
Work Session Meeting of the Sandy Springs City Council was held on Tuesday, March 18, 2014, at 6:25 p.m., Mayor Rusty Paul presiding.

Councilmembers present: Councilmember John Paulson, Councilmember Ken Dishman, Councilmember Graham McDonald, Councilmember Gabriel Sterling, Councilmember Tibby DeJulio, and Councilmember Andy Bauman.

STAFF DISCUSSION ITEMS

Community Development

1. Managing the Impact of Construction and Development

Director of Community Development Angela Parker gave a PowerPoint presentation on managing the impact of construction and development.

Councilman Gabriel Sterling asked if the City can charge a fine higher than \$2,500.

Assistant City Attorney Cecil McLendon stated the code sets the standard penalty to \$1,000. Increased fines may be allowed in certain areas under the stormwater ordinance.

Councilman Sterling stated this one amendment is for erosion and pollution as well as stormwater. He prefers higher fines, but wants to be sure the City can legally issue higher fines.

Assistant City Attorney McLendon stated he will review this and get back to Council with an answer.

Councilman Sterling asked how the City defines a separate violation on a particular work site. He asked about the release of pollution and how that time is defined.

Director of Community Development Parker stated that is one of the things that staff would like to clarify in the ordinance. Staff would like the ordinance to state if there is mud in the street caused by a work site, then a citation can be issued. The way the ordinance is written now, failure to maintain the construction entrance is cause for a citation to be issued. This can be argued by the contractor stating the area was just muddy. Improved language would provide that if any dirt or soil is off the work site, the contractor can be issued a citation. The existing ordinance was taken from a model ordinance that the State produced.

Councilman Sterling asked about the inspection logs for single family developments.

Director of Community Development Parker stated the inspection log is a diary and a standard requirement of projects greater than one acre.

Councilman Sterling asked who will be issued a citation and fined if it is warranted.

Director of Community Development Parker stated a citation is issued to the permit holder and that is generally the builder.

Councilman Andy Bauman asked if a field inspector has the authority to issue a stop work order.

Director of Community Development Parker responded yes. The field inspector is also empowered to issue a citation.

Councilman Bauman asked under what conditions the work is allowed to start again.

Director of Community Development Parker stated an example is the project on Glenridge. The condition was the permit holder was required to submit a plan that would address the problem. The permit holder had removed a siltation basin. They had to figure out how to install another basin. Once the plans are submitted the review is expedited, a permit revision is issued, and they are then allowed to start building again.

Councilman Bauman asked if the fine has to be paid before work begins. He would like the fine to be paid before work starts again on a project.

Director of Community Development Parker stated the City has no problem receiving the funds from the fines. Often the cases will not go to court before the protective measures are in place.

Councilman Bauman stated there was discussion about having an information flyer on the City website for citizens' rights in the development process. He would like the adjacent homeowners to be provided a copy of the process, so they will know the responsibility of the contractor.

Director of Community Development Parker stated that is important information, because at one of the sites there were issues that occurred which staff did not know about. Someone went straight to the builder with the issues and it was cleaned up pretty quickly. Homeowners need to know to contact the City with any issues.

Councilman John Paulson stated the City is moving towards low impact development (LID), which means developers cannot impact the adjacent neighbors. For most of the projects he has worked on, there is an erosion and sediment control plan that has to be submitted by the engineer and approved before work begins. The structures and BMP's have to be in place before construction. He suggested staff create a mini manual with the BMP standard devices and another section on maintaining these devices.

Director of Community Development Parker stated the construction drawings the City permits have the best management practices on the plans along with construction details.

Councilman Paulson stated if the call center receives an erosion or sediment complaint, there should be a contact person who is called right away. This will allow ChatComm to know who to direct the call to.

Councilman Tibby DeJulio stated since the City has been incorporated, one of the main problems has been stormwater control. The City has spent millions of dollars cleaning out storm basins. The easiest way for a contractor to fix the issue after they are cited is to spray the mud or dirt down the stormwater drain. This then becomes a City problem. He asked if the City should let the contractor know that the mud should not just be washed down the road or that they cannot just wait for the rain to wash away the dirt into the storm drain. He asked if the City is doing something proactive to have the mess cleaned up properly, so it does not become a City problem.

Director of Community Development Parker responded yes. She referenced a photo where the contractor did shovel the dirt from the street back onto the site.

Councilman DeJulio asked if staff is monitoring what is being dug up or changed, because of what that will do to the flow of water down the street.

Director of Community Development Parker stated staff looks at street stormwater as a part of construction drawings that are permitted. Depending on the amount of water runoff, the permit holder

will have to add catch basins and connect to the existing system. The construction drawings are monitored on site to ensure that what is built is consistent with the approved construction drawings.

Councilman Bauman asked about a document that is to be recorded to ensure future property owners are aware of stormwater devices on their property.

Director of Community Development Parker stated this is something staff would like to be able to do. This would make sure future property owners know if there is a device underground.

Assistant City Attorney McLendon stated this information will be included in the plans. What is on the property has to be functioning as designed.

Councilman Sterling stated what is in the soil erosion, sedimentation, and pollution control code should be amended and combined. Homeowners and builders should be encouraged to use more environmentally sustainable items such as rain gardens and swales. He would also like the builders to be encouraged to use these techniques as well.

There was a consensus of Council to move this item forward to a future City Council meeting.

2. 2014 Annual Action Plan Draft Review and Public Comment Period Announcement

Director of Community Development Angela Parker stated the City is required to complete two documents for HUD in order to receive Community Development Block Grant funds. One document is the consolidated plan, which is a five year plan. The other document is the short term annual action plan. She then gave a PowerPoint presentation on the 2014 Annual Action Plan Draft.

Mayor Rusty Paul stated he requested to hear about the Section 108 loan information. The City has been limited where it can use the CDBG funds in the north of the City along Roswell Road and adjacent areas. In the last census new territory on the south portion of the City has been added to where CDBG funds can be used. A loan would allow larger projects to move along faster instead of in small incremental steps. This program has been funded every year since 1969. He asked for an update from staff on the tree ordinance in the near future.

There was a consensus of Council for this item to move forward.

CITY COUNCIL DISCUSSION ITEMS

1. Discuss Request for Private Cameras on Public Right-of-way – Councilman Graham McDonald

Councilman Graham McDonald stated Rivershore Estates subdivision is located near I-285 and has been dealing with burglaries over the last two years. The homeowners have tried to take this problem into their own hands by trying to deter the burglaries. They have worked with the Police Department and have created a neighborhood watch. The City should do what they can to allow the subdivision to install the cameras they have raised money for. He asked for the support of Council to see that this policy is fast tracked so that a proposed policy is presented at the next Council meeting.

City Manager John McDonough gave a PowerPoint presentation on the considerations for installing private cameras on public right-of-way.

Councilman McDonald stated he will defer the detail to legal staff as to what is the correct way to have cameras installed. It sounds like property abandonment is a way to achieve this. He would like staff to figure out the issues that need to be sorted out and then propose a plan as soon as possible.

Councilman Gabriel Sterling stated some Rivershore Estates constituents have emailed Council about installing cameras on existing poles. All of the poles there are Georgia Power poles and Georgia Power will not allow cameras to be installed on their poles. He agrees with bringing a policy back to Council for approval. The neighborhood raised \$20,000 on its own for the cameras. This process makes sense as long as the City is not liable for the cameras.

Councilman Tibby DeJulio stated because Sandy Springs is such a great City to live in, crime has increased over the years. Sandy Springs has an excellent Police Department, but they cannot prevent all crimes that occur within the City. If homeowner associations are willing to install cameras in their neighborhoods to fight crime, the City should be willing to do all it can to support them. He asked that staff and legal work on getting this policy in place as soon as possible. He is in full support of creating a policy for this purpose.

Councilman Ken Dishman stated there are concerns about liability issues with private uses on public property. He asked what the liabilities may be.

Assistant City Attorney Cecil McLendon stated this item is something different than what the public would typically be allowed to do in the right-of-way. A standard item that is allowed in the right-of-way is landscaping. The abandonment process and the camera data being controlled by private individuals will not be an issue. The information being controlled by private individuals in the right-of-way would be problematic though.

Mayor Rusty Paul stated if the cameras are on public property, they could be subject to open records requests with retention requirements that could increase the cost of the camera systems.

Councilman John Paulson asked if there should be a criteria threshold number for this policy. He asked the Police Department to give him the number of crime incidents that have occurred within the last two years in Rivershore Estates.

City Manager McDonough stated this policy should not have a threshold requirement.

Mayor Paul stated the requirement for this type of policy is there be a consensus of the community, which is 60%, and not a simple majority.

Councilman Sterling asked if the consensus could be the HOA vote.

Mayor Paul stated he is partial to making sure there is a neighborhood consensus and not just a vote from an HOA. He would like to see a petition from the neighborhood to demonstrate consensus.

Councilman DeJulio stated one neighborhood has looked at installing cameras and they believe the ideal location for the camera is on the street sign pole. He asked staff to look into this option.

There was a consensus of Council to move this item forward to the April 1st City Council meeting.

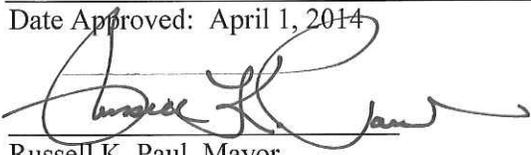
There being no further discussion, the meeting adjourned at 7:26 p.m.

Work Session Meeting of the City of Sandy Springs City Council

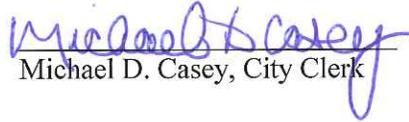
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Date Approved: April 1, 2014

A handwritten signature in black ink, appearing to read "Russell K. Paul", written over a horizontal line.

Russell K. Paul, Mayor

A handwritten signature in blue ink, appearing to read "Michael D. Casey", written over a horizontal line.

Michael D. Casey, City Clerk