
Work Session Meeting of the Sandy Springs City Council was held on Tuesday, March 20, 2012, at 7:33 p.m., Mayor Eva Galambos presiding.

STAFF DISCUSSION ITEMS

City Attorney

1. Proposed amendments to Chapter 6 of the Sandy Springs Code of Ordinances to permit the sale of beer growlers

Assistant City Attorney Cecil McLendon stated this item would allow for the sale of beer growlers at certain package stores that only sell beer and wine. The store would be required to have fifty percent of their sales from beer and wine.

Mayor Eva Galambos asked what is a beer growler.

Assistant City Attorney McLendon stated a beer growler is a 64 ounce glass jug. The growler would be filled from a keg at a store, sealed with a plastic seal using the heat shrink process, and the type of beer and date would be placed on the seal. The empty growlers can be brought back to the business to be refilled.

Councilmember Tibby DeJulio asked if the City is required to have an ordinance to allow the sale of beer growlers.

Assistant City Attorney McLendon stated at package stores the package cannot be broken on the premises. The growler would include the process where a sealed package is created on the premises. This would be different than what is currently stated in the City ordinance.

Councilmember Karen Meinzen McEnerny stated this item came before Council about a year ago.

Councilmember Dianne Fries asked why this item is before Council again.

Assistant City Attorney McLendon stated growlers are allowed in some surrounding jurisdictions.

Councilmember DeJulio asked why Council did not approve this item the last time it came before Council.

Councilmember Fries stated this item previously did not move forward from Work Session to the regular agenda.

Mayor Galambos asked for an example of what type of establishment would service the growlers.

Assistant City Attorney McLendon stated a business that sells distilled spirits is not allowed to sell growlers. A craft beer store would be a business that would sell and service the growlers. An example of a craft beer store is one located in Charleston, SC.

Councilmember DeJulio stated this would be an ordinance that would not apply to any business currently in Sandy Springs.

Councilmember Fries stated the business that comes to mind that could service the growlers is Five Seasons Brewery, but they cannot do it.

Assistant City Attorney McLendon stated passing the ordinance would allow new retailers to open a new business within the City. These businesses would be relatively small square footage, stock craft beers, sometimes wine, and have an area for growlers.

Councilmember Fries asked if the new business would need a license for making the product.

Assistant City Attorney McLendon stated the business would not make the beer. The business would have a keg of a craft beer to use for the refill of the growlers.

Councilmember Fries asked if a liquor store would be allowed to sell growlers.

Assistant City Attorney McLendon stated a liquor store would not be able to, because it has distilled spirits.

Councilmember Sterling asked why growlers cannot be sold at a location where distilled spirits are sold.

Assistant City Attorney McLendon stated the traditional model of where growlers are sold does not allow the sale of distilled spirits at the same location.

Councilmember DeJulio asked if the City could amend the ordinance, so that existing businesses can benefit from it.

Councilmember Sterling stated there may be explanation in State law as to why distilled spirits cannot be sold at the same location.

Assistant City Attorney McLendon stated the prohibition is that a package cannot be broken in the store. This ordinance would address the filling of a growler and sealing it on premises.

Mayor Galambos asked if State law would prohibit the sale of growlers in a liquor store.

Assistant City Attorney McLendon stated there is nothing in the State law that would prohibit the growlers being sold in a liquor store.

Mayor Galambos stated that information needs to be researched.

Assistant City Attorney McLendon stated the ordinance should not be so broad as to enable an individual to go to Quick Trip to refill their growler.

Councilmember DeJulio asked about restaurants that sell food and might like to be allowed to sell growlers. Currently, if there is consumption on premises, under the City ordinance a package is not allowed.

Councilmember DeJulio stated there is an ordinance that allows consumption on premises, and if the bottled is resealed, it can be removed from the building.

Assistant City Attorney McLendon stated that is the corkage law that was passed by the legislature. The City ordinance currently states there cannot be consumption on premises and package sales, but that can be changed.

Councilmember Fries asked why this item is before Council. She would like this item to come back to Council again on a Work Session.

Councilmember DeJulio stated if this ordinance is passed, it should benefit as many businesses as possible.

Councilmember Meinzen McEnery stated the end of section 2 (b) reads "Every customer who purchases a growler shall, at the time of the purchase, be provided written documentation by the licensee regarding the open containers laws of the State of Georgia and the City of Sandy Springs." Every time a waitress serves a growler, there is a piece of paper that comes along with it. That is a lot of paperwork.

Assistant City Attorney McLendon stated waitresses would not be serving the growlers. The purpose of the documentation would be so the growler would not be removed from the building and opened immediately after the customer left the building.

There was a consensus of Council to place this item on an upcoming Work Session agenda.

Public Works

1. Consideration of Proposed Submission of Streets to be resurfaced with the Georgia Department of Transportation Local Maintenance and Improvement Grant for FY2012

Deputy Director of Public Works Garrin Coleman stated this item is a list of streets that staff is recommending be paved under the next Local Maintenance Improvement Grant (LMIG) from GDOT. The streets consist of approximately eleven miles of paving. The estimated amount for this project is \$500,000, which was more than what the City received last year. Staff would like to have more streets added to the project than the State money that is allotted. All the roads are simple resurfacing with no reconstruction involved.

Mayor Eva Galambos asked if the list of streets has been ranked.

Deputy Director of Public Works Coleman stated there is a new pavement condition index (PCI) survey RFP. Once staff receives the qualifications back, the firm will be selected and the project will begin. The roads on this list were based on the 2009 PCI scores as well as recent maintenance records.

Councilmember Karen Meinzen McEnery stated there are more streets that can be added to the list if additional money is obtained. A similar process will be used to rank the streets.

Deputy Director of Public Works Coleman stated GDOT makes the final decision after the City submits the list of streets. Funding from the current pave on project will be used, which is what has been done in the past. The City is a year ahead of GDOT's allocation.

Mayor Galambos asked if GDOT double checks the condition of the roads before the list is approved.

Deputy Director of Public Works Coleman responded that is correct.

Mayor Galambos asked if GDOT follows the PCI survey.

Deputy Director of Public Works Coleman stated a lot of the communities do not do the PCI survey like our City does. GDOT checks the streets to confirm the survey is correct.

Councilmember Dianne Fries asked if GDOT verifies the streets or just uses the City's list, since the City does the PCI survey.

Deputy Director of Public Works Coleman responded he is not sure.

Councilmember Fries asked when the project will start.

Deputy Director of Public Works Coleman stated the project will start whenever GDOT sends staff the contract. This evening one contract was approved that was received from GDOT last month.

Councilmember Fries asked if the project will be done by the end of the year.

Deputy Director of Public Works Coleman stated the project will probably be completed by Spring 2013.

2. FEMA Flood Insurance Rate Map Update

City Manager John McDonough stated staff has not received a definitive answer back from FEMA. Staff asked FEMA for a letter on the current process. At this time it looks as if Council will not be able to pick and choose which properties will be located in Zone X. A decision will have to be made that includes either all or none of the properties in Zone X. Of the 5,400 properties that were in Zone X, about 244 of the properties are where the flood zone boundary crosses the structures. If this is the case, it would be staff's recommendation to accept all 5,400 properties into the flood Zone X. This would be an action that Council would have to take.

Mayor Eva Galambos asked what the City of Roswell and Alpharetta did.

City Manager McDonough stated he believes those properties ended up in Zone X. He does not know if there was an action taken by their Council to do so.

Councilmember Karen Meinzen McEnerny stated if Council does not take action, the properties will be located in Zone A. If Council does take action, the properties will be located in Zone X.

Deputy Director of Public Works Garrin Coleman responded that is correct. If Council does not take action on this item, all properties will remain in Zone A.

Mayor Galambos asked if that is what the City of Roswell and Alpharetta did.

Deputy Director of Public Works Coleman stated he believes Roswell and Alpharetta handled the decision administratively.

City Manager McDonough stated once staff has the letter from FEMA, any specific action on this item will be delayed.

Councilmember Tibby DeJulio asked how long this item has been delayed.

Deputy Director of Public Works Coleman stated the delay has been several months.

Mayor Galambos asked when the ninety day period will begin.

Deputy Director of Public Works Coleman stated he will get back to Council on that question. He believes it is when FEMA accepts the recommendations from the Council.

City Manager McDonough stated this item will be brought back to a future City Council meeting.

Work Session Meeting of the City of Sandy Springs City Council

Tuesday, March 20, 2012

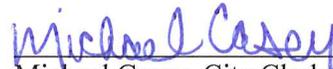
Page 5 of 5

There being no further discussion, the meeting adjourned at 7:48 p.m.

Date Approved: April 3, 2012



Eva Galambos, Mayor



Michael Casey, City Clerk