

Meeting of the Sandy Springs City Council was held on September 6, 2022 following the Work Session, Mayor Rusty Paul presiding.

I. Call to Order

Mayor Rusty Paul called the meeting to order at 6:58 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. **Patrick Hill, 7705 Jett Ferry Road, Sandy Springs** – Support Vets Park

V. Approval of Meeting Agenda

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

- A. **2022-231** Meeting Minutes
August 16, 2022 City Council Special Called Meeting
August 16, 2022 City Council Meeting
- B. **2022-232** 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 213 Mt. Vernon Cove in Land Lot 71 of the 17th District, City of Sandy Springs (Tax ID# 17-0071-0005-046-6); TS-191 Johnson Ferry Road/Mt. Vernon Highway at Roswell Road Improvements

Resolution No. 2022-09-114

- C. **2022-233** 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 233 Mt. Vernon Cove in Land Lot 71 of the 17th District, City of Sandy Springs (Tax ID# 17-0071-0005-044-1); TS-191 Johnson Ferry Road/Mt. Vernon Highway at Roswell Road Improvements Project

Resolution No. 2022-09-115

- D. **2022-234** 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 253 Mt. Vernon Cove in Land Lot 71 of the 17th District, City of Sandy Springs (Tax ID# 17-0071-0005-043-3); TS-191 Johnson Ferry Road/Mt. Vernon Highway at Roswell Road Improvements Project

Resolution No. 2022-09-116

- E. **2022-235** 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 1105 Peachtree Dunwoody Road in Land Lot 19 of the 17th District, City of Sandy Springs (Tax ID#'s 17-0019- LL-198-6; 17-0019- LL-195-2; 17-0019- LL-195-2; 17-0019-0003-021-6); on the TS-192 Mt. Vernon Highway Corridor Improvements Project

Resolution No. 2022-09-117

- F. **2022-236** Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Temporary Construction Easement on property located at 263 Mt. Vernon Cove in Land Lot 71 of the 17th District, City of Sandy Springs (Tax ID# 17-0071-0005-042-5); TS-191 Johnson Ferry Road/Mt. Vernon Highway at Roswell Road Improvements Project

Resolution No. 2022-09-118

- G. **2022-237** 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 273 Mt. Vernon Cove in Land Lot 71 of the 17th District, City of Sandy Springs (Tax ID# 17-0071-0005-041-7); TS-191 Johnson Ferry Road/Mt. Vernon Highway at Roswell Road Improvements Project

Resolution No. 2022-09-119

- H. **2022-238** Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Temporary Construction Easement on property located at 300 Boylston Drive in Land Lot 71 of the 17th District, City of Sandy Springs (Tax ID#'s 17-0071-0001-041-1 & 17-0071-0001-040-3); TS-191 Johnson Ferry Road/Mt. Vernon Highway at Roswell Road Improvements Project

Resolution No. 2022-09-120

VII. Presentations

There were no presentations.

VIII. Public Hearing

- A. **2022-239** ABL BILL # 95737 Approval of Alcoholic Beverage License Application for Coverage Inc, DBA Shell Food Mart, 5700 Roswell Road, Sandy Springs, GA 30342. Applicant is Mohammed Shabbir for Retail Package for Wine, & Malt Beverages.

Toni Carlisle, Chief Financial Officer, presented ABL 95737, an Alcoholic Beverage License application for Coverage Inc, DBA Shell Food Mart, at 5700 Roswell Road, Sandy Springs, GA 30342. Applicant Mohammed Shabbir has met all requirements for Retail Package for Wine, & Malt Beverages. Staff recommends approval.

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

Motion and vote. Councilmember Andy Bauman made a motion, seconded by Council Member Melody Kelley, to approve ABL 95737, an Alcoholic Beverage License application for Coverage Inc, DBA Shell Food Mart, at 5700 Roswell Road, Sandy Springs, GA 30342, applicant Mohammed Shabbir, for Retail Package for Wine, & Malt Beverages. The motion carried by unanimous vote.

IX. New Business

- A. **2022-240** Request for Mayor and City Council Consideration of the Reappointment of Marci Ernst as Judge of the Municipal Court for the City of Sandy Springs, Georgia

Motion and vote. Councilmember John Paulson made a motion, seconded by Councilmember Tibby DeJulio, to reappoint Marcie Ernst as Judge of the Municipal Court for the City of Sandy Springs, Georgia, for a term of four years, commencing September 6, 2022. The motion carried by unanimous vote.

Resolution No. 2022-09-121

- B. **2022-241** Request for Mayor and Council to Approve a Resolution Authorizing the Purchase of Equipment for the City of Sandy Springs Fire Department and to Authorize the City Manager to Execute Documents to Effectuate Same

Scott McCullers, Sandy Springs Fire and Rescue, Administration Division Chief, presented a request to purchase two Custom Pierce Enforcer PUC Pumpers through Ten-8 Fire and Safety Equipment of Georgia, in an amount not to exceed \$1,837,500. The requested equipment purchase will continue the apparatus replacement program adopted by the City in 2018. At this time, the Department has two 2013 Pierce Quantum Pumpers as Reserve Fire Engines that are placed in service when a Frontline apparatus goes out of service due to mechanical issues. Ten-8 will give a trade-in value of \$125,000 for the two Reserve Apparatus. The two new Custom Pierce Enforcer PUC Pumpers will replace two frontline Pierce Enforcer Pumpers, which will be placed in reserve status once the new fire apparatus have arrived and placed in service. Currently, the Department has a total of five Pumpers in the City-wide deployment

model improving the overall service delivery and ISO score. The Department will continue to utilize the three Aerials until the new fleet is built and delivered. There is a twenty-seven (27) month delivery time.

Pricing includes:

- Two (2) Pierce Custom PUC Pumpers with Equipment: \$1,023,250 each
- Pre-pay Discount: \$84,000
- Trade-in for two (2) Pierce Quantum Pumpers: \$125,000
- Total Cost: \$1,837,500 (\$918,750 each)
- Delivery Time: Twenty-seven (27) months
- Payment Mode: Purchase Order upon approval
- Payment Due Date: Pre-payment upon approval (30 days)

The City of Sandy Springs Fiscal Year 2023 Capital Budget has appropriated funding available for this purchase.

Pierce has been the City's single source provider of fire apparatus since its inception. Pricing for the Equipment is in accordance with the competitively bid contract (RFP No.1905) awarded to Pierce by the National Purchasing Partners (NPP). RFP 1905 became effective May 27, 2020 and is valid until May 27, 2023 (with an option for three (3) additional 1-year renewals). Under the City's purchasing policies, the City is authorized to utilize competitively procured contracts provided through other governmental entities. Ten-8 and Pierce representatives have stated that the pricing under the RFP 1905 contract is the most competitive and forms the basis of what would be provided to the City under a standalone bid scenario.

Motion and vote. A motion was made by Councilmember Jody Reichel, seconded by Councilmember John Paulson, to approve the purchase of equipment for the Sandy Springs Fire Department and to authorize the City Manager to execute documents effectuating the same. The motion carried by unanimous vote.

Resolution No. 2022-09-122

- C. **2022-242** Mayor and City Council Consideration of Request to Approve a Safety Action Plan Grant Application to the United States Department of Transportation for the 2022 Safe Streets and Roads for All Grant Program and to Commit to Local Funding Match

Kristen Wescott, Transportation Unit Manager, presented the City's Sandy Action Plan grant application for the United States Department of Transportation's (USDOT) 2022 Safe Streets and Roads for All grant program. The Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021) established the Grant Program and appropriated \$1 billion to be awarded by the USDOT for FY 2022 for the Grant Program. Funds for the Grant Program are to be awarded for planning studies and capital projects that improve roadway safety by significantly reducing or eliminating roadway fatalities and serious injuries, focused on all roadway users. Of the funding available in 2022, 40% must be allocated for planning activities. The Grant Program solicitation closes on September 15, 2022. Applicants have the option to apply for a Safety Action Plan Grant or Implementation Grant. The minimum Safety Action Plan Grant is expected to be \$200,000 and the minimum Implementation Grant is expected to be \$5 million. In order to apply for an Implementation Grant, the City must already have an adopted safety plan that meets the plan requirements detailed in the Grant Program's Notice of Funding Opportunity. City staff has determined that the City's current planning efforts do not meet the requirements so the City is ineligible for an Implementation Grant. Staff recommends submitting an application for a Safety Action

Plan Grant.

USDOT recently adopted the Safe System Approach in its National Roadway Safety Strategy. The Safe System Approach sees transportation safety beyond an infrastructure lens, rather, as something impacted by behavioral interventions (education and encouragement), roadway countermeasures (engineering), laws/policies/enforcement (enforcement), vehicle safety features and performance (engineering), and emergency medical care (emergency response). Typically for local governments, these efforts tend to be siloed where the Public Works Department focuses on infrastructure and the Police Department focuses on behavior and enforcement. A Safety Action Plan is an opportunity to bring multiple departments together to develop a comprehensive approach to improving roadway safety. This process would include staff from the Public Works, Police, Fire, Communications, and Community Development Departments. This improved coordination and exchange of ideas tackles the problem from different angles and targets the crashes that have most significant impact on people's lives. The Safety Action Plan would include thorough safety and equity analyses as well as extensive public engagement. The end product would be a prioritized list of projects and strategies that direct funding where it would be most effective. The completion of a Safety Action Plan would also make the City eligible for an Implementation Grant in the future.

A local match of 20% is required for the Safety Action Plan Grant. City Staff estimates the Safety Action Plan would total \$450,000 (\$360,00 federal, \$90,000 local). The City currently has funds for a safety analysis in T7000 that can provide the 20% required local match of up to \$90,000.

Motion and vote. Councilmember John Paulson made a motion, seconded by Councilmember Melody Kelley, to approve the submission of the presented Safety Action Plan Grant application to the United States Department of Transportation for the 2022 Safe Streets and Roads for All Grant Program and to commit to local funding match. The motion carried by unanimous vote.

Resolution No. 2022-09-123

- D. **2022-243** Request for Mayor and City Council Consideration to Authorize a Roadway Lighting Memorandum of Agreement between the City of Sandy Springs and the Georgia Department of Transportation for Roadway Lighting on State Route 9 / Roswell Road from north of Morgan Falls Road to south of Pitts Road, and to Authorize the Mayor to Execute the Agreement

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to authorize a Roadway Lighting Memorandum of Agreement between the City of Sandy Springs and the Georgia Department of Transportation for roadway lighting on State Route 9 Roswell Rd from north of Morgan Falls Road to South of Pitts Road. The presented memorandum of agreement recognizes that the City of Sandy Springs is installing pedestrian in the G dot control right of way on state Route 9 from north of Morgan falls Road to South of Pitts Road and now the city accepts ability for the maintenance and operation of the city installed lighting. The memorandum of agreement address is 32 decorative pedestrian lighting installed as part of this. The city is required to sign a memorandum of agreement with G dot to establish the responsibilities of the parties for ongoing and operation installed. The city has already paid the upfront cost and entered into a lease agreement with Georgia Power to ensure maintenance and repair of the installed lighting. The City will be responsible for power consumption, maintenance, and repair.

Motion and vote. Councilmember Melody Kelley made a motion, seconded by Councilmember Melissa Mular, to authorize a roadway lighting memorandum of agreement between the City of Sandy Springs

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and the Georgia Department of Transportation for roadway lighting on State Route 9 / Roswell Road north of Morgan Falls Road to south of Pitts Road, and to authorize the Mayor to execute the agreement. The motion carried by unanimous vote.

Resolution No. 2022-09-124

- E. **2022-244** Request for Mayor and City Council to Approve a Resolution Authorizing Contract Award to Signarama Roswell to Perform Sign Installation for the City's Wayfinding Project Gateway 3 and 4 Signs, Authorizing Negotiation of Contract, and Authorizing the City Manager to Execute the Negotiated Contract

Dave Wells, Director of Facilities/Capital Construction and Building Operations, presented a contract award to Signarama to perform Sign Installation for the City's Wayfinding Project Gateway 3 and 4 signs. The City issued an invitation to bid in July, 2022, whose purpose was to identify a qualified contract to provide street signage for the Gateway 3 and 4 signs. The signs are to be installed with foundations and breakaway attachments for each post. Five bids were received and upon administrative review it was determined that Signarama submitted the lowest bid in the amount of \$169,000.30. The signs are currently in fabrication, it is anticipated that the first sign will be installed by the end of September should the City Council authorize the recommended contract award. The single post gateway signs will be installed first, then, starting from the south-west side of the city, installation will continue working up to the north-east side. Five to ten signs per week will be installed until the project is complete.

Motion and second. Councilmember John Paulson made a motion, seconded by Councilmember Tibby DeJulio, to authorize a contract award to Signarama Roswell to perform installation of City signage.

Councilmember John Paulson asked for clarification on the pricing.

Director Wells replied the recommended bid pricing is \$169,000.30, where the City will pay per sign. The Gateway 4 signs are easy to install, with no additional right-of-way required. However, the Gateway 3 signs are larger and may require some additional right-of-way.

Councilmember Melissa Mular asked will the City maintain an inventory of the signs in case of car accidents.

Director Wells stated yes. Also, signs will be stored at the City's Trowbridge facility, along with poles and signs.

Councilmember Melody Kelley asked how the public could stay abreast for people who are eager to see them.

City Manager Eden Freeman stated Staff can include project updates in the Week-in-Review. Also, the new dashboard will have the map on there.

Councilmember Jody Reichel asked if the signs would be lit up?

Director Wells replied no; however, the monument signs will be reflective.

Vote on the motion. The motion carried by unanimous vote.

Resolution No. 2022-09-125

- F. **2022-245** Request for Mayor and City Council Consideration of Request for City Council Approval of Lighting Services Agreement with Georgia Power Company to Install Pedestrian Scale Lighting for Project T2307, Johnson Ferry Road Pedestrian Lighting Project

William H. Martin, Jr., AIA, Public Works Director, presented a request for a lighting services agreement with Georgia Power to install pedestrian scale lighting for project T2307, Johnson Ferry Road Pedestrian Lighting Project. The provided for in the agreement includes the installation of 116 standard direct burial midblock lights, 17 intersection lights, and all the underground feeds associated with the lights on both sides of Johnson Ferry Road from the Chattahoochee River to Brandon Mill Road.

The quoted cost of \$845,625.00 is an upfront contribution for installation. There is also a monthly lease agreement associated with the lights in the amount of \$4,756.08 for equipment energy and maintenance.

Motion and vote. Councilmember Melissa Mular made a motion, seconded by Councilmember Melody Kelley, to approve the lighting services agreement with Georgia Power to install pedestrian scale lighting for project T2307, Johnson Ferry Road Pedestrian lighting project. The motion carried by unanimous vote.

Resolution No. 2022-09-126

- G. **2022-246** Request for Mayor and City Council to Approve Resolution Authorizing Acceptance of a Gift of Sculpture from the Cornerstone Donors, Authorizing Payment for Costs Associated with Installation, and Authorizing the City Manager to Take any and all Action Required to Effectuate the Acquisition of Said Gift

Marla Shavin, Senior Public Relations Specialist, presented a Gift of Sculpture from the Cornerstone Donors. If approved, the sculpture Solstice will be placed on permanent display on City Springs campus on the island between The Select and Nom at the corner of Bluestone and Galambos way. Solstice is a stainless steel sculpture that was out in the most recent sculpture contest by Atlanta artist Davis Landis and is an original sculpture of a gigantic hydrangea blossom floret, fabricated in 2016 by Mr. Landis at his in-town Summerhill studio. His work can be seen throughout the Atlanta area, including the Sandy Springs Library and along the Atlanta Beltline, and other places around the country. Mr. Landis grew up in Sandy Springs and graduated from Riverwood High School. The highest quality material, Solstice, will be an elegant and durable addition to the City's public sculpture portfolio. The proposed site is the landscaped traffic island on Bluestone Road at the intersection of Galambos Way. There will be no acquisition cost to the City or signage cost. The artist values the sculpture at \$43,000.00. The City will be responsible for creating a plinth, or base, for the sculpture and installing the work upon completion. The estimated cost to the City is not more than \$6,000.00.

Motion and vote. Councilmember Melissa Mular made a motion, seconded by Council Member John Paulson, to accept of a Gift of Sculpture from the Cornerstone Donors, authorize payment for costs associated with installation, and to authorize the City Manager to take all action required to effectuate the acquisition of said gift. The motion carried by unanimous vote.

Resolution No. 2022-09-127

X. Reports

A. 2022-248 Mayor and Council Report

Mayor Rusty Paul reported he will attend the Georgia Municipal Association Legislative Policy Council and Board of Directors meeting in Columbus, Georgia on September 7, though the trip will be short as he will need to return to attend the next LOST meeting with Fulton County and the other Fulton cities. This upcoming meeting will be the last official negotiating session. Hopefully progress will be made however, the County has threatened to basically terminate the LOST if they do not get their proposal from the last session. Their current proposal would impact every Fulton city disastrously. If the LOST goes away, the City of Sandy Springs will have to reduce services drastically. The County's current LOST revenue is slightly under 5% and the County is asking for over 600%. A lot of information has not been public because the county has insisted the negotiations be held in private. No list has been given or details on how the County plans to use the additional revenue. Fulton County just states the current distribution is unfair. There will be some kind of initiative by the cities to at least let the voters and citizens know what these conversations are about and why they are important.

Councilmember Andy Bauman asked has any preliminary study on what the impact would be on Sandy Springs if the local option taxes just went away.

Mayor Paul replied it would be \$33 million dollars.

Councilmember Tibby DeJulio asked what services might be cut.

Mayor Paul stated it will be significant and it will be our responsibility to figure that out. The City Manager has already begun to look at the various scenarios based on what conversations we are having now. However, it will be up to the City Council to figure out where are the cuts.

City Manager Eden Freeman stated Staff has already started the process and put some scenarios together and based on Council's adopted priorities. We would see cuts across the organization and will be priorities-based. This will have to be part of the FY2024 budget discussions.

Councilmember Melody Kelley thanked Sandy Springs City Staff and elected officials and the staff of City of Alpharetta for coordinating the trip to downtown Alpharetta.

B. 2022-249 Staff Reports

There were no staff reports.

XI. Executive Session

Motion and vote. Councilmember John Paulson made a motion, seconded by Councilmember Tibby DeJulio, to suspend regular order to move into executive session for purpose of real estate and litigation discussions. The motion carried by unanimous vote.

Passed Yes 6, No 0, Abstained 0

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

Nays: None

The executive session began at 7:43 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 6, No 0, Abstained 0

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

Nays: None

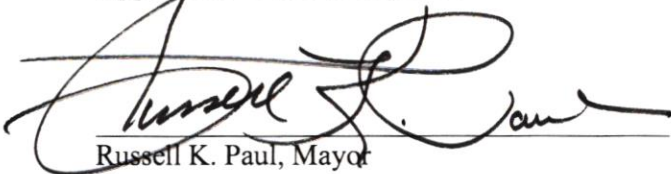
The executive session ended at 8:26 p.m.

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 8:26 p.m.

Approved: October 18, 2022



Russell K. Paul, Mayor



Karina Reyna, Assistant City Clerk