

**Regular Session of the City of Sandy Springs City Council
Studio Theatre, Sandy Springs City Hall and Broadcast Via Live Webinar and Teleconference,
Tuesday, July 20, 2021**

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Regular Session Meeting of the Sandy Springs City Council was held on Tuesday, July 20, 2021 at 7:21 p.m., Mayor Rusty Paul presiding.

I. CALL TO ORDER

Mayor Rusty Paul called the meeting to order at 7:21 p.m.

II. ROLL CALL AND GENERAL ANNOUNCEMENTS

City Clerk Raquel D. González called the roll.

Mayor Rusty Paul – present.

Council Members present: Council Member John Paulson, Council Member Steve Soteres, Council Member Chris Burnett, Council Member Jody Reichel, Council Member Tibby DeJulio and Council Member Andy Bauman.

III. PLEDGE OF ALLEGIANCE

Mayor Rusty Paul led the Pledge of Allegiance.

IV. PUBLIC COMMENT

V. Approval of the Meeting Agenda

Motion and vote: A motion was made by Council Member John Paulson, seconded by Council Member Tibby DeJulio, to amend the meeting agenda by hearing agenda item 2021-216 first under New Business, and approve the agenda as amended. The motion carried by unanimous vote.

VI. Approval of Consent Agenda

A. 2021-202 Meeting Minutes

June 15, 2021 Work Session

June 15, 2021 Regular Meeting

July 6, 2021 Special Called Meeting

(Raquel D. González, City Clerk)

B. 2021-203 Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Fee Simple Right of Way and Temporary Construction Easement on Property Located at 6264 Mt. Vernon Oaks Drive (Tax ID #17-0036-0001-056-3) Which Lies within Land Lot 36 of the 17th District, City of Sandy Springs, Georgia

C. 2021-204 Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Fee Simple Right of Way and Temporary Construction Easement on Property Located at 496 Mt. Vernon Highway Which Lies within Land Lot 71 of the 17th District, City of Sandy Springs (Tax ID# 17-0071-0005-018-5)

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Motion and Vote: A motion was made by Council Member Andrew Bauman, seconded by Council Member Jody Reichel, to adopt the consent agenda. The motion carried by unanimous vote.

VII. Presentation – none.

VIII. Public Hearing – none.

IX. New Business

- A. 2021-216** Request for Mayor and City Council Consideration of Approval to Enter into the Fulton County Child Abuse Protocol Interagency Agreement and to Authorize the Police Chief to Execute the Agreement

Craig Chandler, Deputy Chief of Police presented the Fulton County Child Abuse Protocol Interagency Agreement allows participating agencies across Fulton County to work together in the investigations of child abuse and child sexual exploitation cases. The protocol was developed in 2019. Participations helps with overall consistency and investigation and prosecution.

Motion and vote: Council Member Jody Reichel made a motion to approve agenda item 2021-216, request for approval to enter into the Fulton County Child Abuse Protocol Interagency Agreement and to authorize the Police Chief to execute the agreement. The motion was seconded by Council Member Steve Soteres. The motion passed unanimously.

RESOLUTION NO. 2021-07-97

- B. 2021-205** Request for Mayor and City Council Consideration to Approve Contract Award to Ohmshiv Construction, LLC. to Construct Peachtree Dunwoody at Telford Place Roadway Safety Project, T0064, and to Authorize the City Manager to Execute the Contract

William H. Martin, Jr., AIA, Public Works Director stated the Peachtree Dunwoody at Telford Place Roadway Safety Project is in response to numerous automobile accidents that have happened over the years at the location. The project realigns the roadway and removes the sharp curve. Ohmshiv Construction's bid is \$1,416,927.00, which compares favorably with the engineer's construction estimate of \$1,299,983.50. Construction duration is estimated at approximately 300 days, and includes a major utility relocation.

Motion and vote: Council Member Tibby DeJulio made a motion to approve agenda item 2021-205, approve contract award to Ohmshiv Construction, LLC. To construct Peachtree Dunwoody at Telford Place Roadway Safety Project, T0064, and to authorize the city manager to execute the contract. Council Member Jody Reichel seconded the motion. The motion passed unanimously.

RESOLUTION NO.

- C. 2021-206** Request for Mayor and City Council Consideration of Resolution to Authorize Change Order 2, Amending the Contract for Construction Services with Construction 57, Inc., for Roswell Road (CDBG) Sidewalk Improvement Project ("Project"), (Phase 1), T0033-7, and to Authorize the City Manager to Execute Change Order 2

William H. Martin, Jr., AIA, Public Works Director presented Change Order 2. The present limits for Phase 1 of the Project extend from Long Island Drive to Stewart Drive. Because of prolonged Right of Way

acquisition and utility relocation efforts along the north end of the Phase 2 portion of the project, it was decided to extend Phase 1 of the project into the limits of Phase 2 of the project with the current contractor. This extension includes the continuation of the existing scope from Stewart Drive to Wentworth Street. The construction plans are complete and Right of Way has been obtained for this additional project area. Due to this additional work and utility delays on the current work, the performance period for the contract will be also be extended by 180 days. The current performance period is 350 days and will be updated to 530 days with Change Order 2. If approved, there will be less to do in Phase 2. Phase 2 is the northern end of Roswell Road just south of I-285.

Motion and vote: Council Member Andy Bauman made a motion to approve agenda item 2021-206, a resolution to authorize Change Order 2, amending the contract for construction services with Construction 57, Inc. for Roswell Road (CDBG) Sidewalk Improvement Project (Phase 1), T0033-7, and to authorize the city manager to execute Change Order 2. Council Member Tibby DeJulio seconded the motion. The motion passed unanimously.

RESOLUTION NO. 2021-07-88

- D. 2021-207** Request for Mayor and City Council Consideration of an Ordinance to Amend the City of Sandy Springs FY 2022 Budget to Authorize Additional Funding for Additional Striping Services and a Resolution to Authorize Change Order 1, Amending the Contract for Pavement Marking Services with Roadside Specialties and to Authorize the City Manager to Execute Change Order 1

William H. Martin, Jr., AIA, Public Works Director stated City received notification in March, 2021 from the Georgia Department of Transportation that up to \$350,000.00 in state funding was available for low-cost safety improvements to reduce the frequency and severity of crashes under the LMIG SAP. Sandy Springs was awarded \$100,000.00 for eligible safety improvements. Change Order 1 amends the contract with Roadside Specialties for the FY 2022 striping contract to add the \$100,000 to perform additional streets.

Motion and vote: Council Member Jody Reichel made a motion to approve agenda item 2021-207, an ordinance to amend the City of Sandy Springs FY 2022 budget to authorize additional funding for striping services. Council Member John Paulson seconded the motion. The motion passed unanimously.

ORDINANCE NO. 2021-07-24

Motion and vote: Council Member Jody Reichel made a motion to approve agenda item 2021-207, a resolution to authorize Change Order 1, amending the contract for pavement marking services with Roadside Specialties and to authorize the city manager to execute Change Order 1. Council Member John Paulson seconded the motion. The motion passed unanimously.

RESOLUTION NO. 2021-07-89

- E. 2021-208** Request for Mayor and City Council Consideration to Approve Contract Award to Croy Engineering, LLC to Undertake the North End Boulevard Scoping Study Project ("Project"), T0071, and to Authorize the City Manager to Execute the Contract

William H. Martin, Jr., AIA, Public Works Director stated the North End Boulevard project will develop improvements to safety and traffic efficiency along the north end Roswell Road corridor and to promote

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146 walkable communities as outlined in the City's Next Ten Comprehensive Plan. Within the TSPLOST 2
147 project list, this project is estimated at \$9.6M. The scoping study will develop alternatives concepts in terms
148 of traffic flow and see what proposals are available and to prepare a series of studies that the Georgia
149 Department of Transportation will require in order to consider the project eligible for federal funding
150 opportunities. This is not to design the project. In response to a request for proposals for the scoping project,
151 the City received seven bids. Based on bid scores and interviews, staff recommends a contract award to
152 Croy Engineering, LLC in the amount of \$142,660. The scoping study will take approximately one year.

153
154 **Council Member Steve Soteres** asked is there no other way to move forward with the boulevard project
155 than to work with GDOT.

156
157 **Public Works Director Martin** replied the City will need the support of GDOT. The reports created
158 through the scoping study process will allow the City to enroll the project in the environmental review
159 processes, which are needed when applying for federal funding.

160
161 **Motion and vote:** Council Member Steve Soteres made a motion to approve agenda item 2021-208,
162 contract award to Croy Engineering, LLC to undertake the North End Boulevard Scoping Project, T0071,
163 and to authorize the city manager to execute the contract. Council Member John Paulson seconded the
164 motion. The motion carried unanimously.

165
166 **RESOLUTION NO. 2021-07-90**

- 167
168 **F. 2021-209** Request for Mayor and City Council Consideration to Approve Contract Award to
169 Massana Construction Company, Inc. for Bridge Maintenance and Repair Services - Phase I, and
170 to Authorize the City Manager to Execute the Contract

171
172 **William H. Martin, Jr., AIA, Public Works Director** stated using the Georgia Department of
173 Transportation's bridge maintenance and repair report, plans and bid schedules were developed under
174 contract with design consultant, AECOM, in the fall of 2020. Staff developed a two-phase plan to complete
175 the maintenance and repairs identified in the report. Phase 1 includes the most immediate repairs, and Phase
176 2 includes those project that are less urgent. The City issued a request for proposal for the completion of
177 projects identified in Phase 1. Upon administrative review of the bids and reference checks, staff
178 recommends award be made to the lowest, responsive and responsible bidder, Massana Construction
179 Company, Inc. in the amount of \$462,551. This will take approximately 60 days. Phase 2 will be presented
180 for Council's consideration at a later time.

181
182 **Council Member John Paulson** asked what is the difference between the engineer's estimate of \$230,805
183 and the \$462,551 award recommendation. Is it an old estimate?

184
185 **Public Works Director Martin** replied at this time I cannot give you the difference specifically by line
186 item what difference in market between the engineer's earlier estimate and where we are now. The
187 contractor has a good bridge reputation. The engineer did review the bid and felt their numbers were suitable
188 to move forward.

189
190 **Mayor Rusty Paul** stated many industry professionals are worried about their costs for materials and labor.
191 Moving forward we may see some higher than normal bids as result of labor and materials, some sort of
192 protection.

193

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194 **Council Member Steve Soteres** stated costs are higher, but potentially there was a mistake made as
195 suggested by Council Member Paulson. The work has to be done. There were only two bidders. One more
196 bid would have been good. Because of escalation, vendors are often limiting the duration of their proposals.
197 Is there a way to expedite the time between bid issuance and Council approval?
198

199 **Public Works Director Martin** replied the City's standard time is 120 days. Bids for this project were
200 received in March, 2021, and were needed then to help build the upcoming year's proposed budget.
201

202 **City Manager Andrea Surratt** stated as this issue of higher costs are likely to come up again, the City
203 will have a better answer as to what makes up the difference.
204

205 **Motion and vote:** Council Member Steve Soteres made motion to approve agenda item 2021-209, approval
206 of contract award to Massana Construction Company, Inc. for Bridge Maintenance and Repair Services –
207 Phase I, and to authorize the city manager to execute the contract. Council Member Jody Reichel seconded
208 the motion. The motion carried unanimously.
209

210 **RESOLUTION NO. 2021-07-91**
211

212 **G. 2021-210** Request for Mayor and City Council Consideration of a Resolution to Authorize
213 Change Order 1, Amending the Contract for Street Maintenance Services with Blount Construction
214 Company Inc., and to Authorize the City Manager to Execute Change Order 1
215

216 **William H. Martin, Jr., AIA, Public Works Director** stated there is a backlog in sidewalk maintenance
217 and repair. Change Order 1 to the street maintenance services contract with Blount Construction is a one-
218 year, one-time increase of three staff members plus equipment to address the backlog. The total proposed
219 fee for Change Order 1 is \$243,864.00. The original contract fee for Street Maintenance Services for this
220 fiscal year was \$1,004,994.00. In addition to the roadway maintenance and repair contracts, the City has
221 invested in years past in the Georgia Safe Sidewalks projects, which is primarily grinding down trip hazards.
222 The proposed work includes sidewalk replacement.
223

224 **Motion and vote:** Council Member Tibby DeJulio made motion to approve agenda item 2021-210, a
225 resolution to authorize Change Order 1, amending the contract for street maintenance services with Blount
226 Construction Company, Inc., and to authorize the city manager to execute Change Order 1. Council Member
227 Jody Reichel seconded the motion. The motion carried unanimously.
228

229 **RESOLUTION NO. 2021-07-92**
230

231 **H. 2021-211** Request for Mayor and City Council Consideration of Acceptance of an Agreement to
232 Purchase Fee Simple Right of Way and Temporary Construction Easement on Property Located at
233 6290 Glen Oaks Lane Which Lies within Land Lot 74 of the 17th District of Fulton County, Georgia
234 (Tax ID# 17-0071-0007-049-8)
235

236 **William H. Martin, Jr., AIA, Public Works Director** stated the presented acquisition, and those that
237 follow, are for the Sandy Springs portion of the Mt. Vernon Highway Corridor Improvement Project, TS-
238 192. The presented acquisition includes 1,829.36 square feet of Fee Simple Right of Way and 2,490.40
239 square feet of Temporary Construction Easement. The City's Appraised Fair Market Value Appraisal of the
240 acquisition on the subject property is \$26,919.00. The City's Consultant, under direction of Staff, was able
241 to negotiate an amicable settlement of \$29,600.00 with the property owners. The additional \$2,681.00 being

sought by the property owners is for additional landscaping measures to help mitigate the project's impacts across the frontage of the property.

Motion and vote: Council Member Chris Burnett made motion to approve agenda item 2021-211, acceptance of an agreement to purchase fee simple right of way and temporary constriction easement on property located at 6290 Glen Oaks Lane (Tax ID# 17-0071-0007-049-8). Council Member Tibby DeJulio seconded the motion. The motion carried unanimously.

RESOLUTION NO. 2021-07-93

- I. 2021-212** Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Fee Simple Right of Way, Permanent Drainage Easement and Temporary Construction Easement on Property Located at 650 Mt. Vernon Highway Which Lies Within Land Lots 35 and 36 of the 17th District of Fulton County, Georgia (Tax ID# 17-0035- LL-038-4, 17-0035- LL-019-4 and 17-0036- 0003-020-7)

William H. Martin, Jr., AIA, Public Works Director stated the presented acquisition is 14,522.94 square feet of Fee Simple Right of Way, 1,770.18 square feet of Permanent Drainage Easement and 5,120.30 square feet of Temporary Construction Easement. The City's Appraised Fair Market Value Offer is \$163,700.00 which contains compensation for Fee Simple Right of Way, Permanent and Temporary Easements, Improvements, Damages and Cost to Cure items. The offer is based on a land value of \$6.30/sf. The City's Appraisal contains an adjusted range of fair market unit values between \$5.00/sf and \$8.36/sf. The proposed settlement of \$180,000.00 is based upon a proposed settlement of \$7.50/sf.

Council Member Jody Reichel asked how are the purchase costs determined across related buys.

Public Works Director Martin details are provided in the appraisals, which will be provided to Council.

Motion and vote: Council Member Jody Reichel made motion to approve agenda item 2021-212, acceptance of an agreement to purchase fee simple right of way, permanent drainage easement and temporary constriction easement on property located at 650 Mt. Vernon Highway (Tax ID# 17-0035- LL-038-4, 17-0035- LL-019-4 and 17-0036- 0003-020-7). Council Member Chris Burnett seconded the motion. The motion carried unanimously.

RESOLUTION NO. 2021-07-94

- J. 2021-213** Request for Mayor and City Council Consideration of a Resolution to Authorize Change Order 5, Amending Contract for Engineering Design Services with KCI Technologies for the Mt. Vernon Multi-use Path Corridor Project (TS-192) and to Authorize the City Manager to Execute Change Order 5

William H. Martin, Jr., AIA, Public Works Director stated Change Order 5 provides that KCI will re-stake in support of negotiations with property owners. KCI will also provide several digital renderings that have been requested by neighborhoods who will be impacted by the project.

Council Member Chris Burnett asked will the re-staking result in the decrease of the right of way that needs to be acquired.

Public Works Director Martin replied the re-staking will serve as a project refresh, and provide so support to property owners needing to understand the project's impact to their properties.

Motion and vote: Council Member Chris Burnett made motion to approve agenda item 2021-213, a resolution to authorize Change Order 5, amending contract for engineering design services with KCI Technologies for Mt. Vernon Multi-use Path Corridor Project (TS-192) and to authorize the city manager to execute Change Order 5. Council Member Jody Reichel seconded the motion. The motion carried unanimously.

RESOLUTION NO. 2021-07-95

K. 2021-214 Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Temporary Construction Easement on Property Located at 6321 Glenridge Drive Which Lies within Land Lots 35, 36 and 71 of the 17th District of Fulton County, Georgia (Tax ID# 17-0035- LL-003-8, 17-0036-0003-020-7 and 17-0071- LL-085-0)

William H. Martin, Jr., AIA, Public Works Director stated the presented acquisition is for 1,777.90 square feet of Temporary Construction Easement. The City's consultant, under direction of Staff, was able to negotiate an amicable settlement of \$6,700.00 with the property owners. The settlement equates to a \$200.00 increase above the City's Appraised Fair Market Value offer of \$6,500.00. This will not impact the cemetery.

Motion and vote: Council Member Jody Reichel made motion to approve agenda item 2021-214, acceptance of an agreement to purchase temporary construction easement on property located at 6231 Glenridge Drive (Tax ID# 17-0035- LL-003-8, 17-0036-0003-020-7 and 17-0071- LL-085-0). Council Member Chris Burnett seconded the motion. The motion carried unanimously.

RESOLUTION NO. 2021-07-96

L. 2021-215 Request for Mayor and City Council Consideration of an Ordinance to Authorize the Creation of an Additional Assistant City Manager and Risk Management Paralegal Fulltime Positions and to Amend the FY2022 Budget to Fund the New Positions

Andrea Surratt, City Manager stated as the city continues to transition from a contracting model to a more traditional government structure, there is a need of additional back-office and administrative support. The Risk Manager Paralegal will serve as a central point for administering and tracking risk claims is necessary for increasing risk tolerance. Additionally, this person would provide experience in land acquisition, land recording platforms, and other areas of land management. Land ownership and its associated responsibility require organized access to records to provide a quick resolution to a potential liability claim. Adding this staff position will result in a 40% reduction to what the City has been paying in an hourly rate. The position of Assistant City Manager is needed to complement the team in the City Manager's Office. The focus of this job will be supervising administrative functions and processes. This will help key gaps in service delivery. The overall financial impact for these two positions is \$337K annually. This includes the salary and all related benefits. This was not presented original FY 2022 budget because there were more pertinent positions that were needed.

Council Member John Paulson asked will the job be posted so internal candidates can apply?

City Manager Surratt replied yes.

339
340 **Council Member Chris Burnett** asked how did you arrive at \$337K. That is a lot of money. If you feel
341 strong that you need these position, I support you on that because we support your leadership.
342

343 **City Manager Surratt** replied that is the high range of the assistant city manager position as outlined in
344 the evolving pay plan process. The \$170K is the salary and then there are benefits added on to that.
345

346 **Mayor Rusty Paul** stated I have urged her to add an additional assistant city manager. Going from a model
347 of managing contracts to managing people, this is something that needs to be done. When then Assistant
348 City Manager Tolbert retired, that position was never filled. If I had not pushed her, she may not have filled
349 it as soon as now.
350

351 **Council Member Jody Reichel** stated we did save \$2.5M when bringing everyone in house.
352

353 **Council Member Andy Bauman** stated he support this. In the next few years, we do need to continue to
354 monitor the onboarding of the staff to City employees. There are changes that not some have not anticipated.
355

356 **City Manager Surratt** stated the bringing on of staff has been a good move. We do have many senior
357 department directors, who come from the private sector, and they continue to think about the organization
358 in a private sector way so that they are continuing to look for ways to be efficient. Ultimately we provide a
359 city service to the community and we can do that best as a team. Now that we are all city employees we
360 have to build some relations, cooperate history, and internal practices. That needs some work. An assistant
361 city manager from another place would be a good addition.
362

363 **Motion and vote:** Council Member John Paulson made motion to approve agenda item 2021-215, an
364 ordinance to authorize the creation of an additional assistant city manager and risk management paralegal
365 fulltime positions and to amend the FY 2022 budget to fund the new positions. Council Member Tibby
366 DeJulio seconded the motion. The motion carried unanimously.
367

368 **ORDINANCE NO. 2021-07-25**

369 370 371 **X. Reports**

372 373 **A. 2021-217 Mayor and Council Report**

374
375 **Mayor Rusty Paul** reported that former Assistant City Manager Jim Tolbert's wife recently passed away.
376 The City sends its condolences. Also, Friday evening there will be another City Green concert. The
377 community is invited to attend.
378

379 **Council Member Jody Reichel** stated the Sandy Springs July 4th celebration was a lot of fun. It was
380 exciting to see so many people outside. Create Sandy Springs has done a great job.
381

382 **Council Member Andy Bauman** stated earlier it was not my intention to accuse anybody individually or
383 collectively of elitism. I do not believe any of us to be elitist. That was not my intent to cast aspersions. We
384 are all committed public servants. I do want to acknowledge that I do feel very privileged to serve. It is not
385 an entitlement. During this meeting I received a supportive message from a Sandy Springs citizens, who
386 also said it better than I was trying to say, "No one is going to get rich in these roles. And offering benefits

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will remove some of the barriers to having additional qualified candidates run for these offices." I apologize to my colleagues for those remarks.

Mayor Paul replied during debate, passions get high. I have a tendency to emote myself.

B. 2021-218 Staff Reports

1. 2021-2019 May 2021 Unaudited Financials

Toni Jo Howard, Finance Director presented the May 2021 Unaudited Financials.

XI. Executive Session – Real Estate

Council Member John Paulson made a motion to suspend regular order and enter Executive Session for the purposes of litigation and real estate discussions. Council Member Chris Burnett seconded the motion. The motion passed unanimously. Executive Session began 8:35 p.m.

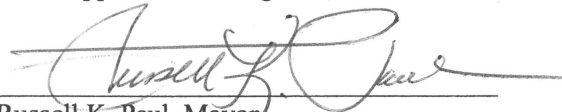
Council Member John Paulson made a motion to end the Executive Session and return to regular order. Council Member Steve Soteres seconded the motion. The motion passed unanimously. Executive Session ended at 9:02 p.m.

XII. Adjournment

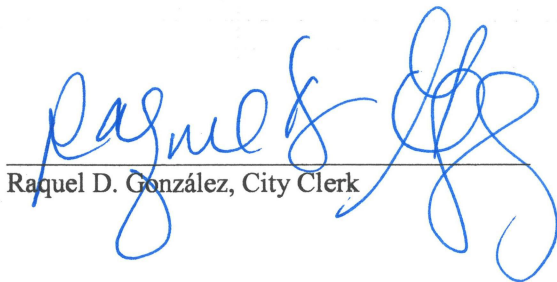
Motion and Vote: Council Member Tibby DeJulio made a motion to adjourn the meeting. Council Member John Paulson seconded the motion. The motion carried unanimously.

The meeting adjourned at **9:02 p.m.**

Dated approved: August 3, 2021.



Russell K. Paul, Mayor



Raquel D. González, City Clerk

