

Work Session Meeting of the Sandy Springs City Council was held on Tuesday, December 4, 2012, at 8:58 p.m., Mayor Eva Galambos presiding.

Councilmembers present: Councilmember Dianne Fries, Councilmember Chip Collins, Councilmember Gabriel Sterling, and Councilmember Tibby DeJulio

STAFF DISCUSSION ITEMS

Public Works

1. Update and Review of Draft Concept Report/Proposed GDOT Revisions for CIP Project T-0035, SR 9/Roswell Road Pedestrian and Bicycle Bridge over the Chattahoochee River

Interim Director of Capital Improvement Marty Martin stated the package provided to Council includes a draft concept report on the Chattahoochee River bicycle/pedestrian bridge. As a part of this project, comments were offered by GDOT upon review of the concept report. The recommendation from GDOT's bridge division is the bridge width be widened from twelve feet to fourteen feet. Another recommendation is right-of-way will need to be acquired on the south edge of the bridge located on the east side of the existing highway bridge, in order to construct the pedestrian bridge. This presentation will include the expectation of the cost increase for the potential bridge widening. The overall cost impact to the bridge construction is in the range of \$200,000 to \$250,000, based on current agreements and the project budget. The amount of \$200,000 is still within the programmed amount. Based upon the cost estimate, it goes beyond the current programmed amount. The City will know a couple of years from now if the cost will increase \$25,000 more. The widening of the bridge could cost the City an additional contribution of about \$50,000 in future years.

Councilmember Dianne Fries asked about the widening of the bridge.

Interim Director of Capital Improvement Martin stated the recommendation from GDOT's bridge division is to widen the bridge from twelve feet to fourteen feet. The widening would provide for a two foot clear zone on either edge of the bridge.

Mayor Eva Galambos stated she believes the cost to the City began at \$360,000. Now the City is being asked to pay \$25,000 to \$50,000 more for widening the bridge. The City will then be asked to buy a parcel of land and pay another \$25,000 to the EPA. This project is doubling in total cost.

Interim Director of Capital Improvement Martin stated there is potential for a cost increase in a couple of areas.

Mayor Galambos asked why the City is being required to buy another piece of property.

Interim Director of Capital Improvement Martin stated all this is dependent upon the design and cost estimates in the future. The piece of property required near the southeast corner of the bridge will need to be at least a two foot wide portion of the parcel.

Mayor Galambos asked if that is a small portion of the parcel or the whole parcel.

Interim Director of Capital Improvement Martin stated a right-of-way plan has not been prepared stating if the whole parcel will need to be acquired. The intent of the review of the concept report tonight is to let Council know of the place markers. The right-of-way acquisitions have been an issue from the beginning

of the project. These may have to occur in order to execute the bridge at some point on the south side of the project. The widening is a direct result of the GDOT bridge division.

Councilmember Gabriel Sterling asked if the bridge must be fourteen feet wide.

Interim Director of Capital Improvement Martin responded no, it is just a suggestion. The City of Roswell has endorsed the suggestion at this point and is comfortable with the increased cost. The National Park Service supports the environmental assessment. There are reimbursable costs that the City is entitled to that may or may not be \$50,000.

Councilmember Fries asked if the City of Roswell is taking the lead on the bids and design of the project.

Interim Director of Capital Improvement Martin responded yes, Roswell is the project manager.

Mayor Galambos suggested the City of Roswell pay for the EPA assessment and Sandy Springs staff be conservative with City funds.

Councilmember Tibby DeJulio asked if the bridge is in the City of Roswell.

Interim Director of Capital Improvement Martin responded yes. Staff is in discussion with the Roswell project manager regarding the Environment Assessment support for the National Park Service (NPS). The agreement with the NPA is still being refined and there may be potential for reimbursement. Staff will try to minimize the cost burdens to the City on this project.

Councilmember Sterling stated he does not agree with widening the bridge to fourteen feet, if it can be avoided.

There was a consensus of Council to continue with the project with the bridge at a width of twelve feet.

2. Recommendation for Allocation of FY13 Paving Budget and Presentation of Priority Paving List

Interim Director of Public Works Garrin Coleman stated this item is a continuation of the paving discussion from the Regular meeting this evening. Staff recently finished the Pavement Condition Index (PCI) study of the roads and created a preliminary project list. The list is for a funding recommendation and executing the program going forward. Currently, there is \$602,000 in the paving fund due to rollover from previous fiscal years. This money is predominately committed to the LMIG funding. The FY13 funding is \$3 million and includes the GDOT FY12 LMIG Grant. This results in a total amount of around \$4.2 million. The City has to commit \$3 million for funding and selecting the project list. The two types of road treatment available that will impact the cost are reconstruction and thick overlay. Generally reconstruction is for roads with a PCI rating of 21 to 39. The thick overlay treatment is generally used on PCI's ranging between 40 and 59. For the \$3 million, staff proposes placing \$1 million into the roads with a PCI rating of 0 to 39. Those roads will be reconstruction type roads. Staff suggests using \$2 million for the thick overlay procedure for roads in the PCI rating range of 40 to 59. He referenced a chart that showed the reconstruction treatment.

Councilmember Dianne Fries asked how many more miles of road within the City will need reconstruction.

Interim Director of Public Works Coleman stated staff is proposing that 3.1 miles of road can be funded with \$1 million. The FY13 LMIG funds should cover the cost of paving ninety-nine percent of the roads that are that type.

Councilmember Fries asked if the remainder of the roads to be paved is one mile and a half.

Interim Director of Public Works Coleman responded no. Most of those roads will be paved with the FY13 funds that were presented at the Regular meeting. Ninety-nine percent of the roads will be paved with the funds from the FY13 LMIG plus the \$1 million. The thick overlay treatment will be used on 10.48 miles. The list was calculated based on a square yard cost for the particular treatment type and multiplying that number by an assumption of a twenty-five foot road. The mileage was calculated based on the treatment type. This calculation results in an amount of 13.6 miles of paving using the \$3 million. The LMIG FY12 includes a total of 7.5 miles. The FY13 LMIG is a total of 4.6 miles. In addition to the 13.6 miles, there will be 26 miles of paving to start in spring 2013 and continue to fall 2013. The FY14 funds will be recommended to be used in a similar way. He referenced a slide that shows the funding recommendations if the City carries out a certain funding level for the next five years and what PCI level the roads would be. If the City chooses to spend \$2 million a year for paving, the PCI rating would be 66 in 2017. An annual budget of \$3.2 million would result in a PCI rating of 69 in 2012. To maintain the current PCI rating of 72 the City's budget would need to be \$4.9 million.

Councilmember Fries asked if the cost will be \$4.9 million a year if Council wants the roads rated 72 and below paved.

Interim Director of Public Works Coleman stated if Council wants an overall average PCI ranking of 72 for the City streets, around \$5 million will need to be funded per year. In the past, the City has received \$500,000 in LMIG funds.

Councilmember Fries stated she thought the worst roads were being paved first.

Interim Director of Public Works Coleman stated the worst rated roads are being paved first. Adjoining side streets and cul-de-sacs will be paved as well, whereas in the past those sections were not paved. The full depth reclamation was not being done because it was so expensive. The roads were always being reconstructed. Staff feels no more full depth reclamations need to be done on the roads, based on the PCI ratings. The roads will be reconstructed and the thick overlay used.

Councilmember Fries asked about the cul-de-sacs.

Interim Director of Public Works Coleman stated previously the cul-de-sacs were not being repaved and now they are.

Councilmember Sterling stated since the equipment is already there, it is cheaper to go ahead and repave the cul-de-sacs while the equipment is nearby. This allows the City to spend its money more wisely.

Interim Director of Public Works Coleman stated it costs the City \$2,000 every time the road equipment is transported to a project.

Councilmember Tibby DeJulio asked why the City is paving private streets and State roads. He asked about River Oaks Street being a private street.

Director of Field Services Charlie Roberts stated the City will not necessarily pave that street. The consultant that did the data collection for the PCI drove every street throughout the City. The consultant

looked at over 4,000 segments of streets and some were private. The project list may have a few private streets listed, but they will not necessarily be paved.

Councilmember Chip Collins stated he wants to make sure he understands the lists.

Interim Director of Public Works Coleman referenced the presentation that shows the scenario if the City were to not repave any roads. The green line represents a \$3.2 million annual budget, which is where the City is now. Five years from now, the roads will be at an average PCI of 69. Currently, the City is at a PCI rating of 72. If the City were to budget \$6 million for repaving, the PCI rating would be at 74.

Councilmember Sterling asked about the City spending \$4.9 million a year for repaving.

Interim Director of Public Works Coleman stated if the City spends \$4.9 million a year, the PCI rating would be between 69 and 74.

Councilmember Fries asked how much the City spent last year on repaving. If Council wants to have good roads, the budget needs to be increased.

Councilmember DeJulio stated so far the City has spent \$26 million on roads.

Councilmember Sterling stated near Peachtree Dunwoody and Windsor Parkway you can notice a difference in the paving when driving into Sandy Springs.

Councilmember Fries stated she almost wishes the City would move the "Welcome to Sandy Springs" signs to where the paving begins, so citizens will not think they are driving on bad Sandy Springs streets.

Councilmember Collins asked about the spreadsheet of roads rated from 30 to 50.

Interim Director of Public Works Coleman stated the spreadsheet includes fifty-five project segments and \$3 million worth of resurfacing.

Councilmember Collins asked if that amount includes the reconstruction.

Interim Director of Public Works Coleman responded yes.

Director of Field Services Roberts stated a majority of the street reconstruction will be handled by the LMIG submittal. The City will be required to pay a thirty percent match. Instead of having a contract, as previously, the program is cutting municipalities checks in order to do the work. The submittal date has been moved to January 1, 2013. Being in the middle of the PCI list, it seemed prudent to submit the roads with the most need for that program in anticipation of it being acceptable to Council. The City will pave all roads that are ranked 0 to 50. There is field verification that still needs to occur, during which every street will be viewed and detailed estimates will be written for the costs.

Councilmember Fries stated there are roads on the list she has not seen before.

Interim Director of Public Works Coleman stated the list is a preliminary project list. Staff will review the streets in the field more closely and then bring the list back to Council again.

Director of Field Services Roberts stated there are a lot of road segments that need to be viewed. He will match up the list with the visual verification of the road.

Councilmember Collins asked if every street in Sandy Springs is on the list.

Interim Director of Public Works Coleman stated this is a project list. Some of the streets are combined in a project listed on the spreadsheet. Every street should be somehow included in the list.

Councilmember Collins asked what "strength" indicates on the list.

Director of Field Services Roberts stated strength indicates the consultant's visual observation of the road subgrade. The data is collected with scientific instruments that are attached to the van and also collected by two people. One person will look out the front of the van and another will look out the back of the van, trying to observe as many imperfections on the road as possible.

Councilmember Fries asked if the Paving PCI and Priority List includes every road in the City.

Director of Field Services Roberts stated the Paving PCI and Priority List includes several other roads. The final list will include all roads within that project.

Councilmember Sterling asked if there is a timeline when the list will be released to the public.

Director of Field Services Roberts stated as soon as he fully reviews the data, the list will be released to the public.

Councilmember Collins asked about the list that was included in the Regular meeting package.

Director of Field Services Roberts stated that is a work list. The reason the City submitted \$815,000 worth of work was to make sure to cover the full thirty percent match required.

Councilmember Fries asked if there will be an alphabetized road list.

Director of Field Services Roberts stated that list can also be prepared.

Councilmember Fries asked why parts of Roswell Road are being dug up.

Director of Field Services Roberts stated the City of Atlanta Water is raising water valves. The valves had to be lowered in order to complete the road work. There were fifty valves that were lowered and now they are being raised back up. He does not believe that large holes are being created.

City Manager and City Attorney

1. Intergovernmental Agreement ("IGA") for the Development and Implementation of a Unified Radio System ("System") by and among the Cities of Alpharetta, Johns Creek, Milton, Roswell and Sandy Springs ("Participating Cities")

City Manager John McDonough stated this item is an update on the North Fulton Unified Radio System. This is a project that was discussed during the FY13 budget process. Council authorized the funding of \$2 million for the radio system. Progress on this project was made over the past several months. Meetings were held with the North Fulton City Managers, Attorneys, and Police and Fire Chiefs. The Intergovernmental Agreement (IGA) will serve as the guiding document on how the relationship will work. Included in the package is a presentation that has been shared with all of the North Fulton cities. It is a goal to get the IGA adopted before the end of the calendar year by having this item on the Regular meeting agenda in two weeks. Included in the IGA is the history of the system proposal, Fulton County

partnership potential, governance, capitalization, procurement, flow of funds, pricing, and next steps. The current radio system is failing and the money for the new system has been included in the City's budget. The City explored the Urban Area Security Initiative (UASI) that is twelve years old and meant to be a backup radio system. The UASI is what Fulton County is focusing on for a new radio system. The Board Managers received a letter from Fulton County asking if the North Fulton cities are interested in partnering with Fulton County on a new system. All of the North Fulton cities do not want a jointly owned new system with the County. The North Fulton cities do have an interest in partnering with Fulton County if they can identify the areas where shared towers would be located. Due to public safety reasons, this project needs to be moved forward now and not wait on Fulton County. There is a potential cost savings to the North Fulton cities and to Fulton County if Fulton County shares in the new North Fulton radio system.

Councilmember Gabriel Sterling asked where the geographically shared towers would be located if the City of Atlanta and North Fulton County have their own towers. He asked if the shared towers would be the ones that Fulton County already owns and we would be placing new equipment on them.

City Manager McDonough responded yes. There is a tower potential near Morgan Falls Road. Police Chief Sult has been heavily involved with this project along with the Commdex representatives. The five cities hired Commdex as a consultant to review and evaluate the plan and to move it forward.

Councilmember Sterling stated he would want a very strict contract with Fulton County due to their unstable leadership.

City Manager McDonough stated the City has options. The potential tower with Fulton County is located at Morgan Falls Landfill. He spoke with Police Chief Sult regarding building a Sandy Springs tower on City property or leased property. The consultants are working on the specifics of where the towers may be located. For the governance of the IGA, the Board Managers will be the City Managers or Administrators from the five cities. The technical advisory committee will be the Police and Fire Chiefs from the five cities. The Sandy Springs City Manager would serve as the initial chairperson. The IGA will allow for the outsourcing of system management. In the future, maintenance and operational oversight will need to occur on this \$12 to \$14 million asset. This could be done using employees of one of the five cities or it could be outsourced. More than likely the maintenance and oversight will be outsourced. A radio system authority will have to be created that requires Georgia State Legislative Approval and will be presented in the 2013 session. Once the authority is approved, the assets would be controlled by the authority. The authority would be based on principles set forth in the IGA. There were many discussions on how the five cities should share the cost of the radio system. Some cities preferred the cost be based on population, land mass, or the number of subscriber radios. It was decided the fairest approach is a 1/3 weighted cost approach. This calculation for the division of the cost split includes 1/3 of the population, 1/3 of the number of radios each city has, and then 1/3 of the land mass. Sandy Springs share would be less than a quarter of the total cost of the operation at 24.47 %. Based on current estimates using \$16 million as a maximum ceiling, Sandy Springs would be spending \$3.9 million.

Councilmember Tibby DeJulio asked how much the City budgeted for this project.

City Manager McDonough stated \$2 million was set aside in this year's budget. Another \$2 million would need to be budgeted for the project. The goal is to have the project cost less than \$16 million.

Mayor Eva Galambos asked if the City will have two fiscal years to pay for the project.

City Manager McDonough stated most likely yes. The estimated build time on the project is eighteen months.

Councilmember DeJulio stated after ChattComm was created, the City had trouble collecting funds from other cities.

City Manager McDonough stated specific language is in the IGA that includes penalty provisions. Sandy Springs will take the lead on this project for the procurement. If one of the subscribers does not pay, all of the other subscribers will have to pay a prorata share for the city that did not pay. The city that did not pay will pay a five percent penalty plus a six percent annual carrying cost.

Councilmember Sterling asked if the City of Milton's budget can afford \$2 million for this project.

City Manager McDonough stated all the cities have set money aside for this project with the exception of Johns Creek. Johns Creek has plans to raise the funds for their share.

Mayor Galambos asked if the \$16 million includes buying the land and building the towers.

City Manager McDonough stated there is a long forty-two page list of equipment cost, cost of the labor to build and construct the system, lease costs, and the cost to build and construct four towers. In some cases, the municipalities may own the land and in those cases there may be a potential for a ground lease. The land locations are in the cities of Milton and Roswell and potentially at Morgan Falls Road.

Mayor Galambos asked if the City receives credit against the total cost of \$16 million if Sandy Springs provides ground for the tower to be located on.

City Manager McDonough stated that was addressed in the IGA by potential revenue that might come from the tower in consideration for the capital investment. Instead of having just the radio tower equipment, the land may be leased out to telecomm companies.

Police Chief Terry Sult stated at this point the only locations where towers can be built are pieces of property owned by the respective cities, with the exception of one location. Another option would be a long term lease location at the Morgan Falls ball park area. If the City cannot proceed with the Morgan Falls location, the backup location would be in partnership with the City of Atlanta for a site where a water tower exists.

Mayor Galambos asked if each of the five cities is providing a potential tower site location.

Police Chief Sult stated the City of Johns Creek is not providing a site location. The cities of Roswell, Milton, and potentially Sandy Springs will provide a site location.

Mayor Galambos stated she wants to be assured that the correct city receives proper credit for providing property for a tower site location.

City Manager McDonough stated the concept of cities receiving credit for providing property will not be addressed. The radio system is an integrated system in which the City relies on towers outside of Sandy Springs to provide services within the City. Each of the cities will equally share the cost. He does not think it would be advantageous for the City to charge other cities for the tower land use at Morgan Falls Road.

Councilmember Chip Collins asked if staff assumed the \$2 million budgeted for this item would cover the whole cost.

City Manager McDonough stated staff anticipated the \$2 million would be fifty percent of the City's cost.

Councilmember Collins asked if the cost of the new radio system will be offset by money the City is paying now that will not need to be paid with the new system.

City Manager McDonough stated the City's overall cost will increase, but the City will have a state-of-the-art reliable system.

Councilmember Collins asked if the City has any costs for radio leases that are currently being paid that will no longer be paid when the new system is implemented.

City Manager McDonough stated the City currently pays a subscriber fee to Fulton County for the radio system. The bill for this year is \$83,000. There are a number of advantages to the cities having their own radio system, but there are also a number of costs associated with owning your own system.

Mayor Galambos stated the City does not have much choice because the existing system does not work properly.

City Manager McDonough stated the cities are unanimous in their belief and will move forward with building this new system. The cities intend to buy much of the equipment off of State contract. Once the equipment has been purchased, it will need to be assembled to ensure it is operational. The City of Alpharetta will procure the contract services associated with the construction of the equipment as well as any other services. Each city will have a representative that will make recommendations to the Board of Managers on the specific procurement. The cities would prefer to have the equipment purchased in December 2012.

Councilmember DeJulio asked when it is anticipated the project will start.

City Manager McDonough stated the first task is to hire a project management group. That group will then help the Board of Managers to develop a scope of work and oversee the consultant that will build the system. The project management RFP should go out in the month of December 2012 and then reviews of the RFP will occur in January or February 2013. April 2013 would be the start date for construction on this project. In the meantime, lease agreements for towers need to be negotiated.

Councilmember Collins asked how many towers will be needed in Sandy Springs.

Police Chief Sult stated there is one tower planned to be located in Sandy Springs. A backup tower location could potentially be in Sandy Springs. Another location that serves Sandy Springs is in Cobb County. A tower may be located at the Morgan Falls ball park. There are a total of eight tower sites. The site may be a tower or a building site and then there will be a microwave repeater on a water tower in the City of Roswell.

City Manager McDonough stated there is a tower in the City of Atlanta on which the North Fulton cities will try to get access. The tower will cover the southwest portion of Sandy Springs. The first step in the process is to try to negotiate lease agreements. The leases will be brought before Council for approval. The contracts will be awarded in late January 2013 or early February. The initial capitalization is not to exceed \$16 million. All contracts will have to be approved by the governing authority per the IGA. Any purchases will require approval from the Board of Managers. These approvals will then go to the City Councils for final approval. Sandy Springs would create a separate fiduciary fund for the radio system to be accounted for by the City's Finance Department. When Sandy Springs receives an accounts payable statement, it would then be sent out to the other cities. The cities have fourteen days after being invoiced to pay Sandy Springs. If the payment is not made by the fourteenth day, a five percent late fee and a six percent interest charge begins to accrue. The weighted share will be reviewed annually. The share will

affect the operations and maintenance cost in the future. He referenced a slide in the presentation that lists \$14.2 million for total cost. The independent project management cost estimate is \$350,000 for the eighteen month period.

Councilmember Fries asked if the project management will be put out to bid.

City Manager McDonough stated a draft bid has already been created by the City of Alpharetta. As soon as the IGA is finalized, the project management will be put out to bid. He referenced a slide in the presentation that listed maintenance and system update estimates. The total cost per year is about \$1 million and Sandy Springs will pay 24.47% of the amount. If there is potential revenue, that money will be put back into the system to decrease the costs for operating and maintenance.

Councilmember Sterling asked if the software system updates costs can be negotiated or are they predetermined.

Police Chief Sult responded yes. With any agreement the terms can be negotiated. The system and software updates occur bi-annually.

Councilmember DeJulio asked about the life of the radio system.

Police Chief Sult stated the system will last a minimum of twenty years. If the system is updated and maintained, it will carry the City well into the future.

Councilmember Fries asked how old is Fulton County's system.

Police Chief Sult stated that is an analog system that is over twenty years old and was never maintained.

Chuck Bethea, Vice President of Operations at Commdex Consulting, stated the new system is different than the architecture of the old system. The new radio system utilizes more commercial computer and networking equipment. The new system has advantages and disadvantages. The disadvantage is the system has a more rapid upgrade cycle. The advantage is prolonging the overall life of the system. The maintenance costs may be higher, but the overall life of the system can be extended.

Councilmember DeJulio stated the Fulton County radio system that was put in place twenty years ago is analog and now digital is replacing analog. He asked what will replace digital technology in the future.

Mr. Bethea responded it will be broadband technology that is just starting to be applied for public safety use today.

Councilmember Sterling asked if the Federal government is using this technology now.

Mr. Bethea responded they are not using the technology yet, but are considering using it.

City Manager McDonough stated the critical path to move this system forward to the building and operational phase is approval of the IGA. Finalizing the tower sites is also very important. The cities will not be able to apply for securing the radio frequencies until the tower sites are chosen and the contracts are written.

Councilmember Sterling asked if the assets would be transferred to the authority or would the cities control the assets after the authority is in place.

City Manager McDonough stated the individual cities will enter into a ground lease for property. The City where the property is located would have an agreement with the authority and lease the property for the fair value. Once the IGA is approved by the five cities, the project will move forward. Fulton County could use the new system to accomplish their goals and the authority could charge Fulton County for their use. If Fulton County decides not to partner with the authority, they will spend another \$11 to \$12 million that does not need to be spent. Fulton County can choose to pay into the new radio system.

Councilmember Sterling asked if the new radio system would only be used for Fulton County's Marshall Services and Sheriff Department.

Police Chief Sult responded yes. The Fulton County Public Works Department may also be able to use the new system.

City Manager McDonough stated new IGA's will have to be created once the new system is implemented. The IGA's will address the "roaming" on other nearby tower systems and other jurisdictions may want to use the new radio system.

Councilmember DeJulio asked about the capacity of the system.

Police Chief Sult stated the capacity depends on how the system is built. Because the new system is 700 megahertz, it will allow double the capacity compared to the current system.

Mayor Galambos asked if cities in other counties will be eligible to join the five cities and share the new radio system.

Police Chief Sult stated Cobb County has interest in sharing assets in the northwest portion of North Fulton County. Cherokee County is discussing building their own radio system. The coverage Sandy Springs needs will be connecting into Cherokee County's radio system, for which there is an opportunity to share assets.

City Manager McDonough stated the City's closest neighbors already have a state-of-the-art radio system. DeKalb has a very good radio system that covers the city of Dunwoody. Cobb County and the City of Atlanta have a state-of-the-art system. The only location that does not have a state-of-the-art radio system is Fulton County.

Councilmember Sterling asked about Cherokee County and the City of Woodstock.

Police Chief Sult stated those jurisdictions are on a VHS system. They are discussing what their options are for upgrading in the future.

City Manager McDonough stated if this item is approved by Council, the City will be committing itself to another \$1.9 to \$2 million in the FY14 budget by signing the IGA.

Mayor Galambos asked if Fulton County could be the contributing future member that the IGA addresses.

City Manager McDonough responded yes. The intent is to keep the five cities as the oversight group. Any jurisdiction that joins at a later date could buy in with capital or they could be a subscriber.

Police Chief Sult stated the maintenance cost would be reduced if there are more jurisdictions that join, due to the added jurisdictions paying the agreement amount.

City Manager McDonough stated there are significant financial benefits to the City if this project is done as a partnership.

Police Chief Sult stated if the City chose to continue the project alone, the cost estimate would be about \$5.4 million.

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

2. Consideration of Amending Criteria for Alcoholic Beverage Permittees

City Manager John McDonough stated this item came up due to an individual who applied for an alcohol pouring permit and was disqualified because they had one DUI in the past ten years. Staff discussed this item in depth. To take away someone's ability to make a living based upon only that may be a bit extreme. Staff would like to ask if Council would be open to considering changing the requirement. The change would allow the applicant to be eligible for an alcohol pouring permit with one DUI in a ten year period. If the applicant received two DUI's in a ten year period, their application would not be approved.

Councilmember Dianne Fries stated the rationale behind this is suppose a college student received a DUI when they were nineteen, then applied for an alcohol pouring permit while in their twenties. This is the age they may be a bartender, server, waitress, or waiter. If the application is denied, it would prevent the applicant from making a living.

Mayor Eva Galambos stated she does not believe the language of the ordinance is clear.

Assistant City Attorney Cecil McLendon stated the language of the ordinance will be corrected.

Councilmember Gabriel Sterling stated the City still charges \$50 for the background check and this is because the State was charging the City \$50 for the GCIC background check. The State has now lowered that fee to \$38. He asked if the background check fee can be changed to \$38.

City Manager McDonough stated staff has rationale for the true administrative costs for the background checks. A report can be given to Council with this information.

Councilmember Sterling stated he does not agree with a server having to pay a \$50 background check fee to work in Sandy Springs.

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

Community Development

1. Zoning Process Improvements

Director of Community Development Angela Parker stated there have been a couple of zoning cases in recent months that have resulted in a heightened interest in the City's public notice policy. Staff has reviewed the ordinance and policies. There are a number of changes staff is recommending. The City is now advertising in both editions of the Sandy Springs Neighbor. Staff recommends expanding the area that notices are sent to. This change is sending notices to property owners within 500 feet.

Councilmember Dianne Fries stated she thought Council agreed to place advertisements for public notice in the Atlanta Journal Constitution (AJC).

Mayor Eva Galambos stated Council agreed to place notices in two newspapers.

Director of Community Development Parker stated the ads are about \$250 a piece. The ads are being placed in three newspapers; two editions of the Sandy Springs Neighbor plus the Sandy Springs Reporter.

Councilmember Tibby DeJulio asked if the City stopped advertising in the AJC due to the cost.

Director of Community Development Parker stated the AJC is much more expensive. Staff now requires the applicant to provide a copy of the photo of the signage on the property. Another suggested change is requiring the applicant to post the sign no later than five business days after the application submittal deadline. Included on the sign will be the date and time of the CZIM/CDRM.

Councilmember Gabriel Sterling asked what the consequence is if the applicant fails to provide the photo of the sign.

Director of Community Development Parker stated given the fact the photo is required early; staff will have the opportunity to check the property to ensure proper signage is posted. The applicant is required to post the sign twenty days before the public hearing.

Councilmember Sterling asked what if the sign is posted, but the applicant fails to provide City staff with a photo.

Director of Community Development Parker stated staff can always go to the property to take a picture. She does not see this being an item that will be placed in the zoning ordinance as required. This is a policy requirement. The goal is to ensure the sign is posted.

Councilmember DeJulio stated staff should not have to go to the property to check to make sure the sign is posted.

Director of Community Development Parker stated the requirement for the sign to be posted within five days is going to be recommended as a Zoning Ordinance change. Some of these items have already been implemented and others will require ordinance changes.

Councilmember Fries stated if staff does not have a photo of the signage within five days from the applicant, there needs to be a consequence.

Director of Community Development Parker stated post card notices are sent to property owners within a certain distance of the property to be rezoned. The card has a QR code that can be scanned and information on the zoning case will be displayed. Already implemented was the expansion of adding zoning information to the City's E-Newsletter and the social media outlets. An email notice is sent to the larger community associations regarding zoning cases.

Councilmember Sterling asked if when emails are collected they are connected to physical addresses, so City staff will know where the individuals are located within the City.

Director of Community Development Parker stated for the umbrella groups, staff knows who the emails are being sent to. The members provide staff with updates regarding their membership.

Director of Communications Sharon Kraun stated the E-Newsletter does not match emails to physical addresses.

Councilmember Sterling stated this could be done.

Director of Community Development Parker stated when a meeting is held for a controversial zoning case, a sign is sheet is at the meeting. Staff will develop an email list regarding that case and an e-blast will be sent out for case updates. Currently, the Planning Commission cannot defer zoning cases. Staff believes it would be helpful to allow the Commission to defer zoning cases and would like to make that ordinance change. Currently, staff holds the Community Zoning Information Meeting (CZIM) and the Community Zoning Resolution Meeting (CDRM). Staff would like to combine those meetings into one meeting. For non-controversial cases, it allows those cases to move forward more quickly and reduces the time to rezone property from four to three months. For controversial cases, the Planning Commission should be given the opportunity to review.

Councilmember Fries asked about revising the ordinance to allow the Planning Commission to defer a zoning case one time.

City Attorney Wendell Willard stated there may be an issue with the specific dates posted on the zoning signs advertising the Planning Commission and City Council hearings dates.

Councilmember Fries stated she recalls the ordinance being changed to not allow the Planning Commission the ability to defer a case, because they were previously deferring cases on a regular basis.

City Attorney Willard stated the ordinance was changed to not allow Planning Commission to defer a zoning case, but Council can defer a zoning case back to the Planning Commission.

Councilmember Sterling stated he does not mind the combining of the CZIM and the CDRM, but he loathes allowing the Planning Commission the ability to defer any item.

Mayor Galambos stated the Planning Commission should not be allowed to defer a zoning case more than once. She agrees with allowing them to defer a case once, if it is to allow for more information.

Councilmember Fries stated the Planning Commission could be allowed to make a deferral, but the zoning case should still be heard before Council.

Mayor Galambos stated if the zoning case is deferred by the Planning Commission and then heard before Council, it lengthens the time of the application. Council should encourage the Planning Commission to gather more information on the cases.

Councilmember Sterling stated recently the Planning Commission unanimously opposed a zoning case based on their personal biases, not following the law. Giving the Commission additional power to defer items on their own may cause them to defer every zoning case.

Councilmember Chip Collins asked what the Commission is currently authorized to do.

Councilmember Sterling stated the Commission can send a zoning case to Council with a deferral recommendation, but the Commission cannot defer a case and have it not go to Council and then come back before the Commission the following month. He asked if that is correct.

City Attorney Willard stated the Planning Commission may make a recommendation for the case to come back before the Commission. City Council decides whether to refer the case back to the Commission or not.

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Councilmember Collins stated if allowing the Planning Commission to defer a zoning case gives the parties time to work out the zoning case, Council will have less reason to defer an item.

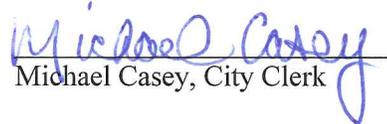
There was consensus of Council to bring this item back to Council for discussion at a future Work Session.

There being no further discussion, the meeting adjourned at 10:24 p.m.

Date Approved: December 18, 2012



Eva Galambos, Mayor



Michael Casey, City Clerk