



**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 McEnerny – District 6

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Tuesday, September 20, 2011

Action Minutes

6:00 PM

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**A) INVOCATION** – Reverend Will Zant, North Springs United Methodist Church

**B) CALL TO ORDER** – Mayor Eva Galambos

Mayor Eva Galambos called the meeting to order at 6:01 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 McEnerny present.

**D) PLEDGE OF ALLEGIANCE** – Mayor Eva Galambos

**(Agenda Item No. 11-190)**

**E) APPROVAL OF MEETING AGENDA**

**Motion and Vote:** Councilmember Fries moved to approve the Meeting Agenda for September 20, 2011. Councilmember DeJulio seconded the motion. The motion carried unanimously.

**F) CONSENT AGENDA**

**(Agenda Item No. 11-191)**

1. Meeting Minutes:
  - a) September 6, 2011 Regular Meeting
  - b) September 6, 2011 Work Session

*(Michael Casey, City Clerk)*

**Motion and Vote:** Councilmember Fries moved to approve the Consent Agenda for September 20, 2011. Councilmember Sterling seconded the motion. The motion carried unanimously.

**G) PRESENTATIONS** (*none*)**H) PUBLIC HEARINGS****Alcohol Beverage License****(Agenda Item No. 11-192)**

1. Approval of Alcoholic Beverage License Application for Chevron Food Mart located at 5300 Roswell Rd, Sandy Springs, GA 30342. Applicant is Allauddin Madhni for Retail/Package of Wine & Malt Beverage  
(Presented by Accounting Manager, Ed Holloway)

(Invitation for Public Comment)

**Motion and Vote:** Councilmember Fries moved to approve Agenda Item No, 11-192, Alcoholic Beverage License Application for Chevron Food Mart located at 5300 Roswell Rd, Sandy Springs, GA 30342. Applicant is Allauddin Madhni for Retail/Package of Wine & Malt Beverage. Councilmember Sterling seconded the motion. The motion carried unanimously.

**(Agenda Item No. 11-193)**

2. Approval of Alcoholic Beverage License Application for Hal's Kitchen located at 206 B Johnson Ferry Rd, Sandy Springs, GA 30328. Applicant is Cynthia Sterne for Consumption on Premise Wine and Malt Beverage  
(Presented by Accounting Manager, Ed Holloway)

(Invitation for Public Comment)

**Motion and Vote:** Councilmember Sterling moved to approve Agenda Item No. 11-193, Alcoholic Beverage License Application for Hal's Kitchen located at 206 B Johnson Ferry Rd, Sandy Springs, GA 30328. Applicant is Cynthia Sterne for Consumption on Premise Wine and Malt Beverage. Councilmember Fries seconded the motion. The motion carried unanimously.

**Rezoning****(Agenda Item No. 11-194)**

3. **RZ11-005** - 5790 & 5800 Mountain Creek Rd., *Applicant: Carol Reynolds*, to rezone the subject property from O-I (Office and Institutional District) to O-I (Office and Institutional District) to allow personal care homes having a density larger than previously approved  
(Presented by Senior Planner, Doug Trettin)

(Invitation for Public Comment)

**Motion and Vote:** Councilmember DeJulio moved to approve Agenda Item No. 11-194, RZ11-005 - 5790 & 5800 Mountain Creek Rd., *Applicant: Carol Reynolds*, to rezone the subject property from O-I (Office and Institutional District) to O-I (Office and Institutional District) to allow personal care homes having a density larger than previously approved, with staff conditions. Councilmember Meinzen McEnerny seconded the motion. The motion carried unanimously.

**Ordinance No. 2011-09-12****(Agenda Item No. 11-195)**

4. **RZ11-006/U11-002** - 1140 & 1150 Hammond Dr., *Applicant: Corporate Campus LLC*, to rezone the subject property from MIX (Mixed Use District) to MIX (Mixed Use District) to allow multi-family dwelling use and to allow a height Use Permit.  
(Presented by Senior Planner, Doug Trettin)

## (Invitation for Public Comment)

**Motion and Vote:** Councilmember Fries moved to approve Agenda Item No. 11-195, RZ11-006/U11-002 - 1140 & 1150 Hammond Dr., *Applicant: Corporate Campus LLC*, to rezone the subject property from MIX (Mixed Use District) to MIX (Mixed Use District) to allow multi-family dwelling use and to allow a height Use Permit, with staff conditions and submittal of a letter of intent from the applicant. Councilmember Sterling seconded the motion. The motion carried unanimously.

**Ordinance No. 2011-09-13**

**Text Amendment****(Agenda Item No. 11-196)**

5. **TA11-003** - An Ordinance to Amend Article 33, Signs, of the Sandy Springs Zoning Ordinance

*(Presented by Senior Planner, Doug Trettin)*

## (Invitation for Public Comment)

**Motion and Vote:** Councilmember Fries moved to approve Agenda Item No. 11-196, TA11-003 - An Ordinance to Amend Article 33, Signs, of the Sandy Springs Zoning Ordinance. Councilmember Sterling seconded the motion. The motion carried unanimously.

**Ordinance No. 2011-09-14**

**Resolution****(Agenda Item No. 11-197)**

6. Resolution for the Adoption of Consolidated Annual Performance and Evaluation Report (CAPER) for the 2010 CDBG Program

*(Presented by Senior Planner, Doug Trettin)*

**Motion and Vote:** Councilmember Fries moved to approve Agenda Item No. 11-197, Resolution for the Adoption of Consolidated Annual Performance and Evaluation Report (CAPER) for the 2010 CDBG Program. Councilmember Paulson seconded the motion. The motion carried unanimously.

**Resolution No. 2011-09-73**

**I) UNFINISHED BUSINESS** *(none)***J) NEW BUSINESS****(Agenda Item No. 11-198)**

1. Resolution to Support the Disposition of the Belle Isle Apartments by the Housing Authority of Fulton County

*(Presented by Manager of Planning and Zoning, Patrice Dickerson)*

**Motion and Vote:** Councilmember Collins moved to approve Agenda Item No. 11-198, Resolution to Support the Disposition of the Belle Isle Apartments by the Housing Authority of Fulton County. Councilmember Sterling seconded the motion. The motion carried unanimously.

**Resolution No. 2011-09-74**

**(Agenda Item No. 11-199)**

2. Adoption of Fulton County Hazard Mitigation Plan

*(Presented by Assistant City Manager, Eden Freeman)*

**Motion and Vote:** Councilmember Fries moved to approve Agenda Item No. 11-199, Adoption of Fulton County Hazard Mitigation Plan. Councilmember Meinzen McEnerny seconded the motion. The motion carried unanimously.

**Resolution No. 2011-09-75**

**(Agenda Item No. 11-200)**

3. Revisions to Massage and Spa Establishments Ordinance  
(Presented by Assistant City Attorney, Cecil McLendon)

**Motion and Vote:** Councilmember Fries moved to approve Agenda Item No. 11-200, Revisions to Massage and Spa Establishments Ordinance, deleting the reserved sections, renumbering the remainder of the ordinance consecutively, and with internal cross-references corrected. Councilmember Sterling seconded the motion. The motion carried unanimously.

**Ordinance No. 2011-09-15**

**K) REPORTS AND PRESENTATIONS**

1. Mayor and Council Reports

**Mayor Eva Galambos** nominated Al Pond to the Board of Appeals to replace Ron Carpinella for a period of six months. After the six month period, Ron Carpinella will be nominated to return to his position on the Board.

**Motion and Vote:** Councilmember DeJulio moved to approve the nomination of Al Pond to temporarily fill the position of Ron Carpinella on the Board of Appeals. Councilmember Fries seconded the motion. The motion carried unanimously.

2. Staff Reports
  - a) Upcoming Events – Community Information

Tuesday, September 20, 2011, 6pm, **City Council Meeting and Work Session**, City Hall, 7840 Roswell Road, Building 500

Wednesday, September 21, 2011, 6pm, **Community Developer/Resolution Meeting**, 7840 Roswell Road, Building 500

Wednesday, September 21, 2011, 6pm, **Transportation Improvement Act Public Hearing**, North Fulton Service Center, 7741 Roswell Road, Sandy Springs, GA

Thursday, September 22, 2011, 11:15am – 1pm, **Sandy Springs Perimeter Chamber's Networking @ Noon**, Food 101 - Sandy Springs, 4969 Roswell Road, Suite 200

Thursday, September 22, 2011, 4 – 6pm, **Sandy Springs Hospitality & Tourism Board Meeting**, Sandy Springs Welcome Center, Parkside Shopping Center, 5920 Roswell Road – Street level – Suite A-118

Friday, September 23, 2011, 6 – 9pm, **Sandy Springs Movies By Moonlight**, Sandy Springs United Methodist Church, 86 Mount Vernon Hwy NW

Saturday, September 24, 2011, 8:30am – 12:30pm, **9th Annual River Clean up at Morgan Falls**, Georgia Power Hydroplant (Morgan Falls Dam), 380 Morgan Falls Road

Saturday, September 24, 2011, 8:30am – 12pm, **Sandy Springs Farmers Market**, 235 Sandy Springs Circle NW

Tuesday, September 27, 2011, 9am, **Design Review Board Meeting**, 7840 Roswell Road, Building 500

Tuesday, September 27, 2011, 7pm, **Community Zoning Information Meeting**, City Hall, 7840 Roswell Road, Building 500

Wednesday, September 28, 2011, 6 – 8pm, **Georgia Teens Ride With P.R.I.D.E.**, ChatComm, 859 Mt Vernon Hwy,

Saturday, October 1, 2011, 8am – 12pm, **Community Emergency Response Team (CERT) -**  
October Training - Class 1 of 4, Sandy Springs Fire Station 4, 4697 Wieuca Road

Monday, October 3, 2011, 6:30 – 8pm, **The History of Sandy Springs Lecture Series**, City Hall  
Council Chambers, 7840 Roswell Road, Building 500

Tuesday, October 4, 2011, 6pm, **City Council Meeting and Work Session**, City Hall, 7840 Roswell  
Road, Building 500

Thursday, October 6, 2011, 5:30 – 7pm, **Sandy Springs Perimeter Chamber's Business After  
Hours**, Locations vary

Thursday, October 6, 2011, 7 – 8pm, **Detention Pond Maintenance Workshop**, Gwinnett Justice &  
Administration Center, Auditorium, 75 Langley Drive, Lawrenceville

Saturday, October 8, 2011, 8am – 12pm, **Community Emergency Response Team (CERT) -**  
October Training - Class 2 of 4, Sandy Springs Fire Station 4, 4697 Wieuca Road

Monday, October 10, 2011, 6:30 – 8pm, **The History of Sandy Springs Lecture Series**, City Hall,  
7840 Roswell Road, Building 500

Tuesday, October 11, 2011, 9am, **Design Review Board Meeting**, City Hall, 7840 Roswell Road,  
Building 500

Thursday, October 13, 2011, 11:15am – 1pm, **Sandy Springs Perimeter Chamber's Networking @  
Noon**, Nancy G's - Sandy Springs, 4920 Roswell Road

Thursday, October 13, 2011, 7pm, **Board of Appeals Meeting**, City Hall, 7840 Roswell Road,  
Building 500

Friday, October 14, 2011, 6 – 9pm, **Sandy Springs Movies By Moonlight**, Sandy Springs United  
Methodist Church, 86 Mount Vernon Hwy NW

Monday, October 17, 2011, 7:30 – 9am, **Sandy Springs Perimeter Chamber's Bagels & Business**,  
Westin Atlanta Perimeter North, 7 Concourse Parkway, Atlanta

Monday, October 17, 2011, 6:30 – 8pm, **The History of Sandy Springs Lecture Series**, City Hall,  
7840 Roswell Road, Building 500

Tuesday, October 18, 2011, 6pm, **City Council Meeting and Work Session**, City Hall, 7840  
Roswell Road, Building 500

## L) PUBLIC COMMENT

Following Public Comment:

**Motion and Vote:** Councilmember DeJulio moved to recess the regular meeting until after the arrival of City Attorney Wendell Willard. Councilmember Fries seconded the motion. The motion carried unanimously. The meeting recessed at 7:28 p.m.

**Motion and Vote:** Councilmember DeJulio moved to end the recess of the regular meeting. Councilmember Fries seconded the motion. The motion carried unanimously. The regular meeting resumed at 8:08 p.m.

### (Agenda Item No. 11-201)

## M) EXECUTIVE SESSION – Litigation

**Motion and Vote:** Councilmember DeJulio moved to enter into Executive Session to discuss potential litigation with Patrice Dickerson included. Councilmember Fries seconded the motion. The motion carried unanimously, with Councilmember Paulson, Councilmember Fries, Councilmember Collins, Councilmember Sterling, Councilmember DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. Executive Session began at 8:08 p.m.

**Motion and Vote:** Councilmember DeJulio moved to adjourn Executive Session. Councilmember Fries seconded the motion. The motion carried unanimously, with Councilmember Paulson, Councilmember Fries, Councilmember Collins, Councilmember Sterling, Councilmember DeJulio,

and Councilmember Meinzen McEnery voting in favor of the motion. Executive session adjourned at 8:26 p.m.

**(Agenda Item No. 11-202)**

**N) ADJOURNMENT**

**Motion and Vote:** Councilmember Fries moved to adjourn the meeting. Councilmember DeJulio seconded the motion. The motion carried unanimously. The meeting adjourned at 8:27 p.m.