

Regular Meeting of the Mayor and City Council of the City of Sandy Springs was held June 6, 2006 at 7:00 PM, Mayor Eva Galambos presiding. (Executive Session was held at 6:30 PM)

EXECUTIVE SESSION, 6:30 PM

Executive Session to discuss pending litigation and a real estate matter.

Motion and Vote: Councilmember DeJulio moved to enter into Executive Session to discuss pending litigation and a real estate matter. Councilmember Fries seconded the motion. The motion passed unanimously and the Executive Session began at 6:30 PM.

Motion and Vote: Councilmember DeJulio moved to adjourn the Executive Session. Councilmember Jenkins seconded the motion. The motion passed unanimously and the Executive Session ended at 6:55 PM.

Invocation

Reverend Kelly Barge, Senior Minister, Sandy Springs United Methodist Church, gave the invocation and thanked the Mayor and City Council for their hard work so far.

Call to Order

Mayor Galambos called the meeting to order at 7:00 PM.

Roll Call and General Announcements

Mayor Galambos requested that the City Clerk call the roll.

City Clerk Jeanette Marchiafava reminded everyone to silence their cell phone and pagers at this time. Additionally, those wishing to provide public comments, either during a public hearing or at the conclusion of the meeting, are required to complete a public comment card. They are located at the back counter.

City Clerk Marchiafava called the roll.

Councilmembers Present: Councilmember Tibby DeJulio, Councilmember Dianne Fries, Councilmember Karen Meinzen McEnery, Councilmember Dave Greenspan, Councilmember Ashley Jenkins, and Councilmember Rusty Paul.

Pledge of Allegiance

Mayor Galambos led the Pledge of Allegiance.

Approval of Meeting Agenda

Mayor Galambos asked if there were any changes to the agenda.

City Attorney Willard requested that Consent Agenda item F (5) be removed from the agenda.

City Clerk Marchiafava requested that the May 16, 2006 Regular Meeting minutes, and the June 1, 2006 Special Called meeting minutes be added to the Consent Agenda for approval.

City Attorney Willard requested that a Resolution to approve the use of speed detection devices by law enforcement personnel be added to the Consent Agenda.

Mayor Galambos stated that this resolution was brought to us at 6:00 this evening and has not been discussed. We do have a policy of trying to receive information earlier so this will need to wait until the next meeting.

Councilmember DeJulio questioned if this is postponed until the next meeting, will the police be able to get this authority before July 1.

Chief of Police Gene Wilson stated that this is the final resolution that has to go through the Georgia Department of Public Safety for approval and they have to give us authority to be able to run radar. He apologized for getting this in so late.

Mayor Galambos questioned if an ordinance for this had already been passed. Chief Wilson stated that the ordinance only identified the streets and it was accepted by the Georgia Department of Public Safety. This basically tells them that we are a City and we are going to run radar. This issue should not be back before the Council again.

Mayor Galambos stated that with that understanding, we will add it to the Consent Agenda. She emphasized that in the future, we would like to have all items in at an early date.

Motion: Councilmember Fries moved to remove the approval of a lease for Police Department office space from the City of Sandy Springs Public Facilities Authority from the Consent Agenda, and add the following items to the Consent Agenda:

1. May 16, 2006 Regular Meeting minutes;
2. June 1, 2006 Special Called Meeting minutes; and
3. Resolution to Approve the Use of Speed Detection Devices by its Law Enforcement Officials.

Second and Vote: Councilmember Jenkins seconded the motion. The motion passed unanimously.

Consent Agenda

1. Approval of the May 2, 2006 Regular Meeting Minutes.
2. Approval of the May 9, 2006 Work Session Minutes.
3. Approval of the May 16, 2006 Budget Work Session Minutes.
4. Approval of the May 16, 2006 Regular Meeting Minutes. (Added by motion and vote)
5. Approval of the June 1, 2006 Special Called Meeting Minutes. (Added by motion and vote)
6. Approval of (11) 2006 City of Sandy Springs Alcoholic Beverage Applications.
7. Approval of a lease for Police Department office space from the City of Sandy Springs Public Facilities Authority. (Removed from agenda by motion and vote)
8. Approval of a Resolution approving the use of Speed Detection Devices by the Sandy Springs Police Department on the approved streets in the City of Sandy Springs. (Added by motion and vote)

Resolution No. 2006-06-54

Motion and Vote: Councilmember Greenspan moved to approve the Consent Agenda as amended. Councilmember Fries seconded the motion. The motion passed unanimously.

Presentations

Citizen Acknowledgement

Mayor Galambos recognized Cynthia Kennedy who was instrumental in helping the Fulton County Police Department in arresting a purse snatcher to whom she fell victim. She presented Ms. Kennedy with a Certificate of Appreciation for her efforts.

Proclamations

A proclamation congratulating the first inaugural class of Rabbis to be ordained at the Atlanta Smicha Program in Sandy Springs.

Mayor Galambos stated that this Proclamation is congratulating the first inaugural class of rabbis to be ordained by the Atlanta Smicha Program in Sandy Springs. Mayor Galambos read the proclamation.

Councilmember DeJulio presented the Proclamation to Rabbi New who thanked the Mayor and City Council and explained that one of the students was born and raised in Sandy Springs. He is the soon to be Rabbi Isser New.

A proclamation for National Flag Day.

Mayor Galambos read the proclamation for National Flag Day to be honored on June 14. She then presented the proclamation to Lt. Colonel King who thanked the Mayor and City Council explaining that this is very humbling and a great honor.

Also present to accept the Proclamation was Jack Ferguson representing the Piedmont Chapter of the Sons of the American Revolution.

Joint Proclamation for Roswell and Sandy Springs declaring Saturday, June 10, 2006 as "Back to the Chattahoochee Race and Festival Day".

Mayor Galambos explained that the next proclamation deals with our greatest asset, the Chattahoochee River. The cities of Sandy Springs and Roswell seek to recognize community organizations that advocate and exemplify environmentally sound practices. She stated that the 4th annual Back to the Chattahoochee Race and Festival will take place on June 10. Mayor Galambos presented the proclamation to Upper Chattahoochee Riverkeeper and Executive Director Sally Bethea, and Chief Ranger Scott Pfeninger, National Park Service.

Public Hearing Agenda

Zoning

RZ06-005- A Resolution to Adopt the City of Sandy Springs 2025 Interim Comprehensive Plan.

Mayor Galambos opened the public hearing on the 2025 Interim Comprehensive Land use Plan. Mayor Galambos stated that each speaker would have approximately 2 minutes each and these will be addressed by areas.

Assistant Director of Planning and Zoning Michael Zehner explained that this is a First Reading of the document. It will be read again on June 20. This is a Resolution to adopt the City of Sandy Springs 2025 Interim Comprehensive Plan and Land Use Map. On December 1, 2005, the Mayor and City Council adopted the Fulton County Focus Fulton Comprehensive Plan and on December 20, 2005, the Mayor and City Council adopted the Interim 2025 Comprehensive Plan Land Use Map. This item before you is to adopt the Comprehensive Plan and Land Use Map again. Currently, we are operating under the Focus Fulton Plan. This plan is taking the material that relates to the Sandy Springs planning area out of the Focus Fulton Plan and relates only to the City of Sandy Springs. There is no additional material except for some additions to the implementation section to clarify changes to the Land Use Map.

Changes to the Land Use Map involve areas that were not shown correctly on the Focus Fulton Map or on the map adopted on December 20, 2005.

Areas One and Two:

Assistant Director of Planning and Zoning Michael Zehner stated that these areas are on the north side of the intersection of Dunwoody Place and Roswell Road.

Trisha Thompson, 145 River North Drive, Sandy Springs Council of Neighborhoods, stated that the Council of Neighborhoods would like to request that the proposal to reclassify the area along Roswell Road, north of Dunwoody Place as a regional live/work node be removed from the list of proposed de minimus changes to the CLUP. Those are the areas designated at one and two on the planning staff map.

The reasons for this request are as follows:

During the Focus Fulton deliberations, regional nodes were targeted only for those areas where transportation infrastructure could support the significantly additional traffic load created by developments of such high density/intensity. Specifically, these locations included major interchanges for GA 400 and I-285, and locations adjacent to MARTA rail stations. The proposal for areas one and two on the planning staff's map do not meet this criteria, and in fact would exacerbate the already serious traffic problems in the area, including Roswell Road, Dunwoody Place, Northridge, Hope Road, Roberts Drive and others. With the exception of Roswell Road,

all other streets affected are city streets, and the costs to address the traffic impact would be quite large and would have to be borne by the City.

Portions of the area contained within areas one and two fall within the River Corridor and would require ARC approval, which could jeopardize the ability to get the full de minimus change package approved in a timely manner.

The impact of the higher density/intensity in the area would have a major impact on the City of Roswell as well as on East Cobb County whose commuters funnel through that area to cross the Chattahoochee at the Roswell Road bridge. As far as we know, there are no plans to widen that bridge to accommodate the additional traffic load that would be created by this plan. Additionally, we suspect that these groups have not been made aware of the proposal or its potential impact on their citizens.

The closest major interchange is the Northridge/GA 400 interchange, which is already a badly designed and overloaded interchange and creates major traffic backlogs during rush hours.

Patty Berkovitz, Sandy Springs Council of Neighborhoods, 800 Crest Valley Drive, stated that recent improvements to that interchange have done little to alleviate the problem. Traffic from the proposed high density/intensity redevelopment would add to this problem and cause additional back ups on all the surface roads in this area as commuters try to get to and from this interchange.

The Council of Neighborhoods is in support of redevelopment at this area; however, for the reasons outlined above, we feel that the plans need to be approached in a more orderly, deliberate and well thought out manner. The impact of the proposed change in this area would seem inconsistent with other changes being characterized as de minimus in nature, rather it is one that should be addressed in the targeted study with input from the citizens, as well as other affected communities, including Roswell and East Cobb.

We propose that this particular set of changes be removed from the de minimus proposal and a study be initiated with the goal to develop a more detailed redevelopment plan for the area. Options might include designating the area as an overlay district to allow for targeted redevelopment with incorporated transportation improvements, possible additional parkland, and potentially a community center facility in the area.

If such a study were undertaken in a June-July timeframe, we feel that such a plan could be developed by a task force of City personnel and affected citizen groups by about Labor Day. In this way, plans could be initiated to begin the redevelopment of the area in a timely manner without opening the floodgates to redevelopment of a type that is incompatible with the wishes of the neighborhoods, and should also avoid further degradation of the traffic flow in the area.

Barney Barretto, President of Winding River Village Condominium Association, 341 Winding River Drive, expressed his support for the initiative to designate zoning of the east side of the Roswell Road/Dunwoody node as Sandy Springs Regional. He represents a community of 200+ units that sit at a crossroads. They have made substantial strides to improve our community. With all the work they have done, there is still a weight on their shoulders. Their community is surrounded by apartment complexes whose residents prey on the residents of Winding River Village.

There has been a buzz of the potential redevelopment of this node of Sandy Springs. With the recent purchase of Silvertree Apartments and the approved zoning change to allow the conversion to condos, he truly believes this could be the start of great change for this area. The proposed Sandy Springs regional zoning would allow developers the flexibility to propose official mixed use communities. We are confident that the traffic will not get worse with this zoning.

Area three

There were no public comments.

Area four

There were no public comments.

Area five

There were no public comments.

Area six

There were no public comments.

Area seven

There were no public comments.

Area eight

There were no public comments.

Area nine

There were no public comments.

Area ten

There were no public comments.

Area eleven

There were no public comments

Area twelve

Roger Blichfeldt, 5855 Garber Drive, Sandy Springs, represents residents in both area 12 and 13. He reminded everyone that this is the future land use plan. The corridors of Johnson Ferry and Glenridge Drive are not what they used to be. These are major thoroughfares and bus routes. The land use plan currently shows 3-5 or 5-8 per acre in this area. We are all fond of large lots in Sandy Springs but 45% of Sandy Springs is acreage in density of less than 2 per acre. These corridors are the future of Sandy Springs and trying to maintain one or two homes on these corridors would be a very difficult thing, especially for the property owners who have driveways onto the major thoroughfares. If you would please consider that this is planning for the future. Most of the residents here are elderly. They have a difficult time living there. They feel isolated living there. These are commercial corridors. The land use plan that the City has adopted is appropriate for these corridors. Placing good residential on these corridors is the best thing for this neighborhood. Let's not go backward in time. Let's look to the future and designate at 3-5 and 5-8 per acre.

Doris Bell Barrett, 6045 Glenridge Drive, Sandy Springs, stated that she wants City improvements but wants protection of her property value. She wants to keep current zoning to maintain her property value. We are asking for your help in maintaining current zoning and our property values. We are against mansions being allowed on our street. If large homes are put next to our houses, please provide a double run of large Leland Cypress to protect the privacy of their back yards.

Allen Clough, 6105 Glenridge Drive, Sandy Springs, stated that he sees these \$900,000 to \$1 million homes going up across the street. At his age, they do not need a 1+ acre lot to keep mowed. The Mayor and City Council was elected to represent them and he believes they will do a good job in keeping that corridor at 3-5 units per acre.

Bert Gonzalez Rubio, 6100 Glenridge Drive, Sandy Springs, stated that he understands that there are plans to lower the density of the zoning of the Glenridge corridor south of Mt. Vernon. The neighbors at Lorrel Terrace want to lower the density to keep the neighborhood uniform, but that will be a mistake.

The rezoning issue is about the neighborhood. The idea is to approve the quality of life of the neighborhoods affected. Even though they are geographically together with Lorrel Terrace, they are very different. They have a neighborhood. Glenridge Drive stopped being a neighborhood street a long time ago and became a transportation corridor. It is impossible to turn left out of their driveways during peak times. Turning right is a challenge and walking the street is risking your life. This is not a neighborhood lifestyle and they need to have a developer create a neighborhood. For this to happen, the zoning must be for 3-5 houses per acre. This is also consistent with what was approved along Mt. Vernon and Glenridge. He asked that the zoning be left at the current density to allow for improvements in this area.

Charles Perry, 576 Hammond Drive, Sandy Springs, stated that he felt the existing zoning on Glenridge and Johnson Ferry is appropriate. The Planning Commission has done a very commendable job on this land use plan.

Christine Shroeder reminded the Council that these people who do not want to mow their yards are welcome to sell. There is no need to rezone to a higher density. We may be getting into one of these overdeveloped modes like we did in the 80's. She recommended that the City send the signal to developers to redevelop those areas once they come in and go into the blithe and high crime areas of Sandy Springs that are currently zoned the way they want them zoned. Then in a few years, we can talk about these corridors.

Gwen Bell Darby, 1840 Spalding Drive, Sandy Springs, stated that houses both north and south of her mother's home are in the 3-5 units per acre. Those homes do look nice and she would like for her to keep the value of her home. She does not want to sell tomorrow, but possibly in the future.

Mike Haswell read a statement for JoAnn Gable, 6050 Glenridge Drive, Sandy Springs, stating that she wishes for the current land use plan for Glenridge Drive, west side, north of Hammond, to remain the same at 3-5 units per acre. As a main corridor through Sandy Springs, the opportunity to enhance and beautify through development of the neighborhoods can be accomplished with the density remaining as it is. Now, Glenridge Drive is not a neighborhood, nor should it be controlled by Glenridge Forest, Aberdeen Forest, or Mt. Vernon Woods.

The majority of the residents along this section of Glenridge Drive have lived here since their children were young. Now we are in our senior years, we are ready to move on. As is, these homes do not sell. She has had her house on the market several times over the last ten years. No family wants to move in. No singles want 1+ acre lots to take care of. To develop this area would bring quality residents, increase the tax base and voters to Sandy Springs. To develop would create a great buffer for neighborhoods surrounding the Glenridge Corridor. Please keep the density as it is.

Rick Darby, 1840 Spalding Drive, Sandy Springs, stated that he moved here thirty years ago and still saw the country nature and horse farms. A lot has changed and Sandy Springs is now urbanizing which means that higher density would apply. This provides money for infrastructure and roads. We need to look forward to intelligent growth and understand how tax base can be used intelligently.

Russell Mersereau, 5890 Pinebrook Road, Sandy Springs, stated that he recognized the need of people who are living on the high traffic part. It is not an especially livable situation and he recognizes the need for higher density in some of those locations. A number of folks have pointed out that the developments along Glenridge are reasonably attractive but those are not at 8 units per acre. He urged Council to consider not going as high at 5-8 units per acre.

Betty Perry, 576 Hammond Drive, Sandy Springs, stated that 2:00 this afternoon she almost had a wreck because of a woman pushing a baby stroller down Hammond Drive. She appreciates the way the Mayor and Council handle business in the City. She stated that there has to be a reasonable compromise.

Lee Edy, 5865 Pinebrook Road, Sandy Springs, expressed his opposition to the 5-8 per acre density south of Hammond on Glenridge. He stated that he lives directly behind the homes that face Glenridge. The kind of density that is being discussed means townhomes and he certainly does not want or encourage townhomes backing up to his property. He also expressed concerns regarding the height of the developments coming in and

the loss of trees. He requested that Council to carefully consider zoning decisions that affect quality of life and property values.

Kittie Abell, 6300 Aberdeen Drive, Sandy Springs, stated that she has been surrounded by these developments and has suddenly seen a rat infestation because of this. She cautioned the Council to consider the impact on the roads and infrastructure. She requested that the Council not just accept Fulton County's plan.

Tiffany Duerr, 571 Valley Lane, Sandy Springs, stated that the Glenridge-Hammond neighborhood is a friendly, safe place for her children. It has a sense of community. Many people are looking for homes with larger lots. She expressed concern regarding the property value and the traffic problem. She requested that the Council support a resolution that would not negatively impact her neighborhood or way of life.

Charlene Lane, 6130 Riverwood Drive, Sandy Springs, stated that she owns two of the eight properties on Glenridge Drive, south of Hammond Drive in Sutters Point Condominiums. The existing land use designation for these properties is 5-8 units per acre. This should not be changed. Glenridge Drive south of Hammond is a divided, four lane highway. The surrounding properties on Glenridge have an existing density that equals or exceeds the land use designation. Development with a density of 5-8 units per acre would have no negative impact on the interior of the neighborhood. This provides an appropriate and reasonable transition from the surrounding office buildings and this part of Glenridge.

Anna Collins, 593 Lorell Terrace, Sandy Springs, stated that she recently found that she has a spring in her yard. She expressed concerns regarding redevelopment in the area of the stream. She lives on the interior, but is affected by the exterior.

Thaea Lloyd, 570 Valley Lane, Sandy Springs, stated that she is speaking for a number of people. The future of Sandy Springs is in our neighborhoods. Please consider the investors inside the neighborhoods especially those homes that back up to the property on Glenridge and Johnson Ferry. These investors have a great deal to lose. She stated that they have been compromised on Johnson Ferry with Jason Yowell's project. She would like the support to keep Johnson Ferry and Glenridge at this consistent density. Three houses per acre is twice the density of our interior. Eight units per acre would destroy the investments.

Doug Falciglia, 5925 Brookgreen Road, stated that there are approximately 27 acres of land on this stretch. Currently, there are 40 homes. At 5-8 units per acre, that would make 154 new residences. The 3-5 units per acre would be consistent with the surrounding neighborhoods.

Jason Yowell, 5010 Old Oak Trace, Roswell, stated that he is developing the corner of Johnson Ferry and Glenridge and homes on Johnson Ferry Road. He stated that the high traffic corridors are traditionally high density corridors. When those homes were built, the land behind them was vacant. The interiors are lower density. No one is proposing that the density of the interior be increased. The corridors do need to maintain the higher density that they currently have. The larger homes bring to the neighborhoods sidewalks, traffic control, storm water management, and sewer.

Clarence Ballentine, 5880 Glenridge Drive, Sandy Springs, stated that he does not need a big house on an acre lot to maintain. He stated that he owns one of the eight homes that would be affected by the 5-8 units per acre. He stated that no one at Glenridge Forest or himself objected to the development of Sutter's Point or Glen Court. It is a logical development. Sutter's Point had no adverse affect on his property value. The 5-8 units per acre recommended by the Planning Commission will allow high quality development.

Area 14

Don Bland, 5855 Sandy Springs Circle, stated that he wanted to discuss property west of Sandy Springs Circle and north of Allen Road and south of Cliftwood. This piece of property is O-I and commercial zoning and has been for 20 years. When he purchased the property, it was considered high density office on the Fulton County plan. The new plan suggests that this piece of property be community property. It is across the street, on two sides, from regional node property. The ARC, in their bus plans, has this property proposed for transportation style density.

Councilmember Jenkins clarified where his property is located. Mr. Bland explained the location and that his request is for the regional node to cover his property as well.

Councilmember Meinzen McEnery questioned what the Planning Commission recommended. Assistant Director of Planning and Zoning Zehner stated that the Planning Commission recommended that the live/work community designation be extended along the land lot line from approximately Allen Road to Hammond. Mayor Galambos questioned if that would cover what Mr. Bland is talking about. Assistant Director of Planning and Zoning Zehner stated that the Planning Commission and staff are recommending a live/work community designation and he is requesting live/work regional. Mayor Galambos explained that the Council is not voting tonight and will take this into consideration.

Area 15

Nancy Early, High Point Civic Association, asked that the three parcels of property south of I-285, on Glenridge Drive between Johnson Ferry and Roswell the live/work neighborhood designation be removed and the plan actually reflect townhome residential on the plan. The office that is almost on the Glenridge Connector, which is the Crawford building designated office/high intensity. The community has fought to keep commercial or retail out of this area. They asked that the Council support the plan

Mayor Galambos questioned what the Planning Commission recommended on this. Assistant Director of Planning and Zoning Zehner stated that the one of the three on the east was recommended to be a live/work community designation. There was a representative of that property at the Planning Commission meeting who asked that it be designated as a live/work community. The Planning Commission made a recommendation of approval of that change.

Councilmember Meinzen McEnery stated that High Point Civic Association does not want live/work neighborhood or live/work community because of the retail proponent. They want the existing designation on the plan to remain.

David Kirk, representing Crawford and Company, stated that the property as 5620 Glenridge is about 7.5 acres and is the home of Crawford and Company's headquarters building. It is proposed by the Planning Commission to be designated as live/work community. He is speaking in support of that designation. It is consistent with the anticipated future redevelopment of the property and clearing in keeping with the intensity of surrounding uses, provides a reasonable transition to less intensive uses. This property is directly adjacent to I-285 and the existing O-I zoning is entirely consistent with the live/work community. It is 13,000 sq. ft. per acre and the live/work designation allows 10,000 to 20,000 sq. ft. per acre. He respectfully requested that the Mayor and Council accept the Planning Commission's recommendation with regard to this property.

Eric Powers, 5620 Glenridge Drive, Crawford and Company, stated that the property in question has been the headquarters of Crawford and Company since 1977 and we have outgrown our current space. We are currently in negotiations to sell this property. We were close to selling this space when we found out about the new live/work neighborhood designation. It would be completely impractical for the property. They discussed this with the purchaser the proposed plan for live/work community and this does work with their plans. They attended the Planning Commission meeting and this was the recommendation and they are in support of that recommendation.

Area 16

Leslie Hill, 275 Green Hill Road, thanked the Mayor and Council for the May 16th vote that gave us the live/work area. They are a dead end street with 21 homes. We look forward to moving.

Patty Berkovitz, 800 Crest Valley Drive, Sandy Springs, stated that the Sandy Springs Council of Neighborhoods at the request of the neighbors respectfully requests that the Mayor and Council withdraw the Green Hill application from the land use plan. This is not a de minimus change for the following reasons.

It was never part of the conversations at Focus Fulton and therefore does not require reconciliation with any verbiage with the land use map that was adopted. It has been lumped with three other Roswell Road locations at

a node and in truth has nothing to do with areas 16, 17, and 18. It does not have a number. The first appearance of this change occurred at the Planning Commission meeting. Since no one knew about it, the opposition was not there and it was represented by staff and the zoning applicant as having no opposition. This is not true.

Our meeting with staff was cancelled and rescheduled for the 14th not giving them a hearing prior to this meeting. This was a very contentious zoning in Fulton County, and was denied for very sound reasons. Because of the lack of due process, in regard to this one change, she asked that it be dropped from consideration at this time and that it be revisited after proper and published public participation, not before.

Janet Wells, 302 Beachland Drive, Sandy Springs, stated that they thought this battle was won nine months ago for the greater good. She stated that they got no word of this prior to the meeting. The high density causes flooding and traffic problems. She asked that they deny this and take it off and provide due process.

Mark Sample, 130 Stewart Drive, Sandy Springs, stated that they thought this was behind them months ago. He stated that he represents Stewart Drive residents. Their street is directly across Roswell Road from Green Hill and is more of a model of how to develop that area with lower density. He requested that this density be spread across to Green Hill.

Assistant Director of Planning and Zoning Zehner stated that a public meeting will be held on June 14, 2006 at 7:00 p.m. to discuss the Green Hill changes. This will be held at City Hall.

Tom Wells, 302 Beachland Drive, Sandy Springs, stated that he harbors no ill will for his neighbors on Green Hill. He stated that the property values need to be preserved. His concern is that retail and institutional commercial is still being introduced into their neighborhood.

Jean Weed, 16 Willow Glen, Sandy Springs, stated that she is speaking in opposition to the Green Hill area change to live/work. The topography is a major concern due to potential flooding.

Mark Schmidt, 290 Beachland Drive, Sandy Springs, stated that the only reason this made it to a proposed change to the land use is because the Green Hill property owners have pooled their properties together to make an assemblage that is currently for sale. The surrounding property owners are severely opposed to the higher density.

Gail Bowman, 290 Green Hill Road, Sandy Springs, stated that their neighborhood is over 90% surrounded by commercial and high density with a small pocket of residential. The 302 Beachland property owners are the only residential property that touches this property. She was to support of the live/work neighborhood and get the little pocket of residential out of there. The only way in is by the Waffle House. The property owners are becoming investors and you can not just leave that small pocket of residential.

Councilmember Fries questioned the location of this property. The location was identified on the map.

Matthew Stevens, 5270 Green Hill Place, Sandy Springs, stated that on February 11, the citizens got to talk about the important issues that face Sandy Springs. He stated that he took notes and reported back to the Mayor and City Council. There were three things that were focused on. One was appropriate transition for commercial to single-family and it was through high density. The second item discussed was that the Fulton County Land Use Plan should not be adopted because of the many flaws. The third was a focus on smart community development with high density following up and down Roswell Road. Those three factors show that Green Hill Place is disjointed and does not belong there.

Public Hearing Closed

**RZ06-010/CV06-004 – 4745 E. Conway Drive, Teresa and Bill Bassett
(Second Reading)
Ordinance No. 2006-06-36**

Mayor Galambos stated that the next agenda item is RZ06-010/CV06-004 and will be presented by Assistant Director of Planning and Zoning Michael Zehner.

Assistant Director of Planning and Zoning Zehner stated that this petition is for property located at 4745 East Conway Drive and the petitioners are Teresa and Bill Bassett. The request is to rezone the subject property from R-3 to R-4A with a density of 3.12 units per acre for the purpose of creating a legal lot to construct a new single family house. In addition, the applicant is requesting a concurrent variance to reduce the minimum lot width from 85 feet to 67 feet.

The Planning Commission recommended approval with staffs' conditions. Staffs' conditions would allow one single family dwelling to be built on the property and allow the minimum lot width to be 67 feet.

David Kirk, representing the applicant, stated that there was a similar case to this recently. He stated that the applicant accepted staff's recommendations and appreciate all the hard work they have put into it.

There were no comments from the Council.

Motion: Councilmember Paul moved to approve RZ06-010/CV06-004 with the following staff conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. One single family dwelling and associated accessory structures and uses.
2. To the owner's agreement to meet the following site development standards:
 - a. A minimum lot width of sixty seven (67) feet. (CV06-004)

Second and Vote: Councilmember Meinzen McEnery seconded the motion. There was no Council discussion. The motion passed unanimously.

**RZ06-011/CV06-007 – 400 Carpenter Drive, Masoud Zahedi
(Second Reading)**

Mayor Galambos stated that the next agenda item is RZ06-011/CV06-007 and will be presented by Assistant Director of Planning and Zoning Michael Zehner.

Assistant Director of Planning and Zoning Zehner stated that this petition is a request to rezone property located at 400 Carpenter Drive and the petitioner is Masoud Zahedi. The request is to rezone the property from C-1c to MIX mixed use district for the purpose of constructing a building that will include retail and office uses. In addition, the applicant is requesting a concurrent variance to remove one specimen tree.

The Planning Commission recommended approval with the addition to staff's recommendations for the installation of a directional sign on the property indicating the location of the signalized intersection of Carpenter Drive and Roswell Road. Staff is conditioning the property as follows:

- To office and commercial uses, at 38,000 gross sq. ft. with a density of 57,575 sq. ft. per acre; and
- To the site plan; and
- To dedication of right-of-way; and
- To the attempted interparcel access with the property to the west; and
- Addition of a directional sign; and
- Limited to two curb cuts.

Masoud Zahedi, 5801 Roswell Road, applicant, stated that he agrees with staff's recommendations. He requested that he be able to add the residential component to his application without increasing the square footage.

Assistant Director of Planning and Zoning Zehner stated that the applicant met with staff the day before the packets went out. He wanted to amend his application to remove the residential component. The day before the packets went out he wanted to add the residential component back without altering the square footage. Staff felt that they did not have the time to properly review the request.

Councilmember Jenkins asked if the applicant would be willing to defer this for 60 days and send it back to the Planning Commission. The applicant was agreeable to this.

Motion and Vote: Councilmember Jenkins moved to defer this application for sixty (60) days to allow the applicant to present a new site plan for review and approval. Councilmember DeJulio seconded the motion. There was no Council discussion. The motion passed unanimously.

**RZ06-013 – 35 Brookside Place, Mike McQuary
(Second Reading)**

Ordinance No. 2006-06-37

Mayor Galambos stated that the next agenda item is RZ06-013 and will be presented by Assistant Director of Planning and Zoning Michael Zehner.

Assistant Director of Planning and Zoning Zehner stated that this petition is for property located at 35 Brookside Place and the petitioner is Michael McQuary. The request is to rezone the subject property from NUPc to R-2 for the purpose of combining the subject property with two other parcels zoned R-2.

The Planning Commission recommended approval with staffs' conditions. Staff recommends approval to allow one single family dwelling to be located on the property. To require the filing of a combination plat to combine the subject property with the two parcels to the north owned by the applicant. To establish a maintenance agreement and access easement with the property owners along Brookside Walk to the pond as it provides detention for the Brookside Walk Subdivision.

Mike McQuary, 32 Mt. Paran Road, applicant, stated that he agrees to the staff's recommendations and will comply with those.

Councilmember Fries stated that it must be clear who has to maintain that pond. The applicant stated that when this is complete, the pond will be entirely on his property and he will maintain the pond as he has always done.

Councilmember Meinzen McEnery clarified that once the properties are combined, there will only be one single family dwelling constructed. The applicant stated that is correct.

Motion: Councilmember Meinzen McEnery moved to approve RZ06-013 with the following staff conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. One single family dwelling and associated accessory structures and uses.
2. To the owner's agreement to:
 - a. The owner/developer shall file a plat combining the subject property with the 2 parcels to the north owned by the applicant.
 - b. Prior to the approval of the plat combining the properties referenced in condition 2.a, the owner/developer shall establish a maintenance agreement and access easement in perpetuity with the property owners along Brookside Walk. The purpose of the agreement and easement is to allow maintenance and access to the pond, which serves as the detention pond for the Brookside Walk subdivision.

Second and Vote: Councilmember DeJulio seconded the motion. There was no Council discussion. The motion passed unanimously.

**RZ06-014 – 5881 Glenridge Drive, CEP Plaza Partners, LLC
(Second Reading)**

Ordinance No. 2006-06-38

Mayor Galambos stated that the next agenda item is RZ06-014 and will be presented by Assistant Director of Planning and Zoning Michael Zehner.

Assistant Director of Planning and Zoning Zehner stated that this is a request to rezone property located at 5881 Glenridge Drive and the petitioner is CEP Plaza Partners, LLC represented by Ted Sandler. The request is to increase the square footage by adding an additional building which will result in a total of 222,203 gross sq. ft. on the property at a density of 17,080 gross sq. ft. per acre.

Staff recommends approval. The Planning Commission recommended approval limiting to the square footage previously mentioned. Conditioned to the site plan, and the allow the concurrent variance to reduce the parking required to provide 588 parking spaces where 668 are required for general office use.

Ted Sandler, 6400 Powers Ferry Rd., representing the applicant, stated that this is a 13 acre parcel immediately south of Hammond Park. It is already developed under a zoning from 1982 with four office buildings. This would be an internal development and would hardly be visible from Glenridge. He stated they would be adding 40,000 sq. ft.; two floors of 20,000 each. The parking deck will pick up the parking needed. He stated that the applicant is seeking a variance of 80 spaces because we must comply with the new landscape requirements. We are well over-parked based on we have currently. He stated that they have enjoyed working with this staff.

Councilmember Fries stated that her documents show that there is a loss of 104 parking places due to the landscaping. Mr. Sandler stated that it was his understanding that they were only losing 55 spaces due to landscaping. After receiving clarification from the architect, Mr. Sandler stated that where the building is going is an existing surface lot which will be removed to build a parking deck and the building. The total number of spaces lost will be 105, but the parking deck will add back to that number. They will only be short 80 spaces based on current parking requirements.

Mayor Galambos stated that the applicant would not be able to rent the building if there were not enough parking spaces. The applicant stated that he understood.

There were no further comments from the Council. There were no comments from the public.

Motion: Councilmember DeJulio moved to approve RZ06-014 with the following staff conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Office and associated accessory uses at a total of 222,203 gross square feet or 17,080 gross square feet per acre, whichever is less.
2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development on March 6, 2006. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Land Disturbance Permit. The applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.
3. To the owner's agreement to provide the following site development standards:
 - a. To allow 588 parking spaces where 668 are required for General Office use (CV06-006).

Second and Vote: Councilmember Meinzen McEnery seconded the motion. There was no Council discussion. The motion passed unanimously.

**RZ06-004 – An Ordinance to Adopt the City of Sandy Springs Subdivision Regulations Ordinance.
(First Reading)**

Mayor Galambos stated that the next agenda item is RZ06-004 and will be presented by Assistant Director of Planning and Zoning Michael Zehner.

Assistant Director of Planning and Zoning Zehner stated that RZ06-004 is actually an ordinance to adopt the City of Sandy Springs Subdivision Regulations. Mayor Galambos stated that this will be a first reading.

City Clerk Marchiafava conducted the First Reading of an Ordinance to adopt the City of Sandy Springs Subdivision Regulations.

Reversion of Fulton County zoning Case No. Z00-0033 for property located at the southeast corner of Johnson Ferry Road and Long Island Drive from NUP to R-3.

Mayor Galambos stated that the next agenda item is the reversion of Fulton County Zoning Case No. Z00-0033 and will be presented by Assistant Director of Planning and Zoning Michael Zehner.

Assistant Director of Planning and Zoning Zehner stated that this is a reversion of Fulton County Zoning Case No. Z00-0033 for property located at the southeast corner of Johnson Ferry Road and Long Island Drive from NUP to R-3. Staff was contacted in February to revert the zoning located at this property. Normally this is a consent agenda item and does not require a public hearing. This is the first such reversion and we are going to work with the Clerk to clarify this.

Mayor Galambos clarified that someone brought this before staff. Assistant Director of Planning and Zoning Zehner stated that it was brought to staff's attention by one of the property owners. Staff has reviewed the file and recognized that it was zoned by the Board of Commissioners on July 5, 2000. After 36 months, if something has not been vested or extended, that zoning expires after a 90 day period. Staff was contacted by a property owner that owns two of the properties in this area. Again, this would normally be a consent agenda item.

City Attorney Wendell Willard stated that he disagreed with this being a Consent Agenda item. There is an interest here in rezoning this property and it should be properly noticed and a public hearing should be held. He questioned if there had been notice to the property owner. Assistant Director of Planning and Zoning stated that the ordinance requires notification to all property owners. There is a 90-day period after notification in which the property owners may contact staff regarding this reversion. This time has elapsed with no contact.

City Attorney Willard stated that a public hearing needs to be held.

There were no comments from the public.

Motion and Vote: Councilmember Meinzen McEnery moved to approve the reversion of Fulton County Zoning Case No. Z00-0033 for property located at the southeast corner of Johnson Ferry Road and Long Island Drive from NUP to R-3. Councilmember Paul seconded the motion. There was no Council discussion. The motion passed unanimously.

Budget and Millage Rate

Budget Workshop – City of Sandy Springs Budget pertaining to Fiscal Year 2007 (July 1, 2006 through June 30, 2007)

Finance Director Steve Rapson gave the following presentation:

- FY-2007 Budget Presentation
- FY2007 Budget Calendar
- March – April Departmental Budget Hearings/Finance Review Phase

- April 10th – May 11th Senior Management/Mayor Review Phase
- May 16th City Council Budget Presentation (Proposed Budget)
- June 6th First Public Hearing/Budget Workshop
- June 13th Second Public Hearing/Budget Workshop
- June 20th Final Public Hearing & Adoption - City Council

Budget Approach for FY-2007

- Budget – Financial Plan enacted to support the City Councils adopted goals and priorities
- 16% Budget Stabilization for unforeseen emergencies, shortfall & cash flow
- 1% contingency of total annual expenditure appropriation
- Conservative estimates based on lack of historical information available
- Cash position consistent with end of fiscal year estimate
- Holds Department and Division levels accountable for expenditures in their respective areas

Budget Goals for FY-2007

- Enhance Public Safety; police & traffic enforcement; increase personnel and focus on crime hot spots.
- Ensure financial stability; emphasis on long-term stability; revenue enhancement; financial priorities and discipline.
- Update comprehensive land use plan; economic development and transportation plan.
- Develop a systematic approach for the implementation of fire and E-911 services for Sandy Springs.
- Allocation of resources for implementation of a road and capital improvement program.

Budget Highlights for FY-2007

- Budget calls for no millage rate increase or fee increase.
- Salary COLA of 3.0% for City employees and funding for up to a 3.0% bonus merit adjustment.
- Funding for 197 FTEs (Full time equivalent).
- Establishment of a fully funded Police Department consisting of 94 FTEs.
- Establishment of a fully funded Fire Department consisting of 91 FTEs.
- Funding for E-911 and Jail services through Intergovernmental Services Agreement with Fulton County, City of Roswell and other local governments.
- Funding for Comprehensive Plan and related components.
- Revenue Enhancement Program.
- Funding for an Employee Wellness Program to help reduce health related costs.
- Funding for Non-Profits from the Hotel/Motel Fund to assist the City in providing needed services.

Budget Revisions since May 16th

General Fund

Revenue:

Increase: LOST revenue projection \$752,000

Expenditure:

Increases:

Fire Department (Transitional impact) \$907,160

Grants Administrator \$88,308

Excess Liability Insurance \$75,000

Transitional office lease \$43,734

Personnel & Benefits Correction \$27,115

Decreases:

E-911 transfer \$209,717

Contingency \$179,600

FY-2007 General Fund Budget Summary

General Fund Revenues

Revenue Description	2007 Budget	Percent	Cumulative
Real/Personal Property Tax	\$22,782,000	32.2%	32.2%
Local Option Sales Tax	\$18,752,000	26.5%	58.7%
Business & Occupational Tax	\$10,000,000	14.1%	72.8%
Franchise Fees	\$6,350,000	9.0%	81.8%
Insurance Premium Tax	\$3,800,000	5.4%	87.2%
Business Audit Revenue	\$1,500,000	2.1%	89.3%
All Other	\$7,530,996	10.7%	100.0%
Grand Total	\$70,714,996	100.0%	

General Fund Expenditures by Category

CH2MHill Contract 1	\$26,528,112	37.5%
Personnel Services	\$11,662,686	16.5%
TAN Repayment	\$10,390,000	14.7%
Contingency, transfers & lease	\$9,610,354	13.6%
Fire Contract	\$3,930,405	5.6%
Budget Stabilization Reserve	\$2,139,899	3.0%
All Other	\$6,453,540	9.1%
Grand Total	\$70,714,996	100.0%

General Fund Expenditures by Category

Contingency Detail

CH2MHill Contract	\$750,000	31.7%
Business Audit Contract	\$400,000	16.9%
Fire Contingency	\$300,000	12.7%
Police Contingency	\$300,000	12.7%
City Hall Equipment Lease	\$250,000	10.6%
City Salary Adjustment	\$215,000	9.1%
City Manager Contingency	\$150,000	6.3%
Grand Total	\$2,365,000	100.0%

General Fund Expenditures by Category

Operating Transfer Out Detail

Regular Meeting of the Sandy Springs City Council
 Tuesday, June 6, 2006 at 7:00 PM
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2007 Road Program 1	\$1,700,000	45.3%
Capital Improvement Program 2	\$1,581,000	42.2%
Emergency 911 Supplement	\$468,874	12.5%
Grand Total	\$3,749,874	100.0%

General Fund Expenditures by Category
 Leasing Detail

Capital Equipment Lease 1	\$1,748,430	50.0%
Building Operating Leases 2	\$1,747,050	50.0%
Grand Total	\$3,495,480	100.0%

FY-2007 Emergency 911 Fund Budget Summary

Revenues	\$1,727,174
Expenditures	\$1,727,174
Fund Balance	\$0

911 Fund Revenues

Revenue Description	2007 Budget	Percent
Wired Customers	\$810,000	46.9%
Wireless Customers	\$448,300	26.0%
General Fund Operating Transfer	\$468,874	27.1%
Grand Total	\$1,727,174	100.0%

Emergency 911 Fund

Expenditures by Category

Description	2007 Budget	Percent
Roswell Intergovernmental Agreement	\$617,174	35.7%
Roswell – IGA Overhead Allocation	\$210,000	12.2%
Roswell – IGA Start-up expenditures	\$500,000	28.9%
Fulton County – Start-up (800-MHZ Channel)	\$400,000	23.2%
Grand Total	\$1,727,174	100.0%

FY2007 Hotel/Motel Fund Budget Summary

Revenues	\$3,800,000
Expenditures	\$3,800,000

Hotel/Motel Fund Revenues

Revenue Description	2007 Budget	Percent
Hotel/Motel Tax	\$3,800,000	100.0%
Grand Total	\$3,800,000	100.00%

Hotel/Motel Fund Expenditures by Category

Description	2007 Budget	Percent
Tourism related activities/Non-Profits	\$1,221,320	32.14%
Intergovernmental - GWCC-Dome	\$1,493,400	39.30%
Transfer to General Fund	\$1,085,280	28.56%
Grand Total	\$3,800,000	100.0%

FY2007 Solid Waste Fund Budget Summary

Revenues	\$800,000
Expenditures	\$800,000
Fund Balance	\$0

Solid Waste Fund Revenues		
Revenue Description	2007 Budget	Percent
Solid Waste Franchise Fee	\$800,000	100.0%
Grand Total	\$800,000	100.00%

Solid Waste Expenditures by Category		
Description	2007 Budget	Percent
Trash Can Program	\$100,000	12.5%
Street Resurfacing Program	\$700,000	87.5%
Grand Total	\$800,000	100.0%

FY2007 Capital Fund Budget Summary	
Revenues	\$4,781,000
Expenditures	\$4,781,000
Fund Balance	\$0

Capital Fund Revenues			
Description	2007 Budget	Percent	Cumulative
FY2006 Allocation	\$1,500,000	31.4%	31.4%
FY2007 Road Allocation	\$1,700,000	35.5%	66.9%
FY2007 Capital Allocation	\$1,581,000	33.1%	100.0%
Grand Total	\$4,781,000	100.0%	

Capital Fund Expenditures by Category		
Description	2007 Budget	Percent
Sandy Springs Circle & Hammond Drive Bike and Ped Enhancements II & III	\$310,000	6.5%
Windsor Parkway Sidewalks	\$222,900	4.7%
USACOE National Ecosystem Restoration Plan	\$220,000	4.6%
Mt. Vernon Pkwy Sidewalk and Traffic Calming	\$220,000	4.6%
Roswell Rd Sidewalks Phase I & II	\$165,000	3.5%
Riverside Drive Sidewalks	\$126,100	2.6%
Abernathy Greenspace Linear Park	\$100,000	2.1%
All Other	\$136,000	2.8%
FY2007 Proposed Road Program Allocation	\$1,700,000	35.5%
FY2007 Proposed Capital Allocation	\$1,581,000	33.1%
Grand Total	\$4,781,000	100.0%

FY2007 Grant Fund Budget Summary	
Revenues	\$388,762
Expenditures	\$388,762
Fund Balance	\$0

Grant Fund Revenues			
Revenue Description	2007 Budget	Percent	Cumulative
H.E.A.T. Grant	\$373,600	6.1%	96.1%
General Fund Transfer	\$15,162	3.9%	100.0%
Grand Total	\$388,762	100.0%	

Grant Fund Expenditures by Category		
Description	2007 Budget	Percent
Personnel Services	\$234,162	60.2%
Operating	\$76,900	19.8%
Patrol Vehicles	\$65,400	16.8%
Equipment	\$12,300	3.2%
Grand Total	\$338,762	100.0%

Budget Summary for FY-2007

- Maximize use of available resources through a competitive contract.
- Budget includes \$2.4M in contingency funds for unforeseen circumstances.
- Budget includes \$4.0M for the Capital Improvement Program.
- Budget has lease payments of \$1.7M for Public Safety related equipment purchases valued at \$8.3M dollars.

Lawrence Young, Judge Pro Tem, Sandy Springs Municipal Court, questioned where the Municipal Court budget fits in to this budget. He also questioned the Riverside Drive improvement project that Fulton County had funded.

Finance Director Steve Rapson stated that the municipal court budget has \$710,000 budgeted. The question regarding the Riverside Drive project would have to be answered by Assistant City Manager Al Crace.

Betty Perry, Hammond Drive questioned the bike enhancement for \$10,000. Mayor Galambos stated that there was nothing in the capital budget showing Hammond Drive.

Councilmember Jenkins explained that it was at Sandy Springs Circle and Hammond Drive. Mayor Galambos stated that is part of the streetscape projects on the other end.

Richard Parker, Wright Road, Sandy Springs, questioned the \$100,000 for Abernathy Park. Mayor Galambos explained that is for the landscape plan not for any construction. Discussion followed regarding the acquisition of this property.

Richard Parker questioned the road improvements. Mayor Galambos explained that the Council has not discussed which roads the funds would be used for. Mr. Parker questioned what the \$1.2 million for Tourism will be spent for. Mayor Galambos explained that is a commitment that we have no choice about and explained the disbursement of the Hotel/Motel taxes.

Robert Parker, 220 Rutlin Court, questioned if the Fulton County tax digest would be available before the budget is voted on. Mayor Galambos stated that the City has already been told what the digest is however, the City is unsure of its accuracy. Mr. Parker questioned how the City will reconcile as they move through the year. Mayor Galambos stated that they could adjust the budget.

City Clerk Marchiafava conducted the First Reading of an Ordinance to adopt a budget for the fiscal year 2007, for each fund for the City of Sandy Springs, Georgia pursuant to HB 37, Section 5 of the Charter of the City and the financial management program established by Ordinance beginning July 1, 2006 and ending June 30, 2007 appropriating the amounts shown in each budget as expenditures, adopting the item of anticipated funding sources, prohibiting expenditures to exceed appropriations, and prohibiting expenditures from exceeding actual funding sources.

Approval of an Ordinance to fix the Ad Valorem Tax Rate of the City of Sandy Springs for Fiscal Year 2007. (First Reading)

Finance Director Steve Rapson gave the following presentation:

Tax Assessor Process

- The Fulton County Board of Assessors is charged by state law to prepare a fair and equitable fair market value of all real and personal property in the county for property tax purposes.
- Property taxation is based on the concept that persons should share the cost of government according to their ability to pay. In the property tax system, ability to pay is measured by the value of property.

- The Board of Assessors determines the estimate of property value and this process is called the “Appraised Value” of property. The board then applies the statutory 40% to that appraisal to generate the “Assessed Value” on which taxes are based. (O.C.G.A. § 48-5-7)
- To accomplish this task, the Board of Assessors performs a number of functions:
 - Property Identification** - Identifying property to be appraised and data to be updated.
 - Appraisal of Growth Property** – Appraising property created as a result of growth, such as new lots, new houses, new businesses, or remodeling;
 - Reappraisal of Existing property** – Revaluing existing property to keep current with values;
 - Assessment Notification** – Advising taxpayers of the value assigned to their properties;
 - Appeal Process** - Providing an opportunity for property owners to appeal property value;
 - Tax Relief** – Providing property owners an opportunity to take advantage of exemptions and special assessment laws that can reduce their burden;
 - Preparation of the Tax Digest** – The Board of Assessors prepares the real and personal property portions of the Tax Digest.

Tax Digest Certification Process

- The Georgia Department of Revenue establishes rules and regulations for property appraisal in accordance with the Georgia Public Revenue Code.
- The tax bills received by property owners from the counties include the fair market value and the assessed value of the property. Fair market value means "the amount a knowledgeable buyer would pay for the property and a willing seller would accept for the property at an arm's length, bona fide sale." (O.C.G.A. § 48-5-2)
- Property owners that do not agree with the assessed value on their proposed assessment can file an appeal with the county board of equalization. (O.C.G.A. § 48-5-311)
- The State Revenue Commissioner is responsible for examining ad valorem property tax digests from the counties each year. They review and audit these filing to determine that property is assessed uniformly and equally between and within the counties. (O.C.G.A. § 48-5-340)
- The State Revenue Commissioner requires the millage rate certification process to be completed by August 1st and has the authority to either approve or reject the county’s digest based on its findings.

Advertisement Process

- Georgia Code (O.C.G.A. § 48-5-2) requires the millage rate to be reduced based upon reassessment growth in the tax digest. This reduction or “rollback” calculation ensures the total revenue collected from property taxes does not increase year to year.
- The 2007 Budget assumes that the millage rate remains the same as levied in tax year 2006, 4.731 mills. (Consistent with the legislation passed to create the city.) The Georgia Taxpayers Bill of Rights requires the City advertise this proposed stable millage rate as a property tax increase based on the reassessment growth.
- Although the city was not incorporated last year, and therefore it had no property tax digest of its own, the Fulton County Tax Assessor’s office has indicated that property within Sandy Springs has been reassessed thus requiring a notice of a property tax increase.
- This reassessment growth provides the city with an estimated 1.28% more revenue received in 2007 than would have been received in 2006 had the city been incorporated.
- The advertisement and three public hearings ensures compliance with the certification process outlined earlier for the tax digest.

Finance Director Rapson explained the digest analysis.

Revenue Projection Philosophy

- Lack of information with respect to prior year actual receipts;
- Conservative philosophy;
- Balance between operations and capital improvements;
- Needed funding for cash flow, fund balance and cash reserves;
- Unknown effectiveness of our operations versus Fulton County’s service delivery strategy;
- Appeals process and impact of successful appeals;

- Uncollectible property taxes;
- Sister cities to the north – Alpharetta and Roswell actually budget 90% of the certified digest due to reassessments and appeals.
- Unanswered about our services: Fire services, E-911 services, parks programs, land acquisition, etc.
- Goal is to maintain the long-term financial viability of the City through conservative revenue estimates and realistic expenditure appropriations while improving the equity section on our balance sheet.

Homestead Exemption Special Election on July 18 ballot

- A homestead exemption from City of Sandy Springs ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead.
- A homestead exemption from City of Sandy Springs ad valorem taxes for municipal purposes in the amount of \$10,000.00 of the assessed value of the homestead for residents of that city who are disabled or are 65 years of age or over and who meet certain income limitations.
- A homestead exemption from City of Sandy Springs ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the base year assessed value of such homestead for senior citizens whose household income does not exceed \$39,000.00.
- A homestead exemption from City of Sandy Springs ad valorem taxes for municipal purposes in the amount of \$8,000 of the assessed value of the homestead for residents of that city who are disabled or are 65 years of age or over and who meet certain income limitations.
- A homestead exemption from City of Sandy Springs ad valorem taxes for municipal purposes in the amount of \$15,000 of the assessed value of the homestead for residents of that city.
- A homestead exemption from City of Sandy Springs ad valorem taxes for municipal purposes for the full value of the homestead for residents of that city who are disabled or are 70 years of age or over and who meet certain income limitations.

Voting in favor of these exemptions keeps the Fulton County homestead exemption laws in effect for all Sandy Springs homeowners. Voting against the exemptions will cancel all homestead exemptions currently in place.

Charles Perry, Hammond Drive, Sandy Springs questioned if the City was planning to borrow any more money. Mayor Galambos stated that the City would not be borrowing any more funds of that kind.

City Clerk Marchiafava conducted the First Reading of an ordinance to fix the ad valorem tax rate of the City of Sandy Springs for Fiscal Year 2007, and for other purposes.

Alcoholic Beverage License Applications

Temporary License # AL06-0205

Approval of Alcoholic Beverage License Application for Brazilian Tropical Bar & Grill located at 8883 Roswell Road, Sandy Springs, GA 30350, applicant is Marluccio Rosa for Consumption on the Premises Sale of Distilled Spirits, Wine & Malt Beverage License.

Temporary License # AL06-0206

Approval of Alcoholic Beverage License Application for Noble Management Group, LLC d/b/a The Westin Atlanta North at Perimeter located at 7 Concourse Parkway, Sandy Springs, GA 30328, applicant is Noble Management Group, LLC for Consumption on the Premises Sale of Distilled Spirits, Wine & Malt Beverage License.

Director of Operations Don Howell explained that the Brazilian Tropical Bar which was formerly Montego Bay and there was a change of ownership at the Westin Atlanta. Both applicants have complied with the City's requirements, advertisement for this public hearing has been provided and staff recommends approval.

There were no comments from the public.

End of Public Hearings

Action – Alcohol Beverage Applications

- Approval of Alcohol Beverage Applications Temporary License No. AL06-0205 and Temporary License No. AL06-0206.

Motion and Vote: Councilmember Paul moved to approve the Alcohol Beverage Applications Temporary License No. AL06-0205 and Temporary License No. AL06-0206. Councilmember DeJulio seconded the motion. There was no Council discussion. The motion passed unanimously.

Unfinished Business

Approval of an Ordinance to Regulate and Provide for the Calling of a Special Election on July 18, 2006. (Second Reading)

Ordinance No. 2006-06-35

City Attorney Willard stated that this is the Second Reading of the ordinance to have the call for the Special Election to be held on July 18 to present to the voters the various homestead exemptions.

City Clerk Marchiafava conducted a First Reading of an Ordinance to Regulate and Provide for the Calling of a Special Election for the purpose of submitting to the electors of the City of Sandy Springs for Approval or Rejection of Acts (HB 1034, Act 676, HB 1035, Act 679, HB 1036, Act 682, HB 1037, Act 683, HB 1038, Act 709, and HB 1039, Act 710) adopted by the General Assembly of the State of Georgia and approved by the Governor in the 2006 session of the Georgia General Assembly, which act provides for establishing homestead exemption for residents of the City of Sandy Springs conditioned upon voter approval.

Motion and Vote: Councilmember DeJulio moved to approve an Ordinance to Regulate and Provide for the Calling of a Special Election on July 18, 2006. Councilmember Paul seconded the motion. There was no Council discussion. The motion passed unanimously.

New Business

Approval of a Change Order to develop a new Tree Preservation Ordinance.

Project Manager Rick Hirsekorn, CH2M Hill, stated that this is for the development and implementation of the new Tree Protection Ordinance. In response to the community involvement meeting on February 11 where there was considerable public input. This is a change order to get additional resources to do this in a timely manner to reflect the community involvement. This would include the development of the ordinances, the administrative processes, and the public meetings involved with that. We would propose to begin July 1 and complete the new ordinance by the end of September and place the ordinance before the Planning Commission on October 19. The second reading and adoption by council would be November 7. This also includes training sessions for city staff and those in the community who would use this ordinance.

We would also suggest that the City Council appoint an advisory committee. The amount is \$20,000.

Councilmember Greenspan questioned the impact of this change order on the change order budget with CH2M Hill. Project Manager Hirsekorn stated that this is only the second change order.

Motion and Vote: Councilmember Fries moved to approve a Change Order to develop a new Tree Preservation Ordinance. Councilmember Jenkins seconded the motion. There was no Council discussion. The motion passed unanimously.

Approval of a Resolution to purchase certain Fulton County fire stations in the amount of \$5,000 each.

Resolution No. 2006-06-53

City Manager John McDonough explained that this is in follow up to the action taken by the Fulton County Board of Commissioners to authorize the County Manager and County Attorney to prepare the necessary documents to transfer Stations No. 2 and 6 to the City of Sandy Springs as well as transferring the payment for Station No. 22. This resolution would authorize the City Manager and City Attorney to enter into an agreement

for the transfer to these properties. The City Attorney has added language that deals with preliminary surveys, investigations, and environmental impact studies that are required to determine the status of these properties before we execute any final agreements. Staff recommends approval.

Councilmember Greenspan questioned if any of these additions would preclude the City from accepting these stations. City Attorney Willard stated that one of the stations has an underground tank. We will have to make sure there is not something environmentally dangerous to the public.

Motion and Vote: Councilmember DeJulio moved to approve a resolution to purchase certain Fulton County fire stations in the amount of \$5,000 each. Councilmember Greenspan seconded the motion. There was no further Council discussion. The motion passed unanimously.

Nomination to the City of Sandy Springs Ethics Committee.

Mayor Galambos stated that she is nominating Glenn Moffett to the City of Sandy Springs Ethics Committee.

Motion and Vote: Councilmember Fries moved to approve the nomination of Glenn Moffett to the City of Sandy Springs Ethics Committee. Councilmember Paul seconded the motion. There was no Council discussion. The motion passed unanimously.

Appointment to the City of Sandy Springs Planning Commission.

Mayor Galambos stated that she has asked Don Boyken to serve on the Planning Commission to fill the unexpired term of Bill Huff. Mr. Boyken is an engineer and has a large firm. City Attorney Willard stated that he does property contract management all over the world. His area is in construction management programs. He also served at the president of the homeowners association several years ago.

Motion and Vote: Councilmember Fries moved to approve the appointment of Don Boyken to the Sandy Springs Planning Commission. Councilmember Greenspan seconded the motion. There was no Council discussion. The motion passed unanimously.

Approval of amendments to Chapter 7, Alcoholic Beverages, Article 1, Section 3: Penalties for Violations of Chapter, Article 1, Section 10: Paragraph H: Licensing Qualifications, Article 1, Section 12: Fees for Licenses, Article 1, Section 18: Suspension or Revocation of License, Article 1, Section 19: License Review Board; hearings, Article 1, Section 32: Regulations as to Employees and Manager, Article 1, Section 43: Alcoholic Awareness Training, Article 2, Section 4: Days Allowed for Sale, Article 2, Section 7: No Sales to minors or physically or mentally incapacitated persons, Article 2, Section 9: Employment of a Minor. (First Reading)

Mayor Galambos stated that the next agenda item is amendments to the alcoholic beverage ordinance and will be presented by City Attorney Willard.

City Attorney Willard stated that these amendments were omitted from the Council packets during the last amendment to this Chapter. The best way to fix this was to bring the additional items separately. This sets up the License Review Board and establishes a training program for employees and management.

City Clerk Marchifava conducted a First Reading of an ordinance to amend Chapter 7, Alcoholic Beverages, Article 1, Section 3: Penalties for Violations of Chapter, Article 1, Section 10: Paragraph H: Licensing Qualifications, Article 1, Section 12: Fees for Licenses, Article 1, Section 18: Suspension or Revocation of License, Article 1, Section 19: License Review Board; hearings, Article 1, Section 32: Regulations as to Employees and Manager, Article 1, Section 43: Alcoholic Awareness Training, Article 2, Section 4: Days Allowed for Sale, Article 2, Section 7: No Sales to minors or physically or mentally incapacitated persons, Article 2, Section 9: Employment of a Minor.

There were no comments from the public.

Approval of Amendments to the Ordinance relating to the Licensing and Rules of Operation of Adult Entertainment Establishments and providing for legislative findings and intent, Article 1, General

Provisions, Section 1 Definitions (a) Adult Bookstore, Section 4 Employee Eligibility Requirements, (a), (c), (e), Section 5 License required (a), (c), (d), Section 7 Application process and qualifications (b)(17), Section 12 Denial, suspension or revocation of license (c), Section 13 Non-Renewality: Change of Ownership of Establishment (b), Section 17 Alcoholic Beverages, Prohibition Exception (a).

(First Reading)

Mayor Galambos stated that the next agenda item is amendments to the Adult Entertainment Ordinance and will be presented by City Attorney Willard.

City Attorney Willard stated that the amendments include the time in which the City has to act on an application. There are concerns that in order for our amendment to be constitutional, specific times by which we are to give a response to the application.

City Clerk Marchiafava conducted a First Reading of an ordinance relating to the Licensing and Rules of Operation of Adult Entertainment Establishments and providing for legislative findings and intent, Article 1, General Provisions, Section 1 Definitions (a) Adult Bookstore, Section 4 Employee Eligibility Requirements, (a), (c), (e), Section 5 License required (a), (c), (d), Section 7 Application process and qualifications (b)(17), Section 12 Denial, suspension or revocation of license (c), Section 13 Non-Renewality: Change of Ownership of Establishment (b), Section 17 Alcoholic Beverages, Prohibition Exception (a).

There were no comments from the public.

Approval of an Amendment to Chapter 12, Offenses and Violations, Article 1: General Prohibitions, Section 2, Offenses against public morals, by adding subsection (g) Obscenity and Related Offenses. (First Reading)

Mayor Galambos stated that the next agenda item is an amendment to Chapter 12 and will be presented by City Attorney Willard.

City Attorney Willard stated that the obscenities statute has been struck down by the 11th Circuit on a case that went before it recently. The court gave direction on what they felt were the constitutional problems with the existing state law. This left every jurisdiction without an enforcement law. Until the legislature amends the law, the City will pass its own ordinance. We have drafted an ordinance as a means of meeting the requirements.

City Clerk Marchiafava conducted a First Reading of an ordinance to amend Chapter 12, Offenses and Violations, Article 1: General Prohibitions, Section 2, Offenses against public morals, by adding subsection (g) Obscenity and Related Offenses.

There were no comments from the public.

Public Comment

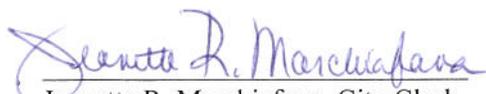
There were no comments from the public.

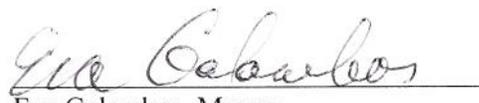
Adjournment

Motion and Vote: Councilmember Paul moved to adjourn the meeting. Councilmember Fries seconded the motion. There was no Council discussion. The motion passed unanimously

After no further business, the meeting adjourned at 10:20 PM.

Date Approved: June 20, 2006


Jeanette R. Marchiafava, City Clerk


Eva Galambos, Mayor