

Work Session of the City of Sandy Springs Mayor and Council was held May 9, 2006 at 6:00 PM, Mayor Eva Galambos presiding.

Mayor Galambos called the Work Session to order at 6:00 PM.

City Manager John McDonough requested that the Council enter into Executive Session.

The Mayor and City Council adjourned into Executive Session to discuss potential litigation at 6:01 PM.

The Mayor and City Council came out of Executive Session at 6:14 PM.

Update on status Intergovernmental Agreements (IGAs) with Fulton County and City of Roswell.

City Manager John McDonough updated the Mayor and Council on the IGAs with Fulton County and stated that the IGAs with the City of Roswell will hopefully be on their agenda next Monday. Fulton County will have them on their agenda on May 17.

Presentation - Community Development Block Grant Program and Citizen Participation Plan.

Community Development Block Grant Director Vann McNeill made the following presentation:

Qualification Process

Step 1 - Citizen Participation Plan Adoption

- Managed by U.S. Department of Housing and Urban Development (HUD)
- Sandy Springs – CDBG entitlement city
- 1,180 participating entitlements
- Qualifying criteria
 - 2005 incorporation
 - Housing conditions
 - Poverty and growth rates
- Program Intent
 - Promote community and economic development
 - Revitalize neighborhoods
 - Improve community facilities and services
 - Give maximum priority to benefiting low/moderate income communities
- Decision process
 - Project and program selection
 - What gets funded with CDBG
- **Sandy Springs funding**
 - Atlanta HUD Office estimates \$500k-\$600k
 - Based on recent approved HUD budgets
- Application process
 - 3 documents
 - Consolidated Plan
 - Annual Action Plan
 - Citizen Participation Plan

Application Process

- Consolidated Plan
 - 5-year strategic plan
 - Priority goals for CDBG Program
 - Data on housing conditions, human service and community needs
- Annual Action Plan
 - 1-year implementation plan
 - Projects/programs/activities to be funded with CDBG
 - Submitted each year of 5-year plan
- Annual Performance Report
 - Performance toward meeting 5 year goals

Citizen Participation Plan

- Step 1 - Application Process
 - Citizen Participation Plan
 - Federal regulations 24 CFR Part 91.105
 - Citizen input during application process and program performance
 - Adopted City policy
 - Public notice, public comment and public hearings
 - Consolidated Plan
 - Annual Action Plan
 - Substantial amendments
 - Annual performance report
 - Initial Citizen Participation Plan

Citizen Participation Plan Timeline

- Work session review
 - May 9, 2006
 - Revisions
- Advertise 15-day public comment period
 - May 22 – June 5, 2006
 - Final draft
- Adoption
 - June 20, 2006, City Council meeting
- Forward to Atlanta HUD Office
 - Citizen Participation Plan
 - Resolution

Consolidated Plan/Annual Action Plan Timeline

- Step 2 - Application Process
 - Consolidated Plan and 1-year Annual Action Plan
- Work session reviews
 - Throughout plan development process
- Plan completion - March 2007
- City Council adoption – April 2007
- Submission to HUD - May 2007
 - 45 days prior to start of program year

CDBG Director McNeill concluded by stating that the first step is the adoption of the Citizen Participation Plan.

Councilmember DeJulio questioned if this would take until 2007. CDBG Director McNeill stated that it would take right at one year to complete.

Mayor Galambos questioned if the City would receive any funds prior to May 2007. CDBG Director McNeill stated that no funds would be available for the City until then. The County could elect to allocate funds to projects in Sandy Springs.

Councilmember Meinzen McEnerny clarified that this process would take an entire year. Councilmember Paul explained that this is a lengthy process.

Update on Alcohol Beverage applications

Director of Operations Don Howell stated that staff has sent out a list of 45 businesses who may not be able to sell after June 1 due to incomplete applications or not submitting applications at all. Three of those 45 have been cleared as of today. Twenty-seven of those 45 have responded since receiving the last notice and have begun the application process. There are 13 that have not responded.

We are being pro-active and calling these businesses. He made the Mayor and Council aware that they will start receiving phone calls once these business' licenses expire and we make them stop selling alcohol. Two locations have notified us that they are going out of business and do not plan to renew.

Permit Backlog Update

Community Development Director Nancy Leathers reminded Council that as of April 1, the City had 1,900 permit applications with a turn around time of 7+ weeks for all submittals. The goal is to get to a two week turn around on new submittals and first re-submittals. The current turn around is about 4½ weeks. Now that we have the number down, we want to go back and review the process so that we can get down to a 2 week turn around for all submittals. We want to work with the builders and developers to educate them so there are not so many re-submittals.

Mayor Galambos questioned if the change order provided sufficient manpower to get us to that goal. Community Development Director Leathers stated that it did.

Logo Review

Communications Director Judy Parker introduced Jim Polack, J.P. Designs and Marketing, and stated that he has been working to provide logo concepts to the City of Sandy Springs.

Mr. Polack presented eight logo concepts and described the process that the City has gone through to get to this point. After some discussion, it was decided to move logo concept numbers 1, 3, and 5 forward through the process.

Five Minute Recess:

Mayor Galambos called for a 5 minutes recess.

Reconvene:

The meeting reconvened at 7:10 PM

Bus Tour Update

Mayor Galambos provided an update on the bus tour with developers along Roswell Road. It was a huge success. The apartment investors asked how much of a stickler are we going to be on development along Roswell Road. She informed them that we are willing to look at density if we get greenspace at ground level. She indicated to them that there was some flexibility on this Council to work toward the redevelopment of Roswell Road.

Resolution recognizing the Dunwoody community as a part of the City of Sandy Springs.

Mayor Galambos stated that she was blind sided at the Work Session when those Dunwoody sign toppers were brought out. She thought they were all over the City and as it turned out there were two of them that were removed. She received a very irate phone call from the Dunwoody Homeowners Association President. They solidly supported the City of Sandy Springs and she committed to them that they have an identity. We discussed that the Public Works Department removing the signs was not the correct way to handle the situation; however, placing the signs without asking was also not appropriate.

There is nothing in our Code that specifically prohibits those signs.

Councilmember Fries suggested the combined signs. Mayor Galambos pointed out that the DHA has invested quite a lot of money in these signs.

Councilmember Jenkins expressed that the Dunwoody community needs to remain in Dekalb County. This will help them as they try to become a city. Mayor Galambos stated that the DHA is totally divided on that issue and it has nothing to do with the community.

Councilmember Greenspan stated that he was prepared to bring forward a Resolution to recognize Dunwoody as a community. What he is trying to do with this Resolution for Dunwoody is define their boundaries. In Fulton County, it is east of GA 400, north of I-285. The DHA has some issues with that. They appreciated the thought, but requested that the boundaries be set the same as they have now. They will accept a resolution defining them as District 1 east of GA 400.

Once we have our logo decided, we could then put the community name on the sign and they could purchase them from the vendor as fundraisers for their communities. They would prefer that their yellow branding and farm house be at the bottom of their signs. He has explained to them that this is not just a Dunwoody issue. It is a City-wide issue.

There was a consensus that that the dual sign toppers would address these issues.

In regards to the boundaries, Mayor Galambos stated that it had to be in zip codes 30350 or 30338 and she explained that to the president last night.

Councilmember Fries pointed out that once those toppers are placed, if that sign falls, they have to put it back up. This is in the ordinance.

Councilmember Jenkins questioned if the DHA was given permission to put their signs back up. Mayor Galambos stated that she did not, but told them that it was only polite to ask prior to placing a sign.

Councilmember Fries stated that if a resolution comes forward for Dunwoody, she will bring one forward for Huntcliff. It is just a bad idea. The dual sign solves the topper issue.

Councilmember Greenspan stated that he would pull the Resolution and the sign toppers can be addressed when the City has a logo. Mayor Galambos stated that until this is resolved, she would ask that no more signs be taken down. Councilmember Jenkins added that no more should be put up.

Intergovernmental Agreement with the Board of Education for greenspace.

Councilmember Greenspan updated the Mayor and Council on the draft IGA with the Fulton County Board of Education for the use of the premise at Spaulding Middle School. This would give us exclusive use of the school from 7:00 a.m. to 10:00 p.m. during non-school hours. At this specific school, there is a track, two recreational fields (baseball field and soccer/lacrosse field). There are outdoor basketball courts and four tennis courts. They want us to use the gym and run some basketball and volleyball programs. They are interested in other programs such as gymnastics and offering a tutoring program. The school is also offering their cafeteria.

Some of the schools concerns include security and clean-up after use. They also stated that if they have activities going on, they should be given priority.

Councilmember Greenspan explained that the idea would be for the City to contract with sport associations to lead these programs. We could then recoup the cost to the City for this IGA. Staff is putting together a cost estimate.

Councilmember Meinzen McEnery expressed concerns regarding the cost and asked that this be reviewed further. Discussion followed regarding costs and it was decided that there would be no further action until the budget is known.

Councilmember Greenspan stated that Spaulding Drive Elementary is a passive park and they are requesting the City put up a split-rail fence. We can get someone to do that such as the Eagle Scouts.

Discussion of a Page Program for the City Council meetings and Work Sessions.

Councilmember Greenspan requested that staff look into a Page Program. He explained that they could help the City Clerk. This would be a good outreach program. Mayor Galambos requested that the City Clerk put together a program.

Develop a formal protocol for public comment cards.

Councilmember Greenspan stated that he has asked staff to review the comment cards and include somewhere on the card the question of City residency. At the last meeting, we had some lobbyists and he would like to have that information.

Councilmember Paul explained that paid lobbyists must be registered by the State Ethics Commission. Most of the major law firms that specialize in zoning matters are registered as lobbyists.

Discussion on Real Estate sign permits

Councilmember Fries introduced Patrick Dennis, who is the Governmental Affairs Chairman for the Atlanta Board of Realtors. Mr. Dennis pointed out some deficiencies in the City's sign ordinance. He presented a comparison of sign ordinances in the area. This is also used to educate realtors in the area so that they comply with the laws. Realtors must use signs for their business.

Mr. Dennis explained some proposed changes to the City's sign ordinance regarding weekend directional signs. He stated that most municipalities do not require a permit or permit fees for realtor signs. There is a big fine if they are not removed in a timely manner.

Mayor Galambos asked for clarification of a weekend directional sign. Mr. Dennis explained what realtors use them for.

Councilmember Fries questioned if this could be covered separately in the sign ordinance and asked if Council wanted to remove the fees for realtors.

Community Development Director Nancy Leathers explained that the fee structure was passed by resolution and can be addressed at any time. The ordinance change process is lengthier. She suggested that we incorporate this into the overall amendment to the sign ordinance. Councilmember Fries requested staff to provide information regarding the permit fees.

Discussion on developing an enhanced street sign/pole for the City of Sandy Springs.

Councilmember Fries asked for permission to look into an upgraded standard sign. She asked if Council would be interested in this. Councilmember DeJulio asked if this would be a part of the City's overall branding.

Councilmember Fries explained that neighborhoods would not be required to purchase these upgraded sign poles. Only new developments would be required to use them. Any signs that fall down would be replaced by the City with the new upgraded sign poles. This would be a new "City standard".

Traffic engineering report for Northside Drive affecting the intersection of Northside Drive and Cates Ridge and Finch Forest Trail.

Councilmember Meinzen McEnery thanked everyone for being patient to hear her items. She stated that the transportation/ engineering department has worked very hard on this request.

Transportation Director Larry Crowe stated that a community meeting was held to present ideas for the intersection of Northside Drive and Cates Ridge and Finch Forest Trail. We presented the idea of trimming the right-of-way. The community was not happy with this request. We presented the placement of a blank out sign and an illuminated speed limit sign. The community is very much in support of this idea; however, staff is not in favor of this as it will set precedence. We suggest the use of the Police Department's speed trailers for traffic calming.

Councilmember Meinzen McEnery stated that one gentleman is going to pick up the cost of the second blank out sign at Finch Forest. There are over six teenagers that are learning to drive in that area and they are very concerned.

Councilmember Meinzen McEnery suggested that the Council move forward with approval of an unbudgeted capital item which would include clearing the right-of-way at a cost of \$1,600.00, adding this blank out sign at a cost of \$18,000.00, and adding this interactive flashing sign to Northside Drive for \$10,000.00.

Councilmember DeJulio stated that his neighborhood has a flashing sign and it works wonderfully.

Transportation Director Larry Crowe stated that staff has concerns with the blank out sign because if the power goes out and the sign is not working, someone might assume nothing is coming and pull out in front of another vehicle. Councilmember Meinzen McEnery stated that this was addressed at the meeting and it was decided that batteries or a solar panel would be added.

Councilmember Fries questioned if the City could be held liable for this. City Attorney Cecil McClendon stated that it is possible that the City could be held liable.

Councilmember Fries questioned who did the traffic study and stated that these are two dead end roads. One has 16 houses on it and the other has 6 houses. The traffic report stated that there were 2 wrecks in the last 5 years. She asked how could there be 926 cars traveling on two dead-end roads in one day.

Councilmember Fries stated that Council needs to look at these expenses and explained that pruning these areas would solve this problem.

Councilmember Meinzen McEnery asked Police Chief Wilson how accurate Fulton County's accident statistics were. Police Chief Wilson stated that they are estimated to be 30-40% inaccurate. Councilmember DeJulio questioned if the rest of the neighborhood would be willing to pay the remainder of the cost. Councilmember Meinzen McEnery stated that she wants this on the next agenda.

Councilmember Paul stated that even if the County's statistics are 100% off, there have been 4 wrecks in 5 years.

Councilmember Greenspan questioned if mirrors would work. Councilmember Meinzen McEnery stated that they are not very reliable. Transportation Director Crowe explained the distortion of the mirrors.

Mayor Galambos suggested placing their \$18,000.00 sign and clearing the right-of-way to see if this helps.

Councilmember Jenkins asked if there is an \$18,000.00 solution. Transportation Director Crowe stated that the blank out sign would be sufficient. Councilmember Meinzen McEnery stated that the community totally rejected that idea.

She just wants to see this come to a vote. If they are coming up with their money, they want this done as expeditiously as possible. She thinks we just need to vote on it.

Councilmember Greenspan questioned if the money in the CH2M Hill budget would pay for this. Project Manager Rick Hirsekorn stated that those funds are for maintenance of the right-of-ways. If this road is not on the specific list of roads, Council could shift some funds for this.

Mount Vernon Parkway sidewalk installation.

Councilmember Meinzen McEnery requested an update on the timeline and status of the Mt. Vernon Parkway sidewalk installation, which was approved in the FY06 budget.

Capital Improvement Plan Engineer Rob Lewis provided a project status update. This is an SSRI project and the City of Sandy Springs is taking it in to manage and fund any shortfall to move it forward. We had the homeowners' association meeting. Safety and drainage were issues expressed at this meeting. There are some design issues that need to be addressed before we can advertise the project. A Memorandum of Understanding needs to be in place before the City can take over this project. This should be before the Council in June, which will allow the City to move the project forward.

Councilmember Meinzen McEnery stated that she is amazed at the amount of time this is taking. This is a construction job that already had drawings and it was already approved in the City's budget, and we are still discussing the Memorandum of Understanding with SSRI.

CAP Engineer Rob Lewis stated that this project did not have any federal funding and did not follow normal procedures for a federally funded project. SSRI did a great job managing this budget.

Councilmember DeJulio stated that he remembered that the funds were approved for capital expenditures, but it was decided to wait until the new fiscal year. Councilmember Meinzen McEnery stated that was incorrect. Councilmember Paul stated that it was obligated in this fiscal year and decided that we would not spend the money until next fiscal year.

CAP Engineer Rob Lewis explained that the City's expenditure for this project would be \$220,000.

City Manager John McDonough stated that there was approximately \$1.5 million as a capital program. Council decided to take on most projects that already existed. There is no reason we cannot move these projects along. The expectation is that money would be spent in FY07. There is a separate fund for Capital projects and if you do not spend the money in one year, it carries forward to the next year.

Councilmember Fries stated that this area has a large number of infill homes. The curbs and drains are awful. She asked if we can require them to fix the curbs as they are building the homes. Community Development Director Leathers stated that you can not do that.

Councilmember Meinzen McEnery requested that the project keep moving. She has an upcoming meeting with the homeowners.

Councilmember Meinzen McEnery stated that Chastain Park season has started and she is getting overrun with people on Dudley and Stella to get the Police to enforce and install additional signage. Stella already has "No Parking" signs and they want more because it is not working. There are no signs on Dudley. Transportation Director Crowe suggested that we involve the community prior to placing the signs and, therefore, suggested to ask GIS to send out letters to the residents on Dudley and Barbara asking them if they are interested in these signs.

Mayor Galambos questioned if they would be willing to pay for them. Councilmember Meinzen McEnery stated that they could put that in the letter. The City Manager's office can handle it from here.

Update on Tree Ordinance rewrite, apartment inspection ordinance, and flag lot issue.

Community Development Director Nancy Leathers stated that they anticipate beginning the preparation of the new ordinance by July 1. We think it will take about three months. We will be putting together an advisory committee. Once the ordinance is adopted, we will put in place a training program for folks that use the ordinance.

Councilmember Meinzen McEnery stated that on March 30, we approved the initiative to the planning staff to begin working on the tree and apartment ordinance and flag lots within three months. Community Development Director Leathers stated that the arborist is spending full time in the field and he is the only one that they have.

Community Development Director Nancy Leathers stated that the existing ordinance has a problem with the administrative guidelines.

City Solicitor Bill Riley stated that there are some weaknesses in the ordinance and we would like to propose some amendments as well as readopt the administrative guidelines.

Councilmember Jenkins requested that this be on the agenda for Tuesday.

Community Development Deputy Director Wilson stated that the staff has been asked to look at an ordinance that would achieve inspection of the interior of the apartments. We began with an improvement ordinance from Roswell that had 100% compliance last year. This requires the inspection of every apartment the first year and 20% per year thereafter so that every apartment is inspected once every five years. If you do not provide an affidavit of your inspection, you do not get a business license. The inspections are done by a certified building inspector.

Councilmember Jenkins asked if this could be brought forward soon. Councilmember Meinzen McEnery explained that there are other ordinance besides Roswell's that the City could review.

Community Development Deputy Director Wilson stated that without the apartment association being on our side, there will be zero compliance. He will have this on the agenda as soon as the City Manager directs them to do so. Councilmember Meinzen McEnery requested a lease review as well showing who is on the lease.

Community Development Deputy Director Wilson stated that to resolve the flag lot issue, he proposed that we consider requiring the minimum street frontage be equal to the minimum lot width for all lot not located on a cul-de-sac. For lots located on a cul-de-sac, this will take some more thought.

Mayor Galambos questioned if this was for existing or new flag lots. Deputy Director Wilson stated that it would be for new lots only. Councilmember Meinzen McEnery questioned why this did not apply to existing flag lots. (This was discussed after the Work Session.)

Councilmember Paul moved to adjourn the Work Session. Councilmember Greenspan seconded the motion.

After no further discussion, the Work Session adjourned at 9:17 PM.

Date approved: June 6, 2006


Jeanette R. Marchiafava, City Clerk


Eva Galambos, Mayor