

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 October 14, 2015, at 9:00 a.m.

Call to Order

Chairman Stuart Steinmark called the meeting to order at 9:09 a.m.

Roll call

Assistant City Clerk Kelly Bogner called the roll.

Board Members Present: Stuart Steinmark, Ted Sandler, David Price, Cindy Johnson, Darlene Trigg, and Reed Haggard. Jonathan Levine was absent.

Staff and Representatives Present: City Attorney Wendell Willard and Assistant City Clerk Kelly Bogner.

Ruling on a Quorum

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

Approval of minutes from July 8, 2015 Regular Board Meeting

Motion and Vote: Ted Sandler moved to approve the July 8, 2015, meeting minutes. David Price seconded the motion. The motion carried unanimously.

Old Business

There was no old business.

New Business

a. Regular scheduled meeting dates for 2016

- i. January 13
- ii. April 13
- iii. July 13
- iv. October 12

b. Discuss items to include in the Annual Report

Assistant City Clerk Kelly Bogner stated she will give all members a copy of the 2014 Annual Report, so they can review what was included in the report.

Stuart Steinmark stated the way he drafts the annual report is from reviewing the meeting minutes for the year that are posted on the City's website.

Assistant City Clerk Bogner stated she does not believe the City's new website has the minutes online at this moment, but she will make sure they get posted.

Stuart Steinmark stated in order to create the annual report he reads through the minutes and summarizes the pertinent points. He asked when his term ends.

Assistant City Clerk Bogner stated she does not have that information with her.

David Price stated in January the Board will elect a new Chair. The election cycle is for three year terms overlapping one another and officers are elected every year.

City Attorney Wendell Willard asked Assistant City Clerk Bogner to get a list of all the board members and their terms.

Assistant City Clerk Bogner stated she has a copy of that and will email it to the Board.

c. Other new business

David Price stated there is a tremendous amount of redevelopment activity in the City with the future City Hall, the Ashton Woods development, and other developments. That level of activity might be difficult to oversee. He asked if there is any structured oversight from an ethics standpoint.

City Attorney Wendell Willard stated the City is relying on those who see ethics violations to report them. An example was a Fidelity Bank issue that occurred at a previous Council meeting. A Council Member owns stock in Fidelity Bank and recused himself from an agenda item. The City has to rely on Councilmembers to be responsible and follow the City's Ethics Ordinance. There is no oversight or a need for that on the current development in the City.

David Price stated the question is driven from a simple level of significant activity that is underway. He asked if it is necessary to have ethics oversight for the existing project.

City Attorney Willard stated he gives Council instruction on a regular basis on what to be cautious about doing and not doing. He is always reinforcing the fact regarding zoning issues. He advises Council to not speak on what their position will be regarding any zoning case before Council. He also advises Council to be open to hearing information from all parties whether it be the developer, property owner, or nearby neighbors. The zoning cases are when citizens are concerned on whether a Council Member is making the right decision as an elected official. Council is very well aware of what their day-to-day responsibilities are.

David Price stated there are a couple of watch dog groups that follow the City's zoning process. If they felt there was inappropriate behavior by a Council Member involved with a zoning application or a financial institution, that organization would be very quick to report the issue. The Sandy Springs Council of Neighborhoods and Sandy Springs Watershed Alliance are very active.

Reed Haggard stated he wants to make sure the City is ahead of what can happen. Often times the City operates within the guidelines and rules. An example is a review of email servers and how an individual may be following the guidelines, but be reprimanded for an action.

City Attorney Willard stated there is a lot of work that occurs on a daily basis for the City Center project. The bond issuance for the project was a major undertaking for the City as a \$190 million plus project. The City has one of the finest ethical City Managers, John McDonough. The elected officials are the ones that have the greatest exposure. Council has to follow ethical and legal rules. There are constitutional provisions that direct what is not to be done as far as the rights of a property owner. He suggests to

Council Members to not choose their position on agenda items before them until the items are actually heard.

Reed Haggard stated the Ethics Board is underutilized. If there is a need for what the Board can do to get ahead of issues that may occur, he would be happy to help.

Ted Sandler stated the Board of Ethics watches the City Council and other boards. As far as City staff is concerned, the Board has no oversight, since they are private employees. If there are any ethics violations against a Public Works Department employee or Planning Department employee, the Board cannot get involved. There has been discussion over the years if that is the way things should operate. The decision was that the staff has allegiance to the City Manager and the City Manager has a process through the hiring of different consultant firms to oversee potential ethics violations.

Reed Haggard stated he is aware of that, but if something should happen, it will be City Attorney Willard or Mayor Paul that will be standing in front of a camera explaining the situation.

Cindy Johnson stated the answer to that question is in a previous annual report where the Board did make a recommendation to City Council that every public servant receive a copy of the Ethics Ordinance. She asked how much more proactive can the City be. It is a good thing the Board does not have issues to review, because that speaks volumes for the elected officials.

David Price stated all of the points made were great. He asked if the distribution of the Ethics Ordinance to all board members was completed.

City Attorney Willard asked Assistant City Clerk Bogner if that has been done.

Assistant City Clerk Bogner stated she is not sure, but she will check on it.

David Price stated usual company standards require employees to review the safety policy and it requires a signature. The ethics responsibility should be the same.

Assistant City Clerk Bogner stated from what she recalls, City Attorney Willard stated he would speak to the City Manager regarding that policy.

David Price asked to confirm that the acknowledgement form has been given to all board members at the next meeting or when it will be done.

Assistant City Clerk Bogner stated she just reviewed a copy of the October 8, 2014 meeting minutes. The minutes read that Stuart Steinmark stated the Ethics Ordinance is available to everyone on the City's website and that the City Attorney will speak to the City Manager about implementing an acknowledgment and signature form.

Stuart Steinmark asked if the Ethics Ordinance is on the City's new webpage.

Assistant City Clerk Bogner stated she does not know at this moment, but she will check on that as well.

David Price stated it is best practice for those that are most vulnerable to ethics violations to sign an acknowledgement form once a year.

Board of Ethics Meeting Minutes

October 14, 2015

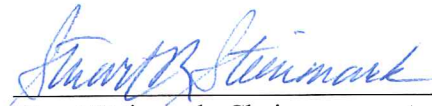
Page 4 of 4

City Attorney Willard stated the Councilmembers, committee members, and appointed staff should be required to sign the acknowledgement form. The City has a lot of redevelopment taking place such as some of the older apartment complexes being torn down and new apartments replacing them.

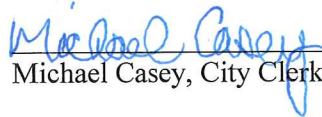
Adjournment

Motion and Vote: David Price moved to adjourn the meeting. Ted Sandler seconded the motion. The motion carried unanimously. The meeting adjourned at 9:19 a.m.

Date Approved: January 13, 2016



Stuart Steinmark, Chairman



Michael Casey, City Clerk