
City of Sandy Springs Board of Ethics Meeting was held at Sandy Springs City Hall, 7840 Roswell Road, Building 500, Sandy Springs, Georgia, 30350, on July 9, 2014, at 9:00 a.m.

Call to Order

Stuart Steinmark called the meeting to order at 9:11 a.m.

Roll call

Assistant City Clerk Kelly Bogner called the roll.

Board Members Present: Ted Sandler, Stuart Steinmark, David Price, and Cindy Johnson.

Staff and Representatives Present: Staff Attorney Kathy Williams and Assistant City Clerk Kelly Bogner.

Ruling on a Quorum

Stuart Steinmark ruled a quorum was in place for the meeting.

Approval of minutes from April 9, 2014 Regular Board Meeting

Motion and Vote: Stuart Steinmark moved to approve the April 9, 2014, meeting minutes. David Price seconded the motion. The motion carried unanimously.

Old Business

- a) Discuss election of new officers

David Price asked how many officers are to be elected and what are their titles.

Staff Attorney Kathy Williams responded a Chair, Vice Chair, and Secretary.

David Price asked if four of the five regular members are present.

Staff Attorney Williams stated the new member is Reed Haggard who will be appointed at the next City Council meeting on July 15, 2014.

Ted Sandler stated he would rather vote on officers who have experience. The officer positions have been tending to rotate among the members. He asked if any of the current members have an interest in serving as the Chair or Vice Chair. He recommended electing officers today.

Cindy Johnson stated Lorrie Mell is no longer a member of the Board. She also agrees with nominating officers today.

Motion and Vote: David Price nominated Stuart Steinmark as the Chair of the Board of Ethics for 2014. Ted Sandler seconded the motion. The motion carried unanimously.

Motion and Vote: David Price moved to nominate Cindy Johnson as the Vice Chair of the Board of Ethics for 2014. Stuart Steinmark seconded the motion. The motion carried unanimously

New Business

Ted Sandler stated he also serves on the Sandy Springs Board of Appeals. He is an attorney and works closely with City staff. He tries to maintain a separation with the work he does with staff and anything that involves City Council. For zoning work he does not make presentations to the City Council. He does facilitate for some items that come before Council. He has a client that would like assistance in making a presentation before the Planning Commission. Historically, he has not done this, because the application would go to the Planning Commission and then to Council. In this case, after the application is heard by the Planning Commission, the applicant plans on withdrawing the application if there is opposition. If there is no opposition, the item will go to Council. He is not sure if this is a conflict of interest, because he serves on the Board of Appeals and plans on making a presentation to the Planning Commission.

Staff Attorney Kathy Williams stated she will look into that.

Chairman Stuart Steinmark stated that with Mr. Sandler being on both the Board of Appeals and the Board of Ethics there could be the potential appearance of a conflict. It is always best to make full open disclosure for all parties involved. If anyone at the Planning Commission meeting has an objection of Mr. Sandler's representation of his client, then he should not make the presentation.

Staff Attorney Williams asked if Mr. Sandler is asking for an unofficial opinion under the ordinance.

Ted Sandler responded yes. The Planning Commission only makes recommendations to Council, unlike the Board of Appeals.

Chairman Steinmark stated if Mr. Sandler makes the presentation, then he should recuse himself from voting.

Cindy Johnson stated the City ordinance says that a board member has the right to continue their job and make a living.

Ted Sandler stated his client was very clear that if there is any conflict to the application, he will withdraw the application.

Chairman Steinmark asked when the Planning Commission meeting will occur and if it will be before the Ethics meeting in October.

Ted Sandler stated the Planning Commission meeting will be around October.

Chairman Steinmark asked if the Board has the authority to call a special called meeting before that Planning Commission meeting. He suggested once the Board has staff's informal view and if it is in advance of the Planning Commission meeting in October, then this should be discussed at the next regular Board of Ethics meeting. If there is not sufficient time before the Planning Commission meeting, the Board should convene a special called meeting.

Staff Attorney Williams stated she will have an answer for the Board this week.

Ted Sandler stated he will let the Board know one way or the other if his client decides to move forward.

Chairman Steinmark asked to get responses from all Boardmembers.

Staff Attorney Williams stated she believes, per the Ethics Bylaws, the Board is allowed to telecommunicate.

Old Business

David Price stated the City Attorney was to arrange a meeting with the Planning Commission to distribute the Ethics Ordinance.

Staff Attorney Williams stated he met with Director of Community Development Angela Parker.

David Price stated he wants to ensure that this occurs. He asked if there is a process, on a periodic basis, where all City boardmembers are required to verify they've read and understand the Ethics Ordinance. All new Boardmembers should become very familiar with the Ethics Ordinance. There should be a procedural process in place where the individuals acknowledge they have read the ordinance, understand it, and will comply with it.

Staff Attorney Williams stated she does not believe there is a process in place, but it can be made a policy for all new members of City boards to sign an acknowledgement agreement for the Ethics Ordinance.

Chairman Steinmark suggested at the next meeting the Board distribute the ordinance in order for all members to be up-to-date on the ordinance information.

David Price stated if a person is going to sit on the Ethics Board, that individual should know what the ordinance is about. All members of City boards should understand the ordinance.

Chairman Steinmark stated it is a great idea that members of other boards are issued a copy of the ordinance and acknowledge that they have read and understand it.

Adjournment

Motion and Vote: David Price moved to adjourn the meeting. Stuart Steinmark seconded the motion. The motion carried unanimously. The meeting adjourned at 9:33 a.m.

Date Approved: October 8, 2014

Stuart Steinmark, Chairman

Michael Casey, City Clerk