

The Regular Meeting of the Sandy Springs City Council was held on Tuesday, June 19, 2018, at 6:21 p.m., Mayor Rusty Paul presiding.

CALL TO ORDER

Mayor Rusty Paul called the meeting to order at 6:21 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 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.

APPROVAL OF MEETING AGENDA

1. **18-213** Add or remove items from agenda

Motion and Vote: Council Member DeJulio moved to approve the Meeting Agenda for the June 19, 2018 City Council meeting. Council Member Soteres seconded the motion. The motion carried unanimously.

CONSENT AGENDA

2. **18-214** Meeting Minutes

1. May 15, 2018 Budget Presentation
2. June 5, 2018 Regular Meeting
(Michael Casey, City Clerk)

3. **18-215** Recommendation to Enter into Contract Agreement with Blount Construction Company, Inc. for Stormwater Maintenance, Inspection and Repair Services
(Marty Martin, Interim Director of Public Works)

4. **18-216** Field Services - Street Maintenance and Repair Contract for the City of Sandy Springs
(Marty Martin, Interim Director of Public Works)

5. **18-217** Contract Agreement with Pro Cutters Lawnsapes, Inc. for Interstate Right-of-Way Maintenance Services
(Marty Martin, Interim Director of Public Works)

6. 18-218 Recommendation to Renew Contract with GTG Traffic Signals for Traffic Signal Maintenance Services for the City of Sandy Springs
(Marty Martin, Interim Director of Public Works)
7. 18-219 Recommendation for Contract Extension with Roadside Specialties, Inc. for Long Line Striping for the City of Sandy Springs
(Marty Martin, Interim Director of Public Works)
8. 18-220 Recommendation to enter into contract amendment agreement with Optech RWM, LLC for Traffic Sign Maintenance and Emergency Road Services
(Marty Martin, Interim Director of Public Works)
9. 18-221 Acceptance and Approval of a Temporary Construction Easement Agreement on the T-0043 Glenridge Drive at Roswell Road Intersection Relocation Project
(Marty Martin, Interim Director of Public Works)
Resolution No. 2018-06-89
10. 18-222 Acceptance and Approval of an Agreement to Purchase Real Estate on the TS-103 Spalding/Dalrymple/Trowbridge Intersection Project (860 Spalding Drive)
(Marty Martin, Interim Director of Public Works)
Resolution No. 2018-06-90
11. 18-223 Acceptance of a Temporary Driveway Easement Related to the Dudley Lane Sidewalk Project (4805 Powers Ferry Rd NW)
(Marty Martin, Interim Director of Public Works)
Resolution No. 2018-06-91
12. 18-224 Acceptance of a Temporary Driveway Easement Related to the Dudley Lane Sidewalk Project (4721 Dudley Lane)
(Marty Martin, Interim Director of Public Works)
Resolution No. 2018-06-92
13. 18-225 Consideration of an Issuance of Task Order to AECOM for Public Works-Facilities Services
(Karen Ellis, Finance Director)
14. 18-226 Consideration of an Issuance of Task Order to AECOM for TSPLOST Public Works Services
(Karen Ellis, Finance Director)
15. 18-227 Consideration of an Issuance of Task Order to the Collaborative for Communications Services
(Karen Ellis, Finance Director)
16. 18-228 Consideration of an Issuance of Task Order to the Collaborative for TSPLOST Communications Services
(Karen Ellis, Finance Director)
17. 18-229 Consideration of an Issuance of Task Order to the Collaborative for Community Development Services
(Karen Ellis, Finance Director)
18. 18-230 Consideration of an Issuance of Task Order to Inframark for Financial Services
(Karen Ellis, Finance Director)

19. 18-231 Consideration of an Issuance of Task Order to Inframark for TSPLOST Financial Services
(Karen Ellis, Finance Director)

20. 18-232 Consideration of an Issuance of Task Order to InterDev for Information Technology Services
(Karen Ellis, Finance Director)

Motion and Vote: Council Member Bauman moved to approve the Consent Agenda for the June 19, 2018 City Council meeting. Council Member Reichel 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.

City Management

21. 18-233 Final Public Hearing on FY2019 Budget and Adoption by Council

City Manager John McDonough stated the proposed FY2019 budget was prepared based on established priorities and defined rankings developed at the annual retreat, as well as budget workshops held for the City Council in May 2018. This budget is submitted to the Sandy Springs City Council in compliance with State law, which provides the budget requirements for Georgia local governments. The FY2019 budget provides for the same millage rate as last year of 4.731 mills. The proposed budgets for all operating, capital, and special revenue funds total \$463,402,990. Public hearings are scheduled to gain citizen input and enable all members of City Council to better understand the needs of the entire community prior to budget adoption. The budget can be revised during the public hearings by the City Council. The final budget is scheduled to be adopted by Council this evening.

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

Tochie Blad, 7320 Hunters Branch Drive, stated this budget is the largest ever at \$110 million. She appreciates Mayor Paul responding to her email concerning the water reliability line item. This will be the first time the City has funded water reliability. At Council's annual retreat, they indicated their frustration with the City of Atlanta Water. Mayor Paul stated in his email that this would be a reserve fund. This is still \$1 million. She asked that Council keep an eye on that line item. She inquired if the funds will be put towards water repairs or a consulting project to determine the issues and solutions to water reliability in the City.

Motion and Second: Council Member Paulson moved to approve Agenda Item No. 18-233, Adoption of the FY2019 Budget by City Council. Council Member DeJulio seconded the motion.

Council Member John Paulson asked if there has been any change to the proposed budget compared to two weeks ago.

City Manager McDonough stated the budget remains unchanged.

Council Member Tibby DeJulio stated over the past thirteen budget cycles the amount of expenditures has barely increased for operating expenses for the City. He believes the City's first budget was in the low \$90 million range.

Vote on the Motion: The motion carried unanimously.

Ordinance No. 2018-06-16

UNFINISHED BUSINESS

There were no unfinished business items.

NEW BUSINESS

22. 18-234 Adoption of the Sandy Springs Title VI Plan

Assistant City Manager Doug Edwards stated staff is requesting approval of the Sandy Springs Title VI Plan. Title VI of the Civil Rights Act prohibits discrimination regardless of race, color, sex, age, disabilities, or national origin in the provision of benefits and services in programs and activities receiving Federal funds. The intent of the regulation is to eliminate barriers and conditions that prevent minority, low income, and other disadvantaged groups and persons from receiving access, participation, and benefits from federally assisted programs, services and activities. The Title VI Plan is a legal document that establishes a system of policies and procedures designed to monitor agency compliance, address complaints, and eliminate discrimination when found to exist. Now that the City has surpassed a population of 100,000, the City is required to submit a plan annually. Therefore, staff is requesting Council's approval of this plan.

Motion and Second: Council Member Bauman moved to approve Agenda Item No. 18-234, the Sandy Springs Title VI Plan. Council Member Burnett seconded the motion.

Council Member Andy Bauman asked if the nondiscrimination standards set forth in this policy are minimum statutory standards.

Assistant City Manager Edwards responded yes.

Council Member Bauman asked if this in any way undermines the more expansive nondiscrimination policy that we have in place at the City.

Assistant City Manager Edwards responded no.

Vote on the Motion: The motion carried unanimously.

Resolution No. 2018-06-93

23. 18-235 Request Waiver of Late Fees and Penalties for 2018 Hotel/Motel Tax for Westin Atlanta Perimeter North located at 7 Concourse Parkway Sandy Springs, GA 30328

Finance Director Karen Ellis stated this agenda item is a request for a waiver of late fees and penalties for the hotel/motel tax for Westin Atlanta Perimeter North. Westin Atlanta Perimeter is requesting a full waiver of late fees for the months of January, February, and March for \$20,789.08. The applicant has explained to the revenue department that they had a change of staff personnel, which lead to their delinquency. They have been in operation within the City since 2006. Hotel/motel taxes are due on or before the 20th of the following month according to Chapter 54 Section 3 of the City Code. They had not been previously late. On this occasion, for the February and March hotel/motel taxes, the applicant's form was not received by the revenue department until May 9. This is more than two months after the due date.

January's payment was received on May 31st. They were offered a waiver of \$500, which the City Finance Director is allowed to approve. The company rejected that offer and they are requesting a full waiver by Council. Staff reviewed the application and it is up to Council if they wish to approve the full \$20,000 waiver for penalties and interest.

Motion and Second: Council Member Bauman moved to deny Agenda Item No. 18-235, the Requested Waiver of Late Fees and Penalties for 2018 Hotel/Motel Tax for Westin Atlanta Perimeter North located at 7 Concourse Parkway Sandy Springs, GA 30328. Council Member Paulson seconded the motion.

Council Member John Paulson stated he suggested denying the request based on the explanation that there was a staff change and they forgot to pay their taxes. He asked if the City notified the Westin when their taxes were overdue.

Finance Director Ellis stated the City did notify the Westin. They could have been even more than three months past due if the City had not contacted them. The hotel had a change in ownership. Staff spoke with their accountant and they got the taxes caught up right away. They had not even intended on figuring out what taxes were due, before staff spoke to them. Westin employees could have contacted the City and requested assistance and City staff would have been glad to work with them. Staff contacted the Westin after three months of nonpayment.

Council Member Chris Burnett stated the Westin has been located in the City for twelve years. He asked if during that time they have ever been late.

Finance Director Ellis responded no.

Council Member Burnett asked how much was the total tax that was due and what percentage the \$20,000 penalty represents.

Revenue Lead Christian Avila stated the total from the tax was approximately \$100,000 based on all that Westin paid for the past three to four months.

Council Member Burnett stated this was a two-month tax. He asked if \$100,000 represents two months of taxes.

Revenue Lead Avila stated it represents three months.

Council Member Burnett stated on an annualized basis Westin pays about \$400,000 a year in hotel/motel taxes and they have been doing that for twelve years for a total amount of \$4.8 million. They have never been late and the City wants to assess them a \$20,000 fee. He asked about the City's history with other assessments of this nature and whether the Council has waived the late fees and penalties for other companies.

Finance Director Ellis responded no. Staff came before Council about six months ago with a business occupational tax of almost this amount and the business was requesting a waiver. Their explanation was they changed bookkeepers and personnel. That does not give a business the right to not pay their taxes. If we approve a waiver for one business, then others will ask for a waiver too, regardless of the dollar amount. That is why staff offers the \$500 waiver. It is a lot smaller than \$20,000, but we do offer the limit the City Finance Director is allowed to approve.

Council Member Burnett asked if the City's penalty is based on 20% of their revenue or taxable liability.

Revenue Lead Avila stated the penalty is 10%.

Council Member Andy Bauman stated he believes this is not a City ordinance, but that it is statutory.

Finance Director Ellis responded that is correct.

Mayor Rusty Paul stated this is a statutory penalty under State law. The money is not only distributed to the City, but also to the Department of Revenue.

Finance Director Ellis stated the amount of taxes paid by Westin is about \$90,000 a month.

Council Member Burnett stated this seems like a punitive penalty for an organization that has paid the City over \$12 million over the course of its history and has never been late.

Mayor Paul stated these funds are State revenue, too. Some of the funds go to hospitality, the City's general fund, and the State.

Council Member Bauman stated he understands Council Member Burnett's empathy. Waiver requests have occurred at least a couple of times. He cannot recall, but there may have been some more compelling cases. He does not like the subjective rationale. It seems there should be a very high level of standard. If Council is going to choose which requests to approve, there should be a more compelling case.

Council Member Tibby DeJulio stated the Westin is a major enterprise. They go through staff on a regular basis. They need to have programs and procedures in place to avoid issues such as this. It is not as if they do not know that taxes are due. They are required to pay Federal, State, and hotel/motel taxes. The fact that they hired a new employee that did not pay the taxes does not seem to be a reason to approve this request. If they had a large fire and the office burned down, that would be a reason beyond their control.

Council Member Steve Soteres stated the money is paid by Westin and then goes to the State.

Finance Director Ellis stated the Westin collects this for the hotel/motel tax for the State.

Council Member Soteres asked if Westin does not pay the City, but the City still pays the State.

Finance Director Ellis responded no. Westin remits the hotel/motel tax to the City after it is collected from the consumer.

Vote on the Motion: The motion carried 5-1, with Council Member Burnett voting in opposition.

24. 18-236 A Resolution Establishing Fines for Violations of Chapter 10, "ANIMALS," ARTICLE I, "IN GENERAL," as Provided for by SEC. 10-18, "Animals Restricted on City Springs Green," of the Code of Ordinances of the City of Sandy Springs

Assistant to the City Manager Kristin Byars gave the City Green Pet Policy PowerPoint presentation.

Council Member John Paulson asked what is the apartment complex doing about their tenants with dogs.

Assistant to the City Manager Byars stated the apartment has dog waste stations around the buildings.

Motion and Second: Council Member Paulson moved to approve Agenda Item No. 18-236, A Resolution Establishing Fines for Violations of Chapter 10, "ANIMALS," ARTICLE I, "IN GENERAL," as Provided for by SEC. 10-18, "Animals Restricted on City Springs Green," of the Code of Ordinances of the City of Sandy Springs. Council Member Soteres seconded the motion.

Council Member Paulson stated that during his eight years as a Council Member the Council has periodically discussed dog parks. The image of City Springs being used as a dog park makes him shudder. He supports this resolution, but has sympathy for the dog owners. He cannot accept the City Green being used as a dog park area.

Council Member Tibby DeJulio stated him and his dog Scout protested on this issue last Friday. Scout was with him when he came to City Hall. To the credit of our staff at the entryway, they tried to prohibit him from taking Scout to his office. He stated there are no signs or ordinances prohibiting his dog on the property. Sandy Springs was established as a family friendly City and families have pets. He and Council Member Burnett mentioned there are no bad pets, just bad owners. What we are doing is penalizing families to where they cannot bring their pets to the City. He has no problem with not allowing pets in the building. There are no dog waste stations at City Springs. He has dog waste bags attached to his dog's leash. We need to penalize the owners of the pets for not taking care of their dogs. Most pet owners consider their pets their children. He does not have a problem with fining pet owners who do not pick up their dog waste. There are nine police officers that patrol the City Springs area. The families should not be penalized by not being allowed to bring their dog with them. He is totally opposed to this agenda item. We are sending the wrong message to the residents. If the City is going to have thirty days to notify the apartment complex, we should have thirty days to notify all Sandy Springs residents. There needs to be dog waste stations located at City Springs. The pet owners should be penalized and not the dogs.

Council Member Chris Burnett stated this is a no win situation. He clearly understands both sides of the issue and the safety factor. He remembers the White Water Park situation when one young child died and another child was very ill from e-coli poisoning from fecal matter in the water. Fecal matter can be very dangerous. The worst thing would be small children accidentally getting into dog feces. The other side of the argument presented by Council Member DeJulio is incredibly valid. This is a park for the people. Many people view their dogs as important as a child. In many cases, they have no children and their dogs are their children. He has a problem creating such an exclusivity to not allow dogs in a park that was paid for by the very people that have those dogs. He would love for the City to find a balance. Maybe there could be a thirty-day deferral while we consider other avenues. There could also be a stern conversation with the apartment owner or an attempt to find a dog park facility close to City Springs, so that there is an alternative. To come down heavy handed like this so quickly after opening the park does not send a great message to the people we are here to serve.

Council Member Andy Bauman stated he is on both sides of this issue. He and his dog Nolan were at the Farmers Market on Saturday. He thinks there would be good cause for the brand new sod on the City Green area. There is a long list of locations where people can walk their dogs. This resolution may be one that requires public input. He asked how large the lawn is.

City Manager John McDonough stated it is half an acre.

Council Member Bauman stated he is inclined to support this. He would also agree to revisit the resolution again in 90 – 100 days. This area is an event space and dogs will do what they need to do. This area is not large enough for dog Frisbee or a dog park. If you poll the residents, many people want a dog park, just not in their neighborhood. He will support either this or a moratorium.

Council Member Paulson stated there would soon be events happening at City Springs on the green. He attended the Farmers Market on Saturday. When he was walking back to his car, there were a couple of children that were walking in the fountain and then ran into the grass. It would break his heart to see the children with dog feces on their feet after walking on the City Green. He does not see how we can just leave it as is.

Council Member Bauman stated he thinks dogs should not be allowed on the green area. We should also have an open mind to see how this goes and revisit it with public comment in the fall. It would be unsanitary and dangerous to allow dogs on the green area.

Council Member Jody Reichel stated she loves her dog and takes her everywhere she goes that the dog is allowed. She does not think we can train owners on where dogs are allowed to potty and to dispose of it properly. There are many people in her neighborhood that do not clean up after their dogs. Part of being family friendly when people visit the green space is not having to worry about stepping in dog feces or urine. She supports this agenda item.

Mayor Paul stated there are three upcoming children's events in August and September, which are Movies by Moonlight. There will be hundreds of children running across the green. He has three dogs and they do not leave the house without a dog waste bag to be able to clean up after them. Even when you clean up after your dog, residue is left behind that children can possibly get into. Dogs are allowed at Heritage Sandy Springs, Marsh Creek, and the area around the apartments. He walked around the apartments the first time the issue was brought to his attention. He was mortified by the amount of fecal material that was laying in the yards and shrubbery around the apartments. He has watched dog owners from the City Springs balcony looking around when they let their dogs defecate on the lawn, leave it, and walk away. This is a public health issue. This is a small area and we are simply saying that dogs are not allowed here because we want children to be able to play in this area. If the children get into dog feces, the parents will not come use the City Green area and subject their children to that. Council meets every two weeks. He is open to options, if there is a better way of doing it. This is truly a health issue for children. He would not go home tonight feeling very good about himself if Council does not do something about this.

Council Member DeJulio stated we cannot protect people from themselves. One of the concerns is a child will get into fecal matter and get sick. He saw children playing in the fountains with their parents watching them. Those areas are very slippery and there are items that protrude in the foundations where children could get hurt. He asked if a compromise could be made with the resolution effective until the end of the year and then re-evaluate it. The concrete foundations are probably more dangerous than a child stepping in dog feces is.

Amendment to the Main Motion and Vote: Council Member DeJulio moved to amend the Main Motion to cause the agenda item to remain in effect through December 31, 2018. Council Member Burnett seconded the motion. The vote was split 3-3 with Council Members Soteres, Burnett, and DeJulio voting in favor and Councilmembers Paulson, Reichel, and Bauman voting in opposition. The motion failed 3-4, with Mayor Paul breaking the tie by voting in opposition to the motion.

Vote on the Main Motion: The motion carried 4-2, with Council Members Burnett and DeJulio voting in opposition.

Resolution No. 2018-06-94

25. 18-237 Mutual Aid and Assistance Agreement with the City of Dunwoody, Georgia

Chief of Police Ken DeSimone stated this item is a recommendation for a mutual aid agreement with the City of Dunwoody. This is similar to the mutual aid agreement that was signed about two months ago with the City of Atlanta. The Dunwoody Mayor and Council approved this item at their last Council meeting. This agreement establishes policies and procedures to be followed when a request for assistance is made by either City for emergency or nonemergency situations. For example, yesterday Dunwoody Police requested our CSI van for a murder of a 15 year old. Sandy Springs Police responded and assisted. When there was the suicidal gunman incident, Sandy Springs requested assistance from Dunwoody and they answered 911 calls until our off duty officers could arrive to answer the 911 calls.

Motion and Vote: Council Member Reichel moved to approve Agenda Item No. 18-237, a Mutual Aid and Assistance Agreement with the City of Dunwoody, Georgia. Council Member Soteres seconded the motion. The motion carried unanimously.

Resolution No. 2018-06-95

26. 18-238 Consideration of an Ordinance Revising Chapter 18, Emergency Management and Emergency Services, of the Code of the City of Sandy Springs, Relating to False Alarms

Chief of Police Ken DeSimone began the Alarm Update Ordinance PowerPoint presentation dated June 18, 2018. He presented slides 1-5.

Assistant to the City Manager Kristin Byars presented slides 6-15.

Staff Attorney Joe Leonard presented slides 16-17.

Director of Communications Sharon Kraun presented slide 18.

Staff Attorney Leonard presented slide 19.

Director of Communications Kraun presented slide 20.

Motion and Second: Council Member Soteres moved to approve Agenda Item No. 18-238, an Ordinance Revising Chapter 18, Emergency Management and Emergency Services, of the Code of the City of Sandy Springs, Relating to False Alarms. Council Member Soteres seconded the motion.

Council Member John Paulson stated there are over a dozen cities that already have the true verified response in place. The alarm companies that service them are the same ones that are servicing Sandy Springs. We made the shift of the calls to the Call Center in order to alleviate the wait time for calls at ChatComm. He asked if that has helped.

Director of Communications Kraun stated changing who receives the alarm calls is reducing the time ChatComm staff has to spend to triage the initial calls. The burden of those calls is now under the Call Center. Once the calls have met the minimum State requirements, the calls are then being processed at ChatComm.

City Manager John McDonough stated when the Call Center initially receives the calls, it frees up the initial call time to ChatComm.

Director of Communications Kraun stated this process has reduced the alarm company's fines. If the callers do not have the registration, permit number, or have not made the two verification calls, the Call Center CSR will tell them to call back when they have verification. The alarm company is given a ticket number, so a new ticket is not started. The alarm company is only fined for a false alarm call when the call is received at ChatComm.

Council Member Andy Bauman asked if the panic, fire, or medical emergency calls always go to the alarm company and then they call ChatComm or the Call Center.

Director of Communications Kraun stated those calls are sent to ChatComm.

Council Member Bauman asked if Salt Lake City has a do not respond list.

Assistant to the City Manager Byars asked if he is referring to false alarm problem locations.

Council Member Bauman asked if there is a do not respond list as a remedy for failure to register an alarm or for multiple offenders.

Assistant to the City Manager Byars stated they have that as an option. However, they stated they really have not had to use that option.

Council Member Bauman stated Salt Lake City has also been successful fining homeowners directly.

Assistant to the City Manager Byars responded yes. They have had some issues with that, but they do not plan to change that portion of their ordinance. They mentioned that the permits only expire when ownership of the alarm changes. Someone new will move into a home and the alarm service will be continued, but the company does not have the appropriate contact for that household.

Council Member Bauman stated Salt Lake City is clearly reducing false alarms. He asked if there is any data for them regarding response times.

City Manager McDonough stated the trend line has decreased.

Council Member Bauman asked if there was discussion on the response times.

Assistant to the City Manager Byars stated they did not discuss the response times. They did indicate that their response times have improved, because they are not spending time responding to false alarms.

Council Member Bauman asked if they indicated how many calls, if any, they did not respond to that turned out to be real.

Assistant to the City Manager Byars stated we asked that question and none of them could remember a time when something like that had happened.

Council Member Bauman asked how many alarm companies are we still receiving calls from that have not yet registered with the City.

Director of Communications Kraun stated sometimes it is not necessarily that they have not registered. It may be that the person calling does not have the company's registration number or the customer's permit number. Staff asks the alarm company to call back when they have that number.

Council Member Reichel asked if Salt Lake City's residents were given a year to prepare for the ordinance change or did we come up with this date.

City Manager McDonough stated this is something that staff discussed internally. We want to make sure this information is properly relayed to the alarm companies and our residents. The time factor is a valid concern. If Council would like to change the date to less than a year, it is up to their discretion.

Mayor Paul stated to go to true verification would be similar to what is done in other jurisdictions. This would be hiring a private company to complete the verification. This will give the industry time to come up with an industry solution to where maybe they all can jointly pay a private company to do the alarm verifications.

Council Member Bauman asked if the homeowner could do audio/visual verification.

Mayor Paul responded yes, if they have the technology.

Council Member DeJulio stated staff reported it is costing the average homeowner an additional \$7 a month. He asked if the cost of having a private contractor check your home is a separate item that is contracted for or something the alarm company contracts for.

Assistant to the City Manager Byars stated it depends. The alarm companies do this differently. One of the options she saw is there would be a base price and that might include one trip to verify an alarm by a private guard. There would then be an additional charge per trip. The alarm user would pay every time the guard came by the home to verify an alarm.

Council Member Jody Reichel stated she has received several postcards in the mail for private companies that verify alarms.

Council Member DeJulio stated he has received a couple of emails from homeowners complaining about the proposal. He asked how many of the alarm calls were actually valid alarm calls.

Police Chief DeSimone asked if he is referring to intrusion alarms, panic alarms, or holdup alarms.

Council Member DeJulio responded burglar alarms, or intrusion alarms.

Police Chief DeSimone stated in the last six months he does not know of any valid burglar alarms in the City. One occurred at a business on Roswell Road where the business owner waited an hour to call the police. When the police officer arrived, a window was found broken. The call reaches the alarm company and they perform their processes and then they call the City's 911 Center and an officer is dispatched. The average time a burglar is in a home, after the break in, is two to three minutes.

Council Member DeJulio stated he is wasting his money every month paying the alarm company, because by the time an officer is dispatched to his home, the thief will be gone.

City Attorney Dan Lee stated when most homeowners buy their alarm system, they sign up with the monitoring company of those that install the alarm. The assumption is that the call is going to the 911 center. None of the monitoring companies calls 911. They call the nonemergency number, because they are not located in Sandy Springs and cannot access our 911 system. The alarm company has to use the nonemergency number, which can be lengthy in time.

Council Member DeJulio stated when this was discussed about two weeks ago, he got the impression there is a dedicated phone line at the 911 center for the alarm companies.

City Manager McDonough responded there is. There is one nonemergency phone line that accepts the panic, duress, holdup, and fire calls. There is another phone line for the burglar or intrusion phone calls to the City's nonemergency call center located in Florida.

Vote on the Motion: The motion carried unanimously.
Ordinance No. 2018-06-18

27. 18-239 Consideration of Award of Change Order No.1 to the FY 2018 Deep Mill Asphalt Repair Contract

Interim Director of Public Works Marty Martin stated that several weeks ago he and Field Services Unit Manager Donald Kahn presented an agenda item for a contract award recommendation for Deep Mill Asphalt Repairs to Blount Construction. At the time it was approved, that award amount was \$267,650. The bids received were very favorable for the bidding climate, considering the estimated cost of the project is \$400,000. Council asked that staff seek more sites that could be deep mill asphalt repaired under this

contract, due to the favorable pricing. Staff did this and fourteen locations have been identified for Change Order No. 1 in the amount \$193,500.

Motion and Second: Council Member Burnett moved to approve Agenda Item No. 18-239, an Award of Change Order No.1 to the FY 2018 Deep Mill Asphalt Repair Contract. Council Member Paulson seconded the motion.

Council Member Chris Burnett asked if when the additional roadwork was put out for rebid did they take the linear footage of deep milling and increase that by the number of new roads that are being added to the project.

Field Services Unit Manager Donald Kahn stated each site was visited and measurements were taken. Blount then figures in what traffic control is necessary for each site. Work on Hammond Drive would require more traffic control compared to work on a subdivision street.

Vote on the Motion: The motion carried unanimously.
Resolution No. 2018-06-96

REPORTS

Mayor and Council Reports

Mayor Rusty Paul stated the City held its first event at the Performing Arts Center on Saturday night and it was great. Staff did a good job with the event. The Saturday prior, there were 1,600 people in attendance for the Food that Rocks event. Both events were very well received. Today, Governor Deal announced there is \$100 million in bonds for a bus rapid transit addition to the managed lanes of GA400. This will be matched with Federal funds. The citizens of Fulton County will have to hold a referendum to get the final quarter penny for the matching funds. There was a quarter of a penny left over after the TSPLOST funds. Given all the Federal and State funds that will be available, it would be a real shame if we were not able to get the last bit of money for this project. The Governor has been unbelievably generous to this community and this area. That includes GA400, the distributor collector lanes, the managed lanes, and now adding the transit component to it. The Governor understands the importance of economic development.

Mayor Paul stated that this weekend he and two other Council members would be attending the Georgia Municipal Association Convention in Savannah. The City Manager and he are on the Georgia Municipal Association Board.

28. 18-240 Staff Reports

1. April 2018 Financial Report – Karen Ellis, Finance Director

Finance Director Karen Ellis stated this item is the April financials. Currently, the City is at 83.3% of the year and revenues are trending at 97%. We will probably end up a little over budget this year. Expenditures are at about 75%. Staff still has a lot of end of the year expenses to receive. They will probably be received into August. The City has received almost 100% of the business occupational taxes and a little over 100% on property taxes.

Council Member John Paulson stated the actual number for the LOST is \$19.4 million and the budget is \$24 million. That is quite a change. He asked if the number would catch up in May or June.

Finance Director Ellis stated there are three months left in the fiscal year. It is projected this number will be at budget or a little under budget.

PUBLIC COMMENT

Ronda Smith, 76 Long Island Place, stated she is representing herself this evening as a dog-owning citizen. Preserving the City Springs Green for public pleasure use should absolutely be a priority. She finds it unfortunate that bad behavior precipitated the need for the ordinance to restrict dogs, but she understands its need. The area is becoming urban with a denser environment element with the high concentration of dog owners next door to the City Green. She thanked staff for adding more dog waste stations. Without the stations, dog owners walking from the neighborhoods or coming by car would be set up to fail. The Aston City Springs residents may still be set up to fail, considering the locations of their three existing dog waste stations. She asked that Council encourage Aston to add a dog waste station near their front door for the residents. Yes, if you have dogs you should have your own bags. Sometimes the unexpected happens, such as bags rip or you run out. In addition, she asked Council to consider enforcement for any dog owner who chooses to ignore the existing ordinance regarding picking up dog waste. She asked the police officers to exercise stringent enforcement of the existing fine provision as a deterrent. Changing negative human behavior is difficult. Stringent enforcement of this law and the issuance of citations across the entire City Springs District could go a long way towards curbing the behavior. As the district becomes much more populated, the need for a boundary and restrictions is unfortunate. In some respects, this punishes the many for the sins of a few. It would have been desirable to find a compromise and alternate approach to the ordinance. She asked that the City provide all dog owners the tools they need to preserve the cleanliness of City Springs.

John Visconti, representative of the Westin Atlanta Perimeter North, stated Mr. Denyer is their new Controller. He would like an opportunity to explain further about what occurred with the delay in paying the taxes. This was not as simple as not having staff on site. The hotel was sold and during that process the General Manager, the Controller, and accounting staff had moved on to other jobs. There was a period where there was no one in charge of the accounting office. They had assistance from other hotels until they were able to hire a Controller and new staff. As soon as they found out about the tax situation, they rectified it. There were circumstances regarding staff that were very hard to overcome.

Alan Denyer, Controller for the Westin Atlanta Perimeter North, stated once his staff was able to audit the balance sheets, in good faith they paid all of the interest charges that were assessed over and above the penalties. They requested the penalties be waived.

End of Public Comment.

City Manager McDonough stated there will need to be an amendment made to the agenda.

City Attorney Dan Lee stated the issue is that on Agenda Item No. 18-236, Council voted on the resolution establishing fines. The item description should have included the ordinance as well, which is in the agenda package.

Agenda Item No. 18-236.1

Motion and Vote: Council Member Paulson moved to amend the agenda to add the Ordinance, "An Ordinance of the Mayor and Council of the City of Sandy Springs, Georgia to Amend Chapter 10 (Animals), Article I (In General) of the Code of the City of Sandy Springs, Georgia, Pertaining to Animals at City Springs; to Provide for Restrictions and Definitions; to Provide for an Effective Date; and for other Purposes". Council Member Soteres seconded the motion. The motion carried 5-1, with Council Member DeJulio voting in opposition.

Motion and Vote: Council Member Paulson moved to approve Agenda Item No. 18-236.1, an Ordinance of the Mayor and Council of the City of Sandy Springs, Georgia to Amend Chapter 10 (Animals), Article

I (In General) of the Code of the City of Sandy Springs, Georgia, Pertaining to Animals at City Springs; to Provide for Restrictions and Definitions; to Provide for an Effective Date: and for other Purposes. Council Member Reichel seconded the motion. The motion carried 4-2, with Council Members DeJulio and Burnett voting in opposition.

Ordinance No. 2018-06-17

EXECUTIVE SESSION

29. 18-241 Litigation and Real Estate

Motion and Vote: Council Member Paulson moved to enter into Executive Session to discuss litigation and real estate. Council Member Burnett seconded the motion. The motion carried unanimously, with Council Member Paulson, Council Member Soteres, Council Member Burnett, Council Member Reichel, Council Member DeJulio, and Council Member Bauman voting in favor of the motion. Executive Session began at 7:55 p.m.

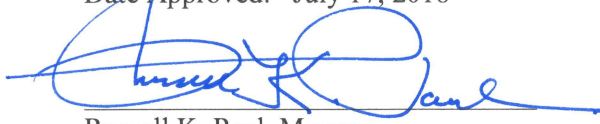
Motion and Vote: Council Member Paulson moved to adjourn Executive Session. Council Member DeJulio seconded the motion. The motion carried unanimously, with Council Member Paulson, Council Member Soteres, Council Member Burnett, Council Member Reichel, Council Member DeJulio, and Council Member Bauman voting in favor of the motion. Executive Session adjourned at 9:12 p.m.

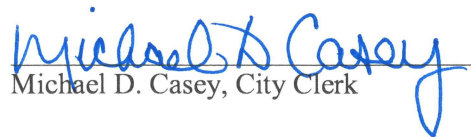
ADJOURNMENT

30. 18-242 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 9:12 p.m.

Date Approved: July 17, 2018


Russell K. Paul, Mayor


Michael D. Casey, City Clerk

CITY OF SANDY SPRINGS, GA

STATE OF GEORGIA
FULTON COUNTY

June 19, 2018

AFFIDAVIT FOR EXECUTIVE SESSION

Personally comes Russell K. Paul, Mayor of the City of Sandy Springs, who on oath says that to the best of his knowledge and belief, on the 19th day of June, 2018, in the city aforesaid, a meeting of the Council was closed to the public for the following reason(s):

Discussion or voting on real estate matters pursuant to O.C.G.A. 50-14-3(b)(1);

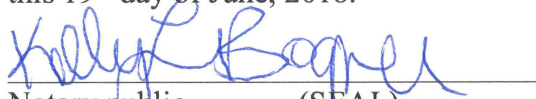
Attorney/client privilege in order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved, pursuant to O.C.G.A. 50-14-2(1).

and that except for the foregoing, no portion of the closed meeting involved discussion, presentation, or action on any other matter.



Russell K. Paul, Mayor

Sworn to and subscribed before me,
this 19th day of June, 2018.



Notary public (SEAL)

