

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

I. Call to Order

Mayor Rusty Paul called the meeting to order at 6:16 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. **Shea Roberts, 340 Riverhill Drive, Atlanta** - 2023 Holiday Schedule - Juneteenth
2. **Dr. Wilton Heylinger, 530 Dalrymple Road, Sandy Springs** - Juneteenth
3. **David Couchman, 8890 Huntcliff Trace, Sandy Springs** - Support adoption of all Federal & State Holidays
4. **Olivia Ferreira – 7890 Colquitt Road, Sandy Springs** - Juneteenth
5. **Dontaye Carter, 300 Nesbit Lake Court, Sand Springs** - Public Comment
6. **Charles Sharper, 220 Wing Mill RD, Sandy Springs** - Juneteenth
7. **Christan Carter, 107 Greyfield Lane, Sandy Springs** – Juneteenth Recognition
8. **Craig Gilchrist, 9661 Huntcliff Trace** – Use of Bow & Arrow in City of Sandy Springs
9. **Corey Waller, 185 Dunhill Court** – Juneteenth Holiday
10. **Le'dor Milteer, 7937 Stratford Lane** - Juneteenth
11. **Roland Carlisle, 4780 Ashford Dunwoody Rd, St a238** - Juneteenth

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 Melissa Mular, to approve the consent agenda. The motion carried by unanimous vote.

A. 2022-313 Meeting Minutes

August 16, 2022 City Council Work Session
September 20, 2022 City Council Work Session
November 1, 2022 City Council Work Session

November 1, 2022 City Council Meeting
November 7, 2022 City Council Special Called Meeting

- B. **2022-314** 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 1280 Spalding Drive in Land Lot 384 of the 6th District, City of Sandy Springs (Tax ID #06-0384-0001-069-7); TS-111 Pitts Road at Spalding Drive Intersection Project

Resolution No. 2022-11-165

- C. **2022-315** 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 6400 Peachtree Dunwoody Road in Land Lot 19 of the 17th District, City of Sandy Springs (Tax ID#’s 17-0019- LL-194-5); TS-192 Mt. Vernon Highway Corridor Improvements Project

Resolution No. 2022-11-166

- D. **2022-316** Request for Mayor and City Council Consideration of the Adoption of the City of Sandy Springs 2023 City Council Meeting Schedule

Resolution No. 2022-11-167

- E. **2022-317** Request for Mayor and City Council Consideration of the Adoption of the City of Sandy Springs 2023 Planning and Zoning Schedules

Resolution No. 2022-11-168

VII. Presentations

There were no presentations.

VIII. Public Hearing

- A. **2022-318** Request for Mayor and City Council Consideration of Approval of the 2021 Consolidated Annual Performance and Evaluation Report

Michele McIntosh-Ross, Planning and Zoning Manager, presented a request to approve the 2021 Consolidated Annual Performance and Evaluation Report. In accordance with the federal regulations, 24 CFR, Part 91, the City of Sandy Springs is preparing a draft Consolidated Annual Performance & Evaluation Report ("CAPER") for Fiscal Year 2020-2021. The CAPER is an end-of-year requirement of the U.S. Department of Housing and Urban Development ("HUD"). The purpose of the CAPER is to provide an overall evaluation of federally-funded activities and accomplishments to HUD and the community. The performance report is prepared with public review and comment for the Fiscal Year

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2020-2021 CAPER and is submitted electronically to HUD via the Integrated Disbursement and Information System ("IDIS"). The City of Sandy Springs has completed its 2021 CAPER. This report provides an objective assessment of the City's progress toward meeting the Consolidated Plan's five-year goals through yearly Action Plan activities. The City did not receive any public comments during the public comment period.

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

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Jody Reichel, to approve the 2021 Consolidated Annual Performance and Evaluation Report. The motion carried by unanimous vote.

Resolution No. 2022-11-169

IX. New Business

- A. **2022-319** Request for Mayor and City Council Consideration of the Appointment of Hardy Dorsey as Member to the Sandy Springs Development Authority, Filling the Unexpired Term of Dan DiLuzio

Mayor Rusty Paul presented the nomination of Hardy Dorsey as Member of the Sandy Springs Development Authority, filling the unexpired member term of Dan DiLuzio on the Sandy Springs Development Authority.

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Melody Kelley, to approve the appointment of Hardy Dorsey as Member to the Sandy Springs Development Authority, filling the unexpired term of Dan DiLuzio. The motion carried by unanimous vote.

Resolution No. 2022-11-170

- B. **2022-320** Request for Mayor and City Council Consideration of the Appointment of Jason Bodwell as Member to the Sandy Springs Board of Appeals, Filling the Unexpired Term of Alvin Johnson

Mayor Rusty Paul presented the nomination of Jason Bodwell as Member of the Sandy Springs Board of Appeals, filling the unexpired term of Alvin Johnson.

Motion and vote. A motion was made by Councilmember Jody Reichel, seconded by Councilmember Melissa Mular, to approve the appointment of Jason Bodwell as Member to the Sandy Springs Board of Appeals, filling the unexpired Term of Alvin Johnson. The motion carried by unanimous vote.

Resolution No. 2022-11-171

- C. **2022-321** Request for Mayor and City Council Consideration of a Budget Amendment for T0064 Peachtree Dunwoody at Telford Place Roadway Safety Project

William H. Martin, Jr., AIA, Public Works Director, presented a budget amendment for the T0064 Peachtree Dunwoody at Telford Place Roadway Safety Project. The City awarded a construction contract to Ohmshiv Construction on August 5, 2021 in the amount of \$1,416,927 to reconstruct Peachtree Dunwoody Road near Telford Place. The project requires \$200,000 in additional funds due to material price increases, additional utility relocations, and for additional contingencies. The necessary additional costs identified for the project are \$113,000 in additional material costs to pave Peachtree Dunwoody Road and \$19,750 to relocate and adjust existing water meters and fire hydrants.

Budget Amendment Request

1. Total Requested Amount: \$200,000.

A. Peachtree Dunwoody Road Paving

- Due to underground utility conflicts and relocation delays, plus a significant increase in asphalt paving (~44%) and fuel costs (~9%), the contractor requests an additional \$113,000 to cover the construction cost for asphalt leveling and final paving.

B. Relocate three water meters, backflow preventers, one fire hydrant and adjust one fire hydrant

- The City of Atlanta no longer provides water meter and fire hydrant relocation services. The contractor is asked to relocate and adjust the water meters and hydrants per design. The proposed cost is \$19,750 for the services.

The amount of \$200,000 is proposed to be transferred from unobligated funds in Project CC010.

Motion and second. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember Melody Kelley, to approve the Budget Amendment for T0064 Peachtree Dunwoody at Telford Place Roadway Safety Project.

Councilmember Tibby DeJulio stated there is an unprecedented inflation spiral in the country. Since many of the City's projects are subject to inflation, are there ideas on how to lock some of these prices in so the City does not get hit by inflationary costs on a regular basis?

Public Works Director Martin stated sometimes the volatility impact depends on the volume of the buy. Capital paving, for example, is less susceptible to the volatility of the market. The Peachtree at Telford Place Roadway Safety Project is a smaller project, where both materials and labor were impacted.

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

Ordinance No. 2022-11-19

D. 2022-322 Request for Mayor and City Council Consideration of Re-adopting the Five Ethics Principles for Re-Certification as a Georgia Certified City of Ethics

Raquel Gonzalez, City Clerk, presented a recommendation to re-adopt the five ethics principles for the re-certification as a Georgia Certified City of Ethics. The Georgia Municipal Association's Certified City of Ethics program, established in 1998, was created to raise awareness about ethics issues at the local level and provide a local forum for the airing and resolution of legitimate concerns. To apply for and earn the "GMA Certified City of Ethics" designation, cities must:

- Adopt a resolution, executed by the majority of the city's governing body, establishing the five ethics principles for the conduct of the City officials:
 1. Serve others, not ourselves

2. Use resources with efficiency and economy
 3. Treat all people fairly
 4. Use the power of our position for the well-being of our constituents
 5. Create an environment of honesty, openness and integrity
- Adopt an Ethics Ordinance that meets the minimum standards approved by the GMA Board
 - An application fee of \$85.00.

The program requires all cities to renew their participation every four years by re-adopting the five ethics principles for the conduct of City officials. If a city does not renew its membership every four years, then the city must re-apply to the program. The City of Sandy Springs first participated in the Georgia Municipal Association Certified City of Ethics program in 2006 and 2012. The City has not since renewed its participation. The City of Sandy Springs Ethics Ordinance was first adopted in 2006. The Ordinance defines the minimum standards of ethical conduct which public servants must meet as well as outlines a fair and impartial process by which alleged ethics violations may be heard. There is a one-time participation fee of \$85 for new program participant cities and those re-applying after not renewing their participation every four years.

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Tibby DeJulio, to re-adopt the Five Ethics Principles for Re-Certification as a Georgia Certified City of Ethics. The motion carried by unanimous vote.

Resolution No. 2022-11-172

- E. **2022-323** Request for Mayor and City Council Consideration of Approval of the Declaration of Certain City Property as Surplus

Toni Carlisle, Chief Financial Officer, presented a recommendation to approve the declaration of certain City property as surplus. City of Sandy Springs Code of Ordinances, Article VII, Purchasing Sec. 2-334, directs the Purchasing Agent to arrange and negotiate for the sale or otherwise dispose of all surplus equipment and supplies or real estate of the City or any using agency. The City's Purchasing Policy requires all departments to report surplus or obsolete goods to the Purchasing Agent to be brought before Mayor and City Council to be declared surplus or obsolete before disposition. The Property consists of items from the following departments:

- Information Technology
- Fire Department
- Public Works Department
- Performing Art Center

Staff recommends the Property be declared surplus and disposed of by the Purchasing Agent under the supervision of the City Manager in a manner determined to be the most advantageous for the City, including transfer, donation, recycle, trade-in, and/or sale.

All Property will be disposed of with no warranty expressed or implied. The Property represents a limited dollar value for the City.

Motion and second. A motion was made by Councilmember Jody Reichel, seconded by Councilmember

John Paulson, to approve the declaration of certain City property as surplus.

Councilmember John Paulson asked what is the process to allow citizens and the public to buy the items.

Chief Financial Officer Carlisle replied the property will be listed on the [GovDeals.com](https://www.govdeals.com) portal, which is available for anyone to bid and purchase the items.

Mayor Rusty Paul stated this is through the Georgia Department of Administrative Services, and is the most efficacious way to facilitate this process.

Councilmember Melissa Mular asked does the City have a process where we wipe and remove sensitive data.

Chief Financial Officer Carlisle replied yes, as soon as the computers are deemed obsolete, they are wiped clean.

Councilmember Tibby DeJulio asked the City surplus the paid parking meters that are not being used, so they are not an eye-sore.

Mayor Paul stated they were first put in because the merchants were concerned about turnover. But then the merchants complained again about having them removed. Not too long ago, the merchants asked the City to turn them on again to help with turnover. This is part of the overall parking services review, and it is too early to declare the parking meters as surplus.

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

Resolution No. 2022-11-173

F. 2022-324 Request for Mayor and City Council Consideration of Adoption of the City of Sandy Springs 2023 Holiday Schedule

Jennifer Emery, Human Resources Director, presented the City of Sandy Springs 2023 Holiday Schedule. The City of Sandy Springs has established ten holidays which are defined in the City of Sandy Springs Employee Handbook Section 6.04.



2023 Holiday Schedule

Monday, January 2, 2023	New Year's Day Holiday
Monday, January 16, 2023	Martin Luther King, Jr. Day Holiday
Monday, February 20, 2023	President's Day Holiday
Monday, May 29, 2023	Memorial Day Holiday
Tuesday, July 4, 2023	Independence Day Holiday
Monday, September 4, 2023	Labor Day Holiday
Monday, October 9, 2023	Columbus Day Holiday
Thursday, November 23, 2023	Thanksgiving Day Holiday
Friday, November 24, 2023	Day After Thanksgiving Holiday
Monday, December 25, 2023	Christmas Day Holiday

Motion and second. A motion was made by Councilmember Melody Kelley, seconded by Councilmember Andrew Bauman, to defer adoption of the City of Sandy Springs 2023 Holiday Schedule, agenda item 2022-324, to the December 6, 2022 City Council meeting.

Councilmember Melody Kelley stated there are two omissions from the City's standard holiday schedule - Veterans Day and Juneteenth. A previous Council made the decision to leave out Veterans Day for reasons. The City hosts an amazing annual program honoring veterans. There is also a new federal and state holiday. The last time a new federal and state holiday was adopted was in 1983 and 1984 respectively, which was Mr. Luther King Day. I hope we can appreciate that the position we are in is not one that happens often. I hope the Council can discuss what can be done with this brand new holiday. The 2022 Juneteenth event demonstrated that Juneteenth is already a holiday in Sandy Springs. The families, business owners, stakeholders and other community leaders, particularly those that trace their lineage back to the enslaved, have already adopted Juneteenth. The question before Council is should the policy catch up with the community's aspirations, and at what expense to taxpayers. We have not thoroughly vetted flex models. There is a way we can incorporate a new holiday at minimal expense to taxpayers. I would also like to look into programming and a formal acknowledgment, as well as a review of noise so that those that do observe the holiday are not disturbed at their homes.

Councilmember Andy Bauman stated the Council could use a couple of weeks. In the preparation of the schedule, was Juneteenth discussed? Up until 2020, I had not heard of the holiday, although it has been observed in some other states for quite some time. The federal government and state government, both overwhelmingly passed this holiday on a bipartisan basis. Were City employees polled, unanimously, on this?

Human Resources Director Emery replied employees were not polled. There was discussion as for as all the option for the holiday schedule. The City does celebrate some holidays differently, such as Veterans Day. This is a question for Council to discuss.

Mayor Rusty Paul stated the City's Veterans Day celebration requires the attendance of many of the City's employees. So as to not lose a day off while they were working, the City exchanged the Veterans Day holiday observance to Columbus Day.

Councilmember Bauman stated it is important to know the implications for staff, and should be thought-through a little harder. How does the City decide want the holiday are for the purposes of Code Enforcement? If the Council adopts a schedule without recognizing Juneteenth, then there should be a plan similar to Veterans Day. Maybe there is a flex day for the tenth holiday, and the City reopens on Columbus Day. The City should not get into the business of equivocating holidays. They are all meaningful.

Councilmember John Paulson asked does delaying the decision to December 6 affects anything citywide. There were good public comments. I do not think this should cost money, but there should be recognition. It is a federally and state recognized holiday. How can we recognize it as a new holiday without burdening the taxpayers, which is what the Council has to balance?

Eden Freeman, City Manager, stated there is no impact by delaying the decision on the calendar to December 6. Each established City holiday costs approximately \$210,000, and includes time-and-a-half for essential personnel working the holiday. A floating holiday would cost the City \$195,000 as it does not trigger overtime for essential personnel. A floating holiday might be a little more challenging to manage, especially if the City were to host an educational recognition /city event requiring staff's

attendance, like Veterans Day.

Councilmember Paulson stated when Veterans Day was a City holiday, staff would have to work overtime to support the event. Also, the City Staff community was not here to participate in the City's Veterans Day recognition. It is a good idea to celebrate Juneteenth like the Veterans Day model. This is not a financial decision. It should not cost money. The day's recognition is important. It is a new holiday and the City should figure out how to recognize it as a new holiday and not burden the taxpayers.

Councilmember Kelley asked what is the cost difference of reducing to nine established holidays and adding a flex holiday, so as to incorporate a new holiday.

City Manager Freeman replied it would essentially be a wash, reducing cost to the City from \$210,000 to \$195,000.

Councilmember Bauman asked if the Council could get a sense of staff's sentiment in a very fair way, as this is an implication of

Councilmember Bauman asked that Staff get a sense of staff's in a very fair way, as it has implications on diversity and inclusion.

Councilmember Tibby DeJulio asked is there a way to know what the cost to the City is for employees to attend the Veterans Day recognition. When the City first incorporated, Martin Luther King, Jr. Day was not a holiday. There was a recognition, though. Similarly for Juneteenth the City could host a recognition event.

City Manager Freeman stated employees' attendance to the Veterans Day event is an hour of their time, often done over their lunch breaks. Staff could get an estimate of the cost.

Mayor Paul instructed Staff to investigate several options to recognize Juneteenth in an appropriate way, utilizing an opportunity to turn it into an educational opportunity. It is most important that people understand that significant date in the nation's history. Particularly, native born southerners should be ultra sensitive to the impact of the things our ancestors did.

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

- G. **2022-325** Request for Mayor and City Council Consideration of the Approval and Adoption of the City of Sandy Springs Continuity of Operations Plan (COOP) and the City of Sandy Springs Emergency Operations Plan (EOP)

Imani White-Isaac, Section Chief of Emergency Management, Sandy Springs Fire Rescue, stated City Staff worked with Innovative Emergency Management (IEM) to develop an Emergency Operations Plan and a Continuity Operations Plan for use to take immediate action when threatened by any hazard to ensure essential city services continue. These plans are in coordination with the Atlanta-Fulton Emergency Management, Georgia Emergency Management, and Federal Emergency Management operation plans. The City code Chapter 18-1,(a),(4): Emergency Management and Emergency Services directs the Emergency Management Director "to develop, in conjunction with city departments and agencies, an operational plan for use by the city crisis management team. This plan shall be in coordination with the state and federal emergency operation plans. The plan shall be submitted to the city council and thence to the state and federal agencies for approval as may be necessary."

In 2019 the City contracted with IEM and began developing an EOP and COOP but the finalization of the two plans was delayed by the Pandemic. City Manager Freeman has prioritized the completion of the COOP and EOP.

A Continuity of Operations Plan provides redundancy "Plan B" to ensure continuity of operations of the City's mission essential functions, protect essential facilities, provide orders of succession and delegation of authority for designated successors. The Continuity of Operations Plan ensures city government operations continue should major incidences like tornados, winter storms, or pandemics threaten essential City services.

The COOP informs the EOP of proven departmental best practices and provides an understanding of City systems and processes. The objectives of the EOP are to guide city department staff in managing emergencies and the plan guides the coordination of information, resources, and support. The objectives were to Ensure the continuous performance of mission essential functions, Protect essential facilities, equipment, records, and assets, Mitigate disruptions to operations, and to Minimize loss of life and property damages.

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Jody Reichel, to approve and adopt the City of Sandy Springs Continuity of Operations Plan and the City of Sandy Springs Emergency Operations Plan.

Councilmember John Paulson asked are there a financial impact to adopting these.

Section Chief White-Isaac replied no, it is just best practice.

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

Resolution No. 2022-11-174

H. **2022-326** Request for Mayor and City Council Consideration of a Contract Award with Rhodeside Harwell for the Roswell Road Crossroads Small Area Plan Update

Kristin Smith, Assistant City Manager, presented a recommendation to authorize a contract award to Rhodeside Harwell for the Roswell Road Crossroads Small Area Plan Update. The Roswell Road Small Area Plan ("Plan") was adopted in February 2017. The Plan includes specific focus areas, including the "Crossroads" Node. Crossroads is just south of I-285 along either side of Roswell Road. The name "Crossroads" came from its central location, with access to key transportation corridors, the business and medical districts, and City Springs. The Plan covered a large swath of Roswell Road and each node included concept plans, precedent imagery, and a massing diagram. The Next Ten Five-Year Update calls for staff to review and update the Small Area Plans. The Crossroads area is proposed as the first component update for the Small Area Plans ("Plan Update"). This update will delve deeper into the concepts, develop a detailed development program and illustrative renderings, and a list of associated recommendations and work plan items. A key component of this plan includes robust community engagement. Engagement opportunities will be offered in English and Spanish, and the Plan Update will include an Executive Summary in Spanish.

Staff propose to partner with Rhodeside Harwell ("RHI") to conduct the Plan Update. RHI created the original Plan and will bring a high level of subject-matter expertise to the Plan Update process. The City

will also partner with RKG Associates to develop a redevelopment model specific to the City, site, and proposed development concepts.

The RHI contract value is \$185,000. Sufficient funds for this contract award are available in Capital Project CD232.

Motion and second. A motion was made by Councilmember John Paulson, seconded by Councilmember Jody Reichel, to approve the Request for Mayor and City Council Consideration of a Contract Award with Rhodeside Harwell for the Roswell Road Crossroads Small Area Plan Update.

Councilmember John Paulson asked how far south pass 285 with the Study go.

Assistant City Manager Smith replied the Study go as far south, and include, the Prado.

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

Resolution No. 2022-11-175

- I. **2022-327** Request for Mayor and City Council Consideration of an Ordinance to Amend the Fiscal Year 2023 Budget Amendment to Authorize Additional Funding for Project CD232, Crossroads Small Area Plan

Kristin Smith, Assistant City Manager, presented an amendment to the FY2023 Budget to authorize additional funding for the Project CD232, Crossroads Small Area Plan. In addition to the primary Rhodeside Harwell ("RHI") contract for the Roswell Road Crossroads Small Area Plan Update ("Plan Update"), staff also intend to contract with RKG Associates ("RKG") to provide redevelopment modeling to accompany the work of RHI. The area addressed within the Crossroads Node of the Roswell Road Small Area Plan includes existing naturally occurring affordable housing. RKG will work with RHI to detail the necessary development program(s) that would accommodate the replacement of existing housing at current price points, should private redevelopment occur. The RHI contract is fully funded through the existing Capital Project CD232. Additional funds are required to conduct redevelopment modeling and to provide additional funds needed to advertise and host public meetings and other ancillary needs for the Plan Update. \$42,000 is available in Capital Project CD221, Next Ten Comprehensive Plan, that can be reallocated to CD232.

Motion and second. A motion was made by Councilmember Andrew Bauman, seconded by Councilmember Tibby DeJulio, to approve the Ordinance to Amend the Fiscal Year 2023 Budget Amendment to Authorize Additional Funding for Project CD232, Crossroads Small Area Plan.

Councilmember Andy Bauman asked what the is the project timeline.

Assistant City Manager Smith replied about six to eight months, as the City wants to include a robust community input process.

Councilmember Bauman asked is there an opportunity to bring business owners into the process in the City's various plans and studies.

Assistant City Manager Smith stated Staff regularly does so with the City's planning efforts. Rhodeside Hartwell is not yet under contract, but has already met with the Prado property owners. The City will

engage all stakeholders include a variety of property owners.

Mayor Rusty Paul stated that is an overbuilt congested area. It is the hope that the City can deconflict some of the challenges on that site.

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

Ordinance No. 2022-11-20

- J. **2022-328** Request for Mayor and City Council Consideration of the Use of Eminent Domain for the Appropriation of Certain Property Rights and Interests Located at 0 Holcomb Bridge Road, Fulton County, Georgia, Parcel ID 06 0313 LL 018 2

Dan Lee, City Attorney, presented a recommendation to use eminent domain for the appropriation of certain property rights and interested located at 0 Holcomb Bridge Road, Fulton County , Georgia, Parcel ID 06 0313 LL 018 2 ("Subject Property"). This is to facilitate the construction of certain Intersection Improvements known as SR 140/ Holcomb Bridge Road at Spalding Drive Improvements ("Project"). The Subject Property is owned by Esther Black, Barbara A. Henley, Carol Altnauer, Sue Hurt Woodall, Joseph Oliver Hurt, Jr., Robert T. Hurt, Jr., James Hurt, Thomas Harry Hurt, William Charles Hurt Estate, William G. Verner, Heather L. Verner, Ernest L. Keown, III, Eleanor K. Gilreath, Mildred M. Moore, Joseph E. Cheeley, III, Robert D. Cheeley, John P. Cheeley and the Estate of Selma M. Cheeley ("Owners"). The Subject Property consists of approximately 524.76 square feet for fee simple permanent easement. In order to allow the Project to proceed, property rights are required over, under, and through the Subject Property. An appraisal has been performed by Craig Hammond, who estimated just and adequate compensation for the Subject Property to be \$4,000. Negotiations have been unsuccessful. The exercise of eminent domain will enable the City to obtain clear title to the Subject Property in order to allow the Project to proceed in a timely and cost-effective manner. Upon approval to proceed with eminent domain, the deposit into the court registry would be \$4,000 to which the Owner, and any other person(s) having an interest or claim against the Subject Property, will be endowed with rights to the compensation deposited with the Court. There are sufficient funds in the Project. This is the last property acquisition for the Holcomb Bridge Project. There are 16 owners.

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Jody Reichel, to approve the use of Eminent Domain for the appropriation of certain property rights and interests located at 0 Holcomb Bridge Road, Fulton County, Georgia, Parcel ID 06 0313 LL 018 2. The motion carried by unanimous vote.

Resolution No. 2022-11-176

X. Reports

- A. **2022-329** Mayor and Council Report

Mayor Rusty Paul commended presenters and Staff on the Veterans Day program. LOST negotiations are coming to a conclusion, with only the Certificate of Distribution remaining to be signed. There will be a signing ceremony on December 2. Next, the City will work on the Service Delivery Strategy. There has not been one in Fulton County in 20 years, which is largely because of the City of Atlanta and City of Sandy Springs water dispute. Hopefully there will be some movement.

Councilmember Andy Bauman asked that an update on bow hunting be presented at the December 6 City Council Work Session. Also, plans are in works for the Sandy Springs Sparkle Parade, which will be Sunday, December 4.

Councilmember Tibby DeJulio congratulated Mayor Paul on successfully for working with the City of Atlanta during the LOST negotiations.

B. 2022-330 Staff Reports

1. Unaudited September 2022 Financials

Toni Carlisle, Chief Financial Officer, presented the unaudited September 2022 Financials. The City is at 25% of the fiscal year. Revenues are at 9.94%. Expenditures are at 19.85% of the Budget. Revenues and expenditures are trending as expected.

Councilmember Andy Bauman asked can Staff report options for safely investing resources at City Council Retreat.

XI. Executive Session

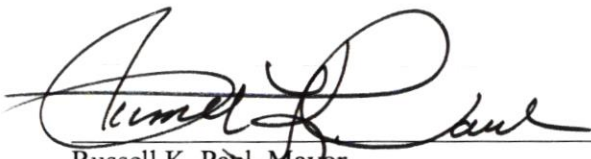
There was no Executive Session.

XII. Adjournment

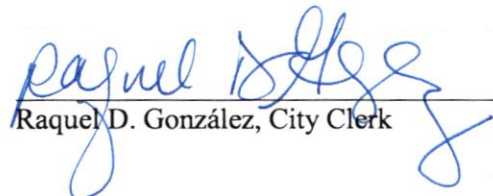
Motion and vote. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember John Paulson, to adjourn the meeting. The motion carried by unanimous vote.

The meeting adjourned at 7:52 p.m.

Approved: December 6, 2022



Russell K. Paul, Mayor



Raquel D. González, City Clerk