

**Work Session of the Mayor and City Council of Sandy Springs, Georgia was held October 10, 2006 at 6:00 PM. Mayor Eva Galambos presiding.**

**Staff Discussion Items**

**John McDonough, City Manager**

**City Manager McDonough** announced that the City of Sandy Springs and CH2M Hill OMI have been chosen for the Innovation Award, for a comprehensive agreement for the administration and providing of all city services and programs except police, fire and emergency 911, by the private sector with oversight by only a handful of the city's staff.

He also announced that the International Association of Business Communicators will honor the Sandy Springs Web site with a Bronze Award during the annual 2006 Golden Flame Award ceremony in Atlanta on October 12, 2006. The Web site will receive recognition from the Atlanta chapter in the Video/Electronic-CD-Rom category.

He stated that CNN will be doing a six (6) minute segment on the City of Sandy Springs on October 11, 2006 and the November 2006 issue of American City/County Magazine will feature an eight (8) page article on City of Sandy Springs.

He also stated that Georgia Trend named Marcus Kellum, Code Enforcement Chief, one of its "40 under 40".

**E911 IGA with Fulton County**

**City Manager McDonough** stated that after incorporation, the City of Sandy Springs contracted with Fulton County for 911 services. This choice proved beneficial in the administration of calls for emergency services since the City was also contracting with the County for Police services and Fire protection. The City and County desire to extend the 911 IGA for a term ending December 31, 2008. The Fulton County Board of Commissioners approved the Amended Intergovernmental Agreement on September 20, 2006.

Staff recommends to approve an amended intergovernmental agreement with Fulton County for Emergency 911 Communication Services and to extend the 911 IGA for a term ending December 31, 2008.

**Discussion of a Resolution changing the classification of the position of Finance Director.**

**City Manager McDonough** stated that CH2MHill competitive contract provides financial management through subcontractors as part of their contract for services.

Inherent problems exist from this type of arrangement over financial matters that involve city finances. Financial considerations and issues can not always be considered separately given the nature of providing governmental services. Reasons for separating the financial function from the CH2MHill contract would be as follows:

- Increase independence and impartiality with financial decisions.
- Improves segregation of duties with authorization, custody, and reconciliations functions.
- Removes limited ability to make financial decisions and transactions.
- Eliminates perceived conflict of interest where the interest of one job contradict another or when public and private interests collide over financial matters or interests.
- Instills a sense of loyalty to the City.

Staff recommends approval of the creation of the Finance Director Staff position.

**Wendell Willard, City Attorney**

**Discussion of Chapter 6, Code of Ethics and Standards of Conduct**

**City Attorney Willard** stated that at the May 2, 2006 work session meeting of the Mayor and City Council, it was recommended that a citizens committee be appointed to draft a Sandy Springs Ethics Ordinance. A committee of 5 citizens was appointed and volunteered to serve. At the first meeting held on May 25, Jim Langlais was elected Chair of the Committee. Over the course of the next 4 months, the Ethics Committee met 6 times; each time with the City Attorney and City Clerk present. For source materials, the City Clerk provided Ethics Ordinances from the cities of Roswell, Marietta, Peachtree City and Fayetteville. The Committee also was provided copies of International Municipal Lawyers Association model ethics ordinance, as well as Chapter 7 of the handbook for Georgia Mayors and Council Members from the Carl Vinson Institute of Government.

**City Attorney Willard** stated that the Ethic Committee's main goal was to develop a clear and understandable Ordinance that identified the minimum standards below which a public servants conduct cannot fall and that provides an orderly and fundamentally fair procedure for raising and addressing ethical questions. The Committee sought to develop an Ordinance that meets or exceeds the requirements of Georgia Municipal Associations, "Certified City of Ethics" Program.

The Committee followed the recommendation of the CVIOG to utilize ILMA's Model Ethics Ordinance as a basis for the City's proposed Ordinance. Consideration was also given to the ordinances from other Georgia cities. The Committee modified ILMA's Model Ethics Ordinance to meet the specific needs of the City of Sandy Springs, to reduce redundancies present in the ILMA Model Ordinance, and to be more easily understood by those public servants covered by the Ordinance. During the drafting process, the Committee was guided by the following 5 basic principles of ethics: (i) Serve others, not ourselves; (ii) Use resources with efficiency and economy; (iii) Treat all people fairly; (iv) Act in the best interest of the citizens of Sandy Springs; and (v) Create an environment of honesty, openness and integrity.

The Ethics Committee recommends to the Mayor and City Council the adoption of the proposed Code of Ethics and Standards of Conduct.

Councilmember Jenkins questioned if her requested change had been made. City Attorney Willard stated that it had not been made. Discussion followed regarding appointment of the members of the Board of Ethics.

**Discussion on Chapter 18, Assemblages in Public Places.**

**City Attorney Willard** gave a brief overview of the proposed Ordinance for Assemblage in Public Places.

Councilmember Fries questioned if the permit fee for non-profit organizations could be waived. City Attorney Willard indicated that would not be a good idea. The goal would be to maintain consistency throughout.

Mayor Galambos recognized Mr. Donald Schaefer who came forward and provided Council with his biography.  
**Police Update**

**Police Chief Wilson** provided Council with an update on the Police Department. He reported that the H.E.A.T. Grant has come in and staff is preparing to use the funds to establish this unit. He reported that the calls for service have increased by 40%.

**Compstat Update**

**Police Chief Wilson** reported that the Compstat program has begun. The first meeting had 20 people however; they expect more people at the next meeting. He explained that this gives citizens a better view of what the department does.

**City Manager McDonough** stated that the Governor will be recognizing Chief Wilson on October 18<sup>th</sup> at 2:00 p.m.

### **Presentation from the FAST FORWARD 400 Organization**

Ann Miller Hanlon, Executive Director, North Fulton CID gave the following presentation:

#### Vehicle Counts on Ga. 400

- 400,000 cars a day currently

#### Last 20 years

- 1984: 44,000 vehicles daily
- 2004: 205,000 vehicles daily
- A 400 % increase at Holcomb Bridge Road in the past 20 years

#### Last 10 years

- 1994: 120,000 vehicles daily
- 2004: 205,000 vehicles daily
- A 70 % increase in the past 10 years (and still growing)
- 35 miles per hour
- Average MPH for commuters during rush hour

#### Economic Engine of the Region

- 2.3 million people coming to 13-county metro Atlanta by 2030

#### In the Metro Atlanta region:

- 25% of residential population in corridor
- 30% of the employment opportunities in the corridor

#### North Fulton County

- Population has nearly doubled since 1990, exceeding 210,000
- Population density of the area has increased fourfold in the same time period

#### Reputation of Ga. 400

- Governor Sonny Perdue has referred to Georgia 400 in this region as “one of the major congestion and safety challenges facing metro Atlanta.”
- Georgia DOT Commissioner Harold Linnenkohl refers to Georgia 400 as “one of the most congested corridors in the metro area.”
- Both the Atlanta Regional Commission and the Georgia Regional Transportation Authority expect traffic in this corridor to increase by 30 percent over the next 20 years.

Fast Forward 400 is a unified group of civic, business and government leaders that have joined to address the transportation concerns of the Georgia 400 corridor.

#### Members

- Three Cities (Alpharetta, Roswell and Sandy Springs)

- Two Chambers of Commerce (Greater North Fulton, Cumming/Forsyth County)
- Two CIDs (Perimeter Community Improvement District, North Fulton Community Improvement District)
- Trade Association (Georgians for Better Transportation)
- Area Business Leaders

#### Executive Committee

- Brandon Beach, Chairman, President, Greater North Fulton Chamber of Commerce
- Ann Miller Hanlon, Executive Director, North Fulton CID
- Tom LaDow, Chairman, North Fulton CID
- Jere Wood, Mayor, City of Roswell
- Debbie Gibson, Council Member, City of Alpharetta
- Lynne Riley, Commissioner, Fulton County
- Charles Laughinghouse, Commissioner, Forsyth County

#### Founding Principles

- The Georgia 400 corridor has a great quality of life, with excellent schools, successful businesses and beautiful terrain that should be protected and enhances.
- Fixing Georgia 400 is necessary to maintain our high quality of life and make it even better in the future.
- Governor Perdue's Fast Forward program, adding lanes from Holcomb Bridge to Windward Parkway, will greatly help with current traffic challenges, but long-term solutions must be implemented to preserve the corridor's vitality.

#### What needs to be done

- Currently, nothing else is planned for Georgia 400 in Atlanta's long-range transportation plan.
- Fixing Georgia 400 will take a blend of complex solution which may include:
  - New Lanes
  - New arterial roads, like Westside Parkway
  - Options for carpool and HOV lanes
- Better land use that lessens dependency on automobiles
- More buses and other commuter options

#### Public-Private Initiatives

- Public-Private Initiatives (PPI) allow GDOT to accept and evaluate proposals from private/corporate businesses for transportation projects
- PPI provide a faster, more creative process for meeting Georgia's transportation needs.
- PPI were introduced in the Georgia Legislature in 2003. This law created the process that allows GDOT to consider unsolicited proposals from private companies to build transportation improvement projects.

#### Proposed 400 PPI

- Crossroads 400 Group has submitted a PPI proposal for Georgia 400
  - Joint –venture partnership of APAC – Southeast, Inc., C.W. Mathews Contracting Co., Inc. Granite Construction Company, and Washington Group International
- Proposal to add "High Occupancy Toll (HOT) lanes to Georgia 400
- Also propose a collector/distributor network near I-285
- Existing lanes remain free
- Primarily use the existing right-of-way, minimizing environmental impacts on natural resources
- Use private funding to preserve tax dollars
- Distance of toll lanes, locations of lane access, toll amount, other questions still undermined

#### FF400 on Crossroads Proposal

- Our board members have read the executive summary of the Crossroads proposal
- We are excited that groups are interested in working to alleviate the problems we face on the corridor
- We look forward to the opportunity for an open dialogue on these potential solutions to our common goal of fixing Georgia 400
- Crossroads 400 Group has submitted a PPI proposal for Georgia 400
- Crossroads 400 Group has submitted a PPI proposal for Georgia 400
- We neither support nor oppose the proposal at this time

#### **Accept the Right-of-Way in Land Lot 19 of the 17<sup>th</sup> District (.017 acres more or less) being Donated by Swanblossom Investment Limited Partnership**

**Public Works Director Parham** stated that PCID has numerous transportation-related projects within the City limits. The PCID Perimeter Center West Intersections and Sidewalks Project will include 10'-sidewalks (in most areas), decorative lighting, decorative benches and trash receptacles, decorative pedestrian crosswalks with pedestrian friendly landscape improvements, ADA compliant crosswalks, and some traffic operational upgrades along Perimeter Center West in Sandy Springs and in DeKalb County.

This includes Land Lot 19's Right-Of-Way- Deed with legal descriptions and plats. If the Mayor and City Council accept the property donation, the deed will be recorded.

Staff recommends approval for acceptance of Right-of-Way on tract or parcel of land lying and being in Land Lot 19 of the 17<sup>th</sup> District, Fulton County, Georgia that is being donated by the owner of the property, Swanblossom Investments, LP.

#### **Discussion on revisions to the Tree Ordinance**

**Community Development Director Leathers** stated that the City Council approved a change order for the preparation of a new Tree Ordinance on June 6, 2006 and has worked with the consultant and staff to prepare the draft. In addition to the ordinance, the Committee is working with the Consultant to prepare Administrative Guidelines that help permit staff to expedite some of the requests that go through the 2-month Board of Zoning appeals process. The existing Tree Preservation Ordinance could be maintained or changes could be made to this Draft Ordinance. There would be no changes to the City fees and the issue of staff or Board of Zoning Appeals approving the removal of certain trees has not been addressed in the Administrative Guidelines.

The City Manager recommends review and discussion of the Draft Tree Preservation Ordinance.

**Ed Mosely, Consultant** explained the measurement on the tree canopy. He stated that a property owner would have to bring in a professional to measure the canopy. Discussion followed regarding concerns that citizens would have to spend more money to remove trees than is necessary.

Councilmember Meinzen McEnery stated that the order of priority should begin with the purpose of the Tree Ordinance which should be to promote existing tree protection. It should not be the ability to replant trees. The second priority should be the role staff plays in this process. She explained that there is no ability for citizens to comment and suggested that these be heard by the Board of Zoning Appeals in an effort to allow public comment.

She also noted that this ordinance does not provide an incentive to protect damaged trees.

Councilmember Jenkins suggested that staff review the Tree Ordinance of St. Simons.

Mayor Galambos requested that the Council put their amendment suggestions in writing and submit them to the City Manager.

**Community Development Director Leathers** stated that this Ordinance would come back before Council on November 21.

**Judge Margaret Washburn** gave a brief report on how the City of Sandy Springs could run the court more efficiently.

### **Resolution establishing the Fire Service Area to include adoption of the City of Sandy Springs Fire District Map**

**Assistant City Attorney Cecil McLendon** reviewed the Resolution with Mayor and City Council. He explained that this is simply the City limits of Sandy Springs. Mayor Galambos noted that this is a housekeeping matter.

### **Adoption of Fire Codes for the City of Sandy Springs.**

**Assistant City Attorney Cecil McLendon** stated that the Fire Code changes include Stop Open Burning of Leaves and also the addition of having sprinklers mandatory in new construction homes.

**Fire Chief McElfish** stated that this is a model code. He explained it would require sprinklers in the kitchen area of all new residential construction. He explained that this is an opportunity to save lives as there are many buildings on Roswell Road with no sprinkler systems.

Councilmember Meinzen McEnery stated that apartment complexes require battery operated smoke detectors.

Councilmember Greenspan questioned if any other areas would require sprinkler systems. Fire Chief McElfish stated that the Ordinance only required a system in the kitchen. Councilmember Greenspan suggested that the heating area also be included.

**Assistant City Attorney McLendon** explained the outdoor burning ban. He requested feedback from the Council on this matter. Mayor Galambos stated that the City wants a ban on outdoor burning but that there are some exceptions. She requested that staff review this further.

Councilmember Fries expressed her concerns regarding the requirement for all new single family developments to have a sprinkler system. She feels this is another added cost to the citizens.

### **Discussion on a Lease Agreement for the Occupancy and Use of Fire Station 39 and Agreement for Mutual Aid and Automatic Response between the City of Atlanta and the City of Sandy Springs**

**Fire Chief Jack McElfish** stated since 1994 the City of Atlanta and Fulton County have maintained an operating agreement for Fulton County Station 39 and Atlanta Fire Station 4. This operating agreement includes an agreement for mutual and automatic response based upon the nature of the relationship. The fire station is located within the Atlanta city limits, just a short distance from Sandy Springs (1200 feet from the city limits). The existing agreement calls for a payment of one dollar per year, and for the County to provide the adequate staffing, 4 personnel per truck. Both governments currently benefit from the arrangement. Atlanta receives service from the station in a limited area, and Fulton County is able to serve the south section of Sandy Springs.

Since July, Sandy Springs staff has been working with representatives from the City of Atlanta to effectuate the transfer of this arrangement to the City of Sandy Springs. Representatives from Atlanta include: Caroline Fooshee, Mayor Franklin's Office, Dennis Rubin, Fire Chief, and Adrian Jackson, Assistant City Attorney.

The resulting Agreement for Mutual and Automatic response provides for both municipalities to support the other jurisdiction in the event an incident occurs which requires such support. The agreement is set up as no-cost response

for both governments. This agreement is automatically renewing unless notice is provided. Specifically, the agreement covers: a mutually agreeable response area; supervision at incidents; liability and claims; dispatching; and administration of the agreement and services.

Cost for the lease occupancy of the station will include a once per year payment to Atlanta in the amount of \$1.00 per year. Additionally, the City will pay for maintenance, utilities, and operational expenses as contemplated in the fiscal year 2007 budget. No costs are associated with the Agreement for Mutual and Automatic Response.

Staff recommends approval of the lease agreement allowing the City of Sandy Springs to occupy, maintain, and utilize the City of Atlanta's Fire Station 4 located at 4697 Wieuca Road, NW, as a Sandy Springs Fire Station for a period of five (5) years, at a cost not to exceed one-dollar per year and approve the attached Agreement of Mutual Aid and Automatic Response.

### **Discussion of a Resolution Approving Participation in the Georgia Mutual Aid Group (GMAG)**

**Fire Chief Jack McElfish** stated the Georgia Mutual Aid Group (GMAG) provides for the systematic organization, mobilization, and operation of Fire-Rescue resources throughout the State of Georgia. Organized in 1994 in the Metro Atlanta area, the main purpose is to assist local agencies in mitigating the effects of natural and man made disasters. From the original 15 departments, the organization has grown to 74. There is no charge to belong to GMAG and it is funded by GEMA. There is a state of the art operations center being built on Chantilly Drive in Atlanta. The benefit of belonging to GMAG is if a major incident occurs where our local resources are overextended, GMAG will provide "Strike Teams" or "Task Forces" directly to the scenes or to staging areas for future deployment. By deploying resources from different geographic locations, neighboring jurisdictions are not "stripped" trying to provide support under local mutual aid agreements.

### **Mayor and City Council Discussion Items**

#### **Appointments to the Ethics Board**

Mayor Galambos stated that she will be making appointments to the Ethics Board at the next Council Meeting.

#### **Discussion on alternative decorative post and fixture design for street name and traffic signs.**

Councilmember Fries presented Council with a suggested alternative decorative sign post. She explained that these would be used to replace the signs as needed. This will provide uniformity throughout the City. She explained that there would be no cost to the City. Citizens would not be required to pay this cost unless it was for restitution.

Councilmember DeJulio questioned if these signs fit into the overlay. Community Development Director Leathers stated that she would send them to the Design Review Board for comments.

#### **Discussion on red light cameras for intersections and school zones.**

Councilmember Fries presented Council with a DOT survey regarding red light cameras. She stated that she only wanted a consensus to have staff review this.

Councilmember Meinzen McEnery stated that she would support directing staff to review this further.

Mayor Galambos directed staff to research this further.

### **Ordinance for Emergency Gate Opening System for Gated Facilities**

**Karen Freeman, CH2M Hill Business Manager**, introduced Mr. Pete Breedehoeft, CH2M Hill, Chief Cost Estimator, who presented a cost analysis for the various emergency gate opening systems for gated facilities.

Councilmember Greenspan stated that the intent of this was to provide access by public safety to gated communities in Sandy Springs.

**Police Chief Wilson** explained the issues that arise with the lack of access to gated communities.

Councilmember Greenspan explained that this would require existing gated communities to come into compliance within two years and establish a penalty for those who do not.

There was a consensus that the City Attorney draft an ordinance for this purpose.

#### **Community Developer Resolution Meeting process**

Councilmember Greenspan stated that the Community Developer Resolution Meeting is currently not a mandatory part of the process. He is requesting that this become mandatory.

**Community Development Director Leathers** stated that several developers have not completed this process and recommended that this be included in the ordinance.

Mayor Galambos stated that this was a good idea and directed staff to move forward with this.

#### **Adopt a Road – Adopt a Spot Program**

Councilmember Greenspan explained that he is requesting that the City replace Fulton County in this program.

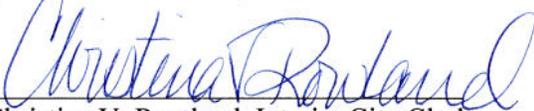
Mayor Galambos expressed concern regarding the process. Councilmember Meinzen McEnerny stated that if an organization volunteers to clean up, they should follow through.

Councilmember Greenspan stated that the existing signs do not have the City logo and suggested that this be incorporated into the program.

There was a consensus to direct staff to review this issue.

After no further discussion, the meeting adjourned at 10:21 p.m.

Date Approved: November 8, 2006

  
Christina V. Rowland, Interim City Clerk

  
Eva Galambos, Mayor