Regular Meeting of the Sandy Springs City Council was held on Tuesday, June 5, 2012, at 6:00 p.m., Mayor Eva Galambos presiding.

INVOCATION

Reverend Ron Gilreath, Mount Vernon Presbyterian Church, offered the invocation.

CALL TO ORDER

Mayor Eva Galambos called the meeting to order at 6:01 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, Councilmember Tibby DeJulio, and Councilmember Karen Meinzen McEnerny present.

PLEDGE OF ALLEGIANCE

Mayor Eva Galambos led the Pledge of Allegiance

(Agenda Item No. 12-128)
APPROVAL OF MEETING AGENDA

Motion and Vote: Councilmember Fries moved to approve the Meeting Agenda for June 5, 2012. Councilmember Paulson seconded the motion. The motion carried unanimously.

CONSENT AGENDA

(Agenda Item No. 12-129)

1. Meeting Minutes:
   a) May 08, 2012 Budget Workshop #2
   b) May 15, 2012 Regular Meeting
   c) May 22, 2012 Budget Presentation
   (Michael Casey, City Clerk)

(Agenda Item No. 12-130)

2. Consideration of the Acceptance of the Donation of a Permanent Drainage and Temporary Construction Easement
   (Kevin Walter, Director of Public Works)
   Resolution No. 2012-06-38

(Agenda Item No. 12-131)

3. Consideration of Issuance of Task Order to InterDev for Information Services
(John McDonough, City Manager)

(Agenda Item No. 12-132)

4. Consideration of Issuance of Task Order to ST Services of Georgia for Financial Services
(John McDonough, City Manager)

(Agenda Item No. 12-133)

5. Consideration of Issuance of Task Order to The Collaborative for Communications Services
(John McDonough, City Manager)

(Agenda Item No. 12-134)

6. Consideration of Issuance of Task Order to The Collaborative for Community Development Services
(John McDonough, City Manager)

(Agenda Item No. 12-135)

7. Consideration of Issuance of Task Order to URS for Public Works Services
(John McDonough, City Manager)

(Agenda Item No. 12-136)

8. Consideration of Issuance of Task Order to Jacobs Engineering for Recreation and Parks Services
(John McDonough, City Manager)

(Agenda Item No. 12-137)

9. Consideration of Issuance of Task Order to Jacobs Engineering for Municipal Court Services
(John McDonough, City Manager)

(Agenda Item No. 12-138)

10. Consideration of Issuance of Task Order to CH2M Hill for Call Center Services
(John McDonough, City Manager)

(Agenda Item No. 12-139)

11. Recommendation to enter into Contract Agreement with Republic ITS (Siemens) for Traffic Signal/Sign Maintenance Services for the City of Sandy Springs
(John McDonough, City Manager)

(Agenda Item No. 12-140)

12. Recommendation to enter into Contract Agreement with Wildcat Striping and Sealing for Striping and Sealing Services for the City of Sandy Springs
(John McDonough, City Manager)

(Agenda Item No. 12-141)

13. Recommendation to enter into Contract Agreement with Blount Construction for Road, Sidewalk, ROW, Drainage Repair and Maintenance Services for the City of Sandy Springs
(John McDonough, City Manager)

Motion and Vote: Councilmember Fries moved to approve the Consent Agenda for June 5, 2012. Councilmember Sterling seconded the motion. The motion carried unanimously.

PRESENTATIONS

There were no presentations.

PUBLIC HEARINGS

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

Zoning Modification

(Agenda Item No. 12-142)

1. **ZM11-004** - 20 Glenlake Parkway, *Applicant: Kaiser Foundation*, To modify condition 1 & condition 2.a. of application Z88-160/U88-118/U88-119/U11-120/U88-121

Director of Community Development Angela Parker stated this item is a modification of zoning conditions. This item was deferred by Council in April 2012, to allow time for the applicant to meet with the adjoining property owner, Glenridge Hall. During this time period, the decision was made within the Kaiser Foundation to not move forward with the project. The decision is not due to the concerns from the adjoining property, but is a separate decision made by the Kaiser Foundation. The applicant has requested withdrawal of this application.

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.

Councilmember John Paulson asked if the applicant comes back to the City, would they be required to start the application process over from the beginning.

Director of Community Development Parker stated the applicant would be required to submit a new application.

Motion and Vote: Councilmember Sterling moved to approve the withdrawal of application ZM11-004 - 20 Glenlake Parkway, *Applicant: Kaiser Foundation*, To modify condition 1 & condition 2.a. of application Z88-160/U88-118/U88-119/U11-120/U88-121. Councilmember Fries seconded the motion. The motion carried unanimously.

Budget

(Agenda Item No. 12-143)

2. First Public Hearing on FY2013 Budget
   (Presented by Finance Director, Karen Ellis)

Mayor Eva Galambos called for public comments regarding the proposed FY2013 Budget.

Robin Beechey, 20 Willow Glen NE, stated he is speaking on behalf of the Willow Glen Condominium Association. The Association welcomes the inclusion of money in the City budget to improve the intersection at Glenridge Drive and Roswell Road. He requested that Council not allow an intersection improvement at High Point Road to become the justification for a four lane widening of Glenridge Drive between those two locations.

Mark Stoffel, 345 Brook Drive, stated, on behalf of the homeowners that live in Sunnybrook Meadows subdivision, they offer full support of the watershed and stormwater budget allocation for 2013.

Ron Lee, 6270 Rivershore Pkwy, stated the Rivershore Estates neighborhood compliments the City on the FY2013 budget and looks forward to stormwater management being included in the budget.

Barbara Malone, 240 Colewood Way, stated she is in attendance on behalf of Mountaire Springs Neighborhood Association. The Association supports the stormwater management funds being allocated in the 2013 budget.

Mayor Galambos stated this is the third year that $2.5 million has been spent, each year, on stormwater improvements.

Bill Cleveland, 6441 Wright Road, stated he and his neighborhood association supports the watershed improvement program that is being funded in the 2013 budget year. This is the type of responsive action residents voted for when the City was incorporated.

Jim Garrison, 6535 Wright Road, stated he lives in the Whispering Pines neighborhood. He did not realize that stormwater management was included in the budget for the last three years. He supports the City's stormwater retention and watershed management program.

Jan Rabinowitz, 55 Osner Drive NE, stated she supports the continued inclusion of the funds for the Glenridge Drive and Roswell Road intersection.

Michael McGuinn, 6420 Tanacrest Court, stated he is a member of the Watershed Alliance of Sandy Springs. He thanked the Mayor and Council for recognizing the continuing need to correct the City's stormwater issues.

Dick Weber, 200 Spalding Circle, stated he is concerned that the budget contains a surplus of funds over the last few years. He is concerned how the funds will be appropriated. There is a large back log of capital projects that could be accelerated and completed using this money. There is a large City center project and a City Hall planned for the future. He suggested City staff move judiciously, with extreme caution and patience, when considering a project of this size and impact to the community.

Mayor Galambos closed the public hearing.

Mayor Galambos stated the City is not rushing into the City Hall project. The project has been on the City's agenda for the last two years and is still open for consideration.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

(Agenda Item No. 12-144)

1. An Ordinance to Amend Chapter 6 of the Sandy Springs Code of Ordinances so as to Permit the Sale of Beer Growlers

Assistant City Attorney Cecil McLendon stated this ordinance will control the sale of beer growlers at retail locations and package stores in Sandy Springs. A retail location that does not sell package distilled spirits and does not sell vehicular gas will be able to sell beer growlers with the appropriate license. The second agenda item is an ordinance modeled from the City's ordinance for wine tasting. There are two circumstances that will allow beer growler beverage tasting. If an individual is considering buying a beer

growler, the individual may sample the beer they are considering buying. A retailer can also have a more organized event, such as an education class and allow beer tasting. The event is limited to the amount of beer given as a sample and there can be no charge for the tasting of the beer. The third item is an ordinance that will control restaurants. For that ordinance, a restaurant that has a consumption on premises license would be able to apply for a retail package license for wine and beer growlers.

Mayor Eva Galambos asked if a growler can be opened after is it purchased at the restaurant.

Assistant City Attorney McLendon responded no. The ability to buy the growler is pursuant to the restaurant's package license. The package license law states the beverage has to be sealed and consumed off premises.

Assistant City Attorney McLendon asked that Council make one amendment to the first ordinance as presented. Also, Councilmember Collins has presented staff with alternative language to be considered for the ordinance.

Councilmember Chip Collins stated in the definition of growler, beer is referred to as malt beverage. He asked if there is a reason the term malt beverage is used.

Assistant City Attorney McLendon stated the definition of a growler can state malt beverage.

Councilmember Tibby DeJulio stated about one year ago the City adopted an ordinance to allow brown bagging, which allows City residents to take a bottle of wine into a restaurant. He asked if residents will be able to bring growlers to restaurants for consumption.

Assistant City Attorney McLendon responded no. The ordinance will not allow consumption on premises.

Councilmember Karen Meinzen McEnerny asked about the size of the growlers.

Assistant City Attorney McLendon stated the first ordinance includes the definition of a growler and states a growler should not exceed 2 liters and should not be less than 12 ounces.

Councilmember Meinzen McEnerny stated she is concerned about the language combining liters and ounces. The majority of the industry measures in ounces. Council may want to consider having the language changed to ounces.

Councilmember Collins stated the ounces and liters language concerned him as well. Two liters is slightly more than a half gallon, which is 64 ounces. Two liters is sufficient language for the ordinance.

Councilmember Gabriel Sterling stated the European growler is sold in a 2 liter size. The language for the ordinance originated from the owner of Moondogs, who stated the European growler is 2 liters. This language would be following industry standards.

Councilmember Meinzen McEnerny stated she agrees with a limit on the sizes of growlers. She believes that a 12 oz. growler would encourage consumption on premises. This beer is to be consumed at home.

Councilmember Collins asked about the language he drafted for the ordinance regarding posting open container warnings.

Assistant City Attorney McLendon stated he spoke to City Attorney Wendell Willard and that information is not required to be posted, since an open container is against the law.

Motion and Vote: Councilmember Collins moved to approve Agenda Item No. 12-144, An Ordinance to Amend Chapter 6 of the Sandy Springs Code of Ordinances, so as to Permit the Sale of Beer Growlers; including an amendment to the language in Section 6-1(b) substituting the words malt beverage for the word beer in the definition of growlers; and using the substitute language for Section 6-137 (a) and (b) as presented by the Assistant City Attorney. Councilmember Sterling seconded the motion. The motion carried unanimously.
Ordinance No. 2012-06-14

(Agenda Item No. 12-145)

2. An Ordinance to Amend Chapter 6 of the Sandy Springs Code of Ordinances so as to Allow Growler Malt Beverage Tasting

Assistant City Attorney Cecil McLendon stated this item is the growler tasting ordinance. This ordinance is similar to the wine tasting ordinance. If an individual asks to sample a malt beverage before purchasing it, this will be allowed. A retailer will be allowed to hold a tasting session inviting the public, but there can be no charge for the event.

Councilmember Dianne Fries asked about the ten percent of the floor area restriction for the tastings.

Assistant City Attorney McLendon stated the intent of the ordinance is to allow a retailer the ability to let people taste the beer, but not turn the establishment into a bar and then retail becomes the ancillary use. The size was limited to ensure the establishment is a package store.

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 12-145, An Ordinance to Amend Chapter 6 of the Sandy Springs Code of Ordinances so as to Allow Growler Malt Beverage Tasting. Councilmember Fries seconded the motion. The motion carried unanimously.
Ordinance No. 2012-06-15

(Agenda Item No. 12-146)

3. An Ordinance to Amend Chapter 6 of the Sandy Springs Code of Ordinances so as to Allow Package Sales of Wine and Growlers by Holders of Retail Consumption on the Premises Licenses

Assistant City Attorney Cecil McLendon stated this ordinance will regulate restaurants. The ordinance will allow a restaurant that is allowed to sell wine and malt beverages to sell growlers.

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 12-146, An Ordinance to Amend Chapter 6 of the Sandy Springs Code of Ordinances so as to Allow Package Sales of Wine and Growlers by Holders of Retail Consumption on the Premises Licenses. Councilmember Fries seconded the motion. The motion carried unanimously.
Ordinance No. 2012-06-16

Mayor Eva Galambos asked about the opening of growler stores in Sandy Springs.

Councilmember Gabriel Sterling stated there are potentially four individuals looking to open growler stores in Sandy Springs.

REPORTS AND PRESENTATIONS

There were no reports by Mayor and Council or by City staff.

PUBLIC COMMENT

William Llop, 180 Allen Road NE Ste 207 N, stated he is the owner of a CPA firm located in Sandy Springs and a native Sandy Springs resident. He was educated at the Lady of Assumption Parochial School. He attended Ridgeview High School and then transferred to Riverwood High School. He attended college at Mercer University and attended the night school program at Atlanta Law School. He then completed his studies at John Marshall, taking the bar exam in 1991. He opened his accounting firm in 1994. He is now running for Congress in the 11th District, which encompasses Sandy Springs inside the perimeter, parts of Cobb County, plus all of Bartow and Cherokee Counties. He stated that we have no idea where our money goes when we pay our taxes in April. Since he is a CPA, he understands numbers. It is time for someone to go to Washington who understands math. He will continue his efforts to pursue job growth in this district by promoting reasonable wages and making businesses realize the cost of housing here is below the national average. The various initiatives he is proposing include changes to the depreciation schedules for real estate. He is running a grassroots campaign and believes in grassroots momentum. He does not believe in wasting money. Congress needs businessmen and not career politicians. He would be thankful for support in the primary election on July 31, 2012, for the 11th District of Congress.

Mayor Eva Galambos asked which primary Mr. Llop will be running in.

Mr. Llop stated the Republican primary.

Mayor Galambos asked where the 11th District boundary line is located.

Mr. Llop stated 15,000 people in Sandy Springs are included in the 11th District. The boundary starts at Northside Hospital inside the perimeter at the Fulton and DeKalb County line. The boundary runs along I-285 and includes another 15,000 people in the City of Atlanta and continues along to Piedmont and Peachtree Road and into Vinings. The boundary extends along I-75 and continues through Kennesaw all the way through Cherokee County and including all of Bartow County. The 11th District includes 691,000 people. Perhaps there will be a twenty percent turnout of voters. If there is a twenty percent turnout, that would mean approximately 30,000 votes would win him the election for the Republican seat. He has additional information on his campaign website.

EXECUTIVE SESSION

There was no Executive Session.

(Agenda Item No. 12-147)

ADJOURNMENT

Motion and Vote: Councilmember Sterling moved to adjourn the meeting. Councilmember Fries seconded the motion. The motion carried unanimously. The meeting adjourned at 6:43 p.m.

Date Approved: June 19, 2012

Eva Galambos, Mayor

Michael Casey, City Clerk