

**Work Session Meeting of the Sandy Springs City Council was held on Tuesday, February 4, 2014, at 7:23 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**

**City Manager's Office (CMO)**

1. Discussion of Non-profit Funding Policy

**City Manager John McDonough** stated Council received an updated draft non-profit policy.

**Councilmember Tibby DeJulio** asked if staff received much feedback from other organizations besides the Sandy Springs Society regarding the draft policy.

City Manager McDonough stated the policy has not been sent out to anyone, but citizens know there has been discussion on it. Staff received direction from Council to treat the direct and competitive grant applications equally. The reporting requirements are in place to ensure the proper oversight of the fund allocations on an annual basis.

**Councilmember Ken Dishman** stated he received feedback from The Rotary Club and Leadership Sandy Springs indicating that they like the overall concept of the draft policy. They would like community events to be funded by the City for organizations that also are dispensing funds to other nonprofits. That is not addressed in the draft policy. The policy reads that organizations that disperse funds to other organizations are not eligible for funding from the City.

City Manager McDonough stated that is not the intent of the nonprofit policy. Any agency that raises funds to give out grants and provide assistance can apply as long as it meets the criteria that are specified in the policy.

**Assistant City Manager Eden Freeman** stated three years ago the previous Mayor and Council directed staff that there should be a direct relationship with those nonprofits the City grants funds to. The intent of the policy is to include all prior policies, resolutions, and documents into one new document and include the new language Council requested. The new policy was not intended to exclude any community event, as long as it is not a fund raiser.

**Mayor Rusty Paul** stated the Sandy Springs Society holds two major fundraising events each year which are the Elegant Elf and Tossed out Treasures. The Society also did the turtle sculptures, which was a fundraising event, as well as a sculpture garden at the library. Because the Elegant Elf is a fundraising event, that money is dispersed to other charities that would not be eligible under this proposed policy. If the Society has a programmatic event like the sculpture garden or tree planting, those activities would be eligible for City nonprofit funds. The City has to maintain fiduciary responsibility for the funds. When the money goes into a general fund that is then dispersed through other organizations, no one knows where the money is spent. The money has to be segregated. The City is legally required to keep track of grant money and that is the reason for the policy. Any 501(C)(3) organizations can apply for the funds, as long as the reason is programmatic in nature, and the funds can be tracked throughout the entire process.

**Councilmember John Paulson** stated it was a surprise to him that the City is spending \$422,000 on nonprofit activities. He asked what percentage of the City budget has been spent on nonprofits.

Assistant City Manager Freeman stated staff compared this number to the general fund expenditures, not to the entire budget expenditures. The number is separated out based on what are direct services, such as the Community Action Center and Child Development Association, versus the appropriations. For direct services in 2013, the total dispersed amount was \$247,395, which was .28% of the general fund budget. When adding in the contracted services that nonprofits are providing such as Sandy Springs Youth Sports, the maintenance of Heritage Green, and Keep Sandy Springs and North Fulton Beautiful, the total is \$449,895 which is .5% of the general fund budget.

City Manager McDonough stated those numbers have remained unchanged for the last few years.

Councilmember Paulson stated it sounds like Section II-C-3 of the policy needs to be reworded.

City Manager McDonough stated the language of Section II-C-3 states, "Direct Relationship with Non-Profit Organization Required. The City, as a fiduciary, requires a direct relationship with non-profit organizations receiving Resources under this policy. Therefore, the City shall not provide Resources to "umbrella" organizations that, in turn, pass through awards to other entities."

Mayor Paul stated the Society would not be allowed to apply for funds, because they are an umbrella organization. This section needs to be clarified.

Councilmember Paulson asked if there is a way to determine if the money the City is contributing to the nonprofits is being leveraged.

Assistant City Manager Freeman stated this information is in the criteria of evaluation in Section II-D-2. This language is to ensure the nonprofit organization is being broad in fund raising efforts. The nonprofit requesting money cannot be depending on one entity for funding.

**Councilmember Gabriel Sterling** stated part of the \$449,000 includes the funds for the recycling center. That money is State mandated and should not be included as optional funding. Section II-A-2-d addresses the request regarding City owned property. He likes the concept of this, but he does not understand how the City will or will not choose to use City property. Does that mean that any 501(C)(3) is allowed to use City property?

Assistant City Manager Freeman responded no. Many years ago there was a request by a nonprofit to use the Council chambers to hold a meeting. Before the meeting was to be held, the nonprofit had to agree to sign an MOU with the City. Since she has been employed with the City, there has not been a request to use any City owned property, other than parks, which would be handled as a rental arraignment.

Councilmember Sterling mentioned the light poles being used for the Atlanta Jewish Film Festival. Heritage Green is allowed to place banners for advertisement purposes on City light poles.

Assistant City Manager Freeman stated the cost of mounting and removing the banners from the light poles is \$100 each.

Councilmember Sterling stated for City sponsored events, the free signage is allowed to be placed on the light poles. He was under the impression that staff would bring this language back to Council.

Assistant City Manager Freeman stated previously the term sponsored was defined as the organization received funds from the City.

City Manager McDonough stated the only City sponsored events are the Sandy Springs Cycling Challenge, Sandy Springs Festival, and Movies by Moonlight.

Councilmember Sterling stated these organizations receive money from the City if they offer the events free to the City.

**Councilmember Andy Bauman** stated these events are the heart and soul of the community. It is important for a maturing City to sponsor important events. The language in the policy should be correct in order for the City to meet fiduciary responsibilities and also to accommodate the events. He asked how the City can sponsor events in a nonmonetary way. He asked staff to examine as part of the policy making the nonmonetary section more streamlined and also not a once per year occurrence. All of the events that petition the City would come to the City Council eventually.

Assistant City Manager Freeman responded if there is funding tied to the event, yes. If Council would like to see all of the nonprofit organizations that submit a petition to the City, that can be done.

Councilmember Bauman stated the monetary applications need to come before Council and the nonmonetary probably only need to come before Council if a Councilmember does not agree.

Assistant City Manager Freeman stated monetary nonprofit requests have come before Council during the budget process for the direct funding and for the competitive funding the money that is allocated during the budget process. Staff then brings a recommendation back to Council after applications are received during the competitive funding process.

Councilmember Bauman stated there may or may not be differences on the nonmonetary side that can streamline the process.

City Manager McDonough stated the City has a special event policy that deals with 99% of those issues. The City modified the City special events policy last year.

Councilmember Bauman stated if the City sponsors an event, it opens the door to more avenues for the event promoters to receive help from the City, even if in a nonmonetary way.

Mayor Paul stated the way the monetary portion works is Council approves a budget item for a certain amount of dollars and guides the staff to solicit proposals. Staff then evaluates the proposals based on the criteria in the policy and they are scored. Based on the scoring and the money available, that is how the funds are allocated.

City Manager McDonough asked about the nonmonetary support of nonprofits.

Councilmember Bauman stated he would like the ability for non-profits to place signs in the right-of-way, run City website promotions, and use resources that do not cost the City.

**City Attorney Wendell Willard** stated in addressing use of the right-of-way, the City cannot be selective on who can have the right and who cannot have the right.

Mayor Paul asked if the City authorizes groups to place signs in the right-of-way, has the City violated its own ordinance.

City Attorney Willard stated this could be a violation of the City ordinance and opens it up to others having the same usage.

Mayor Paul stated if that is the case, the courts could find the City sign ordinance is invalid, because the City has not enforced it.

**Councilmember Graham McDonald** stated the discussion with the signage has to do with the film festival. He asked if the policy section that addresses religious or religious-affiliated organizations or organizations promoting religion or religious programs, will be an issue for the Atlanta Jewish Film Festival.

Councilmember Bauman asked about Holy Innocents or other organizations that are providing cultural programming and not the promotion of religious or political ideas, but are religious affiliated.

City Manager McDonough stated those nonprofits are not exempt from applying for funds, unless the funds are for religious programs.

Councilmember Sterling suggested the language of that section be changed.

Assistant City Manager Freeman stated that section could be changed to state, "organizations or organizations promoting religion or religious programs". The intent is to not have an organization that is promoting one religion over another.

Councilmember Bauman stated the language "sexual orientation" should be added as well.

Assistant City Manager Freeman stated Section II-B applies to organizations that would be eligible or ineligible to apply under this program. Applying for Special Events is something different.

Councilmember Bauman stated special events such as the Farmer's Market operate independently. There is a higher level of support that can come from the City, such as website promotion and sponsorship.

Councilmember Sterling stated on Section II-A-2-a of page 1, the only thing lacking is the signage issue.

Mayor Paul asked Councilmember Bauman if he would be willing to work with staff to craft appropriate language to bring back to Council for further discussion.

Councilmember Bauman asked if the nonprofit policy can be reviewed in one year to see how the organizations are impacted by changes to the policy.

There was a census of Council to have staff rework the language and bring this item back to Council at a future meeting.

## 2. Update on Renewal of IGA with ChatComm for 9-1-1 Services

**City Manager John McDonough** stated this item is for a renewal of the IGA with ChatComm. The guiding principles of the 9-1-1 system are to provide the citizens with more efficient service and to support the partners of public safety agencies such as police, fire, and ambulance. The Council adopted the performance goal that 90% of calls are to be answered in less than 10 seconds and 99% of calls are to be answered in less than 30 seconds. The expectation was after the calls were answered, they would be dispatched within a certain period of time. The City was not happy with the quality of service. The response times were very high. Since the City had a new police and fire department and a good

relationship with the ambulance provide, staff looked for partnership opportunities. There were joint meetings of the Sandy Springs City Council and the Johns Creek City Council and the determination was made to create the Chattahoochee River 9-1-1 Authority (ChatComm).

**City Attorney Wendell Willard** stated a special provision was created after September 11, where Fulton and DeKalb have the ability to create certain things such as authorities for emergency services.

City Manager McDonough provided an overview and update of ChatComm using a PowerPoint presentation.

**Councilmember Tibby DeJulio** asked what the financial affect would be if Dunwoody remains as a subscriber or becomes a full member of ChatComm.

City Manager McDonough stated currently Dunwoody pays \$1,075,000 annually for turnkey operations. The Authority authorized an increase up to \$1.2 million, which is an 11% increase to a flat rate for the next five years. The other option that was presented was Dunwoody becoming a member. The Authority authorized ongoing operational expenses of \$1,075,000, which is what they are paying today, and gave them the option to buy in at a capitalization cost of \$1.75 million that will be allowed to be paid over a five year period at \$350,000 per year. There is a cost difference as a subscriber compared to what they would pay at the \$1,075,000 plus the \$350,000. For \$175,000 more, they can become a 1/3 voting member of ChatComm. That money is returned to ChatComm and 2/3 of it would come to the City, because Sandy Springs capitalizes 70% of the operation, and the other 30% would go to the City of Johns Creek.

**Councilmember Gabriel Sterling** asked if Dunwoody becomes a partner, would Sandy Springs receive the full 9-1-1 revenue stream and then that would be divided out on a percentage basis based on calls.

City Manager McDonough stated staff is not anticipating that from an Authority standpoint. At the end of the five year period, the Authority will reevaluate the relationship and subsidies.

Councilmember Sterling asked about the DeKalb Fire Department situation through ChatComm.

City Manager McDonough stated Brookhaven is not interested in that same relationship. The city of Dunwoody wants to have the CAD to CAD interface in the DeKalb 911 center. That requires software development, so the two systems can connect and communicate with each other. A consultant has been engaged to do this, but it has been very problematic.

There was a consensus of Council to move this item to the February 18, City Council meeting agenda.

### **Public Works**

#### 1. Johnson Ferry - Wright Road Traffic Signal

**Director of Public Works Garrin Coleman** gave a PowerPoint presentation on the System Analysis Summary for the Johnson Ferry Road and Wright Road Corridor.

**Councilmember Graham McDonald** asked about the split cycle offset optimization technique.

Director of Public Works Coleman stated this is an algorithm or a computer program that is traffic adaptive.

**Mayor Rusty Paul** stated this week the Federal Department of Transportation came out with new regulations requiring more data collection from these types of devices in order to gather more data about traffic patterns.

Councilmember McDonald asked about the significance of the traffic studies.

Director of Public Works Coleman stated these areas are where staff commonly receives complaints about traffic congestion.

**Councilmember Ken Dishman** asked if the signalized option changes the trip time.

Director of Public Works Coleman stated traffic will be moved faster through the corridor.

Councilmember McDonald stated there are two neighborhoods on either side of this four-way stop, Whispering Pines and Mountaire, where the residents need to be able to leave their neighborhoods. His understanding is that we are putting the most sophisticated traffic moving technology into these signals to allow these people to get out of their neighborhoods and that we will have control over and can adjust the signals accordingly. He asked if the modeling that was done at this intersection took into account that this would be a signal without a turn lane.

Director of Public Works Coleman responded yes.

Councilmember McDonald asked if placing a signal at this location would increase the traffic flow at Johnson Ferry Road.

**Director of Transportation/Traffic Brad Edwards** stated that may happen.

Councilmember McDonald asked if the model took into account the potential increase in volume on that section of the road as a result of removing the impediment of the four way stop.

Director of Transportation/Traffic Edwards responded yes.

There was a consensus of Council to move forward with installing the traffic signal.

Councilmember Paulson left the meeting at this time.

### **Community Development**

#### 1. Discussion on Public Art - Murals

**Director of Community Development Angela Parker** stated the mural program was coordinated by Art Sandy Springs and will be funded by a grant from the Atlanta Hawks Foundation to be located throughout Sandy Springs. The murals can be located on public and private property. She suggested the creation of a mural committee.

**Cheri Morris, President of Art Sandy Springs,** gave a PowerPoint presentation on the mural program.

**Mayor Rusty Paul** stated official action on this item cannot be taken tonight.

**Councilmember Andy Bauman** asked how much each mural will cost.

Ms. Morris stated the cost may be \$15,000 to \$35,000 or possibly even \$5,000.

Councilmember Bauman asked if the Atlanta Hawks are looking at other communities to place the murals.

Ms. Morris responded yes.

Mayor Paul suggested a public hearing on this process first.

**Councilmember Graham McDonald** asked about the locations and what the murals will look like.

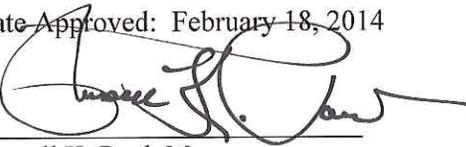
Ms. Morris stated the wall and design of the mural in detail will come before Council before anything happens.

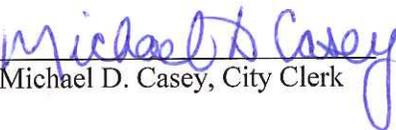
**Councilmember Ken Dishman** suggested the walls at Morgan Falls Park be considered for murals to evaluate the program.

There was a consensus of Council to receive input from the public first, before moving forward with this item.

There being no further discussion, the meeting adjourned at 9:10 p.m.

Date Approved: February 18, 2014

  
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Russell K. Paul, Mayor

  
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Michael D. Casey, City Clerk