
Work Session of the Sandy Springs City Council was held Tuesday, January 9, 2007 at 5:05 p.m. Mayor Eva Galambos presiding.

PRESENTATION (5:00 p.m.)

John McDonough, City Manager gave a presentation: Year in Review.
Time Line: December 1, 2005 – December 31, 2006

- Sandy Springs officially opens for business December 1, 2005
- Mayor Eva Galambos and City Council sworn in on December 1, 2005
- Community Development Department opened for business December 5, 2005
- Public Works opened for business January 5, 2006
- Police Department decision to start up on July 1, February 2006
- Assessment of streets, curb, gutters, streets and road completed February 2006
- Fire Department decision for December 29, April 2006
- Council adopts FY07 Budget in June
- Police Department Launch, July 1, 2006
- Council adopts \$105 million CIP Budget, August 2006
- City Celebrates first birthday December 1, 2006
- City completes purchase of 12 parks and 2 fire stations, December 2006
- Fire Department Commissioning, December 19, 2006

Customer Service

- Customer Call Center
 - Has taken 70,000 calls in the past year
- Code Enforcement
- Road Patching
- Signs
- Work Orders
- Assisted in solving more than 70 cases from Atlanta Water
- Reduced permitting backlog from eight weeks to two weeks
- County backlog worked off within two months
- Now offer next-day inspections
- Issued 2,500+ notices of code violations and issued 340+ citations

Community Outreach

- Public Involvement Session in February
- Town Hall meetings
- Citizen Deputy Program
- "I Spy" Litter & Graffiti with KSSNFB
- Over 100 HOAs; More than 60 Crime Watch programs
- Tree Ordinance, Sign Ordinance and Comprehensive Plan
- Abernathy Greenway Steering Committee
- Newsletter/Web site/monthly e-blasts

Community Partnerships

- Sandy Springs Business Association
- Big Trees Forest Preserve
- Sandy Springs Conservancy
- Green Tour
- Heritage Sandy Springs
- Keep Sandy Springs/North Fulton Beautiful
- SSRI

- Sandy Springs Youth Sports
- Community Action Center
- Sandy Springs Festival
- Friends of Sandy Springs
- Fundraising effort for Sandy Springs
- \$50,000 from Committee for Sandy Springs to open bank account
- Bulky Trash Day with KSSNFB
- \$16,572 from Sandy Springs Society for parks

Intergovernmental Relations

- Jail with Doraville, Roswell, Irwin County
- Revenue Collection
- E911 (Two-year with Fulton County)
- Animal Control (Fulton County)
- Mutual Aid with Cobb, DeKalb and Roswell
- Automatic Aid with Atlanta
- Georgia Mutual Aid Group
- Library Agreement with Smyrna

Public Safety

Police Department

- 86 sworn officers with average 10 years of experience
- More than 6,400 calls for service in first month
- Crime rate shows steady decline since July launch

Fire Department

- 91-employee fire staff commissioned December 19, 2006
- Worked with Emory Hospital on a state-of-the-art EMS program to prevent sudden cardiac death
- Purchased two fire stations, and leased two stations

Municipal Court

- Operational within 90 days of City startup
- More than 17,000 total tickets processed
- Traffic Violations Bureau established
- Hired third judge to improve efficiency
- Established environmental court

Transportation Improvements

- Established Capital Improvement Program for transportation
- 26 projects in the works
- \$105 million funded projects including SSRI
- Submitted grants for Livable Centers Initiative (Roswell Road south of I-285) and Island Ford trails grant
- Participated in the ARC, PCID and DOT activities and assumed sponsorship of projects
- Created pavement condition index database and sidewalk location map
- Completed 1,100 traffic signal work orders
- Replaced 450 signal lamps
- Upgraded 12 existing traffic signals
- Updated all signal indications to brighter LED
- Supported the PCID in retiming 40 signals
- Upgraded traffic synchronization along Roswell Road

Planning and Zoning

- Updated 2025 long-range land use plan

- 24/7 emergency contacts for environmental complaints
- Erosion and sediment control training and certification for all field staff
- Removed more than 5,000 signs from City rights-of-way

Revenue

- Franchise Agreements
 - Georgia Power
 - Atlanta Gas
 - Comcast
 - AGL
 - Bell South
 - Solid Waste
- Revenue Enhancement Program

Legal

- Adopted Code of Ordinances
- Ethics Code
- In-house Attorney added
- Started review of all ordinances
- Franchise agreements

Business Systems

- Information Technology
 - Designed and installed Voice Over IP telephone system
 - Established Wide Area Network, which includes connectivity to Police Department, Parks and Fire Stations
- Applications
 - Managed installation of the City's enterprise software package, HTE
 - Call Center
 - Established and configured Call Center systems on the Voice Over IP telephones.
 - Developed protocols for customer service delivery using best management practices
 - Developed and implemented call tracking to ensure proper call resolution
 - Robust GIS capabilities

Facilities

- City Hall
- Police
- Fire
- Parks
- Long-term plans

Public Works

- Completed 1,800 work orders for roadway and right-of-way issues
- Installed over 1,750 tons of asphalt
- Implemented Sandy Springs sign toppers
- Installed 26 miles of roadway striping
- Cleaned 1,000 catch basins

Recreation & Parks

- Gained acceptance in to the Georgia Recreation and Parks Association (GRPA)
- IGAs with Fulton County Schools
- Provided year-round youth recreation activities to more than 2,450 participants
- Sandy Springs Youth Sports provided programs to 900 youth

- With Communications, Recreation and Parks launched Web site, published first programs brochure

Community Development

- Managing development of City's first Comprehensive Plan
- Completed drafting of a new tree ordinance
- Code Enforcement
 - responded to 90% of complaints and service requests within 48 hours
 - conducted sweeps of 12 apartment/ condo complexes

Recognition

- Media coverage: Christian Science Monitor, USA Today, CNBC-live, FOX national news, CNN morning show, North Korea Times, Gold Coast News (Australia), Toronto Star, Tokyo Evening News, Montreal radio interview with TV to follow
- Presentations at Canadian Council for Public-Private Partnerships; National League of Cities
- Innovation Award from the National Council for Public-Private Partnerships

Looking Ahead – Early 2007 Highlights

- Review of Municipal Court Operations – Feb. 2007
- Storm Water Drainage Policy Recommendations – Feb. 2007
- Long-range Facility Recommendations – March 2007
- FY 2008 Budget Planning Workshop – March 2007
- Transportation Improvement Recommendations – April 2007
- Parks Improvements Recommendations – April 2007

Mayor Galambos stated it is phenomenal what happened in one year and it would not have happened without CH2M Hill and their leadership. It would not have happened without Mr. McDonough's leadership and all the good departments we have working for us. She thanked everyone because it is a team effort in what has been accomplished.

Motion and Vote: Councilmember Fries moved to appoint Rusty Paul as Chairperson. Councilmember Jenkins seconded the motion. The motion carried unanimously.

Executive Session-Pending Litigation

Motion and Vote: Councilmember Paul moved to go into Executive Session to discuss pending litigation. Councilmember Fries seconded the motion. The motion carried unanimously with Councilmember Dianne Fries, Councilmember Karen Meinzen McEnery, Councilmember Dave Greenspan, Councilmember Ashley Jenkins, and Councilmember Rusty Paul voting in favor. Executive Session began at 6:05 p.m.

Motion and Vote: Councilmember Paul moved to end Executive Session. Councilmember Fries seconded the motion. The motion carried unanimously with Councilmember Dianne Fries, Councilmember Karen Meinzen McEnery, Councilmember Dave Greenspan, Councilmember Ashley Jenkins, and Councilmember Rusty Paul voting in favor. Executive Session ended at 6:45 p.m.

Presentation

Presentation by MARTA regarding Proposed Bus Shelter and Transit Advertising Agreement Process

Tony Griffin, MARTA, Acting Director of Marketing gave the following presentation.

MARTA's New Shelter Advertising Program

- MARTA will be issuing a Request for Proposal (RFP) in an effort to select a Bus Shelter Advertising Contractor.

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- MARTA is seeking comments from each jurisdiction regarding the Bus Shelter Advertising Program.

Sandy Springs Shelter Inventory

Current Advertising Shelters	25
Current Non-Advertising Shelters	8
Proposed Non-Advertising Shelters	8
Total Shelters	41

A Brief History of Marta Bus Shelters

- 1990: Atlanta Bus Shelters and MARTA signed agreement
- 1997: 10-year contract with ABS and MARTA through September 2007
- 1998: ABS sold contract to Outdoor Systems Inc., OSI
- 1998 – 2006: (OSI \ Infinity \ Viacom currently CBS Outdoor)
- 2006: MARTA develops new RFP for Shelters to be advertised December 2006
- 2007: Current contract expires September 30, 2007

Current Shelter & Bench Inventory

CBS Advertising Shelters: 407

Non-advertising shelters:

Installed: 167

Proposed: 123

Non-advertising benches:

Installed: 15

Proposed: 62

Current Shelter & Bench Inventory

Older MARTA bus shelters: 39

WODA shelters: 7

MARTA's RFP Will Include the Following:

Request for New Shelter & Bench Furniture

- Replacement of all existing shelters 10 years and older
- Add benches to inventory and sell advertising on them in order to
 - 1) provide customer amenities where shelters cannot be located, and
 - 2) eliminate illegal bench advertising companies
- Require installation of non-advertising shelters or benches placed in neighborhoods or sensitive areas where advertising shelters or benches are not feasible
- Various advertising and complementary non-advertising styles are available to choose from.

Trash Pick-Up and Maintenance Programs in partnership with local jurisdictions, the contract will require:

- Fund 2 contract employees to serve as Auditors for all shelters to monitor daily trash pick-up, repairs/maintenance, landscape, and proper illumination.
Establish a 24-hour Hot-Line and Website so customers and public can call with concerns about shelter conditions. All shelters will have contact information clearly posted.
- Require 12-hour response for Maintenance and 24-hour response for Trash.
- Appropriately sized trash containers installed on all shelters.
- Shelter trash pick-up staffed for 7 Days a Week. Proposed schedules submitted as part of the RFP proposal.

Earn Greater Revenue Split for Each Jurisdiction

- Current earnings with CBS Outdoor remain at \$83.34 per month per shelter

- This revenue is split 50/50 with each jurisdiction (\$41.67 each)
- Out-of-Home advertising earnings have become more lucrative.
- In addition to Revenue Split and Minimum Guarantee, a lump sum payment will be requested to MARTA and participating jurisdictions upon award of contract.
- MARTA and the municipalities will share up to 10% of advertising inventory for self-promotional purposes.
- MARTA's Advertising Policy excludes advertising unsuitable for exposure to persons of young age and immature judgment. Additionally, if a jurisdiction objects to any advertising the Authority will have it removed.

Next steps...

- If Sandy Springs is interested in participating in MARTA's 2007 advertising shelter program, an intergovernmental agreement has been provided for discussion. Final terms of the agreement will be subject to City of Sandy Springs and MARTA Board approval.

Councilmember Paul questioned if Council would be able to participate in the look and feel of what we want in our community.

Mr. Griffin stated once they have selected the contractor they will meet and discuss with your municipality to discuss with Sandy Springs which shelter is wanted.

Assistant City Manager Grace stated that based on earlier meetings with Marta and the current advertiser, there are two things that are open. One, you have the right to review and set the standards on your right-of-way. This would have to go to the Planning and Zoning and Design Review Board for comment and review. Architecturally, you have that authority subject to the attorneys. They also said that they could make modifications to accommodate our expectations if they are within a reasonable economical range. Staff has requested that they terminate the contract with Fulton County and direct those revenues to the City of Sandy Springs. The City does not expect to move on these issues until these funds are redirected.

Councilmember Meinzen McEnerny questioned if the shelters could all be non advertising.

Mr. Griffin stated that the City can elect not to have adverting shelters. They will maintain the shelters if the City stays within the budget of the RFP.

Councilmember Fries explained that the City is now in the process of putting in 170 trash cans at the Marta locations. She questioned if Marta would service those even though they are not the appropriate size.

Mr. Griffin stated that if the trash cans are located at the bus shelter they can service them but, it is really up to Council on how to handle it. The city can service them or Marta can.

Councilmember Greenspan questioned if in the two contracts we did not want any advertising shelters, would that diminish our ability to have a quantity of shelters.

Mr. Griffin stated it would not because there is a requirement in this RFP that a certain number of non advertising shelters to be built.

Mayor Galambos stated that we now have 33 shelters and questioned the chances of continuing to have 33 shelters.

Mr. Griffin stated that Sandy Springs would continue to have 33 shelters as long as the City is a part of this RFP, you will be part of the contract that requires the contractor to maintain it. Currently Sandy Springs has a total of 41 shelters. If Council wants to convert the 25 advertising shelters to non-advertising that can be done.

Miriam Lancaster, MARTA, Chief of Corporate Law stated that if the City determines they do not want advertising shelters, there is a requirement that at the end of the current contract for the advertising, they will have to be bought at their depreciated value. MARTA will then have to decide what to do with them. She noted that they are not going to be able to replace all 33 advertising shelters immediately with 33 non-advertising shelters. The non-advertising shelters will be throughout the service area.

Councilmember Fries questioned if a percentage could be spread evenly throughout.

Ms. Lancaster stated that it should be a percentage spread evenly throughout the service area. The contractor that is doing Sandy Springs' eight non-advertising shelters is using several funds. They would continue to use the federal grant money to put shelters in the community. They would be the style that is going out now and would not be the new style that is in the new RFP.

Councilmember Paul stated that this is a revenue sharing program and questioned if the City chose not to have any advertising on MARTA shelters, if it would eliminate the City's participation in the revenue stream. Ms. Lancaster stated that it would.

Councilmember Fries questioned the cost.

Ms. Lancaster explained she did not have an answer but, that it is under the current contract and that number has not changed in over 10 years. They anticipate that the revenue will at least double and will require in this RFP to have an annual escalator which is what they did not have in the original contract. CBS is making significant revenue off these bus shelters which, under the new RFP, they will have to be competitive on sharing that revenue because there are many interested vendors who do street furniture who want to get involved in this program.

Councilmember Greenspan questioned if they would be adding the two contractor employees to the existing staff and what the total number of staff count is.

Mr. Griffin stated MARTA would be adding to the existing staff but will be funded by the contractor. They have approximately 700 bus shelters. Based on calculations, they should be able to see each one in a month. MARTA has not had this type of position before so now they are in a position to go out and substantiate where there is a problem, communicate with the contractor and try and make sure they come out and solve the problem.

Councilmember Fries questioned if there was any plans to enhance the lighting at the bus shelters.

Mr. Griffin stated that he is not sure if there is going to be any lighting at the non-advertising shelters.

Ms. Lancaster stated that is correct and explained that MARTA is looking for solar power or some other form of lighting for the advertising shelters. She stated that it also depends on the City's ordinance. For example, the City of Atlanta has a prohibition on lighting the shelters other than to eliminate the ad panel.

Councilmember Paul stated that they need to clarify their presentation because it says "all shelters to be monitored, daily trash pick-up, landscape and proper illumination".

Mr. Griffin stated that it should read "all advertising shelters".

City Manager McDonough questioned what considerations had been given to anti-graffiti measures on these shelters.

Mr. Griffin stated that when they sit down with the contractor, they will discuss this. The inspectors that go out and check these shelters will be inspecting them for vandalism or any type of graffiti. We expect the contractor to turn around within that specified period of time, 12 to 24 hours and make the repairs.

Mayor Galambos stated that she would like to get a cost benefit analysis and have further discussion at a future work session.

Councilmember Fries stated she would like to dialogue on the possibility for some lighting because that has been a safety issue.

Mayor Galambos questioned if there were any possibility of reducing any cost to us if we do our own trash pick-up because past experience on the trash pick-up has not be exemplary.

Mr. Griffin explained that is why they are really trying to push the trash pick-up within this contract because they know it has not been an ideal situation. MARTA is trying to put as much pressure on the contractor to do the work.

Councilmember Greenspan questioned if it were possible to have one or two MARTA folks in the City of Sandy Springs where all they do is focus on the trash pick-up, the graffiti, repairs and maintenance, proper lighting, all these issues we are talking about.

Mayor Galambos explained MARTA has now heard Council's comments and nothing will change tonight. She thanked MARTA for their presentation.

Staff Discussion Items

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Update on Fire Inspection Program

Fire Chief McElfish showed a video of a fire at a Rhode Island Night Club.

Update on EMS activity

Fire Chief McElfish stated that in the last nine days there have been 365 incidents in the City, basically 40 incidents a day, about 80% EMS and 20% Fire. We have already responded in Cobb County Hazmat an incident with the Police Department at Residence Inn on a drug situation. Everything worked out very well. People are extremely happy working here. The range of calls: hazardous material, heart attacks, sprained ankles, trauma, gun shot wounds to the chest, etc. There has been nothing serious on the fire side. 70+ police officers trained in CPR and AD which are now in the patrol vehicles. All Fire Department members are trained in service equipment. We have had over 320 hours of command leadership training, over 3,000 hours in recruit training. Currently, the fire department is working with Leadership Sandy Springs for AED-CPR training session, community wide. Also working with Councilmember Jenkins for the January 18th EMS Day at the Benson Senior Center. They will be taking blood pressure and different things like that.

Sr. Deputy Fire Marshall Scarbrough gave the following presentation.

Fire & Life Safety Challenges We Are Encountering:

Challenges with Projects Approved by Fulton County

- Exit Violations
 - Exit Access Through Storage Room (not allowed by fire codes)
 - Exit Sign Blocked
 - Exit Access Blocked
 - No Fire Alarm
 - No Occupant Load Posted
 - Blocked Exits
 - Commercial Cooking Equipment without required hood/extinguishment systems
 - Commercial Cooking Equipment Extinguishment systems out of date
 - Holes in fire rated walls

What Our Fire Inspectors are Hearing in the Field

- "I have been the manager of Kindercare for 5 years and I have never seen anyone from the Fire Department, inspectors or fire trucks. I had asked for the fire trucks to come by." -Manager of Kindercare
- "I have been the manager of this facility for 10 years and I have never seen a Fire inspector."
Manager of High Rise on Carpenter Drive

Area of Concern

Description	# of Occupancies
Schools and Daycares	48
Hotels & Motels	21
Assisted Living Facilities	15
Un-sprinkled High Rise Buildings	40 est.
Gated Properties/Communities	22+
Restaurants, Nightclubs, Bars	200+
Apartment Complexes	50+
Other High Rise Buildings	20+
Theaters and Churches	50+
Class A Mercantile Buildings	25+
All other occupancies	4,500+

Our Inspection Plan of Action

Priority#	Type Occupancy
1	Schools and Daycares
2	Hotels & Motels
3	Assisted Living Facilities
4	Restaurants, Nightclubs, Bars
5	Un-sprinkled High Rise Buildings
6	Apartments
7	Other High Rise Buildings
8	Theaters and Churches
9	Class A Mercantile
10	All other occupancies

Inspection Goals

Completion Goal	Type Occupancy
January 07	Schools and Daycares 48
February 07	Hotels & Motels 21
March 07	Assisted Living Facilities 15
May 07	Un-sprinkled High Rise Buildings 40 est.
September 07	Restaurants, Nightclubs, Bars 200+
December 07	Apartments 50+
January 08	Other High Rise Buildings 20+
March 08	Theaters and Churches 50+
September 08	Class A Mercantile Buildings 50+
December 08	All other occupancies 4,500+

Important Scheduling Factors

- It is time intensive to inspect large/complex buildings
 - High Rise (2 inspectors 10 hours initially)
 - Schools
 - Hospitals
- Most buildings (est. 75%) will require at least two follow up inspections to resolve code violations discovered

Emergency Access Issues

- Fire Official authorized to require for life saving or firefighting purposes to buildings (keys) or property (gated property)
 - International Fire Code Section 506.1
- KNOX systems used by over 8,500 communities in U.S.
- Currently 22+ Gated Properties/Communities with KNOX system already in use according to Fulton County
- Fire Official authorized to require for life saving or firefighting purposes to buildings (keys) or property (gated property)
- Sandy Springs Fire Department is already registered with KNOX
- Administrative Policy designating KNOX as recognized system being written by City Attorney's Office
- Cost to Property Owners:
 - Gate Switches \$225.00 each +/-
 - KNOX Boxes \$15.00 each (lock cylinder only)
 - \$400 NEW Construction only
 - Sandy Springs Fire Department will swap out lock cylinders with training from KNOX
- Recommend 180 day phase in for existing installations.

Knox Rapid Entry System

- Property access with one master key
- Immediate building entry day or night
- Time-saving response to false alarms
- Meet fire and building code requirements for listed products
- Master Key Security provided with Key Retention Devices
- High security protection

Knox Key Switch

- Electric override for perimeter gates, parking garages, gated communities, HVAC controls and industrial equipment lockout
- Single switch assembly
- Switch on mounting plate
- Stainless steel dust cover
- In emergency position switch keeps gate locked open
- Accessed by same key as Knox-Box

Other Challenges We Face

- Keeping up with Construction/Re-Development
 - Zoning, Site, Building, Sprinklers, Alarm Review
 - Site, 50%, 80%, Follow ups, Final Inspections for each project
- Keeping up with Remodeling projects
 - 50%, 80%, Follow ups, Final Inspections for each project
- Keeping up with Liquor License & Business Licensee
- Correcting occupant load miscalculations at buildings
- Continually monitoring overcrowding & egress at restaurants & Nightclubs
- Addressing buildings without a certificate of Occupancy
- False Alarms
- Emergency Management; coordination, drills & training, EOP, SARA Title 3, NIMS compliance, etc.
- Incident Reporting coordination with State, quality control
- Public Information Officer program

Other Challenges We Face

- Fire Investigation (approx. 24 in 2006)
 - Fire Scene: digging out, photographing, sketches, statements, samples, etc.
 - Interviews

- Related record searches
- Safety Education
 - Measurable safety teaching methods to
 - Elementary, Middle, High School children
 - Elderly
 - Businesses: fire extinguisher use, general fire prevention/safety, fire evacuation, etc.
- Fire Drill/Evacuation Plan evaluations, training and conducting field assessments
- Juvenile Fire Setter Program
 - Network setup/maintained with School system, Juvenile Court System, Mental Health, Police, Family & Children Services

What Have We Done So Far?

When Services Began

- November 27th started plan reviews
- December 11th started inspections
- December 29th assumed responsibilities for fire investigation & safety education

Administration Setup

- Screened, Interviewed and Hired part-time personnel
- Set up filing system and created inspection forms, purchased reference books, etc.
- Obtained limited inspections information from State & Fulton County
- Registered with KNOX
- Began developing inspection & pre-plan building locations

What Have We Done So Far?

Services Provided

- 50 New construction inspections completed
- Participated in Apartment sweep in December: 15+ inspections
- 32 Certificate of Occupancies have been approved by FD
- 23 egress overcrowding inspections on New Year's Eve
- 10 out of 29 Daycares inspected
- 2 out of 10 Assisted Living Facilities inspected
- 2 out of 19 Schools inspected
- 10 Liquor license inspections
- 16 Restaurants inspected (many have hood system violations)
- 20 Follow up inspections
- 1 Fire Drill conducted at Cox Enterprises
- 114 Building plans reviewed, 180 Sprinkler/Alarm plans reviewed

Inspection Staffing

- 1 Full Time Fire Protection Engineer
 - 10 years experience with State of Georgia
 - Previously responsible for +/- 10,000 buildings
- 1 Full Time Inspector/Investigators
 - 30 years fire service experience
 - 6 years in fire investigation
 - 8 years in inspections and plans review
- 4 Part Time Inspector/Investigators
 - Retired City of Atlanta High Rise Fire Inspector
 - City of Atlanta Fire Inspector

- City of Atlanta Captain
- Member of State Fire Marshal's Office

Mayor Galambos stated her concern about the occupancy ordinance and some of the entertainment establishments that are exceeded their limit on the weekends.

Sr. Deputy Fire Marshall Scarbrough stated that would be an ongoing issue. Staff will continually go into restaurants and nightclubs. This is necessary to keep that level of safety.

Councilmember Greenspan encouraged the fire and police personnel to report any overcrowding situations identified to the Code Enforcement office.

City Manager McDonough stated that staff recommends going with the Knox Box and have a 180 day implementation time frame.

Mayor Galambos asked that research be done on what Council has approved in the past.

City Manager McDonough stated that the previous recommendation came prior to having a fully staffed fire department. Staff recommended a siren activated system. With experienced personnel, staff has found that this equipment does not work. The current recommendation is to go with the Knox Box.

He stated that it has been found through research that there is not a need for a separate ordinance on this. Staff's recommendation would be to give folks a reasonable set of time to install these systems. Staff's recommendation is 180 days. He stated that direction is needed from Council at this point.

Councilmember Fries expressed her concern about 180 days not being enough time.

Mayor Galambos asked that when staff comes before Council with the proposal for 180, which you have a consensus on, would you please update us on the status of the ordinance and what we decided before.

Discussion of Proposed Sign Ordinance

Andy Lewis, Riley Lewis & McLendon, LLC stated that the changes made were changes requested by the Planning Commission, changes requested by staff, findings drafted for the Council, and general stylistic changes. This memorandum describes the various changes starting at the beginning of the proposed sign ordinance and continuing through the end of the proposed ordinance.

Mayor Galambos stated that there has been one modification to this ordinance regarding the Design Review Board. The Design Review Board has been extremely useful to Sandy Springs for a long time and has a role in looking at all sign permits, variances, and anything that has to do with a sign. An amendment has been made to the ordinance that the Design Review Board, on an advisory level, will review all the sign applications.

City Attorney Willard stated that once the ordinance is prepared, it might be helpful for him to met with the Design Review Board and define and outline their role.

Discussion of Resolution authorizing the Mayor to sign a lease agreement with Fulton County for the Morgan Falls ball fields

City Manager McDonough stated that this is the lease agreement for the ball fields at Morgan Falls. Staff recommends approve of this resolution authorizing a fifty year lease.

Councilmember Greenspan explained that at the next Council work session he will propose for Parks and Recreation a more advance study of program of how we can start facilitating these facilities.

Discussion of Proposed Tree Conservation Ordinance

Mayor Galambos stated that everybody on Council equally loves trees. She thinks there is total unanimity on this Council, that we absolutely deplore any collusion that may be going on between a few mean spirited people who think they can sell their land faster and collude with developers to cut down the trees while the City is trying to pass the new Tree Ordinance. That issue will be addressed. Next, 99.9 % of the homeowners are reluctant to cutting the trees in their own yards except if they have a hazard. The cure for that .1 % should not be worse than the problem and to require homeowners to get permits to cut down trees in their own yard after having gone out and got a plan by an arborist may be overkill. She explained budget concerns that additional staff would cause. She explained that a great deal of work goes into preparing for any one of the City's boards. This is a cost the City has to consider. She further explained that the State Legislature is in session. They introduced a bill last year that would not only take away your right to make decisions regarding stream buffers, but it would probably delude the City from any zoning and planning responsibilities. She explained that these are only a few items Council has to consider as they deliberate this ordinance. She stated that everyone wants to pass a Tree Ordinance sooner rather than later because the sooner it is passed, the better the City can protect trees. Staff has heard put into writing what Council has said. Their staff reports are really what they have interpreted Council to say and she does not think it is an incorrect interpretation.

Director Leathers stated that on June 6, 2006, the City began this process of completely rewriting the Tree Ordinance for the City of Sandy Springs based on the problems we have had with the Fulton County ordinance. Ed 50 has been hired as our consultant. a Tree Advisory Committee was appointed to work with staff in this preparation. Staff came before Council on November 21st and the committee reported to Council and comments were taken from the public. At that time, Council deferred the process and asked staff to address some additional issues and hold additional meetings. Staff is in the process of doing that. She explained that there will be two presentations. The first from City Arborist Michael Barnett and the second from the Tree Advisory Committee.

City Arborist Barnett gave the following presentation:

Process

- Nov. 21, 2006 - Mayor and City Council received the committee recommendations and heard from the public.
- City Council opened the process to four additional meetings throughout December and January.
Future meetings scheduled:
 - Jan 11, 2007 – Public Meeting
 - Jan 22, 2007 – Tree Ordinance Advisory Committee
 - Feb 6, 2007 - Mayor and City Council - Consideration
 - June 6, 2006 – Tree ordinance advisory committee created and consultant retained.

Overview

- Uses Tree Canopy approach to retain and reclaim canopy
- Defines
 - Landmark Trees as hardwoods 27" dbh or greater
 - Boundary Trees as an overhanging tree on adjacent property
- Requires a Tree Removal permit
 - To remove a Landmark Tree
 - To impact a boundary tree
- Uses a Tree Bank for purchase or sale of canopy credits
- Provides Administrative Standards & Best Practices
- Offers additional recommendations from the Tree Ordinance Advisory Committee

Tree Canopy

- Requires 40 – 50% retention of tree canopy
 - Residential – 50% of lot area
 - Non residential Other – 50% of lot area
 - Commercial – 45% of lot area

- Industrial – 40 % of lot area
- Requires maximum replanting on site to obtain canopy coverage
- Then, any unmet canopy requirement mitigated by contributing to Tree Bank

Key Definitions

- Landmark Tree –
 - Hardwood trees greater than 27" dbh
 - Under story trees greater than 10" dbh
- Protected Tree –
 - Hardwood trees greater than 12" dbh
 - Under story trees greater than 3" dbh
- Boundary Tree – trees on adjacent property whose root zone or canopy extends beyond the property line.

Tree Removal Permits

- Required if:
 - Landmark Trees removed
 - Boundary Trees are impacted
 - Site or Building activity is proposed which requires any permits
- Single family lots excluded, if
 - None of above applies
 - No other permit required

Site/Tree Conservation Plan (STCP)

- Required with any residential or commercial permit
- A pre-requisite for Tree Removal permit
- Must accurately map all existing trees
- Must identify trees to be removed
- Must show all construction and land disturbance activities / areas
- Must meet canopy requirement

Sandy Springs Tree Bank

- When City Arborist deems it impractical or impossible to meet canopy requirements on site, Tree Bank accepts payments for unmet canopy requirements.
- Tree Bank administered, pursuant to City Council policy and program, by Director of Community Development.
- Funds solely used to increase/maintain tree canopy in public spaces.

Enforcement and Appeals

- Enforcement assigned to Department of Community Development.
- Administrative appeals to the Board of Zoning Appeals
- Subsequent Judicial appeals to Fulton County Superior Court by writ of certiorari

Administrative Standards & Best Management Practices

- Establishes canopy values
- Offers Best Management practices
- Provides guidance to citizens on proper planting and maintenance practices
- Limits discretionary actions

Tree Advisory Committee Recommendations

- Recommendations fall into four categories:
 - Create a Historic Tree Designation
 - Designate large Pine Trees as Landmark Trees
 - Residential owner exemption to allow up to 20% canopy removal without a permit

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- Establish a Tree Conservation Board
 - Hear and decide appeals
 - Serve advisory role to City Council

Mayor Galambos questioned the tree canopy requirement and what would one do if they did not have a lot of trees on their lot.

Mr. Barnett explained that they would still need to meet the 50 % requirement.

Councilmember Jenkins stated she does not have 50% coverage on her property and if she wanted to put in a deck then she would be required to replant her yard. She does not agree with this requirement.

Director Leathers explained that she could either do that or get a variance. There is a process in place for appeals so Council has to decide is to either have the requirement and allow the appeals or take away the requirement.

Councilmember Fries stated she has a problem with people being penalized for something that may have happened when they did not even own this property or for something Fulton County may have allowed them to do. They can be penalized and have to have it brought up to 50%. She thinks it is really bad to impose a penalty on people who may not have had any control over it.

Councilmember Meinzen McEnerny stated that she agrees. If you want to build a fenced in area for your dog or extend your deck and it does not involve the removal of any trees, then that should not trigger the recompense to get back up to the 50%.

Councilmember Paul stated that he has lost 25% of canopy on his lot because of weather and aging of trees. He did not have anything to do with the trees coming down. He does not agree with having to bring his lot up to the 50 % requirement.

Mayor Galambos explained if you have a commercial establishment that does not have 45% coverage; it goes out of business as C-1, another C-1 comes in and builds something else then they would they have to come up with the 45% before they can build something new.

Councilmember Meinzen McEnerny stated that there are some parking requirements that include some tree area in it. People always like to park underneath trees.

Councilmember Fries stated everyone loves trees. Council would like to increase the canopy and find a realistic and reasonable way to go about this but to punish people that might not have had anything to do with commercial or residential trees is wrong.

Mayor Galambos stated she had always thought that you had to plant back to what you had.

Councilmember Greenspan questioned what would happen at the North Fulton Tennis Center when work starts happening there.

Councilmember Fries explained that another option is to not re-plant the trees but put money in the tree bank. She expressed her concerns regarding this option.

Mayor Galambos stated that staff can hear the consensus. The City can not penalize somebody who buys a place.

Councilmember Paul stated that we should encourage people to plant trees. There is nothing in this ordinance that offers an incentive.

Mayor Galambos explained that we need to restudy this particular section. She made a request to move on to the next section.

Councilmember Meinzen McEnerny stated that everyone is having a problem with the clarity of this ordinance.

Mayor Galambos questioned why you would have to have a plan for the whole lot if they are only dealing with one tree in the Site/Tree Conservation Plan.

Councilmember Meinzen McEnerny stated that is not correct. It is set up for permitted uses, commercial and single family. If a single family lot has a landmark tree they need to take down, they do not need to do a STCP.

Ed Macie stated that the Site/Tree Conservation Plan only applies to properties that are applying for a land disturbance permit or a building construction permit.

Councilmember Fries stated that in a buildable area, rather than having a restriction on cutting down trees, what about an incentive.

Councilmember Meinzen McEnerny stated this applies to the development community and owners pulling a permit for land disturbance.

Mayor Galambos stated she would like an example of such an incentive.

Councilmember Meinzen McEnerny stated that it would be voluntary. Currently, under the proposed ordinance the developer can take out all of the trees in a buildable area as long as they comply with the site plan and get the Arborist's approval. This may be every single tree in the buildable area, on smaller lots, R-4 and R-5 that is understandable because you do not have a very big lot. On the larger lots that are characteristic of several of our districts, it is reasonable to expect that you can accommodate a larger home and you still have enough room to protect some trees in the back. Therefore, if a developer voluntarily wants to leave a tree then the City will give them a credit.

Councilmember Fries requested that staff review the incentives. Some have already been discussed in the previous ordinance. There maybe some options they can look at.

Councilmember Meinzen McEnerny stated they could apply for a refund because they voluntarily left a tree in excess of the required canopy density.

Councilmember Paul stated that one of the major problems that we are trying to address here is that there are people who will go into collusion with the developer and that developer will go to that property owner and say; "if you will cut your trees down, I will come in and buy your property". This provision does absolutely nothing to deal with that kind of situation.

City Arborist Barnett clarified that the tree cutting is for specimen trees, or in this case landmark trees, because to remove a specimen tree under the current ordinance it takes two months through the BZA process.

Mayor Galambos stated that there is a new provision in the ordinance but it is not strong enough. We need to address this collusion problem.

Councilmember Meinzen McEnerny stated it is on page 6, the heading is Tree Removal Permit Site Tree Conservation Plan. It says, "For the purposes of the STCP, the trees indicated and considered in said plan shall include all Protected Trees removed from the property in the preceding twelve months". That is one of the places we get the collusion issue. We are in agreement that we need to address it. This ordinance as presented does not address it correctly.

Councilmember Paul stated that if zoning is ultimately required and somebody cuts so many trees or some other aspect, we could put as part of our zoning procedures and regulations a period that would not let that property be rezoned for a certain period of time thereafter.

City Attorney Willard stated that if Council were to control that type of activity, it would be necessary to put all residential property under the category of protection requiring removal or potential removal needs to only be done by permit.

Councilmember Fries gave an option that if the tree is 15 inches or less you can cut it, above that you have to come in and get a permit.

Councilmember Meinzen McEnerny stated that the 20% formula gives the homeowner flexibility as to which trees to remove. If someone can take everything down under 15 inches, they are leaving a more aging group of trees and there might not be a succession. She stated that Councilmember Fries' proposal is very simple, applies to everybody, it is clear and we are protecting something.

Mayor Galambos stated that we do not want to impinge on a lot of single family homeowners who might have to cut down one or two trees for some reason and are not in collusion but they would have to get one of these plans before they do anything their yard.

Councilmember Meinzen McEnerny stated that staff and the Tree Advisory Committee need more time to figure out what would be their recommendation on those two approaches.

Director Leathers stated staff would like to work through some of these issues and then come back to Council.

Toc: Blad, Tree Advisory Committee stated the Urban Forest Commission recommends 40% tree coverage for cities. The average is 20 trees per acre. She addressed items that the committee would like to see such as a residential owner exemption to allow up to 20% canopy removal without permit. Basically, this is a single family loop hole. We want you to include single family homeowners in the Tree Ordinance. Secondly, make Pine Trees landmark trees. Third, establish a Tree Conservation Board. Fourth, create a Historic Tree Designation.

Mayor Galambos thanked the Tree Advisory Committee for being so diligent and persistent. They have done a great job. She explained that the Committee should work closer with the Council on this issue.

Ms. Blad stated that the committee discussed some ideals regarding how to prevent this collusion. One of the ideas was not to cut anything over 15 inches. Mayor Galambos asked staff to look at that as a possibility.

Mayor Galambos asked staff to evaluate those two proposals and get back to City Council. She reiterated to the committee that to any extent you are unhappy with a product that comes out, blame it on the Council, not the staff. Staff is reflecting what they are hearing from the Council. It is not fair to blame the staff.

Discussion of upcoming Public Hearing on Future Impact Fee Program

Deputy Director McNeill stated that the Impact Fee Act in Georgia requires the city to have an approved Comprehensive Plan in place prior to our adopting an Impact Fee Ordinance. At the next scheduled Council Meeting he will have a Resolution for Council's consideration to transmit the latest version of the document and send to the state the Community Participation Program and Community Assessment. Once these documents are sent to the state, Phase I will be complete. Phase II involves the community agenda. As part of the community agenda, the Capital Improvement Element is developed. This goes into the final Comprehensive Plan. The Capital Improvement Element is the frame work for calculating the impact fees and the Impact Fee Ordinance. The rule requires the City to have an Advisory Committee. Staff is contacting citizens to serve on this committee and will bring them forward to the January 16, 2007 meeting. He further explained that a public hearing must be held to inform citizens that we are about to embark on this process and developing an ordinance. The citizens can also speak to their ideas about central projects and improvements that Council make consider for inclusion in the Capital Improvement Element or anything else they may have to say about the Impact Fee Program.

Discussion of upcoming Public Hearing regarding the Comprehensive Plan

Deputy Director McNeill stated that the most recent document has been subjected to considerable review from our Citizens Advisory Committee, the public, as well as the Planning Commission on the 21st. It was voted unanimously to transmission to the state. He further explained that an additional public hearing is required. Anything that staff receives from Council or the public will be incorporated into that document and be prepared to send to the state.

City Attorney Willard stated that we have had some information coming back dealing with state-community affairs having some questions about us getting this Comprehensive Plan completed and filed back within the time. Under our own local Charter, the City established a 13 months time period not realizing the length of time this process may involve. He recommends in order to resolve this issue with Community Affairs that we amend our Charter to change it from the thirteen (13) months to the full two years.

Mayor Galambos announced that today is Nancy Leathers Birthday and wished her a Happy Birthday.

Discussion of a process used to track and report land development related complaints and violations

Assistant Director White stated that the Community Development staff routinely receives citizen complaints for a variety of issues including, but not limited to violations of the City's Land Development and Environmental Protection Ordinances (including the Erosion & Sedimentation Control Ordinance, Stormwater Management Ordinance, Stream Buffer Protection Ordinance and Tree Protection Ordinance). When violations are found on offending properties, Notices of Violation, Stop Work Orders and Municipal Court Citations are issued in order to achieve compliance with the City's ordinances. There is currently no central tracking system where complaints and violations can be registered, updated and monitored by both staff and citizens.

A complaint resolution process will create a system for staff to track and address complaints, follow-up on inspections and complaint resolution. This process would enable staff to more efficiently address citizen's complaints through a centralized database thereby improving response time for time sensitive violations such as illegal tree removal and erosion and sedimentation control issues, as well as for responding to the citizens.

Mayor and City Council can elect to continue to use the City's Call Center to manage citizen complaints and violation reports.

Staff recommendation is to approve a complaint resolution process for land development related concerns including erosion control, permitting, zoning, stormwater drainage and tree related issues.

He reviewed the violations and complaints per district.

Discussion of Modification of the 2025 Interim Land Use Map for the Roberts Drive Area

Assistant Director Zehner stated this is a discussion of a modification of a 2025 Interim Land Use Map for the Roberts Drive area. The received a letter from William Griffith, Jr., a resident of 9580 Roberts Drive who has requested that the south side of Roberts Drive, immediately east of the intersection of Roberts and Roswell Road be changed from its current Residential 8-12 designation to a designation of Residential 0-1 units per acre. It is consistent with the properties on the north side of Roberts Drive. Staff is recommending that this go before the Mayor and City Council at a full public hearing to discuss and officially consider directing staff to initiate a change at this time.

Discussion of RC06-04SS-1405 North Riverside Circle, Mr. Robin Rakestraw

Environmental Engineer Dettwiler stated the next two agenda items pertain to Metropolitan River Protection Act Applications. The map before Council is a jurisdiction map of the city showing the 2,000 foot river corridor. Typically, when an applicant applies for a River Protection Act status they would submit a plan like any other plan and concurrently they will submit the plan to the Atlanta Regional Commission. This occurs fairly infrequently because most of the parcels in Sandy Springs have been studied. In the last year, we have had only four cases with new reviews like the two agenda items tonight.

River Corridor RC06-04SS-1405 North Riverside Circle is proposing the development of a lot for the purpose of building a single family residential home, one unit. The applicant and owner of the property is Robin Rakestraw. The plan was submitted to staff and concurrent with the Atlanta Regional Commission which has reviewed and approved it as consistent with the Chattahoochee River Corridor Plan.

Discussion of RC06-03SS-5000 Riverview Road, Action Outdoors, Inc. c/o Mr. Mark Sutherland-Yellensa & Sutherland Engineers, Inc.

Environmental Engineer Dettwiler stated that River Corridor 06-03SS – 5000 Riverview Road, District 6, owner Action Outdoors, Inc. is proposing development of four (4) two-acre lots for the construction of four single family residential homes on a 8.78 acre parcel. Like the first case, the applicant applied both for review by the City and concurrently applied to the Atlanta Regional Commission. The Atlanta Regional Commission has reviewed and approved the plan as concurrent with the Chattahoochee River Corridor Plan.

Discussion of a Resolution to approve the Master Agreement with the Fulton Community Improvement District (CID)

Deputy Director Drysdale stated this item is a Resolution to approve the Master Agreement with the Fulton Community Improvement District. This is an overall Master Agreement but it would be supplemented by each project agreement to follow.

Discussion of a Resolution to approve the Project Framework Agreement for the Construction of an Interchange at Hammond Drive and SR 400

Deputy Director Drysdale stated that this is the Project Framework Agreement for the Hammond Interchange. This project was briefed by the PCID in previous work sessions. Council requested that two public meetings be held. These were held in December. Georgia Department of Transportation has initiated this Project Framework Agreement which outlines responsibilities of the city as the local sponsor. To keep the project going it would require the city to sign this agreement. Staff has been asked by the attorneys to get a letter of commitment of funding from the CID. Staff will be meeting with them on January 24th, and will get the letter at that time.

Discussion of a Resolution to approve the Project Framework Agreement for the Replacement of Bridge at Jett Road and Long Island Creek

Deputy Director Drysdale stated this item is a Project Framework Agreement for a bridge replacement at Long Island Creek. This bridge is the worst one in the city that has been reviewed by the state. In this case the Georgia Department of Transportation has some money to do the design so we can move forward with the design.

Discussion of a Resolution to approve the Acceptance of the Fee Simple Right-of-Way Donation in Land Lot 16 of the 17th District, Parcel 15, as part of the Perimeter Community Improvement Districts' (PCID) Medical Center Livable Centers Initiative

Deputy Director Drysdale stated that this is a donation of a small piece of land, 50 square feet, in connection with the PCID Peachtree Dunwoody Road Medical District Streetscape Project.

Councilmember Fries stated that originally when this was brought to Council there was \$1 plugged into the amount. Now, a zero has been put in.

City Attorney Willard stated they are making a gift a donation to the city of this property. He had rather show it as being a gift as opposed to a payment of contribution by us.

Councilmember Fries explained she is uncomfortable with it and will discuss this with him at a later time.

Discussion of a Resolution to approve a Temporary Construction Easement for Reconstruction of Driveway Improvements as Part of a Perimeter Community Improvement Districts (PCID) Project; Medical District Streetscape Project

Deputy Director Drysdale stated this item is for a Temporary Construction Easement for the PCID Project that is along Peachtree Dunwoody Road just north of the Glenridge Connector. There is no cost to the city to keep the project going.

Discussion of a Resolution to approve the Execution of a Quit Claim Deed for a gravel road known as Woodall Ferry Road owned by Insignia Holdings, LLC

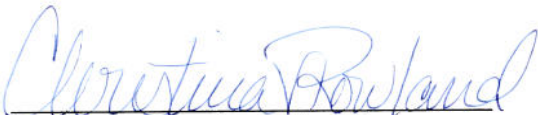
Deputy Director Drysdale stated this item is a Quit Claim Deed for a piece of property that is called Woodall Ferry Road.

City Attorney Willard stated that the City makes no claim to this property.

Councilmember Fries announced that the City is having its Second Annual Martin Luther King Celebration on Monday. a spectacular program has been prepared.

Mayor Galambos adjourned the Work Session at 9:52 p.m.

Date Approved: Feb 6, 2007


Christina V. Rowland, City Clerk


Eva Galambos, Mayor