

Meeting of the Sandy Springs City Council was held on May 3, 2022 at 6:00 P.M., Mayor Rusty Paul presiding.

I. Invocation – Rabbi Bradley Levenberg, Temple Sinai

II. Call to Order

Mayor Rusty Paul called the meeting to order at 6:04 p.m., following the invocation.

III. 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

IV. Pledge of Allegiance

Mayor Rusty Paul led the Pledge of Allegiance.

V. Public Comment

There was no public comment.

VI. 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.

VII. 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. **2022-111** Meeting Minutes
April 19, 2022 City Council Work Session
April 19, 2022 City Council Meeting

- B. **2022-112** 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 1329 Spalding Drive in Land Lot 384 of the 6th District, City of Sandy Springs (Tax ID #06-0384-0001-012-7); TS-111 Pitts Road at Spalding Drive Intersection Project

Resolution No. 2022-05-55

VIII. Presentations

There were no presentations.

IX. Public Hearing

- A. **2022-113** ABL_BILL#95144 - Approval of Alcoholic Beverage License Application for JakFish LLC d/b/a Nori Fish Restaurant – 1115 Spring Wood Connector Suite 2000, Sandy Springs, GA 30328, for Consumption on the Premises of Distilled Spirits, Wine, & Malt Beverages

Toni Carlisle, Interim Finance Director, presented Alcoholic Beverage License Application No. 95144, JakFish LLC d/b/a Nori Fish Restaurant, at 1115 Spring Wood Connector Suite 2000, Sandy Springs, GA 30328, for Consumption on the Premises of Distilled Spirits, Wine, & Malt Beverages. Applicant Sean Hyun Woo Park has met all requirements. Staff recommends approval.

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

Motion and vote. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember John Paulson, to approve the ABL_BILL#95144, Alcoholic Beverage License Application for JakFish LLC d/b/a Nori Fish Restaurant at 1115 Spring Wood Connector Suite 2000, Sandy Springs, GA 30328, for Consumption on the Premises of Distilled Spirits, Wine, & Malt Beverages. The motion carried by unanimous vote.

- B. **2022-114** ABL_BILL#94676 - Approval of Alcoholic Beverage License Application for Food Terminal Sandy Springs INC d/b/a Food Terminal – 6550 Aria Boulevard, Sandy Springs, GA 30328, for Consumption on the Premises of Distilled Spirits, Wine, & Malt Beverages

Toni Carlisle, Interim Finance Director, presented Alcoholic Beverage License Application No. 95144, Food Terminal Sandy Springs Inc. d/b/a Food Terminal – 6550 Aria Boulevard, Sandy Springs, GA 30328, for Consumption on the Premises of Distilled Spirits, Wine, & Malt Beverages. Applicant Xiang Chen has met all requirements. Staff recommends approval.

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

Motion and vote. A motion was made by Councilmember Jody Reichel, seconded by Councilmember Melody Kelley, to approve the ABL_BILL#94676, Alcoholic Beverage License Application for Food Terminal Sandy Springs INC d/b/a Food Terminal at 6550 Aria Boulevard, Sandy Springs, GA 30328, for Consumption on the Premises of Distilled Spirits, Wine, & Malt Beverages. The motion carried by unanimous vote.

- E. **2022-117** Request for Mayor and City Council Consideration to Approve a Metropolitan River Protection Act Certificate for River Corridor Review RC22-0002, for Property Located at 9643 Roberts Drive

Michele McIntosh-Ross, Planning and Zoning Manager, presented the Metropolitan River Protection Act Certificate for River Corridor Review RC22-0002, for property located at 9643 Roberts Drive. Staff recommends approval of the resolution authorizing a Metropolitan River Protection Act Certificate for River Corridor Review RC22-002SS for property located at 9643 Roberts Drive. Properties within 2,000 feet of the Chattahoochee River are subject to the Metropolitan River Protection Act ("MRPA"). The regulations call for review and approval by the Atlanta Regional Commission ("ARC"), a public hearing and approval by the local governing authority, and issuance of a Metro River Certificate. The review focuses on whether the project is consistent with the Chattahoochee Corridor Plan, which limits clearing and impervious surface within the corridor. The property owner proposes demolition of the existing residential building and the construction of a new residential building. The site is located in Vulnerability Category "E" with a proposed impervious area of 11,915 square feet.

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

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Melody Kelley, to approve the Metropolitan River Protection Act Certificate for River Corridor, RC22-0002, for property located at 9643 Roberts Drive. The motion carried by unanimous vote.

Resolution No. 2022-05-56

- F. **2022-118** Request for Mayor and City Council Consideration to Approve a Metropolitan River Protection Act Certificate for River Corridor Review RC22-003, for Property Located at 6365 River Overlook Drive NW

Michele McIntosh-Ross, Planning and Zoning Manager, presented the Metropolitan River Protection Act Certificate for River Corridor Review RC22-003, for Property Located at 6365 River Overlook Drive NW. Staff recommends approval of the resolution authorizing a Metropolitan River Protection Act Certificate for River Corridor Review RC22-003SS, for property located at 6365 River Overlook Drive NW. Properties within 2,000 feet of the Chattahoochee River are subject to the Metropolitan River Protection Act ("MRPA"). The regulations call for review and approval by the Atlanta Regional Commission ("ARC"), a public hearing and approval by the local governing authority, and issuance of a Metro River Certificate. The review focuses on whether the project is consistent with the Chattahoochee Corridor Plan, which limits clearing and impervious surface within the corridor. The property owner proposes an addition of a detached garage and construction of an in-ground swimming pool. The site is located in Vulnerability Category "B" with a proposed impervious area of 829 square feet, "C" with a proposed impervious area of 3,974 square feet, Category "D," with a proposed impervious area of 3,435 square feet and Category "E" with a proposed impervious area of 0 square feet.

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 Metropolitan River Protection Act Certificate for River Corridor, RC22-003, for property located at 6365 River Overlook Drive NW.. The motion carried by unanimous vote.

Resolution No. 2022-05-57

X. New Business

- A. **2022-119** Request for Mayor and City Council Consideration to Authorize a Contract Award to Tople Construction & Engineering, Inc. to Construct 980 Crest Valley Drive Drainage Improvement Project and Authorizing the City Manager to Execute a Contract

William H. Martin, Jr., AIA, Public Works Director, presented a contract award to Tople Construction & Engineering, Inc. to construct 980 Crest Valley Drive Drainage Improvement Project. Staff recommends a contract award to Tople Construction & Engineering, Inc., for construction of a drainage improvement project at 980 Crest Valley Drive (Project), and authorization for the City Manager to execute a contract with Tople Construction & Engineering, Inc., subject to approval of the City of Sandy Springs (City) Legal and Finance Departments. In 2021, the City engaged an engineering firm to develop plans for repair or replacement of the damaged infrastructure at 980 Crest Valley Drive Drainage. The Project corrects deficiencies in the infrastructure found during a 2021 study and brings the storm system up to City standards. The Project consists of:

- Constructing a cast in place reinforced concrete headwall for an existing 84" culvert
- Replacing a deteriorated 18" concrete headwall with precast concrete headwall
- Replacing damaged sections of 18" concrete pipe
- Replacing a buried brick manhole with a precast manhole with frame and cover
- Restoring and armoring sections of eroded streambanks downstream of the culvert
- Improving a section of roadway embankment slope adjacent to the 84" culvert

To further the Project, the City issued an Invitation to Bid on March 2, 2022, seeking bids from qualified contractors. Bids from two (2) contractors were received on April 4, 2022. The bid results were:

(1) Tople Construction & Engineering, Inc. - \$279,561.70; and (2) Woodwind Construction company, Inc. \$293,711.00. Upon review of the bids, staff recommends that an award be made to the lowest, most responsible and responsive bidder, Tople Construction & Engineering, Inc., in the amount of \$279,561.70.

The engineer's construction cost estimate for the Project is \$248,631.00. 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 Councilmember Andrew Bauman, seconded by Councilmember Jody Reichel, to approve a contract award to Tople Construction & Engineering, Inc. to Construct 980 Crest Valley Drive Drainage Improvement Project and to authorize the City Manager to execute a contract. The motion carried by unanimous vote.

Resolution No. 2022-05-58

XI. Reports

- A. **2022-120** Mayor and Council Report

Mayor Rusty Paul announced it was Public Service Recognition Week.

Eden Freeman, City Manager, shared the week's activities:

- Monday, May 2 - Massages at City Hall
- Tuesday, May 3 - Massages at the Police Department and Farmer's Market in City Hall Lobby
- Wednesday, May 4 - Staff Drawing for \$50 Quick Trip Gift Card
- Thursday, May 5 - Lawn Games on the City Green
- Friday, May 6 - Food Trucks and Italian Ice on the City Green

Councilmember John Paulson reported on the Saturday, April 30, Sandy Springs Lantern Parade. It was the sixth annual parade and the largest so far.

Mayor Paul stated the City Council will host a booth at the Saturday, May 7 Farmers Market this weekend. Residents are invited to come out and join their council.

B. 2021-121 Staff Reports

There were no staff reports.

XII. Executive Session

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

Passed Yes 6, No 0, Abstained 0

Yeas: Councilmember John Paulson, Councilmember Melody Kelley, Councilmember Melissa Mular, Councilmember Jody Reichel, Councilmember Tibby DeJulio, Councilmember Andrew Bauman

Nays: None

The executive session began at 6:29 p.m.

Councilmember Melissa Mular and **Councilmember Jody Reichel** left the meeting at 7:11 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.

Passed Yes 4, No 0, Absent 2

Yeas: Councilmember John Paulson, Councilmember Melody Kelley, Councilmember Tibby DeJulio, Councilmember Andrew Bauman

Nays: None

Absent: Councilmember Melissa Mular, Councilmember Jody Reichel

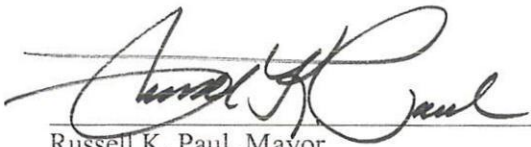
The executive session ended at 7:11 p.m.

XIII. 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 7:11 p.m.

Approved: May 17, 2022



Russell K. Paul, Mayor



Raquel D. González, City Clerk