

Regular Meeting of the Sandy Springs City Council was held on Tuesday, March 5, 2013, at 6:00 p.m., Mayor Eva Galambos presiding.

INVOCATION

There was no invocation.

CALL TO ORDER

Mayor Eva Galambos called the meeting to order at 6:03 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 Eva Galambos present

Councilmembers: Councilmember Dianne Fries, Councilmember Chip Collins, Councilmember Gabriel Sterling, Councilmember Tibby DeJulio, and Councilmember Karen Meinzen McEnerny present. Councilmember John Paulson was absent.

PLEDGE OF ALLEGIANCE

Mayor Eva Galambos led the Pledge of Allegiance

Mayor Eva Galambos stated the City is honored to have a delegation visiting from the city of Kaga City, Japan. She asked the visitors to the front of the room to introduce themselves. The following individuals introduced themselves: Jun jiroh Kamide; Jim Osaka, the former Mayor of Kaga City; delegation leader Hitoshi Asao; and Noriko Shikota.

Noriko Shikota stated she is a Japanese language instructor in Japan.

PUBLIC COMMENT

There were no public comments.

APPROVAL OF MEETING AGENDA

Motion and Vote: Councilmember DeJulio moved to approve the Regular Meeting agenda for March 5, 2013. Councilmember Sterling seconded the motion. The motion carried unanimously.

CONSENT AGENDA

(Agenda Item No. 13-031)

1. Meeting Minutes:
 - a) February 19, 2013 Regular Meeting
 - b) January 30, 2013 Special Called Meeting

c) January 30, 2013 City Council Retreat
(Michael Casey, City Clerk)

Motion and Vote: Councilmember DeJulio moved to approve the Consent Agenda for March 5, 2013. Councilmember Fries seconded the motion. The motion carried unanimously

PRESENTATIONS

1. Proclamation: March for Meals Awareness Month – Mayor Galambos

Mayor Eva Galambos called Executive Director of Meals on Wheels, Carrie Bellware, to the front. Mayor Galambos read the proclamation which states, “The Meals on Wheels program provided by Senior Services North Fulton delivers nutritious meals to seniors who are unable to prepare meals for themselves. Senior Services North Fulton has been administering the Meals on Wheels program in the City of Sandy Springs for over 20 years, with a 100% volunteer force. In 2012 more than 400 volunteers donated their time, vehicles, gasoline and energy to deliver more than 25,000 meals with a friendly smile. No senior is ever refused service because of an inability to pay. These efforts have resulted in the improvement in the lives of Sandy Springs seniors through continued personal independence, nutritionally balanced meals and daily visits by caring volunteers.” She proclaimed the month of March 2013 as Meals on Wheels awareness month.

PUBLIC HEARINGS

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

Alcoholic Beverage License

(Agenda Item No. 13-032)

1. Approval of Alcoholic Beverage License Application for Steel Canyon at 460 Morgan Falls Rd Sandy Springs, Georgia 30350. Applicant is Leroy R. Andrea for Consumption on Premises Malt Beverage

Finance Director Karen Ellis stated this item is a change of ownership application for consumption on premises of malt beverage at Steel Canyon Golf Club. The applicant has met all the requirements and staff recommends approval.

Mayor Eva Galambos called for public comments in support of or opposition to the application. There were no comments from the public. Mayor Galambos closed the public hearing.

Motion and Vote: Councilmember DeJulio moved to approve Agenda Item No. 13-032, Alcoholic Beverage License Application for Steel Canyon at 460 Morgan Falls Rd Sandy Springs, for consumption on premises of malt beverage. Councilmember Fries seconded the motion. The motion carried unanimously.

Resolution

(Agenda Item No. 13-033)

1. Consideration of a Resolution to Support the Disposition of the Belle Isle Apartments by the Housing Authority of Fulton County

Director of Community Development Angela Parker stated Housing and Urban Development (HUD) requires the City to consent in the form of a resolution to the disposition of the twelve unit Belle Isle apartment project. Staff recommends approval.

Teresa Davis, Fulton County Housing Authority Chief Mortgage Finance Officer, stated Jim Squire, who is in attendance, is the newest member on the Board of Commissioners for the Fulton County Housing Authority. This item was before Council in September 2012. The resolution is again before Council because due diligence on the project was delayed. This delayed the Housing Authority from submitting the application at that time. One of HUD's requirements is that all of the documents are to be submitted within 90 days of issuance. A new resolution is needed from Council to submit to HUD in the proper timeframe. This is a nine unit apartment building that is fully occupied. The building was purchased by the Housing Authority in the mid 1970's and has been operating as public housing. The building itself is over sixty years old. Due to the physical condition of the property and building, there is no reasonable amount of modification or continued maintenance that can be done to make the building more useful. The Housing Authority's responsibility is to provide affordable, sanitary, and safe housing for the citizens of Fulton County. This property cannot continue to serve in that manner. Once the application is submitted to HUD by the end of April, it will take approximately six months for HUD to give approval. Once the approval is given, the Housing Authority will give each of the tenants a housing protection voucher or tenant protection voucher. These vouchers can be used to find housing elsewhere in Sandy Springs or anywhere in the United States. The tenants will be provided with moving expenses along with the vouchers. The move would be a non-event for the tenants from a monetary perspective. After the building is vacated, the building will be placed on the market to be sold at fair market value.

Jim Squire, Fulton County Housing Authority Commissioner, stated the tenants will not be displaced. This process is an extensive program about which the tenants have been notified. The Housing Authority is working very closely with the tenants to find appropriate housing. The tenants will be relocated to a far superior housing option compared to what they currently reside in.

Councilmember Gabriel Sterling stated he believes this is the third time this item has come before Council. Each time it was because of due diligence issues with HUD.

Ms. Davis stated this is the second time this item has come before Council. Councilmember Sterling may be remembering the Allen Road housing facility.

Councilmember Tibby DeJulio asked if the Belle Isle residents will be able to move to the Allen Road facility.

Ms. Davis stated if there are vacancies at the Allen Road facility, these tenants can apply to relocate there. There is a waiting list for the Allen Road facility. The Belle Isle tenants will receive preference, because they are currently public housing tenants.

Councilmember DeJulio asked if the Allen Road property is currently being expanded.

Ms. Davis stated the Housing Authority is working on that project. Currently, there are issues regarding the financing, because it is a much larger project.

Councilmember Dianne Fries stated the tenants will be given vouchers.

Ms. Davis stated the residents will be given tenant protection vouchers, which are Section 8 vouchers. If the residents move with a tenant protection voucher, that voucher can be used anywhere and their housing will be paid for.

Councilmember Karen Meinzen McEnerny stated she recalls that Mayor Galambos was involved in the creation of the development at Belle Isle Road. She asked if the building was new at the time.

Mayor Eva Galambos stated the building could not have been new at the time, because it is currently sixty years old. This development was the first public housing outside of the City of Atlanta, followed by the housing on Allen Road.

Mayor Eva Galambos called for public comments in support of or opposition to the application. There were no comments from the public. Mayor Galambos closed the public hearing.

Motion and Vote: Councilmember DeJulio moved to approve Agenda Item No. 13-033, a Resolution to Support the Disposition of the Belle Isle Apartments by the Housing Authority of Fulton County. Councilmember Fries seconded the motion. The motion carried unanimously.

Resolution No. 2013-03-13

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

(Agenda Item No. 13-034)

1. Consideration of a Resolution Appointing Michael Berger as a Member of the Sandy Springs Hospitality Board

Mayor Eva Galambos stated there is a vacancy on the Hospitality Board. She proposed Michael Berger to fill the vacancy. He participates in triathlons. His connections may give the City opportunities for new sports events within the City that would benefit Hospitality and Tourism.

Councilmember Dianne Fries stated Mr. Berger competed in the Ironman Triathlon in Hawaii.

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 13-034, a resolution appointing Michael Berger as a member of the Sandy Springs Hospitality Board. Councilmember Fries seconded the motion. The motion carried unanimously.

Resolution No. 2013-03-14

(Agenda Item No. 13-035)

2. Consideration of Approval of a contract to construct Project T-0002, Abernathy Park Phase 4 Project Subject to Validation and Approval by the Legal and Finance Departments

Director of Public Works Garrin Coleman stated this agenda item is a construction contract in the amount of \$3.2 million for Johnson Landscape to build Phase 4 of the Abernathy Greenway. Once staff has the signed resolution, the package will be submitted to GDOT for approval. The contract should be in place within thirty days.

Mayor Eva Galambos asked if this phase includes the construction of the restrooms.

Director of Public Works Coleman responded yes.

Councilmember Tibby DeJulio asked when this phase is anticipated to be completed.

Director of Public Works Coleman responded within 180 days after the project begins. The project should be complete by the beginning of 2014.

Councilmember Chip Collins asked if Johnson Landscape has experience with construction as well.

Director of Public Works Coleman stated yes. Johnson Landscape has completed several projects within the City.

Councilmember Karen Meinzen McEnerny stated she believes Johnson Landscape has experience constructing athletic facilities.

Director of Public Works Coleman stated Johnson Landscape did some work at Overlook Park.

Councilmember Collins asked if this company did the last phase of Abernathy Greenway.

Director of Public Works Coleman responded no.

Motion and Vote: Councilmember Collins moved to approve Agenda Item No. 13-035, a contract with Johnson Landscape, to construct Project T-0002, Abernathy Park Phase 4 Project subject to validation and approval by the Legal and Finance Departments. Councilmember Fries seconded the motion. The motion carried unanimously.

Resolution No. 2013-03-15

REPORTS

1. Mayor and Council Reports

2. Staff Reports

- a) Proposed amendment to the Charter to reapportion the electoral districts – Assistant City Attorney Cecil McLendon

Assistant City Attorney Cecil McLendon stated under Georgia law, the City has an obligation to ensure that the voting strength has not changed as a result of the 2010 census. The City needed to review the districts in order to ensure compliance. Staff has analyzed the districts and the results indicated the need for a few minor changes in District 3, District 5, and District 6. These minor changes will balance the voting strength. A map has been provided to Council that includes the proposed changes. If there is a consensus of Council, this item will move forward by the home rule process of amending the City Charter to amend the voting districts. This change will require the ordinance to be passed twice in two consecutive City Council meetings. This item will be advertised and includes a public hearing.

Mayor Eva Galambos asked if this item can be voted on this evening.

Assistant City Attorney McLendon stated this item was originally planned as a Work Session item for this evening. The public advertisement states the next City Council meeting will be the first meeting when the item is to be voted on.

Councilmember Dianne Fries stated this item is being discussed now instead of at the Work Session this evening.

Assistant City Attorney McLendon responded yes.

There was a consensus of Council to move this item forward to the next Regular City Council meeting.

- b) Report on the Proposed Fire Department Fleet Replacement Program – Fire Chief Jack McElfish

City Manager John McDonough called Fire Chief Jack McElfish to the front. Fire Chief McElfish has worked with his staff and the Finance Department staff regarding the fleet replacement.

Fire Chief Jack McElfish stated the Fire Department has an aging fleet that is approaching seven years old. All of the units are high mileage and two are over 83,000 miles. The City runs a lot of fire rescue calls in which the fleet is used quite often. The downtime of vehicles requiring repairs is increasing. When one unit is out of service, that means 1/6 of the fleet is not being utilized. The Fire Department has one reserve vehicle. If two units are being serviced, that means 1/3 of the fleet is not being utilized. The department needs good dependable equipment. The City currently has four quints. A quint is a combination engine and pumper truck. An engine has water, hose, and a pump. A ladder truck carries a small and a large ladder. A quint is a combination of both types. One of the quint trucks has 83,000 miles and one quint has the lowest number of miles at 74,000. The criteria used for replacement of a Fire Department fleet vary throughout the industry. The criteria could be based on age of vehicles, mileage, or a combination of both. Four criteria that were used to determine replacement were: the age, which ranges from seven to ten years of useful service; the maintenance history; the 80,000 plus miles for fire equipment; and the down-time of the fleet. The department also performs many community activities that include events such as parades. Seventy-five percent of the fire calls are EMS calls, twenty percent of the activity is community service, and ten percent may be a fire call. The consequence of lengthened replacement cycles brings an increase in unexpected and costly repairs. After 7 years of use repairs become more frequent. For the first five years, the fleet received great warranty service, but after five years the warranties expired, which ends up costing the City more money. The trade-in values decrease around \$300,000 per year. The cost of new vehicles increases annually. Trading in the fleet at the seven year mark maximizes buy-back funds. Purchasing multiple apparatus at one time adds buying power and cost reductions. New warranties mean a reduction in maintenance costs. A new fleet reduces down-time resulting in better service to the community. The solution to the current fleet was reached by working with City staff on new truck purchases. The trade-in of the current fleet will help to offset cost. The design and engineering of the fleet will be specific to the City's Fire Department. Staff worked with a vendor who will support the City's needs. At the initiation of the City Fire Department they had 152 days to become operational. Six custom vehicles were delivered that have performed well. There are a lot of speed bumps throughout the City that take a toll on the equipment. There is no major fire service repair shop in the Atlanta area. The City has received great maintenance service from the Pierce dealer.

Councilmember Karen Meinzen McEnerny asked where the Pierce dealer is located.

Fire Chief McElfish stated the Pierce dealer has a shop in Forsyth, GA, and also a mobile shop that services the City's fire apparatus. One of the City firefighters is also certified to repair the fire trucks and is allowed overtime to repair the vehicles. The new fleet will be designed and engineered for Sandy Springs with stronger motors, suspension, etc. The new fleet will allow for increased service delivery capabilities. The fleet will have a foam system and a light tower. These upgrades will include new design features and space enhancements. The new fleet will consist of two engine-pumpers and four quint trucks. Three of the quints will have 105 foot ladders and one will have a 100 foot platform. The quint with the 100 foot platform will have a bucket as well. This quint will be helpful when responding to high-rise building calls. The City has sixty-two high-rise buildings and forty of them do not have sprinkler systems. This particular quint will be housed at Fire Station #2 in order for it to be centrally located.

Finance Director Karen Ellis stated the amount to be financed is for five new pieces of equipment. The equipment includes two new quantum engines at a cost of \$584,000 each, three new quantum quint/aerials at \$896,000 each, and one new quantum quint/platform at \$1 million. If the equipment is financed and leased, the City will receive \$178,000 as a credit. This amount will reduce the cost of the equipment. The total amount financed will be \$4.7 million. When the current fleet is sold back to Pierce, the City will be credited \$1.2 million. The overall total to be financed with the credit is \$3.5 million. This is approximately the same amount that was financed previously with the old fleet, but the old fleet was at a much higher interest rate.

Councilmember Tibby DeJulio asked if the old fleet is fully paid for.

Finance Director Ellis responded yes.

Councilmember Karen Meinzen McEnerny asked if the current equipment was leased.

Finance Director Ellis responded yes.

Mayor Eva Galambos asked when the last lease payment on the equipment was.

Finance Director Ellis stated the City paid off the equipment July 1, 2012. The lease was for ten years and it was paid off early.

Councilmember Gabriel Sterling asked if the \$300,000 a year loss for the City is from trade in value for the whole fleet.

Fire Chief McElfish stated the loss would be at least \$300,000 per year.

Finance Director Ellis stated there are three options for financing. Pierce is the company that is providing the equipment. Their interest rate is not as desirable as the other two options, which are local banks. Pierce's interest rate is 2.45% with a total cost to the Fire Department budget of \$531,000 and including a balloon payment as the final payment. PNC Bank, which is the current bank for most of the City's funds, provided a rate of 1.90% interest annually, with the total for the budget to be \$535,000. SunTrust Bank, who is the previous lessor, provided the lowest interest rate of 1.525% with a total cost of \$528,000. The previous budget year cost was \$511,000 when the City was still paying on the fire equipment.

Councilmember DeJulio asked if staff has looked at the option of purchasing the vehicles with the City's \$60 million in cash and saving the cost of interest.

Finance Director Ellis stated the City is holding that money due to the upcoming City Center plans, so this is not an option staff looked at.

Councilmember DeJulio stated the City is receiving an average return on the invested funds of less than one percent. The money the City has set aside to spend will probably not be spent in the next eighteen months or two years.

Councilmember Dianne Fries stated the money may be spent in that time frame.

Councilmember DeJulio asked how much the City has in reserves.

Finance Director Ellis stated the City has about \$75 million Georgia Fund 1.

City Manager McDonough stated the City's undesignated fund balance reserve is around \$20 million.

Councilmember Fries stated the City cannot use the designated funds.

Councilmember DeJulio stated he understands that. Staff should look at using undesignated funds.

Councilmember Sterling asked about the total amount of interest the City can save over seven years on \$7 million, if the City pays for the fire equipment from the undesignated funds.

Finance Director Ellis stated compared to the SunTrust option, the City would save \$192,000.

Councilmember Chip Collins asked what the cash total would be to purchase the new fleet vehicles.

Finance Director Ellis stated the total cost is \$4.7 million, but after trading in the current fleet, the cost would be reduced to \$3.5 million.

Councilmember Collins stated if the vehicles were purchased with undesignated funds, it would be a capital budget item for next year and not affect the fire department's budget.

City Manager McDonough stated that could be an option. The City is required to pay in advance for the purchase of the equipment. The lease could always be paid off early.

Finance Director Ellis stated if SunTrust is chosen for the financing, there is no penalty for paying the loan off early, but the PNC loan cannot be paid off until two years later.

City Manager McDonough stated if Council recommends the plan of financing the equipment, staff will come back to Council with a resolution at the next City Council meeting to authorize the purchase and entering into a lease purchase agreement. He would not be comfortable suggesting the City pay cash for the new fleet equipment.

Mayor Galambos asked if the City could receive more money for the equipment by selling it instead of trading it in.

Fire Chief McElfish stated Pierce is giving the City a good amount of money for the equipment. If staff can get the order into Pierce for the new equipment soon, the equipment could be received by late fall and early 2014.

Mayor Galambos stated the reason she asked that question is because there are discussions in Dunwoody about creating a Fire Department with the City of Brookhaven. The two cities will need fire equipment, if they decide to do this.

City Manager McDonough stated staff does not have experience in selling used fire trucks. The purchase of the new fleet should last the City until 2021.

Councilmember Meinzen McEnery stated her first question related to the advisability of the \$1.2 million buyback amount from Pierce has been answered. She asked if staff has experienced any unusual repair costs since the fleet equipment was paid off on July 1, 2012. She asked if any of the \$300,000 for repairs was occurring.

Fire Chief McElfish stated every time the City has a major brake, engine, or transmission problem, it is costly. He has an issue with the amount of time the equipment is out of service.

City Manager McDonough stated there have been repairs on the fire equipment during the past year.

Councilmember Meinzen McEnery asked what the cost of those repairs was.

Finance Director Ellis stated she will have to get back to Councilmember Meinzen McEnery with the repair costs.

There was a consensus of Council to move this item forward to the next Regular City Council meeting.

c) January Financial Report – Finance Director, Karen Ellis

There were no questions from Council regarding the January Financial Report.

PUBLIC COMMENT

There were no public comments.

EXECUTIVE SESSION – Real Estate

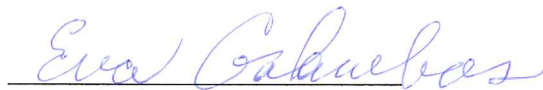
Motion and Vote: Councilmember DeJulio moved to enter into Executive Session to discuss real estate acquisition. Councilmember Sterling seconded the motion. The motion carried unanimously, with Councilmember Fries, Councilmember Collins, Councilmember Sterling, Councilmember DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. Executive Session began at 6:50 p.m.

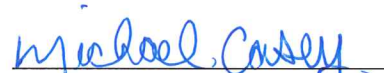
Motion and Vote: Councilmember DeJulio moved to adjourn Executive Session. Councilmember Fries seconded the motion. The motion carried unanimously, with Councilmember Fries, Councilmember Collins, Councilmember Sterling, Councilmember DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. Executive session adjourned at 7:39 p.m.

ADJOURNMENT

Motion and Vote: Councilmember DeJulio moved to adjourn the meeting. Councilmember Fries seconded the motion. The motion carried unanimously. The meeting adjourned at 7:39 p.m.

Date Approved: March 19, 2013


Eva Galambos, Mayor


Michael Casey, City Clerk

CITY OF SANDY SPRINGS, GA

STATE OF GEORGIA
FULTON COUNTY

March 5, 2013

AFFIDAVIT FOR EXECUTIVE SESSION

Personally comes Eva Galambos, Mayor of the City of Sandy Springs, who on oath says that to the best of her knowledge and belief, on the 5th day of March, 2013 in the city aforesaid, a meeting of the Council was closed to the public for the following reasons:

Future acquisition of real estate pursuant to O.C.G.A, 50-14-3(4);

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



Eva Galambos, Mayor

Sworn to and subscribed before me,

This 5th day of March, 2013.



Notary public (SEAL)

