

The Regular Meeting of the Sandy Springs City Council was Tuesday, January 21, 2020, at 6:00 p.m., Mayor Rusty Paul presiding.

I. INVOCATION: Rev. Barrett Abernethy, Mount Vernon Presbyterian Church

II. CALL TO ORDER

Mayor Rusty Paul called the meeting to order at 6:00 pm

Deputy City Clerk Lia Jones reminded everyone to silence all electronic devices at this time. Additionally, those wishing to provide public comment are required to complete a public comment card. Public Comment Cards are available online and at the Chamber entrance and submitted to the City Clerk before the meeting begins.

III. ROLL CALL AND GENERAL ANNOUNCEMENTS

Deputy City Clerk Jones called the roll.

Mayor: Mayor Rusty Paul - present.

Council Members: Council Member John Paulson, Council Member Jody Reichel, Council Member Tibby DeJulio, Council Member Steve Soteris and Council Member Andy Bauman. Council Member Chris Burnett absent.

IV. PLEDGE OF ALLEGIANCE

Mayor Rusty Paul led the Pledge of Allegiance.

V. PUBLIC COMMENT

Deputy City Clerk Lia Jones stated there was one (1) public comment card.

Jim Caswell, 440 Old Creek Road, Sandy Springs GA 30342 – came forward previously on September 3, 2019 to speak about a water issue that he had at his house.

Mayor Rusty Paul requested an update from Assistant City Manager Jim Tolbert.

Assistant City Manager Jim Tolbert reported the system was inherited from Fulton County and may be undersized. There is a poorly constructed pipe which causes the pipe not to carry water as fast and quickly as it should. The City has hired a professional to do the survey, and investigate what needs to be done. As engineers finish the plans, the intent is to bid them once they are received. Progression may expand until May or June. Public Works is working to expedite.

Mayor Paul closed the Public Comment Period.

VI. APPROVAL OF MEETING AGENDA

Motion and Vote: Council Member DeJulio moved that the meeting agenda be approved for Tuesday, January 21, 2020. Council Member Reichel seconded.

Vote on the Motion: The motion carried unanimously.

IV. CONSENT AGENDA

- A. 2020-51** Meeting Minutes – January 7, 2020 Regular Meeting
- B. 2020-41** Request for Mayor and City Council Consideration of the Purchase of Certain Property Rights and Interests Located at 6010 Sandy Springs Circle, Project CC-10

RESOLUTION NO. 2020-01-11

Motion and Vote: Council Member Bauman moved that we adopt the consent agenda for Tuesday, January 21, 2020. Council Member Paulson seconded.

Vote on the Motion: The motion carried unanimously.

VII. PUBLIC HEARING

- A. 2020-5** Request for Mayor and City Council Consideration of U19-0009 (8750 Roswell Road) Request for a Conditional Use Permit for the Rivercliff Lutheran Church to expand an existing building and improve the existing parking lot

Urban Planner Louisa Tovar presented the applicants requests of a Conditional Use Permit for a Place of Worship to allow for the expansion of one of two existing church buildings and to allow improvements to the parking lot. The church proposes a 1,023 sq. ft. expansion of the sanctuary building from 10,327 sq. ft. to 11,350 sq. ft. in order to expand the lobby area. Parking lot improvements include constructing ten additional parking spaces, adding a drop off lane with a covered canopy, and updating the ADA parking to meet code requirements. The church is not proposing to increase the seating area in the sanctuary. Staff recommends approval of Conditional Use Permit U19-0009 subject to the following conditions: 1. To the conceptual 'Concept Overall Site Plan,' prepared by CDG Partners Inc., signed and sealed by Andrew Halloran dated October 10, 2019, received November 8, 2019. 2. To the conceptual 'Concept Site Plan,' prepared by CDG Partners Inc., signed and sealed by Andrew Halloran dated October 10, 2019, received November 8, 2019. 3. To the conceptual 'Concept Landscape Plan,' prepared by CDG Partners Inc., signed and sealed by Andrew Halloran dated October 10, 2019, received October 11, 2019. 4. To provide a 50' undisturbed natural buffer along the western property line.

Andrew Halloran, Cornerstone Site Consultants, LLC, 2985 Gordy Parkway, Suite 117, Marietta GA 30066 - Applicant. Representing the church is available for any questions regarding applications. He responded to the question about the expansion not including the wetlands and flood plain adjacent to the church's property and 1080 Greenway. He said this expansion did not include these.

Mark Cohen, 1080 Greenway, Sandy Springs GA 30350. He wanted to ensure that the expansion did not include the wetlands and the flood plain to which his and the church's properties are adjacent.

Motion and Vote: Council Member Soteres moved to approve Item **A. 2020-5**, for Approval of Conditional Use Permit for the Rivercliff Lutheran Church to expand an existing building and improve the existing parking lot. Council Member Paulson seconded the motion.

Vote on the Motion: The motion carried unanimously.

ORDINANCE NO.2020-01-01

- B. 2020-15** Request for Mayor and City Council Consideration of CA19-0001 (230 Windsor Parkway) Request for a Character Area Map Amendment for a portion of 230 Windsor Parkway from Neighborhood Village to Commercial/Mixed Use

Planner Madalyn Smith presented that the applicant requests a Comprehensive Plan Character Area Map Amendment from Neighborhood Village to Commercial/Mixed Use for the proposed parcel at the corner of Roswell Road and Windsor Parkway. Staff recommends approval but the Planning Commission recommended denial. Planning Commission stated its denial is on the basis that it opens up the possibility of too many undesirable uses that could set a precedent for further legislative actions. It was noted that a significant amount of time was devoted to the development of the Neighborhood Village Character Area during the development of the Comprehensive Plan. Planning Commission wishes to honor the agreement between the City and Protected Neighborhoods.

Matt Bowman, 4723 Bogie Road, Duluth GA 30096. He is a Sandy Springs business owner and applicant leaseholder of the property. This is the 2nd time he has addressed this property. He tried with a boutique retail amendment a couple of years ago, which was an attempt to boost retail use. He gave his reasons for requesting the amendment. After public comments in opposition to this Character Map Amendment, the applicant gave his rebuttal comments.

Joe Heins, 4771 Mystic Drive, Sandy Springs GA 30342, representing Cherokee Park Civic Association and Sandy Springs Council of Neighborhoods, spoke in opposition to CA19-0001. This is the 2nd time a request for changing the Character Map for this property has been denied by the Planning Commission after receiving extensive resident feedback recommending denial versus one comment for approval for the property owner.

Jane Kelley, 4590 Windsor Park Place, Sandy Springs GA 30342, representing Windsor Park Community Association – opposition.

Kenny Traber, 284 Windsor Parkway, Sandy Springs GA 30342, representing Windsor Buckhead HOA – opposition.

Susan Heard, 286 Windsor Place NE, Sandy Springs GA 30342, representing Windsor Buckhead HOA – opposition.

Bill Gannon, 505 Taunton Way NE, Sandy Springs GA 30342, representing High Point Civic Association – opposition.

Susan Mazier, 5350 Timber Trail, Sandy Springs GA 30342 – opposition.

Janet Wells, 302 Beachland Drive, Sandy Springs GA 30342, representing HARK – opposition.

Karen Meinzen McEnerny, 4604 Meadow Valley Drive NE, Sandy Springs GA 30342 – opposition.

The following citizens entered Public Comment cards but did not speak due to the time allotted:

Ronda Smith, 76 Long Island Place, Sandy Springs GA 30328, representing Sandy Springs Council of Neighborhoods – opposition.

Leslie Rose, 358 Windsor Parkway, Sandy Springs GA 30342 – opposition.

Paul Marotte, 550 Timber Valley Road, Sandy Springs GA 3042 – opposition.

Robin Conklin, 4630 High Point Road, Sandy Springs GA 30342 – opposition.

Julia Hodges, 290 Windsor Pkwy., Sandy Springs GA 30342 – opposition.

Duffy Hickey, 5040 Vallo Vista Court NE, Sandy Springs GA 30342 – opposition.

Motion and Vote: Council Member DeJulio moved to deny Item **B. 2020-15**, for a Character Area Map Amendment for a portion of 230 Windsor Parkway from Neighborhood Village to Commercial/Mixed Use. Council Member Bauman seconded the motion.

Council Member DeJulio asked a question of staff. In 2018, the City erroneously provided a permit to sell pumpkins and Christmas trees to the applicant for that property. The applicant built it. The City then said he was not permitted to do so. There was a hearing that corrected the error. The following year, there were Christmas trees on the property. Unlike the previous year, Council member DeJulio stated that he did not receive an email or telephone call from the neighbors objecting. Council member DeJulio questioned whether the applicant is allowed to sell Christmas trees on that parcel, due to the way it is currently zoned. He further questioned if this related to both the pumpkins and the Christmas trees.

Community Development Director Ginger Sottile responded to Council member DeJulio's question that the property is allowed as a temporary, seasonal permit of the property. She responded to Council Member Bauman's question regarding curb cuts that there is currently one (1) curb cut to this portion of the property that the applicant wants to redevelop.

Council Member Bauman questioned Public Works Director Marty Martin about whether this property has any curb cuts. He also questioned if GDOT would have any comments towards curb cuts. He stated that this was pretty close to the intersection, and questioned if GDOT would have anything to say about the curb cuts.

Public Works Director Marty Martin referring to the slide, responded as it remains, he does not believe there would be any conditions on maintaining the existing curb cut.

Vote on the Motion: The item was defeated, unanimously.

- C. 2020-21** Request for Mayor and City Council Consideration of TA19-0003, to amend sections of the Development Code relating to Cemetery/Mausoleum use; Floodplain Management; and removal of the Beneficial Use Determination Code

Community Development Planner II Matthew Anspach presented the following requested Text Amendment to the Development Code:

Cemetery/Mausoleum, Division 7.2 and 7.4.2.B:

As part of the City-wide rezoning in 2017, 'Cemetery/Mausoleum' was not classified as a permitted use (either 'by right' or by 'conditional use') in the 'Conservation Areas/Parks' zoning district. However, staff considers the 'Conservation Areas/Parks' zoning classification to be the most applicable or appropriate zoning for use such as cemeteries, when placed under the right conditions. This proposed edit to the Allowed Use Table, to allow 'Cemetery/Mausoleum' as a Conditional Use in the 'Conservation Areas/Parks' zoning district would correct this apparent oversight. In addition, staff took into consideration reasonable conditions that should be applied to any such use in the district and is proposing they be added into the current use standards.

Floodplain Management, Division 9.5 and 12.2:

In the fall of 2019, representatives from the Federal Emergency Management Agency (FEMA) performed an audit of the Sandy Springs Community Development Department's regulations and general upkeep of records related to floodplain management. FEMA provided staff with 'recommendations' for improved regulations (pertaining to the City's Floodplain Management Code) and associated definitions of terms. The proposed edits to the Development Code for Floodplain Management are updating seven (7) definitions and adding four (4) new definitions to the Defined Terms. This stems directly from this Federal audit.

Removal of 'Beneficial Use Determination,' Division 11.7.6:

Staff proposes the removal of a section of the code that was intended to serve as an alternative form of relief to any purported loss of value to a property based on the City-wide rezoning in 2017. Staff believes that the other remaining forms of relief available in Division 11.6 of the Development Code are sufficient and that the Beneficial Use Determination is not necessary.

Recommendation by the Planning Committee was unanimous to recommend each of these Text Amendments.

Council Member Paulson questioned the timing of removal of the Beneficial Use Determination as he understands it will be needed in the near future.

Assistant City Manager Jim Tolbert explained that a consultant did the Code revision to ensure nothing was missed due to constant property changes. This was intended to ensure nothing would be missed as it appears to be an easier process, while still following the Georgia Planning Act. It has become more cumbersome due to some of the requirements. A rezoning is still required. This approach removes the piece that requires proof of a financial reduction in value. It was initially intended short term, in the event that with the changing of the Code, they could take advantage of the change.

Council Member Bauman stated he is uncomfortable with the section about Beneficial Use being immediate, without a 'sunset.' He amends to the motion that would approve the text edits, that this would extend the Beneficial Use Determination as of December 31, 2020.

Motion and Vote: Council Member Bauman moved to approve an amendment to Item **C. 2020-21**, for TA19-0003, to 'sunset' the Beneficial Use Determination Code on December 31, 2020. Council Member Soteres seconded the motion as amended.

Vote on the Amendment: The motion carried unanimously.

Motion and Vote: Council Member Reichel moved to approve the Amended Item **C. 2020-21**, for TA19-0003, to amend sections of the Development Code relating to Cemetery/Mausoleum use; Floodplain Management; and to 'sunset' the Beneficial Use Determination Code on December 31, 2020. Council Member Paulson seconded the motion.

Vote on the Amended Motion: The motion carried unanimously.

ORDINANCE NO.2020-01-03

- D. 2020-16** ABL_66330 - Approval of Alcoholic Beverage License Application for Pramukh Mahant LLC DBA Dan's Package Store located at 8529 Roswell Road Sandy Springs, GA 30350. Applicant is Hardikkumar Patel for Package Wine, Malt Beverages, and Distilled Spirits

Finance Director Karen Ellis presented that this is a change of ownership for Package Wine, Malt Beverage, and Distilled Spirits license. Business is located at the intersection of Roswell Rd and Hightower Trail. Applicant, Hardikkumar Patel, submitted a completed application on December 10, 2019. Applicant has passed the background investigation and met all requirements. Staff has reviewed this application and recommends approval. This is within District 1.

No public comments received.

Motion and Vote: Council Member Paulson moved to approve an amendment to Item **D. 2020-16**, for ABL_66330 - Approval of Alcoholic Beverage License Application for Pramukh Mahant LLC DBA Dan's Package Store located at 8529 Roswell Road Sandy Springs, GA 30350. Applicant is Hardikkumar Patel for Package Wine, Malt Beverages, and Distilled Spirits. Council Member Soteres seconded the motion as amended.

Mayor Rusty Paul remarked that there seem to be a lot of turnover in package stores on a fairly consistent basis. He believes we recently transferred the license on this particular location.

Finance Director Karen Ellis responded that the Revenue Manager would perform reporting on the turnover rates of the change of ownership licenses.

Vote on the Motion: The motion carried unanimously.

VIII. NEW BUSINESS

- A. 2020-17** Request for Mayor and City Council Consideration of a Resolution Designating Signatories for the City of Sandy Springs Georgia

Finance Director Karen Ellis presented that the City Clerk and the City Finance Director are authorized signers on all City's bank accounts with SunTrust Bank. The change was made back in August 2019 while there was an interim City Manager. This change will only replace the City Clerk with the City Manager now that the City has hired a permanent City Manager. Staff recommends that Council approve the Resolution.

Motion and Vote: Council Member DeJulio moved to approve an amendment to Item **A. 2020-17**, for Resolution Designating Signatories for the City of Sandy Springs Georgia. Council Member Paulson seconded the motion as amended.

Vote on the Motion: The motion carried unanimously.

RESOLUTION NO.2020-01-08

- B. 2020-18** Request for Mayor and City Council Consideration of the Approval of Acquisition of Property at 5696 Roswell Road through the Use of Eminent Domain for the CDBG T-0033-7 Roswell Road Sidewalk Project

City Attorney Dan Lee presented in order to construct CDBG T-0033-7 Roswell Road Sidewalk Project, property rights are required over, under, and through the subject property. Utility acquisitions are scheduled to begin in January, 2020. Staff first made contact with the owner on January 15, 2018 and provided a fair market value offer established by the City's appraiser. The property is a 0.86 acre lot. The subject property includes 905.13 sq. ft. of fee simple and 1,074.56 sq. ft. of temporary construction easement. (See Exhibit C for Acquisition Summary). The City's offer of \$136,700, includes: Fee simple (905.13 sq. ft.) \$25,664.00; Temporary Construction Easement (1,076.56 sq. ft.) \$5,588.00; Site Improvements \$2,131.00; and Consequential Damages & Cost to Cure of \$105,383.00. The owner submitted a counteroffer of \$680,000.00 with an appraisal performed by Weibel & Associates, Inc. The City is not in agreement with Clayton M. Weibel, MAI's determination of value. There are sufficient funds in the project.

Motion and Vote: Council Member Bauman moved to approve Item **B. 2020-18**, for Approval of Acquisition of Property at 5696 Roswell Road through the Use of Eminent Domain for the CDBG T-0033-7 Roswell Road Sidewalk Project. Council Member Reichel seconded the motion as amended.

Vote on the Motion: The motion carried unanimously.

RESOLUTION NO.2020-01-09

- C. 2020-20** Request for Mayor and City Council Consideration of the Approval of Acquisition of Property at 5674 Roswell Road through the Use of Eminent Domain for the CDBG T-0033-7 Roswell Road Sidewalk Project

City Attorney Dan Lee presented that in order to construct the CDBG T-0033-7 Roswell Road Sidewalk Project, property rights are required over, under, and through the subject property. Utility acquisitions are scheduled to begin in January, 2020. This is the adjoining property to the property set out above. Staff first

made contact with the owner on January 15, 2018 and provided a fair market value offer established by the City's appraiser. The property is a 1.453 acre lot. The subject property includes 1,459.89 sq. ft. of fee simple and 1,258.77 sq. ft. of temporary construction easement, see Exhibit C for Acquisition Summary. The City's offer of \$200,300.00, includes: Fee simple (1,459.89 sq. ft.) \$37,879.00; Temporary Construction Easement (1,258.77 sq. ft.) \$6,546.00; Site Improvements \$4,474.00; Damages to Trade Fixtures & Improvements \$11,043.00; Consequential Damages \$138,340.00; and Cost to Cure Re-stripe Parking \$1,985.00. The Owner submitted a counteroffer of \$840,000.00 with an appraisal performed by Weibel & Associates, Inc. The City is not in agreement with Clayton M. Weibel, MAI's determination of value. There are sufficient funds in this project.

Motion and Vote: Council Member Bauman moved to approve Item **C. 2020-20**, for Approval of Acquisition of Property at 5674 Roswell Road through the Use of Eminent Domain for the CDBG T-0033-7 Roswell Road Sidewalk Project. Council Member DeJulio seconded the motion.

Council Member Paulson clarified that both this item, and the last item, are sidewalk improvement projects. We are spending money to improve the sidewalks in front of these businesses and the City is still paying for the privilege of so doing.

Motion and Vote: Council Member Bauman moved to approve Item **C. 2020-20**, for Approval of Acquisition of Property at 5674 Roswell Road through the Use of Eminent Domain for the CDBG T-0033-7 Roswell Road Sidewalk Project. Council Member DeJulio seconded the motion as amended.

Council Member Bauman questioned if there was a sidewalk at this location.

Public Works Director Marty Martin responded that there are some very small portions of sidewalk immediately adjacent to the parcels in this area. The plan for both are standard 9' and 2' sidewalks with the 2' brick paver and a 9' sidewalk.

Vote on the Motion: The motion carried unanimously.

RESOLUTION NO.2020-01-10

- D. 2020-42** Request for Mayor and City Council Consideration of the Purchase of Certain Property Rights and Interests Located at 6010 Spalding Drive, Project TS-166

City Attorney Dan Lee presented that the pending condemnation action against the property was initiated in an effort to allow the TS-166 Spalding Sidewalk Project to proceed without jeopardizing construction and funding schedules. After considerable discussion, the property owner, Ellsworth Holdings, LLC has proffered an offer to settle this matter in the amount of \$65,000.00. This includes: Fee Simple (697.39 sq. ft.) \$3,117.33; Temporary Construction Easement (1,383.75 sq. ft.) \$1,855.61; Site Improvements \$4,321.66; and Consequential Damages \$37,559.84. The property owner will be compensated the funds originally paid into the court registry at the time during the taking of \$46,900.00. The City will make an additional payment of \$18,100.00 to the property owner. The total sum paid would be \$65,000.00. There are sufficient funds in the project.

Motion and Vote: Council Member Paulson moved to approve Item **D. 2020-42**, for Approval of Purchase of Certain Property Rights and Interests Located at 6010 Spalding Drive, Project TS-166. Council Member Soteres seconded the motion as amended.

Council Member Paulson questioned if this completes the acquisition of the property along this stretch for property needed so that this project can begin.

Public Works Director Marty Martin responded that as far as acquisition goes, at the moment, yes. There are still a couple of outstanding condemnations.

Vote on the Motion: The motion carried unanimously.

RESOLUTION NO.2020-01-11

- E. 2020-22** Request for Mayor and City Council Consideration to Approve a Resolution to Appoint Reed Haggard to the City of Sandy Springs Planning Commission

Mayor Rusty Paul stated there are several members on our Boards and Commissions whose terms are ending. My current position allows members to serve two (2) terms. We have so many people who are willing to serve. Mr. Haggard is completing his first term on the Planning Commission and we ask Council to approve his re-appointment to the Planning Commission for his second four (4) year term.

Motion and Vote: Council Member Reichel moved to approve Item **E. 2020-22**, for Approval of a Resolution to Appoint Reed Haggard to the City of Sandy Springs Planning Commission. Council Member Soteres seconded the motion as amended.

Vote on the Motion: The motion carried unanimously.

RESOLUTION NO.2020-01-12

- F. 2020-38** Request for Mayor and City Council Consideration to Approve a Resolution to Appoint Mel Mobley, Alvin Johnson and Robin Conklin to the City of Sandy Springs Board of Appeals

Mayor Rusty Paul again, with the Board of Appeals Mr. Mobley is completing his first term. Mr. Alvin Johnson is a long-time member of the board. We feel it is very important that the City keep continuity going. So, we request he be re-appointed to another term while adding Robin Conklin to replace Eric Johnson.

Motion and Vote: Council Member DeJulio moved to approve Item **F. 2020-38**, for Approval of a Resolution to Appoint Mel Mobley, Alvin Johnson and Robin Conklin to the City of Sandy Springs Board of Appeals. Council Member Paulson seconded the motion as amended.

Vote on the Motion: The motion carried unanimously.

RESOLUTION NO.2020-01-14

G. 2020-4 Request for Mayor and City Council Consideration of a Resolution Appointing Members to the North End Revitalization Advisory Committee

Mayor Rusty Paul reiterated that, as he stated in the last meeting, we want to expand this committee to include people who live in the apartment areas and the businesses in that area as well. While working with Council Member Soteres and Council Member Paulson, who represent that area, we would like to add Sean O'Keefe, associated with Pontoon Brewery, and Derek Lawrie, a private citizen to the North End Revitalization Advisory Committee. We will probably have at least one more addition to this Committee.

Motion and Vote: Council Member Soteres moved to approve Item **G. 2020-4**, for Approval of a Resolution Appointing Members to the North End Revitalization Advisory Committee. Council Member Paulson seconded the motion as amended.

Council Member Soteres remarked as a point of clarification, we originally asked them to be on the Committee; they did not respond in time for the last meeting.

Council Member Paulson wanted to make a point of order to be sure that their names were mentioned.

Vote on the Motion: The motion carried unanimously.

RESOLUTION NO.2020-01-15

H. 2020-29 Request for Mayor and City Council Consideration of a Resolution Designating an Interim City Clerk for the City of Sandy Springs, Pursuant to the Article III of the City Charter

City Manager Andrea Surratt presented that City Clerk, Coty Thigpen, will be leaving the City of Sandy Springs to further her career. We are asking that Lia Jones, Deputy City Clerk be appointed as Interim City Clerk in the absence of a City Clerk.

Motion and Vote: Council Member Paulson moved to approve Item **H. 2020-29**, for Approval of a Resolution Designating an Interim City Clerk for the City of Sandy Springs, Pursuant to the Article III of the City Charter. Council Member Soteres seconded the motion as amended.

Mayor Rusty Paul complimented Coty Thigpen, and stated that she has done a great job. The City will miss her terribly. He expressed well wishes on her promotion and new position. Lia Jones has been a great understudy and he is excited about the opportunity that it affords her as Interim City Clerk for Sandy Springs.

Vote on the Motion: The motion carried unanimously.

RESOLUTION NO.2020-01-16

X. REPORTS

A. 2020-52 Mayor and Council Reports

Mayor Rusty Paul announced that one of the original City judges, Larry Young, passed away yesterday after a long illness. He was one of the original appointees. This is a great sense of loss to our community. Judge Young had been very active in a wide range of organizations in the City for many years.

The Atlanta Jewish Film Festival is coming soon, so please support this festival. It is one of the great cultural art events of our City and tickets are available for purchase online. They moved here last year, with great reviews; it is a great way to show off our facilities in the City.

Mayor Paul had the opportunity to speak before the Georgia Municipal Association, along with Vince Williams, Mayor of Union City, to create and facilitate training for the new Mayors in the Metro Atlanta area. There were a dozen people, including the new Mayor of Dunwoody. Mayor Paul was able to share insights and lessons learned while sitting in the Mayoral seat for the past six years.

On January 20, the City changed the format of the MLK event. The turnout included more than a thousand people who visited City Hall for the MLK Day ceremony. In the past, the City had a speaker who was connected to Dr. King or the Civil Rights Movement. As the calendar years progress, that option is becoming harder to attain. This year, the City focused on the kids, in an effort to teach our young people. There were mural paintings, an animated film on Dr. King's life, and arts and crafts where the kids learned more about his message, his legacy, and his life. The participation was much bigger, so much broader than the City has had before. Salutations to Sharon Kraun and her Communications team for the work that they did pulling this together. It was a very, very successful event; something that we, as a City, should be justly proud of hosting

Mayor Paul reported, a copy of the James Magazine.

From: <https://patch.com/georgia/sandysprings/one-ga-city-ranked-among-americas-safest-cities>

He was delighted to read the following item in their *News from Your Neck of the Woods* portion: **Sandy Springs.** Only one Georgia City made *24/7 Wall Street's List of America's Top 50 Safest Cities, Sandy Spring in metro Atlanta.* Using statistics from the FBI's 2018 Uniform Crime Report, Sandy Springs reported violent crime rates at 1/6 of the rest of metropolitan Atlanta, and 1/3 of the national average. As many Georgia cities struggle with rising violent crimes, Sandy Springs, under Mayor Rusty Paul (*Mayor wished to strike his name, placing emphasis on Police Chief DeSimone*) and Police Chief Kenneth DeSimone, sees this number syncing in credit to their strong leadership in recent years. Mayor Paul thanked the Sandy Springs Police Department for keeping the City safe. With this recognition, both in Georgia and nationally, he further thanked the fine work of the SSPD, for not just solving crime, but creating an environment where the criminal elements take their business to other communities. He said that he knew that Chief DeSimone would not accept credit, but it is those men and women who are on the street every day, making a difference in our community. Mayor said, "Chief, thank you for your leadership, and please extend this congratulations to our force."

Council Member Bauman brought up an item regarding a billboard in his district that has been a subject of concern for several years. The electronic billboard on Carpenter Drive at I-285 was built at a height that shines a light in front of some of the condominium owners adjacent to it. There has been discussion over the past year as to whether the City might allow this billboard to be raised so that it does not unduly reflect into the condominiums. Provided this does not open a Pandora's Box with the Consent Order, as this was a result of a settlement. City Attorney Lee has been working with the attorneys of the billboard company.

To the extent it does come before Council, he requested that it be placed under Public Hearing, just in case someone has something extemporaneously to this circumstance.

City Attorney Dan Lee responded this issue came up with a unanimous complaint from the condo owners with regards to the height of the billboard. We have listened to the billboard company, they propose an offer to amend the Consent Agreement, allowing them to take down a static billboard on Roswell Road and be allowed to raise the electronic billboard on I-285 to 30'. This would solve the problem of the condo owners and the nuisance of light from the billboard. Attorney Lee believes the City can do this without everyone's participation. Most participants in the original Consent Agreement from many years ago are no longer in business. Through conversations held with other billboard companies, we believe it can be done. Attorney Lee mentioned that they will move quickly to get this posted onto the agenda

Mayor Rusty Paul questioned if that would require the City to reopen the Consent Decree to all participants that accepted same. Do we need the consensus of Council to move forward to negotiate something along those lines? The Consensus of Council is to move forward, unanimously.

B. 2020-53 Staff Reports

1. November 2019 Financials
(Presented by Karen Ellis, Director of Finance)

Presented are the November 2019 financials. The City is running 60.8% above budget; we are currently 41.67% of the year. This is primarily due to the conservative budgeting that we did on the property taxes, as well as, the insurance premium tax that came in at \$300,000 over budget. Expenditures are on track, 34.42% of the budget; again, at 41.67% of the year. Nothing out of the ordinary to report.

XI. EXECUTIVE SESSION

Motion and Vote: Council Member Paulson moved to suspend regular order and move into Executive Session for the purposes of discussing litigation. Council Member DeJulio seconded the motion.

Vote on the Motion: The motion carried unanimously.

A. 2020-45 Litigation

Executive Session began at 7:28 pm

Motion and Vote: Council Member DeJulio moved to adjourn Executive Session. Council Member Paulson seconded the motion.

Vote on the Motion: The motion carried unanimously.

Executive Session adjourned at 7:59 pm

XII. ADJOURNMENT

Motion: Council Member DeJulio moved to adjourn. Council Member Paulson seconded the motion.

Vote on the Motion: The motion carried unanimously.

The meeting adjourned at 7:59 p.m.

Date Approved: February 4, 2020

A handwritten signature in blue ink, appearing to read "Russell K. Paul", written over a horizontal line.

Russell K. Paul, Mayor

A handwritten signature in blue ink, appearing to read "Lia Jones", written over a horizontal line.

Lia Jones, Interim City Clerk