**Work Session of the Sandy Springs City Council was held Tuesday, April 8, 2008, 6:00 p.m., Mayor Eva Galambos presiding.**

**Discussion of an Ambulance Service Contract**

**Assistant City Manager Noah Reiter** stated that this is a recommendation to enter into a contract with Rural/Metro Ambulance to provide ambulance services. Effective July 1, 2008, Fulton County will no longer provide EMS services in North Fulton County. The alternatives would be to allow the system to operate as it is without financial subsidization which would mean fewer ambulances on the road. Another alternative would be to provide enough subsidization, collectively through North Fulton municipalities, for the status quo. The status quo is not sufficient. The third alternative is to add a total of two twenty-four hour ambulances.

He stated that currently the City has three ambulances that are positioned within the City at peak staffing. On overnight hours, the City has two units in the City.

The proposal before Council would increase the peak staffing number to five units and the off-peak staffing to three units. The cost associated with this approximately $492,764. This cost is based on all North Fulton Cities participation.

He stated that the EMS task force met with the other city's City Managers last week. The other cities have not fully researched the matter at this point. If the City wishes to enter into a contract without the other cities, the cost would be $450,000.

He stated that staff is requesting Council enter into a contract for ambulance services as well as formally establishing an emergency medical response oversight committee.

Councilmember Fries questioned why it would cost more if the cities participate jointly. Mr. Reiter explained the model provided by Rural/Metro.

**City Manager McDonough** stated that several months ago, Fulton County decided to stop this subsidy. He explained that Fulton County is planning to continue subsidizing this service for South Fulton. This is going to be a point of contention during service delivery strategy negotiations. This came to staff because of the concern expressed regarding the level of service. He explained that dispatch is also an issue.

Mr. McDonough explained that the regional approach provides mutual aid to provide additional ambulances in an event they were warranted. Our ambulances would also provide mutual aid. The purpose of the committee is to establish the criteria in which the mutual aid will be provided.

He stated that due to the time limitations, the City needs to decide what they want to do.

Mayor Galambos questioned how the response time would change. Mr. Reiter stated that would be hard to determine at this point.

Councilmember MacGinnitie stated that the response time should be better for $200,000 more. Mr. McDonough explained that one issue that is out of the City's control at this point is dispatch. He stated that Rural/Metro has committed to put an additional call taker on the EMS desk.

Councilmember MacGinnitie stated that he would like to see what the benefit is going to be in terms of response time.

Councilmember Meinzen McEnerny stated that Fulton County has been buying down the state required response time. He stated that they are no longer interested to do that. Mr. Reiter stated that there is not a state required response time.

Councilmember Meinzen McEnerny questioned what the decrease in response time would be. Mr. Reiter stated that the contract would be written such that in a life threatening emergency, the response time would be eight minutes on ninety percent of the calls.

Councilmember Paul clarified that the response time is measured from the time the ambulance receives the call from dispatch. He explained that there are some issues with the amount of time between when the 9-1-1 call is made and the ambulance is dispatched. Mr. McDonough stated that is part of the problem. Another problem is the number of available ambulances. Councilmember Paul stated that the City will not have control over the response time until all pieces are within the City's control.

Councilmember DeJulio questioned what percentage of calls the Fire Rescue Department responds to are transported via ambulance. Mr. Reiter stated that just under 70% are transported. Councilmember DeJulio suggested making the QRV's into ambulances. Mr. Reiter stated that the process for designating an ambulance provider is done by a regional oversight committee that reports through the Georgia Department of Human Resources. Some municipalities have tried to do this.

Mayor Galambos stated that the City of Atlanta is considering the purchase of ambulances.

**City Attorney Willard** stated that the city may not be able to charge for the transport service. A private company does this.

**City Manager McDonough** stated that it is estimated to cost over $500,000 per ambulance to put it in service and staff it. He stated that the ambulance service's ability to do no emergency transport buys down the cost of providing the service. He explained that the difference between keeping the status quo and improving service is less than $200,000. This funding would be included in the FY09 budget.

Councilmember MacGinnitie questioned why was not bid out. Mr. McDonough explained that because of the system in Georgia, this is essentially a sole-source contract. He explained that if this company does not meet the metrics in the contract, this can be raised to the Region 3 Committee.

Mayor Galambos stated that under model 3, the other cities may not benefit as much as Sandy Springs and therefore, they may not want to participate. Mr. Reiter explained the process used to determine the models.

Councilmember Fries stated that public safety has always been important to the City and this is a piece of the puzzle and this should be considered favorably. This is part of the overall public safety service the Council is trying to provide. Councilmember Jenkins concurred. She stated that this is a small price to pay for increased service to the citizens.

Councilmember Meinzen McEnerny stated that the citizens should expect a tax reduction from Fulton County if they are not providing services. Mayor Galambos stated that is a part of service delivery strategy.

Councilmember MacGinnitie requested that staff provide something showing response times. There was a consensus to move forward with this item.

**Discussion of a resolution to authorize reimbursement of fees and expenses ("Reimbursement Resolution") in connection with the implementation of a stormwater utility and stormwater utility enterprise fund for the City of Sandy Springs (the "City")**

**City Attorney Willard** stated that this resolution would authorize the reimbursement to the General Fund from the stormwater utility fund for professional services and other costs that will be incurred. The amount is not to exceed $800,000.

Councilmember MacGinnitie questioned if the City is going to spend that much. Mayor Galambos stated that Phase 1 is estimated to cost $200,000. Anything over that would have to be approved by Council. Mayor Galambos stated that this resolution does not commit the City to using the stormwater utility funds. This just gives the City the option.

There was a consensus to move forward with this item.

**Discussion of contract for municipal insurance services.**

**Assistant City Manager Rapson** stated that this is for a comprehensive carrier. The recommendation is to stay with the company the City has now which is GIRMA. He stated that they were the most responsive bidder. He explained the review process.

Councilmember MacGinnitie stated that he used to be in this business and he spoke for some time with Mr. Rapson about this. He stated that the methodology used is very sound.

Councilmember MacGinnitie clarified that GIRMA has re-insurance and stop losses to protect them from a catastrophic incident.

There was a consensus to move forward with this item.

**Discussion of RZ08-002 - An Ordinance to Amend Article 3, Definitions, of the Sandy Springs Zoning Ordinance**

**City Planner Ruffin** explained that this was deferred back to the Planning Commission. The Planning Commission voted to approve the amendment as presented by staff except for the height and grade plane definitions. The requested that staff continue review of this.

**Planning Commissioner Duncan** stated that a couple of members were unclear on the matter. The Planning Commission felt that they could re-write this and come up with something more clear.

Councilmember Fries questioned what is different from the last time it was brought forward. Assistant Director of Building and Development Wesserling stated that staff removed the reference to measuring from centerline. It was also amended to include residential and commercial in the average grade plane. Staff also added language relating to retaining sub-walls on severe lots.

**Mr. Wesserling** explained that the language is from the International Code Books which has been adopted by the state.

Mr. Duncan stated that with a little more time, this can be worked out.

Councilmember Fries questioned if this is going to cause huge retaining walls. Mr. Wesserling explained why this was included. Councilmember Fries questioned if there would be restrictions on the height of the retaining walls. Mr. Wesserling stated that there are currently restrictions on retaining walls. Councilmember Fries explained that she did not want to see 45 foot retaining walls.

Councilmember Meinzen McEnerny stated that she is concerned about the height restrictions as they affect the adjacent owners not how much it is going to cost someone to build a home. She stated that it needs to be clear as to how the height is measured. She stated that there are going to be adjacent homes at a lower grade because some builders "push up the grade" to allow for daylight basements. She stated that she wants to make sure the ordinance protects adjacent homeowners.

Mayor Galambos questioned if the ground level used to measure the height is the original ground level or the ground level that has been filled in. Mr. Wesserling stated that they use the final average grade.

Councilmember Paul stated that there are going to be variations due to topography.

Councilmember Meinzen McEnerny stated that measuring from the existing grade is a good place to start. Mr. Wesserling stated that is not possible. Councilmember Meinzen McEnerny stated that the original grade could be certified by the applicants engineer prior to the issuance of an LDP. Mr. Wesserling explained why that is not possible.

Councilmember Fries requested that the natural topography be used instead of someone having to move dirt.

There was a consensus to move forward with this item.

**Discussion of RZ08-004 - An Ordinance to Amend Article 33, Signs, of the Sandy Springs Zoning Ordinance**

**City Planner Ruffin** stated that these amendments are in regard to non-conforming signs and construction signs in the OI district.

Councilmember Paul questioned if this meant that something happened to a non-conforming sign, it could be replaced without making any changes in size or shape. Ms. Ruffin stated that is correct.

There was a consensus to move forward with this item.

**Discussion of RZ08-010 - An Ordinance to Amend Article 4, General Provisions, of the Sandy Springs Zoning Ordinance – Cemetery Protection**

**City Planner Ruffin** stated that the Planning Commission recommended approval with the changes submitted.

**City Attorney Willard** stated that paragraph (f) should be removed.

**Planning Commissioner Duncan** stated that the owner of a family cemetery may not want to put up a six foot fence. City Attorney Willard stated that this can already be done if they own the property. He explained that this section relates to access to the cemetery. City Attorney Willard stated that he would work with staff and the Planning Commission on this matter.

Councilmember Meinzen McEnerny stated that this ordinance is based on state law. She stated that the law requires a permanent six foot high fence. She does not agree with the Planning Commission. She suggested that the discretion not be left with the Community Development Director.

There was a consensus to move forward with this item.

**Discussion of a Resolution to Approve the Initiation of a Zoning Modification for the Rivergate Subdivision Located in Land Lots 350, 351, 358, and 359, District 6, Sandy Springs, Fulton County, Georgia to the minimum side yard from 15 feet to 10 feet**

**City Planner Ruffin** explained that staff has received several applications for Zoning Modifications in this subdivision and therefore felt this might be a better avenue.
Councilmember MacGinnitie stated that he spoke to the homeowners association and they are in agreement.

There was a consensus to move forward with this item.

**Discussion of RZ08-007, an Ordinance to Amend the City of Sandy Springs Zoning Ordinance to Allow for Senior Housing Developments**

**Deputy Director of Community Development Chris Miller** explained that this is a new use for the City. Currently the ordinance allows this type of use under a number of different categories however there is no use provision in the Zoning Ordinance. He stated that staff needs feedback on some items.

Councilmember Jenkins stated that she is pleased with this draft but she has a couple of issues. She feels that a minimum acreage of five acres is too much. She stated that it would be a three acre site. She stated that that there is a section that includes single-family dwelling units which should be taken out because these are only going in apartments, OI, MIX, C-1, and C-2. She also stated that the minimum heated square footage is blank. She suggested a minimum heated square footage of 850 square feet.

Councilmember Fries questioned the minimum square footage of the Summit. Mr. Miller stated that he would get this information.

Councilmember Fries stated that she would like to establish a percentage of the units that can be that size. Councilmember Jenkins stated that she would prefer not to limit developers. Mayor Galambos stated that she had met with developers from Corporate Campus who are planning a Senior Housing High-rise. She stated that their minimum is 850 square feet however some will be up to 3,000 square feet.

Mayor Galambos stated that three acres is not enough. She stated that there is only one listed that is close to three acres.

**Deputy Director Miller** stated that when you include the buffers and the open space, it might put the acreage above three or even up to five acres. He stated that language could be added to provide exceptions for the development of a superior product on a smaller piece of property.

Councilmember Jenkins stated that requested that No. 12 be amended so that projects are encouraged to incorporate certain features. She explained that good builders would offer this anyway. She also requested that a call system be required in the bathroom and bedroom. Mr. Miller stated that he would make that change.

Councilmember Fries requested that there be a requirement for AED's as well. Assistant City Manager Reiter stated that the number of AED's needed would be based on the size and layout of the facility. Councilmember Fries requested that staff research this.

Councilmember Meinzen McEnerny questioned the difference between Senior Housing and Assisted Living. Councilmember Jenkins explained. Councilmember Meinzen McEnerny questioned if they should be considering Assisted Living as well. Mayor Galambos stated that would be an entirely different Ordinance. Councilmember DeJulio stated that they may need to be integrated. Councilmember Meinzen McEnerny stated that the minimum square footage might not apply to Assisted Living units. Mr. Miller stated that he would review this prior to adoption of the Ordinance in May.

Councilmember Meinzen McEnerny stated that the Apartment Inspection Code stipulates the minimum size of a unit. She questioned how this will correlate with that Ordinance. Mr. Miller stated that they do not have to correlate.

Mayor Galambos question what would stop someone from changing a Senior Housing Facility into apartments. Mr. Miller explained that it would be a use permit approved by Council. An annual check will be done by the City.
Councilmember Fries questioned what the parking requirements would be for these developments. Mr. Miller stated that it is 1.4 spaces per unit along with guest parking.

Councilmember Fries questioned if there was room for any trade offs in number of units due to the lack of impact on the infrastructure. Mr. Miller explained that is possible through a use permit which has to be approved by the Mayor and Council. At that time, Council could make those decisions. Councilmember Fries stated that there should be some give in the Ordinance. Mr. Miller stated that the reduced parking requirement would allow more density.

Mayor Galambos asked for a consensus on the minimum acreage. There was a consensus that the minimum acreage be five acres. There was a consensus that the minimum square footage would be 850 square feet.

**Discussion of Living Working Future Land Use Category and Mixed-Use Developments**

**Deputy Director of Community Development Miller** stated that this item includes several issues. The first is the question of how many uses should there be on a piece of property for a mixed-use project based on the acreage. The second issue is the living-working uses in Comprehensive Plan that have extreme density figures. He stated that these are policy issues for the Council.

**Deputy Director Miller** stated that the first issue is how to achieve the intensity and density that are allowable within the Comprehensive Plan and how to transition those from the regional living-working category. Staff is suggesting that Council could limit the units per acre based on the parcel size.

Councilmember Paul expressed concern regarding the density on live-work-regional. He stated that the intent was to encourage aggregation. That is not what is happening. He questioned what can be done to discourage this. Mr. Miller stated that one option would be to re-visit the Comprehensive Plan and establish a minimum project area for parcels that get that distinction.

Councilmember Paul stated that could work for all live-work categories. He stated that the mission was to provide incentives large scale developments in those nodes.

**Deputy Director Miller** stated that it is his understanding that it is Council's policy to encourage and offer incentives large parcel areas.

Councilmember Meinzen McEnerny stated that she would like to see the minimum acreage for these mixed use categories as 10, 5, and 3 for Live Work Regional, Live Work Community and Live Work Neighborhood respectively. She stated that would provide more open and greenspace. This larger site would also allow better transitioning as well. She also stated that the current ordinance already offers incentives for projects of five acres or more. She stated that clarifying the minimum of 10, 5, and 3 acres would establish the disincentives of not assembling.

Councilmember MacGinnitie expressed concerns for larger developments noting the increased traffic.

Councilmember Paul stated that 15 may be very difficult to reach. Mayor Galambos stated that if the number is too high, it will discourage growth. Councilmember Paul suggested the live-work-regional be 5 acres and work with the developer to develop some type of traffic relief.

Councilmember Paul questioned how much the Comprehensive Plan can change without having to go through the state's process. Deputy Director Miller stated that a better place to make the change might be in the zoning ordinance. Mayor Galambos agreed.

Councilmember Paul requested that staff draft clarifying language in the zoning ordinance that would allow Council to define these issues.
Mayor Galambos stated that the number of uses has not been addressed. Deputy Director Miller stated that clarifying language could be placed in the ordinance.

Councilmember Meinzen McEnerny stated that she always looks at the application to see if it complies with the Comprehensive Plan. She stated that she would request that staff's report clearly state whether or not an application complies with the Comprehensive Plan. She stated that one reason for mixed use was to reduce vehicle trips on our roadways.

**Discussion of Potential 2008 CDBG projects.**

**Deputy Director of Community Development McNeill** stated that he is looking for guidance. He stated that Council needs to decide its five year goals for the program. He explained that there are several steps that must be completed. He explained that he had already held consultations with other surrounding agencies and local governments. He stated that the plan has been adopted. Now he is looking for five year goals for the CDBG program.

He stated that some ideas are renovating community facilities, rebuilding infrastructure in targeted neighborhoods, supporting small business development, and non-profit service programs. He explained ways to select goals and displayed a map of the target areas. He also displayed maps overlaying the target areas onto the Capital Improvement Plan and the Sidewalk Master Plan.

**Deputy Director McNeill** requested feedback from Council in order to prepare a draft plan for Council's consideration on May 6.

Councilmember Jenkins questioned if the money could be split between projects. Mr. McNeill stated that it could be split.

Councilmember Paul stated that there are so many capital improvement projects within the city, this money could help expedite these programs. Councilmember Jenkins stated that the City allocates money to the CAC and she questioned if that money could come from this program. Councilmember Paul stated that it could however, there are many requirements and if audited and found to be non-compliant, the money would have to be paid back.

Mayor Galambos questioned if the money could be used at Hammond Park. Councilmember Paul stated that there are HUD requirements that might limit who could use the facilities. Mayor Galambos stated that there have been discussions with the YMCA to manage this facility. She stated that they have experience with this program.

Councilmember Paul suggested that the City should maintain the money and the program. She suggested using the money for the Capital Improvement Plan or the Sidewalk Master Plan.

Mayor Galambos stated that she would to discuss this matter further with the YMCA.

There was a consensus to allocate the first year's money to capital improvements. Mayor Galambos requested that the Transportation Department develop suggestions of priorities within those areas.

**Discussion of River Corridor Review RC08-01SS at 5800 Winterthur Drive.**

**Assistant Director of Land Development Dettwiler** stated that this is a River Corridor Review for 5800 Winterthur Drive. The owner of the property is proposing to construct a patio, pool house, and associated landscape and hardscape adjacent to an existing single family home. The site is 8.72 acres and the proposed addition is 625 square feet. The application was found to be consistent by the Atlanta Regional Commission.

Councilmember Meinzen McEnerny questioned what consistent meant. Assistant Director Dettwiler stated that it is consistent with the provisions of the Metropolitan River Protection Act and our stream buffer protection ordinance. Councilmember Fries stated that this property is over 8 acres.

**Cumberland CID proposal**

**Deputy Director of Public Works Drysdale** explained the project encompasses and why they are requesting money from the City of Sandy Springs.

Councilmember Meinzen McEnerny stated that there would be some good opportunities for connection to existing trail systems on the Cobb County side to the West Palisades National Park.

There was a consensus not to proceed with this.

**Discussion of MOU with the State Soil and Water Conservation District-Fulton County**

**Assistant Director of Land Development Dettwiler** stated that this MOU would allow the City to review and approve its own plans without being reviewed by the state.

There was a consensus to move forward with this item.

**Discussion of Early Warning Communication Systems**

Councilmember DeJulio stated that he has been asked several times since the tornadoes touched down in South Fulton if the City has an Early Warning System. He stated that he felt this should be re-visited.

Mayor Galambos stated that the Federal government is well on the way to establishing an early warning system that covers everything regarding weather.

Councilmember Fries stated that she agrees with Councilmember DeJulio however the reverse 9-1-1 is not going to reach everyone. She stated that not everyone has a cell phone or computer.

Mayor Galambos stated that she feels the technology with catch up and sirens will be outdated. .

Councilmember Paul suggested that a reverse 9-1-1 program be incorporated into the City's system. Assistant City Manager Reiter stated that the City's system will have this capability.

**Fire Chief McElfish** stated that the Fire Department is looking at possibilities as well.

There was a consensus that staff would review this as part of the 9-1-1 system and the budget.

**Police Chief Wilson** provided an update on some gang related activities.

The meeting adjourned at 8:41 p.m.

Date Approved: May 6, 2008

Eva Galambos, Mayor

Christina V. Rowland, City Clerk