The Regular Meeting of the Sandy Springs City Council was held on Tuesday, February 5, 2019, at 6:22 p.m., Mayor Rusty Paul presiding.

CALL TO ORDER

Mayor Rusty Paul called the meeting to order at 6:22 p.m.

ROLL CALL

City Clerk Michael Casey 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 need to be submitted to the City Clerk before the meeting begins.

City Clerk Casey called the roll.

Mayor: Mayor Rusty Paul present.

Councilmembers: Council Member John Paulson, Council Member Steve Soteres, Council Member Chris Burnett, Council Member Jody Reichel, Council Member Tibby DeJulio and Council Member Andy Bauman were present.

PLEDGE OF ALLEGIANCE

Mayor Rusty Paul led the Pledge of Allegiance.

PUBLIC COMMENT

Melanie Couchman, 8890 Huntcliff Trace, thanked the City for the opportunity to serve on the North End Revitalization Task Force. She regrets that she cannot support the final plan. She was hoping to fulfil the mission to create economic vitality and new home ownership options inclusive of the current residents. In her opinion, the task force was not successful. To understand how the larger community would react to the plan, the task force commissioned a poll to survey over 600 residents in the City. Those that were polled reflect the City and were likely voters, homeowners, white, ages 34-65, republicans and democrats. Only twenty-five percent felt the City should move forward with this plan, while seventy-five percent felt confused or felt the task force should start over with the plans. Many had doubts about the plan when they learned it consisted of demolishing thousands of existing affordable apartments. This would drive up rents and housing costs. This would make it harder for our workforce, such as teachers and first responders, to live in the City. The catalyst site would remove 1,200 apartment homes representing 2,200 bedrooms that are 94% occupied. They would be replaced with single-family homes. This would be in at least two other locations north of Dalrymple. She asked what impact that will have on our schools. The diversity that we treasure will be gone. The process for the task force was flawed. As an example, there was no public discussion at the October 18 meeting, only fourteen big ideas on poster boards. Residents did not have an opportunity to comment on the plan. When asked about the makeup of the task force, the facilitators were unwilling to answer the question and referred people to the City's website. Twelve years ago, one of the strong arguments was to create our own destiny and to take the City back from unchecked development. There is fear now that developers are taking control, but with the City's buy-in. The City can take its time and get this right. We need to have an open and transparent process that includes all stakeholders: apartment residents, employees, public school representatives, and others. Creating a better understanding of the challenges and options takes time. It will unite us for a stronger community where everyone succeeds. We have unique resources in the City and a history of innovative ways to solve problems. Together, we can do better.

Cheryl Barlow, 250 Landfall Road, stated as Council considers recommendations from the North End Task Force, she would like to point out a "canary in the coalmine" scenario that could be a trend in our City. She is referring to the apartment complex at the corner of Abernathy and Roswell Road behind Taco Bell. The complex, Provence North, was built in the late 1960's and had two story buildings with 112 apartments. The complex offered 1,500 square feet three bedroom units for a reasonable rent of about $1,500 a month. These older apartments were not luxurious, but they were affordable and large enough for families. Sixty children from this complex attended Spalding Drive elementary. She knew many of these families and most were long-term renters. Their children participated in sports at Morgan Falls Park. Their parents volunteered at the school and worked here in Sandy Springs. In 2014, the complex was redeveloped and many of these families did not renew their leases. Provence North was bulldozed and replaced with four story buildings containing 230 apartment units. There are no three-bedroom apartments in the new complex. The largest two bedroom units are less than 1,200 square feet and rent for approximately $3,000 a month. After three years, we only have about twelve children attending the school out of the original sixty and Spalding Elementary has not recovered. The school has lost five full time teachers, counselors and support staff, because there are now less than 500 students. The new apartment complex has never been filled to capacity and has already been sold to a new management company. She sees the same trend with three other new redeveloped areas. These are very small residences with extremely high rent. The shortest lease is three months to seven months. These new developments are not geared towards families or long-term residents. She understands privately owned properties are often beyond Council's influence. She wanted to make Council aware of what happened to the Spalding community with redevelopment. With north end redevelopment, she has heard many comments on how to address the economic cost, but not always the human cost. We must further address the important issues of who we want living in the City and how we can build residences to accommodate these people. She hopes that we will keep the invested residents and attract quality residents who want to stay here, regardless of whether they own or rent. We all participate and invest in our community and ultimately care about this City.

David Hill, 270 – F Winding River Drive, stated on January 31, shortly after 4:00 p.m., several police officers responded to a fire in his community. Officer James Hudson, Officer Jacob Miller, and Officer Jesse Kramer immediately began knocking on doors and breaking windows to make sure everyone was out of the building. They were there in time to catch a child that had to be dropped out of the window. He is thankful that no one died in the incident. Shortly after, many fire trucks from Sandy Springs and Roswell responded to the fire. He thanked the City and those that responded to the fire. The response time was phenomenal and the service levels were great. Everyone should stop and take a minute to think about all the things that first responders do. We cannot ever adequately thank or repay first responders for their service.

Mayor Rusty Paul thanked Mr. Hill for acknowledging the first responders.

APPROVAL OF MEETING AGENDA

1. 19-038 Add or remove items from agenda

Motion and Vote: Council Member DeJulio moved to approve the meeting agenda for the February 5, 2019 City Council meeting. Council Member Burnett seconded the motion. The motion carried unanimously.

CONSENT AGENDA

2. 19-039 Meeting Minutes
1. January 15, 2019 Work Session
2. January 15, 2019 Regular Meeting

(Michael Casey, City Clerk)

3. 19-050 Intergovernmental Agreement (IGA) Between the Fulton County Board of Education and the City of Sandy Springs for the Use of Facilities at Ison Springs Elementary School
(Michael Perry, Director of Recreation & Parks)

4. 19-051 Intergovernmental Agreement (IGA) Between the Fulton County Board of Education and the City of Sandy Springs for the Use of Facilities at Lake Forest Elementary School
(Michael Perry, Director of Recreation & Parks)

5. 19-052 Intergovernmental Agreement (IGA) Between the Fulton County Board of Education and the City of Sandy Springs for the Use of Facilities at Sandy Springs Middle School
(Michael Perry, Director of Recreation & Parks)

6. 19-058 Acceptance of a Permanent Stormwater Drainage Easement for a Stormwater Drainage Improvement Project along Glenridge Drive
(Marty Martin, Director of Public Works)
Resolution No. 2019-02-19

7. 19-059 Acceptance of a Real Estate Agreement (Permanent Drainage Easement) and Temporary Construction Easement for the Glenridge Stormwater Project
(Marty Martin, Director of Public Works)
Resolution No. 2019-02-20

8. 19-060 Consideration of the Acceptance of the Dedication of Right of Way as part of the Development Regulations Ordinance requirements related to Community Development File # BR18-00510
(Marty Martin, Director of Public Works)
Resolution No. 2019-02-21

Motion and Vote: Council Member Bauman moved to approve the Consent Agenda for the February 5, 2019 City Council meeting. Council Member Soteres seconded the motion. The motion carried unanimously.

PRESENTATIONS

9. 19-040 There were no presentations

PUBLIC HEARINGS

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

10. 19-041 Approval of Alcoholic Beverage License Application for Abu Ali, LLC DBA Abu Ali, 795 Hammond Drive, Ste. CU2, Sandy Springs, GA 30328. Applicant is Mohamed Habib for Retail/Package Wine and Malt Beverages.

Finance Director Karen Ellis stated this item is a resubmission application for retail/package wine and malt beverage license for Abu Ali, DBA Abu Ali, located at 795 Hammond Drive, Ste. CU2. The applicant has met all of the requirements and staff recommends approval.

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

Motion and Vote: Council Member DeJulio moved to approve Agenda Item No. 19-041, an Alcoholic Beverage License Application for Abu Ali, LLC DBA Abu Ali, 795 Hammond Drive, Ste. CU2, for

Retail/Package Wine and Malt Beverages. Council Member Burnett seconded the motion. The motion carried unanimously.

11. 19-042 Approval of Alcoholic Beverage License Application for JP's Mart DBA Holcomb Bridge Shell, 7800 Holcomb Bridge Rd, Sandy Springs, GA 30092. Applicant is Noorallah Panjwani for Retail/Package Wine and Malt Beverages.

Finance Director Karen Ellis stated this item is a change of ownership application for retail/package wine and malt beverages for P's Mart, DBA Holcomb Bridge Shell, located at 7800 Holcomb Bridge Rd. The applicant has met all of the requirements and staff recommends approval.

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

Motion and Vote: Council Member Paulson moved to approve Agenda Item No. 19-042, an Alcoholic Beverage License Application for JP's Mart, DBA Holcomb Bridge Shell, 7800 Holcomb Bridge, for Retail/Package Wine and Malt Beverages. Council Member Soteres seconded the motion. The motion carried unanimously.

12. 19-043 Approval of Alcoholic Beverage License Application for Kapec Inc, DBA Vinny's NY Pizza and Grill, 111 Glenridge Point Pkwy NE, Suite 102 Sandy Springs, GA 30342. Applicant is Karla Benavides for Consumption on the Premises Wine, Malt, & Distilled Spirits.

Finance Director Karen Ellis stated this is a change of ownership application for consumption on the premises of wine/malt beverage and distilled spirits for Kapec Inc, DBA Vinny's NY Pizza and Grill, located at 111 Glenridge Point Pkwy NE, Suite 102. The applicant has met all of the requirements and staff recommends approval.

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

Motion and Vote: Council Member DeJulio moved to approve Agenda Item No. 19-043, an Alcoholic Beverage License Application for Kapec Inc, DBA Vinny's NY Pizza and Grill, 111 Glenridge Point Pkwy NE, Suite 102, for Consumption on the Premises Wine, Malt, & Distilled Spirits. Council Member Bauman seconded the motion. The motion carried unanimously.

13. 19-044 Approval of Alcoholic Beverage License Application for Nam Concepts, LLC, DBA Nam Kitchen, 6400 Bluestone Rd., Sandy Springs, GA 30328. Applicant is Jason Farr for Consumption on the Premises Wine, Malt, & Distilled Spirits.

Finance Director Karen Ellis stated this item is a new ownership application for consumption on the premises of wine, malt beverage, and distilled spirits for Nam Concepts, LLC, DBA, Nam Kitchen located at 6400 Bluestone Rd. The applicant has met all of the requirements and staff recommends approval.

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

Motion and Vote: Council Member Burnett moved to approve Agenda Item No. 19-044, an Alcoholic Beverage License Application for Nam Concepts, LLC, DBA Nam Kitchen, 6400 Bluestone Rd. for Consumption on the Premises Wine, Malt, & Distilled Spirits. Council Member Paulson seconded the motion. The motion carried unanimously.

14. 19-045 Approval of Alcoholic Beverage License Application for Salima & Salima LLC, DBA Shell Food Mart, 5700 Roswell Rd., Sandy Springs, GA 30342. Applicant is Salima Lalani for Retail/Package for Wine, & Malt Beverages.

Finance Director Karen Ellis stated this is a change of ownership application for retail/package wine and malt beverage for Salima & Salima LLC, DBA Shell Food Mart, located at 5700 Roswell Rd. The applicant has met all of the requirements and staff recommends approval.

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

Motion and Vote: Council Member Reichel moved to approve Agenda Item No. 19-045, an Alcoholic Beverage License Application for Salima & Salima LLC, DBA Shell Food Mart, 5700 Roswell Rd. for Retail/Package for Wine, & Malt Beverages. Council Member Burnett seconded the motion. The motion carried unanimously.

15. 19-046 Approval of Alcoholic Beverage License Application for Sipping Plant, LLC, DBA The Sipping Plant, 6450 Roswell Rd Ste C Sandy Springs, GA 30328. Applicant is Abraham Gray for Consumption BYOB Wine & Malt Beverages.

Finance Director Karen Ellis stated this is a resubmission application for BYOB wine and malt beverage license for the Sipping Plant, LLC, DBA the Sipping Plant, located at 6450 Roswell Rd Ste C. The applicant has met all of the requirements and staff recommends approval.

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

Motion and Vote: Council Member Burnett moved to approve Agenda Item No. 19-046, an Alcoholic Beverage License Application for Sipping Plant, LLC DBA the Sipping Plant, 6450 Roswell Rd Ste C for Consumption BYOB Wine & Malt Beverages. Council Member Paulson seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS

There were no unfinished business items.

NEW BUSINESS

16. 19-047 Consideration of a Resolution to Adopt the City's Fiscal Year 2020 Priorities

City Manager John McDonough stated staff appreciates Mayor and Council attending the City Council Retreat to discuss issues facing the City. A large portion of the day was spent discussing Council's priorities and highlights from 2018. Staff then proposed a work plan for 2019 in support of the priorities. Based on Council's feedback, these are the ten priorities for 2019, which are the same as last year. The City Council priorities are public safety, sustainable growth, downtown development, transportation, natural resource protection, community appearance, economic development, recreation and cultural enhancement, North End redevelopment, and water reliability. If Council approves these priorities, they will then be the basis for the priority based budgeting process. This resolution will adopt the priorities and staff recommends approval.

Motion and Second: Council Member DeJulio moved to approve Agenda Item No. 19-047, a Resolution to Adopt the City's Fiscal Year 2020 Priorities. Council Member Paulson seconded the motion.

Council Member John Paulson stated staff did a great job at the City Council Retreat.

Vote on the Motion: The motion carried unanimously.
Resolution No. 2019-02-22

17. 19-048 Resolution Appointing Members to the Development Authority (Sunny Park, Toshia Battle)

Mayor Rusty Paul stated the City has various boards. There are three appointments before Council this evening. Due to the large number of people that wish to serve, he has instituted a two-term limit for those that he appoints. Two prior board members, Jim Squire and Jennifer Steele, served extremely well on the Development Authority. Both had reached their two-term limit. Sunny Park lives in Sandy Springs. He has a wonderful American success story. He was on the streets of Seoul Korea during the Korean War and was picked up by a group of U.S. Soldiers who adopted him. They arranged for him to come to the United States. Mr. Park began working by cleaning buildings. He stated he has now reached his goal of paying $1 million in federal income taxes. That is not something that most of us aspire to do. He also recommends Toshia Battle, who has been every engaged with the City.

Motion and Vote: Council Member Paulson moved to approve Agenda Item No. 19-048, a Resolution Appointing Members to the Development Authority (Sunny Park, Toshia Battle). Council Member DeJulio seconded the motion. The motion carried unanimously.
Resolution No. 2019-02-23

18. 19-049 Resolution Appointing Member to the Board of Ethics (Kim Gay)

Mayor Rusty Paul stated one of the early decisions we made as a City was to create a Board of Ethics. This was done to review any ethics complaints brought against any elected members of our City government. We have been very fortunate that we have had great people willing to serve on this board, even though they have not had a lot to do. The Board meets quarterly and their meetings are short, which is a good thing. He has two more appointments to make to the Ethics Board. There are regular members as well as alternate members that serve on this Board. He has known Ms. Gay for a very long time and she has been very active in Sandy Springs. He recommends Ms. Gay to serve on the Board of Ethics.

Motion and Vote: Council Member Burnett moved to approve Agenda Item No. 19-049, Resolution Appointing Member to the Board of Ethics (Kim Gay). Council Member Soteres seconded the motion. The motion carried unanimously.
Resolution No. 2019-02-24

19. 19-053 An Ordinance to amend chapter 58 (traffic and vehicles) of the Code of the City of Sandy Springs, Georgia, to add provisions pertaining to the regulation of parking at City Springs

City Manager John McDonough stated progress is being made filling the retail spaces on market square. A number of the establishments are open and doing well. In partnership with the representatives at Selig, we evaluated what is occurring on the surface parking spaces and in the parking deck. There are 1,125 parking spaces with 750 in the underground deck. There are 258 parking spaces, including the 106 in the south parking lot. There are seventeen parking spaces in market square, which is the closest area to the retail. Currently, there are three fifteen minute reserved spaces in front of the Flower Child for to-go order patrons. The rest of the parking spaces are 90 minute paid parking. In the underground deck, the current fees are the first two hours free, and event parking is $5. Valet parking was originally $20 and it is now $15. There is also a service for handicap patrons to where they are charged the same as event parking, which is $5. The surface street parking spaces cost $1 for 30 minutes, $2 for 60 minutes, and $4 for 90 minutes. The feedback we have received is mixed regarding the surface parking. People would like to have more time when parking at the restaurants. The City has been asked to consider a potential change to the parking. When these recommendations were first brought to Council, it was done in partnership with Carter and Selig. We felt it was important to have turnover in those surface parking spaces. Based on the feedback we have received, that can still be accomplished, but we can be more accommodating to the patrons that come to visit the retail establishments. Some feedback that staff received was that the signage is confusing in the underground deck. We have team members working on that and they will be making recommendations for improvements. There were a number of people who used the metered parking and who used the Park Mobile app. Because of this, staff recommends two hour free parking on all of the surface spaces. In the spirit of having turnover in the parking spaces, we do not want employees or people that do not have business on the property to park here all day. It is recommended that the two-hour free parking be strictly enforced. There will be staff with handheld devices to check when vehicles arrive and depart to ensure they are following policy. Staff recommends keeping the event parking at $5, but continue to maintain the flexibility to adjust that. The south parking lot will be used for event parking on event days. The valet parking cost will remain at $15, with $5 for handicap parking and $5 for retail with validation.

Jo Ann Chitty, Selig, stated we are excited that the parking spaces are being used and the restaurants are open. With many mixed used projects, there are a mix of parking demands and desires. One of the big challenges is how to produce turnover and create a welcoming environment, while also protecting the retailers by not allowing the residents to park overnight. She thanked the City Manager, staff, and Council for being flexible in working with Selig to see how the parking works best. She thanked Council for reviewing the parking policy in order to make a much-needed change.

Mayor Rusty Paul stated this is a work in progress. We went in with several assumptions. We are finding that most of our assumptions were accurate. Experience is a great teacher and we are trying to adapt based on the experiences and feedback from the community, retailers, and from our own observations.

City Manager McDonough asked Council to review the ordinance in the agenda package. There are two suggested amendments under Article V, which governs parking at City Springs. The ordinance addresses infractions that will result in a $25 fine. Any fine issued that is not paid within thirty days shall also incur a late charge of $25. The fourth and every subsequent occurrence of any infraction shall be punishable by the impounding of the vehicle, having it removed from public property at City Springs at the expense of the owner, and charging the owner a storage fee. Any sworn police officer that finds any motor vehicle in violation of any infraction listed in Sec. 58-121 that creates an operational or public safety hazard shall have the right to impound the vehicle and to have same removed from public property. Additional language has been added to the ordinance, which addresses the free public parking. Staff recommends approval of this item.

Mayor Paul stated City staff might hear from people stating they were parked in the parking space for only 2 hours and 2 minutes when they received a ticket. The two-hour limit will be strictly enforced. We are trying to accomplish a wide variety of goals, one of which is the turnover of the parking spaces. This is needed so the retailers have convenient parking available in front of their businesses.

Motion and Second: Council Member Reichel moved to approve Agenda Item No. 19-053, An Ordinance to amend chapter 58 (traffic and vehicles) of the Code of the City of Sandy Springs, Georgia, to add provisions pertaining to the regulation of parking at City Springs. Council Member Bauman seconded the motion.

Council Member Andy Bauman thanked staff. He has had a number of conversations with constituents regarding the parking. He thinks all of Council has been discussing the parking for some time and favors this change to some extent. The parking policy on the surface lots is about the turnover. There will not be a significant impact with this change.

City Manager McDonough stated based on staff's projected assumptions, this ordinance will result in an annual change of approximately $90,000.

Council Member Bauman thanked Ms. Chitty. He asked if the two-hour parking period would be good for most parking uses.

Ms. Chitty stated that amount of time will be adequate.

Council Member Bauman stated a similar parking facility is Emory Point. They have fewer surface parking spaces and all parking spaces are paid. How do you condition the citizens to utilize the parking deck and what is your experience with these types of facilities?

Ms. Chitty stated the important thing is for the parking consultant, Lanier Parking, to have their staff direct the drivers to open parking spaces. The parking information could be included on the City website. Tenants have the right to validate parking. If people want to stay more than two hours, they can validate for an additional two hours.

Council Member Bauman stated there have been reports of adjacent properties booting vehicles when customers are on site, whether they are using the shops or not. He asked how Ms. Chitty feels about that policy.

Mayor Paul stated it is placing Ms. Chitty in a bad position to comment on the operational policies of another location.

Council Member Bauman stated this discussion started due to some people parking in other locations, because of the parking fees at City Springs.

Ms. Chitty stated booting cars should be only used in extreme cases.

City Manager McDonough stated to make it clear; the City is not booting vehicles.

Council Member Bauman stated there are properties in the City that are booting.

Vote on the Motion: The motion carried unanimously.

20. 19-054 Operating Agreement between the City of Sandy Springs ("City") and the Sandy Springs Historic Community Foundation, Inc. d/b/a Heritage Sandy Springs ("Heritage")

City Attorney Dan Lee stated approximately a year ago one of the projects the City undertook was to review all the City leases. The Heritage lease is for more time than the law allows. With the assistance of Heritage, staff has created an operating agreement. The agreement requires that Heritage pay the utilities and a rent of $10 per year.

Motion and Second: Council Member Burnett moved to approve Agenda Item No. 19-054, Operating Agreement between the City of Sandy Springs ("City") and the Sandy Springs Historic Community Foundation, Inc. d/b/a Heritage Sandy Springs ("Heritage"). Council Member Paulson seconded the motion.

Council Member Chris Burnett thanked City staff and Heritage staff for their great work on this agreement.

Vote on the Motion: The motion carried unanimously.

Resolution No. 2019-02-25

21. 19-061 Acceptance of a Real Estate Agreement (Permanent Drainage Easement and Temporary Construction Easement) for the Crest Valley Drive (1107) Stormwater Project

Director of Public Works Marty Martin stated the City has a major stormwater project to replace an under road culvert located at 1107 Crest Valley Drive. A permanent drainage easement and temporary construction easement are required in support of that culvert replacement. Approximately 693 square feet of permanent drainage easement and 126 square feet of temporary constructions easement were appraised. City staff made an offer to the property owner. The initial offer was $3,700. The property owner cited loss of two mature trees and gave a counter offer of $5,000. Upon review of the property owner's counter offer, staff recommends acceptance of the counter offer.

Motion and Second: Council Member Bauman moved to approve Agenda Item No. 19-061, a Real Estate Agreement (Permanent Drainage Easement and Temporary Construction Easement) for the Crest Valley Drive (1107) Stormwater Project. Council Member DeJulio seconded the motion.

Council Member Andy Bauman asked if this is the property that staff was waiting on.

Director of Public Works Martin stated there are other property owners with whom the City Attorney still needs to complete negotiations.

Vote on the Motion: The motion carried unanimously.
Resolution No. 2019-02-26

22. 19-062 Consideration of Approval of a Contract to Design the Interstate North Parkway Sidepath Project (TS170)

Director of Public Works Marty Martin stated in support of the TSPLOST sidewalk program, one of the next projects on the list for design is a side path along Interstate North Parkway. This path would connect Northside Drive to the bridge at the Chattahoochee River. In support of that effort, the City prepared a scope statement and submitted the statement to a group of on call sidewalk design consultants. The City received four quotes. Upon review of the quotes, staff found that the apparent low quote did not consider a couple of elements that staff considers essential to deliver the design. Among those are structural engineering services for retaining walls that staff believes are required to be designed with this project. This requires more attention to stormwater drainage design within the project scope, as well as lighting design. Considering those omissions in the low quote and a budget estimate of $480,000 for design services, staff recommends awarding the contract to Atkins North America for this project at $285,038.94. Atkins quote more accurately stated the requirements of the design contract.

Motion and Second: Council Member Burnett moved to approve Agenda Item No. 19-062, a Contract to Design the Interstate North Parkway Sidepath Project (TS170). Council Member Soteres seconded the motion.

Council Member John Paulson asked how long will the path be.

Director of Public Works Martin stated the length is approximately one mile.

Council Member Chris Burnett asked if Cobb County has any plans to do the same on their side of the river.

Director of Public Works Martin stated not at this time. He believes there is some sidewalk connectivity on the other side of the river right now. There has been a long-standing requirement on the City's side to have access to the trail at the Chattahoochee River. The intent for now is to get the pedestrians to the park trail.

Mayor Rusty Paul stated he believes Cobb County has sidewalks going from the river to about Powers Ferry Road.

Council Member Burnett asked if this would be a standard five-foot wide sidewalk.

Director of Public Works Martin stated in this case it would be a twelve-foot wide side path. There will be five feet of landscape strip, which will vary based on site conditions.

Vote on the Motion: The motion carried unanimously.
Resolution No. 2019-02-27

REPORTS

Mayor and Council Reports

Mayor Rusty Paul stated his reports are regarding legislative updates. Last year, one major source of controversy was the legislation that would cover the implementation of 5G technologies. The bill in the last session could not reconcile the differences between the local governments and providers about the use of right-of-way. There was a strong suggestion from the legislative leadership that the cities, county, and providers meet to come up with a compromise bill that would deal with these issues. That has been done and it was expected a bill would be presented today. The new bill would address most of the concerns from last year. The legislation would give predictability to the providers, allow the municipalities to retain control of our right-of-way, and recognize historic districts and underground utilities. Anything done from an underground utilities perspective under the proposed legislation would have to be done before this bill is enacted. He asked staff to review the City's ordinances in light of this bill, to make sure we have things in order.

The City does not have scooters in the area, but they are appearing throughout the region. For last mile connectivity, in certain situations, they are great technologies. There are a wide range of considerations for the scooters, such as can they be used on sidewalks. Some people say they are not vehicles while some say they need to be used in the streets. This creates conflicts between pedestrians and vehicles. There are also public safety concerns when riding the scooters. He believes there will be legislation dealing with scooters and electrified bicycles. The first bill may have gone a little too far. It requires the scooters to be licensed as vehicles and tagged.

Another item being discussed is short-term rentals. One of our legislators submitted a bill that prohibited local governments from regulating short-term rentals. The City currently has reasonable regulation of short-term rentals. That legislation failed quickly. There were concerns with the short-term rental bill due to the impact of short-term rentals on the hospitality industry. There will be some type of regulations coming from the State, but at this time, he does not know what those will be. There have been discussions regarding other legislation that would prohibit or restrict local governments from being able to enforce design standards.

Council Member John Paulson stated the City has many ordinances that discuss burying utilities. He asked if enforcement of the City's ordinances would be impacted, if this bill passes.

Mayor Paul stated the original bill can be modified, and generally is modified, several times throughout the legislative process. As the bill is written today, if a municipality does not have ordinances that designate under what applications utilities are to be buried, then you cannot force 5G providers to bury their utilities later. Staff will need to follow the legislation, so that we can make whatever adjustments are necessary to protect our ability to maintain the standards that we have set in the community.

23. 19-055 Staff Reports

1. Hammond Park Update – Michael Perry, Director of Recreation & Parks

Director of Recreation and Parks Michael Perry gave the Hammond Park Update PowerPoint presentation.

Mayor Rusty Paul thanked Director of Recreation and Parks Perry for what he and his staff have done to help improve the quality of the City parks.

PUBLIC COMMENT

There were no public comments.

EXECUTIVE SESSION

24. 19-056 No Executive Session was held.

ADJOURNMENT

25. 19-057 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 7:37 p.m.

Date Approved: February 19, 2019

Russell K. Paul, Mayor

Coty Thigpen, City Clerk