



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 6, 2011

Action Minutes

6:00 PM

A) **INVOCATION** – Pastor Paul Ferrarone, Apostles Lutheran Church

B) **CALL TO ORDER** – Mayor pro tempore Tibby DeJulio

Mayor pro tempore Tibby DeJulio called the meeting to order at 6:02 p.m.

C) **ROLL CALL AND GENERAL ANNOUNCEMENTS**

Mayor: Mayor Eva Galambos absent. Mayor pro tempore Tibby DeJulio present.

Councilmembers: Councilmember John Paulson, Councilmember Dianne Fries, Councilmember Chip Collins, Councilmember Gabriel Sterling, and Councilmember Karen Meinzen McEnery present.

D) **PLEDGE OF ALLEGIANCE** – Mayor pro tempore Tibby DeJulio

(Agenda Item No. 11-262)

E) **APPROVAL OF MEETING AGENDA**

Motion and Vote: Councilmember Fries moved to approve the Meeting Agenda for December 6, 2011. Councilmember Sterling seconded the motion. The motion carried unanimously.

F) **CONSENT AGENDA**

(Agenda Item No. 11-263)

1. Meeting Minutes:
 - a) November 15, 2011 Regular Meeting
 - b) November 15, 2011 Work Session

(Michael Casey, City Clerk)

(Agenda Item No. 11-264)

2. Lease Renewal for River Park Property owned by Georgia Power located below the Morgan Falls Dam
(Wendell Willard, City Attorney)

Resolution No. 2011-12-101

(Agenda Item No. 11-265)

3. Acceptance of an Agreement to Purchase Right-of-Way for the City of Sandy Springs T-6010-9 Glenridge Drive Sidewalk Project from Mt. Vernon Hwy. to Abernathy Road; Parcel 3 – Glenridge Land Holdings, L.L.L.P.
(Kevin Walter, Director of Public Works)

Resolution No. 2011-12-102**(Agenda Item No. 11-266)**

4. Acceptance of an Agreement to Purchase Right-of-Way for the City of Sandy Springs T-6010-9 Glenridge Drive Sidewalk Project from Mt. Vernon Hwy. to Abernathy Road; Parcel 4 – Patricia Louise Rand Glenn
(Kevin Walter, Director of Public Works)

Resolution No. 2011-12-103**(Agenda Item No. 11-267)**

5. Acceptance of an Agreement to Purchase Right-of-Way for the City of Sandy Springs T-6010-9 Glenridge Drive Sidewalk Project from Mt. Vernon Hwy. to Abernathy Road; Parcels 5 and 6 – Glenridge Land Holdings, L.L.L.P.
(Kevin Walter, Director of Public Works)

Resolution No. 2011-12-104

Motion and Vote: Councilmember Fries moved to approve the Consent Agenda for December 6, 2011. Councilmember Paulson seconded the motion. The motion carried unanimously.

G) PRESENTATIONS

1. ISO Public Protection Classification Summary Report – Fire Chief Jack K. McElfish

H) PUBLIC HEARINGS**Alcoholic Beverage License****(Agenda Item No. 11-268)**

1. Approval of Alcoholic Beverage License Application for Canton Cooks II at 6690 Roswell Rd Suite 410, Sandy Springs, GA 30350. Applicant is Mensheng Xu for Consumption on Premises Wine and Malt Beverage
(Presented by Revenue Supervisor, Brandon Branham)

(Invitation for Public Comment)

Motion and Vote: Councilmember Fries moved to approved Agenda Item No. 11-268, Alcoholic Beverage License Application for Canton Cooks II at 6690 Roswell Rd Suite 410, Sandy Springs, GA 30350. Applicant is Mensheng Xu for Consumption on Premises Wine and Malt Beverage. Councilmember Paulson seconded the motion. The motion carried unanimously.

(Agenda Item No. 11-269)

2. Approval of Alcoholic Beverage License Application for Food Mart Shell #516 7800 Holcomb Bridge Rd, Sandy Springs, GA 30092. Applicant is Saad Mahdi for Retail/Package of Wine & Malt Beverage
(Presented by Revenue Supervisor, Brandon Branham)

(Invitation for Public Comment)

Motion and Vote: Councilmember Paulson moved to approve Agenda Item No. 11-269, Alcoholic Beverage License Application for Food Mart Shell #516 7800 Holcomb Bridge Rd, Sandy Springs, GA 30092. Applicant is Saad Mahdi for Retail/Package of Wine & Malt Beverage. Councilmember Fries seconded the motion. The motion carried unanimously.

(Agenda Item No. 11-270)

3. Approval of Alcoholic Beverage License Application for Nations Cafe at 8290 Roswell Rd Suite 400, Sandy Springs, GA 30350. Applicant is Okon E. James for Consumption on Premises Wine, Malt Beverage and Distilled Spirits
(Presented by Revenue Supervisor, Brandon Branham)

(Invitation for Public Comment)

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 11-270, Alcoholic Beverage License Application for Nations Cafe at 8290 Roswell Rd Suite 400, Sandy Springs, GA 30350. Applicant is Okon E. James for Consumption on Premises Wine, Malt Beverage and Distilled Spirits. Councilmember Sterling seconded the motion. The motion carried unanimously.

(Agenda Item No. 11-271)

4. Approval of Alcoholic Beverage License Application for Quick Shop #2 5000 Roswell Rd Suite C Sandy Springs, GA 30342. Applicant is Sadik Vadsariya for Retail/Package of Wine & Malt Beverage
(Presented by Revenue Supervisor, Brandon Branham)

(Invitation for Public Comment)

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 11-271, Alcoholic Beverage License Application for Quick Shop #2 5000 Roswell Rd Suite C Sandy Springs, GA 30342. Applicant is Sadik Vadsariya for Retail/Package of Wine & Malt Beverage. Councilmember Paulson seconded the motion. The motion carried unanimously.

(Agenda Item No. 11-272)

5. Approval of Alcoholic Beverage License Application for The Derby at 8550 Roswell Rd, Sandy Springs, GA 30350. Applicant is Brian S. Will for Consumption on Premises Wine, Malt Beverage and Distilled Spirits
(Presented by Revenue Supervisor, Brandon Branham)

(Invitation for Public Comment)

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 11-272, Alcoholic Beverage License Application for The Derby at 8550 Roswell Rd, Sandy Springs, GA 30350. Applicant is Brian S. Will for Consumption on Premises Wine, Malt Beverage and Distilled Spirits. Councilmember Sterling seconded the motion. The motion carried unanimously.

Rezoning

(Agenda Item No. 11-273)

1. **RZ11-008** - 5525 Interstate N. Pkwy., Applicant: Peacock Partnership, To rezone the subject property from C-1 (Community Business District) to C-1 (Community Business District) to allow an Office and other uses permitted in the C-1 Zoning District
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Vote: Councilmember Collins moved to approve Agenda Item No. 11-273, RZ11-008 - 5525 Interstate N. Pkwy., *Applicant: Peacock Partnership*, To rezone the subject property from C-1 (Community Business District) to C-1 (Community Business District) to allow an Office and other uses permitted in the C-1 Zoning District, with staff conditions. Councilmember Sterling seconded the motion. The motion carried unanimously.

Ordinance No. 2011-12-17

(Agenda Item No. 11-274)

2. **RZ11-007/U11-003/CV11-004** - 5400 & 5420 Peachtree Dunwoody Rd., *Applicant: Atlanta Ronald McDonald House*, To rezone the subject property from R-6 (Two-Family Dwelling District) & TR (Townhouse Residential District) to R-6 (Two-Family Dwelling District) with a Use Permit and Concurrent Variances to consolidate properties and to redevelop the Medical Related Lodging facility
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

Motion and Vote: Councilmember Meinzen McEnery moved to approve Agenda Item No. 11-274, RZ11-007/U11-003/CV11-004 - 5400 & 5420 Peachtree Dunwoody Rd., *Applicant: Atlanta Ronald McDonald House*, To rezone the subject property from R-6 (Two-Family Dwelling District) & TR (Townhouse Residential District) to R-6 (Two-Family Dwelling District) with a Use Permit and Concurrent Variances to consolidate properties and to redevelop the Medical Related Lodging facility, with staff conditions plus as additional condition 3.p. as provided. Councilmember Fries seconded the motion. The motion carried unanimously.

Ordinance No. 2011-12-18

I) UNFINISHED BUSINESS (*none*)

J) NEW BUSINESS

(Agenda Item No. 11-275)

1. Authorize the Mayor to Sign the Construction Agreement (CA) for the construction of the Roswell Road ATMS Project (T-0013), Project Number STP-0006-00(727), P. I. Number 0006727
(Presented by Deputy Director of Public Works, Garrin Coleman)

Motion and Vote: Councilmember Meinzen McEnery moved to approve Agenda Item No. 11-275, Authorize the Mayor to Sign the Construction Agreement (CA) for the construction of the Roswell Road ATMS Project (T-0013), Project Number STP-0006-00(727), P. I. Number 0006727. Councilmember Fries seconded the motion. The motion carried unanimously.

Resolution No. 2011-12-105

(Agenda Item No. 11-276)

2. Authorize the Mayor to Sign the Intergovernmental Agreement (IGA) for the construction of the Roswell Road ATMS Project (T-0013), Project Number STP-0006-00(727), P. I. Number 0006727
(Presented by Deputy Director of Public Works, Garrin Coleman)

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 11-276, Authorize the Mayor to Sign the Intergovernmental Agreement (IGA) for the construction of the Roswell Road ATMS Project (T-0013), Project Number STP-0006-00(727), P. I. Number 0006727. Councilmember Sterling seconded the motion. The motion carried unanimously.

Resolution No. 2011-12-106

(Agenda Item No. 11-277)

3. CIP and Major Programs Quarterly Updates to the Mayor and City Council
(Presented by Director of Public Works, Kevin Walter)

(Agenda Item No. 11-278)

4. Authorize the Mayor to Sign a Project Schedule Concurrence Letter for the construction of the SR 9/Roswell Road Transit - Oriented Streetscape Project (CIP T-0008), CSTE-0002-00(310); PI 0002310
(Presented by Deputy Director of Public Works, Garrin Coleman)

Motion and Second: Councilmember Meinzen McEnery moved to approve Agenda Item No. 11-278, Authorize the Mayor to Sign a Project Schedule Concurrence Letter for the construction of the SR 9/Roswell Road Transit - Oriented Streetscape Project (CIP T-0008), CSTE-0002-00(310); PI 0002310, subject to requiring the Public Works Department to redesign the sidewalk such that the sidewalk area is reduced proportionate to the amount of area devoted to street trees. Councilmember Fries seconded the motion.

Withdrawal of Motion: Councilmember Meinzen McEnery withdrew her motion. Councilmember Fries withdrew her second.

Motion and Vote: Councilmember Meinzen McEnery moved to approve Agenda Item No. 278, Authorize the Mayor to Sign a Project Schedule Concurrence Letter for the construction of the SR 9/Roswell Road Transit - Oriented Streetscape Project (CIP T-0008), CSTE-0002-00(310); PI 0002310. Councilmember Fries seconded the motion. The motion carried unanimously.

Resolution No. 2011-12-107**(Agenda Item No. 11-279)**

5. Consideration of Approval of the execution of a Supplemental Agreement to the Original Design Services Contract with Arcadis, Inc.
(Presented by Deputy Director of Public Works, Garrin Coleman)

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 11-279, Approval of the execution of a Supplemental Agreement to the Original Design Services Contract with Arcadis, Inc. Councilmember Fries seconded the motion. The motion carried unanimously.

Resolution No. 2011-12-108**(Agenda Item No. 11-280)**

6. A Resolution to Adopt the City of Sandy Springs 2012 Planning and Zoning Schedules
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 11-280, A Resolution to Adopt the City of Sandy Springs 2012 Planning and Zoning Schedules. Councilmember Fries seconded the motion. The motion carried unanimously.

Resolution No. 2011-12-109**(Agenda Item No. 11-281)**

7. A Resolution Authorizing a Temporary Moratorium on Enforcement of the Prohibition on Certain Seasonal Lights and Decorations
(Presented by Director of Community Development, Angela Parker)

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 11-281, A Resolution Authorizing a Temporary Moratorium on Enforcement of the Prohibition on Certain Seasonal Lights and Decorations. The moratorium shall become effective upon approval by the City Council and

shall expire at midnight January 15, 2012. Councilmember Sterling seconded the motion. The motion carried unanimously.

Resolution No. 2011-12-110

K) REPORTS AND PRESENTATIONS

1. Mayor and Council Reports
 - a) Nominees to the Advisory Committee on Economic Development

Motion and Vote: Councilmember Sterling moved to table the appointment of nominees to the Advisory Committee on Economic Development until the December 20, 2011, City Council meeting. Councilmember Fries seconded the motion. The motion carried unanimously.

2. Staff Reports

L) PUBLIC COMMENT

(Agenda Item No. 11-282)

M) EXECUTIVE SESSION

There was no Executive Session.

(Agenda Item No. 11-283)

N) ADJOURNMENT

Motion and Vote: Councilmember Fries moved to adjourn the meeting. Councilmember Sterling seconded the motion. The motion carried unanimously. The meeting adjourned at 7:27 p.m.