

Regular Meeting of the Sandy Springs City Council was held on Tuesday, February 4, 2014, at 6:00 p.m., Mayor Rusty Paul presiding

INVOCATION

Reverend Ron Gilreath, Mount Vernon Presbyterian Church, offered the invocation.

CALL TO ORDER

Mayor Paul called the meeting to order at 6:01 p.m.

ROLL CALL AND GENERAL ANNOUNCEMENTS

City Clerk Michael Casey reminded everyone to silence all electronic devices at this time. Additionally, those wishing to provide public comment during either a Public Hearing or the Public Comment segment of the meeting are required to complete a public comment card. The cards are located at the back counter and need to be turned in to the City Clerk.

City Clerk Casey called the roll.

Mayor: Mayor Paul present

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

PLEDGE OF ALLEGIANCE

Mayor Rusty Paul led the Pledge of Allegiance

PUBLIC COMMENT

There were no public comments.

APPROVAL OF MEETING AGENDA

Motion and Vote: Councilmember Sterling moved to approve the Regular Meeting agenda for February 4, 2014. Councilmember Paulson seconded the motion. The motion carried unanimously.

CONSENT AGENDA

(Agenda Item No. 14-020)

1. Meeting Minutes:
 - a) January 14, 2014 Council Retreat
 - b) January 21, 2014 Regular Meeting
 - c) January 21, 2014 Work Session

(Michael Casey, City Clerk)

Motion and Vote: Councilmember DeJulio moved to approve the Consent Agenda for February 4, 2014. Councilmember Dishman seconded the motion. The motion carried unanimously.

PRESENTATIONS

There were no presentations.

PUBLIC HEARINGS

City Clerk **Michael Casey** read the rules for the Public Hearings segment of the meeting.

Alcoholic Beverage License

(Agenda Item No. 14-021)

1. Approval of Alcoholic Beverage License Application for Exxon at 8325 Roswell Rd, Sandy Springs, Georgia 30350. Applicant is Jithendar Kancharla for Retail/Package Malt Beverage

Revenue Manager John Cruse stated this item is a change of ownership application for the Exxon gas station for retail/package, wine, and malt beverage. The applicant has met all requirements and staff recommends approval.

Mayor Rusty Paul called for public comments in support of or in opposition to the application. There were no public comments. Mayor Paul closed the public hearing.

Motion and Vote: Councilmember Paulson moved to approve Agenda Item No. 14-021, Alcoholic Beverage License Application for Exxon at 8325 Roswell Rd, applicant is Jithendar Kancharla for Retail/Package Malt Beverage. Councilmember DeJulio seconded the motion. There was no Council discussion. The motion carried unanimously.

(Agenda Item No. 14-022)

2. Approval of Alcoholic Beverage License Application for Super Mercado Cuernavaca 156 Northwood Drive, Sandy Springs, Georgia 30342. Applicant is Rahim Lalani for Retail/Package Wine and Malt Beverage

Revenue Manager John Cruse stated this item is a change of ownership application for a retail/package, wine, and malt beverage. The applicant has met all requirements and staff recommends approval.

Mayor Rusty Paul called for public comments in support of or in opposition to the application. There were no public comments. Mayor Paul closed the public hearing.

Motion and Vote: Councilmember Bauman moved to approve Agenda Item No. 14-022, Alcoholic Beverage License Application for Super Mercado Cuernavaca 156 Northwood Drive, applicant is Rahim Lalani for Retail/Package Wine and Malt Beverage. Councilmember Sterling seconded the motion. There was no Council discussion. The motion carried unanimously.

CDBG Program

(Agenda Item No. 14-023)

3. Update and Public Hearing for 2014 CDBG Program Annual Action Plan

Director of Community Development Angela Parker stated this item is the beginning of the 2014 CDBG annual action plan. The Community Development Block Grant (CDBG) program is one of the longest running programs, in terms of federal grants. Since 2008, the City has been involved in the program. As a condition of accepting federal funds, the City is required to have a five year consolidated plan. Every year the City is also required to complete two annual action plan reports. These reports detail what the City intends to do over the next year in a report called a Consolidated Performance and

Evaluation Report (CAPER). This report defines what has been done with City money and how the goals have been met as part of the program. The City has focused the projects and funds on infrastructure improvements, specifically two sidewalks projects. One project was completed in May 2013, which was the Roswell Road sidewalk project from Dalrymple to Northridge. Phase II of the project is a two mile project that will extend the sidewalks to the Chattahoochee River as well as on the northside of Hightower Trail. Staff will likely recommend the City continue to fund those projects. The funding will be needed this year and a portion of next year to complete this project. As a part of the process, a public hearing needs to be held. There will also be other public meetings held for those who wish to make comments on the plan. The report will then be completed and submitted to HUD.

Councilmember Gabriel Sterling asked if the issue has been cleared up with the Hightower Trail connection going to Roswell Road.

Director of Public Works Garrin Coleman stated that should be completed in the next couple of weeks.

Councilmember Sterling asked when the City will receive the CDBG funds and will they be distributed to the south end of the City for the next phase.

Director of Community Development Parker stated the plan focuses on the current City projects. Staff envisions it will take this year's money and part of next year's money to complete the project that is underway. As a part of the plan, staff will identify a new project. Staff has already been looking at locations on the south side of the City. There are limited areas within the City where the funds can be expended.

Councilmember John Paulson asked when the current project will be finished all the way to the river.

Director of Public Works Coleman stated the project will be completed by February 19th.

Councilmember Tibby DeJulio asked if there are more areas in the City that qualify for the CDBG funds because of the last census; and if some of those parcels are on the south side of the City.

Director of Community Development Parker responded yes. The Roswell Road corridor is the area staff is looking at on the south side. Staff will make recommendations to Council and then Council will make a decision on what those projects will be.

Mayor Rusty Paul asked if there has been consideration given to using the Section 108 Program to leverage the CDBG funds to get more than one project moving at one time.

Director of Community Development Parker stated there has been dialogue about that. The amount of money the City receives is relatively small. Even if the 108 program is used to leverage the CDBG funds, the City would not receive large funds in future years. The City generally receives \$400,000 to \$500,000 a year.

Mayor Paul stated the City could money borrow the money for five years, give \$2 to \$3 million to finish the current project ahead of schedule, and then start projects on the south end of the City.

Director of Community Development Parker stated at this point the decision has not been made to do that.

Mayor Paul encouraged staff to look into that option.

Mayor Paul called for public comments in support of or in opposition to the application. There were no public comments. Mayor Paul closed the public hearing.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

(Agenda Item No. 14-024)

1. Consideration of Facility Use Agreement between Sandy Springs Youth Sports (SSYS) and the City of Sandy Springs for use of the Morgan Falls Athletic Complex (MFAC)

Director of Recreation and Parks Ronnie Young stated this is a renewal for the facilities use agreement with Sandy Springs Youth Sports. The youth programs at the Morgan Falls Athletic Complex have been under the direction of Youth Sports for several years. The only changes in the proposed agreement are the end date being December 31 and a renewal period of five years via automatic renewal at the end of each year. The organization is meeting all expectations in the use agreement.

Councilmember John Paulson asked if the annual amount of the contract is \$125,000.

Director of Recreation and Parks Young stated the contract amount is \$127,500 and has not increased or decreased from the previous year.

Councilmember Paulson asked if this amount covers the water, utility, gas and phone bills.

Director of Recreation and Parks Young stated the cost does not cover utilities. The cost covers the landscape maintenance and custodial services in the park.

Councilmember Paulson asked if the lights at Morgan Falls Park are being changed to the lower power lights and if not, could that be done.

Director of Recreation and Parks Young stated he does not know of an economy light bulb that would replace the light fixtures at this time. The current lights are metal 1500 watt fixtures. The City just replaced the light fixtures on seven or eight fields three years ago when \$5 million was used to improve the fields.

Councilmember Andy Bauman stated he fully supports this agreement. Under the equal employment opportunity section the nondiscrimination clause lists: race, color, religion, sex, and national origin. He asked if there is a reason that sexual orientation is not listed.

City Manager John McDonough stated he does not see why this cannot be included.

Motion and Second: Councilmember Bauman moved to amend the agreement to add "sexual orientation" to the list of discrimination prohibitions in the equal employment opportunity paragraph. Councilmember McDonald seconded the motion.

Councilmember Graham McDonald asked what the difference is between the previous agreement and the new agreement.

Director of Recreation and Parks Young stated the existing contract runs to end at the end of the fiscal year. All the contracts in Recreation and Parks will now end Dec 31 with a five year renewal period. Either party can terminate the contract with a notice. That is the reason for rewriting this section.

Councilmember Paulson asked why the contract is being moved to the calendar year.

Director of Recreation and Parks Young stated this was based on advice from legal staff.

Councilmember Ken Dishman stated the contract is paid in equal monthly installments and that has not changed for several years.

Vote on the Motion: The motion carried unanimously.

Councilmember Paulson stated there was a request to change the termination of the agreement from June 30 to the end of the calendar year. The end of the contract presently coincides with the budget year.

City Manager McDonough stated from a funding standpoint, staff likes to have the contracts end on a fiscal year. He suggested the end date be changed to the fiscal year.

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 14-024, the Facility Use Agreement between Sandy Springs Youth Sports (SSYS) and the City of Sandy Springs for use of the Morgan Falls Athletic Complex (MFAC), with an amendment to make the termination date of the contract 6/30/2014. Councilmember Paulson seconded the motion. The motion carried unanimously.

(Agenda Item No. 14-025)

2. Reappoint Member to the Hospitality Board (Bruce Alterman)

Mayor Rusty Paul stated this is an ongoing process of making appointments to City boards. Mr. Alterman is a current member of the Hospitality Board who was appointed by former Mayor Galambos. He is the owner of The Brickery. The Hospitality Board's function is to use the hotel/motel taxes to help promote tourism.

Motion and Vote: Councilmember DeJulio moved to approve Agenda Item No. 14-025, the reappointment of Bruce Alterman to the Hospitality Board. Councilmember Bauman seconded the motion. There was no Council discussion. The motion carried unanimously.

Resolution No. 2014-02-09

(Agenda Item No. 14-026)

3. Appoint Member to the Hospitality Board (Andrea Cohen Settles)

Mayor Rusty Paul stated Lane Martin resigned from the Hospitality Board and he would like to nominate Andrea Cohen Settles to the Hospitality Board to fill the vacancy.

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 14-026, the appointment of Andrea Cohen Settles to the Hospitality Board. Councilmember Paulson seconded the motion. There was no Council discussion. The motion carried unanimously.

Resolution No. 2014-02-10

(Agenda Item No. 14-027)

4. Reappoint Member to the Board of Appeals (Ruth Coan)

Mayor Rusty Paul stated Ms. Coan has served extremely well and he is nominating her to be reappointed for another term on the Board of Appeals.

Motion and Vote: Councilmember Bauman moved to approve Agenda Item No. 14-027, the reappointment of Ruth Coan to the Board of Appeals. Councilmember Paulson seconded the motion. There was no Council discussion. The motion carried unanimously.

Resolution No. 2014-02-11

(Agenda Item No. 14-028)

5. Reappoint Member to the Development Authority (Jennifer Steele)

Mayor Rusty Paul stated the Development Authority is an independent authority set up by the City to assist in the development of the community. Ms. Steele was appointed by former Mayor Galambos when the Authority was created. She has served as the secretary and is responsible for the execution of documents for the Authority. It is important to maintain continuity with the Authority. He recommended Jennifer Steele be reappointed to the Development Authority.

Motion and Vote: Councilmember Bauman moved to approve Agenda Item No. 14-028, the reappointment of Jennifer Steel to the Development Authority. Councilmember Dishman seconded the motion. There was no Council discussion. The motion carried unanimously.

Resolution No. 2014-02-12

(Agenda Item No. 14-029)

6. Consideration of Approval to Purchase the Property Located at 4697 Wieuca Road (Sandy Springs Fire Station 4)

City Attorney Wendell Willard stated before Council, is the sales contract that has been negotiated with the City of Atlanta for purchase of the property at a price of \$1,240,000. The property is the fire station Sandy Springs has been using since inception of the City. Sandy Springs will also have a mutual aid agreement with the City of Atlanta.

Motion and Second: Councilmember DeJulio moved to approve Agenda Item No. 14-029, Purchase of the Property Located at 4697 Wieuca Road (Sandy Springs Fire Station 4). Councilmember Bauman seconded the motion.

Councilmember Gabriel Sterling asked if the mutual aid agreement is contingent on this motion.

City Attorney Willard responded no.

Vote on the Motion: The motion carried unanimously.

Resolution No. 2014-02-13

REPORTS

1. Mayor and Council Reports

There were no Mayor or Council reports.

2. Staff Reports

- a) Winter Storm Operations – City Manager John McDonough

City Manager John McDonough thanked individuals who assisted with the winter storm on behalf of the City and community. He asked the following department personnel to stand to be recognized: Police Department, Fire Department, Public Works, Information Technology, the Call Center, and ChatComm. Chief DeSimone and his police department employees did a great job including Bo Eskew, Keith Zgonc, Jim Fraker, Tim Sheffield, Benji Cain, Clark Evans, Charles Phillips, Craig Manne, Micah Patrick, Katrina Bruce, Stephanie Thompson, Sgt. Trammer, and Sgt. Spears. There was also a number of Citizens on Patrol working with the Police Department including Rick Stafford, Jon Lewis, Mark Anderson, Nelson Kramer, Mark Crupi, and Mark Thomas. He recognized Jesse Cail and Jonathan Crowe, members of the IT department. He recognized Fire Chief McElfish, Mark Duke and Daryl Smith

and the other employees of the Fire Department who assisted. He recognized citizen volunteers Forest Hill, Joan Wasser, Margaret Welch, Cougar Cirillo, Charles Phillips, Craig Manne, Nick Smith, and Reginald McClendon. He thanked the following individuals from ChatComm: Michelle Allen, Gordon Decker, Jerry Holland, Shireka Graham, Becky Whitaker, Vernon Taylor, Kimberly Link, Michael Price, Joseph Nelson, Gina Kline, Yolando Chandler, Wesley Tony, Casey Winther, Dee Sheldon, Jill Spence, Stephanie Thompson, Robin Miller, Ginger LePage, Marilyn Childers, Nethaneel Lankford, Kendal Ash, Jon Godwin, Kelli Beaman, and Steve Pierce. He thanked Communications Department employees Sharon Kraun, Dan Coffey, and Jason Green for their efforts. He called Glenn Dailey with Blount Construction to the front, presented him with a plaque, and thanked Mr. Dailey and his staff for their help during the storm. He asked Communications Director Sharon Kraun to the front to accept a plaque for their work. The Communications staff worked hard on putting together updates for the Mayor, Council, and community by using social media outlets such as Facebook, Twitter, and creating press releases. He asked Public Works Director Garrin Coleman to the front and recognized the following Public Works staff members who assisted during the storm: Charlie Roberts, Brad Edward, Brenda Sangster, Melissa Rixey, Karen Lugassy, Bill Andrews, Andrew Thompson, Molly Boyenga, Adam Lyon, Josh Davidson, Marty Martin. He asked Rick Foster with OpTech to the front of the room to thank him and his employees for assisting motorists and for their work.

Mayor Rusty Paul stated the whole team did an amazing job during the storm. He received over 300 emails about the winter storm. He thanked Council for doing a great job of taking information from the City and relaying it to the citizens. He was stopped in Decatur and thanked by a resident for the City webpage updates. Staff took the initiative to start early on the storm efforts by pretreating the roads near the hospitals. The City has amazing private schools, churches, and synagogues that opened their doors for about 220 people who needed shelter. The City also had businesses, grocery stores, and restaurants that opened their doors. It was impressive that citizens who saw others trying to walk home offered shelter in their homes. The City has a tremendous amount of generosity and it was proven by ordinary citizens helping out. He has never been more proud of community from the professional staff, elected leadership, and citizens. He thanked everyone who was part of the effort. He has often spoken about the need to have community and be a community. Last Tuesday and Wednesday the City proved to be a community.

City Manager McDonough thanked Assistant City Managers Eden Freeman and Bryant Poole. There were successes and challenges during the winter storm which will be documented in a report. The report will help for any future winter storm events. The City staff realized early that the storm could be a life or death situation from a shelter standpoint. The City opened shelters and reached out to contacts in the private community such as Stars and Strikes and Holy Innocents Church. In each of the shelters a police officer or firefighter was present. The City did have an adequate supply of road treatment that was intended for the next three years. About eighty percent of that road treatment was used. The City has a facility to store road treatment collocated next to GDOT south of I-285 at the Roswell Road intersection. All traffic was cleared out of the City by 6:00 a.m. the next day. The City's Emergency Operations Center (EOC) was set up at City Hall in the Traffic Management Center (TMC). This gave staff a situational awareness through the TMC's camera system. The Public Safety, Communications, and Public Works leadership meet on these types of issues several times a year. The Fulton County School District called City staff to notify them of what was going on. The City offered help with moving the buses. The use of volunteers that assisted with public safety was a tremendous multiplier in this event. A message was sent to CERT volunteers and four CERT members went to the Hammond Park shelter to volunteer. ChatComm received a week's worth of phone calls in 18 hours. They did a great job and were able to dispatch public safety in a timely manner. On January 1, the City hired a new call center contractor that handled over 2,000 phone calls and did a very good job. There was a two way dialogue with social media outlets between the City and citizens. There were no significant injuries during the storm event. At the State and County level communications with other agencies was a challenge. The City did talk to outside agencies such as Cobb County, City of Roswell, and the American Red Cross.

The problem was more of an action issue after having the conversations. Another challenge was access to regional emergency shelter supplies. The City staff had to get to the supply location and load supplies into the City vehicles. The supplies need to be closer to City Hall or have them pre-staged from other agencies in the event of a regional emergency. The City will probably be purchasing supplies to hold the City over for the first 24 hours of a future storm. The City should be more self-sufficient in terms of emergency sheltering. The City has spreader equipment, but not all of it was available to the City per current contracts. Staff will review this issue. If the City had access to the equipment, there would have been a faster response to the storm. The City had to use pickup trucks and tow straps, for towing vehicles. The towing of the vehicles was escorted by police vehicles. A plow or sand truck and public works support was sent to different locations. Staff will look at the addition of more cameras, particularly near the City of Roswell and Cobb County. Staff could see a major traffic backup into Sandy Springs from the TMC, but without going into those jurisdictions, we could not see the extent of the problem. Another challenge that will be addressed in the future is where to close City roads. The steep roads and ones that are in the shade should have equipment pre-staged and have the roads closed once it is determined the conditions are no longer safe.

Mayor Paul stated he had an opportunity to have breakfast with the Mayor of Tuscaloosa, AL in December 2013. He was able to use that conversation to pull from the Mayor's tornado experiences and apply them to a winter storm event. Councilmembers did a great job in recognizing their roles.

PUBLIC COMMENT

Kate Dalba, 7445 Wildercliff Drive, Sandy Springs Society President, stated the Society executive board has major concerns about the modification and policies of City funding for the Sandy Springs nonprofits. The Sandy Springs Society is a nonprofit 501(c)(3) all-volunteer organization in its 25th year. She is concerned the policy language would exclude the Society from applying for direct funding for staging an event in Sandy Springs. The Society has approached Councilmembers about this and they want Council to consider clarifying language for the nonprofit policy by adding the sentence, "Notwithstanding any eligible organization pursuant to this policy that applies for direct funding to support the staging of a community event that fosters and promotes cultural and recreational events similar to those in the Resolution 2006-12-109, shall be considered eligible for application and funding as a part of the City's annual application." That language is key to maintaining the important direct fiduciary relationship between the City and the Sandy Springs Society. The Society understands and stands ready to work with the City to get that language for consideration inserted into the policy.

Valerie Love, 6210 River Chase Circle, stated she is in attendance on behalf of the Sandy Springs Society. The members of the Society want to help the City to keep growing in a way to help enrich the lives of the citizens. The Society chose a holiday market as a project. A leader in community building once stated that every thriving city has two things; a festival and a holiday market. The goal is to become the best holiday market in the country and attract the best vendors. The market has been successful with vendors coming from all over the country. She asked that Council consider putting language in the policy that allows the Society the opportunity to apply for funds.

Pam Betz, 730 Weatherly Lane, stated the Society would appreciate the opportunity to apply for nonprofit funds. The Society would like to be a partner with the City to stage these events to bring the community together. The Society understands the City's fiduciary concerns and has accounting available to allow the City to review where the funds are dispersed. The Society is the largest philanthropic organization in Sandy Springs.

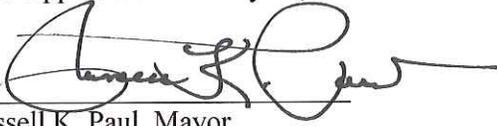
EXECUTIVE SESSION – Litigation and Real Estate

There was no Executive Session.

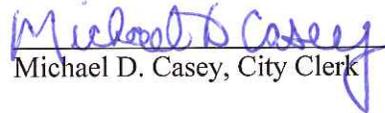
ADJOURNMENT

Motion and Vote: Councilmember DeJulio moved to adjourn the meeting. Councilmember Paulson seconded the motion. The motion carried unanimously. The meeting adjourned at 7:13 p.m.

Date Approved: February 18, 2014



Russell K. Paul, Mayor



Michael D. Casey, City Clerk