



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 4, 2012

Summary Minutes

6:00 PM

A) INVOCATION – Reverend Chris Starr, Church of the Atonement

B) CALL TO ORDER – Mayor Eva Galambos

Mayor Eva Galambos called the meeting to order at 6:03 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. 12-286)

E) APPROVAL OF MEETING AGENDA

Motion and Vote: Councilmember Fries moved to approve the Regular Meeting agenda for December 4, 2012. Councilmember Paulson seconded the motion. The motion carried unanimously.

F) CONSENT AGENDA

(Agenda Item No. 12-287)

1. Meeting Minutes:
 - a) November 6, 2012 Regular Meeting
 - b) November 6, 2012 Work Session

(Michael Casey, City Clerk)

(Agenda Item No. 12-288)

2. Mutual/Automatic Aid Agreement with DeKalb County
(Wendell Willard, City Attorney)
Resolution No. 2012-12-81

Motion and Vote: Councilmember Fries moved to approve the Consent Agenda for December 4, 2012. Councilmember Sterling seconded the motion. The motion carried unanimously.

G) PUBLIC COMMENT

H) PRESENTATIONS

1. Proclamation for Cub Scouts 50th Anniversary – Mayor Galambos
2. Final Report on North Fulton County Voter Initiative – Julia Reed, Fulton County Department of Registration and Elections

I) PUBLIC HEARINGS

Alcoholic Beverage License

(Agenda Item No. 12-289)

1. Approval of Alcoholic Beverage License Application for Café Posh at 4920 Roswell Rd Suite 14 Sandy Springs, Georgia 30342. Applicant is Simona Edery for Consumption on Premises, Wine & Malt Beverage
(Presented by Revenue Supervisor, Brandon Branham)

(Invitation for Public Comment)

Motion and Vote: Councilmember Meinzen McEnery moved to approve Agenda Item No. 12-289, the Alcoholic Beverage License Application for Café Posh at 4920 Roswell Rd Suite 14, for Consumption on Premises, Wine & Malt Beverage. Councilmember Fries seconded the motion. The motion carried unanimously.

Rezoning

(Agenda Item No. 12-290)

2. **RZ12-009/CV12-011** - Northeast Corner of Spalding Drive at River Exchange Drive, Applicant: *Dunwoody Place Venture, LLC*, To rezone the subject property from C-1 (Community Business District) conditional to A-L (Apartment Limited District) to allow construction of a senior apartment building, with concurrent variances
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Vote: Councilmember Paulson moved to approve Agenda Item No. 12-290, **RZ12-009/CV12-011** - Northeast Corner of Spalding Drive at River Exchange Drive, Applicant: *Dunwoody Place Venture, LLC*, to rezone the subject property from C-1 (Community Business District) conditional to A-L (Apartment Limited District) to allow construction of a senior apartment building, with concurrent variances. Councilmember Fries seconded the motion. The motion carried unanimously.

Ordinance No. 2012-12-36

Zoning Modification

(Agenda Item No. 12-291)

3. **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 Second: Councilmember Collins moved to deny Agenda Item No. 12-291, **201202129** - 5730 Glenridge Drive, *Applicant: 5730 Glenridge Partners LLC*, To modify conditions 4 & 6 of Z79-0074 to allow driveway access onto Glenforest Road. Councilmember Meinzen McEnery seconded the motion.

Substitute Motion and Vote: Councilmember Sterling moved to defer Agenda Item No. 12-291, **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 January 15, 2013 City Council meeting. Councilmember Fries seconded the motion. The vote was split 3-3 with Councilmembers Collins, Meinzen McEnery, and DeJulio voting in opposition to the motion. Mayor Galambos voted in support of the motion to break the tie. The motion carried 4-3.

CDBG Public Hearing**(Agenda Item No. 12-292)**

4. Community Development Block Grant (CDBG) Program Update and 2013-2017 Consolidated Plan Public Hearing
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

J) UNFINISHED BUSINESS *(none)***K) NEW BUSINESS****(Agenda Item No. 12-293)**

1. Request Waiver of Late Fees and Penalties for 2010, 2011 & 2012 Business Occupational Tax Certificate for Resurgens Surgery Center at 5671 Peachtree Dunwoody Rd Ste 800 Sandy Springs, GA 30328
(Presented by Revenue Supervisor, Brandon Branham)

Motion and Vote: Councilmember Collins moved to approve Agenda Item No. 12-293, Request for Waiver of Late Fees and Penalties for 2010, 2011 & 2012 Business Occupational Tax Certificate for Resurgens Surgery Center at 5671 Peachtree Dunwoody Rd Ste 800 Sandy Springs, GA 30328. Councilmember DeJulio seconded the motion. The motion carried unanimously.

(Agenda Item No. 12-294)

2. Consideration of a Resolution Reappointing Two Members to the Board of Ethics of the City of Sandy Springs for a Second Three Year Term
(Presented by Mayor, Eva Galambos)

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 12-294, Resolution Reappointing Two Members to the Board of Ethics of the City of Sandy Springs for a Second Three Year Term. Councilmember Fries seconded the motion. The motion carried unanimously.

Resolution No. 2012-12-82**(Agenda Item No. 12-295)**

3. Consideration of Acceptance of the Donation of a Sculpture for Allen Park
(Presented by Director Recreation and Parks, Ronnie Young)

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 12-295, Acceptance of the Donation of a Sculpture for Allen Park. Councilmember Paulson seconded the motion. The motion carried unanimously.

(Agenda Item No. 12-296)

4. A Resolution to Adopt the City of Sandy Springs 2013 Planning and Zoning Schedules
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 12-296, A Resolution to Adopt the City of Sandy Springs 2013 Planning and Zoning Schedules. Councilmember Fries seconded the motion. The motion carried unanimously.

Resolution No. 2012-12-83

(Agenda Item No. 12-297)

5. Approval for the Mayor to sign the List of Roadways for submittal to GDOT for funding under the Local Maintenance and Improvement Grant
(Presented by Interim Director of Public Works, Garrin Coleman)

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 12-297, For the Mayor to sign the List of Roadways for submittal to GDOT for funding under the Local Maintenance and Improvement Grant. Councilmember Paulson seconded the motion. The motion carried unanimously.

Resolution No. 2012-12-84

L) REPORTS

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

Motion and Vote: Councilmember Fries moved to approve the nomination of Richard Munger to the Economic Development Advisory Committee. Councilmember Sterling seconded the motion. The motion carried unanimously.

2. Staff Reports
 - a) Report on 150 Hilderbrand Drive – Assistant City Attorney
 - b) Update on Permit Go! – Director of Community Development

M) PUBLIC COMMENT

(Agenda Item No. 12-298)

N) EXECUTIVE SESSION – Land Acquisition and Litigation

Motion and Vote: Councilmember DeJulio 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, Councilmember DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. Executive Session began at 8:19 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 Collins, Councilmember Sterling, Councilmember DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. Executive session adjourned at 8:57p.m.

(Agenda Item No. 12-299)**O) ADJOURNMENT**

Motion and Vote: Councilmember DeJulio moved to adjourn the meeting. Councilmember Sterling seconded the motion. The motion carried unanimously. The meeting adjourned at 8:57 p.m.