
Work Session Meeting of the Sandy Springs City Council was held on Tuesday, April 3, 2012, at 7:16 p.m., Mayor Eva Galambos presiding.

STAFF DISCUSSION ITEMS

Public Works

1. Atlanta Regional Commission (ARC) Plan 2040 Transportation Improvement Program (TIP) Call for Projects

Director of Public Works Kevin Walter stated this is a presentation of the Atlanta Regional Commission (ARC) Plan call for projects. The ARC has issued a solicitation to the eighteen counties in the Atlanta metropolitan area for new projects for the Transportation Improvement Program (TIP) in four specific areas. The areas include General Purpose Roadway Operations and Safety, Last Mile Connectivity (Bicycle/Pedestrian), Freight Operations and Safety, and Transit Preventive Maintenance and Capital. The maximum award is approximately \$2 to \$3 million for each project, which includes an 80/20 match. Sandy Springs is included in the North Fulton County area and the City was required to create a list of projects. Next week, there will be a meeting with other North Fulton cities. Staff is looking to Council for guidance on which projects to move forward for this program. He introduced Assistant Transportation Planner Cedric Clark, who is still working part-time for the City. There has to be a suggested list of projects from the entire County by May 25th. The first of four projects that staff is asking Council to consider is the T-0019 - Roswell Road/SR 9 Sidewalk/Streetscape. The second project is an Advanced Traffic Management System (ATMS) for the southern half of Roswell Road/SR 9 from Abernathy Road to the City of Atlanta. The third project is Roswell Road/SR 9 at Glenridge Drive intersection improvement. The fourth project is a City wide plan for identifying and prioritizing pedestrian, bicycle, and multiuse trail projects. Roswell Road/SR 9 involves a great deal of commitment to right-of-way. The construction cost is less than the amount of money required for right-of-way. Staff does not recommend this project, since right-of-way is not covered by ARC and the City is not committed to all of the right-of-way expense.

Councilmember John Paulson stated the estimates for right-of-way are huge numbers.

Director of Public Works Walter stated staff feels the Roswell Road/SR 9 ATMS project is a good candidate for the Council to approve for submittal.

Mayor Eva Galambos asked for an explanation of ATMS.

Assistant Transportation Planner Cedric Clark stated ATMS is an Automated Transportation Management System. It is a set of devices that a jurisdiction can install to help manage the traffic flow. These devices include cameras and changeable message systems. The equipment is used to give drivers real-time information and to help divert traffic if needed.

Councilmember Gabriel Sterling asked if the backbone of ATMS is fiber.

Assistant Transportation Planner Clark responded yes. The fiber transmits the communications to the devices.

Councilmember Sterling asked if the fiber is a single use that can only be used for ATMS or if it can be used to carry other data.

Director of Public Works Walter stated he believes the fiber can only be used for traffic purposes. There is more fiber than needed in certain areas of the City. Older fiber was laid as individual strands, because the old technology required more strands to transmit data. The improved technology requires fewer strands. The installation of more fiber would allow for connectivity to allow "looping".

City Manager John McDonough stated fiber has become the backbone of intelligent systems. Investment in fiber optics capabilities for the City is typically a good long term investment.

Mayor Galambos asked if the fiber will help synchronize the traffic lights.

City Manager McDonough responded yes. The intent is to take the work the City has completed so far, and interconnect it with other work that has been done in North Fulton.

Mayor Galambos stated she agrees with spending money to improve the light synchronization. The signs that notify drivers of a nearby accident do not help at all.

Assistant Transportation Planner Clark stated those signs were more helpful on a larger corridor before there was the 511 information line. The signs are outdated technology, but some jurisdictions still use them.

Councilmember Dianne Fries stated the large signs were not only used for traffic accidents, but also to display when there is a City event. The large signs are not attractive. She asked if businesses can use the fiber optic cable as well.

City Manager McDonough stated the fiber optics for the ATMS is not a commercial application.

Councilmember Fries stated at one time there was discussion that a commercial fiber optic system would be good for economic development.

City Manager McDonough stated that is typically in the purview of AT&T, Sprint, and those types of companies.

Councilmember Paulson asked if the traffic management center (TMC) is most useful in managing the Roswell Road area.

Director of Public Works Walter responded yes. The northern half of Roswell Road was already funded by GDOT and there is a regional operations grant that is pending. This request would complete the three part package.

City Manager McDonough stated this request is in keeping with the national citizen survey regarding the areas citizens are concerned about.

Councilmember Chip Collins stated the northern part of Abernathy has been funded, but not built. He asked about the components that are considered on the projects and what the \$2.5 million would be spent on.

Director of Public Works Walter stated the money could be spent on a variety of items that include special computer programs to control the flow of traffic, traffic signals, and message boards.

Councilmember Sterling stated he knows the City has discussed this project with nearby jurisdictions, but has staff talked to the City of Atlanta to see if they have similar plans.

Director of Public Works Walter stated this project will overlap into North Fulton County and will be discussed with the City of Atlanta next week.

Councilmember Karen Meinzen McEnery stated there is staff outreach with GDOT and the City of Atlanta because of the intersection at Windsor Parkway. For the last three or four years Atlanta has given Sandy Springs authority and approval to manage the timing of the several lights south of Windsor Parkway.

Councilmember Sterling asked if the City already has a traffic management system or if we are building a new one.

Councilmember Meinzen McEnery stated the City currently has a traffic management system that monitors traffic lights.

Mayor Galambos stated the City is so far ahead with the existing traffic management system. She asked why the ATMS is needed.

Director of Public Works Walter stated the ATMS is a higher level of sophistication with software and computer programming.

City Manager McDonough stated the traffic management system has the ability to affect certain timing programs remotely. The ATMS will have sensors that will give real time traffic information and have the ability, through the computer programs, to make adjustments based on traffic flow.

Councilmember Tibby DeJulio asked if the ATMS project was considered about two years ago.

City Manager McDonough stated from Abernathy Road north has been discussed for the past two or three years. That project was funded and is moving along. The jurisdictional agreements have been signed. Now being discussed is south of Abernathy Road on Roswell Road.

Mayor Galambos commented if the TIA passes, there will bus rapid transit from the Lindbergh MARTA station to Wieuca Road, but and then it stops, which is useless. The City's portion of the transit from Wieuca Road to Sandy Springs to Dunwoody was not funded.

Director of Public Works Walter stated staff will investigate this idea. The Roswell Road and Glenridge Drive is a much needed project and staff recommends not pursuing it due to the large amount of right-of-way needed.

Councilmember Sterling stated the Glenridge Drive intersection right-of-way costs are never going to change.

City Attorney Wendell Willard suggested Council wait on moving this project forward.

Director of Public Works Walter stated the last project is a bicycle, pedestrian, and trail plan. Staff discussed this project with PCID and they are also in favor of the project. PCID suggested the estimate of \$100,000 to fund the program may be low.

Councilmember Sterling asked how many plans have been created for bicycle and pedestrian travel within the last ten years. He asked what the City will gain by planning the bicycle and pedestrian project.

Councilmember Fries stated the plan was removed from the City's Comprehensive Plan.

Director of Public Works Walter stated over the last year the various plans he has seen are fragmented and outdated. This is a great time for a fresh look at a new bicycle and pedestrian project. PCID recommended the City ask for more money on this project.

Mayor Galambos suggested PCID contribute money to this project.

Director of Public Works Walter stated that can be discussed with PCID next week. He suggested that Council give staff the authority to move forward with the bicycle, pedestrian, and trail plan along with the SR 9/ATMS project.

Councilmember Meizen McEnery stated these proposals are under \$3 million. She wants to make sure the City receives their fair share of the money available.

Director of Public Works Walter stated the maximum award per project varies from \$2 to \$3 million. The ARC has limited the new projects within the last five years due to budget issues.

Councilmember Sterling asked if the City would be able to use the ARC money in future fiscal years.

Assistant Transportation Planner Clark stated there is \$12.5 million per year planned from 2014 to 2017. That money will be divided up between the eighteen counties.

Councilmember Fries asked if ARC accepts these projects, will the City be able to submit more projects next year.

Assistant Transportation Planner Clark stated the ARC has not made that commitment yet, but that is their goal.

Mayor Galambos asked if the City would be better off, instead of having another bicycle, pedestrian and trail plan, prepared, actually implementing a portion of a plan the City already has for bicycle trails.

Assistant Transportation Planner Clark stated staff recommends this project, because the regional plans are more of a policy document. The CTP did not go into enough depth to recommend actual projects to implement. If the bicycle, pedestrian, and trail plan was approved, it would be in an appendix of recommended projects.

Councilmember Collins asked why it costs \$100,000 to create the map.

Mayor Galambos responded that is the consultant's cost.

Councilmember Collins asked if these are projects staff would put out for bid.

Director of Public Works Walter responded yes.

There was a consensus of Council to move forward with the Advanced Traffic Management System (ATMS) – Roswell Road/SR 9, and the Bicycle, Pedestrian, and Trail Plan projects.

CITY COUNCIL DISCUSSION ITEMS

1. Further Discussion on Apartment Issues

Director of Public Works Angela Parker stated last week at the City Council Retreat there was a discussion on apartment issues. Staff was asked to look at how these issues are being addressed. There are multiple City departments involved. The goal of the apartment inspection program is to address health, safety, and welfare to improve the living conditions of the residents. The program should positively impact the condition of residential structures and ensure property values are maintained. There are also other ways staff is constantly involved with the apartment communities that have had problems over the past few years. The Code Enforcement Officers perform a beat patrol. Staff receives apartment complaints from citizens and receives complaints from other City departments as well. There are a number of different codes the apartment complexes are required to abide by. Community Development works closely with the Fire Department to ensure compliance with the International Fire Codes. These codes address grills on porches and fire hydrant maintenance. There is an annual apartment inspection program. It is a program that requires all apartment communities within the City to provide the City with proof of an inspection of the units by an International Code Council Certified Inspector (ICC). Twenty percent of the unit interiors are inspected every year. There is also an annual fire hydrant and system inspection that the Fire Department conducts. Whenever there is a failure, staff follows up with the failures that must be addressed. A re-inspection is done and if there is a problem correcting the failure, a notice of violation and citation is issued to the apartment community.

Councilmember Tibby DeJulio asked if the twenty percent of units the City inspects varies from year to year.

Director of Public Works Parker responded yes. There have been a couple of instances where an apartment community sent staff a list of the same units. The units are usually inspected when a tenant vacates the unit. Staff has at least one meeting a year with the apartment owners. The upcoming apartment meeting will be held in June 2012. The meetings are very well attended. Discussed at the meetings are problems that have been seen and items staff will be looking at. The meetings help to establish a relationship with the property owners. The Code Enforcement sweeps are scheduled at two per month. These are unscheduled visits to the apartment communities. Staff generally visits the communities where there have been complaints and problems in the past. The visits last for about four hours to half a day, depending on the size of the community. When the visits occur, staff looks to ensure that fire codes and development codes are being followed. If the codes are not being followed, a notice of violation will be issued to the owner. The notice of violation is sent via certified mail to the owner, and is provided to the property manager as well. In the event these are problems that have occurred in the past, a citation will be issued. Once a notice of violation is issued, staff gives the owner thirty days to address the issue. If the issues are not addressed in a timely manner, the owner will receive a citation to appear in court. The types of items that a citation would be issued for include: graffiti, grading where there are worn pathways, drainage, gutters, painting, and screens or broken windows.

Councilmember Karen Meinzen McEnerny stated before the City was incorporated the Mayor and her were very involved with the Atlanta Apartment Association on identifying ways to provide for the safety and welfare of residents. One requirement of the City ordinance is that the inspector complete a checklist attached to the report. On that checklist is an item where it is noted if there is any evidence of an excessive number of mattresses per bedroom or any other evidence that indicates unsafe occupancy levels. The occupancy level cannot be checked in a vacant unit. Only if a unit is occupied can this be determined.

Mayor Eva Galambos stated one reason for the apartment inspections is the crime rate. Crime is also a reflection of too many people living too close to each other, resulting in fights. Density of population is an issue in terms of how it relates to crime at the apartment communities. She asked if staff knows how many residents reside in each community.

Director of Public Works Parker responded currently staff does not.

Mayor Galambos asked if the Fire Department has the authority to check if the fire alarms inside the apartments are functional.

Fire Chief Jack McElfish responded no. The Fire Department staff can only enter public areas.

City Attorney Wendell Willard stated there are limitations as to entering a dwelling. If needed, the City could obtain an administrative warrant for access into the units to check the fire alarms.

Councilmember Chip Collins asked what the requirement is for an administrative warrant.

City Attorney Willard responded he does not have the answer at this time.

Councilmember Collins asked if the City has an ordinance on limitations as to the number of people that can live in an apartment.

Mayor Galambos responded yes.

Councilmember Collins asked how staff is to enforce this ordinance.

Councilmember Meinzen McEnery stated staff could try to enforce the ordinance through the apartment inspection process, but inspectors are only inspecting vacant units. We must change this to occupied units.

City Attorney Willard stated there is concern about certain apartment communities, but there are also constitutional limitations.

Councilmember Collins asked if a warrant could be issued to inspect a unit if there is suspicion of ten people living in a one bedroom apartment.

City Attorney Willard stated staff will look into what can be done as a way of policing and enforcing the number of people living in dwellings. The landlords of the apartments have the responsibility for over occupancy.

Deputy Police Chief Kenneth DeSimone stated as far as entering the apartments, a police officer would have to have a search warrant. Entering an apartment is more appropriate for a Code Enforcement officer. The Police Department has community officers, two in the north district and two in the south district, who work on a daily basis with apartment management. Working closely with cooperative apartment managers is how the problems can be alleviated.

Councilmember Meinzen McEnery asked if the Police Department can be proactive and communicate to Code Enforcement if they see anything that might indicate unsafe occupancy levels.

Deputy Police Chief DeSimone responded yes. Police staff works closely with Code Enforcement and the Fire Department.

Mayor Galambos asked if there has been a situation where a police officer reported too many people living in a unit to Code Enforcement.

Deputy Police Chief DeSimone stated he is not sure about that specific issue, but other issues have been reported to Code Enforcement, such as trash in the breezeway.

Councilmember Gabriel Sterling stated some issues with over occupancy in apartments have been responded to by the residents saying that they have family visiting.

Mayor Galambos stated the occupancy code is strict on how many people can occupy a unit, regardless if they are living there or visiting.

Councilmember Sterling asked how the ordinance can be enforced.

Mayor Galambos responded the City cannot enforce that ordinance.

City Manager John McDonough stated this item is a difficult issue. The staff's initiatives that are underway are positively impacting crime, which is what is trying to be addressed.

Deputy Police Chief DeSimone stated he has a presentation on the Police Department's crime reduction and prevention initiatives. In Sandy Springs there are seventy-one apartment complexes, for a total of almost 20,000 units. The average number of units per apartment complex is 275. The apartment communities range in size from 9 apartments in a complex to 1,180. The total number of police calls for service at apartment complexes last year was over 13,000. The percentage of crimes reported in apartment complexes Citywide is 36.43% of all the crimes reported in Sandy Springs. The percent of violent crimes reported in apartment complexes is 58.43% of all violent crimes in Sandy Springs. Almost 30% of all property crimes in Sandy Springs occur in apartment complexes. The percent of calls for service in apartment complexes is over 21%.

Councilmember Meinzen McEnery stated there are 20,000 apartment units in Sandy Springs. If two people live in each unit that equals 40,000 people, which is 40% of the City's population living in apartments. The individuals that live in apartments are generating 58% of the violent crimes. That is only assuming two people live in each unit.

Councilmember Sterling asked what percentage of calls for police is for traffic.

Deputy Police Chief DeSimone stated the majority of calls for service are traffic calls. The second largest request is for alarms and the other 1/3 of the calls for service are from apartment complexes. He referenced a slideshow of the top ten apartment communities with the most crime. The presentation showed the number of incidents reported and a breakdown by the size of the complex. The highlighted units are the complexes the Police Department is focusing on.

City Attorney Willard stated staff will do everything they can to reduce the crime rate.

Councilmember Collins stated Code Enforcement, the Police Department, and shame can be used to deter crime. He suggested staff look at something the City can do to incentivize or award apartment complexes to do better.

Councilmember Meinzen McEnery suggested involving the Atlanta Apartment Association in the City's process.

Deputy Police Chief DeSimone stated the Police and Fire Departments, Code Enforcement, and the Atlanta Apartment Association are currently working together. One of the largest problems is the high turnover of the apartment residents.

Mayor Galambos asked if the apartments that have the highest crime rates are at maximum occupancy.

Deputy Police Chief DeSimone responded it is the turnover rate of the residents. The apartment complexes with the stable residents do not have as many problems as do the apartments with a quick turnover. Uniformed patrol officers are being sent to the apartment complexes along with plain clothes details. Officers are performing residential checks as well. He is urging his staff to check the list of people who reside at the apartments to see if there is a warrant for their arrest.

Councilmember Fries stated there are many property owners that will not rent to felons. Some of the felons will put the apartment in their girlfriend's name instead.

Councilmember Meinzen McEnery asked if the City can require all apartment communities in the City to subscribe to a national crime records check to be used for rental applicants.

City Attorney Willard stated that may be outside the City's boundaries.

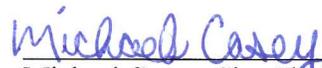
City Manager McDonough stated he likes the idea of incentives, awards, or a ranking system for apartment complexes.

Deputy Police Chief DeSimone stated the City does have a program called Operation Safe Home. Some of the apartments agreed to run background checks, but this is voluntary. The only incentive is to place a sign at the entrance of the community stating it is a Safe Home neighborhood. The apartment complex at 550 Abernathy was having issues due to students from the Art Institute of Atlanta residing there. The apartment complex no longer has an agreement with the school to house students at the complex.

There being no further discussion, the meeting adjourned at 8:18 p.m.

Date Approved: April 17, 2012


Eva Galambos, Mayor


Michael Casey, City Clerk