

**Regular Meeting of the Sandy Springs City Council was held Tuesday, November 4, 2008, 6:00 p.m., Mayor Galambos presiding.**

**Invocation**

Terry Quick, First Baptist Church of Sandy Springs offered the invocation.

**Call to Order**

Mayor Galambos called the meeting to order at 6:00 p.m.

**Roll Call and General Announcements**

**Councilmember's Present:** Councilmember Doug MacGinnitie, Councilmember Dianne Fries, Councilmember Rusty Paul, Councilmember Ashley Jenkins, Councilmember Tibby DeJulio, and Councilmember Karen Meinzen McEnerny

**Pledge of Allegiance**

Piedmont Chapter of the Sons of the American Revolution presented the Colors and led the Pledge of Allegiance.

**Presentations**

**Commendation Recognizing Major David Bertrand for Service as Acting Chief of Police**

**City Manager McDonough** recognized Major David Bertrand for his service over the past three plus months as Sandy Springs Acting Chief of Police during the transition period. Major Bertrand showed great leadership over the course of the summer and this fall. Major Bertrand moved the department forward in the right direction. Crime statistics were down each month under his leadership. A plaque and check were presented to Major Bertrand for his services.

**Proclamation –November Family Month**

Mayor Galambos read and presented the “November Family Month” Proclamation to a representative from the Church of Jesus Christ of Latter Day Saints.

**Approval of Meeting Agenda**

**Motion and Vote:** Councilmember Paul moved to approve Agenda Item No. 08-279, Meeting Agenda as presented. Councilmember MacGinnitie seconded the motion. There was no Council discussion. The motion carried unanimously.

**Consent Agenda**

1. Meeting Minutes:
  - a. October 21, 2008, Regular Meeting  
*(Tracy Tye, Acting City Clerk)*

**Motion and Vote:** Councilmember Fries moved to table Agenda Item No. 08-280, Regular Meeting Minutes dated October 21, 2008 to the November 18, 2008 regular meeting. Councilmember Jenkins seconded the motion. The motion carried unanimously.

Mayor Galambos recognized all veterans at this time.

Mayor Galambos announced there will be a special recognition in honor of Veterans Day on Sunday, November 9, from 2:00 p.m. to 4:00 p.m. at Heritage Green.

**New Business:**

**Consideration of approval of a Resolution Authorizing the Mayor and City Council of the City of Sandy Springs to apply for and accept a Gateway Grant. Upon award of the Grant, the City of Sandy Springs shall enter into a mowing and maintenance agreement with the Georgia Department of Transportation.  
Resolution No. 2008-11-57**

**Assistant City Manager Rapson** stated the Georgia Department of Transportation has allocated grant funding to establish landscape projects in the State of Georgia. A core component of the funding is to further roadside improvement and beautification projects along public roads. Awards are capped at \$50,000 by request and must be used to cover plant material and installation costs within existing right-of-ways along Georgia state routes. It is estimated that maintenance costs will total \$6,000 per year.

Mayor Galambos stated that this idea came from one of Sandy Spring's citizens. The citizen requested the City eventually do all the interstate junctions and use the same style of landscaping.

**Motion and Vote:** Councilmember Fries moved to approve Agenda Item No. 08-281, a Resolution Authorizing the Mayor and City Council of the City of Sandy Springs to apply for and accept a Gateway Grant. Upon award of the Grant, the City of Sandy Springs shall enter into a mowing and maintenance agreement with the Georgia Department of Transportation. Councilmember DeJulio seconded the motion. There was no Council discussion. The motion carried unanimously.

**Consideration of approval of a Resolution Authorizing the Mayor or Her Designee to Enter into and Execute a Mutual Aid and Automatic Aid Agreement between the City of Sandy Springs Fire Department and the Atlanta Fire Rescue Department to Provide Mutual Aid Assistance and for Other Purposes.  
Resolution No. 2008-11-58**

**Fire Chief McElfish** stated the City of Sandy Springs has been working with the City of Atlanta on the Automatic Aid for Fire Station No. 27, located on Northside Drive. The Fire Rescue Department completed a Fire Station Location Study which showed some areas of the City that could use some added response capabilities. Staff coordinated through collaboration with neighboring Fire Departments to provide these additional resources without added personnel costs through Mutual and Automatic Aid Agreements.

Councilmember Meinzen McEnery stated the City provides Automatic Aid right now to the City of Atlanta out of Station No. 4.

**Motion and Vote:** Councilmember Paul moved to approve Agenda Item No. 08-282, a Resolution Authorizing the Mayor or Her Designee to Enter into and Execute a Mutual Aid and Automatic Aid Agreement between the City of Sandy Springs Fire Department and the Atlanta Fire Rescue Department to Provide Mutual Aid Assistance and for Other Purposes. Councilmember Fries seconded the motion. The motion carried unanimously.

**Consideration of approval of a bid award and contract approval for the Stormwater Inventory Bid.  
Resolution No. 2008-11-59**

**Assistant City Manager Rapson** stated the City issued a Request for Proposal for Stormwater Inventory Services. This will expedite all 14,600 items that individually have to be inspected. There were 53 consultants that attended

**Regular Meeting of the Sandy Springs City Council**

**Tuesday, November 4, 2008**

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the preproposal meeting. Seventeen (17) firms responded to the RFP, and a bid opening was held. Staff reviewed and ranked all the proposals, and cost proposals were opened for the top four firms. Staff recommends award of bid to Arcadis for \$375,774 and to increase this contract another \$30,000 for enhanced work as well as the same contract for a

total award of \$405,774. This completes about 80% of the items that staff has to look at. Staff is going to take this same contract and do a two-year option so we can expedite the remaining 20%.

Mayor Galambos questioned what items are in the budget for this.

Mr. Rapson stated that just above \$1,500,000 was allocated in the budget. This particular piece was flagged at \$881,000. This will leave close to a \$400,000 savings in that line item. Staff may come back to City Council later in the year and make a recommendation to take that stormwater money and transfer it to the stormwater utility fund and use it to expedite and enhance the \$1,800,000 that we currently have for stormwater projects.

Councilmember Meinzen McEnery stated there was a study done by Fulton County on Nancy Creek and Long Island Creek Watershed and Marsh Creek as well. She questioned if Mr. Rapson was able to get the information from the Brown and Caldwell study which went through all of these areas and identified all the catch basins so that the cost for the proposed bid could be reduced.

**Stormwater Utility Manager Chastant, P.E.** stated that staff was able to obtain the study, but there is more information to be received by them. Councilmember Meinzen McEnery questioned if we were building on what Fulton County taxpayers have already paid for. Mr. Chastant stated that is correct.

Mayor Galambos questioned what is going to be done?

**Stormwater Utility Manager Chastant, P.E.** stated first they will need to identify what our different basins are and create a stream network that will help staff when doing the inventory. They will go out and physically locate them and connect them so that we have a connected network and if there is any pollution or anything like that we will be able to trace it. They are going to look at the condition of the pipe so that we can determine getting an assessment of how much it will cost to maintain and fix our system that is out there.

Councilmember Meinzen McEnery stated that Fulton County did this same work in 2001 and 2005. She questioned if anything came out of the study that they did.

Mr. Chastant stated that staff is building on it. Unfortunately, when Fulton County did their assessment they did not give us the condition of the pipes. Staff has concerns about the quality of the information, but the study will be used and it will help out greatly when locating the pipes.

Councilmember DeJulio questioned that after the study would it give staff a better idea of the gravity of the City's stormwater problem and what will the cost be to fix this in the future? Mr. Chastant said that it would.

Councilmember Fries stated that she had discussed the difference between the two stormwater agenda items with Mr. Chastant and he had explained that the CH2M Hill agenda item is to manage all the other components of this. In the discussion she mentioned that with the Arcadis contract the pole cameras were going to be used to see what is in the pipeline. She understands that there are other cameras that can go further down into the pipeline. Her concern is that we are not going to look deep enough at what is really the problem with these pipes just from the opening and taking a peep. She understands that it is not feasible to use the higher technology at each one but should we come across some that we believe there are some problems further down, and then maybe it would be prudent to go ahead and take a look so we have a good assessment. If the City is going to spend all this money, let's have it exactly right.

Mr. Chastant stated that in using the pole camera the intent is to find out where the problems are. To do the detail assessment a part of what we will do is create a list of where the problem areas are and where we will need to go back and do a more detailed study.

Councilmember Fries stated the more detailed study is not in this scope of this contract. Staff would then have to come back before City Council for approval of additional funds to do the more intensive study on the problem areas.

**Assistant City Manager Rapson** stated that part of the \$30,000 that we are doing above the base contract is to actually take the pole and put it in the hole and shine a bright light into the structure. This will eliminate 100 to 200 feet, which should reduce some of the concerns. As well as that, once this contract is \$405,000 the City Manager, at his discretion, has another 10% we can change and do a change order without having to come back to City Council. This would give us an extra \$40,000 to address some of Councilmember Fries concerns.

**Motion and Vote:** Councilmember Meinzen McEnery moved to approve Agenda Item No. 08-283, bid award and contract approval for the Stormwater Inventory Bid to Arcadis in the amount not to exceed \$375,764. Councilmember Fries seconded the motion. There was no Council discussion. The motion carried unanimously.

**Consideration of approval of an agreement with CH2MHill for Additional Stormwater Permit Services and Authorization for the City Manager to Sign the Agreement.  
Resolution No. 2008-11-60**

**Assistant City Manager Rapson** stated that this change order goes with the entire program for stormwater. There is a material aspect of the CH2M Hill contract that has stormwater built into it. Public Works has intimately woven into that structure. One thing staff looked at when looking to see who was going to manage it, all this information is coming back about these locations, what types of pipes they are, and quality control issues. There is roughly 15,000 items and we are trying to add the equivalent of three full-time employees. One of those primarily will be Mr. Chastant who is the Manager for the entire system. Mr. Chastant is not in the CH2M Hill Contract for the City. In addition we would like to hire two full-time additional Field Inspection Officers that will keep an over-site for these contracts.

Staff has two more contracts ready to come back to Council for approval. Staff does not expect that either one of the contracts will be more than \$250,000. The contracts are for floodplain mapping and the Watershed Improvement Program Plan. The City Manager can approve these. Assuming they are approved, these people will oversee this program to ensure the permits are in compliance with the State and manage the program so we can move rapidly to expedite the inventory. The state-mandated Stormwater Program must cover the following six minimum criteria in order to meet requirements:

1. Public Education and Outreach
2. Public Involvement/Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Storm Water Runoff Control
5. Post-Construction Storm Water Management in New Development and Redevelopment
6. Pollution Prevention and Good Housekeeping for Municipal Operations

Additionally, other indirect staffing would be required to support and supplement the requirements of meeting the stormwater program. These positions would be provided as shared services that provide a professional reach-back capability for the following services:

1. System and industrial inspections
2. Dry weather screening

3. System retrofit evaluations
4. Contract supervision
5. Asset and capital improvement management
6. On-going annual requirements of the permit
7. GIS mapping of structures inspected
8. Interfacing and integration of systems between the gbaMS work order system and GIS system
  
9. GbaMS work order system interfacing to ensure scheduling maintenance work, inspection reporting, work orders, and condition reporting
10. On-going coordination with Fulton County and neighboring Cities to develop a water quality monitoring plan that will satisfy the EPD and eliminate duplication of effort
  
11. Ensuring that permit requirements meet inspection for the discharge from our system into the streams to determine if there is any pollution
12. Visual inspection as well as chemical testing inspection

If approved, the City Manager will be authorized to enter into the \$403,777 contract with CH2M Hill for additional Stormwater Management Services. The city has these funds budgeted for FY09 execution. This will save the City money. Staff recommends this particular change order.

There was some Council discussion.

**Motion and Vote:** Councilmember Jenkins moved to approve Agenda Item No. 08-284, an agreement with CH2M Hill for Additional Stormwater Permit Services and Authorization for the City Manager to Sign the Agreement. Councilmember Meinzen McEnery seconded the motion. The motion carried unanimously.

**Consideration of approval of an Ordinance to amend the City of Sandy Springs Development Regulations of the City of Sandy Springs Code of Ordinances in section 3.3.1(f) to include penalties for violation of the Development Ordinance and the removal of 7.3.11 in the table of contents.**

**Ordinance No. 2008-11-57**

**Assistant Director of Building and Permits Wesserling** stated that staff has recognized an omission in article 3.3.1 (f). This section does not have a detailed explanation of the penalty for violation of this ordinance. The proposed change corrects this situation. Staff also found an error in the table of contents. Section 7.3.11 is noted in the table, however, that particular section was moved to a more suitable location in the ordinance.

**Motion and Vote:** Councilmember Fries moved to approve Agenda Item No. 08-285, an Ordinance to amend the City of Sandy Springs Development Regulations of the City of Sandy Springs Code of Ordinances in section 3.3.1(f) to include penalties for violation of the Development Ordinance and the removal of 7.3.11 in the table of contents. Councilmember Jenkins seconded the motion. There was no Council discussion. The motion carried unanimously.

#### **Reports and Presentations:**

**City Manger McDonough** stated that in 2007, the City made a Grant application for an early warning siren system and some radios which the City did not get at the time. The City has been contacted by the folks that hand out Grants and has been asked to resubmit. He questioned if there was a consensus from Council to do this. There is a 75/25 match which would include funding for 10 sirens and 64 early warning radios.

City Council requested more information. City Manager McDonough stated that staff would bring back more details to City Council.

**Executive Session – Litigation and Real Estate**

**Motion and Vote:** Councilmember DeJulio moved to enter into Executive Session to discuss pending litigation. Councilmember Jenkins seconded the motion. The motion carried unanimously with Councilmember MacGinnitie, Councilmember Fries, Councilmember Jenkins, Councilmember DeJulio, Councilmember Paul and Councilmember Meinzen McEnery voting in favor of the motion. Executive session began at 6:47 p.m.

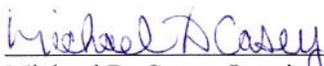
**Motion and Vote:** Councilmember DeJulio moved to adjourn Executive Session. Councilmember Jenkins seconded the motion. The motion carried unanimously with Councilmember MacGinnitie, Councilmember Fries, Councilmember Jenkins, Councilmember DeJulio, Councilmember Paul and Councilmember Meinzen McEnery voting in favor of the motion. Executive session adjourned at 7:36 p.m.

**Adjournment**

**Motion and Vote:** Councilmember Meinzen McEnery moved to adjourn the meeting. Councilmember MacGinnitie seconded the motion. The motion carried unanimously. The meeting adjourned at 7:37 p.m.

**Date approved: February 3, 2009**

  
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Eva Galambos, Mayor

  
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Michael D. Casey, Interim City Clerk

**CITY OF SANDY SPRINGS, GA**

STATE OF GEORGIA  
FULTON COUNTY

November 4, 2008

**AFFIDAVIT FOR EXECUTIVE SESSION**

Personally comes Eva Galambos, Mayor of the City of Sandy Springs, who on oath says that to the best of her knowledge and belief, on the 4<sup>th</sup> day of November, 2008, in the city aforesaid, a meeting of the Council was closed to the public for the following reason(s):

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

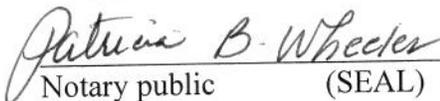
Attorney/client privilege in order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved, pursuant to O.C.G.A. 50-14-2(1).

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



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Eva Galambos, Mayor

Sworn to and subscribed before me,  
this 10th day of November, 2008.

  
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Notary public (SEAL)

