

Regular Meeting of the Sandy Springs City Council was held on Tuesday, February 5, 2013, at 6:00 p.m., Mayor Eva Galambos presiding.

INVOCATION

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

CALL TO ORDER

Mayor Eva Galambos called the meeting to order at 6:02 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, and Councilmember Karen Meinzen McEnerny present. Councilmember Tibby DeJulio was absent.

PLEDGE OF ALLEGIANCE

Meeting Page Anais Phillips led the Pledge of Allegiance

APPROVAL OF MEETING AGENDA

Motion and Vote: Councilmember Sterling moved to approve the Regular Meeting agenda for February 5, 2013. Councilmember Paulson seconded the motion. The motion carried unanimously.

PUBLIC COMMENT

Don McAdam, 6422 Vernon Woods Drive, stated he is interested in the City implementing a gun buyback program in Sandy Springs. Yesterday in Johns Creek four people died possibly from gunshot wounds. With relentless news of all the shootings, there are some gun owners who may be thinking twice about keeping their guns. Giving people the opportunity to dispose of their unwanted guns would be a great thing for the City to facilitate. He recently sent a letter to Councilmember Sterling and Mayor Galambos to sponsor a gun buyback program. The response he received stated that Georgia law would require the City to resell collected guns to firearms dealers, thus putting the guns back on the street. In reality, the Sandy Springs Police Department can obtain a court order from a judge to destroy the guns obtained from a buyback program. Yesterday, he spoke to Lt. Braxton of the College Park Police Department. Lt. Braxton is one of the police officers in charge of the City of College Park's gun buyback event scheduled for February 9, 2013. Once the judge gives the approval, the guns can be transported to a recycling center and destroyed in the presence of a police officer. He thanked Council for considering the program.

CONSENT AGENDA

(Agenda Item No. 13-016)

1. Meeting Minutes:
 - a) January 15, 2013 Regular Meeting
(*Michael Casey, City Clerk*)

(Agenda Item No. 13-018)

2. Consideration of Issuance of Task Order to The Collaborative for Site Development Inspection Services
(*John McDonough, City Manager*)

Motion and Vote: Councilmember Sterling moved to approve the Consent Agenda for February 5, 2013. Councilmember Fries seconded the motion. The motion carried unanimously.

PRESENTATIONS

1. Fulton County Schools Strategic Plan - Dr. Robert Avossa

Dr. Robert Avossa, Fulton County Schools Superintendent, stated about eighteen months ago the Fulton County Board of Education embarked on a journey to collect information about the school district. The information collected included how the school district was progressing and what needs to be improved as part of the strategic plan. His presentation will address the school district, the Sandy Springs community, and then end with a few questions. The Fulton County school system is the largest noncontiguous school district in the nation. The school district is bisected by the City of Atlanta. The school district is seventy miles long and fast approaching 95,000 students. The school district is very diverse and is approaching 50% free or reduced lunches. Special education is about 10%, which is below the national State average. The English is a second language population is approximately 6%. During his first year as superintendent, he spent the entire year visiting every one of the 200 schools. He met with counselors, parents, and community members to get a sense of what the district is doing well and what needs to be improved. In November 2012, the State allowed Fulton County to become the largest Charter system in the State. The school board will now be able to waive Title 20 regulations. For the first time in history the school system can now remove low performing teachers, principals, and assistant principals. The SPLOST was passed, which allowed the district to transfer some of the money towards technology. The school district launched what is referred to as a learning community model. There is a now a new performance management system along with a more rigorous core. Currently, the Fulton County high school graduation rate is about 70%. The Fulton County School system found two school systems to benchmark their progress against. One district is in Fairfax, Virginia and the other is Montgomery County, Maryland. The other schools' SAT scores are slightly higher than Fulton County schools. The college readiness is at 62% of senior students that take the SAT. The goal is to have 85% of the students able to attain college entry. Not all high school graduates will go to college. The demands of twenty-first century jobs and careers need to be met. This will be accomplished by the benchmark of ACT WorkKeys. The community feels that the school district has limited instructional opportunities. The employees do not have the opportunity to develop, the technology tools are not there, and the leadership at the school level is single minded. There are too many rigid guidelines for resources. In the past, schools received a certain number of teachers even if the teachers were not needed. Now the schools will receive equal resources, but they can decide what those resources are. The school board is now focusing on five key areas. These areas are advancing instruction, investing and enhancing skills of people, integrating technology, ensuring effective schools, and managing resources. Currently, the best teachers and principals are not being rewarded to stay in their current roles. By 2017, there will be a compensation system that is designed to attract and retain top talent for math, science, and hard to staff

positions. The four key elements of the effective performance management system are creating value for the people served, embracing change, leading by example, and developing capabilities. Sandy Springs has eleven schools that include seven elementary, two middle, and two high schools. Sixty percent of Sandy Springs citizens are Caucasian while thirty percent of the student population is Caucasian. The African American community student population is thirty-five percent while the adult population is twenty percent. The Hispanic and African American communities are sending their students to Fulton County schools at a greater rate. During the downturn in the economy there was a significant uptick in enrollment, particularly at the high school level. If the trends continue as they are, a steady enrollment will continue. There are several capital investment projects in the Sandy Springs area. System wide technology investments are at Riverwood High School, Sandy Springs Middle School, and Heards Ferry Elementary School. There are major renovation projects at North Springs High School, High Point Elementary School, Spalding Drive Elementary School, and Woodland Elementary School. Other renovation projects include Ridgeview Middle School and Dunwoody Springs Middle School. While viewing the strategic plan, he asked that Council engage and contribute to the success of the local schools. The schools are most successful when there is a great partnership between school leadership, teachers, and parents. He thanked Mayor and Council for the time to discuss the Schools' Strategic Plan.

Councilmember John Paulson stated there are a number of private schools in Fulton County as well as public schools. He asked how the Fulton County public schools compare to the private schools.

Dr. Avossa stated several of the private schools do not release their average SAT scores, so it is difficult to directly compare.

Councilmember Chip Collins stated a concerned parent presented him with statistics that Fulton County school system teachers have a lower percentage of advanced degrees versus other surrounding metro school districts.

Dr. Avossa stated graduate degrees have been considered a proxy for performance. He believes SAT scores into the Bachelor's degree program is a stronger predictor than a Master's degree, Ph.D., or other advanced degree.

Councilmember Gabriel Sterling stated Dr. Avossa discussed raising the graduation rates. He asked if the measurement is from students entering the 9th grade and exiting the 12th grade.

Dr. Avossa stated about one to two years ago all the governors across the United States met and agreed to a standard four year graduation rate. When a student enters the freshman year in the State of Georgia school system, the student can be tracked throughout their high school career. The expectation is the student will complete the high school experience in four years. There will also be a five year graduation rate due to some students developing and learning at different levels.

Councilmember Sterling asked when the five year data will be released.

Dr. Avossa responded next year.

Councilmember Sterling stated he agrees with the statement that not every child will attend college. He asked what the ACT WorkKeys is.

Dr. Avossa stated it is an assessment that measures the applied skills of an individual.

Councilmember Sterling stated AirWatch in Sandy Springs just added 800 employees that will deal with mobile devices. He has been in contact with a company regarding individualized learning by using iPads. He asked if Fulton County is moving towards individualized learning, trending in that direction.

Dr. Avossa responded yes. SPLOST IV includes \$200 million worth of investment funds. About \$100 million is for the infrastructure in working towards digital content. In Fulton County, about \$25 million is spent each year on textbooks. Rather than buying a book that needs to be updated every six years, the county is moving towards digital. The county is piloting this program in four of the schools. In the next eighteen months, options will be brought to the School Board on how best to move forward.

Councilmember Karen Meinzen McEnerny stated she appreciates the focus on education, standards, and curriculum. She has heard from her constituents about overcrowding at Riverwood High School. She asked about the decision to relocate Heard's Ferry Elementary school. At one time there was discussion of making the campuses denser by building upwards. She asked where the Heard's Ferry new school will be located and why both schools can't just share a campus.

Dr. Avossa stated all options are still being considered.

Councilmember Meinzen McEnerny asked if Heard's Ferry Elementary will be completely demolished.

Dr. Avossa stated that building probably should have been taken down a few years ago. The school may be rebuilt on the exact same location, but other options are being examined as well.

Mayor Eva Galambos stated her three children started attending Fulton County schools in 1960. She finally has hope for the school system. She has always felt the school system needed more career education and the schools are going in that direction. There is a dual enrollment system at North Springs High School and she asked Dr. Avossa to check on the program. She thanked Dr. Avossa.

2. Proclamation for Sandy Springs Reads Day – Mayor Galambos

Mayor Eva Galambos called Laura Jones to the front. Sandy Springs Reads, a "One City, One Book" event, was founded in 2012 to promote literacy and a sense of community by engaging citizens in discussions and activities around a common book. To promote literacy in Sandy Springs, Sandy Springs Reads is partnering with the Sandy Springs Education Force, Arts Sandy Springs, the Atlanta-Fulton Public Library System, and the Friends of the Sandy Springs Library to launch the second annual "Sandy Springs Reads" in April 2013. The City is honored to announce that this year's book selection, the Pulitzer Prize winning novel, "To Kill a Mockingbird," is celebrating its 50th Anniversary. For younger readers in 3rd through 6th grades, the Newberry Award Winner, "Bud, Not Buddy," has been selected as the events "One Book". Sandy Springs Reads will bring unique educational opportunities to our public school students and Sandy Springs community with book and civil rights discussions, a trial reenactment, jazz concert, screening of "To Kill a Mockingbird" and the PBS documentary "Hey Boo," which notes the many ways the novel has changed minds and shaped history. The City commends Sandy Springs Reads for promoting literacy in Sandy Springs." She proclaimed February 5, 2013 Sandy Springs Reads Day in the City of Sandy Springs.

Laura Jones, Sandy Springs Reads, thanked the City for the grant for the program. There are plans to do wonderful things for the public schools that include encouraging the students to read the book and bring to the forefront Civil Rights discussions.

Donna LeFont, LeFont Sandy Springs, stated she represents LaFont Film Society. She programmed "To Kill a Mockingbird" and "Hey, Boo".

Shannon Duffy, Sandy Springs Library Youth Services Manager, said the library has a children's book club and a "Celebrate Differences" story time.

Carolyn Axt, Leadership Sandy Springs, stated one of the class projects is to work with Ms. Jones on the screening of "Hey, Boo" and working with the Perimeter Chamber members to read books with students.

Irene Schweiger, Executive Director of Sandy Springs Education Force, stated Sandy Springs Reads will be presented to the public schools.

PUBLIC HEARINGS

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

River Corridor

(Agenda Item No. 13-019)

1. **RC-13-01SS** (220 Grograns Landing)

Director of Community Development Angela Parker stated this item is a request to build a swimming pool and pool deck adjacent to an existing single family structure. The project has been approved by the Atlanta Regional Commission. Staff recommends approval after the issuance of a river corridor certificate.

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. 13-019, RC-13-01SS (220 Grograns Landing). Councilmember Paulson seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS

(Agenda Item No. 13-017)

1. Amendment to Chapter 6 of the Sandy Springs Code of Ordinances to permit transfer of existing alcohol license to a new location within the City

City Attorney Wendell Willard stated at the last Regular City Council meeting there was a change to a provision of this ordinance regarding an individual wanting to change the location of their business within the City. That section was changed and it was later discovered another paragraph in the ordinance needed to be changed. This item is the correction of that provision. There are two different types of change of ownership/location. Paragraph a) deals with what is known as a transfer of ownership of a license to a person that is purchasing the business. In that case, the applicant will have to go through the same background checks the City requires for a new application. The fees will still be applicable to that type of transfer. Paragraph b) is a transfer where a current owner is just changing the location of the business within the City.

Councilmember Dianne Fries stated this information is not the same as discussed two weeks ago. She asked that items not be placed on the consent agenda if they are different than what was discussed and agreed upon at a previous meeting.

Mayor Eva Galambos asked if Councilmember Fries agrees with deleting the red highlighted section of the ordinance.

City Attorney Willard stated after the ordinance was passed two weeks ago, it was discovered there is another paragraph in the same area of the Code that had not been modified. Staff felt the best approach was to come back to Council with updated language for the entire section. The ordinance will first cover the transfer of ownership of a business and will require a license fee. The other transfer is a change of location where the same owner is maintained and there will be no charge to the owner.

Councilmember Fries stated the handout each Councilmember has is what she created. The red section should be deleted because that is what was discussed and agreed upon at the last meeting.

City Attorney Willard stated what is now before Council contains the correct language.

Councilmember Fries stated the handout is an exact copy of what came out of the agenda package that is before Council today. She highlighted the red section because that is what was to be deleted per the discussion two weeks ago. City Attorney Willard is now saying the red section can be left in the ordinance.

City Attorney Willard stated what was done at the last City Council meeting did not take into account the language in the subparagraph below the suggested deleted section, which also addresses a transfer of location. Staff felt the best approach was to redraft the entire section of the ordinance and let Council decide.

Councilmember Gabriel Sterling stated the section under the highlighted area addresses the transfer of the existing license with no fee. The section above the red highlighted area addresses the transfer of ownership that includes a fee. The ordinance should be accepted as presented to Council.

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 13-017, Amendment to Chapter 6 of the Sandy Springs Code of Ordinances to permit transfer of an existing alcohol license to a new location within the City. Councilmember Meizen McEnery seconded the motion. The motion carried unanimously.

Ordinance No. 2013-01-01

NEW BUSINESS

(Agenda Item No. 13-020)

1. Consideration of Ordinance Amending the FY13 Budget

City Manager John McDonough stated Council reviewed the recommended amendments to the FY13 budget at the City Council Retreat. There are two components to amend in the budget. The first is to allocate \$3.532 million in unreserved fund balance. Staff made recommendations to allocate \$500,000 of the unreserved balance to a settlement with Fulton County; to increase the task order in Community Development Department for a .6 land disturbance position for the remainder of the fiscal year; and to transfer the remaining \$3,001,822 to the capital fund for projects. The second part of the ordinance is to reallocate various line items included in the agenda package under exhibit A.

Mayor Eva Galambos asked if Council should vote on the ordinance as two separate items.

City Manager McDonough responded no.

Motion and Vote: Councilmember Meizen McEnery moved to approve Agenda Item No. 13-020, Ordinance Amending the FY13 Budget. Councilmember Paulson seconded the motion. The motion carried unanimously.

Ordinance 2013-02-02

(Agenda Item No. 13-021)

2. Consideration of Resolution Adopting the City Center Phase I Implementation Plan

City Manager John McDonough stated this item is a resolution which would adopt the City Center Phase I Implementation Plan. The resolution would allow the City to adopt the plan and use it as the basis for moving forward. The resolution has six parts. The first is adopting the plan as presented at the January 30, 2013, City Council Retreat. The second part authorizes the City Manager and staff to proceed with the necessary steps subsequent to the adoption of the plan with the goal of implementing the plan. The third part authorizes the City Manager on the Council's behalf to execute the documents and to take steps necessary to effectuate the intent of the resolution. The fourth part would provide a mechanism for the City Manager and staff to provide regular updates to the City Council on the progress of implementing the plan. The fifth part states if any part of the resolution is declared to be invalid, the other parts shall not be impacted and upon adoption the resolution will take effect. It is staff's recommendation that Council approve the resolution.

Motion and Second: Councilmember Collins moved to approve Agenda Item No. 13-021, Resolution Adopting the City Center Phase I Implementation Plan. Councilmember Sterling seconded the motion.

Councilmember Gabriel Sterling stated some members of Council question the cost of the project on Mt. Vernon Highway. He asked if the resolution is approved, will the cost be fixed.

City Manager McDonough stated Council can think of the implementation plan as more detailed than the adoption of the master plan. This plan gives the City the legal framework to move the program forward. Any cost over \$250,000 requires Council authorization. The more expensive items will be a complex process of engineering and architecture. There will be many discussions regarding the plans and who is being hired and the options for different plans.

Councilmember John Paulson stated he is in favor of the plan. He asked if staff created a schedule for the milestones of the project and asked for regular updates to Council.

City Manager McDonough stated Council will receive updates on a regular basis. Staff will continue to add updates to the City Center resource on the website, including the information Council received today regarding the plan.

Councilmember Sterling asked about a CIP briefing.

City Manager McDonough stated staff will schedule a CIP briefing before the end of February.

Councilmember Chip Collins asked about a project manager for the project.

City Manager McDonough stated hiring a project manager is the next step in the process. He will invite a project manager that has worked on these types of projects to speak to Council and share ideas from some of the projects they have completed. The meeting should be scheduled within the next three to four weeks.

Councilmember Karen Meinzen McEnery suggested that staff consider mature tree protection in the City Center Plan.

Vote on the Motion: The motion carried unanimously.

Resolution No. 2013-02-06

(Agenda Item No. 13-022)

3. A Resolution Appointing a Member to the Planning Commission

Mayor Eva Galambos stated David Rubenstein wants to be considered for possible employment by the City in dealing with real estate matters. There is no question regarding Mr. Rubenstein's integrity during his past service to the City. In the interest of meeting the requirements of the ordinance, she is withdrawing the nomination of Mr. Rubenstein. She nominated David Nickles to serve as a new member of the Planning Commission.

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 13-022, the nomination of David Nickles to the Planning Commission. Councilmember Fries seconded the motion. The motion carried unanimously.

Resolution No. 2013-02-07

Councilmember Chip Collins thanked David Rubenstein for his service on the Planning Commission.

REPORTS

1. Mayor and Council Reports
2. Staff Reports

PUBLIC COMMENT

There were no public comments.

EXECUTIVE SESSION – Real Estate

Motion and Vote: Councilmember Sterling moved to enter into Executive Session to discuss real estate acquisition. Councilmember Paulson seconded the motion. The motion carried unanimously, with Councilmember Paulson, Councilmember Fries, Councilmember Collins, Councilmember Sterling, and Councilmember Meinzen McEnery voting in favor of the motion. Executive Session began at 6:53 p.m.

Motion and Vote: Councilmember Paulson moved to adjourn Executive Session. Councilmember Fries seconded the motion. The motion carried unanimously, with Councilmember Paulson, Councilmember Fries, Councilmember Collins, Councilmember Sterling, and Councilmember Meinzen McEnery voting in favor of the motion. Executive session adjourned at 7:38 p.m.

ADJOURNMENT

Motion and Vote: Councilmember Paulson moved to adjourn the meeting. Councilmember Fries seconded the motion. The motion carried unanimously. The meeting adjourned at 7:38 p.m.

Date Approved: February 19, 2013



Eva Galambos, Mayor



Michael Casey, City Clerk