

Regular Meeting of the Sandy Springs City Council was held on Tuesday, March 6, 2012, at 6:00 p.m., Mayor Eva Galambos presiding.

INVOCATION

Tom Van Laningham, Refugee Resettlement & Immigration Services (RRISA), offered the invocation.

CALL TO ORDER

Mayor Eva Galambos called the meeting to order at 6:06 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 Eva Galambos present.

Councilmembers: Councilmember John Paulson, Councilmember Dianne Fries, Councilmember Chip Collins, Councilmember Gabriel Sterling, Councilmember Tibby DeJulio, and Councilmember Karen Meinzen McEnerny present.

PLEDGE OF ALLEGIANCE

Will Stanwick, Cub Scout from Heards Ferry Pack 1050 Den 10, led the Pledge of Allegiance

Mayor Eva Galambos stated there are members of the audience that may have an interest in the agenda item regarding the FEMA flood insurance rate map. This item has been removed from the Work Session agenda and will not be discussed this evening.

City Manager John McDonough stated public comments can still be heard on this item. Staff needs further clarification from FEMA and the DNR before this item is discussed.

(Agenda Item No. 12-058)

APPROVAL OF MEETING AGENDA

Motion and Vote: Councilmember Fries moved to approve the Meeting Agenda for March 6, 2012. Councilmember Paulson seconded the motion. The motion carried unanimously

CONSENT AGENDA

(Agenda Item No. 12-059)

1. Meeting Minutes:
 - a) February 7, 2012 Special Called Meeting
 - b) February 21, 2012 Regular Meeting
 - c) February 21, 2012 Work Session

(Michael Casey, City Clerk)

Motion and Vote: Councilmember DeJulio moved to approve the Consent Agenda for March 6, 2012. Councilmember Sterling seconded the motion. The motion carried unanimously.

PRESENTATIONS

1. Proclamation for Meals on Wheels - Mayor Eva Galambos

Mayor Eva Galambos called the representative from Meals on Wheels to the front. She read the proclamation which states, "The Meals on Wheels program provided by Senior Services North Fulton delivers meals to seniors who are unable to prepare meals for themselves. The Senior Services North Fulton has been administering the Meals on Wheels program in the City of Sandy Springs for over 20 years with a 100% volunteer force. In 2011 over 400 volunteers donated their time, vehicle, gasoline and energy to deliver over 37,000 meals with a friendly smile. No senior is ever refused service because of an inability to pay. These efforts have resulted in the improvement in the lives of seniors in need in the City of Sandy Springs with continued personal independence, nutritionally-balanced meals and daily visits by caring volunteers." She proclaimed the month of March 2012 as Meals on Wheels Awareness Month.

Carrie Bellware, Executive Director of Senior Services North Fulton, stated Georgia ranks sixth in the nation for senior hunger and food insecurity. The Meals on Wheels program's purpose is to alleviate senior hunger. About forty percent of her clients live in Sandy Springs. There are seventy-five volunteers who deliver meals to clients every weekday. She thanked the Mayor for recognizing Meals on Wheels.

2. Proclamation for Sandy Springs Education Force - Mayor Eva Galambos

Mayor Eva Galambos called the representatives from the Sandy Springs Education Force to the front: Superintendent of the Fulton County School System, Robert Avossa; Board Chair of the Sandy Springs Education Force, Ava Wilensky; and Executive Director of the Sandy Springs Education Force, Irene Schweiger. She read the proclamation which states, "The Sandy Springs Education Force was founded to better prepare all Sandy Springs students for success throughout their school years and beyond, by augmenting, enriching, and expanding the scope of their academic and personal experiences. With the assistance of community partners and donors, the Sandy Springs Education Force implements programs with a "whole student" focus: Providing each individual with the opportunity to explore and develop new skills and interests that enriches daily life and supports future achievement and success. The Sandy Springs Education Force actively engages the resources of civic leaders, community stakeholders, and businesses to deliver supplemental programs and services in our eleven public schools. The Sandy Springs Education Force efforts to promote learning in the field of science, engineering, technology and mathematics include coordinating a visit by a NASA astronaut, robotic demonstrations and establishing afterschool learning programs at several Sandy Springs schools. Sandy Springs Education Force was awarded the Blue Ribbon Award for exemplary partnership by both North Springs Charter High School and Sandy Springs Charter Middle School. To promote literacy in Sandy Springs, The Sandy Springs Education Force is partnering with Arts Sandy Springs and the Friends of the Sandy Springs Library to launch "Sandy Springs Reads" in April 2012." She proclaimed March 6, 2012, Sandy Springs Education Force Day in the City of Sandy Springs.

Irene Schweiger, Executive Director of the Sandy Springs Education Force, stated the Sandy Springs Education Force is a collaborative partnership. Sandy Springs Reads is a collaboration of Art Sandy Springs and the Friends of the Sandy Springs library.

Ava Wilensky, Board Chair of the Sandy Springs Education Force, presented the Mayor with a copy of "Rocket Boys" in honor of Sandy Springs Reads.

Mayor Galambos stated emphasis on reading is a fabulous education force initiative.

PUBLIC HEARINGS

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

Alcoholic Beverage License

(Agenda Item No. 12-060)

1. Approval of Alcoholic Beverage License Application for Courtyard by Marriott 1A2 at 5601 Peachtree Dunwoody Rd Sandy Springs, Georgia 30342. Applicant is Daniel Elliot Klein for Consumption on Premises Distilled Spirits

Revenue Supervisor Brandon Branham stated the applicant has an existing consumption on premise wine and malt beverage license. This item is a request for an additional license for distilled spirits. The applicant has met all requirements and staff recommends approval.

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

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 12-060, Alcoholic Beverage License Application for Courtyard by Marriott 1A2 at 5601 Peachtree Dunwoody Rd. Sandy Springs, Georgia 30342, for Consumption on Premises Distilled Spirits. Councilmember Paulson seconded the motion. The motion carried unanimously.

(Agenda Item No. 12-061)

2. Approval of Alcoholic Beverage License Application for Smashburger at 6080 Roswell Rd, Suite 950, Sandy Springs, Georgia 30328. Applicant is Ronald Kump for Consumption on Premises Wine & Malt Beverage

Revenue Supervisor Brandon Branham stated this item is a new application for consumption on premises of wine and malt beverage. The applicant has met all of the requirements and staff recommends approval.

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

Motion and Vote: Councilmember Collins moved to approve Agenda Item No. 12-061, Alcoholic Beverage License Application for Smashburger at 6080 Roswell Rd, Suite 950, Sandy Springs, Georgia 30328, for Consumption on Premises of Wine & Malt Beverage. Councilmember DeJulio seconded the motion. The motion carried unanimously.

(Agenda Item No. 12-062)

2. Approval of Alcoholic Beverage License Application for Taziki's Mediterranean Café at 5610 Glenridge Dr Ste 109 Sandy Springs, Georgia 30342. Applicant is Michael William Hoffman for Consumption on Premises Wine & Malt Beverage

Revenue Supervisor Brandon Branham stated this item is a new application for consumption on premises of wine and malt beverage. The applicant has met all of the requirements and staff recommends approval.

Mayor Eva Galambos called for public comments in support of or opposition to the application.

There were no comments from the public. Mayor Galambos closed the public hearing.

Motion and Vote: Councilmember DeJulio moved to approve Agenda Item No. 12-062, Alcoholic Beverage License Application for Taziki's Mediterranean Café at 5610 Glenridge Dr Ste 109 Sandy Springs, Georgia 30342, for Consumption on Premises of Wine & Malt Beverage. Councilmember Sterling seconded the motion. The motion carried unanimously.

Text Amendment

(Agenda Item No. 12-063)

4. **TA12-005** - An Ordinance to Amend Section 12B.8, Main Street District Standards, of the Sandy Springs Zoning Ordinance

Manager of Planning and Zoning Patrice Dickerson stated this item is in response to the moratorium on the ordinance adopted by Council in January, 2012. The amendment was heard by the Planning Commission at the February 16, 2012, meeting. The Commission recommended approval subject to staff clarifying that the amendment applies to retail establishments only. Staff has made that change and recommends approval of the amendment. Additional language was provided this evening to clarify how existing tenant spaces would be handled in regards to the square footage.

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

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 12-063, TA12-005 - An Ordinance to Amend Section 12B.8, Main Street District Standards, of the Sandy Springs Zoning Ordinance. Councilmember Paulson seconded the motion. The motion carried unanimously.

Ordinance No. 2012-03-08

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

(Agenda Item No. 12-064)

1. A Resolution to Rename Central Park West to Central Parkway (from Peachtree-Dunwoody Road to Central Parkway) and to Rename Central Parkway to Central Park Drive (from Peachtree Dunwoody Road to the intersection of Central Park West)

Manager of Planning and Zoning Patrice Dickerson stated this street name change is being brought forward consistent with the realignment of the roadway for the Cox Enterprise development. The street name change would clarify the section from Peachtree Dunwoody Road to the Perimeter Center area. Staff recommends approval of the request.

Mayor Eva Galambos asked if any other property owners besides Cox Enterprises would be affected.

Manager of Planning and Zoning Dickerson stated Cox Enterprises will be the only property affected. There is an additional property owner at 7000 Central Parkway, but that address is not being affected.

Motion and Vote: Councilmember DeJulio moved to approve Agenda Item No. 12-064, A Resolution to Rename Central Park West to Central Parkway (from Peachtree-Dunwoody Road to Central Parkway) and to Rename Central Parkway to Central Park Drive (from Peachtree Dunwoody Road to the

intersection of Central Park West). Councilmember Fries seconded the motion. The motion carried unanimously.

Resolution No. 2012-03-17

(Agenda Item No. 12-065)

2. Consider Awarding Contract for Downtown Master Plan and LCI

City Manager John McDonough stated this item is a report on the submissions received under the RFQ for the City Center Master Plan and LCI Update, and a recommendation for an award. The RFQ was issued on January 5, 2012. Submissions were due by January 30, 2012. A total of thirteen responses were received and twelve of those submissions were responsive. He introduced the following evaluation team members: Lee Duncan, Planning Commission Chairman; Cecil McLendon, Assistant City Attorney; Nancy Leathers, former Director of Community Development; and Kevin Walter, Director of Public Works. Staff support was provided by Assistant City Manager Eden Freeman. On February 3, 2012, the evaluation team began reviewing the packages. The team looked at national experience in master planning, redevelopment planning, demonstrated implementation, innovative market driven approach, economic approach, and public involvement. The team members came together and reviewed the results of the evaluation and made the determination to short list from twelve to four firms that would be invited for an interview. The four firms were TWS, Perkins and Will, Goody Clancy, and Duany Plater-Zyberk (DPZ). Prior to the interviews, the short listed firms were provided with a letter inviting them to provide the team with additional information about their capabilities to undertake the project. Each company was asked to address project staffing, interaction with staff and stakeholders on prior projects, two examples of prior projects, knowledge of Sandy Springs, and level of effort and estimated cost. Those interviews were held on February 22nd and 23rd. The post interview field was narrowed to the firms of Goody Clancy and DPZ. These two firms were then asked to provide more information on economic analysis, public involvement plan, downtown master plan, and the proposed development regulations. The team then spent time discussing the strength, weaknesses, and what was considered the best fit for the criteria discussed. The team took many hours evaluating and looking at examples of past work of both of the firms.

The team's recommendation is to provide a contract to Goody Clancy. The key personnel of Good Clancy for the project are as follows: David Dixon, Principal in Charge, and Ben Carlson, Project Manager. There are economic, transportation and infrastructure, planning, urban design, and outreach components. The relevant projects which are Master Plans that Goody Clancy has completed include Columbus, OH, Wichita, KS, Cambridge, MA, Quincy, MA, City of Norfolk, VA, Dublin, OH, New Orleans, LA, and West Savannah, GA. Some downtown development strategies that were conducted by Goody Clancy are in Providence, RI, Greenville, SC, Chattanooga, TN, Charleston, SC, Cincinnati, OH, Rockville, MD, and Silver Spring, MD. The firm has been recognized on national, regional, and state levels by being awarded numerous planning and design awards based on the work they have done. Goody Clancy presented the team with a consensus-based plan on a very detailed timeline. Goody Clancy addressed major impediments of the redevelopment plan. The team felt the firm did their homework on Sandy Springs. He referenced a slide that showed the parcel basis of the downtown area and their property values. The next slide showed the number of people that commute to Sandy Springs for work and the number of people that live in the City and leave each day for work. The Goody Clancy presentation addressed economics and job issues, as well as the impact on transportation infrastructure. The impacts of the major arterial roadways were addressed. The firm's planning process included looking at multimodal interaction and the ability to walk in different areas of the City. Goody Clancy presented the team with a rendering of what the downtown area may look like in the future. The firm has strength in their ability to conduct an economic analysis. Goody Clancy recognized the transportation challenges that downtown Sandy Springs is faced with along the Roswell Road corridor, I-285, and GA 400. The firm provided illustrations that demonstrated their understanding of Sandy Springs. The firm

had a list of relevant projects, quality of past work, and references. It is staff's recommendation that Council authorize the City Manager to enter into a contract with Goody Clancy to conduct the Downtown Master Plan effort for a fee not to exceed \$350,000.

Mayor Eva Galambos asked when Goody Clancy would begin the work.

City Manager McDonough stated the firm is prepared to begin as soon as the contract is signed and the schedule is received. He proposed Council meet the planners in an interactive session at the Council retreat on March 27th.

Mayor Galambos asked if there is an LCI deadline.

City Manager McDonough responded yes. There is an item on the agenda tonight that would extend the LCI deadline to the end of September, 2012.

Councilmember Dianne Fries commended staff on the process. She is pleased with the quality of responses received.

City Manager McDonough stated staff received excellent responses. There were many qualified firms that have the ability to conduct this type of work and he is pleased they have an interest in working with Sandy Springs.

Councilmember Fries stated the work that Goody Clancy has done in Chattanooga, TN is unbelievable.

Councilmember Karen Meinzen McEnerny stated she is hopeful that all options are on the table as opposed to having a single use site development for municipal use.

Motion and Vote: Councilmember Fries moved to approve Agenda Item No. 12-065, with authorization for the City Manager to enter into a contract on behalf of the City with Goody Clancy for the Downtown Master Plan and LCI update for a fee not to exceed \$350,000. Councilmember DeJulio seconded the motion. The motion carried unanimously.

3. **(Agenda Item No. 12-066)**

Resolution Reappointing a Member and Appointing an Alternate Member to the Sandy Springs Board of Ethics

Mayor Eva Galambos stated the Board of Ethics has term limits which resulted in a vacancy for an alternate member. She proposed nominating David Baker as an alternate member.

Councilmember Gabriel Sterling asked about the resolution.

City Attorney Wendell Willard stated the Mayor is proposing the appointment and reappointment of members through the resolution. Lorrie Mell is currently serving as a second alternate. She would then move up to first alternate and the second alternate would be David Baker. Cindy Johnson will be appointed as a regular member of the Board. Kevin King, who is currently serving on the Board, is being reappointed to his second term.

Motion and Vote: Councilmember Meinzen McEnerny moved to approve Agenda Item No. 12-066, Resolution Reappointing a Member and Appointing an Alternate Member to the Sandy Springs Board of Ethics. Councilmember Sterling seconded the motion. The motion carried unanimously.

Resolution No. 2012-03-18

(Agenda Item No. 12-067)

4. Amendment of Subgrant Agreement with the Atlanta Regional Commission to extend Time of Performance for 10-year Update for Downtown Sandy Springs LCI

Deputy Director of Public Works Garrin Coleman stated this item is to extend the 10 year downtown LCI study contract due date to September 30, 2012.

Motion and Vote: Councilmember DeJulio moved to approve Agenda Item No. 12-067, Amendment of Subgrant Agreement with the Atlanta Regional Commission to extend Time of Performance for the 10-year Update to the Downtown Sandy Springs LCI. Councilmember Paulson the motion. The motion carried unanimously.

Resolution No. 2012-03-19

(Agenda Item No. 12-068)

5. Acceptance of Award and Budget Amendment to Increase City Budget for FEMA Assistance to Firefighters Grant Program Award

Assistant City Manager Eden Freeman stated this item is in regards to a grant the City applied to FEMA for in September 2011. The purpose of the grant is to provide funding for a new cascade/fill station to be placed at Fire Station 2. This system will be used to fill the oxygen tanks for the fire fighters. The current cascade system the City has is about twelve years old, does not work properly, and is a health and safety issue for the firefighters. The firefighters have had to delay training operations that use tanks, because the firefighters do not have enough time to get the tanks refilled and ready for redeployment. The grant approval is in the amount of \$57,500. The City will have to contribute a local match of 20%, which is \$11,500, and that will come from the City's matching grant line item.

Motion and Vote: Councilmember DeJulio moved to approve Agenda Item No. 12-068, Acceptance of Award and Budget Amendment to Increase the City Budget for the FEMA Assistance to Firefighters Grant Program Award. Councilmember Fries seconded the motion. The motion carried unanimously.

Resolution No. 2012-03-20

(Agenda Item No. 12-069)

6. Acceptance of Award and Budget Amendment to Increase City Budget for FEMA/GEMA Hazard Mitigation Grant Program Award

Assistant City Manager Eden Freeman stated in December 2009, staff brought to Council a proposal to apply for funding to purchase and demolish six properties that were considered to be substantially damaged due to repeat flooding. Staff applied for additional funding this year and was approved to purchase five additional properties that have been deemed substantially damaged by FEMA. This increases the award by an additional \$1.7 million. The City will be purchasing the following properties: 5201 Powers Ferry Road, 145 North Mill Road, 825 Windsor Parkway, 835 Windsor Parkway, and 845 Windsor Parkway.

Mayor Eva Galambos asked if the properties on Windsor Parkway are connected to the other homes.

Assistant City Manager Freeman responded yes. Once the City finishes the requirements of the grant program, staff can petition GEMA and FEMA to allow the City to use the parcels for another purpose. This cannot be done until after the structures on the properties are demolished and the requirements of the program are completed.

Mayor Galambos asked if the owners of the properties will contribute the fifteen percent.

Assistant City Manager Freeman responded yes. The property owners have voluntarily agreed to participate in the program.

Councilmember Chip Collins asked if further grants are available for the properties.

Assistant City Manager Freeman responded there are no further grants. The request to FEMA would be for permission to do something else with the properties.

Motion and Vote: Councilmember DeJulio moved to approve Agenda Item No. 12-069, Acceptance of Award and Budget Amendment to Increase the City Budget for the FEMA/GEMA Hazard Mitigation Grant Program Award. Councilmember Meinzen McEnery seconded the motion. The motion carried unanimously.

Resolution No. 2012-03-21

(Agenda Item No. 12-070)

7. Resolution to Add the Finance Director as an Authorized User to the Sandy Springs GF1 Account

City Manager John McDonough stated this is a housekeeping item. Due to the change to a new finance director, the records need to be changed to reflect that she is a representative of the City, when it comes to matters relating to GA Fund 1.

Motion and Vote: Councilmember DeJulio moved to approve Agenda Item No. 12-070, Resolution to Add the Finance Director as an Authorized User to the Sandy Springs GF1 Account. Councilmember Sterling seconded the motion. The motion carried unanimously.

Resolution No. 2012-03-22

REPORTS AND PRESENTATIONS

1. Mayor and Council Reports
2. Staff Reports
 - a) Variance Compliance Sampling Project – Community Development

Director of Community Development Angela Parker stated this is a staff report in regards to a variance compliance sampling project that was conducted. The Board of Appeals has received complaints that variances approved by the Board were not being complied with. The Board asked staff to review past variances for compliance. Staff sampled variances the Board of Appeals approved in 2010 and 2011. Staff took twenty percent of those samples and went out into the field and checked each one of the variances. Of the eighteen variances checked, sixteen were in compliance and two of the projects have not yet been constructed. This sampling project showed that some of the complaints were unfounded and that there are not rampant problems with approved variances.

Mayor Eva Galambos stated the information is reassuring. There has been previous discussion for staff to review what type of variance requests the City receives the most of. This would be done to see if there are any portions of the City Ordinances that need to be modified to address an excessive number of variance requests.

City Manager John McDonough stated staff will do a review of the variance requests.

- b) RFP for Operation of Sandy Springs Tennis Center – Recreation and Parks

Director Recreation and Parks Ronnie Young stated this item is an update on the RFP process for the operation of the Sandy Springs Tennis Center. He recommended that the RFP used in 2009 be updated. The procurement staff would review bidders to assure all are judged responsive to the RFP. A four person team of tennis professionals from outside the metro Atlanta area would then score the proposals. The team would narrow the field to the top two proposals, as scored, and bring the top two companies in for presentations to the same evaluation team. The timeline for the process begins with the RFP development and release on August 1. The RFP scoring committee would be in place by September 3. The RFP responses would be due back to the City on September 13. The RFP scoring would be completed by September 28. The presentations by the finalists would be held on October 4 or 5. The review with the City Manager would be on October 11. This item would then be ready for Council consideration on November 6. The contract would begin on November 30. The transition of management at the center would be during December 2012.

Mayor Eva Galambos asked if the contract for the current operator of the Sandy Springs Tennis Center expires at the end of this year.

Director Recreation and Parks Young responded yes.

PUBLIC COMMENT

City Clerk Michael Casey stated two public comments cards were properly received from citizens unable to stay and provide the comments themselves. He then read the two public comments into the record:

Penelope Malone, 4655 Lake Forrest Drive, wrote "Sandy Springs tree ordinance is regularly ignored by builders and developers and our arborist's department requires more staff to thoroughly investigate and review building plans. Therefore, I support making additions to the arborist staff in order to protect our tree canopy, which is vital to the quality of life in our community. According to the Centers for Disease Control, more people in the United States die from lung cancer than any other type of cancer. Given that our community's air quality is frequently rated as harmful to children, the elderly and anyone who needs to inhale on a regular basis, our trees are invaluable air purifiers. A 2005 study of municipal trees in Boulder, Colo., found that a 50-foot tree stores 1,476 kilograms of carbon and removes 124 grams of sulfur dioxide from the atmosphere each year. To remove that same amount of pollution would otherwise cost society about \$6 annually. The same study found the average tree intercepts 1,271 gallons of precipitation annually, saving the city \$523,311 in storm-water retention costs. For cities struggling to meet the EPA's air quality goals and build adequate wastewater treatment facilities, trees offer high return on investment. Published reports estimate that a city gets a \$3.67 return on every dollar spent on the urban forest. We cannot afford NOT to protect our tree canopy."

Nina Cramer, 5280 Long Island Drive, wrote "we desperately need new inspection staff. I work with Michael Barnett and Sandra De Witt and they work so hard and need help. I wanted to be here in person, but was unable to attend."

John Balsam, 6230 Rivershore Parkway, stated there are several individuals in attendance this evening that want to make a public comment on the proposed flood zone map. Two of the individuals cannot be at the next City Council meeting in two weeks. He is an engineer at the Georgia Tech Research Institute involved in simulations of data analysis programs. He read a letter which stated: "I am one of two Sandy Springs homeowners willing to stand up and help the City and fellow homeowners as a plaintiff, along with the City, in the suit against Fulton County over the holding pond issue in Arlington Cemetery. I have also been the storm water liaison for the neighborhood association for the past ten years. I hear every

complaint from individual plugged backyard drains to the flooding issues experienced in September 2009. In short, the following facts come from first hand interaction with my neighbors. My comments are offered this evening to support those property owners in the District Flood Risk Area who, prior to the current remapping, were in the Shaded Zone X area and whose area was not surveyed in detail but was studied via aerial topographical mapping. We do not take issue with those areas that were ground surveyed in detail and who were already in a Zone A or AE designation prior to the current remapping effort. There is an old adage that with more data, error is minimized. Our contention is that there is significant error in both the mapping of the properties without ground surveying and in the way it has been released to the property owners and I will offer concrete examples. Regarding the latter point, consider that at the December public information sessions held here, our neighbors noticed some startling inconsistencies with the individual maps they received. Specifically, two neighbors living within about 300 yards of each other each received two maps of their property from two different computer stations on the same evening. In both cases, one of their maps showed current status as Zone X and a proposed status as Zone X, no change. The other map received at a different station that same evening showed current status as Zone X but proposed status as Zone A. These are two cases of the same address getting two very different results. That means that some homeowners, probably a good many, went home that evening thinking they were in the clear and safely remained in Zone X when they are not. That is very concerning and I would think you would be alarmed by that fact as well. We showed these maps to Bennett White and he acknowledged the discrepancy. I also spoke to the FEMA representative in attendance that evening. He said that most likely, some lenders would even require flood insurance on properties that were just adjacent to Zone A homes even if they were not in that zone themselves. So you see, you may find that the number of potentially impacted homes may be far greater than what is proposed and I would think that those property owners who think they're in the clear now are going to be very unhappy when they find out otherwise if this remapping is allowed to take effect.

Second, there is the significant fact that the proposed remapping in the non-surveyed area doesn't reflect actual reality in many cases. Two very real examples. We have a few homeowners in our immediate neighborhood who are currently in Zone X but are in the proposed Zone A and they have never flooded even in Sept 2009. We have more than a few neighbors who are in Zone X currently and are shown as staying in Zone X and they were flooded in Sept 2009. Who can make sense of this? We're confident that our neighborhood is just a representative sample of what's happening throughout the district and there must be, in total, a large number of these errors. Again, since this relates to only the non-detailed survey area, how can anyone have a high degree of confidence in the data? You can see why there is extreme frustration on our part with the study and why we are asking that no action be taken that will put these homeowners into a higher flood risk category at least until all of these discrepancies are resolved. We think it unwise to make broad reaching decisions based on such suspect data.

Lastly, those taking the opposite position that the properties should be placed in Zone A usually state two reasons, 1.) making sure that existing property owners know they face a higher risk and 2.) potential buyers are aware of a higher risk. Let me assure the Council, that virtually everyone living along these creeks in question knows they have a slightly elevated risk and many have chosen to buy flood insurance at a reasonable rate. With regard to informing potential buyers, we are all well aware of the legal, binding, contractual need to disclose any prior flooding information to a buyer or be held accountable.

Summing up, due to the gross inaccuracies in the study and presentation of data that I presented this evening, it is apparent that many properties are not accurately presented in either zone. If you place these properties in Zone A, they will all suffer significant losses in marketable property value and significant increases in flood insurance premiums, resulting in very unhappy citizens. Bottom line, these discrepancies as pointed out should cause you to seriously question the validity of the data that such an important decision hinges on. We respectfully ask the Council to do as our two Fulton neighbors to the north, Alpharetta and Roswell did and leave us all, including the 244 properties rightfully and happily in

Zone X. Keep in mind that the 244 properties has just recently been increased from 175, which is a 39% increase! That further demonstrates that the study and the underlying data are in a state of current flux and therefore it is premature to make a decision that will have a far-reaching, adverse financial effect on these homeowners. If you must decide, please err on the side of doing no harm to potentially many property owners who don't rightfully belong in a higher risk flood zone. Thank you for your time, attention and consideration of our position."

Peggy Feldman, 6615 Wright Circle, stated she does not believe the property owners that are now in Flood Zone X should be taken out of Zone X. The City's study is incorrect, based on a new study that was done on her property. She spoke to an attorney regarding a class action lawsuit called inverse condemnation. If the City does something to physically or monetarily injure another's property, that person has the right to ask for money from the City.

Ron Lee, 6270 Rivershore Parkway, stated Rivershore Estates HOA hired Landmark Resources to review the proposed FEMA flood map. Landmark's findings show that the results are invalid. There is concern that citizens will be filing a class action lawsuit against the City. There have been problems with the flood map process. Discrepancies and data issues need to be addressed. He asked that the 244 properties that are in the proposed flood zone be notified appropriately. If the property owners are not notified, they will not be able to hire their own contractor for a study of their property. He asked Council to do the right thing in continuing in the Sandy Springs tradition of being a leading City of excellence.

Howard Silverman, 5625 Whitner Drive, stated he is here to discuss the City arborist position. He favors spending money on hiring a new arborist. The tree canopy should be preserved. He quoted poet Joyce Kilmer. A community in North Carolina dedicated an entire forest to Joyce Kilmer.

Chad Plumly, 610 Mark Trail Court, stated he and his neighbor, Cortne Pappas, are members of the Walking Brandon Mill Coalition. He asked for sidewalks and multi-use paths on Brandon Mill Road. This project has not moved forward, because there were no sidewalks in the area to connect to. That changed with the addition of Lost Corners Preserve and Abernathy Greenway. The neighbors would like to be able to walk to the parks. If people are able to walk to the parks, it will minimize the parking demand. He spoke to the forty homeowners on Brandon Mill where the sidewalks would be located on the east side. There have been eighteen responses, sixteen in favor and two opposed. The property owner at 6785 Brandon Mill Road has a thirteen foot easement and the nine homes between his and Brandon Ridge have at least eight feet of easement. These easements could be used for the sidewalk.

Cortne Pappas, 175 River Court Parkway, stated the City has made great investments on both ends of Brandon Mill Road. Having a one mile sidewalk connecting the two parks is important. The sidewalk would help the 4,500 residents in the neighborhood and also connect to MARTA and retail areas on Roswell Road. This would allow citizens to walk and ride into the City center. There will be limited parking at the parks. The sidewalk would help this issue and encourage people to walk and jog more. He asked Council to reevaluate the scoring criteria on this item during the budget process.

Patty Berkovitz, 800 Crest Valley Drive, stated she is here to discuss site inspections for environmental impact. For Fulton County there has been a twenty-two percent increase in construction of new single family homes from 2010 to 2011. In Fulton County there has also been a 316% increase in the construction of new multi-family (over five units per permit building) properties from 2010 to 2011. The number of new building permits for Sandy Springs should have increased proportionately to the increase in the county. These numbers do not include the number of permits issued for new additions, decks, and other improvements to homes. That number of permits is four times the new construction permit numbers. This is over an 88% increase in new permits from 2010 to 2011. Logically, the number of hours applied to plan reviews should increase over 80%. Some portion of that time should be applied to

environmental impact. She assumes staff is spending less time on each permit. There needs to be better quality services for environmental site inspection related to permitting activities. From a tax revenue perspective, the average property tax yields over \$1,500 per new unit. This translates to over \$100,000 per year. That would pay for one new staff person, and she hopes it would be an arborist.

Tochie Blad, 7320 Hunters Branch Drive, stated at the inception of the City she was appointed to work on the tree ordinance. If site inspection staff is not increased, the City cannot accomplish what was originally set forth. The City should have more staff for site review that will help with stormwater, erosion, and silting problems. She asked the City consider hiring another site inspector.

Marty Gillin, 4645 Harris Trail, stated she represents the Northside Woods Neighborhood Association. One of the most important missions when Sandy Springs was formed was to protect the neighborhoods and beautiful trees that make this area unique. The current tree ordinance is weak and inadequate. There is not adequate staff to review all tree survey and grading plans before development begins. The City needs to return to the original promise of Sandy Springs, which is the protection of its neighborhoods. Please protect our City and hire an additional site inspector.

Pat Daly, 950 Davis Drive, stated she and her husband have lived at the same location for about thirty-three years. About two years ago there was a speculative builder who proposed to place a house on a lot by clearing a majority of the 2 ½ acres. The permitted plans ignored the specimen trees on their lot as well as hers. She spent thousands of dollars preparing her objection to the permit. If it had not been for a concerned Councilmember, this house would have been built.

Kevin Hayes, 6240 Rivercliffe Drive, stated he is one of the homeowners who have seen two different maps that show his property in two different flood zones. After he spoke to engineers, the State of Georgia, and City staff, it became apparent that Council can vote to not accept the proposed flood map. If Council decides to not adopt the new map, there is no adverse impact to the homeowners or the City. If Council decides to adopt the proposed map, the property owners will lose value on their homes, causing the City to lose tax revenue. He asked Council to do the right thing for the citizens and tax payers by not adopting the proposed flood map.

Alan, Merkel, 6865 Brandon Mill Road, stated he is opposed to the idea of installing a sidewalk on Brandon Mill Road. There is nothing linking the two City parks on either side. Not a single person will use the sidewalk, because the hills on that street are way too steep.

(Agenda Item No. 12-071)

EXECUTIVE SESSION – Litigation

There was no Executive Session.

(Agenda Item No. 12-072)

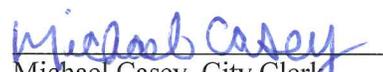
ADJOURNMENT

Motion and Vote: Councilmember DeJulio moved to adjourn the meeting. Councilmember Fries seconded the motion. The motion carried unanimously. The meeting adjourned at 7:23 p.m.

Date Approved: March 20, 2012



Eva Galambos, Mayor



Michael Casey, City Clerk