



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, October 16, 2012

Summary Minutes

6:00 PM

A) INVOCATION – Reverend Chris Lemley, Holy Innocents' Episcopal Church

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. 12-249)

E) APPROVAL OF MEETING AGENDA

Motion and Vote: Councilmember Sterling moved to approve the Regular Meeting agenda for October 16, 2012. Councilmember Paulson seconded the motion. The motion carried unanimously.

F) CONSENT AGENDA

(Agenda Item No. 12-250)

1. Meeting Minutes:
 - a) October 2, 2012 Regular Meeting
 - b) October 2, 2012 Work Session

(Michael Casey, City Clerk)

(Agenda Item No. 12-251)

2. Proposed 2013 City Council Meeting Schedule
(Michael Casey, City Clerk)

(Agenda Item No. 12-252)

3. Consideration of the Acceptance of the Agreement to Purchase Right of Way - 1120 Hightower Trail
(Garrin Coleman, Interim Director of Public Works)
Resolution No. 2012-10-64

(Agenda Item No. 12-253)

4. Consideration of the Acceptance of the Dedication of a Right of Way Deed as part of the Zoning Requirements - Alderwood
(Garrin Coleman, Interim Director of Public Works)
Resolution No. 2012-10-65

(Agenda Item No. 12-254)

5. Spalding/Mt Vernon Intersection Improvement (CIP T-0039) Preferred Design Alternative Approval
(Garrin Coleman, Interim Director of Public Works)
Resolution No. 2012-10-66

(Agenda Item No. 12-255)

6. Approval for the Mayor to Execute Georgia Power Relocation Agreements for the Morgan Falls Road Improvement Project (CIP T-0034)
(Garrin Coleman, Interim Director of Public Works)
Resolution No. 2012-10-67

Motion and Vote: Councilmember Fries moved to approve the Consent Agenda for October 16, 2012. Councilmember Sterling seconded the motion. The motion carried unanimously.

G) PRESENTATIONS *(none)***H) PUBLIC HEARINGS****Alcoholic Beverage License****(Agenda Item No. 12-256)**

1. Approval of Alcoholic Beverage License Application for The Beer Growler at 4969 Roswell Rd Suite 220 Sandy Springs, Georgia 30342. Applicant is Donald Edwards for Retail/Package, Malt Beverage
(Presented by Revenue Supervisor, Brandon Branham)

(Invitation for Public Comment)

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 12-256, Alcoholic Beverage License Application for The Beer Growler at 4969 Roswell Rd Suite 220, for Retail/Package, Malt Beverage. Councilmember DeJulio seconded the motion. The motion carried unanimously.

Community Development**(Agenda Item No. 12-257)**

2. **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 Meinzen McEnerny moved to defer Agenda Item No. 12-257, 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, to the December 18, 2012, City Council meeting. Councilmember Collins seconded the motion. The motion carried unanimously.

(Agenda Item No. 12-258)

3. **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 Sterling moved to defer Agenda Item No. 12-258, 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, to the December 4, 2012, City Council meeting. Councilmember Fries seconded the motion. The motion carried unanimously.

(Agenda Item No. 12-259)

4. 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 Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Vote: Councilmember Sterling moved to defer Agenda Item No. 12-259, 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, to the December 18, 2012, City Council meeting. Councilmember Fries seconded the motion. The motion carried unanimously.

(Agenda Item No. 12-260)

5. A Resolution for the Adoption of the Annual Capital Improvement Element (CIE) Update
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 12-260, A Resolution for the Adoption of the Annual Capital Improvement Element (CIE) Update. Councilmember DeJulio seconded the motion. The motion carried unanimously.

Resolution No. 2012-10-68

D) UNFINISHED BUSINESS

(Agenda Item No. 12-261)

1. Amendment to Chapter 58 of the City of Sandy Springs Code of Ordinances (“Code”) to create a new Article IV, regulating vehicle immobilization services and operators operating within the City of Sandy Springs (the “City”); and resolution setting fees for vehicle immobilization services and operators
(Presented by City Attorney, Wendell Willard)

Motion and Vote: Councilmember Sterling moved to approve Amendment to Chapter 58 of the City of Sandy Springs Code of Ordinances (“Code”) to create a new Article IV, regulating vehicle immobilization services and operators operating within the City of Sandy Springs (the “City”); with the deletion of a specific fee amount and the addition of a sum approved by resolution of Council. Councilmember Fries seconded the motion. The motion carried unanimously.

Motion and Vote: Councilmember Sterling moved to approve a resolution setting fees for vehicle immobilization services and operators operating within the City of Sandy Springs. Councilmember Fries seconded the motion. The motion carried unanimously.

J) NEW BUSINESS

(Agenda Item No. 12-262)

1. A Resolution Approving the Creation of “Sandy Springs Foundation, Inc.”; Approving the Foundation's Name; and Appointing and Approving Board Members
(Presented by Mayor, Eva Galambos)

Motion and Vote: Councilmember DeJulio moved to defer Agenda Item No. 12-262, A Resolution Approving the Creation of “Sandy Springs Foundation, Inc.”; Approving the Foundation's Name; and Appointing and Approving Board Members, to the November 6, 2012, City Council meeting. Councilmember Fries seconded the motion. The motion carried unanimously.

K) REPORTS

1. Mayor and Council Reports

- a) Nominations to the Design Review Board – Mayor Eva Galambos

Motion and Vote: Councilmember Meinzen McEnery moved to approve the nomination of Andy Porter to the Design Review Board. Councilmember Sterling seconded the motion. The motion carried unanimously.

Motion and Vote: Councilmember Sterling moved to approve the nomination of Charlie Roberts to the Design Review Board. Councilmember DeJulio seconded the motion. The motion carried 5-1, with Councilmember Meinzen McEnery voting in opposition.

- b) Cancellation of November 20, 2012 City Council Meetings – Mayor Galambos

Motion and Vote: Councilmember Collins moved to approve the cancellation of the November 20, 2012, City Council meetings. Councilmember Paulson seconded the motion. The motion carried unanimously.

2. Staff Reports

L) PUBLIC COMMENT

M) EXECUTIVE SESSION (*none*)

(Agenda Item No. 12-263)

N) ADJOURNMENT

Motion and Vote: Councilmember Sterling moved to adjourn the meeting. Councilmember Fries seconded the motion. The motion carried unanimously. The meeting adjourned at 7:17 p.m.