

**Work Session of the Sandy Springs City Council was held Tuesday, September 9, 2008, 6:00 p.m., Mayor Pro Tempore DeJulio presiding.**

**Presentation from Heritage Sandy Springs**

Ms. Laura DeLong, President of the Board of Heritage Sandy Springs, updated the Mayor and Council on the activities at Heritage Sandy Springs and Heritage Green. She gave an overview of the organization, a progress report and the expansion plans. She explained the historic preservation of the William Payne House. She explained the cultural education offered by Heritage Sandy Springs. She also explained the ongoing and special events at Heritage Sandy Springs. Mr. D.J. DeLong briefed the Mayor and Council on the expansion project. He explained that the original master plan was an \$8 to \$12 million project.

Councilmember DeJulio clarified that Heritage will not have income from rent from Sandy Springs Hospitality. Ms. DeLong stated that is correct. Councilmember Jenkins questioned where the money from the festival goes. Ms. DeLong stated that it goes back into programs.

Councilmember Meinzen McEnery clarified that Heritage raised and put back into programs \$463,000 each year.

Councilmember Meinzen McEnery questioned when fundraising for phase II of the Bluestone Building would begin. Mr. DeLong stated that has not been determined yet. He stated that it would be easier with a design concept.

Councilmember Meinzen McEnery reminded them that the Council begins budget discussions in May.

**Discussion of Traffic Calming Manual.**

**Director of Public Works Angelia Parham** stated that Council requested a revised version of the Traffic Calming Manual. She stated that the major change in the type of traffic calming devices is from speed humps to speed cushions which provide more accessibility for public safety equipment. She stated that staff is also recommending a 90% signature requirement for petitions and a 50% cost participation.

Councilmember Fries suggested adding the word average to the language regarding the 11 miles per hour over the speed limit. She also questioned if this should be for local streets with a maximum speed limit of 25 miles per hour. Ms. Parham stated that there are some local streets with a higher speed limit.

Councilmember Fries suggested that speed cushions only be used on local streets with a speed limit of 25 miles per hour.

Mayor Pro Tem DeJulio questioned if there was a requirement for a stipend for maintenance. Ms. Parham stated that she would add that. Discussion followed regarding the cost of the installation and maintenance.

Councilmember MacGinnitie expressed concerns that staff will be overwhelmed by these prior to approval by Council.

Mayor Pro Tem DeJulio clarified that there are no funds available for this program.

Councilmember Paul suggested putting a 100% cost participation for those neighborhoods that want to fund the entire project if they meet the criteria.

Councilmember Meinzen McEnery stated that the City has only had three applications that meet the criteria. She questioned that if no money is budgeted why is Council raising the threshold and pretending there will be delivery of those services. She stated that a decision needs to be made as to whether or not Council wants to provide this service.

Councilmember Paul stated that there will be future opportunities in the budgeting process to include this program. He stated that a policy still needs to be in place.

Councilmember Jenkins also suggested using alternate methods such as the speed trailers to handle it before concrete is put on the ground.

Councilmember MacGinnitie stated that this policy should be put in place whether there is funding or not. Allowing a neighborhood to fund items is also a good idea.

Mayor Pro Tem DeJulio directed staff to make the following changes: 1. Put use of police presence first on the list; 2. Include annual assessment for maintenance; 3. Include 100% cost participation option. City Attorney Willard stated that Council does not have the authority to place a maintenance assessment on this type of improvement.

Councilmember Meinzen McEnerny stated that the police have already been active on these streets and this does not work because these neighborhoods are used as cut-throughs. She recommended keeping the 25% cost participation.

Councilmember Fries clarified that if the city found a situation that was a safety issue, it could install traffic calming.

### **Discussion of the Change Orders to Control Specialists' Contracts for the FY 09 Intersection Improvement Program.**

**Director of Public Works Angelia Parham** explained that this was for the intersection improvements. Traffic Services Manager Jeff Messer gave a presentation on the intersection improvements. He stated that T-7104 and T7114 are not complete but staff expects them to be completed next week.

Mr. Messer stated that the proposed FY2009 improvements will cost approximately \$622,417.00 and are to include:

- T-7118 Roswell Road at Cliftwood Drive
- T-7117 Riverside Drive at River Valley Road
- T-7133 Roswell Road at Sandy Springs Circle
- T-7106 Roswell Road at the Main City Hall Driveway

Councilmember Fries stated that the property owner should fund the improvements to the entrance to City Hall.

Councilmember Jenkins questioned what improvements are being proposed at Roswell Road and Sandy Springs Circle. Mr. Messer and Mr. Hofelich explained the proposed improvements.

There was a consensus not to move forward on T-7106 and put these funds on another project of the same cost.

### **Discussion of RC08-02SS (6225 River Chase Circle).**

**Assistant Director of Land Development Blake Dettwiler** explained that the owner of the property is proposing the construction of a patio and associated retaining wall adjacent to an existing single family home. The site is  $\frac{3}{4}$  of an acre and located in vulnerability categories D and F. The subject application has been submitted to the Atlanta Regional Commission and was found to equivalently consistence by ARC on August 29, 2008. He stated that this property was developed prior to the adoption of the Metropolitan River Protection Act of 1974. This presents a hardship and was therefore granted by ARC.

### **Discussion of Perimeter Center Improvement District boundaries.**

**Community Development Director Leathers** stated that the Planning Commission had requested that the residential areas in the Perimeter CID be removed. The Board of the CID has forwarded those recommendations to staff and those will be before Council next week. The PCID overlay district will be amended to remove those residential areas as well.

### **Discussion of Overlay District Amendments.**

**Assistant Director of Community Development Chris Miller** explained that the first amendment is relating to the location of the light fixtures and street trees in the overlay district. He explained that the overlay districts include the Main Street district, PCID district, village district, urban district and suburban district. Each is geographically different and has different requirements.

Councilmember Fries questioned why one end of the city is different from the other end. Ms. Leathers provided some background on this. She stated that the suburban district does not have brick pavers except where the pedestrian light sits. The village district has essentially the same standard as the main street district.

Councilmember Fries questioned why the brick pavers would not be wanted everywhere. Ms. Leathers stated that is one of the items staff will be reviewing.

Councilmember Paul stated that he would like to find a way to improve the looks of the City without providing a disincentive to small property owners.

Staff will be bringing cost figures between non-overlay and overlay. Discussion followed regarding the experimental area.

### **Discussion of Development Regulations.**

**Assistant Director of Building and Permitting John Wesserling** presented Council the Development Ordinances. He explained that this is a complication of portions of the Zoning Ordinance, subdivision regulations, driveway manual, the sidewalk policy, and utility crossings. He stated that this also includes an addressing section, a 180 day expiration clause for Land Development, well and septic tank regulations, tiered retaining walls, and sidewalks.

After meetings with Council, staff has included protection of buffers during construction, ensuring that residential construction controlled by Development Regulations, posting requirements for permits, and plan review and approval. **Assistant Director of Land Development Blake Dettwiler** explained the Development Regulations as it relates to driveways in side setbacks. He stated that staff is proposing that infill or single lot developments driveways may be located within the building setback and zoning buffers. For subdivision multi-lot developments of two or more adjoining lots, driveways shall be located outside of building setbacks and zoning buffers on all lots abutting exterior of the project site. Community Development Director Leathers explained that this is to protect the buffer trees in the setbacks of single family residential lots.

Councilmember Fries questioned if the right of way would be calculated from the back of the sidewalk and would be eleven feet. Mr. Wesserling stated that it would vary.

Councilmember Fries stated that these regulations do not allow brick mailboxes. Transportation Planner Mark Moore stated that is not a change in the current Ordinance. Discussion followed regarding allowing brick mailboxes. There was a consensus to allow brick mailboxes in new construction in Sandy Springs.

Councilmember MacGinnitie questioned what the feedback had been from the development community. Ms. Leathers stated that the developers had raised an issue regarding the driveways.

City Attorney Willard stated that the attorney's office has been addressing issues as they relate to the retention of permits. He stated that this limitation could be imposed on previously issued land disturbance permits.

Councilmember Meizen McEnery questioned if this applied to rezoning. Mr. Willard stated that was another issue.

He explained that in this case the city could initiate a rezoning on a property.

Councilmember Meinzen McEnery stated that the city should be very careful on this matter. She questioned what would cause the city to need to do this.

Councilmember DeJulio explained one example in his district. Ms. Leathers explained that this law had been on the books since 1984.

#### **Discussion of Sandy Springs Housing Analysis by ownership type.**

**Assistant Director of Community Development Chris Miller** presented Council with maps displaying the Sandy Springs Housing Analysis by ownership type. He explained that this is a planning tool. Councilmember Meinzen McEnery explained the changes in ownership type in the last 30 years.

#### **Discussion of Occupational License Tax Limit.**

**City Attorney Willard** stated that he is proposing an ordinance that will place a limit on the amount of occupational taxes paid by businesses in Sandy Springs. Assistant City Manager Steve Rapson stated that one reason for this is to reach a settlement with Mirant Corporation. He explained that staff has done an analysis and a \$400,000 cap is being recommended. He stated that this is pro-business. Mr. Willard stated that this would be retroactive to the start of the City. He stated that Mirant would be the only company affected.

Mayor Galambos requested that a cost of living increase be included. Mr. Willard stated that he would include that.

#### **Call to Order**

Mayor Pro Tem DeJulio called the meeting to order at 7:45 p.m.

#### **Roll Call and General Announcements**

**City Clerk Rowland** called the roll.

**Councilmembers Present:** Councilmember Doug MacGinnitie, Councilmember Dianne Fries, Councilmember Rusty Paul, Councilmember Ashley Jenkins, Councilmember Tibby DeJulio and Councilmember Karen Meinzen McEnery.

#### **Approval of Meeting Agenda**

**Motion and Vote:** Councilmember Paul moved to approve the agenda. Councilmember Meinzen McEnery seconded the motion. The motion carried unanimously.

#### **Executive Session-potential litigation**

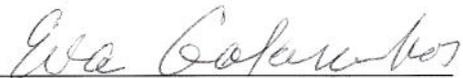
**Motion and Vote:** Councilmember Paul moved to enter into executive session to discuss potential litigation. Councilmember Jenkins seconded the motion. The motion carried unanimously with Councilmember Doug MacGinnitie, Councilmember Dianne Fries, Councilmember Rusty Paul, Councilmember Ashley Jenkins, Councilmember Tibby DeJulio and Councilmember Karen Meinzen McEnery voting in favor of the motion.

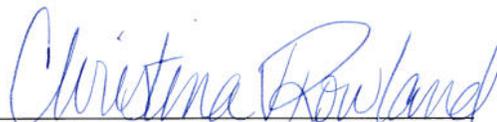
**Motion and Vote:** Councilmember MacGinnitie moved to come out of executive session. Councilmember Paul seconded the motion. The motion carried unanimously with Councilmember Doug MacGinnitie, Councilmember Dianne Fries, Councilmember Rusty Paul, Councilmember Ashley Jenkins, Councilmember Tibby DeJulio and Councilmember Karen Meinzen McEnery voting in favor of the motion.

**Adjournment**

**Motion and Vote:** Councilmember Paul moved to adjourn the meeting. Councilmember Fries seconded the motion. The motion carried unanimously. The meeting adjourned at 8:15 p.m.

**Date Approved: October 7, 2008**

  
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Eva Galambos, Mayor

  
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Christina V. Rowland, City Clerk

**CITY OF SANDY SPRINGS, GA**

STATE OF GEORGIA  
FULTON COUNTY

September 9, 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 9<sup>th</sup> day of September, 2008, in the city aforesaid, a meeting of the Council was closed to the public for the following reason(s):

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.

Eva Galambos  
Eva Galambos, Mayor

Sworn to and subscribed before me,  
this 9<sup>th</sup> day of September, 2008.

Christina V. Rowland  
Notary Public (SEAL)  
CHRISTINA V. ROWLAND  
NOTARY  
EXPIRES