayor Eva Galambos stated this item is a resolution she is proposing because there have been discussions about a possible new elementary school. There has been no communication from the Fulton County Board of Education regarding the possible location of the school. There are vast implications for the City in terms of infrastructure needs, depending on where the new school may be located. Included in the resolution are suggestions that the City ask questions such as a justification for the need of the new school. Other questions include why the expansion of Riverwood High School is needed, what is the projected enrollment, why Riverwood has enrollment from outside the district and how many students that entails. The City would also like information on if there has been consideration towards the

renovation of Heards Ferry School instead of tearing it down and building a new school. This resolution requests the school board meet with the City and discuss the possibility of a new school being built.

Councilmember Karen Meinzen McEnerny stated an elected school board member from the Sandy Springs area did volunteer to meet with the community at Riverwood High School. There are still more questions to be answered. This resolution is a good place to start.

Councilmember Gabriel Sterling stated he will vote in favor of the resolution. The Fulton County School Board is looking at population increases that are not necessarily going to occur. Lake Forest and Ison Road schools are state-of-the-art facilities that were just built and are underused, as well as North Springs High School being underused. He questions the need to tear down Heards Ferry Elementary School and expand Riverwood High School. The Fulton County School Board is not looking at the big picture. The school board is not considering the right thing to do for the students and community when spending the SPLOST money.

Councilmember Meinzen McEnerny stated there are justifiable questions as to what the SPLOST language specified and whether it included relocating the school.

Councilmember Dianne Fries stated she and Mayor Galambos attended meetings two years ago and there were relocation discussions for the school.

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 13-050, a resolution regarding the future of Heards Ferry Elementary School. Councilmember Fries seconded the motion. The motion carried unanimously.

Resolution No. 2013-04-21

(Agenda Item No. 13-051)

2. Consideration of a Resolution Appointing Member(s) to the Sandy Springs Planning Commission

Mayor Eva Galambos stated it is with great regret that she had to accept the resignation of Al Pond from the Planning Commission. The City's Ethics Ordinance prohibits an individual serving on a board who might also be awarded a contract with the City, due to a conflict of interest. Mr. Pond is currently in the process of bidding on a City contract. She thanked Mr. Pond for his service on the Planning Commission and Board of Appeals. She nominated Andy Porter to fill Mr. Pond's vacancy. Mr. Porter has been on the Design Review Board since the City's inception and is familiar with Sandy Springs policies.

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 13-051, the nomination by Mayor Galambos of Andy Porter to the Sandy Springs Planning Commission. Councilmember Meinzen McEnerny seconded the motion. The motion carried unanimously.

Resolution No. 2013-04-22

Mayor Eva Galambos stated the individual nominated for the Design Review Board is required to have an active business within the City and live in Sandy Springs. She stopped by Gramma B's store and asked Lisa Bartlett if she would be interested in serving on the Design Review Board. Ms. Bartlett is interested in filling this position.

Councilmember Karen Meinzen McEnerny stated Ms. Bartlett participates with the non-profit marketplace that the Sandy Springs Society sponsors.

Motion and Vote: Councilmember Fries moved to approve the nomination of Lisa Bartlett by Mayor Galambos to the Sandy Springs Design Review Board. Councilmember Sterling seconded the motion. The motion carried unanimously.

Resolution No. 2013-04-23

REPORTS

1. Mayor and Council Reports

There were no reports by Mayor and Council.

2. Staff Reports

a) February Financial Report – Finance Director, Karen Ellis

There were no questions from Mayor and Council regarding the financial report.

Mayor Eva Galambos stated the City of Johns Creek is always behind on their payments to ChatComm.

Councilmember Karen Meinzen McEnerny asked for the amount that Johns Creek is behind.

Finance Director Karen Ellis stated Johns Creek is behind about \$50,000. Johns Creek has a different accounting year than Sandy Springs. Staff has discussed how the payments should be recorded, since Johns Creek does not see it as an error, but Sandy Springs does. Staff has offered ways to accommodate Johns Creek.

Councilmember Tibby DeJulio asked if staff has problems collecting the money from Johns Creek or are they just late on their payments.

Finance Director Ellis stated the Johns Creek payments are a subsidy payment. At the end of the year, if ChatComm does not need the money, then staff does not ask Johns Creek for it. This works the same way with Sandy Springs. So far, at the end of the year this has not been an issue. The funds for the account are underspent.

Councilmember Meinzen McEnerny asked if Johns Creek is currently in arrears.

Finance Director Ellis stated they are in arrears according to the IGA. The IGA states Johns Creek is to pay 1/12 of the subsidy every month. At the end of the year Sandy Springs staff reviews the financial account to ensure the account is current. At the end of the year Johns Creek may not be behind.

Councilmember Dianne Fries stated she sees it as self-budgeting by Johns Creek at the end of the year.

PUBLIC COMMENT

There were no public comments.

EXECUTIVE SESSION – Real Estate

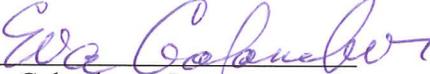
Motion and Vote: Councilmember DeJulio moved to enter into Executive Session to discuss real estate. Councilmember Sterling seconded the motion. The motion carried unanimously, with Councilmember Fries, Councilmember Sterling, Councilmember DeJulio, and Councilmember Meinzen McEnerny voting in favor of the motion. Executive Session began at 6:40 p.m.

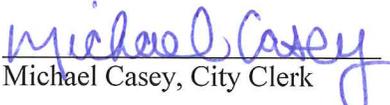
Motion and Vote: Councilmember DeJulio moved to adjourn Executive Session. Councilmember Sterling seconded the motion. The motion carried unanimously, with Councilmember Fries, Councilmember Sterling, Councilmember DeJulio, and Councilmember Meinzen McEnergy voting in favor of the motion. Executive session adjourned at 6:57 p.m.

ADJOURNMENT

Motion and Vote: Councilmember DeJulio moved to adjourn the meeting. Councilmember Sterling seconded the motion. The motion carried unanimously. The meeting adjourned at 6:57 p.m.

Date Approved: April 16, 2013


Eva Galambos, Mayor


Michael Casey, City Clerk

CITY OF SANDY SPRINGS, GA

STATE OF GEORGIA
FULTON COUNTY

April 2, 2013

AFFIDAVIT FOR EXECUTIVE SESSION

Personally comes Eva Galambos, Mayor of the City of Sandy Springs, who on oath says that to the best of her knowledge and belief, on the 2nd day of April, 2013 in the city aforesaid, a meeting of the Council was closed to the public for the following reasons:

Future acquisition of real estate pursuant to O.C.G.A, 50-14-3(4);

and that except for the foregoing, no portion of the closed meeting involved discussion, presentation, or action on any other matter.



Eva Galambos, Mayor

Sworn to and subscribed before me,

this 2nd day of April, 2013.



Notary public (SEAL)

