

Regular Session Meeting of the Sandy Springs City Council was held on Tuesday, November 16, 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 6:02 p.m.

II. Roll Call and General Announcements

Members Present: Mayor Rusty Paul, Council Member Jody Reichel, Council Member Chris Burnett, Council Member Andrew Bauman, Council Member John Paulson, Council Member Tibby DeJulio, 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 Steve Soteres, to approve the meeting agenda. The motion carried by unanimous vote.

VI. Consent Agenda

Motion and vote. A motion was made by Council Member Jody Reichel, seconded by Council Member Chris Burnett, to approve the consent agenda. The motion carried by unanimous vote.

- A. **2021-302** Meeting Minutes
November 2, 2021 City Council Work Session
November 2, 2021 City Council Meeting
- B. **2021-303** 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 6252 Mt. Vernon Oaks Drive, City of Sandy Springs, Land Lot 36 of the 17th District, Fulton County, Georgia (Tax ID# 17-0036-0001-053-0)

Resolution No. 2021-11-134

- C. **2021-304** 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 471 Mt. Vernon Highway, City of Sandy Springs, in Land Lot 71 of the 17th District, Fulton County, Georgia (Tax ID# 17-0071-0007-002-7)

Resolution No. 2021-11-135

VII. Presentations

There were no presentations.

VIII. Public Hearing

There were no public hearings.

IX. New Business

- A. **2021-305** Request for Mayor and City Council to Approve Contract Award to Dynamic Security, Inc. ("Dynamic Security") to Provide Security Services for City of Sandy Springs ("City") Facilities and to Authorize the City Manager to Execute the Same

David Wells, Deputy City Manager presented the Staff's recommendation to approve a contract award to Dynamic Security, Inc. for security services for the City Springs campus (1 Galambos Way) and the Morgan Falls campus (7840 Roswell Road). The City received 11 bids in response to Invitation to Bid 22-010 for Security Services. It was determined the five lowest bidders were non-responsive due to incomplete submittals, lack of appropriate references, and other considerations. Staff conducted a site visit to the Georgia Department of Revenue where Dynamic Security, the next low bidder, is the current provider. The purpose of the visit was to gain insight into how Dynamic Security's staff handles visitors to facilities, how management is structured, and to obtain an in-person demonstration of the proposed workforce solution. City staff found the services provided to that facility by Dynamic Security to be professional and in line with the expectations of the City for the Services.

Council Member Jody Reichel asked why the current provider, Universal Protection Services, did not respond.

Deputy City Manager Wells replied the City has experienced several issues with the current provider, both at the Municipal Court and City Hall. The provider's staff was going home at night without being properly secured. The City did put the contractor on report for 30 days, but the services were not improved.

Motion and vote. A motion was made by Council Member Jody Reichel, seconded by Council Member John Paulson, to approve a contract award to Dynamic Security, Inc. to provide security services for the City of Sandy Springs facilities and to authorize the city manager to execute the same. The motion carried by unanimous vote.

Resolution No. 2021-11-136

- B. **2021-306** Request for Mayor and City Council to Consider an Ordinance to Amend the City of Sandy Springs FY22 Budget Amendment to Authorize Usage of Funds Previously Allocated for FY23

David Wells, Deputy City Manager stated during the FY22 budget process, \$4,150,000 for the design and construction of the Veterans Memorial Park and \$450,000 for artwork was included in FY23 in the five-year CIP plan. To prepare the site for the proposed construction, City Council approved a budget amendment in the amount of \$263,285 to TriScapes for the Phase I interim improvements. These improvements, which are presently complete, consisted of the removal of certain concrete building foundations and the installation of sod. Staff recommends that a portion of the \$4,600,000 funding previously approved for inclusion in the FY2023 CIP Plan be funded now in order to prepare the remainder of the park site for construction (Phase II). This early site preparation cost is an expenditure that would have been incurred later during construction of the park, but funds may be utilized now to improve the appearance of the area prior to final construction. Phase II work to be considered in this budget amendment includes the removal of the site's remaining building foundations and pavement, including the removal of contaminated soils in the area, and the installation of additional sod to create a more attractive and functional area while waiting for the Park's final construction. Funds are currently not available for this project until FY23. Staff requests \$1,200,000 of the projected funds now, to be used as detailed below:

1. **Interim Park Phase II Plans and Construction Documents:** \$104,600 to provide construction document level drawings for the next phase of work (Interim/Phase II); coordinate with United Consulting to document contaminated soil remediation work concurrent with interim Phase II work; and construction phase assistance.
2. **Contaminated Soil Remediation ROM:** \$450,000 to develop soil and groundwater management plan; provide temporary shoring near the roadways; haul off contaminated soils; and import clean structural fill material.
3. **Demolition of Foundations and Pavement ROM:** \$595,400 to remove existing building foundations; remove existing asphalt paving; regrade site; install sod grassing.
4. **Artist Stipends:** \$50,000 to provide artist stipends in competition for artwork to be installed during the final phase of Park construction.

Council Member Tibby DeJulio asked will the \$1.2M be enough or will there be additional projects that can be pushed forward to get the project done as soon as possible.

Deputy City Manager Wells replied it is anticipated the \$1.2M is enough, and includes the costs to complete the necessary environmental work on the site.

Council Member Andy Bauman asked when will the City review fund balance use options.

Deputy City Manager Wells replied the funds for this request are available in the fund balance. Other parts of the project will be covered by different funds. For example, the underground utilities will be paid for with the new TSPLOST funds. Staff is working on a plan to present to the City Council on other potential fund balance projects, which should be presented within the month.

Council Member Bauman stated the site remediation is important. Council has been well-briefed on other parts of this project. There is \$1.2M reserved for a fountain, but the City should be cautious when considering competing needs, such as the Abernathy Arts Center, the Anne Frank, the Heritage, etc. Veterans Park is important, but there still needs to be room for continued dialogue, considering two new council members are joining the City. What does the \$104,600 include as a part of the interim park Phase II plans and construction documents? And what are the details regarding the arts stipends?

Deputy City Manager Wells replied the \$104,600 is the architect to create the land disturbance plan and provide administrative oversight of the construction for Phase II of the cleanup. The City has already awarded a contract to Barge for complete the design work. The City has allocated \$450,000 in the five-year CIP plan for FY2023, of which \$50,000 is for artist stipends. The Arts foundation is identifying a shortlist of artists, who will be tasked with creating sample, small sculptures for the Council's consideration. The \$50,000 covers the sculpture work. The process to select an artist is roughly six to seven months.

Council Member Bauman stated there is an open question as to whether the City will move forward with a deluxe plan, which will include a \$450,000 piece, or a super-deluxe plan, which will be a more expensive piece whose costs may be offset by the private funding totaling a \$1M or more. Is it wise to send the \$50,000 now, when the City is not sure which direction it is heading? Should the \$50,000 be pulled out of the approved request until there is more information available?

Council Member John Paulson stated there has been while there has been talk about a committee, but there have not been any formal meetings. Arts Sandy Springs is helping. This is the first step for engaging renowned artist get their ideas about alternative pieces. Perhaps the \$50,000 stays, but is not spent until there is additional clarity.

Deputy City Manager Wells stated additional information about the Arts program can be shared at a future Work Session.

Council Member DeJulio asked does the \$50,000 also include travel for the City's team to meet with artists and review their work.

Deputy City Manager Wells replied the \$50,000 is for the artists.

Mayor Rusty Paul stated this is the first step in getting the sculpture designed. The question is does the City want a more robust sculpture that will require the City to raise funds. Before you raise money with the private sector, the City will have to show what they are asked to contribute to. Arts Sandy Springs volunteer George Bushey can be invited to speak to Council.

Motion and vote. A motion was made by Council Member John Paulson, seconded by Council Member Tibby DeJulio, to approve the Ordinance to Amend the City of Sandy Springs FY22 Budget Amendment to Authorize Usage of Funds Previously Allocated for FY23. The motion carried by unanimous vote.

Ordinance No. 2021-11-40

- C. **2021-307** Request for Mayor and City Council Consideration of Approval of the Path 400 Trail Extension Infrastructure Grant Application to the Atlanta Regional Commission for the 2021 Transportation Improvement Program Solicitation and to Make a Commitment of Local Funding Match

William H. Martin, Public Works Director presented the City's application to the Atlanta Regional Commission (ARC) for the 2021 Transportation Improvement Program (TIP) Solicitation for the Path 400 Trail Extension project, within the City of Sandy Springs city limits. The City of Sandy Springs received federal funding of \$1,470,400 in preliminary engineering, \$688,000 in ROW, \$184,000 in utilities, and \$6,816,000 in construction for the PATH 400 Trail Extension project (T-60, FN-304, PI 0015023). The project limits, as determined as logical termini by Georgia Department of Transportation

(GDOT), were from Loridans Drive to Johnson Ferry Road and included 1.8 miles of trail in the City of Sandy Springs and 0.5 miles of trail in the City of Atlanta. ROW, utility, and construction funding received is for the portion of the trail in Sandy Springs only. There is a separate project (AT-307B) that will construct the trail portion in Atlanta. The City is seeking funding through the 2021 ARC TIP Solicitation to fill the gap in construction funding for the Sandy Springs portion of the trail. Staff has prepared a cost estimate for funding based on the GDOT approved concept report and the latest GDOT required annual cost update from June 2021. In order for the City to be eligible for federal funding, it is required to match funding of a minimum of 20% of the funding requested. Staff estimates the local amount required to match federal funding of \$9,125,096 is \$2,281,274, for a total of \$11,406,370. The local match will be funded by the 2021 TSPLOST. The City anticipates hearing award announcements from the ARC in early summer, 2022. The ARC is the City's metropolitan planning organization and they manages all of the requests from all governments, including projects from the Georgia Department of Transportation, and allocate federal funds accordingly. The City is optimistic that the project is competitive and will supported, especially because of the regional connections that the projects make.

Council Member Tibby DeJulio stated the Path 400 is one of the most important connections that the City will have.

Council Member John Paulson asked does the local match commitment get redirected if these federal funds are not awarded.

Public Works Director Martin replied potentially. The City also submitted this project to the Federal Highway Administration's RAISE grant. Award announcements should be made at the end of November, 2021.

Motion and vote. A motion was made by Council Member Tibby DeJulio, seconded by Council Member Jody Reichel, to approve the Path 400 Trail Extension Infrastructure Grant Application to the Atlanta Regional Commission for the 2021 Transportation Improvement Program Solicitation and to make a commitment of local funding match. The motion carried by unanimous vote.

Resolution No. 2021-11-137

- D. **2021-308** Request for Mayor and City Council Consideration of Approval of the Roswell Road North End Boulevard Infrastructure Grant Application to the Atlanta Regional Commission for the 2021 Transportation Improvement Program Solicitation and to Make a Commitment of Local Funding Match

William H. Martin, Public Works Director presented the City's application for the application to the Atlanta Regional Commission (ARC) for the 2021 Transportation Improvement Program (TIP) Solicitation for Roswell Road North End Boulevard project. The City of Sandy Springs has recently started a scoping study for the Roswell Road North End Boulevard project. The project limits are Roswell Road between the Chattahoochee River and Dunwoody Place. This project would improve the safety and operations and serve as a catalyst for placemaking at the northern City gateway on Roswell Road. The project would install a raised median along Roswell Road and a 10-foot multi-use path on both sides of Roswell Road. The City is seeking funding through the 2021 ARC TIP Solicitation for preliminary engineering, ROW, utilities, and construction of the project. In order for the City to be eligible for federal funding, it is required to match funding of a minimum of 20% of the funding requested. Staff estimates the minimum required to match \$7,744,000 is \$1,936,000, for a total of \$9,680,000. The estimated local match is included in the 2021 TSPLOST.

Motion and vote. A motion was made by Council Member Steve Soteres, seconded by Council Member John Paulson, to approve the Roswell Road North End Boulevard Infrastructure Grant Application to the Atlanta Regional Commission for the 2021 Transportation Improvement Program Solicitation and to make a commitment of local funding match. The motion carried by unanimous vote.

Resolution No. 2021-11-138

- E. **2021-309** Request for Mayor and City Council Consideration of Approval of the I-285/Roswell Road Innovative Interchange Study Grant Application to the Atlanta Regional Commission for the 2021 Transportation Improvement Program Solicitation and to Make a Commitment of Local Funding Match

William H. Martin, Public Works Director presented the City's application to the Atlanta Regional Commission (ARC) for the 2021 Transportation Improvement Program (TIP) Solicitation for the I-285/Roswell Road Innovative Interchange study. The City of Sandy Springs has identified the interchange of I-285 and Roswell as top bottleneck in the City and a location with one of the highest crash rates. This location was widened in 2012, but there continues to be operational and safety challenges associated with this interchange. In order to address the mobility and safety needs of the I-285 and Roswell Road interchange, the City is seeking funding through the 2021 ARC TIP Solicitation for an Innovative Interchange study. This study will consist of a traffic study and culminate in a Georgia Department of Transportation (GDOT) approved concept report. This location was originally part of the scope of work for GDOT's Revive 285 project but was removed as the project transitioned to the Top End 285 Managed Lanes project. The current proposed study has been included in the City's recently adopted Transportation Master Plan and will aid the City to identify operational, capacity, and safety improvements. The study will consider innovative solutions, such as a Diverging Diamond Interchange, that will address both operations and safety challenges. Mayor and City Council approved \$150,000 for this study as part of the FY2022 City budget (Project ID# T2209). The City would like to leverage this funding as the local match in order to undertake a more comprehensive study and progress the study further through concept stage. In order for the City to be eligible for federal funding, it is required to match funding of a minimum of 20% of the funding requested. Staff estimates the minimum required to match a \$600,000 award is \$150,000, for a total of \$750,000.

Council Member Chris Burnett asked does staff envision a Diverging Diamond Interchange being considered for the bridge.

Kristen Wescott, Traffic/Transportation Unit Manager explained there is an opportunity to dive into such a study with GDOT. GDOT would have to submit the interchange change modification. This grant would help program it to get it done quicker by funding the study.

Public Works Director Martin confirmed the City is championing the study, but GDOT would execute the final construction project.

Council Member John Paulson asked will this study conflict with the I-285 Top End project. Also, Roswell Road is a GDOT highway. Why is the City initiating this?

Unit Manager Wescott replied the I-285/Roswell Road Innovative Interchange was removed from GDOT's long-range plan. GDOT did not remove the opportunity for upgrades, but have scheduled them to a later term. This will come in after the express lanes project, as it is moving along much quicker. The

City's technical studies and Transportation Master Plan show a number of crashes and operational problems along the study corridor. This is an opportunity to work collaboratively with GDOT.

Motion and vote. A motion was made by Council Member Chris Burnett, seconded by Council Member Tibby DeJulio, to approve the I-285/Roswell Road Innovative Interchange Study Grant Application to the Atlanta Regional Commission for the 2021 Transportation Improvement Program Solicitation and to make a commitment of local funding match. The motion carried by unanimous vote.

Resolution No. 2021-11-139

- F. **2021-310** Request for Mayor and City Council Consideration to Approve Contract Award with Blount Construction, Inc. to Construct 120-140 Landsdowne Drive Drainage Improvement Project and to Authorize the City Manager to Execute a Contract

William H. Martin, Public Works Director stated 120-140 Landsdowne Drive is a project that involves the rehabilitation and repair of stormwater systems within the City's right-of-way, to include: replacing corrugated metal pipe with reinforced concrete pipe replacing curb inlets with single wing catch basins; rehabilitation of some of the existing pipe with cured-in-place pipe restoration methods; additional rear inlets at junction boxes; etc. In October, 2021 the City received bids for this work from five contractors. Upon review of the bids, Staff recommends that award be made to the lowest, most responsible and responsive bidder, Blount Construction Company, Inc., in the amount of \$211,729.12. The engineer's construction cost estimate for the Project is \$284,178. There are adequate funds available in the Stormwater Capital Maintenance and Improvements Account budget to award this contract.

Motion and vote. A motion was made by Council Member Chris Burnett, seconded by Council Member Steve Soteres, to approve a contract award with Blount Construction, Inc. to construct 120-140 Landsdowne Drive Drainage Improvement Project and to authorize the City Manager to execute a contract. The motion carried by unanimous vote.

Resolution No. 2021-11-140

- G. **2021-311** Request for Mayor and City Council Consideration of a Resolution to Adopt a Policy for Neighborhood Lighting Cost Sharing Program and an Ordinance to Amend the FY2022 Budget

William H. Martin, Public Works Director presented the proposed Policy for Neighborhood Lighting Cost Sharing Program. The current Street Light Policy allows for the installation of street lighting on existing overhead utility poles through Georgia Power Company with no cost to the applicant neighborhood. The City pays the ongoing electricity cost for neighborhood installations. The Policy outlines how neighbors can have the additional lighting. In neighborhoods without aerial utilities or that seek additional lighting, the current Policy provides that additional decorative lighting is mounted on a standalone pole and is 100% at the neighborhood's cost. Once installed, the City pays the bill per the street lighting account. Staff proposes the following amendment to provide a cost-sharing program for decorative lights within neighborhoods:

Neighborhood Lighting Cost Sharing Program:

- The City would offer a cost sharing program for qualified neighborhood requests. Qualified Requests are determined by current lighting standards and processes outlined in the Street Light Policy.
- Recommended cost sharing amount 50% of total installation cost as determined by Georgia Power Company developed estimate.
- Requires a budget for City matching funds, recommend \$100,000 per year depending upon neighborhood interest and participation
- Prioritize based on cost – least cost first for applications received in an enrollment period

This would specifically amend Section X. Neighborhood Listing Cost Sharing Program as follows:

For citizen/neighborhood initiated street light requests that require City of Sandy Springs standard decorative street lights, the City offers a cost sharing program for qualified requests. “Qualified Requests” are determined by the City of Sandy Springs street light standards (See Sections I-II) and the new lighting installation would follow all processes outlined in this policy. To participate in the cost sharing program, all citizens/neighborhoods are required to match fifty percent (50%) of the total cost of the street light installation with the City matching the remaining fifty percent subject to program funding availability.

Applicants will be able to submit requests to participate in the cost sharing program for new residential street lights during an open enrollment period as determined and announced by the City. Should the cost of applications received during the enrollment period exceed the City funds allocated for the program, the applications would be prioritized on a lowest cost first basis. Citizens/Neighborhood applications will be awarded matching funds as long as the funds are available. Once the funds have been exhausted for that budget cycle, all unfunded requests will be considered during the next open enrollment period for the program, typically each fiscal year.

The proposed budget amendment is fund the City’s \$100,000 match.

Council Member Jody Reichel asked can the City’s match be capped at \$25,000 per year per neighborhood or applicant.

Mayor Rusty Paul asked could you define “neighborhood” by platted subdivisions. If you cap it by applicant, you could still have multiple applicants within a neighborhood. It may need to be deferred for further review.

Dan Lee, City Attorney replied not all subdivisions are platted. Also, some subdivisions have more streets than others. Can you limit it to one collection, such that one applicant is limited to \$25,000. An applicant would apply for a certain number of lights, and the costing of it would be the match.

Council Member Andy Bauman stated if there are more neighbors interested in sharing the cost, the \$100,000 can be increased.

Mayor Paul stated this can always be fixed later.

Public Works Director Martin stated the Policy outlines that requests are prioritized based on lowest cost, for-up. Lower costs applications are funded first.

Council Member Chris Burnett stated neighborhood requests for speed cushions require 75% of the affected homeowners.

Greg Payne, Utilities Manager replied the Street Lighting Policy requires 63% of residents within the neighborhood have to agree and 100% per impacted area between each light, which is determined by a 250' buffer around each proposed light.

Motion and vote. A motion was made by Council Member Jody Reichel, seconded by Council Member Andrew Bauman, to approve the Resolution to Adopt a Policy for Neighborhood Lighting Cost Sharing Program. The motion carried by unanimous vote.

Resolution No. 2021-11-141

Motion and vote. A motion was made by Council Member Jody Reichel, seconded by Council Member John Paulson, to approve the Ordinance to Amend the FY2022 Budget. The motion carried by unanimous vote.

Ordinance No. 2021-11-41

- H. **2021-312** 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 6248 Mt. Vernon Oaks Drive in Land Lot 36 of the 17th District, City of Sandy Springs (Tax ID# 17-0036-0001-052-2)

William H. Martin, Public Works Director presented the agreement to purchase 97.69 square feet of Fee Simple Right of Way and 520.89 square feet of Temporary Construction Easement on the subject property is necessary in order to construct the TS-192 Mt. Vernon Highway Corridor Improvements Project. Staff was able to negotiate an amicable settlement in the amount of \$13,900.00 with the property owner. The City's Appraised Fair Market Value offer was \$12,076.00. The property owner is seeking additional compensation to replace the landscaped buffer along the rear of the property that will be impacted by the project.

Council Member Chris Burnett asked will this go beyond the existing wall in the back of the home.

Public Works Director Martin replied most of these are reinforcing buffer, where one or two homes in the entire project go beyond the back wall. These will go right up to the wall.

Motion and vote. A motion was made by Council Member Chris Burnett, seconded by Council Member Jody Reichel, to approve an Agreement to Purchase Fee Simple Right of Way and Temporary Construction Easement on property located at 6248 Mt. Vernon Oaks Drive in Land Lot 36 of the 17th District, City of Sandy Springs (Tax ID# 17-0036-0001-052-2). The motion carried by unanimous vote.

Resolution No. 2021-11-142

- I. **2021-313** 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 6304 Mt. Vernon Oaks Drive, City of Sandy Springs Land Lot 36 of the 17th District, Fulton County, Georgia (Tax ID# 17-0036-0001-066-2)

William H. Martin, Public Works Director presented the agreement to purchase 314.99 square feet of Fee Simple Right of Way and 292.88 square feet of Temporary Construction Easement on the subject property is necessary in order to construct the TS-192 Mt. Vernon Highway Corridor Improvements Project. Staff was able to negotiate an amicable settlement in the amount of \$23,972.00 with the property owners. The City's Appraised Fair Market Value offer was \$21,080.00. The property owners are seeking additional compensation to replace the landscaped buffer along the rear of the property that will be impacted by the project. The landscaping work increases the density of the vegetation between the backdoor.

Dan Lee, City Attorney noted these are negotiated sales. The compensation is negotiated and agreed upon, as is the shrubbery and all the consequential issues involved.

Motion and vote. A motion was made by Council Member Chris Burnett, seconded by Council Member Steve Soteres, to approve the Agreement to Purchase Fee Simple Right of Way and Temporary Construction Easement on property located at 6304 Mt. Vernon Oaks Drive, City of Sandy Springs Land Lot 36 of the 17th District, Fulton County, Georgia (Tax ID# 17-0036-0001-066-2). The motion carried by unanimous vote.

Resolution No. 2021-11-143

- J. **2021-314** 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 293 Mt. Vernon Cove, City of Sandy Spring, Land Lot 71 of the 17th District, Fulton County, Georgia (Tax ID# 17-0071-0005-039-1)

William H. Martin, Public Works Director presented the agreement to purchase 140.95 square feet of Fee Simple Right of Way and 654.37 square feet of Temporary Construction Easement on the subject property is necessary in order to construct the TS-192 Mt. Vernon Highway Corridor Improvements Project. Staff was able to negotiate an amicable settlement in the amount of \$12,575.00 with the property owner. The City's Appraised Fair Market Value offer was \$11,478.00. The property owner is seeking additional compensation to replace the landscaped buffer along the rear of the property that will be impacted by the project.

Motion and vote. A motion was made by Council Member Jody Reichel, seconded by Council Member Chris Burnett, to approve the Agreement to Purchase Fee Simple Right of Way and Temporary Construction Easement on property located at 293 Mt. Vernon Cove, City of Sandy Spring, Land Lot 71 of the 17th District, Fulton County, Georgia (Tax ID# 17-0071-0005-039-1). The motion carried by unanimous vote.

Resolution No. 2021-11-144

- K. **2021-315** 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 303 Mt. Vernon Cove, City of Sandy Springs, in Land Lot 71 of the 17th District, Fulton County, Georgia (Tax ID# 17-0071-0005-038-3)

William H. Martin, Public Works Director presented the agreement to purchase 250.91 square feet of Fee Simple Right of Way, 302.01 square feet of Permanent Drainage Easement and 717.15 square feet

of Temporary Construction Easement on the subject property is necessary in order to construct the TS-192 Mt. Vernon Highway Corridor Improvements Project.

Motion and vote. A motion was made by Council Member Jody Reichel, seconded by Council Member Chris Burnett, to approve the Agreement to Purchase Fee Simple Right of Way and Temporary Construction Easement on property located at 303 Mt. Vernon Cove, City of Sandy Springs, in Land Lot 71 of the 17th District, Fulton County, Georgia (Tax ID# 17-0071-0005-038-3). The motion carried by unanimous vote.

Resolution No. 2021-11-145

- L. **2021-316** 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 510 Mt. Vernon Highway, City of Sandy Springs, in Land Lot 72 of the 17th District, Fulton County, Georgia (Tax ID# 17-0072- LL-076-8)

William H. Martin, Public Works Director presented the agreement to purchase acquisition of 933.73 square feet of Fee Simple Right of Way and 4,226.14 square feet of Temporary Construction Easement on the subject property is necessary in order to construct the TS-192 Mt. Vernon Highway Corridor Improvements Project. The property owner agreed to accept the City's Appraised Fair Market Value offer of \$102,000.00 for the required rights of way needed to construct the project.

Motion and second. A motion was made by Council Member Jody Reichel, seconded by Council Member Chris Burnett, to approve the Agreement to Purchase Fee Simple Right of Way and Temporary Construction Easement on property located at 510 Mt. Vernon Highway, City of Sandy Springs, in Land Lot 72 of the 17th District, Fulton County, Georgia (Tax ID# 17-0072- LL-076-8).

Council Member John Paulson stated this is significantly more per square foot than we are paid for in the previous items.

Dan Lee, City Attorney stated it is the highest and best use of the property. This is not a residential property, as compared to the others. It is valued as a commercial property, which is why it is higher.

Council Member Paulson replied it is a school, and not a commercial property. Did they ask for an appraisal?

Mayor Rusty Paul stated tuition is charged, so it is a commercial operation. It is a private school.

Public Works Director Martin stated as a practice, the City appraises properties on all roadway projects. In many cases, Staff asks the property owners to donate the needed property first.

Council Member Chris Burnett stated there is a comparable land transition in the immediate area, whose negotiated price is not close to this. Are we confident in the appraisers? This feels expensive.

Public Work Director Martin replied the City has a history with its appraisers. The City's right-of-way staff and City Attorney's Office review the products that come from the appraisers.

Substitute motion and vote. A motion was made by Council Member Andy Bauman, seconded by Council Member John Paulson, to defer the 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 510 Mt. Vernon Highway, City of Sandy Springs, in Land Lot 72 of the 17th District, Fulton County, Georgia (Tax ID# 17-0072-LL-076-8) to the December 7, 2021 City Council Meeting. The motion passed.

Yes 5, No 0, Abstained 1

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

Nays: None

Abstain: Steve Soteres

City Attorney Lee asked that the Council provided direction to Staff as to what information is needed to present to Council at the December 7, 2021 City Council meeting. Typically, the process is roads are designed, properties are identified, the owner is identified, and Staff then seeks the purchase of the property. The appraisal is gained, and a discussion is had about the pricing. What is presented to the Council is a recommendation to do the deal the price discussed with the property, and is at least the appraised value and the staff recommends.

Council Member Burnett asked is it custom to have a secondary review of the appraisal if there are questions about the value.

City Attorney Lee replies it depends. One issue is that process evolves from the appraisal the discussion with the property. This amount has been presented to the property owners, based on the appraisal.

Mayor Rusty Paul instructed Staff to bring back some explanation for the basis of the current appraisal.

X. Reports

A. 2021-317 Mayor and Council Report

Mayor Rusty Paul reported because of the weather, the November 11 Veterans Day Celebration was moved into the Studio Theatre. It was a phenomenal event with a great turnout. Police Chief Ken DeSimone served as the program moderate because John Pruitt was unavailable. He did a very job. The Fire Department Awards Ceremony was on Friday, November 12. It was another great event. Eight Sandy Springs Fire Fighters were recognized for saving lives. Next, Sandy Springs Society's Elegant Elf event was packed. Everyone was very happy with the event. Finally, City Manager Andrea Surratt has resigned. She is a great person, she did a lot of great things for the City, and City wishes her well going forward.

Council Member Jody Reichel welcomed Council Member – Elect Melody Kelley and Council Member – Elect Melissa Mular.

Council Member Tibby DeJulio stated the 2021 municipal election was the largest the City has seen. It is excellent there was such a great group of people who ran. Winner or loser, everyone did an excellent job.

Council Member Andy Bauman stated the Sandy Springs Society is in many ways the United Way of Sandy Springs. They raise of a lot of money, which helps fund organizations like the Community

Assistance Center, Los Niños Primero, Horizons, Sandy Springs Education Force, etc. They do have an ongoing online auction, roughly every week, and people are encouraged to check it out. Sandy Springs' own Mike Luckovitch has donated five signed prints of his Hank Aaron/Braves World Series drawing for the auction.

Council Member John Paulson shared takeaways from the Atlanta Regional Commission annual breakfast. In the last ten years, the population has grown by almost 900,000 people in the Atlanta-area. This is the equivalent of the entire metropolitan area of Charleston, South Carolina. Also, there was a lot of discussion about the county's transition between the industrial revolution and reliance on equipment and machinery. Over the last 100 years, there has been a transition where the majority of the human capital is the majority of the asset value of many companies. This mimics the City of Sandy Springs transition to onboarding all employees.

B. 2021-318 Staff Reports

1. 2021-320 September 2021 Unaudited Financials

Toni Jo Howard, Finance Director presented the September 2021 Unaudited Financials. The Local Options Sales Tax collections for July and August are up 16% over last over the same period in 2020. Currently, the City is only at 9.08% for total revenues; however, a large percentage of revenue is collected at later points in the year. So this is expected. Motor Vehicle TAVT Fee, continues to be over expectation. Planning and Zoning and Municipal Court also are trending above expectations. In terms of expenditures, the City is at 18.33% for the General Fund.

2. 2021-321 COVID-19 Staff Update

Keith Sanders, Sandy Springs Fire Rescue Chief presented the COVID-19 Staff Update. In recent news, the Centers for Disease Control has recommended pediatric COVID vaccines be available for children between the ages of 5 and 11 years old. They are now available. City of Atlanta has lifted mask mandates for City facilities. Sandy Springs City Hall no longer is requiring masks for vaccinated individuals. COVID cases represent 60% of all hospitalized patients. ICU beds continue to run high, at 83% of capacity. There is a downtrend of positivity rates across Fulton County. There is a slow decline in hospital bed availability. Death rate is also declining. 80% of the 26,000 new COVID cases, since July, 2021, have occurred in unvaccinated individuals. Sandy Springs Fire Rescue will host its final Vaccinate and Educate event at Edgewater Apartments on Saturday, November 20.

XI. Executive Session

Motion and vote. A motion was made by Council Member John Paulson, seconded by Council Member Tibby DeJulio, to enter the Executive Session for the purpose of litigation and personnel discussions. The motion carried by unanimous vote.

The Executive Session began at 7:35 p.m.

Motion and vote. A motion was made by Council Member John Paulson, seconded by Council Member Tibby DeJulio, to adjourn the Executive Session and return to regular order. The motion carried by unanimous vote.

The Executive Session ended at 8:32 p.m.

XII. New Business Continued

Motion and vote. A motion was made by Council Member John Paulson, seconded by Council Member Tibby DeJulio, to amend the agenda to add a personnel discussion. The motion carried by unanimous vote.

A. Personnel Discussion

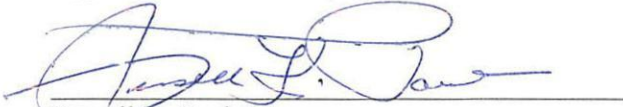
Motion and vote. A motion was made by Council Member John Paulson, seconded by Council Member Jody Reichel, to accept Andrea Surratt's resignation and appoint Dave Wells to Interim City Manager. The motion carried by unanimous vote.

XIII. 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 8:34 p.m.

Approved: December 7, 2021.



Russell K. Paul, Mayor



Raquel D. González, City Clerk