



**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

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Tuesday, November 15, 2011

Action Minutes

6:00 PM

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A) **INVOCATION** – Pastor Nate Bednar, Metropolitan Baptist 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. 11-250)**

E) **APPROVAL OF MEETING AGENDA**

**Motion and Vote:** Councilmember Fries moved to approve the Meeting Agenda for November 15, 2011. Councilmember Meinzen McEnery seconded the motion. The motion carried unanimously.

F) **CONSENT AGENDA**

**(Agenda Item No. 11-251)**

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

(Michael Casey, City Clerk)

**(Agenda Item No. 11-252)**

2. **AM11-001** - 5009 Roswell Road (SR 9), *Applicant: 5009 Roswell LLC*, To modify condition 2.a. of RZ05-002 by modifying the site plan/legal description  
(Angela Parker, Director of Community Development)

**(Agenda Item No. 11-253)**

3. **AM11-002** - 14 Leighton Court, *Applicant: Nicholas Theos*, To modify condition 3.a. of Z99-004 by reducing the required forty (40) foot perimeter setback to thirty-six (36) feet  
(Angela Parker, Director of Community Development)

**(Agenda Item No. 11-254)**

4. **AM11-003** - 365-375 Northridge Road, *Applicant: KBS SOR Northridge Center, LLC*, To delete condition 4.e. of Z87-0121/U87-0089 related to signage  
(Angela Parker, Director of Community Development)

**Motion and Vote:** Councilmember Fries moved to approve the Consent Agenda for November 15, 2011. Councilmember Sterling seconded the motion. The motion carried unanimously.

**G) PRESENTATIONS**

1. Save Award for September 1, 2011, cardiac arrest / Meridian Marks Rd – Chief McElfish
2. Save Award for September 5, 2011, cardiac arrest / Glenridge Connector – Chief McElfish
3. Save Award for September 11, 2011, cardiac arrest / Meridian Marks Rd – Chief McElfish

**H) PUBLIC HEARINGS****Rezoning****(Agenda Item No. 11-255)**

1. **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 DeJulio moved to defer Agenda Item No. 11-255, 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, to the December 6, 2011, Regular City Council meeting. Councilmember Fries seconded the motion. The motion carried unanimously.

**(Agenda Item No. 11-256)**

2. **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 defer Agenda Item No. 11-256, 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, to the December 6, 2011, Regular City Council meeting. Councilmember Sterling seconded the motion. The motion carried unanimously.

### Text Amendment

#### (Agenda Item No. 11-257)

3. **TA11-005** - An Ordinance to Amend Section 58-32, Restrictive vehicles required to use truck routes; exceptions, of the Code of the City of Sandy Springs  
(Presented by Manager of Planning and Zoning, Patrice Dickerson)

(Invitation for Public Comment)

**Motion and Vote:** Councilmember Sterling moved to table Agenda Item No. 11-257, TA11-005 - An Ordinance to Amend Section 58-32, Restrictive vehicles required to use truck routes; exceptions, of the Code of the City of Sandy Springs. Councilmember Fries seconded the motion. The motion carried unanimously.

### I) UNFINISHED BUSINESS *(none)*

### J) NEW BUSINESS

#### (Agenda Item No. 11-258)

1. Authorize the City Manager to Sign a Memorandum of Understanding (MOU) for the construction of the SR 400/US 19 and Northridge Road Interchange Improvement Project (CIP T-0037), P. I. Number 751580  
(Presented by Capital Program Manager, Garrin Coleman)

**Motion and Vote:** Councilmember Fries moved to approve Agenda Item No. 11-258, Authorize the City Manager to Sign a Memorandum of Understanding (MOU) for the construction of the SR 400/US 19 and Northridge Road Interchange Improvement Project (CIP T-0037), P. I. Number 751580. Councilmember Paulson seconded the motion. The motion carried unanimously.

### Resolution No. 2011-11-98

#### (Agenda Item No. 11-259)

2. Consideration of Resolution to Authorize Submission of 2011 Department of Natural Resources Recreational Trails Grant Application  
(Presented by Assistant City Manager, Eden Freeman)

**Motion and Vote:** Councilmember Fries moved to approve Agenda Item No. 11-259, A Resolution to Authorize Submission of 2011 Department of Natural Resources Recreational Trails Grant Application. The remaining Councilmembers seconded the motion. The motion carried unanimously.

### Resolution No. 2011-11-99

### K) REPORTS AND PRESENTATIONS

1. Mayor and Council Reports

**Mayor Eva Galambos** nominated Mel Mobley and Bernadine Richard for reappointment to the Sandy Springs Design Review Board.

**Motion and Vote:** Councilmember Fries moved to reappoint Mel Mobley and Bernadine Richard to the Sandy Springs Design Review Board. Councilmember Meinzen McEnery seconded the motion. The motion carried unanimously.

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## 2. Staff Reports

### L) PUBLIC COMMENT

Following Public Comment:

**Motion and Vote:** Councilmember DeJulio moved to recess the Regular meeting in order to hold the Work Session at this time. Councilmember Fries seconded the motion. The motion carried unanimously. The Work Session began at 6:42 p.m.

**Motion and Vote:** Councilmember DeJulio moved to return to the Regular meeting following a short break. Councilmember Fries seconded the motion. The motion carried unanimously. The Work Session ended at 7:22 p.m. The Regular meeting resumed at 7:31 p.m. following the break.

#### (Agenda Item No. 11-260)

### M) EXECUTIVE SESSION – Litigation

**Motion and Vote:** Councilmember DeJulio moved to enter into Executive Session to discuss pending or potential litigation. Councilmember Fries seconded the motion. The motion carried unanimously, with Councilmember Paulson, Councilmember Fries, Councilmember Collins, Councilmember Sterling, Councilmember DeJulio, and Councilmember Meinzen McEnerny voting in favor of the motion. Executive Session began at 7:32 p.m.

**Motion and Vote:** Councilmember Fries moved to adjourn Executive Session. Councilmember Paulson seconded the motion. The motion carried unanimously, with Councilmember Paulson, Councilmember Fries, Councilmember Collins, Councilmember Sterling, Councilmember DeJulio, and Councilmember Meinzen McEnerny voting in favor of the motion. Executive session adjourned at 7:55 p.m.

#### (Agenda Item No. 11-261)

### 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 7:55 p.m.