

Regular Session Meeting of the Sandy Springs City Council was held on Tuesday, October 5, 2021 immediately following the City Council Work Session, Mayor Rusty Paul presiding.

I. Call to Order

Mayor Rusty Paul called the meeting to order at 7:24 p.m.

II. Roll Call and General Announcements

Members Present: Council Member John Paulson, Council Member Andrew Bauman, Council Member Chris Burnett, Council Member Tibby DeJulio, Council Member Jody Reichel, Mayor Rusty Paul

Members Absent: Council Member Steve Soteres

III. Pledge of Allegiance

Mayor Rusty Paul led the Pledge of Allegiance.

IV. Public Comment

There was no public comment.

V. Approval of Meeting Agenda

Motion and vote. A motion was made by Council Member Tibby DeJulio, seconded by Council Member John Paulson, to approve the meeting agenda. The motion carried by unanimous vote.

VI. Consent Agenda

Motion and vote. A motion was made by Council Member Andrew Bauman, seconded by Council Member Jody Reichel, to approve the Consent Agenda. The motion carried by unanimous vote.

- A. **2021-264** Meeting Minutes
September 21, 2021 City Council Meeting

VII. Presentations – none.

VIII. Public Hearing

- A. **2021-265** ABL Bill # 79337 - Approval of Alcoholic Beverage License Application for EM & DJ Family Group, LLC d/b/a Tony's Sport Bar & Grill – 8610 Roswell Road, Ste. 450, Sandy Springs, GA 30350. Applicant is EM & DJ Family Group, LLC d/b/a Tony's Sport Bar & Grill, Eun Mi Kim for Consumption on the Premises of Wine, Malt Beverages, and Distilled Spirits.

Kristin Smith, Assistant City Manager presented Alcohol Beverage License Application # 79337, Tony's Sports Bar & Grille at 8610 Roswell Road, Suite 450, Sandy Springs, Georgia, for Consumption on the Premises of Wine, Malt Beverages, and Distilled Spirits. The applicant met all requirements and staff recommended approval.

There were no public comments. **Mayor Rusty Paul** closed the public hearing.

Motion and vote. A motion was made by Council Member John Paulson, seconded by Council Member Chris Burnett, to approve the ABL_ Bill # 79337 - Alcoholic Beverage License Application for EM & DJ Family Group, LLC d/b/a Tony's Sport Bar & Grill – 8610 Roswell Road, Ste. 450, Sandy Springs, GA 30350. Applicant is EM & DJ Family Group, LLC d/b/a Tony's Sport Bar & Grill, Eun Mi Kim for Consumption on the Premises of Wine, Malt Beverages, and Distilled Spirits. The motion carried by unanimous vote.

IX. New Business

- A. **2021-266** Request for Mayor and City Council Consideration of a Resolution to File a Pre-Application for Funding by the Georgia Outdoor Stewardship Program for the Construction of Trail Segment 2A

Catherine Mercier-Baggett, Sustainability Manager presented the Staff's Trail Segment 2A Construction propels for the Georgia Outdoor Stewardship Grant Program. Administered by the Georgia Department of Natural Resources, the Georgia Outdoor Stewardship Program funds parks and trails projects, which is funded through the sales tax on sporting equipment. The amounts disbursed will vary between \$500,000 and \$3,000,000, with a required match of at least 25%. The City of Sandy Springs is seeking maximum funding for the construction of Segment 2A of the Trail Master Plan, two miles, connecting Morgan Falls Overlook Park to the Dog Park, through Orkin Lake, and back to Roswell Road just south of the Big Trees Preserve. Once completed, Loop 2 will go to Ison Springs Elementary School and will include a bridge to Cobb County. The 2A segment will include a 3,000 foot-long boardwalk. Construction documents are under review, and the permitting will soon be resolved. The cost of construction is \$8,608,700. The City has received a pledge of \$30,000 from the Sandy Springs Conservancy and a pledge of \$200,000 from the PATH Foundation. For the presented grant application, the City will make a request of \$3,000,000, the maximum allowable request. The remaining balance of \$5,608,700 will be funded by the City. The City allocated \$2,500,000 in its FY 2022 budget, and it is requested the City provide the final \$2,878,700 in FY 2023 to complete the project.

Council Member Chris Burnett asked could the City sell naming rights for the trail to help raise the funds.

Sustainability Manager Mercier-Baggett replied Staff is currently researching other funding support opportunities for the trail's construction.

Kristin Smith, Assistant City Manager stated Staff is also developing a branding plan. When that plan is presented to Council and options for donations can be discussed then.

Council Member Tibby DeJulio asked if applying for the grant commits the City to the additional \$2,878,700.

Andrea Surratt, City Manager stated if the grant is awarded, the City Council would need to then accept the grant and at that time also consider a budget amendment to address the unbudgeted funds.

Motion and vote. A motion was made by Council Member Jody Reichel, seconded by Council Member John Paulson, to approve the Resolution to File a Pre-Application for Funding by the Georgia Outdoor Stewardship Program for the Construction of Trail Segment 2A. The motion carried by unanimous vote.

Resolution No. 2021-10-16

- B. **2021-267** Request for Mayor and City Council Consideration of a Resolution to Authorize the City Manager to Execute a Professional Services Contract with Goody Clancy and Associates, Inc., for the City Springs Master Plan Update

Michele McIntosh-Ross presented the recommendation to award a professional services contract to Good Clancy and Associates, Inc., for the City Springs Master Plan Update. The City of Sandy Springs issued a request for proposals to find a consultant firm with the capacity and demonstrated experience to provide professional services and conduct a Master Plan Update for the City Springs District, which includes City Hall. The original City Center Master Plan was done in 2012, and many of the goals to create this unique, vibrant, walkable City Center with amenities, such as commercial retail, recreational and cultural facilities, still hold true today, and many recommendations from that Plan have been come to fruition. Since the 2012 Plan, the City Springs District has experienced significant private investment, including approximately 1,700 new residential units and more than 100,000 square feet of retail and amenity space. The City Springs Master Plan Update (Plan Update) is meant to build on the previous goals and accomplishments, and re-engage the community -ten years later- to establish the path forward. The Plan Update will seek to provide a comprehensive understanding of accomplishments to date and provide a discussion of the District accomplishments to date; an updated market analysis, needs and projects; a five and ten-year work program; updated illustrative plans; a parking, transit, rideshare, and bicycle and pedestrian enhancements strategy; a plan for City-owned properties; and an economic development section. The Plan Update will also include a Sustainability and Innovation Component to address topics such as energy consumption/production, stormwater management and green infrastructure. There will be a robust public participation program in the Plan Update's development. The City received six proposals, and the Evaluation Committee determined that the Proposal submitted by Goody Clancy represents the best value for the City. Among the factors that influenced the Evaluation Committee's decision were; the overall onsite/in-person presentation by Goody Clancy was superior to the other firms; the explanation of the public participation strategy by the proposed project manager resonated with the team; Goody Clancy demonstrated exceptional knowledge about the study area and City projects within the District, and the Evaluation Committee felt that would enable a holistic approach to the project and enhance the chances for the project's success; and the combination of sub-consults that Goody Clancy assembled demonstrated a plan of continuity from previous City planning efforts. The Goody Clancy proposes a seven-month timeline to complete the project. Goody Clancy has worked with the City before, as well as their proposed sub-consultants. Good Clancy has worked with all over the country.

Kristin Smith, Assistant City Manager stated the Haddow team is looking at City-owned property and reviewing options for what those properties can be used for; whereas the Plan Update looks at a larger area that includes privately held property. Once the Haddow study is complete, the information will be provided to the firm working on the Plan Update for their review.

Motion and vote. A motion was made by Council Member Chris Burnett, seconded by Council Member Tibby DeJulio, to approve the Resolution to Authorize the City Manager to Execute a Professional Services Contract with Goody Clancy and Associates, Inc., for the City Springs Master Plan Update. The motion carried by unanimous vote.

Resolution No. 2021-10-117

- C. **2021-268** Request for Mayor and City Council Consideration of a Resolution to Amend the City of Sandy Springs Purchasing Policy

Dan Lee, City Attorney presented a request to increase the City Manager's purchasing authority to \$150,000. The City Manager's current spending authority is \$99,000. This is causing a bottleneck for change orders. The proposed increase would also allow the City Manager to approve change orders up to \$150,000. That change order expenditure amount would be also limited if it doubled the previously approved contract. This would limit the City Manager's spending authority to \$150,000.

Council Member Tibby DeJulio asked are multiple change orders cumulative. Can the City Manager approve a portion of a change order up to \$150,000?

City Attorney Lee replied each change order stands on its own, and is by the size of the original contract. Also, each resolution for each contract could declare what the City Manager's change order spending limit so there could be a control. The staff is having to bring each change order back to Council, and this is extending it from \$99,000 to \$150,000. None of the procurement rules are changed.

Mayor Rusty Paul stated that the City Manager's spending authority was increased to \$250,000 during the construction of City Springs. When the former City Manager left the City, that amount was reduced to \$99,000. This has resulted in the work on projects having to stop while Staff waits on Council to approve change orders. This change will give the City Manager the ability to use professional discretion so as to not slow down these projects. There is still the opportunity to provide oversight. The City Manager can produce a report to Council for review providing a list of change orders approved.

City Manager DeJulio stated as the City Manager's tenure and Council's confidence increases, it is expected the City Manager's spending discretion will increase. But can the change orders be brought to Council at several pieces of smaller amounts instead of the whole amount of \$150,000? Can we make the report a part of the motion?

Council Member Andy Bauman stated Finance Director Toni Jo Howard has advised that Staff can provide a report regularly identifying approved change orders.

Council Member John Paulson asked if the cost of the contract doubles from the original awarded amount, will the other change orders have to come before Council. Identifying contingency amounts for large projects is a policy the Council should review.

City Attorney Lee replied the aggregate of the change orders cannot exceed the amount of the original contract, limited to \$150,000.

Motion and vote. A motion was made by Council Member John Paulson, seconded by Council Member Jody Reichel, to approve the Request for Mayor and City Council Consideration of a Resolution to Amend the City of Sandy Springs Purchasing Policy. The motion passed.

Yes 4, No 1, Abstained 0

Yeas: John Paulson, Andrew Bauman, Chris Burnett, Jody Reichel

Nays: Tibby DeJulio

Resolution No. 2021-10-118

X. Reports

A. 2021-269 Mayor and Council Report

Mayor Rusty Paul stated it is Hispanic Heritage Month. This is an important milestone in Sandy Springs and elsewhere. Also, the Educate and Vaccinate program presented by the Sandy Springs Fire Rescue and the Sandy Springs Police Department have been phenomenal. Finally, early voting begins on Tuesday, October 12.

Council Member Tibby DeJulio reported members of the Young Men's Service League, a high school program, visited Sandy Springs City Hall on Saturday, October 2. There Council Member DeJulio shared with them the need and importance of public service.

Council Member Chris Burnett recognized Chief Ken DeSimone and the Sandy Springs Police Department for their good work.

Council Member Jody Reichel reported Fulton County Schools will present on E-SPLOST at the October 19, 2021 City Council Meeting.

B. 2021-270 Staff Reports

Andrea Surratt, City Manager reported the City's virtual TSPLOST meetings are on Wednesday, October 13 at 6:00 p.m. and Wednesday, October 27 at 6:00 p.m.

XI. Executive Session

Motion and vote. A motion was made by Council Member John Paulson, seconded by Council Member Chris Burnett, to suspend regular order and enter an Executive Session for the purpose of real estate discussion. The motion carried by unanimous vote. The Executive Session began at 8:04 p.m.

Passed Yes 5, No 0, Abstained 0

Yeas: John Paulson, Andrew Bauman, Chris Burnett, Tibby DeJulio, Jody Reichel

Nays: None

Motion and vote. A motion was made by Council Member Andrew Bauman, seconded by Council Member John Paulson, to adjourn the Executive Session. The motion carried by unanimous vote. The motion passed unanimously. The Executive Session ended at 9:40 p.m.

Passed Yes 5, No 0, Abstained 0

Yeas: John Paulson, Andrew Bauman, Chris Burnett, Tibby DeJulio, Jody Reichel

Nays: None

XII. Adjournment

Motion and vote: A motion was made by Council Member Tibby DeJulio, seconded by Council Member John Paulson, to adjourn the meeting. The motion carried by unanimous vote.

The meeting adjourned at 9:40 p.m.

Approved: October 19, 2021.



Russell K. Paul, Mayor



Raquel D. Gonzalez, City Clerk