

Call to Order

Mayor Galambos called the meeting to order at 6:05 p.m.

Roll Call and General Announcements

City Clerk Rowland reminded everyone to silence their cell phones and pagers at this time. Additionally, those wishing to provide public comments, either during a public hearing or at the conclusion of the meeting under the public comment section, are required to complete a public comment card. They are located at the back counter and need to be turned in to the Clerk.

Councilmembers Present: Councilmember Fries, Councilmember Paul, Councilmember Jenkins, Councilmember DeJulio, and Councilmember Meinzen McEnery.

Pledge of Allegiance

Mayor Galambos led the Pledge of Allegiance.

Approval of Meeting Agenda

Motion and Second: Councilmember Meinzen McEnery moved to amend the agenda by adding the consideration of approval for the City to initiate rezoning on property located on Mt. Vernon Highway and Woodbridge Drive. Councilmember Paul seconded the motion.

Vote: The motion carried unanimously.

Motion and Second: Councilmember Paul moved to approve the meeting agenda. Councilmember Meinzen McEnery seconded the motion.

Vote: The motion carried unanimously.

Presentations

Friends of Sandy Springs

Mayor Galambos recognized Mr. Bruce Weiner who came forward and presented the City with two checks. Mr. Weiner explained that the first is in the amount \$10,000 for TASERS for the Police Department. He stated that Mr. and Mrs. Palmer made this donation. The second is in the amount of \$50,000. Mr. Weiner donated this himself. He thanked Chief Wilson for the outstanding Sandy Springs Police Department. This money is also for the TASERS.

Mayor Galambos thanked Mr. Weiner and the Friends of Sandy Springs for all they have done for this community.

Keep Sandy Springs Clean & Beautiful

Mayor Galambos recognized Mr. James Kirkegard. Mr. Kirkegard provided a history of Keep North Fulton Beautiful. He provided an overview of the organization including recycling, waste water reduction, economic development, litter prevention, beautification, and environmental education. He also stated that they would be conducting a "bulky trash" day in Roswell this year. They are looking for a new site to hold this in Sandy Springs.

Councilmember Paul offered his parking lot for this purpose. Councilmember Meinzen McEnery stated that the Cub Scouts would also like to partner with the recycling center.

Mr. Kirkegard also discussed computer recycling, paper shredding and Christmas tree chipping. He stated that they are also working with the City on the adopt a road and adopt a spot programs.

Proclamation-MDA Firefighter Appreciation Week

Mayor Galambos read the Proclamation for MDA Firefighter Appreciation Week and presented it to Fire Chief Jack McElfish and Assistant Fire Chief Pat Wilson.

Public Hearings

Consideration of Approval of a Resolution authorizing the abandonment of a section of the municipal street system known as Forestwood Lane from its intersection with Lake Forrest Drive and running easterly to its termination at a cul-de-sac; Woodgreen Drive from its intersection with Forestwood Lane, and running northerly to its termination at the property now, or formerly, owned by Reddington Townhome Association, Inc.

City Attorney Willard stated that this is adjacent to the school property. He stated that the Council had a prerequisite that at least one of the agreements for the use of the school facilities be made. An agreement for Sandy Springs Middle School is on the agenda tonight. The School Board understands the position of the Council. This agreement has been approved by staff and will be for Council consideration on August 21.

Mayor Galambos called for public comment. There were no comments from the public.

Mayor Galambos closed the public hearing.

Motion and Vote: Councilmember DeJulio moved to approve a Resolution authorizing the abandonment of a section of the municipal street system known as Forestwood Lane from its intersection with Lake Forrest Drive and running easterly to its termination at a cul-de-sac; Woodgreen Drive from its intersection with Forestwood Lane, and running northerly to its termination at the property now, or formerly, owned by Reddington Townhome Association, Inc. Councilmember Jenkins seconded the motion. The motion carried unanimously.

Consideration of approval to authorize staff to initiate a rezoning for property located at Mt. Vernon Road and Woodbridge Forest Trail. (added by motion and vote)

Assistant Director of Planning and Zoning Zehner stated that the property owner at 5305 Woodridge Forest Trail, Dr. Lloyd Greenwald submitted a building permit. The permit is for a garage that he received a variance for to encroach on a side building setback line. When the plans were submitted, the lot did not appear as the City recognizes the property. Upon further review, Dr. Greenwald had acquired property by deed without recording. The properties he acquired are 1001 and 1020 Mt. Vernon Highway. Both properties were shown as R-2 conditional. Staff further discovered that 1020 Mt. Vernon Highway was incorrectly shown as R-2. It should have been R-1 but Fulton County had perpetuated that it was zoned R-2 conditional. The acquisition of 1001 Mt. Vernon Highway would have invalidated the conditional zoning. The acquisition of 1020 Mt. Vernon Highway would have been in violation of the two (2) acre minimum lot size under R-1. Staff recognizes that these have been done in error and Fulton County's processing of the variance application that showed a portion of the property from 1001 Mt. Vernon Highway as part of that property.

Staff has determined that all three properties will need to be rezoned. The rezoning would not result in any additional lots or principle structures. Staff feels this would be consistent with the surrounding area.

Mayor Galambos stated that this is a correction of errors.

Motion and Vote: Councilmember Meinzen McEnery moved to authorize staff to initiate the rezoning of property located at Mt. Vernon Highway and Woodbridge Forest Trail. Councilmember Fries seconded the motion. The motion carried unanimously.

Reports and Presentations

Director of Community Development Nancy Leathers gave the following presentation:

Schools Under Construction or in Conceptual Stage

- **Woodland Elementary – School Addition**
 - Construction near completion
 - Temporary Certificate of Occupancy (TCO) issued
- **High Point Elementary – School Addition**
 - Construction near completion
 - Temporary Certificate of Occupancy (TCO) issued
- **Lake Forrest Elementary – Under construction and in the permitting process**
 - Grading permit issued and grading work underway
 - Land Disturbance Permit (LDP) for full development of site applied for and under review
 - School Board trying to acquire additional property
- **Ridgeview Middle School – Undergoing conceptual development**
 - Field survey and discussions with Public Works regarding abandonment of access road underway. No official abandonment request received, yet.

Woodland Elementary Detail Status (8-10-07)

- 60 Day Temporary Certificate of Occupancy (TCO) Issued 8-10-07
 - Sandy Springs Community Development Department initiated the TCO application and process.
 - TCO requirements completed as of 8-10-07.
- **Certificate of Occupancy Punchlist Items**
 - Design engineer's certification of in-place stormwater management facilities.
 - Planting of required trees.
 - Approvals of as-built drawings for sitework infrastructure.
 - Sidewalk installation at Spalding Drive in accordance with permit requirements and City standards.
 - Completion of paving and striping in Spalding Drive R/W in accordance with City standards and permit requirements.
 - Final Fire Department approval, including addressing fire flow compliance with NFPA requirements.

High Point Elementary Detailed Status (8-10-07)

- 60 Day TCO Issued 8-10-07
 - Sandy Springs Community Development Department initiated the TCO application and process.
 - TCO requirements completed as of 8-10-07.
- **Certificate of Occupancy Punchlist Items**
 - Design engineer's certification of in-place stormwater management facilities.
 - Approvals of as-built drawings for sitework infrastructure.
 - Final site inspection.
 - Final Arborist inspection.

Lake Forrest Elementary Detailed Status (8-10-07)

- Demolition Permit Issued 10-17-06

- Grading Permit issued 7-06-07 (does not include entrances, work in r/w, hardscape, or utilities other than relocation of sewer main as permitted by Fulton County)
 - Demolition complete.
 - Grading underway.
 - Siltation study and possible remediation of offsite pond will be required due to possible sediment transport from site pond due to inadequate erosion BMP installation. Stop work order was issued and lifted once inadequacies were addressed.
- Application for Land Disturbance Permit for full development of site only including land currently owned by school board is currently under review by staff.

Lake Forrest Elementary Timeline

- Original submittal 12-01-06.
- Resubmittal 4-30-07 – comments remain including traffic review comments from the 12-01-06 submittal.
- 5-09-07 School representatives and City staff develop agreed-upon revisions to previously required r/w traffic improvements.
- 5-18-07 School representatives advise staff that School Board is pursuing condemnation of adjacent property and that Board does not agree with the 5-09-07 agreed-upon traffic improvements. Condemnation of adjacent property may significantly affect site layout and design of traffic improvements.
- 6-12-07 School representatives and City staff develop an acceptable revised traffic improvement concept pending City review of construction plans and required supporting data. City staff advises school representatives that City cannot permit an LDP application that depends on work proposed owned by others. School representatives agree to submit plans for grading only permit followed by plans for full development only within property currently owned.
- 6-15-07 School representative submit application for grading only permit showing no offsite work, no hardscape, no r/w work, due to uncertainties relating to property condemnation.
- 07-06-07 grading only permit issued.
- 07-03-07 School representatives submit LDP for full development of site, including within offsite private property. Staff tables review pending receipt of plans for full development of only owned property. cursory review will be provided after review of development of owned property is performed.
- 07-20-07 School representative resubmit LDP for full development of only currently owned property. Comments remain, including traffic comments due to internal conflicts within plans regarding the proposed traffic improvements.
- 8-08-07 School representatives resubmit LDP for full development of only currently owned property. Review is currently underway. Appears that some traffic requirements have not been adequately addressed in current submittal.

Field Services Manager Ron Adderley provided an update on the City's bridge assessment. He displayed a map of all of the City's bridges. He explained that there are 16 bridges that are Sandy Springs' bridges. The Georgia Department of Transportation Bridge Reports are produced every two years with the latest produced in 2005.

Councilmember Jenkins questioned how the weight restriction is determined. She explained that there is a bridge on Glenlake Parkway/Glenlake Drive that MARTA will not put a large bus on. Mr. Adderley explained that the sufficiency ratings can be misleading. If there was a structural issue with that bridge, it would be posted, regardless of the sufficiency rating. He explained that if the bridge does not have a weight limit posted, it does not have a limit. Assistant City Manager explained that the un-posted bridge would have the same weight limit as the road.

Councilmember DeJulio questioned if any of the City's bridges are in danger. Mr. Adderley stated that there are none in danger.

Adjournment

Motion and Vote: Councilmember Paul moved to adjourn the regular meeting. Councilmember DeJulio seconded the motion. The motion carried unanimously. The meeting adjourned at 7:05 p.m.

Angelia Parham, Public Works Director

Presentation of MARTA Bus Stop Consolidation Efforts

Deputy Director of Public Works Drysdale introduced Richard Wallace and Ryan Vansickle with MARTA. Mr. Wallace gave the following presentation regarding the bus stop consolidation:

Topics Presented

- Overview
- Benefits
- Methodology
- Implementation
- Next Steps

Overview

- MARTA Planning and City of Sandy Springs Traffic Engineering staff have studied changing some of MARTA's bus stop placements.
- These changes can include removing and relocating bus stops, as well as by consolidating pairs into a single location.
- Currently, there are 325 bus stops in the City of Sandy Springs.

Benefits

- Bus Stop Consolidation and Respacing has the potential following benefits:
 - Improved bus operations for MARTA (faster trips, more efficient allocation of bus stop amenities)
 - Improved traffic flow on Sandy Springs streets (fewer stops by buses leads to higher average speeds for all vehicles on the road)

Methodology

- The following factors were analyzed:
 - Population
 - Employment
 - Land Use
 - Traffic Conditions
 - Distances Between Stops
 - Stop-level Bus Ridership
 - Bus Operational Characteristics

Methodology

- The following stop movements were considered:
 - Removal
 - Relocation
 - Consolidation
 - Placement of a New Stop

Implementation

- MARTA and COSS staff opted for a phased implementation.
- Phase 1 will be implemented in concert with MARTA's August 18, 2007 service changes.
- Based on our joint analysis, MARTA will be implementing the following changes:
 - 30 Stops Removed
 - 7 Stops Relocated
 - 10 Stops Consolidated to 5 Stops
 - 1 New Stop
 - 3 Unmarked Stops to be Posted
- Public notices at affected stops were posted in English and Spanish by August 10.
- Bus operators were informed of the changes.
- New stops will be installed and covered with plastic bags.
- In the next few days, MARTA will implement the changes, moving and removing stops, uncovering the new stops as the changes are made.

Next Steps

- Changes still under discussion or analysis by MARTA and COSS are under consideration for Phase 2.
- Phase 2 is projected for completion in concert with MARTA's December service changes.
- The following changes are under discussion between COSS Traffic Engineering and MARTA:
 - 18 Stop Relocations
 - 4 Stop Removals
 - 9 Stops involved in Consolidations
 - 2 New Stops

Councilmember Meinzen McEnery questioned if crosswalks could be installed near the stops or if the stops could be placed closer to the intersections. Mr. Drysdale explained that was being taken into consideration.

Councilmember Jenkins questioned if the new shelters that have already been placed will be moved to another location in Sandy Springs. Mr. Wallace stated that it would be moved to another location in Sandy Springs.

Mayor Galambos thanked MARTA for this consolidation explaining that it will help with traffic congestion. She questioned when MARTA would buy smaller buses. She stated that the current buses are too big. Mr. Wallace stated that a study was beginning in September and he would take this recommendation back to MARTA.

Presentation of Abernathy Greenway Concept Designs.

Deputy Director of Public Works Drysdale presented Council with a map explaining the various stages of land acquisition for the Abernathy Greenway Project.

He then introduced John Boudreau and Bill Eviston with PBS&J. Mr. Boudreau reviewed the Greenway design process. He stated that they first established a vision for the project. He explained the goals of the Master Plan and the key issues.

Mr. Boudreau explained the community meeting process and online surveys used in the development of this design.

He displayed photos of the proposed concept design for the Master Plan and the phases of the project. He explained that they are recommending approval of the Master Plan and Phase 1 construction.

Mayor Galambos stated that the streetscape and utility relocates are not included in the costs. She questioned what Georgia DOT was planning in this regard. Deputy Director of Public Works Drysdale explained that GDOT is only planning a wide sidewalk. The utilities are being asked to move due to the widening of the road. Staff will evaluate the cost of placing the utilities underground. City Manager McDonough stated that this is a priority and staff will be evaluating the cost and bringing that before Council.

Councilmember Paul thanked everyone involved in this project.

Peggy Gardner, Steering Committee Chairman, recognized Ben Whitley, John Stewart, Pat Hagan, Gene Jordan, Ed Dolan, Bob Beard, Nancy Schisler, Chad Plumly, Mel Mobley, Linda Bain and Bob Peoples from the Sandy Springs Conservancy. She also thanked the Mayor and City Council.

Discussion of Authorizing the City Manager to Execute a Contract with Jordan Jones & Goulding for Concept Design for the Johnson Ferry and Glenridge Drive Earmark Project (T-0011).

Public Works Deputy Director Jon Drysdale stated that this project is another major step for the City. He explained the selection process and contract negotiations.

Discussion of Approval of the use of eminent domain for the property located at 120 Abernathy Road.

Public Works Deputy Director Jon Drysdale explained the issues relating to the title of this property. He stated that the City will have to go through eminent domain to acquire this property. City Attorney Willard stated that this was simply to clear up any title issues.

Discussion of Grant Application for Recycling in Coordination with the Cities of Roswell, Alpharetta, Johns Creek, and Milton

Public Works Deputy Director Jon Drysdale explained this grant and stated that the other cities are requesting a letter of support from the City to apply for this grant. Cost sharing will be established. Discussion followed regarding the purpose of this grant and the benefits to the City.

Discussion of 2008 LARP submittal

Public Works Deputy Director Jon Drysdale stated that GDOT is requiring the City's submittal by the end of the month. Councilmember Meinzen McEnery thanked staff for the detail provided.

Nancy Leathers, Community Development Director

Quarterly Zoning Ordinance Amendments

Assistant Director of Planning and Zoning Zehner explained that the first text amendment is an Ordinance to amend Article 28, *Rezoning and Other Amendment Procedures*, of the City of Sandy Springs Zoning Ordinance. The purpose of this text amendment is to satisfy legal concerns by adding procedures for public hearings at which rezoning cases are considered. The proposed procedures are consistent with the *Zoning Procedures Act* of the Code of Georgia.

The Planning Commission recommended that deferrals return to the Planning Commission for review. They also would like to allow for an action of "no action" when they are unable to reach a consensus. Mr. Zehner stated that State Law requires the Planning Commission to make a recommendation. No action is effectively not a recommendation. He stated that if the Planning Commission fails to make a recommendation, it would be an automatic deferral. He stated that the third amendment from the Planning Commission is that the Chair would be able to "suggest" rather than "request" groups in opposition to choose a spokesperson.

Councilmember Meinzen McEnery explained that she was not in favor of the Planning Commission's amendments.

Councilmember Fries questioned if there was a tie on the Planning Commission, the application would move forward to Council. Mr. Zehner stated that it would.

Councilmember Fries stated that the absences at the Planning Commission meetings are a concern. Mr. Zehner stated that staff would provide a count of absences. Discussion followed regarding abstentions.

Councilmember Jenkins suggested that an applicant be required to contact adjacent property owners prior to submitting an application. City Attorney Willard stated that no requirements can be put on an applicant prior to an application being filed. Mr. Zehner explained the application process.

Assistant Director of Planning and Zoning Zehner stated that the second text amendment is an Ordinance to amend Article 4, General Provisions, of the City of Sandy Springs Zoning Ordinance. The purpose of this text amendment is to add provisions regulating the operation of home occupations within multi-family developments. This includes provisions prohibiting such home occupations from serving clients or customers on site and requiring the approval of property owners/managers when a home occupation is proposed to be operated in a rented or leased multi-family residential unit.

Mr. Zehner stated that the apartment complexes were in agreement with this amendment.

Discussion of an amendment to Chapter 9, Building Codes to more clearly specify requirements relating to the issuance of Multi-Phase/Level Certificate of Completion and Multi-Phase/Level Certificate Occupancy.

Building Officer John Wesserling explained that this amendment is to more clearly specify requirements for issuance of Multi-Phase or Multi-Level developments. Currently, this is unclear in the Ordinance and the Ordinance allows occupancy of structures that are unsafe. This amendment will correct this. It will require the common areas and exterior common areas to be in a safe condition prior to the issuance of a Certificate of Occupancy.

Councilmember Jenkins stated that this was a excellent idea.

Amendment to Chapter 8 (Recreation and Parks), Article 2 (Regulation of Public Parks), Section 4 (Prohibited Acts in Public Parks), Subsection (i) relating to off-leash pets.

Recreation and Parks Director Chambers explained that this is strictly a housekeeping amendment to Chapter 8. This amendment with the added language would read as: (i) Pets. All pets must be on a leash, at all times except in specifically designated and posted off-lease areas, and the owner is responsible for disposal of pet waste. All pets are prohibited on athletic fields, unless written permission for such as been authorized by the City Manager or the Director of Recreation and Parks.

Discussion of the Formal Abandonment of Woodall Ferry Road to Allow the Underlying Property's Ownership Rights to Revert to the Owners in Fee.

City Attorney Willard stated that Woodall Ferry Road is located in Sandy Springs, running off of Nesbit Ferry Road, approximately two blocks north of the Nesbit Ferry-Spalding Drive intersection. The concern is the location is very close to the property line. Community Development Department indicates that it does not touch this roadway with the adjoining northwest property line where there are homes built. The abandonment would go back to the property owner and in this case, surround the right-of-way. After reviewing this, he would suggest as a prescriptive to have this move forward, we would need to get a certification letter back from the surveyor certifying that in fact the roadway is totally within the property of the development and does not touch any of the adjoining property lines. He would recommend approval of this abandonment of Woodall Ferry Road.

Discussion of an Agreement with Sandy Springs Middle School for use of their facilities.

City Attorney Willard stated that the IGA proposes the use of the park areas of the Sandy Springs Middle School Property. This agreement is basically in the form that the School Boards has entered into agreement with other municipalities for use of its facilities and is similar to the previous agreement for the Spalding Drive Charter School. This agreement allows the City have priority use of the defined facilities during non-school hours. Our ability to make use of it has control with policing of it, the security. One of the major concerns addressed was whether or not we will have restroom facilities. If the school does not provide access into the building for the use of restroom, it may be required to put port-a-potties out. He would recommend that Council consider and give further direction as to the approval of the agreement.

Mayor and Council Discussion Items

Discussion of appointment to the Hospitality Board.

Mayor Galambos nominated Bruce Alterman to the Hospitality Board to fill the unexpired term of John McDonough. There was a consensus that this would move forward.

Discussion of Sister City

Mayor Galambos announced that UPS has made a request to the City to consider Dongguan, China as a sister City. UPS would like to be the facilitators and she would like to say yes to UPS.

City Manager McDonough explained that UPS has done a lot of research and they are very well connected over there. Anything we can do to help, Fortune 500 Headquarters here in our city, he would recommend to City Council to proceed with this relationship. There was a consensus from the City Council.

Mayor Galambos requested that Council give her the authority to contact UPS to move forward.

Mayor Galambos stated that Senator Judson Hill has volunteered to get us some help from the State Economic Development people as a way of identifying what firms in Sandy Springs might be doing some trade with China.

Discussion of Non-profit Funding.

Councilmember Fries presented the proposed Non-Profit Policy to Council as follows:

The City of Sandy Springs' policy to fund from its general fund non-profit organizations will be guided by the following principals:

1. The City at its' expense will maintain the grounds and structures on any property that the City owns or leases, as well as to pay for the following utilities – water, electric, and gas. A MOU shall be in place between the City and the occupying non-profit organization.
2. The City shall not be responsible for the programming at these facilities under the MOU.
3. The City may provide support to non-profit organizations that are supplementing a Fulton County Health and Human Resource or providing aid to families and individuals with poverty incomes.
4. The City will not support any non-profit organization that has a religious affiliation.
5. The City may enter into a "contract for services" with a non-profit organization to provide a special event that the City Council determines to be of general value to the community.

Councilmember Paul stated that his concern with No. 3 is that the word "organization" is such a broad term and made a request to the City Attorney to clarify the language. Councilmember DeJulio stated that the community action center would probably receive support and management guidance from the church where they are located.

Councilmember Meinzen McEnerny questioned Councilmember Fries if she would consider adding to No. 1, the City to maintain the grounds, structures and sewer because she personally does not have sewer, only water. Councilmember Fries stated that everyone's sewer bill comes with their water. She can specify that but; no one would get a sewer bill without getting a water bill.

City Attorney Willard stated that he would add additional language to satisfy request. Councilmember Fries asked City Attorney to add "trash pick-up". City Attorney Willard stated that he would add that as well.

Examples of contracts for services:

Contract for Services

Concerts of the Green
Heritage Sandy Springs
Laura DeLong

1. City will contract with Heritage Sandy Springs to put on a Concert Series for the City of Sandy Springs, to be called "City of Sandy Springs Summer Concert Series" presented by Heritage Sandy Springs.
2. The City will agree to pay \$12,000 for a 4 concert series to be scheduled in the Summer of 2007.
3. Heritage Sandy Springs will organize, run and manage the accounting for this event. They will arrange and pay for security and traffic control for these concerts.
4. Heritage Sandy Springs will be free to procure sponsorships, rental fees, concessions, etc. for this event and retain those revenue dollars for their organization.

Movies by Moon Light
Leadership Sandy Springs
Carolyn Axt

1. City will contract with Leadership Sandy Springs to put on a Movie Series for the City of Sandy Springs, to be called "City of Sandy Springs Movies By Moon Light Series" presented by Leadership Sandy Springs.
2. The City will agree to pay \$15,000 for a 3 movie series to be scheduled in the Fall of 2007.
3. Leadership Sandy Springs will organize, run and manage the accounting for this project. Upon completion there is to be a full accounting of expenditures and revenue for this event.
4. Leadership Sandy Springs will be free to procure sponsorships, rental fees, concessions, etc. for this event and retain those revenue dollars for their organization.

Councilmember Fries explained that the City is going to contract the expenses of these two organizations to put something on and she would like to call it City of Sandy Springs.

Councilmember Meinzen McEnerny stated that this is a great major step to fulfill the city's commitment in a way that benefits the community. She has a problem with taking over the naming of the concert by the springs series and calling it the Citizens of Sandy Springs Concert. We want to encourage them to raise money to get sponsorship. If we brand the concert by the springs the City of Sandy Springs it will interfere with their ability to go to Northside Hospital and get sponsorship. It is confusing and enough recognition that we do not need to horn in on something that they have been doing these last 12 years.

Councilmember Jenkins stated that she has been open about the fact that she does not want to give cash dollars away to non-profits, she feels it should be the other way around, non-profits giving back to the city. A contract for services clears all that up and this is a perfect way to go about it. The City of Smyrna has these types of concerts and all the merchants benefit from it.

Councilmember Fries stated that these organizations can still tag their name to it and does not feel that it affects how they get sponsors. It is important to her to brand our own city and that is why she wants these to be City concerts.

Mayor Galambos expressed her appreciation and love for these events that make us feel like a community. Council needs to think about where we are going with this in terms of responsibilities of who pays for what between Fulton County and the City. Fulton County is responsible for cultural events, our general tax dollars pay for that. The way they divvy it up is not fair and Sandy Springs would not get its fair share in the Arts Council and the city has to pick up the slack. She warned Council that this would be a problem. Sometime in the future other organization will come with their event; she questioned where this would stop.

Councilmember Meinzen McEnery explained that the City has allocated \$200,000 for this contract of services for these non-profit events and that would be a limiting factor and that would be where we stop. Mayor Galambos stated that it was also a limiting factor with Fulton County when they started small. She questioned if the City would have the discipline to keep our budget in shape. Councilmember Fries and Councilmember Meinzen McEnery both agreed the city would stay with what is in the budget.

Councilmember DeJulio stated that it is important that when Council talks about non-profits, we go to the genesis of what has happened with the City of Sandy Springs and the non-profits. In the past we were getting gypped by Fulton County, their support of non-profits was a way to placate us because they were stealing our money. When we became a City, one of the commitments we made to the non-profits is that we would go ahead and try to continue as long as we could to help them. What he believes Council should look at is that a non-profit should be exactly that, a non-profitable organization. There is a transition period where the city can go ahead and help some non-profits but he is a big believer that non-profits should remain non-profits and should come up with their own plan on how they are going to finance themselves to be true non-profit. There should not be any non-profits coming out of the City's tax dollars, they should be non-profits because they are 501(c) corporations that can get tax revenue dollars. He would like for the City at some point to wing the non-profits off of the city's payroll but also require that the non-profits come up with a plan of how they are going to get from living on the City's money to raising their own money at some point in time so they do become true non-profits and true public servants and not feeding at the public draw. He understands why we have to do this now because we made the commitment when we first put the City together and they depend upon it. We should require any non-profit that receives funds from the City to demonstrate to us that they have a plan, that they have worked on this plan and how they are going to implement this plan to become totally financially independent of the City.

Councilmember Meinzen McEnery stated that she supports in general Councilmember DeJulio statements; however, Council has to recognize that four of the City Parks including Heritage, Big Tree and two others are all providing a public service to the citizens. If they were not in place during this time we would be adding it to the City budget. That is a very clear reason why this Contract for Non-profit policy is before Council in discussion. She questioned how much of the \$200,000 is being allocated and how much is left to be advertised to other non-profits that may want to apply.

Councilmember Fries stated that for these two Contracts for Services, movies and concerts, the cost amount is \$27,000 and there is another one in the amount of \$75,000 that Council will discuss. In the past we have given \$75,000 to the CAC. This brings the total amount of funding spent close to \$175,000; this would leave another \$25,000 for other entities to contract services for us.

The last issue from the policy said that we would have MOU's with the non-profit organization.

MOU

City of Sandy Springs and Heritage Sandy Springs

1. The City of Sandy Springs will maintain the grounds and structures that are on the park property and the batting cage area – outside maintenance and repairs, garden and grounds, janitorial services and supplies, inside maintenance and repairs, outside equipment – replacement and repairs, and Museum maintenance and repairs, historic research, preservations and archival services. The City will pay the following utilities on this property: electric, water, gas and add sewer. No programming expenses will be the responsibility of the City of Sandy Springs.

Councilmember Fries suggestions:

1. Moving \$75,000 to a budget for the Heritage MOU – if any money is in reserved after the end of the year contract – this money stays in the account as a reserve for future large maintenance items such as AC replacement.
2. Have Brad Chambers decide if the city wants to do any part of this maintenance or continue letting Heritage Sandy Springs contract this work out.

Councilmember Paul stated that he believes this is a start of a good policy. He would like for Council to consider keeping this cost effective, it can not be the sole source of funding. Our policy should state that the City will not be the sole source; the non profit must get a certain percentage of their revenues from outside sources. Otherwise, it would be just as cost effective for the City to do it. In other words, any money the City puts in, there should be a larger component coming from the community or significant component from Community activities, the fund raising events talked about so that the City is not bearing the full brunt of it. Otherwise, it is a situation where we probably could access and determine that we could provide those services better. Secondly, some kind of cost benefit analysis should be done to determine if the City can do the service roughly at the same cost and if this is truly a benefit to the City. Any agreement the City has should sunset annually when they are reevaluated. He agrees with Mayor Galambos to some degree, we are stepping on a slippery slope and we need to have very tight criteria on where we are going to go with this in the future. He agrees with Councilmember DeJulio to some degree as well if there should be some kind of glide plane toward self sufficiency at every opportunity. Council should determine if these non-profits can get on some kind of track toward total self sufficiency so that we are providing seed money and at some point they need to get fully dependent. He would be happy to work with Councilmember Fries on this.

Councilmember Fries responded to Councilmember Paul's comments regarding "cost benefits". Heritage Sandy Springs raises almost \$500,000 that is cross benefit.

Councilmember Paul stated that he is only talking about the service that the non-profit provides and the facilities are the City's.

Mayor Galambos requested that Councilmember Paul take this policy with them and word smith whatever you feel could be considered as amendments to the service elements of it.

Councilmember Fries stated that the policy does make the non-profit more self sufficient. Councilmember DeJulio stated that one of the things that should be done rather than being decided between the facility and the Parks Director, it should be included with our other contracts on here so it becomes apart of our master contract for the upkeep and maintenance of all of our park facilities. They should not be discriminated against whether it is Heritage or Hammond Park. They should be maintained by our master contract.

Councilmember Jenkins stated that she would still like to have a cost benefit analysis to make sure that it is cheaper that they are doing it than the City doing it on the maintenance of the property.

Councilmember Fries stated that is something that is between City Manager, CH2M Hill and that property.

Councilmember Paul stated that there are two aspects to this policy. One deals with the maintenance of the facility and the other is contract for services. The maintenance of the facilities is the City's responsibility; they are the city's property and are owned by the citizens of this city. We have a moral obligation and legal obligation to maintain those. The contract for services is where the microscope really needs to be applied.

Mayor Galambos stated that the cost benefit also belongs to maintenance because we have to determine what is the best way, most cost effective way, of maintaining either through the forces or by contracting.

Councilmember Paul stated that should be our policy, it is the city's responsibility to contract that out.

Councilmember DeJulio stated that it is the City's responsibility and we have to be assured and we have to assure the citizens that the property is being maintained up to the standards of all the other property here. The actual maintenance, garbage pick-up, the capital of the park whether it be Heritage Park or Hammond Park should be maintained by the City under the City's Master Contract and under the City's control.

City Manager McDonough stated that the City has several options. It may be more effective to let Heritage actually maintain it. They are there everyday, give them money to do that. We have, as a City, and a City Council and a Senior Staff a responsibility to ensure those standards. Those are the types of things that we need to incorporate in any agreement and Memorandum of Understanding that those quality of assurances are built in there. If that does not happen then you would probably see the City then take over that responsibility. Those are the types of things we would like to have the flexibility to work with the groups that are managing our parks because they are there, they are on site everyday, they know what most of the needs are and they are really the good steward of that property on the City's behalf to make sure that quality maintenance is happening on a daily basis.

Mayor Galambos stated that she and Councilmember Jenkins would like for staff to evaluate whether those standards can be provided or not, more cost effective by contracting or by doing it ourselves. They would like to see a cost analysis.

Councilmember Fries stated that is something we would leave flexible in the contract and let the City Manager, Recreation Director and Heritage Sandy Springs negotiate. She does not want to get involved in who is planting the pansies and who is laying the pine straw.

Mayor Galambos would like to know who can do it for the least amount.

Councilmember Meinzen McEnery stated that she would like to see this item on the next agenda for public comment. It will not require a document to be ready but she would like to hear from the public should they choose to comment.

Councilmember Paul stated that he would like to get the policy together first so that the public will have something concrete to comment on. Then we can have the public hearing and make any necessary changes.

Councilmember Jenkins requested that this be heard no later than the first meeting in September.

After no further discussion, the meeting adjourned at 9:27 p.m.

Date Approved: September 18, 2007


Christina V. Rowland, City Clerk


Eva Galambos, Mayor