

Regular Meeting of the Sandy Springs City Council was held on Tuesday, January 19, 2016, at 6:00 p.m., Mayor Rusty Paul presiding.

INVOCATION

Rabbi Scott Colbert, Temple Emanu-El, 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 Paul present

Councilmembers: Council Member John Paulson, Council Member Ken Dishman, Council Member Graham McDonald, 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. **16-024** Add or remove items from agenda

Motion and Vote: Council Member DeJulio moved to approve the Meeting Agenda for January 19, 2016. Council Member Dishman seconded the motion. The motion carried unanimously.

CONSENT AGENDA

2. **16-025** Meeting Minutes
 1. January 5, 2016 Regular Meeting
 2. January 5, 2016 Work Session
(*Michael Casey, City Clerk*)

Motion and Vote: Council Member Dishman moved to approve the Consent Agenda for January 19, 2016. Council Member Sterling seconded the motion. The motion carried unanimously.

PRESENTATIONS

3. **16-026** Presentations

1. Strategic Communications: Lost Corner Then and Now – Director Recreation and Parks, Ronnie Young

Director of Recreation and Parks Ronnie Young gave a PowerPoint Presentation on Lost Corner Then and Now.

Mayor Rusty Paul stated the Lost Corner steering committee has worked with Ronnie and has had exacting standards on this project that will make it a tremendous community amenity. When he was working to get \$250,000 from the State to help finalize the purchase of the property, one of the reasons why the City received the money is because there is no other parcel like it that was identifiable in the State of Georgia. Under the Georgia Land Conservation program it was the only urban grant the State had ever done. He spends time at the property taking care of the bees. He thanked Director of Recreation and Parks Young for the presentation.

PUBLIC HEARINGS

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

Rezoning

4. **16-027 RZ15-0075** – 342 Johnson Ferry Rd and 185, 203, 225, and 245 River Valley Rd, *Petitioner: Investment Partners X, LLC*, to rezone the property from R-1 and R-3 (Single Family Dwelling Districts) to R-3 (Single Family Dwelling District) with two (2) concurrent variances to allow the development of nine (9) lots

Senior Planner Catherine Mercier-Baggett stated this item is a rezoning request for five parcels of land located on River Valley Road at the corner of Johnson Ferry Road. The first of two variances requested is from Section 6.4.3.f to reduce the required minimum lot width from 100 feet to 90 feet for lots 1 – 7, as shown on the site plan. The second variance is from Section 6.4.3.d to reduce the required minimum rear yard from 35 feet to 10 feet for lot six as show on the site plan. The agent is Ted Sandler. The Planning Commission recommended approval with conditions at their December meeting. Staff also recommends approval with conditions.

Nathan Hendricks, representative of the applicant, stated he has known Marty Marchman for quite some time. There was a deferral of this item by the Planning Commission. Staff was highly responsive to all of the meetings held. With the two road frontages, there are two different designations under the City's Comprehensive Land Use Plan for this property. When taking the weighted average of the 500 foot area where the mailings are sent to notify the public, the density came to 2.4 units to the acre. The application currently in front of Council, as amended, comes to 1.565 units to the acre. Staff feels this request complies with the policy and intent for protected neighborhoods. There was a lot of community input and consensus for the application.

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

Trisha Thompson, 145 River North Drive, stated she is the President of the Sandy Springs Council of Neighborhoods. The Council is delighted to stand in support of the application on behalf of the eight neighborhoods who took part in the negotiations. Those neighborhoods are Amberidge, Woodcliff, Mountaire Springs, Wyndham Hills, Riverside/Tanacrest, Lorian Woods, Telfair and North Harbor. From those eight neighborhoods there were eighteen board members or presidents on the negotiating team. The applicant, Mr. Marchman, began the process of interacting with the community in March 2015. Amberidge, Mountaire Springs, and Wyndham Hills are older neighborhoods made up of older homes built in the 1960's. These homeowners are afraid of infill conglomerations or assemblages. The

dialogue with the applicant was very important to them. All eight HOAs support this application and support the variances that are necessary to maintain these larger lot sizes. The homeowners feel the success of this project will increase their property values and create a gateway to this area of the City. The neighborhoods are delighted this will be a quality product. She asked that there be a comment from Council that would encourage the applicant to go before the Board of Appeals, if there does appear to be a quality of life issue, because the four foot wall on Johnson Ferry Road may not sufficiently reduce the impact of noise.

Mayor Paul called for public comments in opposition to the application. There were no public comments. Mayor Paul closed the public hearing.

Mayor Paul asked if the applicant needs action by the Board of Appeals to finalize the application.

Ms. Thompson responded only if the applicant goes forward with any type of variance request for the Johnson Ferry wall.

Mayor Paul asked if there needs to be comment from Council that they are in favor of that particular process. He believes a taller wall will be a good idea.

Mr. Hendricks stated the process came together as it should have. Staff performed admirably in being responsive. He requested Council's approval of the application.

Motion and Second: Council Member McDonald moved to approve Agenda Item No. 16-027, RZ15-0075 – 342 Johnson Ferry Rd and 185, 203, 225, and 245 River Valley Rd, *Petitioner: Investment Partners X, LLC*, to rezone the property from R-1 and R-3 (Single Family Dwelling Districts) to R-3 (Single Family Dwelling District) with two (2) concurrent variances to allow the development of nine (9) lots, including conditions set forth by staff and the Planning Commission. Council Member Sterling seconded the motion.

Staff conditions:

1. To abide by the following:
 - a. To the site plan prepared by Primus Engineering, Inc. dated received by the Department of Community Development December 3, 2015.
2. To restrict the use of the subject property as follows:
 - a. A maximum of nine (9) total single-family dwelling units.
3. To the following site development standards:
 - a. Stormwater Management shall be designed, reviewed, and approved as an underground system as shown on the above referenced site plan;
 - b. The Stormwater Management detention outlet shall be designed in a location that gives adequate distance from the adjacent property to provide for proper stormwater velocity dissipation and spread. The Best Management Practices at the detention outlet shall be reviewed and approved by the City Engineer prior to the issuance of an LDP, and may require methodology beyond the required minimums for protection of the adjacent property owner(s);
 - c. Minimum lot width: ninety (90) feet for Lots 1-7 (Variance request #1);
 - d. Minimum rear yard: ten (10) feet for Lot 6 (Variance request #2).

Council Member Graham McDonald stated he lives in the area which is very busy. A four foot size wall may not suffice from a quality of life standpoint. He would like this to be discussed with the Board of Appeals at a future meeting.

Council Member Gabriel Sterling stated he is happy to see an application where most everyone is happy with the outcome.

Vote on the Motion: The motion carried unanimously.

Ordinance No. 2016-01-01

5. **16-028 RZ15-0077** – 0, 1480, & 1500 Sunny Brook Farm Road and 8325 Roberts Drive, *Petitioner: Roberts Drive Townhomes, LLC*, to rezone the property from AG-1 (Agricultural District) and R-2 (Single Family Dwelling District) to R-5A (Single Family Dwelling District) for the development of 23 (twenty-three) single family dwelling units, with concurrent variance from Section 6.9.3.G.2 of the Zoning Ordinance to reduce the required minimum side yard from seven (7) feet to five (5) feet and to reduce the required minimum building separation from fourteen (14) feet to ten (10) feet

Senior Planner Catherine Mercier-Baggett stated this is a request to rezone four parcels on Sunny Brook Farm on the corner of Roberts Drive. The applicant requested withdrawal of the application on January 5, 2016. The agent is Nathan Hendricks. At the December 17th public hearing the Planning Commission recommended denial. The Community Development Department also recommends denial on both the request for rezoning and the concurrent variances.

Nathan Hendricks, representative of the applicant, stated this application started out as a request for Townhouse Residential (TR) with a total of twenty-eight units at a density of 4.89 units to the acre. With community input it was clear that townhomes at this location would not be good. A modification and amendment was made to the R5A, which changed it to twenty-three lots and a density of slightly over 4.014 units to the acre. With that, an agreement was still not reached. This piece of property will undergo rework at some point in time. The applicant was respectful of the community and requests withdrawal of the application. The applicant is open to continuing to engage with the community in the future.

Mayor Rusty Paul called for public comments in support of the application. There were no public comments. Mayor Paul called for public comments in opposition to the application.

Craig Gilchrist, 1505 Northridge Road, stated he represents the Northridge Forest Community Association. The community has been engaged with the developer and Mr. Hendricks during the whole process. The community received word several days ago that the applicant is requesting withdrawal of the application. He asked that Council deny the application to prevent a rezoning application from being filed for one year. The neighbors and the nearby community are resolved about the protected neighborhoods.

William Bolton, 1520 Sunnybrook Farm Road, asked that Council honor the Planning Commission's recommendation and deny this change of zoning.

Sara Barksdale, 985 Ridge Tarn, stated she is the President of the Northridge Forest Homeowners Association. She and her neighbors would like Council to deny this application. She has received phone calls and emails from community members who are scared about this application being approved.

Mr. Hendricks stated as Mr. Gilchrist stated, the developer reached out to the community on this application. There was an effort to make a modification and amendment for single family detached

homes. With the location of the property directly across the street from Roberts Drive and near the expressway, development will come to this property. The applicant has shown respect to the community. He does not think it will be profitable for the application to be frozen for one year. There has been ongoing dialogue. There will not be a major change with the application unless there is community support. The basis for withdrawal of the application is to provide the ability to try and get closer to the City's Comprehensive Land Use Plan and because of the inability to get the support of the community.

Mayor Paul closed the public hearing.

Motion and Second: Council Member Paulson moved to deny Agenda Item No. 16-028, RZ15-0077 – 0, 1480, & 1500 Sunny Brook Farm Road and 8325 Roberts Drive, *Petitioner: Roberts Drive Townhomes, LLC*, to rezone the property from AG-1 (Agricultural District) and R-2 (Single Family Dwelling District) to R-5A (Single Family Dwelling District) for the development of 23 (twenty-three) single family dwelling units, with concurrent variance from Section 6.9.3.G.2 of the Zoning Ordinance to reduce the required minimum side yard from seven (7) feet to five (5) feet and to reduce the required minimum building separation from fourteen (14) feet to ten (10) feet. Council Member Sterling seconded the motion.

Council Member John Paulson stated this is a choice between approving withdrawal of the application or denying it. There was so much agitation in this community, he feels it best to deny the application to give everyone a year's worth of breathing room.

Vote on the Motion: The motion carried unanimously.

Use Permit

6. **16-029 U15-0016** – 0 High Point Road - Galloway School Recreational Fields, a Use Permit for Recreational Fields (Sec. 19.4.36) to construct a softball field, tennis courts, a parking lot, and accessory structures (dugout, concession stand, restrooms, indoor hitting facility, maintenance facility) for a private school, with two (2) concurrent variances

Council Member Andy Bauman stated he would like to disclose a potential conflict of interest. He has two children that attend the Galloway School, one in 7th grade and the other in 10th grade. He is not on the board of the school, he does not have a financial interest in the school, and he is not directly involved in this case. His children do not play tennis or softball, but they do play other sports. He asked the City Attorney for guidance on the legal standard for participation in this case.

City Attorney Wendell Willard stated under the City's rules of ethics there is only a disqualification of a Council Member considering a matter before the Council if there is to be a benefit to that Council Member, financial or otherwise. If the Council Member does not have a financial interest or other type of interest from the actions, the Council Member is not considered to be ethically disqualified. That does not remove the right of a Council Member, based on their own conscience, to make a decision to recuse because of their involvement with particular parties of the application.

Council Member Bauman stated he will first state his involvement in the case and then give his decision on recusal. He first heard about Galloway's contract to purchase this property when he received an email from one of the neighbors. He was aware that Galloway was in the market looking for recreational fields but he had no awareness of the purpose or filing for a use permit. At various points in time, as he had with prior cases such as with Mount Vernon, he met with the Galloway attorneys. He also met with Bill Gannon with the High Point Civic Association and they both toured this property. He went to High Point to view the property and met with one of the neighbors, walked some of the property and spoke with Mrs. Conklin and her husband. There came a point when he briefly attended a meeting regarding this case.

His participation was limited. He addressed the small group and told them the process for an application. He also explained that his legal obligation was to remain neutral and open minded and unbiased, and that is what he intended to do. He received hundreds of emails on this case both for and against. He responded to 95% of the emails in the same way in that all of the stakeholders have the opportunity to be heard and his obligation is to remain open minded. From the Galloway community he also received emails both for and against. He wants to recognize in addition to the legal standard regarding the financial interest that there was a risk of conflict for him in this case. The simple thing for him to do would be to recuse himself. He believes that Council has a higher duty than that. He was elected to listen to the community and do his duty. His duty requires him to hear the hard cases. He is not indicating his support or nonsupport of this application at this time. He feels he has the ability to retain an open mind, so he intends to hear this case.

Senior Planner Catherine Mercier-Baggett stated this is a request for a use permit for recreational fields for two parcels. There are two concurrent variances. The first is from Section 19.4.36.b.1 to allow curb cut access from a local street, which is High Point Road. The second request is from Section 19.4.36.b.2 to encroach into the required minimum fifty foot buffer and ten foot improvement setback for the construction of the parking lot and tennis courts. The applicant requested a 60 day deferral on January 14, 2016. The agent is Sharon Gay. At their December meeting the Planning Commission recommended denial of the use permit petition and the concurrent variances. Staff recommends denial of the use permit and the concurrent variances.

Sharon Gay, representative of the applicant, stated the applicant is requesting a deferral of this case for 60 days, not to pursue the athletic fields, but to pursue some other opportunities for the sale of the property in a way that might be more amenable to the community. There is a lack of support from the community for the request of athletic fields. She requested that Council approve withdrawal of this application.

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

Michael Hartman, 775 Brook Park, stated he lives next to the subject property. Next to GA400 there is a proposed bicycle trail coming from the south heading north. As the trail enters Sandy Springs it will cross Nancy Creek and leave the toll plaza land area. Nancy Creek is about fifty feet below. It is imperative the trail be amenable to bicycles, so it cannot be steep. In order to get from Nancy Creek over to Windsor Parkway, the bicycle trail would have to be brought up over the sky bridge, which would cost millions of dollars. The only way to get the bicycles across Nancy Creek and up and over Windsor is to go down onto the subject property. The school was willing to offer an easement to have the bicycle trail go through the property. There have been planning discussions, but Council will have to make a choice at some point in time to put the bicycle trail on the east or west side of GA400. If the trail is located on the east side, that area is hilly and a lot of homes will have to be removed. If the trail is located on the west side, it could be located through the subject property. He knows the neighborhood does not want to see hundreds of bicycles on a sunny afternoon on the weekend. There may be a pushback from the neighborhood if the trail is located on the opposite side of this property. He was hoping for a compromise regarding this land. He is very interested in what the location of the bicycle path will be.

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

Charles Conklin, 4630 Highpoint Road, stated he will defer to the Association's attorney, due to the change of circumstances this evening.

Patty Berkovitz, 800 Crest Valley Drive, stated she represents the Watershed Alliance of Sandy Springs. The Alliance does support this withdrawal. The City's policy is clear for new construction and there is no building in the floodplain. The City has demonstrated its commitment by purchasing

floodplain properties in this area and participating in the FEMA program. It is common knowledge that Nancy Creek frequently floods and has caused significant property damage both upstream and downstream, making the remaining flood storage areas more critical than ever before. The riparian forest naturally acts as a sponge, returning flood water to ground water. The number of elms and oaks on the property are indicators of where the ground water is deeper. Any development upstream of this project can affect the ability of this watershed to work properly, causing an increase in the levels of period flooding. This floodplain acts as a place to dissipate energy. With a channel it exceeds its capacity. This is an important wildlife corridor. Denial is consistent with past actions of the City in regards to floodplains, as follows the policy of the City to not allow building in floodplains. Denial protects the health, safety, and welfare of the citizens of Sandy Springs and the neighbors downstream. The Watershed Alliance supports the withdrawal of this application.

Bill Gannon, 505 Taunton Way, stated he is speaking on behalf of High Point Civic Association. The Association is in support of the withdrawal. He thanked Council Member Bauman for his comments. The High Point Civic Association was denied the opportunity to consider building on this property. When there are conflicting comments from the Community Development staff on what one can or cannot do, that causes tough situations. This is something he would like to try and avoid in the future. The City is spending quite a bit of money to improve the zoning procedures. This application is tough, because a tremendous burden is being put on citizens who have to spend a lot of money before the application reaches Council. Going forward he would like to know when it is acceptable to place a yard sign in a yard. The only way the neighbors got the word out is due to yard signs.

Nathan Hendricks, 6085 Lake Forrest Drive, stated his clients have no opposition to the withdrawal of the request. He would like to point out something that is in the file. There were evaluations submitted by Jeffery Felinas. There was an independent traffic study submitted and entered into the staff report. There was an evaluation of potential adverse market value effect to the property of his clients, the Conklins. Steve Ralphman of the Wilson, Brock, Irvey Frim submitted an analysis of the application and augmented the staff report and conclusions staff reached. All of these documents are memorialized and in the file. The tennis court component did not technically fold into the athletic field as it is prohibited under the R3 zoning.

Jeff Lebox, 47 Willow Glen NE, stated he has been a District 5 resident for over twelve years. Tonight's comments come at a high personal cost. His nephew is a student at Galloway and his best friend is a member of the law firm that is representing Galloway. Sandy Springs came into existence to get better local control of the zoning decisions that affect the community. There is strong neighborhood opposition. It is very difficult to see how the City benefits any way from this proposal. He urged denial of this application. There can be a better plan than what has been proposed so far.

Ms. Gay stated she appreciates the willingness of the High Point Civic Association, Ms. Berkovitz, and Mr. Hendricks clients to support withdrawal of the application. She cannot speculate the range of passive recreational uses the applicant and the neighborhood might want to consider in the future. If any of the options might need a use permit, she would submit a withdrawal to allow a community oriented use to proceed. She asked for Council's support of a withdrawal.

Mayor Paul closed the public hearing.

Motion and Second: Council Member DeJulio moved to approve the withdrawal of Agenda Item No. 16-029, U15-0016 – 0 High Point Road - Galloway School Recreational Fields, a Use Permit for Recreational Fields (Sec. 19.4.36) to construct a softball field, tennis courts, a parking lot, and accessory structures (dugout, concession stand, restrooms, indoor hitting facility, maintenance facility) for a private school, with two (2) concurrent variances. Council Member Sterling seconded the motion.

Council Member Tibby DeJulio stated this application has caused an upheaval in the High Point neighborhood. Seven of the eleven properties the City bought in the floodplain under the FEMA program also adjoin Nancy Creek. Since the applicant has filed for this petition, the subject property has flooded at least two and possibly three times. One time there was as much as thirty inches of water on the property. About three years ago Council took the position of writing a letter of concern to DeKalb County about the Concourse soccer fields, which were also upstream on Nancy Creek. The City was concerned about the flooding downstream. He received the same concerns from citizens in Atlanta about what it would do to those downstream if the City allowed this application to be approved. The reason he proposes a withdrawal, rather than a denial, is because with a withdrawal the owner of the property can try to find an alternate use for the property. This is a case study of why people need to discuss with their neighbors before permits are applied for. If this application had been discussed beforehand, people could have talked about it and maybe worked things out. The City was formed for local control, but we have to remember we are a community that wants to live in Sandy Springs. We have to work as a community and we need to talk about these things and talk to our neighbors. You would be surprised to hear how many people say they do not know their neighbors. We need to know what our neighbors are thinking and we need to know before we go through the time, expense, and staff resources. He received about 400 emails pertaining to this agenda item. If this had been discussed in advance, a lot of the issues could have been avoided, prevented, or negotiated.

Mayor Paul stated this is the reason the City changed the zoning application procedures, in order to encourage dialogue with all involved.

Council Member Bauman stated he will also support the withdrawal. One of the most difficult aspects of being on the City Council is having an opinion on many things. For zoning cases there is a requirement and obligation of Council to remain mum. He is a proud Galloway parent, but his job is as a City Council Member. There are a couple reasons that he would not use for opposing this application. One reason is because an Atlanta school was submitting an application in Sandy Springs. He rejects that notion because it is un-American. Many people from out of town come to Sandy Springs to buy and develop property. Galloway is a school that serves hundreds of Sandy Springs families and many Sandy Springs residents use Chastain Park in Atlanta. Another comment was this application should be rejected because it would not add to the City's tax base. He has heard many people say they are only supporting an application because it will add to the City's tax base. He speaks for himself, but he believes all of Council would agree that they do not base a decision on cases on the impact of taxes. That is not how the Council operates. When he went to the meeting at Galloway, in addition to the question if he would recuse himself was the question about all the signs. He understands the distaste with signs, but that is how the First Amendment works. Everyone has the right to free speech. There were valid reasons why this application should not be supported. Some reasons are legal and some are environmentally based. He saw valid legal and environmental reasons not to support this application. Cases like this are asking for the consensus of all before moving them forward. He hopes the City's procedures will encourage people to work together on applications. He would have opposed this application and he does oppose it. The property owner should be given the chance to figure things out at some point. He hopes that all can move on without ostracizing the Galloway families and pitting people against each other.

Vote on the Motion: The motion carried unanimously.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

7. **16-030** Consideration of Amending Section 103-91 of the Sandy Springs Code of Ordinances (underground utilities)

Assistant City Manager Jim Tolbert stated he is asking that Council defer this item for a couple weeks. There needs to be more conversation on this item to ensure the correct language is in the ordinance.

Motion and Vote: Council Member Sterling moved to defer Agenda Item No. 16-030, Consideration of Amending Section 103-91 of the Sandy Springs Code of Ordinances. Council Member DeJulio seconded the motion. The motion carried unanimously.

8. **16-031** Approval for the Mayor to Execute Georgia Power Relocation Agreement for the City Springs Transportation Network Project (CIP T-0058)

Director of Public Works Garrin Coleman stated this item is for an agreement with Georgia Power to relocate one of the transmission poles that is located in one of the City's planned east/west connections as set forth in the City Springs Master Plan. The cost for this relocation is \$304,433. The work will commence prior to the summer. It will take about twelve weeks to get the pole ordered. If this is not accomplished by the summer, then the work will have to wait until the fall, because the transmission poles cannot be moved in summer months.

Motion and Second: Council Member Sterling moved to approve Agenda Item No. 16-031, for the Mayor to Execute the Georgia Power Relocation Agreement for the City Springs Transportation Network Project (CIP T-0058). Council Member Dishman seconded the motion.

Council Member Gabriel Sterling asked if this is the transmission pole between Mill Creek and the previous Camden development and if it will need to be moved to the south.

Director of Public Works Coleman responded yes.

Council Member John Paulson asked if the City can get Georgia Power to pay part of the costs.

Director of Public Works Coleman stated State Route 9 was developed by Georgia Power. The City's franchise agreement does not apply to transmission poles in the City.

Council Member Sterling asked if this is the only pole that needs to be moved for this road connection.

Director of Public Works Coleman responded yes.

Council Member Sterling stated there was discussion of moving these power poles to Boylston or some other section. He asked if that is possible with this power pole.

Director of Public Works Coleman answered no, because this is a single pole.

Vote on the Motion: The motion carried unanimously.

Resolution No. 2016-01-10

9. **16-032** Consideration of a Resolution Appointing a Member to the Sandy Springs Planning Commission (Reed Haggard)

Mayor Rusty Paul stated the terms on the City boards and commissions do not all end at one time, they overlap. There are two members of the Planning Commission whose terms expire January 31st. He asked the Chair of the Planning Commission, Lee Duncan, to serve as the chair of the Zoning Advisory

Committee. He is nominating Reed Haggard to the Planning Commission. He has known Mr. Haggard for a long time and Mr. Haggard has been very active in the community. Mr. Haggard has also been a member of the Sandy Springs Board of Ethics. At a future meeting he will bring one additional recommendation for this board and the Ethics Board will need three new nominations.

Motion and Vote: Council Member McDonald moved to approve Agenda Item No. 16-032, a Resolution Appointing a Member to the Sandy Springs Planning Commission (Reed Haggard). Council Member Dishman seconded the motion. The motion carried unanimously.

Resolution No. 2016-01-11

10. **16-033** Consideration of a Resolution Appointing Additional Members to the Zoning Ordinance Advisory Committee (Edward L. Johnson, Jayne Maser)

Mayor Rusty Paul stated at the last City Council meeting most of the members of the Zoning Advisory Committee were submitted to Council and these two are the additional appointments. Edward L. Johnson is a Sandy Springs resident who is the Chief Administrative Officer of MARTA. He and the City Manager met with Mr. Johnson and other members of MARTA and the thoughts and plans for MARTA moving forward should be considered as part of this process. Jayne Maser is a Sandy Springs resident living in the High Point area who is the head of human resources at JAZZ.

Motion and Vote: Council Member Sterling moved to approve Agenda Item No. 16-033, a Resolution Appointing Additional Members to the Zoning Ordinance Advisory Committee (Edward L. Johnson, Jayne Maser). Council Member DeJulio seconded the motion. The motion carried unanimously.

Resolution No. 2016-01-12

REPORTS

Mayor and Council Reports

Mayor Rusty Paul stated he attended a nice ceremony today at the State Capitol where two members of Sandy Springs were appointed by the Speaker of the House to the Holocaust Commission. One appointment was Rabbi Phil Crans, recommended by Representative Joe Wilkerson, and the other was Council Member Andy Bauman, nominated by City Attorney Willard. He congratulated them both on their appointment.

Council Member John Paulson stated when the City placed a notice about the High Point area project, the sign was located at the end of the street. Unless someone drives to the end of the street, they cannot see the sign. He asked if there is a policy in place that addresses situations like this.

Assistant City Manager Jim Tolbert stated this property was an odd situation. The policy is the signs are placed on the property and if there is over 500 feet of frontage the new policy states that extra signs are placed out. Notices and advertisements are sent out to the public.

Mayor Paul stated the signs are four feet by eight feet in size and are much more visible.

Council Member Paulson asked that staff pay attention to issues such as these and use their discretion if another sign is needed.

Council Member Gabriel Sterling stated currently the City will accept seven zoning applications per month and staff is looking to lower that number to five. At a future Work Session he would like a more broad discussion on this item.

11. **16-034** Staff Reports

City Manager John McDonough stated the Communications Department and all of the department heads did a good job compiling a report for the Council and the community with the City highlights of 2015. He thanked all involved and Council for their leadership for the last year. The report will be available on the City website.

PUBLIC COMMENT

Patty Berkovitz, 800 Crest Valley Drive, stated she is with the Sandy Springs Watershed Alliance. The Alliance would like to submit a recommendation for a nomination to the Zoning Advisory Board, Tom O'Meara. Mr. O'Meara has been an environmental compliance director for electric and gas utilities, a member of the Cornell Advisory Board of biotechnology, and from 1990-1996 he was the Chairman of the Broome County New York Environmental Council Commission. Mr. O'Meara has an MBA in Finance from State University of New York and a B.S. with dual majors in resource management in forestry, biology, and environmental science. She would be pleased to have him as a board member.

Bill Gannon, 505 Taunton Way, stated he was going to discuss the problem with the City zoning signs on south High Point Road, but it was already discussed. There are road problems on Windsor Parkway where flooding has occurred. When driving down High Point there are traffic issues near the Conklin's home.

Tochie Blad, 7320 Hunters Branch Drive, stated on the City's website the Regular and Work Session neglected to mention the zoning moratorium ninety day extension that was considered. The hard copy of the agenda that evening did have the item. Months later the approved minutes are posted online. It would be very helpful if that item was added to the agenda. The community is interested in lowering the application acceptance number from seven to five. Denying a few applications may lead to more control.

EXECUTIVE SESSION

12. **16-035** Executive Session

There was no Executive Session.

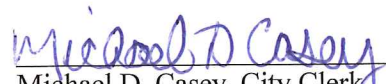
ADJOURNMENT

13. **16-036** Adjournment

Motion and Vote: Council Member DeJulio moved to adjourn the meeting. Council Member Paulson seconded the motion. The motion carried unanimously. The meeting adjourned at 7:32 p.m.

Date Approved: February 2, 2016


Russell K. Paul, Mayor


Michael D. Casey, City Clerk