



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, January 15, 2013

Summary Minutes

6:00 PM

A) INVOCATION – Reverend Ron Gilreath, Mount Vernon Presbyterian Church

B) CALL TO ORDER – Mayor Eva Galambos

Mayor Eva Galambos called the meeting to order at 6:02 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 Scouts from Troop 463

E) APPROVAL OF MEETING AGENDA

Motion and Vote: Councilmember Sterling moved to approve the Regular Meeting agenda for January 15, 2013. Councilmember Fries seconded the motion. The motion carried unanimously.

F) CONSENT AGENDA

(Agenda Item No. 13-001)

1. Meeting Minutes:
 - a) December 18, 2012 Regular Meeting
(Michael Casey, City Clerk)

Motion and Vote: Councilmember DeJulio moved to approve the Consent Agenda for January 15, 2013. Councilmember Sterling seconded the motion. The motion carried unanimously.

G) PRESENTATIONS

1. Annual Financial Audit Report - Mauldin & Jenkins, LLC

H) PUBLIC HEARINGS**Alcoholic Beverage License****(Agenda Item No. 13-002)**

1. Approval of Alcoholic Beverage License Application for IL Forno NY Pizza and Pasta at 5680 Roswell Rd Sandy Springs, Georgia 30342. Applicant is Zuhra Sariev for Consumption on Premises Distilled Spirits
(Presented by Finance Director, Karen Ellis)

(Invitation for Public Comment)

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 13-002, Alcoholic Beverage License Application for IL Forno NY Pizza and Pasta at 5680 Roswell Road, for Consumption on Premises Distilled Spirits. Councilmember Paulson seconded the motion. The motion carried unanimously.

(Agenda Item No. 13-003)

2. Approval of Alcoholic Beverage License Application for Quick Stop at 795 Hammond Dr Ste CU2 Sandy Springs, GA 30328. Applicant is Susan Phatsadavong for Retail/Package Wine & Malt Beverage
(Presented by Finance Director, Karen Ellis)

(Invitation for Public Comment)

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 13-003, Alcoholic Beverage License Application for Quick Stop at 795 Hammond Dr Ste CU2, for Retail/Package Wine & Malt Beverage. Councilmember Paulson seconded the motion. The motion carried unanimously.

(Agenda Item No. 13-004)

3. Approval of Alcoholic Beverage License Application for Sam's Mart #521 at 5640 Northside Dr. Sandy Springs, Georgia 30328. Applicant is Medhat S. Karout for Retail/Package Wine & Malt Beverage
(Presented by Finance Director, Karen Ellis)

(Invitation for Public Comment)

Motion and Vote: Councilmember Collins moved to approve Agenda Item No. 13-004, Alcoholic Beverage License Application for Sam's Mart #521 at 5640 Northside Drive, for Retail/Package Wine & Malt Beverage. Councilmember Paulson seconded the motion. The motion carried unanimously.

(Agenda Item No. 13-005)

4. Approval of Alcoholic Beverage License Application for Sea Bass Kitchen, LLC at 6152 Roswell Rd Sandy Springs, Georgia 30328. Applicant is Joseph M. Karam for Consumption on Premises Wine, Malt Beverage & Distilled Spirits
(Presented by Finance Director, Karen Ellis)

(Invitation for Public Comment)

Motion and Vote: Councilmember Collins moved to approve Agenda Item No. 13-005, Alcoholic Beverage License Application for Sea Bass Kitchen, LLC at 6152 Roswell Road, for Consumption on Premises Wine, Malt Beverage & Distilled Spirits. Councilmember Fries seconded the motion. The motion carried unanimously.

(Agenda Item No. 13-006)

5. Approval of Alcoholic Beverage License Application for That Pie Place at 6355 Peachtree Dunwoody Rd, Suite 10, Sandy Springs, Georgia 30328. Applicant is Ronald A. Wolf for Consumption on Premises, Wine, & Malt Beverage
(Presented by Finance Director, Karen Ellis)

(Invitation for Public Comment)

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 13-006, Alcoholic Beverage License Application for That Pie Place at 6355 Peachtree Dunwoody Rd, Suite 10, for Consumption on Premises, Wine, & Malt Beverage. Councilmember Sterling seconded the motion. The motion carried unanimously.

Rezoning**(Agenda Item No. 13-007)**

6. **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 Sterling moved to defer Agenda Item No. 13-007, 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 February 19, 2013 City Council meeting. Councilmember Paulson seconded the motion. The motion carried unanimously.

(Agenda Item No. 13-008)

7. **201202498** - 4954 Peachtree-Dunwoody Road, Applicant: Sandra Dorsey, To rezone the subject property from R-2 (Single Family Dwelling District) to NUP (Neighborhood Unit Plan District) to allow the development of 13 single family lots
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Vote: Councilmember DeJulio moved to approve the withdrawal of Agenda Item No. 13-008, application 201202498 - 4954 Peachtree-Dunwoody Road, Applicant: Sandra Dorsey, to rezone the subject property from R-2 (Single Family Dwelling District) to NUP (Neighborhood Unit Plan District) to allow the development of 13 single family lots. Councilmember Fries seconded the motion. The motion carried unanimously.

I) UNFINISHED BUSINESS *(none)***J) NEW BUSINESS****(Agenda Item No. 13-009)**

1. Approval of a Resolution recommending the Downtown LCI – 10 Year Update with the Atlanta Regional Commission including the City Center Master Plan and authorize the City Manager to execute the update
(Presented by Assistant City Manager, Bryant Poole)

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 13-009, Resolution recommending the Downtown LCI – 10 Year Update with the Atlanta Regional Commission

including the City Center Master Plan and authorize the City Manager to execute the update. Councilmember DeJulio seconded the motion. The motion carried unanimously.

Resolution No. 2013-01-01

(Agenda Item No. 13-010)

2. Resolution of the City of Sandy Springs, Georgia to set Qualifying Fees for Municipal Elections

(Presented by City Attorney, Wendell Willard)

Motion and Vote: Councilmember Meinzen McEnerny moved to approve Agenda Item No. 13-010, Resolution of the City of Sandy Springs, Georgia to set Qualifying Fees for Municipal Elections. Councilmember Fries seconded the motion. The motion carried unanimously. Resolution No. 2013-01-02

(Agenda Item No. 13-011)

3. Cox Enterprises Incentives Request

(Presented by Director Economic Development, Andrea Hall)

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 13-011, Cox Enterprises Incentives Request. Councilmember Sterling seconded the motion. The motion carried unanimously.

(Agenda Item No. 13-012)

4. Proposed 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

(Presented by Director Economic Development, Andrea Hall)

Motion and Second: Councilmember Sterling moved to approve Agenda Item No. 13-012, Proposed 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. Councilmember Paulson seconded the motion.

Amended Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 13-012, 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, with an additional change consisting of striking the remainder of the last sentence following the words "City Manager". Councilmember Paulson seconded the motion. The motion carried unanimously.

Ordinance No. 2013-01-01

(Agenda Item No. 13-013)

5. Consideration of Approval of Nonprofit Funding Awards

(Presented by Assistant City Manager, Eden Freeman)

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 13-013, Consideration of Approval of Nonprofit Funding Awards. Councilmember Paulson seconded the motion. The motion carried 5-1, with Councilmember Sterling voting in opposition.

(Agenda Item No. 13-014)

6. Appoint and Reappoint Members to the Board of Appeals

(Presented by Mayor, Eva Galambos)

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 13-014, the appointment of Melissa Nolvin and the reappointment of Ted Sandler to the Board of Appeals. Councilmember Sterling seconded the motion. The motion carried unanimously.

Resolution No. 2013-01-03**(Agenda Item No. 13-015)**

7. Reappoint Members to the Planning Commission

(Presented by Mayor, Eva Galambos)

Motion and Second: Councilmember Sterling moved to approve Agenda Item No. 13-015, the reappointment of Al Pond and David Rubenstein to the Planning Commission. Councilmember Fries seconded the motion.

Substitute Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 13-015, reappointing member Al Pond to the Planning Commission and holding in abeyance the reappointment of David Rubenstein until the February 5, 2013 City Council meeting. Councilmember DeJulio seconded the motion. The motion carried unanimously.

Resolution No. 2013-01-04**K) REPORTS**

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

L) PUBLIC COMMENT**M) EXECUTIVE SESSION – Litigation**

Motion and Vote: Councilmember DeJulio moved to enter into Executive Session to discuss pending or potential litigation. 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 7:31 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 7:49 p.m.

N) ADJOURNMENT

Motion and Vote: Councilmember DeJulio moved to adjourn the meeting. Councilmember Fries seconded the motion. The motion carried unanimously. The meeting adjourned at 7:49 p.m.