

**Minutes of NPU-B regular monthly meeting
Tuesday, June 6, 2017**

The meeting was called to order at 7:00 p.m. by Nancy Bliwise, acting as NPU-B Chairperson.

Present: 12*

Proxies: 7
Bill Murray to Bob Connelly
Jason Kendall to Bob Stasiowski
Randall Kent to Sara Ohmer
Kim Bondurant to Sara Ohmer
Jim Cosgrove to Kim Shorter
Steve Lam to Nancy Bliwise
Andrea Bennett to Nancy Bliwise

1. OPENING REMARKS / CHAIRPERSON'S COMMENTS

Welcome, mission of NPU-B, and introductory remarks

2. APPROVAL OF MINUTES

NPU-B Action: A motion to approve minutes, as amended, from the previous regular monthly meeting of the NPU-B passed by vote of 17-0-0.

*2 NPU members joined after the approval of the minutes.

3. REPORTS FROM CITY DEPARTMENTAL REPRESENTATIVES, ELECTED OFFICIALS, AND OTHERS IN AUDIENCE

Atlanta Police Department (APD) Zone 2

Major Barry Shaw, Precinct Commander Zone 2, JBShaw@atlantaga.gov ; 404-391-0081.

Captain Butler, Assistant Commander. Auto thefts are still a problem in the Zone and often because the keys are left in the car and the car is running. APD is trying to educate the public not to leave their keys in the car. There are also concerns with persons coming in through the passengers seats while people are pumping gas and stealing purses, etc. The criminals are watching everyone at gas stations and targeting those who don't lock their cars. The curfew laws will be enforced more now that school is out for the summer. They are also putting more segways on the trail systems to try prevent problems. Frank asked Captain Butler to add Chastain Park and the playground to the list of areas that are reviewed.

There was a question about the City's noise ordinance. Captain Butler noted that the ordinance is complicated. After 9pm, most noise is supposed to subside - especially noise related to construction. If the noise is so egregious, the City will cite but these are often thrown out because the noise was not measured properly. There are several issues with the current ordinance. The ordinance measures treble and not base, but base is what is objectionable. The City's current development pattern has led to challenges because many homes are built on top of bars. The

ordinance was last written when the bars were concentrated in one confined district and to address issues with noisy spring break cars.

The attendee noted that the concern was the adjacent apartment complex garbage pickup at 6:15am. Captain Butler noted that if they were within their operating hours, there was little that the City could do.

There was a question as to the outcome from the issue in the parking lot of the Publix at the Peach Shopping Center last Friday. Captain Butler was not sure but he noted that there were two arrests last week on car breakins, but he was not sure if that was related. Most of the crime in Zone 2 is from people driving in from other zones.

There was a question about the homicide by Disco Kroger. The suspect is on the run, but they think there is a witness and have reviewed the surrounding video footage.

Atlanta Fire Rescue Department (AFRD)

404-546-4400 (or dial 404-546-4421 to reach station 21)

Captain Michael Attard filled in for Chief Dobson. There will be a "Fire Fair" on June 17th at several stations around the City including Station 3 in Buckhead (in the Phipps Plaza parking lot). He also shared information on a new program called pulse point. The pulse point app helps you find the closest AED and gives tips to help save the lives of heart attack victims.

John noted that there was a leaking fire hydrant on Kingsboro near the AT&T store. Captain will call watershed.

Fulton County District Attorney Community Prosecutor's Office

Brenden Dougherty, Zone 2 Community Prosecutor (Brenden.Dougherty@fultoncountyga.gov)

Brendon described the Court Watch program that allows citizens to participate in prosecution. There is a training on August 19th if anyone is interested in attending. There are step-by-step lessons on the court system as part of the training. Registration will be available online.

City of Atlanta Office of the Solicitor: main office 404-658-6618

Alan Coleman acoleman@atlantaGA.gov

404-658-6658 office; 404-902-0934 mobile

L'Erin Barnes, Senior Assistant Solicitor, LFBarnes@AtlantaGA.gov (404-680-6498)

MARTA Police Department (MPD) North Precinct (404-848-3902) www.itsmarta.com

Mr. Ray with MARTA Police reminded everyone to protect their personal property while riding MARTA to deter crime. He also described the See-Say app that allows you to alert MARTA police of criminal activity. He added that it is important to be descriptive in terms of your location when using the See-Say app. He added that the Peachtree Road Race and 4th of July preparations are going well.

Department of Watershed Management (DWM) (404-982-1480) www.atlantawatershed.org

Denita Burton, Office of Safety, Security, & Emergency Management (404-546-3374) or dburton@atlantaga.gov; 404-798-8103 (cell)

Denita had information on the continued drought, stormwater, capital improvement projects, and upcoming workshops.

There was a comment that 262 Lake Forest Lane is still waiting for restoration. Watershed was given thanks for the good job 2855 Peachtree Road.

Department of Parks and Recreation (DPR) (404-546-6813)

www.atlantaGA.gov/iparcs

Jose Salazar, Manager, Peachtree Hills Recreation Center (PHRC), 308 Peachtree Hills Ave.

Jsalazar@AtlantaGA.gov or 404-295-3874.

No report.

Department of Public Works

Marcus McGaw (404-865-8743) mlmcgaw@atlantaga.gov

Verna Singleton, VSingleton@AtlantaGA.gov

Officer O (404-807-2610)

Sama 404-865-8621 samakoi@atlantaga.gov

Sama asked if there were any questions or concerns she could help address. She had several updates and she read through these.

Invest Atlanta

Sadai noted that Invest Atlanta was working hard to meet the 6,000 job goal for the year. Invest Atlanta supported the businesses near the I-85 collapse to reduce the impact. There is a Beecher Hills neighborhood event for those interested in purchasing a home in this area near the Beltline. She added that the City recently passed a housing opportunity bond to make up for federal housing subsidies that have either being cut or eliminated. There are small business and home ownership programs available and an RFP will be announced on July 1 for small developers who are interested.

Code Enforcement Section, APD Community Services Division

CodesRequests@AtlantaGA.gov 404-546-3868

jhbrown@atlantaga.gov; 404-546-3800 office; 404-557-2748 cell

Tanya Mincey with Code Enforcement noted that there were 8 cases in the past month in Zone 2, all were property maintenance related. There was 1 citation, 1 found no citation, and 1 was found with no owner. There were 5 that were sent to research.

John asked what residents can do to address overgrown yards. Tanya noted that they should call Code Enforcement.

Buckhead Business Association

Bob Gibeling, VP, Community Alliance, BBA office: 404-467-7607

No Report.

Livable Buckhead, Inc (LBI) - Denise Starling, Executive Director

www.livablebuckhead.org

Buckhead Community Improvement District (CID)
www.buckheadcid.com

Buckhead Area Transportation Management Association (BATMA)
www.batma.org

No report.

Councilman Wan

Councilman Wan reminded everyone that Fulton County handles the tax billing, tax assessments, and tax collection. The City has requested that the tax assessor attend a City Finance meeting in order to get information. The City cannot compel the County but is applying pressure. The City unanimously passed a resolution to delay the 2017 tax digest until questions can be answered.

He suggest that everyone file an appeal if they think their tax was calculated in error. If a certain number are filed, it does give a judge some authority to reject the tax digest. The appeal can be based on market value (recent sales) and if they are consistent across the street and within the same part of town. The deadline for appeals has been extended to July 10th. If you successfully appealed within the last 3 years, the value should be frozen. Several owners have received increases even through their values should have been frozen. The assessor noted that there were some mistakes and they are sending corrections related to frozen properties. There are instances where the county does make people re-appeal even if their value was frozen, so you should appeal if you fall into this category.

There was a question about APS moving forward with their mileage rate. The City of Atlanta rolls back the mileage rate to meet the same revenues as last year. There are caps on the increase in property value assessment if you have been in your house for a long time - this discussion might be reintroduced. A cap on school fees for senior citizens may also be considered, as several counties adjacent to Fulton County have no fee.

17-012-49 - Solid waste bills will increase because of a deficit in the 911 calls budget. Currently there is a 911 assessment on solid waste bills that was intended to close that gap. Councilman Wan voted against that bill. The current ordinance bypassed the NPU process, which Councilman Wan thought was wrong. The fee increase for residential properties is from \$26 to \$34 and for commercial from \$307 to \$397.

The Administration has proposed an increase in the solid waste and recycling bill of about 30%. Councilman Wan feels that a more detailed assessment of the solid waste division is needed to look for opportunities to trim the budget and also look at how the bills are assessed (based on street frontage) before increasing the budget. There was a discussion that additional customer education is needed because recycling gains the City money and trash costs the City money. There was also a discussion about the percentage of the solid waste fee that pays for "tax services" such as cleaning up illegally disposed waste and street sweeping, versus fee for services such as picking up and disposing waste/recyclables.

There was a question as to whether people using Smart 911 has helped reduce the cost. The City balloons from 500,000 to well over 1,000,000 people during the day. Councilman Wan noted that in the past there was a fee on land line bills but with fewer land lines, this is not a reliable source of income.

There was a question about the best way for constituents to reach Councilman Wan.
Awan@atlantaga.gov.

Councilman Ceaser Mitchell's office

Jim Elgar also noted there was a large volume of calls about the tax assessments, reiterating what Councilman Wan said. He also noted that there are still opportunities to attend the APS meetings to encourage them to wait to set their millage rate until after issues with the assessments are resolved.

There will be an event on June 30th from 9am to 12noon with representatives from state, county, city, and Invest Atlanta representatives to discuss how small businesses can get work.

At the next City Council meeting, Council will be discussing the \$637M budget for general funds which includes pay raises for police and fire.

Fulton County Commissioner Lee Morris

Lee Morris noted that the Board of Commissioners appoints a Board of Assessors, citizens with a background in real estate and appraisal. The Board of Assessors hire an appraiser who is charged with assessing all of the values in the county. Last year, there were very few reappraisals and if they had been doing annual reviews - this year the notice would not be as big. The average reappraisal was about a 13% increase. Commissioner Morris was told that the average increase in District 3, which pays 1/3 of the counties taxes, was lower than that in other Districts. He was surprised to hear stories of such extraordinary increases. There is a Commission meeting tomorrow and they will explore why so many people had frozen assessments unfrozen - they noted that they only unfroze the properties that had work done on their houses. The appraisal have to be done at fair market value and cannot use the 2016 digest, per state law. There are a maximum number of outstanding appeals that can be outstanding and the digest accepted.

Commissioner Morris has been implementing customer service surveys to ensure people are treated fairly when interacting with the Board of Assessors. Staff try to resolve as many issues as they can and if they can't it goes to a panel of 3 members - these people are selected like Grand Jury members. They are citizens with very little training and most of them come from poorer parts of the county because they are the only ones who will accept the small stipend paid for the work.

There is renewed interest in the General Assembly to cap the allowable year-to-year increase in assessments. In the past, there has been some equal protection under the law issues, but other states have gotten around. Commissioner Morris mentioned that there is a cap on Fulton operating line item and also to Sandy Springs but the other cities in the county have not adopted it yet. Lee Morris is having a town hall meeting June 19th at the church located at 4393 Garmon Road, NW. The Chief Appraiser and staff will be in attendance and will describe the assessment process. The staff can't look at every property and run comps for every property, they make math assumptions. He will discuss the appeals process and take questions on the processes.

Commissioner Morris noted that there is a lot of misinformation on NextDoor. Arthur Ferdinand is not involved in the assessment, he collects the taxes. Fulton County will set millage - the last two year the Commission has attempted to set the digest to revenue neutral and/or rolled back the revenues.

The City will set mileage at June 19th. The millage rate will not be finalized until Fulton County gives the final digest.

Omar Nelson with Fulton County CASA (Court Appointed Special Advocate) - In Fulton County, there are a number of ongoing court cases that involve children. The state has mandated that at every case, there is a child advocate who has the opportunity to gather information and then make recommendations in terms of what services that child needs and where that child should live. The benefits of CASA is that members see one child at a time. Children who have a CASA are less likely to be abused and more likely to graduate from school, get adopted, etc. There is a 5 week training for volunteers. The time commitment is 10 to 20 hours per month. There will be an information session on Thursday, June 29, 2017 at the Northwest Branch Atlanta-Fulton Public Library at 2489 Perry Blvd. For more information email contactus@fultoncountycasa.org or call 404-612-4726.

4. PRESENTATIONS

There were no special presentations.

5. PLANNER'S REPORT

Jessica noted that the City's population is currently 472,522 increase of 2% from last year. Atlanta is the 40th fastest growing City in the US.

Jessica described the text amendments. The text of Z-17-26 notes that BZA decisions can only be appealed if there is direct impact to the action. They want the appeals process to be consistent with a recent court decision in Forsyth County. There were a number of questions from the NPU regarding who determined whether there was standing to appeal the BZA decision. The NPU would like additional clarification before taking a position.

NPU-B action: Action was deferred to the July meeting to allow time for City clarification.

Ordinance 17-O-1249 was discussed. NPU B members feel that this burden should be shared across the daytime population and not just placed on the nighttime population (residents) as everyone shares in the services provided. The NPU B members generally oppose the Ordinance as written and urge City Council to look at more equitable alternatives to address the funding gap.

6. INTERNAL REPORTS

Atlanta Planning Advisory Board (APAB)

Richard Rauh, NPU-B APAB delegate; Cathy Muzzy, alternate delegate.

Email Report.

7. STANDING COMMITTEE REPORTS

A. PUBLIC SAFETY COMMITTEE

Randall Kent, Chair

Maki Fresh / 2349 Peachtree Road / change of agent / APPROVED IN COMMITTEE

Grand China / 2905 Peachtree Road / new business / APPROVED IN COMMITTEE

Octane Coffee / 3423 Piedmont Road NE / change of ownership / APPROVED IN COMMITTEE

Jinya Ramen Bar / 3714 B Roswell Road / new business / APPROVED IN COMMITTEE

St. Regis / 88 West Paces Ferry / change of agent / APPROVED IN COMMITTEE

All American Package Store / 4465 Roswell Road / change of ownership / APPROVED IN COMMITTEE

NPU-B action: A motion to adopt committee recommendations on the above-listed consent agenda passed by vote of 19-0-0.

Dancing in the Streets was a no show.

B. DEVELOPMENT AND TRANSPORTATION COMMITTEE

No Report.

C. ZONING COMMITTEE

Bill Murray, Chair

V-17-121 2640 Shady Valley Drive NE APPROVED

Applicant seeks a variance from the zoning regulation to reduce the required sign setback from 30 feet to 3.0 feet in order to erect a monument sign.

The approval is conditioned on the site plan.

V-17-090 2953 Habersham Road NW APPROVED

Applicant seeks a variance from the Zoning regulation (1) to reduce the required southern side yard setback from 15 feet to 4 feet 8 inches to alter the roof line of an accessory structure, (2) to reduce the required northern side yard setback from 15 feet to 8 feet to make an addition to a single-family structure.

The approval is conditioned on the site plan.

SD-17-005 2945 West Roxboro Road NE APPROVED WITH CONDITIONS

Applicant seeks to create 2 lots where 1 lot exists. Applicant seeks no other variances at this time.

* Approval contingent on both of the newly subdivided lots being connected to sewer and that the subdivision does not create a hardship for the adjacent lot that donated land to allow the subdivision.*

NPU-B action: A motion to adopt committee recommendations on the above-listed consent agenda passed by vote of 19-0-0.

8. OLD BUSINESS

9. NEW BUSINESS

10. ANNOUNCEMENTS

Please pay dues.

The next BZA meetings will be held on July 6th and July 13th on the 2nd floor of the City Hall Annex at noon.

The next ZRB meeting will be held on July 6th and July 13th on the 2nd floor of the City Hall Annex at 6 PM.

****The next meeting NPU B meeting will be Wednesday, July 5, 2017.** (NOTE DATE CHANGED FOR JULY 4th HOLIDAY)**

11. ADJOURNMENT

The meeting was adjourned at 8:41 p.m.