

The Regular Meeting of the Sandy Springs City Council was held on Tuesday, November 21, 2017, at 6:00 p.m., Mayor Rusty Paul presiding.

INVOCATION

Reverend Brent Yancey, North Springs United Methodist Church, offered the invocation.

CALL TO ORDER

Mayor Rusty Paul called the meeting to order at 6:01 p.m.

ROLL CALL AND GENERAL ANNOUNCEMENTS

City Clerk Michael Casey reminded everyone to silence all electronic devices at this time. Additionally, those wishing to provide public comment during either a Public Hearing or the Public Comment segment of the meeting are required to complete a public comment card. The cards are located at the back counter and need to be turned in to the City Clerk.

City Clerk Casey called the roll.

Mayor: Mayor Rusty Paul present.

Councilmembers: Council Member John Paulson, Council Member Ken Dishman, Council Member Chris Burnett, Council Member Gabriel Sterling, Council Member Tibby DeJulio, and Council Member Andy Bauman were present.

PLEDGE OF ALLEGIANCE

Mayor Rusty Paul led the Pledge of Allegiance.

APPROVAL OF MEETING AGENDA

1. 17-387 Add or remove items from agenda

Motion and Vote: Council Member DeJulio moved to approve the Meeting Agenda for the November 21, 2017 City Council meeting. Council Member Dishman seconded the motion. The motion carried unanimously.

CONSENT AGENDA

2. 17-388 Meeting Minutes

1. November 7, 2017 Work Session
2. November 7, 2017 Regular Meeting
(Michael Casey, City Clerk)

3. 17-389 Consideration of the Acceptance of the Dedication of Right of Way as Part of the Development Regulations Ordinance Requirements related to Community Development File # LDP17-00031 (1100 Johnson Ferry Road)
(Garrin Coleman, Director of Public Works)
Resolution No. 2017-11-150

- 4. 17-390** Consideration of the Acceptance of the Dedication of Right of Way as Part of the Development Regulations Ordinance Requirements related to Community Development File # LDP16-00041 (701 Abernathy Road)
(*Garrin Coleman, Director of Public Works*)
Resolution No. 2017-11-151

Motion and Vote: Council Member Sterling moved to approve the Consent Agenda for November 21, 2017. Council Member Burnett seconded the motion. The motion carried unanimously.

PRESENTATIONS

There were no presentations.

PUBLIC HEARINGS

City Clerk Michael Casey read the rules for the Public Hearings segment of the meeting.

Community Development

- 5. 17-391** A Resolution to Amend the Character Area Map, a Component of the Comprehensive Plan

Assistant City Manager Jim Tolbert stated when the City Council adopted the new Comprehensive Plan and The Next Ten in February 2017, staff indicated there might be a need to come back and “true up” some of the Character Area Map designations after the adoption of the Zoning Ordinance. Staff went through and defined how the plan should be in the Character Area Map, which should also apply to zoning. Staff has prepared 110 development recommendations. The left column displays the designation in February and the right column displays the staff recommendations for what a property would become under the new Character Area Map. Staff came to Council about two months ago with this item, but the item was deferred so staff could meet with the public. A couple more changes were not in the published map, but were brought to staff’s attention. Glenridge Commons and Glenridge Square are currently shown as “protected neighborhood”. Staff recommends changing this to “urban neighborhood”, because of the RT and RU zoning. After evaluating other factors and listening to the community, staff recommends the designation remain “protected neighborhood”. Windsor Place and Park subdivision is shown as a “protected neighborhood”. In the proposal, it came out as “urban neighborhood”, but there are attached and detached units in that development. Staff recommends that it remain designated as “protected neighborhood”. If the area remains “protected neighborhood” and someone wants to upgrade their property, then they will be required to have two public hearings during the rezoning process. Austin Place is shown on the current map as “urban neighborhood”, but that needs to be changed to “protected neighborhood”. The zoning is appropriate for it to be protected.

Council Member John Paulson stated the review from the Planning Commission recommended line item 98.

Assistant City Manager Tolbert stated the property is the Indian Consulate. The City does not have a true office designation in the Character Area Map. Those were designated “commercial mixed use”, as were a few other offices. Staff recommends leaving the property as currently designated. Those buildings will not change to a commercial mixed use in the near future. It is not appropriate to change them to “urban neighborhood”.

Council Member Tibby DeJulio asked if he is suggesting we move the classification from “urban neighborhood” to “commercial mixed use”.

Assistant City Manager Tolbert responded yes.

Council Member DeJulio stated the property is not being used as a commercial building, but is being used as an office building.

Assistant City Manager Tolbert stated if the City had an "office character area" designation, then the property would be "office character area".

Council Member DeJulio stated this means if the Indian Consulate decided to leave that office building, then someone could come to this property and place a commercial business there.

Assistant City Manager Tolbert responded no, not without a rezoning. The property is zoned for office use. The Character Area Map designated "commercial mixed use", but the property is zoned "office". If the property owner wants to do anything commercially related with the property, then they would have to go through the rezoning process.

Council Member DeJulio asked if that is the same as with the AT&T building across the street.

Assistant City Manager Tolbert replied yes.

Mayor Rusty Paul called for public comments in support of the application.

Jane Kelley, 4590 Windsor Park Place, stated she represents the Windsor Park Community Association. She supports this agenda item. She thanked Council for the changes that have been made to the map.

Mayor Paul called for public comments in opposition to the application.

Bill Gannon, 505 Taunton Way, stated he represents the High Point Civic Association. It is the Association's opinion that the map needs an additional color in order to differentiate the areas. The designations should be lettered with "A", "B", etc. A purple color is used for items 98 and 99. The same colors are used along Roswell Road. He does not understand why an additional color is not added to the map.

Gary Post, 9695 Roberts Drive, stated he had discussions with Council Member Paulson about adding another color to the map, and Council Member Paulson agrees. The map presented may have changes, but the map on the City's website has not changed. He represents a number of homeowners that live along the river. The map shows the color green, which is "conservation/park". The map is green all along the river perimeter of Sandy Springs. You cannot tell if the area is "park" or "conservation area". The Development Code color-coding used the same green as is on the Character Area Map, which is "park". There is also a dark green in the Development Code, which is "conservation area". He asked to make the color-coded border around the City, which is a conservation area along the river, consistent with the Development Code.

Mayor Paul closed the public hearing.

Motion and Second: Council Member Paulson moved to approve Agenda Item No. 17-391, A Resolution to Amend the Character Area Map, a Component of the Comprehensive Plan, with the changes outlined by Assistant City Manager Tolbert. Council Member Sterling seconded the motion.

Council Member Paulson stated he has discussed numerous times with staff the conservation/park areas. The areas were separate and he thought they would continue to be separate.

Assistant City Manager Tolbert stated the old map did not reflect this accurately, but it has been corrected.

Council Member Paulson stated the maps currently show inaccurate information.

Assistant City Manager Tolbert stated the updated Character Area Map that Council adopts this evening would address these details.

Council Member Paulson stated his motion would separate a “conservation area” from “park”. He asked if the green portion along the river is a conservation area, not a park.

Assistant City Manager Tolbert stated if the property is federally owned, then it is a conservation area. If the property is privately held, then it is a protected neighborhood, which it is in most cases. It is a protected area by statute and not in the City’s Character Area Map. It cannot be a park and a conservation area. It would have to change to “park” and would require the appropriate zoning.

Council Member Gabriel Sterling stated on the map that Council is adopting it specifically states, “river buffer will not be on the final map as adopted”.

Council Member DeJulio stated staff should try to make the map as clear as possible for citizens. If it takes more numbers or different colors, then staff should look into it.

Vote on the Motion: The motion carried unanimously.

Resolution No. 2017-11-152

UNFINISHED BUSINESS

Motion and Second: Council Member Bauman moved to take from the table Agenda Item No. 17-342, An Ordinance of the Mayor and Council of the City of Sandy Springs, Georgia to amend Division 8.3 (Signs) of the Sandy Springs Development Code; to provide for relocation of oversized signs in lieu of compensation subsequent to an exercise of the power of eminent domain or the threat thereof; to delete conflicting provisions; to provide for an effective date; and for other purposes. Council Member Dishman seconded the motion.

Council Member Andy Bauman stated an agenda item sitting on the table indefinitely does not serve the best interest of the public. It is his intent to make a motion to withdraw it. If a discussion regarding the item needs to occur at a future meeting, then the item can be added to an agenda.

Vote on the Motion: The motion carried by unanimous vote.

Motion and Vote: Council Member Bauman moved to withdraw Agenda Item No. 17-342, An Ordinance of the Mayor and Council of the City of Sandy Springs, Georgia to amend Division 8.3 (Signs) of the Sandy Springs Development Code; to provide for relocation of oversized signs in lieu of compensation subsequent to an exercise of the power of eminent domain or the threat thereof; to delete conflicting provisions; to provide for an effective date; and for other purposes. Council Member Dishman seconded the motion. The motion carried by unanimous vote.

NEW BUSINESS

6. 17-392 A Resolution to Amend the City of Sandy Springs Community Development Fee Schedule

Director of Community Development Ginger Sottile stated this item was heard at the October 17 Work Session. Sandy Springs Code states that filing fees shall be established from time to time by the Mayor and City Council. Staff is seeking to amend the Planning and Zoning fee schedule to apply the appropriate fees to the newly adopted zoning districts. Since the October meeting, staff has made only two changes. One

change was the administrative variances fee. After reevaluation of the time expenditure, the proposed fee was reduced to \$300 for residential and \$400 for property zoned outside protected neighborhoods. This is an increase of \$50 per variance. The second change was to provide clarification on how fees associated with multi-unit housing developments are assessed. There are no monetary fee changes proposed to the fee schedule.

Motion and Second: Council Member Sterling moved to approve Agenda Item No. 17-392, A Resolution to Amend the City of Sandy Springs Community Development Fee Schedule. Council Member DeJulio seconded the motion.

Council Member Tibby DeJulio asked when the fee increases would go into effect.

Director of Community Development Sottile stated she believes the date is December 15, 2017.

Council Member DeJulio asked if there is a reason that the fee schedule is effective a month from now, rather than effective today.

Director of Community Development Sottile stated it gives staff time to prepare the paperwork in order to let the public know that the fees are increasing.

Assistant City Manager Jim Tolbert stated staff needs to do some work on the computer program regarding the fees and it will take a few days to update the system.

Council Member Chris Burnett asked if this is the first time that the fees have been raised since the formation of the City.

Director of Community Development Sottile replied that is correct.

Vote on the Motion: The motion carried unanimously.
Resolution No. 2017-11-153

7. 17-393 MOU between the City of Sandy Springs, Georgia, and the Friends of Lost Corner, Inc.

Assistant City Manager Jim Tolbert stated this agenda item was first heard at the November 7 Work Session. The MOU is renewable in one-year increments. At the last meeting, Ms. Thompson raised a concern about workers compensation insurance. Staff has since spoken to the City's insurance company and the City's legal staff. The agreement has been amended to relieve them of that responsibility as long as the Friends of Lost Corner does not have employees. Staff recommends approval of this item.

Motion and Vote: Council Member Burnett moved to approve Agenda Item No. 17-393, MOU between the City of Sandy Springs, Georgia, and the Friends of Lost Corner, Inc. Council Member Dishman seconded the motion. The motion carried unanimously.
Resolution No. 2017-11-154

8. 17-394 An Ordinance Amending Chapter 26 of the Sandy Springs Code of Ordinances to Promote Adoption of Rescue Animals

Assistant City Clerk Kelly Bogner stated this agenda item was presented at the November 7 Work Session. The proposed ordinance will allow a pet store to offer, by adoption, only those dogs and cats that the pet shop has obtained from or displays in cooperation with an animal care facility or an animal rescue organization. The ordinance will not affect a consumer's ability to obtain a dog or a cat of his or her choice

from breed specific rescue organizations or shelters, or from a breeder where consumers can directly see the conditions in which the dogs or cats are bred. Staff recommends approval of this item.

Motion and Second: Council Member Dishman moved to approve Agenda Item No. 17-394, An Ordinance Amending Chapter 26 of the Sandy Springs Code of Ordinances to Promote Adoption of Rescue Animals. Council Member Sterling seconded the motion.

Council Member John Paulson stated he received an email today from someone stating the City should not ban pet stores in Sandy Springs. This ordinance will not ban pet stores.

Vote on the Motion: The motion carried unanimously.

Ordinance No. 2017-11-23

REPORTS

Mayor and Council Reports

Mayor Rusty Paul wished everyone a Happy Thanksgiving. He has a number of beekeeping classes he will hold in various schools in the City throughout the next couple of weeks. He was at Heard's Ferry Elementary School last Friday teaching the first and second graders about beekeeping. After he packed up and was on the way to his car, a mother chased him down and gave him a small pebble. It was from one of the students who picked it up off the ground. She wanted to say thank you and needed a token to say thank you. He learned more from the child that day than she learned from him. It taught him to be thankful at all times, in all places, everywhere and for everything. That pebble will be on his desk from now on to remind him that Thanksgiving is only one day, but thanksgivings are eternal and we should do them each day. The greatest charity is from the anonymous.

9. 17-395 Staff Reports

1. September 2017 Financial Report – Karen Ellis, Finance Director

Finance Director Karen Ellis stated the City is at 25% of the year. We are at 10.56% of revenues for the year and 17% of expenditures.

Council Member Gabriel Sterling stated he noticed on the LOST distributions that the City is down about 2%. He asked if staff is seeing a similar trend on the TSPLOST funds.

Finance Director Ellis stated the TSPLOST funds are down as well. She and TSPLOST Program Manager Steve Tiedemann have reached out to the State. She requested an audit from the State and they are working on trying to figure out why the collections are down. This issue is occurring with all the participating cities.

Council Member Sterling stated he believes that Sandy Springs funds are lower than Fulton County funds.

Mayor Rusty Paul stated it would be helpful if the City Council and the community reached out to the City's Congressional delegation to ask the United States Postal Service to designate Sandy Springs as the primary location for zip codes 30327, 30350, 30328, and 30342. Senator Purdue's staff had a conversation with the Postal Service, but the Postal Service does not seem to be willing to alter their approach to dealing with this matter. This is important, because the point of service purchase software uses the Postal Service's software to track transactions. As a result, some people in Sandy Springs are paying tax levels above what they should be paying. We believe that some of that money is going to other jurisdictions. Other jurisdictions face the same issue. Congressman Lewis agreed that he would work with the other delegation representatives regarding this issue. It is important to get this legislation through Congress.

PUBLIC COMMENT

Debra Berger, 4288 Huntington Circle, thanked the Mayor and Council on behalf of the Humane Society of the United States and its volunteers. She appreciates Council's forward thinking position on more humane treatment of animals.

EXECUTIVE SESSION

10. 17-396

There was no Executive Session held.

ADJOURNMENT

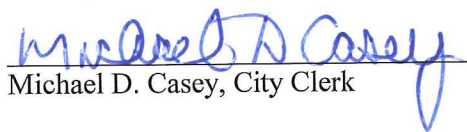
11. 17-397 Adjournment

Motion and Vote: Council Member DeJulio moved to adjourn the meeting. Council Member Sterling seconded the motion. The motion carried unanimously. The meeting adjourned at 6:37 p.m.

Date Approved: December 5, 2017



Russell K. Paul, Mayor



Michael D. Casey, City Clerk