

Meeting of the Sandy Springs City Council was held on Tuesday, March 15, 2022 following the City Council Work Session, Mayor Rusty Paul presiding.

I. Call to Order

Mayor Rusty Paul called the meeting to order at 7:04 p.m.

II. Roll Call and General Announcements

Members Present: Mayor Rusty Paul, Councilmember John Paulson, Councilmember Melody Kelley, Councilmember Melissa Mular, Councilmember Jody Reichel, Councilmember Tibby DeJulio, Councilmember Andrew Bauman

III. Pledge of Allegiance

Mayor Rusty Paul led the Pledge of Allegiance.

IV. Public Comment

1. **Ronda Smith, 76 Long Island Place** - Conditions of zoning
2. **Megan Harris** - D/I Task Force Presentation

V. Approval of Meeting Agenda

Motion and vote. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember Melody Kelley, to approve the meeting agenda. The motion carried by unanimous vote.

VI. Consent Agenda

Motion and vote. A motion was made by Councilmember Jody Reichel, seconded by Councilmember Melissa Mular, to approve the Consent Agenda. The motion carried by unanimous vote.

- A. **2022-70** Meeting Minutes
March 1, 2022 City Council Work Session
March 1, 2022 City Council Meeting
- B. **2022-71** Request for Mayor and City Council Consideration of the Acceptance of a Permanent Drainage Easement on Property Located at 325 Drummen Court in Land Lot 74 of the 17th District, Fulton County, Georgia (Tax ID# 17-0074-0003-024-2); Drummen Court Stormwater Project

Resolution No. 2022-03-35

- C. **2022-72** Request for Mayor and City Council Consideration to Approve the Georgia Power Company Governmental Encroachment Agreement for Easement for the TS-170 Interstate North Parkway Sidepath Project

Resolution No. 2022-03-36

VII. Presentations

There were no presentations.

VIII. Public Hearing

A. 2022-73 ABL_Bill #94186

Approval of Alcoholic Beverage License Application for Sodexo Operations, LLC d/b/a Sodexo Operations, LLC @ Cox Central Park Dining Center at 6205 Peachtree Dunwoody Road, Sandy Springs, GA 30328. Applicant is Thomas R. Morse for Consumption on the Premises of Wine, & Malt Beverages.

Eden Freeman, City Manager, presented the Alcoholic Beverage License no. 94186, Sodexo Operations, LLC d/b/a Sodexo Operations, LLC @ Cox Central Park Dining Center at 6205 Peachtree Dunwoody Road, Sandy Springs, GA 30328. The applicant is Thomas R. Morse for Consumption on the Premises of Wine, & Malt Beverages. The applicant has met all requirements and staff recommends approval.

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

Motion and vote. A motion was made by Councilmember Melissa Mular, seconded by Councilmember Melody Kelley, to approve the ABL_Bill #94186, Alcoholic Beverage License Application for Sodexo Operations, LLC d/b/a Sodexo Operations, LLC @ Cox Central Park Dining Center at 6205 Peachtree Dunwoody Road, Sandy Springs, GA 30328, applicant Thomas R. Morse for Consumption on the Premises of Wine, & Malt Beverages. The motion carried by unanimous vote.

B. 2022-74 ABL_BILL#79176

Approval of Alcoholic Beverage License Application for Kid Cashew ATL Limited LTD d/b/a Kid Cashew at 6090 Roswell Road, Sandy Springs, GA 30328. Applicant is Daryl Dollinger for Consumption on the Premises of Distilled Spirits, Wine, & Malt Beverages.

Eden Freeman, City Manager, presented the Alcoholic Beverage License no. 79176, Kid Cashew ATL Limited LTD d/b/a Kid Cashew at 6090 Roswell Road, Sandy Springs, GA 30328. The applicant is Daryl Dollinger for Consumption on the Premises of Distilled Spirits, Wine, & Malt Beverages. The applicant has met all requirements and staff recommends approval.

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

Motion and vote. A motion was made by Councilmember Melissa Mular, seconded by Councilmember Melody Kelley, to approve the ABL_BILL#79176, Alcoholic Beverage License Application for Kid Cashew ATL Limited LTD d/b/a Kid Cashew at 6090 Roswell Road, Sandy Springs, GA 30328, applicant Daryl Dollinger for Consumption on the Premises of Distilled Spirits, Wine, & Malt Beverages. The motion carried by unanimous vote.

- C. **2022-75** Request for Mayor and City Council Consideration of CA21-0001 (6669 Peachtree Dunwoody Road), Comprehensive Plan Character Area Map Amendment from Protected Neighborhood to Urban Neighborhood

Raquel González, City Clerk, read the rules for the zoning portion of the Public Hearing agenda.

Michele McIntosh Ross, Planning and Zoning, presented CA21-0001, a request for Comprehensive Plan Character Area Map Amendment from Protected Neighborhood to Urban Neighborhood for 6669 Peachtree Dunwoody Road (Parcel 17 0020 LL0175). The application is a revised version of a previous request for a Character Area change to Perimeter Center, which was remanded at the City Council public hearing on October 19, 2021. The revised application went through two more Community Meetings in November and December of 2021, followed by a new public hearing before the Planning Commission on January 19, 2022. The Planning Commission voted unanimously to support the revised request for amending the Character Area Map to Urban Neighborhood. Staff recommends approval of CA21-0001.

Mayor Rusty Paul opened the public hearing.

1. **Gary Hammond, Applicant**, further explained the intention of the character area map amendment.
2. **Don Abernathy, President, Glen Meadow Homeowners Association**, spoke in favor of the application.

There being no further public comment, **Mayor Paul** closed the public hearing.

Motion and vote. A motion was made by Councilmember Jody Reichel, seconded by Councilmember Melissa Mular, to approve CA21-0001 (6669 Peachtree Dunwoody Road), request for comprehensive plan Character Area Map Amendment from Protected Neighborhood to Urban Neighborhood. The motion carried by unanimous vote.

IX. New Business

- A. **2022-76** Request for Mayor and City Council Consideration to Accept an Agreement to Purchase Fee Simple Right of Way and Temporary Construction Easement on Property Located at 6300 Mt. Vernon Oaks Drive in Land Lots 35 and 36 of the 17th District, City of Sandy Springs (Tax ID# 17-0036-0001-065-4) for the TS-192 Mt. Vernon Highway Corridor Improvements Project

William H. Martin, Jr., AIA Public Works Director, presented an agreement to purchase Fee Simple Right of Way and Temporary Construction Easement on property located at 6300 Mt. Vernon Oaks Drive in Land Lots 35 and 36 of the 17th district, City of Sandy Springs (Tax ID 17-0036-0001-065-4). The property owner is Ali Taleghani. The acquisition of 318.53 square feet of Fee Simple Right of Way and 246.81 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 City's Appraised Fair Market Value offer was \$26,715.00 and City Staff has reached an amicable settlement in the amount of \$29,215.00 with the property owners. Included in the City's offer was mitigation compensation, also known as a "Cost-To-Cure", in the amount of \$5,850.00 due to the project's negative impact on landscaping along the property's rear frontage along Mt. Vernon Highway. The property owner has submitted a quote to the City seeking an additional \$2,500.00 for additional landscape buffering on the house-side of the existing wall to help restore privacy along the rear of the property. The balance of \$20,865 is appropriated towards the purchase of the Fee Simple Right of Way and Temporary

Construction Easement needed for the project. Sufficient funds are available in Project TS-192 Mt. Vernon Highway Corridor Improvements Project for this acquisition. The acquisition reflects the minimum amount of right-of-way required in order to deliver the desired project.

Motion and vote. A motion was made by Councilmember Melissa Mular, seconded by Councilmember Melody Kelley, to accept an agreement to Purchase Fee Simple Right of Way and Temporary Construction Easement on property located at 6300 Mt. Vernon Oaks Drive in Land Lots 35 and 36 of the 17th District, City of Sandy Springs (Tax ID# 17-0036-0001-065-4) for the TS-192 Mt. Vernon Highway Corridor Improvements Project. The motion carried by unanimous vote.

Resolution No. 2022-03-37

- B. **2022-77** Request for Mayor and City Council Consideration of Appointments of Members to the Sandy Springs Board of Ethics

Mayor Rusty Paul nominated Bethany Diamond, currently an alternate on the Board of Ethics, to serve a first term as a member of the Board of Ethics; and Heather Craytor to fill Julie C. Smith's unexpired term as first alternate member for the Board of Ethics.

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Tibby DeJulio, to approve the appointments of members to the Sandy Springs Board of Ethics. The motion carried by unanimous vote.

Resolution 2022-03-38

X. Reports

- A. **2022-78** Mayor and Council Report

Mayor Rusty Paul reported March 15, 2022 is crossover day at the Georgia General Assembly, and there are 14 days remaining in the current legislative session. It was also Cities United Day at the Capitol, hosted by the Georgia Municipal Association. An annexation bill passed, which was supported by the Georgia Municipal Association and the Association of County Commissioners of Georgia. A bill to extend TSPLOST is on the docket, providing for a continuation of the TSPLOST program even if revenues estimates are achieved early. Also, another regarding design-build, specific to counties, creates new opportunities for the local governments more flexibility on design-build projects. There is legislation pending capping the amount of what a tax commissioner would receive at 50% of their constitutional salary. Lastly, Sandy Springs hosted a traditional Irish band in the Studio Theatre. Citizens have expressed interest in hosting a St. Patrick's Day Parade in 2023.

Councilmember John Paul suggested if the City of Sandy Springs does host a St. Patrick's Day parade in the future, then the City should have the fountains turn green, similar to City of Chicago dying the rivers green for St. Patrick's Day. Also, March 29 is Vietnam Veterans Memorial Day.

- B. **2022-79** Staff Reports

1. January 2022 Unaudited Financials

Eden Freeman, City Manager, presented the January 2022 Unaudited Financials. The City is at 58.33% of the budget year. Revenues are trending at 58.7% of anticipated revenues. Expenditures are trending at 37.88% of anticipated expenditures. The City has received 97% of its budgeted property taxes and over 80% for Motor Vehicle and TAVT. Building permits are over 90% for the year. In addition, the City has seen an increase in LOST collection from November to December, currently at 67% of the budget. City Staff anticipates the City to receive 80% business license renewals by the March 31, 2022 deadline.

XI. Executive Session

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Tibby DeJulio, to suspend regular order and enter an executive session for the purpose of real estate discussions. The motion carried by unanimous vote.

The executive session began at 7:49 p.m.

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Tibby DeJulio, to adjourn the executive session and return to regular order. The motion carried by unanimous vote.

The executive session ended at 9:21 p.m.

XII. Adjournment

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

The meeting adjourned at 9:21 p.m.

Approved: April 5, 2022



Russell K. Paul, Mayor



Raquel D. González, City Clerk

