



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, December 18, 2012

Summary Minutes

6:00 PM

A) INVOCATION

There was no invocation.

B) CALL TO ORDER – Mayor Eva Galambos

Mayor Eva Galambos called the meeting to order at 6:01 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 – Mayor Eva Galambos

(Agenda Item No. 12-300)

E) APPROVAL OF MEETING AGENDA

Motion and Vote: Councilmember Fries moved to approve the Regular Meeting agenda for December 18, 2012. Councilmember Sterling seconded the motion. The motion carried unanimously.

F) CONSENT AGENDA

(Agenda Item No. 12-301)

1. Meeting Minutes:
 - a) December 4, 2012 Regular Meeting
 - b) December 4, 2012 Work Session

(Michael Casey, City Clerk)

(Agenda Item No. 12-302)

2. Consideration of the Acceptance of the dedication of a Right of Way Deed as part of the zoning requirements - 5065 Highpoint Road
(Garrin Coleman, Interim Director of Public Works)
Resolution No. 2012-12-85

(Agenda Item No. 12-303)

3. Consideration of the Acceptance of the dedication of a Right of Way Deed as part of the zoning requirements - 5055 High Point Road
(Garrin Coleman, Interim Director of Public Works)
Resolution No. 2012-12-86

Motion and Vote: Councilmember Fries moved to approve the Consent Agenda for December 18, 2012. Councilmember Sterling seconded the motion. The motion carried unanimously.

G) PRESENTATIONS

1. Sparkle Sandy Springs Winners - Mayor Galambos and Councilmember Fries

H) PUBLIC HEARINGS**Alcoholic Beverage License****(Agenda Item No. 12-304)**

1. Approval of Alcoholic Beverage License Application for Moderna Taqueria at 8540 Roswell Rd Ste 100 Sandy Springs, Georgia 30350. Applicant is Remus Rednic for Consumption on Premises Wine, Malt Beverage, and Distilled Spirits
(Presented by Revenue Supervisor, Brandon Branham)

(Invitation for Public Comment)

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 12-304, Alcoholic Beverage License Application for Moderna Taqueria at 8540 Roswell Rd Ste 100, for Consumption on Premises Wine, Malt Beverage, and Distilled Spirits. Councilmember Paulson seconded the motion. The motion carried unanimously.

(Agenda Item No. 12-305)

2. Approval of Alcoholic Beverage License Application for Rumi's Kitchen at 6112 Roswell Rd Sandy Springs, Georgia 30328. Applicant is Maryam Tabassian for Consumption on Premises, Wine, Malt Beverage & Distilled Spirits
(Presented by Revenue Supervisor, Brandon Branham)

(Invitation for Public Comment)

Motion and Vote: Councilmember DeJulio moved to approve Agenda Item No. 12-305, Alcoholic Beverage License Application for Rumi's Kitchen at 6112 Roswell Road, for Consumption on Premises, Wine, Malt Beverage & Distilled Spirits. Councilmember Collins seconded the motion. The motion carried unanimously.

(Agenda Item No. 12-306)

3. Approval of Alcoholic Beverage License Application for Westin Atlanta Perimeter North at 7 Concourse Pkwy Sandy Springs, Georgia 30328. Applicant is Lara Coppola for Consumption on Premises Wine, Malt Beverage, and Distilled Spirits
(Presented by Revenue Supervisor, Brandon Branham)

(Invitation for Public Comment)

Motion and Vote: Councilmember DeJulio moved to approve Agenda Item No. 12-306, Alcoholic Beverage License Application for Westin Atlanta Perimeter North at 7 Concourse Pkwy, for Consumption on Premises Wine, Malt Beverage, and Distilled Spirits. Councilmember Sterling seconded the motion. The motion carried unanimously.

Rezoning**(Agenda Item No. 12-307)**

4. **RZ12-004/CV12-004** - 5975 Mitchell Road, *Applicant: St. James Anglican Church, Inc.*, Rezone from R-1 (Single Family Dwelling District) to R-5A (Single Family Dwelling District) with concurrent variances
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 12-307, RZ12-004/CV12-004 - 5975 Mitchell Road, *Applicant: St. James Anglican Church, Inc.*, Rezone from R-1 (Single Family Dwelling District) to R-5A (Single Family Dwelling District) with concurrent variances and staff conditions. Councilmember Paulson seconded the motion. The motion carried 4-2, with Councilmember DeJulio and Councilmember Meinzen McEnery voting in opposition.

Ordinance No. 2012-12-37**Text Amendment****(Agenda Item No. 12-308)**

5. **TA12-007** - An Ordinance Amending Article III, Section 3.3., Definitions, Article XIX, Section 19.3.2.3., Antenna, Tower And Associated Structures (Radio, Television, Microwave Broadcasting, Etc.) Which Will Exceed The Maximum Zoning District Height In Districts O-I, MIX, C-1, C-2, M-1A, M-1 And M-2, And Article XIX, Section 19.4.8., Antenna Tower, And Associated Structure (Radio, Television, Microwave Broadcasting, Etc.) Which Will Exceed The Allowed Zoning District Height In Residential And AG-1, Of The City Of Sandy Springs Zoning Ordinance
(Presented by Assistant City Attorney, Cecil McLendon)

(Invitation for Public Comment)

Motion and Second: Councilmember Meinzen McEnery moved to approve Agenda Item No. 12-308, TA12-007 - An Ordinance Amending Article III, Section 3.3., Definitions, Article XIX, Section 19.3.2.3., Antenna, Tower And Associated Structures (Radio, Television, Microwave Broadcasting, Etc.) Which Will Exceed The Maximum Zoning District Height In Districts O-I, MIX, C-1, C-2, M-1A, M-1 And M-2, And Article XIX, Section 19.4.8., Antenna Tower, And Associated Structure (Radio, Television, Microwave Broadcasting, Etc.) Which Will Exceed The Allowed Zoning District Height In Residential And AG-1, Of The City Of Sandy Springs Zoning Ordinance, with an amendment to modify Section C-1 to state the tower/accessory structures must be set back a distance 1 and ½ times the height of the tower from the structure of any residential district and to add a section that specifies the spacing of the towers be a required distance of no more than one tower within 2,640 feet. Councilmember Sterling seconded the motion.

Motion to Amend and Vote: Councilmember Sterling moved to amend the motion by modifying Section C-1 to state the tower/accessory structures must be set back a distance 1 and ½ times the height of the tower from the property line of any residential district and to add a section that

delineates the distances between the towers be a required distance of no more than one tower within 2,640 feet. Councilmember Meinzen McEnery seconded the motion. The motion carried unanimously.

Vote on the Motion: The motion as amended carried unanimously.

I) UNFINISHED BUSINESS

There was no unfinished business.

J) NEW BUSINESS

(Agenda Item No. 12-309)

1. A Resolution to Accept the City Center Master Plan Recommendation from Goody Clancy
(Presented by City Manager, John McDonough)

(Invitation for Public Comment)

Motion and Second: Councilmember Fries moved to approve Agenda Item No. 12-309, A Resolution to Accept the City Center Master Plan Recommendation from Goody Clancy. Councilmember Paulson seconded the motion.

Substitute Motion: Councilmember Meinzen McEnery moved to approve Agenda Item No. 12-309, A Resolution to Accept the City Center Master Plan Recommendation from Goody Clancy, with the change to add another one acre of greenspace to the plan in an unspecified location. The motion failed for lack of a second.

Vote on the Original Motion: The motion carried unanimously.

Resolution No. 2012-12-87

(Agenda Item No. 12-310)

2. Intergovernmental Agreement (“IGA”) for the Development and Implementation of a Unified Radio System (“System”) by and among the Cities of Alpharetta, Johns Creek, Milton, Roswell and Sandy Springs (“Participating Cities”)
(Presented by City Manager, John McDonough)

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 12-310, Intergovernmental Agreement (“IGA”) for the Development and Implementation of a Unified Radio System (“System”) by and among the Cities of Alpharetta, Johns Creek, Milton, Roswell and Sandy Springs (“Participating Cities”). Councilmember Fries seconded the motion. The motion carried unanimously.

Motion and Vote: Councilmember Sterling moved to approve a Resolution Authorizing the City Manager to enter into a Purchase Agreement with Vendor for Phase I of the Phased Approach for the Purchase of Radio Communications Equipment for Development and Implementation of a Unified Radio System. Councilmember Fries seconded the motion. The motion carried unanimously.

Resolution No. 2012-12-88

(Agenda Item No. 12-311)

3. Consideration of Approval of design document for the new entrance drive and parking lot at Lost Corner
(Presented by Director Recreation and Parks, Ronnie Young)

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 12-311, Approval of design document for the new entrance drive and parking lot at Lost Corner. Councilmember Collins seconded the motion. The motion carried unanimously.

(Agenda Item No. 12-312)

4. An Ordinance to Amend the Code of Ordinances, City of Sandy Springs, Georgia to Revise the Eligibility Requirements for Alcohol Licenses; to Revise the Eligibility Requirements for Alcohol Pouring Permits; and to Provide for Other Lawful Purposes
(Presented by City Attorney, Wendell Willard)

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 12-312, An Ordinance to Amend the Code of Ordinances, City of Sandy Springs, Georgia to Revise the Eligibility Requirements for Alcohol Licenses; to Revise the Eligibility Requirements for Alcohol Pouring Permits; and to Provide for Other Lawful Purposes. Councilmember Paulson seconded the motion. The motion carried unanimously.

Ordinance No. 2012-12-39

(Agenda Item No. 12-313)

5. Update on Property Acquisition - 150 Hilderbrand Ave
(Presented by Assistant City Attorney, Cecil McLendon)

Motion and Vote: Councilmember Collins moved to approve Agenda Item No. 12-313, to acknowledge and approve the property acquisition of 150 Hilderbrand Ave. Councilmember Fries seconded the motion. The motion carried unanimously.

(Agenda Item No. 12-314)

6. Consideration of Property Acquisition - 90 Johnson Ferry Road
(Presented by Assistant City Attorney, Cecil McLendon)

Motion and Vote: Councilmember Collins moved to approve Agenda Item No. 12-314, a contract for acquisition of property at 90 Johnson Ferry Road. Councilmember Fries seconded the motion. The motion carried unanimously.

(Agenda Item No. 12-315)

7. Consideration of Property Acquisition - 102 Johnson Ferry Road
(Presented by Assistant City Attorney, Cecil McLendon)

Motion and Vote: Councilmember Collins moved to approve Agenda Item No. 12-315, a contract for acquisition of property at 102 Johnson Ferry Road, along with a first amendment to the contract. Councilmember Fries seconded the motion. The motion carried unanimously.

K) REPORTS

1. Mayor and Council Reports
 - a) Addition of Members to Economic Development Advisory Committee – Mayor

Motion and Vote: Councilmember Fries moved to approve the nominations of Dr. Melissa Read and John Stemlar to the Economic Development Advisory Committee. Councilmember Sterling seconded the motion. The motion carried unanimously.

2. Staff Reports
 - a) Update on Abernathy Greenway Project – Recreation and Parks

L) PUBLIC COMMENT**(Agenda Item No. 12-316)****M) EXECUTIVE SESSION – Litigation and Real Estate**

Motion and Vote: Councilmember Sterling moved to enter into Executive Session to discuss land acquisition and potential or pending litigation. 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 began at 9:16 p.m.

Motion and Vote: Councilmember Fries moved to adjourn Executive Session. 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 adjourned at 10:02 p.m.

Motion and Vote: Councilmember Fries moved to approve the acceptance of the mediated settlement of the litigation regarding fire services between Fulton County and the City of Sandy Springs in the amount of \$500,000. Councilmember Paulson seconded the motion. The motion carried unanimously.

(Agenda Item No. 12-317)**N) ADJOURNMENT**

Motion and Vote: Councilmember Collins moved to adjourn the meeting. Councilmember Paulson seconded the motion. The motion carried unanimously. The meeting adjourned at 10:03 p.m.