

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

I. Call to Order

Mayor Rusty Paul called the meeting to order 6:52 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. **Linda Davidson, 6525 Old Riverside Drive, Sandy Springs** - Old Riverside Dr. Park
2. **Roland Carlisle, 4780 Ashford Dunwoody Rd, Suite A238, Atlanta** - Holiday Schedule and Noise Ordinance
3. **Dontaye Carter, 300 Nesbit Lake Court, Sandy Springs** - Holiday Schedule
4. **Megan Harris, 9165 Carroll Manor Dr., Sandy Springs** - Juneteenth
5. **Corey Waller, 185 Dunhill Court, Sandy Springs** - Juneteenth Holiday
6. **Dr. Kay Howell, 4575 Webb Bridge Rd., Unit 2723, Alpharetta** - Juneteenth Day
7. **Tochie Blad, 7320 Hunters Branch Dr.** - Onsite Inspection is Key to Tree Ordinance Enforcement
8. **Christian Milteer, 7937 Stratford Lane** - 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. **2022-334** Meeting Minutes
September 20, 2022 City Council Meeting
November 15, 2022 City Council Work Session
November 15, 2022 City Council Meeting
- B. **2022-335** 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 1245 Spalding Drive in Land Lot 378 of the 6th District, City of Sandy Springs (Tax ID #06-0378- LL-003-6); TS-111 Pitts Road at Spalding Drive Intersection Project

Resolution No. 2022-12-177

- C. **2022-336** Request for Mayor and City Council Consideration of Acceptance of a Permanent Drainage Easement on Property Located at 6100 River Shore Parkway in Land Lot 132 of the 17th District, City of Sandy Springs, Georgia (Tax ID# 17-0132-0002-029-2); River Shore Parkway Stormwater Project

Resolution No. 2022-12-178

- D. **2022-337** 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 within the Mount Vernon Walk Subdivision in Land Lot 71 of the 17th District, City of Sandy Springs (Tax ID# 17-0071-0005-048-2); TS-191 Johnson Ferry Road/Mt. Vernon Highway at Roswell Road Improvements Project

Resolution No. 2022-12-179

- E. **2022-338** Request for Mayor and City Council Consideration of Acceptance of a Deed for Dedication of Right of Way on Property Located at 7300 Roswell Road (Tax ID# 17-0032- LL-052-8), As Part of the Development Regulations Ordinance Requirements Related to Community Development File # LDP21-00065

Resolution No. 2022-12-180

- F. **2022-339** Request for Mayor and City Council Consideration of Acceptance of a Donation of a Temporary Construction Easement on Property Located at 7300 Roswell Road in Land Lot 32 of the 17th District, City of Sandy Springs (Tax ID# 17-0032- LL-052-8); TS-108 Dalrymple Road at Roswell Road Intersection Improvements Project

Resolution No. 2022-12-181

VII. Presentations

There were no presentations.

VIII. Public Hearing

- A. **2022-300** TA22-0008
Request for Mayor and City Council Consideration of an Amendment to Section 1 -

Landscape, Tree and Buffer Submittal Plans and Planting Standards of the Sandy Springs Technical Manual (Deferred from the November 1, 2022 City Council Meeting)

Catherine Mercier-Baggett, Sustainability Manager, presented proposed amendments to Section 1 - Landscape, Tree and Buffer Submittal Plans and Planting Standards, of the Sandy Springs Technical Manual, which was first presented to Mayor and City Council on November 1, 2022, and at that time deferred to December 6, 2022. The deferral allowed Staff to work with the community on the update of the Recommended Tree Species List. Staff hosted a meeting on November 17, 2022. In order to allow sufficient time for research and community discussion, staff have removed the Tree Species List modifications from the amendment proposed for consideration this evening. The Tree Species List will be the subject of a future Text Amendment, anticipated in the first quarter of 2023.

Section 1 of the Technical Manual provides supplemental information and implementation guidance to Div. 9.3. - Tree Conservation and Div. 8.2 – Landscaping and Screening of the Development Code.

The proposed amendment applies to several subsections, with two main changes.

1. The first occurs in Sec. 1. A.5. Sample Canopy Calculations where the calculations are better explained through the use of a new example of development.
2. The second is the adoption of Sec. 1.N. Sustainable Landscape Practices, to guide new landscaping contracts and projects for City property. This section outlines best practices for the selection of plant species and the management of pests. The Sustainable Landscape Practices are a requirement of the City's accreditation as a Bee City USA Affiliate and an achievement that will be included in the Mayors Monarch Pledge report.

There being no public comment, **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 TA22-0008, an Amendment to Section 1 - Landscape, Tree and Buffer Submittal Plans and Planting Standards of the Sandy Springs Technical Manual. The motion carried by unanimous vote.

Ordinance No. 2022-12-20
TA22-0008

IX. New Business

- A. **2022-340** Request for Mayor and City Council Consideration of an Appointment of a Member to the Board of Ethics

Mayor Rusty Paul nominated Reverend Dr. Bill Murray to serve as the second-alternate member to the Sandy Springs Board of Ethics.

Motion and vote. A motion was made by Councilmember Andrew Bauman, seconded by Councilmember Melody Kelley, to approve the appointment of Bill Member as the Second-Alternate Member to the Board of Ethics. The motion carried by unanimous vote.

Resolution No. 2022-12-182

- B. **2022-324** Request for Mayor and City Council Consideration of Adoption of the City of Sandy Springs 2023 Holiday Schedule (Deferred from the November 15, 2022 City Council Meeting)

Jennifer Emery, Human Resources Director, presented the City of Sandy Springs 2023 Holiday Schedule, which was deferred from the November 15, 2022 City Council Meeting. Currently the City has 10 holidays on the schedule. Two options the Council may choose to consider are:

Options for Consideration

Option One

- Add one floating holiday in recognition of the two federal holidays that are not included, must be taken within the calendar year
- Work with community to create an annual Juneteenth event/celebration

Option Two

- No change to holiday calendar
- Work with community to create an annual Juneteenth event/celebration

Motion and second. A motion was made by Councilmember John Paulson, seconded by Councilmember Jody Reichel, to approve the adoption of the City of Sandy Springs 2023 Holiday Schedule with option one: to add a floating holiday in recognition of the two federal holidays and to also work with the community to create an annual Juneteenth event/celebration.

Councilmember John Paulson stated there has been quite a bit of informal conversation. Option One is a good solution. Veterans Day was once a day off and when the City hosted its Veterans Day celebration, the City would need to pay staff overtime to make the event happen. There are a lot of parallels with the Juneteenth holiday. The City will be open, no extra staff time, and staff and the community can attend. Also, police and fire cannot take fixed holidays off when the City is closed. Whereas with a floating holiday, everyone gets the potentially to take that holiday throughout the year for whatever event that they think is important to them, whether Juneteenth or it could be a variety of other days.

Councilmember Melody Kelley stated the Sandy Springs government tries its best to distribute a finite amount of resources on a rational and objective basis. The holiday calendar as proposed reflects the distribution of time and money resources - \$2,100,000 to be distributed. Is it being put to its best and highest use while reconciling the fiduciary duty to taxpayers, the Sandy Springs organization, and the Sandy Springs community? The City's holiday calendar is operational and is also an aspirational document, as it signals to the community what the city's values are.

There are two federal holidays that City of Sandy Springs does not close for - Veterans Day and Juneteenth. If Juneteenth stays off the City's scheduled holiday list, then the question is why. Can this be explained in a rational way?

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And Then Came Juneteenth

2022	City	State	Federal
New Year's Day	Yes	Yes	Yes
Martin Luther King, Jr Birthday	Yes	Yes	Yes
President's Day	Yes	Yes	Yes
Good Friday	No	Yes	No
Memorial Day	Yes	Yes	Yes
Juneteenth	No	Yes	Yes
Independence Day	Yes	Yes	Yes
Labor Day	Yes	Yes	Yes
Columbus Day	Yes	Yes	Yes
Veterans Day	No	Yes	Yes
Thanksgiving Day	Yes	Yes	Yes
Day After Thanksgiving	Yes	Yes	No
Christmas Day	Yes	Yes	Yes
TOTAL HOLIDAYS	10	13	11

We **now** have more Federal (and State) adopted holidays than holiday slots in the schedule.

What's a City to do?
Add a Holiday?
Transition to a Flex Model?
Swap Holidays?

Formally adding Juneteenth, or a floating holiday, creates a more equitable distribution of holidays across the calendar year. 80% of similarly sized Georgia cities offer more paid holidays than the City of Sandy Springs. 73% have adopted Juneteenth. Most have not adopted Columbus Day and most have not adopted Presidents Day. 87% have adopted Veterans Day. Also for consideration, the national unemployment rate in October, 2022 was 3.4%. The industry with the second lowest unemployment rate is government workers. In a competitive marketplace, we offer the lowest number of paid holidays.

A review of each government that borders or overlaps Sandy Springs shows that 80% offer more paid holidays and 80% have adopted Juneteenth. The City of Sandy Springs is the only major city in Georgia that offers 10 holidays, and not one is Juneteenth.

Comparison to Nearby Metro Atlanta Governments

80% of neighboring governments offer more paid holidays

80% have adopted Juneteenth

Government Agency	Total Paid Holidays	Juneteenth
Fulton County	13	Yes
Cobb County	12	Yes
City of Roswell	11	No
Gwinnett County	12	Yes
City of Peachtree Corners	12	Yes
Atlanta	10	Yes
Brookhaven	13	Yes
Dunwoody	14	Yes
DeKalb County	11	Yes
Sandy Springs	10	No



In 1860 there were 2800 enslaved persons in Fulton County, Georgia. In 1859, there were 34 taxable enslaved persons and 77 property owners in Sandy Springs (then known as Oak Grove). President Joseph Biden adopted Juneteenth because it is part of American history. Georgia Governor Brian Kemp did the same the very next year in Georgia. This is Sandy Springs history as well.

Spending your time looking for your family like they are a herd of cattle is the most traumatizing experience. Your legacy is not just what you leave to your family, but what you leave inside your family.

The City of Sandy Springs should be closed on June 19. The motion on the floor is a compromise.

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

Resolution 2022-12-183

- C. **2022-341** Request for Mayor and City Council Consideration of the First Extension to the Intergovernmental Agreement for the Provision of Animal Control Services between Fulton County, Georgia, and Sandy Springs, Georgia and to Authorize Execution of the Same

Eden Freeman, City Manager, presented a one-year extension to the Intergovernmental Agreement for the Provision of Animal Control Services between Fulton County, Georgia, and City of Sandy Springs, Georgia. Animal control services are currently provided by Fulton County to the City through an intergovernmental agreement, which is set to terminate on December 31, 2022. Fulton County has proposed a First Extension to the IGA to continue providing animal control services to the City for an additional term ending on December 31, 2023. Services to be provided include, without limitation: respond to requests for services; patrol on a scheduled basis area of designated responsibility; cite animal owners for violations, participate in prosecutions of violations, and investigate and prepare reports regarding serious violations; impound animals; attempt to locate owners of impounded animals; enforce the quarantine of animals and regulations; inspect premises where animals are kept for sanitary conditions; and transfer injured animals to designated destinations as necessary. The City's cost is based on calls for service received by Fulton County for Animal Control Services between July 1, 2021 and June 30, 2022. The estimated costs to the City is \$167,038.23. In FY 2023, the City budgeted \$175,000. Staff recommends approval.

Motion and second. A motion was made by Councilmember Jody Reichel, seconded by Councilmember Melissa Mular, to approve the First Extension to the Intergovernmental Agreement for the Provision of Animal Control Services between Fulton County, Georgia, and Sandy Springs, Georgia and to Authorize Execution of the Same.

Councilmember Jody Reichel asked is the contract is being extended so that the City can look at other options.

City Manager Freeman replied the extension is countywide. Animal Control services will be part of the discussions with Fulton County regarding and the service delivery strategy. Hopefully, after the completion of the service delivery strategy, the City will not need to pay an additional fee since the County's share of the Local Option Sales Tax dollars is increasing.

Councilmember Melissa Mular asked is the City Manager anticipating to continue to work with the County through a service delivery strategy animal control services. Also, it would be great if the City could partnered with shelters for summer programming.

City Manager Freeman replied that is correct.

Councilmember Tibby DeJulio asked what is the rationale for the City paying the County for animal control services. The County listed it as a countywide County-provided service.

City Manager Freeman stated the city has been paying its share for the animal control services for sometime. the fees have increased overtime. The City of Sandy Springs will bring this up as a point of discussion during the service delivery discussion, as animal control services that is allowed to be paid for using Local Option Sales Tax dollars. But there cannot be a gap services, and right now the City is not prepared to stand up a full animal control function.

Vote on the motion. The motion carried unanimously.

Resolution No. 2022-12-184

- D. **2022-342** Request for Mayor and City Council Consideration of a Supplemental Agreement to the Existing Contract with Kimley-Horn and Associates, Inc. for Design Services for the T0019 Roswell Road Transit Access Project and to Authorize the City Manager to Execute the Supplemental Agreement

William H. Martin, Jr., AIA, Public Works Director, presented the Supplemental Agreement to the existing contract with Kimley-Horn and Associates, Inc. for Design Services for the T-0019 Roswell Road Transit Access Project. The Roswell Road Transit Access Project is being designed and let by the City of Sandy Springs through use of a Federal Transit Authority (FTA) grant, which is covering 80% of project costs with the City share at 20%. The Metropolitan Atlanta Regional Transit Authority (MARTA) serves as project sponsor. Project limits extend from the City of Sandy Springs southernmost city limits on Roswell Road to I-285. Project elements include eight (8) foot wide sidewalk, five (5) foot wide landscape strip, ADA compliant curb ramps, accessible bus stop pads, and standard streetscape elements to include lighting, brick pavers, and landscaping. The City has contracted with Kimley-Horn for design services for the Project, with the award approved by Council on March 3, 2021. The original scope included Tasks 1 and 2 which were field survey work and concept plans. The current value of the contract is \$524,830.44. The concept design was presented to the public at the Public Information Open House meeting on August 18, 2022. Public comments were collected and addressed by the Consultant and staff and are included in the Concept Report.

The design services in this Supplemental Agreement will advance the project from Tasks 1 and 2, Survey/Concept Design into Task 3. Task 3 includes preliminary plans, right-of-way plans, additional survey, utility coordination, permitting, final plans, and right-of-way acquisition services. As part of the design documents that will be generated by this Task 3, the project will be phased in order to more practically manage construction. Three phases are currently proposed with the following limits: Phase 1 from Meadowbrook Drive to Long Island Drive; Phase 2 from Long Island Drive to Glenridge Drive; and Phase 3 from Glenridge Drive to I-285. Design, permitting and right-of-way acquisition will begin for the entire corridor at the same time.

Staff recommends that the Mayor and Council approve the Supplemental Agreement in the amount of \$1,270,185.00 with Kimley-Horn and Associates, Inc. to develop preliminary plans, right-of-way plans, and final construction plans along with providing right-of-way pre-acquisition services for the T0019 Roswell Road Transit Access Project. The proposed fee for this Supplemental Agreement is reasonable per staff estimates and review. Adequate funds are available to award this Supplemental Agreement for final design and right-of-way pre-acquisition services.

Motion and second. A motion was made by Councilmember Andrew Bauman, seconded by Councilmember Jody Reichel, to approve the Supplemental Agreement to the Existing Contract with Kimley-Horn and Associates, Inc. for Design Services for the T0019 Roswell Road Transit Access Project and to authorize the City Manager to execute the Supplemental Agreement.

Councilmember John Paulson asked is this contract for all three phases.

Public Works Director Martin replied yes.

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

Resolution No. 2022-12-185

- E. **2022-343** Request for Mayor and City Council Consideration of Approval of a Contract Award to Pro Cutters Lawnscares, Inc. for On-Call Right of Way and Parks Litter Services, and to Authorize the City Manager to Execute the Contract

William H. Martin, Jr. AIA Public Works Director, presented a recommendation for a contract award to Pro Cutters Lawnscares, Inc. for On-Call Right of Way and Parks Litter Services. On August 17, 2022, the City advertised its request for contractor qualifications ("RFQ") for the Services. The deadline for submission of responses to the RFQ ("Responses") was September 20, 2022. Staff reviewed Responses received and determined three (3) contractors to be qualified to perform the Services. On November 7, 2022, bids were solicited from the three (3) contractors.

<u>Firm</u>	<u>Bid</u>
Pro Cutters Lawnscares, Inc.	\$691,200.00
American Eagle LLC	\$971,640.00
Russell Landscape	\$1,107,960.00

The City has previously contracted with Pro Cutters to obtain on-call litter services with successful results. Based upon this information and the fact that Pro Cutters submitted the lowest, most responsible and responsive bid, staff recommends award of a contract to Pro Cutters to perform the Services in the amount of \$345,600.00 for the six (6) months remaining in fiscal year 2023. Emergency response services are an important aspect of this contract and are paid on an as needed basis. Emergency service expenditure history indicates a \$10,000.00 contingency should be added to the contract, which would increase the overall contract amount to \$355,600.00.

Public Works will be responsible for the contracted amount of \$240,400.00. Recreation and Parks will be responsible for the contracted amount of \$115,200.00. There is sufficient funding within Public Works Contractual Services account and Recreation and Parks Contractual Services account to fund this contract.

Motion and second. A motion was made by Councilmember John Paulson, seconded by Councilmember Melody Kelley, to approve the contract award to Pro Cutters Lawnscares, Inc. for On-Call Right of Way and Parks Litter Services, and to authorize the City Manager to execute the contract.

Councilmember John Paulson asked will the City have renew the contract next year.

Public Works Director Martin advised the contract is a five-year contract. In July, 2023 , the City will award the remainder of Year One and the first half of 2024.

Vote on the motion. The motion carried by majority vote (5 to 0).

Passed Yes 5, No 0, Absent 1

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

Nays: None

Absent: Tibby DeJulio

Resolution No. 2022-12-186

- F. **2022-344** Request for Mayor and City Council Consideration of Approval of a Contract Award to Georgia Green Landscaping for On-Call Mowing Services, and to Authorize the City Manager to Execute the Contract

William H. Martin, Jr. AIA Public Works Director, presented a recommendation for a contract award to Georgia Green Landscaping for On-call Mowing Services. On August 17, 2022, the City advertised its request for contractor qualifications ("RFQ") for the Services. The deadline for submission of responses to the RFQ ("Responses") was September 20, 2022. Staff reviewed Responses received and determined four contractors to be qualified to perform the Services. On November 9, 2022, bids were solicited from the four contractors.

<u>Firm</u>	<u>Bid</u>
Georgia Green Landscaping	\$571,360.00
Yellowstone Landscape-Southeast, LLC	\$639,075.00
Pro Cutters Lawnscares, Inc.	\$1,082,200.08
Russell Landscape	\$1,150,680.00

The City has previously contracted with Georgia Green Landscaping to obtain mowing services with successful results. Based upon this information and the fact that Georgia Green Landscaping submitted the lowest, most responsible and responsive bid, staff recommends award of a contract to Georgia Green Landscaping to perform the Services in the amount of \$285,680.00 for the six (6) months remaining in fiscal year 2023. Adequate funds are available in the Public Works Contractual Services Account to support the contract award.

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Melody Kelley, to approve the a contract award to Georgia Green Landscaping for On-Call Mowing Services, and to authorize the City Manager to execute the Contract. The motion carried by unanimous vote.

Resolution No. 2022-12-187

- G. **2022-345** Request for Mayor and City Council Consideration of Approval of a Contract Award to Pateco Services LLC for On-Call Street Sweeping Services, and to Authorize the City Manager to Execute the Contract

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation for a contract award to Pateco Servcies, LLC for On-call Street Sweeping Services. On August 17, 2022, the City advertised its request for contractor qualifications ("RFQ") for the Services. The deadline for submission of responses to the RFQ ("Responses") was September 20, 2022. Staff reviewed Responses received and determined two contractors to be qualified to perform the Services. On November 7, 2022, bids were solicited from the two contractors.

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<u>Firm</u>	<u>Bid</u>
Pateco Services LLC	\$183,276.00
Sweeping Corporation of America, LLC	\$540,566.97

The City has previously contracted with Pateco to obtain on-call sweeping street services with successful results. Based upon this information and the fact that Pateco submitted the lowest, most responsible and responsive bid, staff recommends award of a contract to Pateco to perform the Services in the amount of \$91,638.00 for the six months remaining in fiscal year 2023. Emergency response services are an important aspect of this contract and are paid on an as needed basis. Emergency service expenditure history indicates a \$12,500 contingency should be added to the contract, which would increase the overall contract amount to \$104,138. There are adequate funds available in the Public Works Contractual Services Account to award this contract.

Motion and second. A motion was made by Councilmember John Paulson, seconded by Councilmember Andrew Bauman, to approve a contract award to Pateco Services LLC for On-Call Street Sweeping Services, and to authorize the City Manager to execute the contract.

Councilmember Andy Bauman asked does the street sweeping contract include leaf pickup. Leaves pile-up in some of the stormwater inlets. Sometimes, people do collect leaves near the catch-basins. This should be celebrated and encouraged.

Public Works Director Martin replied the contract includes curb and gutter. This can be addressed by the City's regular frequency of street sweeping. Also, problematic catch-basins and storm drains can also be cleaned throughout the City's stormwater, maintenance and repair agreement.

Mayor Rusty Paul stated sometimes landscapers blow leaves into the street.

Councilmember Bauman stated through education and enforcement this should be addressed.

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

Resolution No. 2022-12-188

H. **2022-346** Request for Mayor and City Council Consideration of Approval of a Contract Award to Lumin8 Transportation Technologies, LLC for Traffic Signal, ITS, and Fiber Maintenance, Repair, and Installation Services, and to Authorize the City Manager to Execute the Contract

William H. Martin, Jr., AIA, Public Works Director, presented a contract award to Lumin8 Transportation Technologies, LLC for Traffic Signal, ITS, and Fiber Maintenance, Repair, and Installation Services. On August 17, 2022, the City advertised its request for contractor qualifications ("RFQC") for the Services. The deadline for submission of responses to the RFQC ("Responses") was September 22, 2022. Staff reviewed Responses received and determined three contractors to be qualified to perform the Services. On November 9, 2022, bids were solicited from the three contractors.

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Firm	Bid
Lumin8 Transportation Technologies, LLC	\$ 775,561.00
GTG Traffic Signals, LLC	\$ 958,152.00
Yunex, LLC	\$1,154,268.00

Upon administrative review of the bids and reference checks, staff recommends award be made to Lumin8 as the most responsible and responsive bidder in the amount of \$387,780.50 for the six months remaining in fiscal year 2023. Emergency response services are an important aspect of this contract and are paid on an as-needed basis. Emergency service history indicates a \$25,000.00 contingency should be added to the contract which would increase the overall contract amount to \$412,780.50. The term of the contract resulting from this solicitation will be five (5) performance years, including one (1) base year and four (4) one-year renewal options contingent upon annual appropriation of funds by the City Council. The contract will terminate at the close of each fiscal year but will automatically renew absent any positive action by the City.

The incumbent vendor is GTG Traffic Signals, LCC, but Lumin8 came-in with better pricing.

There is sufficient FY23 budget under Contractual Services to award the contract for Services for January 1, 2023 through June 30, 2023, as well as provide sufficient budget for after-hours, on-call services for a total of \$412,780.50.

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Melody Kelley, to approve a contract award to Lumin8 Transportation Technologies, LLC for Traffic Signal, ITS, and Fiber Maintenance, Repair, and Installation Services, and to authorize the City Manager to execute the contract. The motion carried by majority vote.

Passed Yes 5, No 0, Abstained 1

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

Nays: None

Absent: Andy Bauman

Resolution No. 2022-12-189

- I. **2022-347** Request for Mayor and City Council Consideration of an Agreement to Purchase Permanent Easement for Construction and Maintenance on That Tract of Land in Land Lot 40 of the 17th District, City of Sandy Springs (Tax ID# 17-0040- LL-055-4) Associated with the T-0060/PATH 400 Trail Extension Project

William H. Martin, Jr. AIA Public Works Director, presented the Agreement to Purchase Permanent Easement for Construction and Maintenance ("Agreement") on land in Land Lot 40 of the 17th District, City of Sandy Springs (TAX ID 17-0040-LL-055-4), for the T-0060 PATH 400 Trail Extension Project ("Project"). The property owner is the Fulton County Board of Education, a body politic, ("Owner") and is located at 5340 S. Trimble Road (Ridgeview Charter Middle School) in Sandy Springs, Georgia, as shown in the attached exhibits. The acquisition of 64,227.76 square feet of Permanent Easement for Construction and Maintenance on the subject property is necessary in order to construct the T-0060 /PATH 400 Trail Extension Project. The City's Appraised Fair Market Value offer was \$160,600.00 and the Property Owner elected to accept the City's offer of Fair Market Value as full compensation for the property rights being acquired. Sufficient funds are available in Project T-0060 PATH 400 Trail Extension Project for this acquisition. This Project includes FHWA/GDOT funding and the City has entered into a contract with GDOT to be reimbursed for Right of Way

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Acquisition costs for the Project. The maximum amount of reimbursement is \$688,000.00. This is the fifth and final agreement reached on the project and this amount of \$160,600.00 is fully eligible for reimbursement.

Motion and vote. A motion was made by Councilmember Melody Kelley, seconded by Councilmember John Paulson, to approve the the Agreement to Purchase Permanent Easement for Construction and Maintenance on That Tract of Land in Land Lot 40 of the 17th District, City of Sandy Springs (Tax ID# 17-0040- LL-055-4) Associated with the T-0060/PATH 400 Trail Extension Project. The motion carried by unanimous vote.

Resolution No. 2022-12-190

- J. **2022-348** Request for Mayor and City Council Consideration of Approval of a Contract Award to Tri Scapes, Inc. for Morgan Falls Athletic Complex Improvements, and to Authorize the City Manager to Execute the Contract

Michael Perry, Director of Recreation and Parks, presented a recommendation of a contract award to Tri Scapes, Inc. ("Tri Scapes") for the Morgan Falls Athletic Complex Improvements ("Project"). On October 5, 2022, the City advertised its Invitation to Bid seeking bids ("Responses") to perform the Project. The deadline for submission of Responses was November 11, 2022. Four (4) Responses received and following review, two Responses were determined to be non-responsive.

<u>Firm</u>	<u>Bid</u>
Tri Scapes, Inc.	\$1,249,100.45
Bayne Development Group	\$1,439,125.00
The Wind Screen Factory	\$ 366,441.08 (non-responsive)
Warren Collins & Associates, Inc. DBA Collins Company	\$ 299,659.00 (non-responsive)

The Project includes design and work related to overhead safety netting, shade structures, bleacher seating, trench drainage, and adding a bottle filling station. Sandy Springs Youth Sports Association ("SSYSA") has a contract with the City to use the Morgan Falls Athletic Park for its programming and has been included on discussions and recommendations related to the Project. SSYSA understands the coordination that must take place to accommodate performance of the Project. A six month construction period is anticipated. Since Tri Scapes is the lowest, most responsible and responsive bid, staff recommends award of a contract to Tri Scapes in the amount of \$1,249,100.45.

Recreation and Parks will be responsible for the contracted amount of \$1,249,100.45. There is sufficient funding within Recreation and Parks' Capital Improvement account P2216 to fund this contract.

Motion and vote. A motion was made by Councilmember Melody Kelley, seconded by Councilmember John Paulson, to approve the contract award to Tri Scapes, Inc. for Morgan Falls Athletic Complex Improvements, and to authorize the City Manager to execute the contract. The motion carried by unanimous vote.

Resolution No. 2022-12-191

- K. **2022-349** Request for Mayor and City Council to Approve a Budget Amendment to the FY 2023 Budget for the Purpose of Purchasing Property

Eden Freeman, City Manager, presented a recommendation to amend the FY 2023 Budget for the purpose of purchasing property. It is recommended that the Mayor and City Council first authorize a budget amendment to the FY 2023 budget, transferring \$500,000 from General Fund Balance to Project CC001 (Land Acquisition), to purchase the property at 142 Hilderbrand Drive, owned by William and Lynn H. Galusha. The property has been identified as a key parcel to acquire and be assembled into the City Springs Phase II project. The total price of the purchase is \$1,500,000.

Motion and vote. A motion was made by Councilmember Melissa Mular, seconded by Councilmember Melody Kelley, to approve the approve a Budget Amendment to the FY 2023 Budget for the purpose of purchasing property. The motion carried by unanimous vote.

Ordinance No. 2022-12-21

- L. **2022-350** Request for Mayor and City Council Consideration of Acceptance of the Purchase and Sale Agreement for Property Located at 142 Hilderbrand Drive, in Land Lot 89, 17th Land District, Lots 34 and 35

Eden Freeman, City Manager, presented the Purchase and Sale Agreement for 142 Hilderbrand Drive, in Land Lot 89, 17th Land District, Lots 34 and 35 . The total price of the purchase is \$1,500,000.

Motion and vote. A motion was made by Councilmember Melissa Mular, seconded by Councilmember Jody Reichel, to approve the Purchase and Sale Agreement for Property Located at 142 Hilderbrand Drive, in Land Lot 89, 17th Land District, Lots 34 and 35. The motion carried by unanimous vote.

Resolution No. 2022-12-192

X. Reports

- A. **2022-351** Mayor and Council Report

Mayor Rusty Paul reported it is the 17th anniversary of the founding of the City of Sandy Springs. The original vision for the city was to keep the available resources here and utilize them for here. There are sometimes disagreement on how to use those resources, but most of the citizens are pretty happy with the creation of the City. The City has at least met, and in many situations, surpassed expectations of citizens. There are a lot more things to do. The future is exciting.

Councilmember Jody Reichel stated the Sparkle Parade was a lot of fun. The Special Events team did a great job.

Mayor Paul state every year the City figures out how to make it bigger and better. No one complained about the parade or the activities around it.

Councilmember Tibby DeJulio remarked Sunday night was the vision that the City had for many

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years of Sandy Springs. It was to get people together and celebrate. When people ask me about how Sandy Springs has turned out, I reply it turned out better than what could have been hoped for. It has been an exceptional experiment of democracy in the country.

B. 2022-352 Staff Reports

There were no Staff Reports.

XI. Executive Session

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Melody Kelley, to spend 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: John Paulson, Melody Kelley, Melissa Mular, Jody Reichel, Tibby DeJulio, Andrew Bauman

Nays: None

The executive session began at 8:14 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

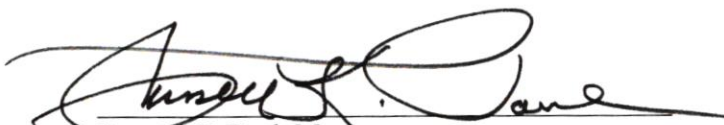
The executive session ended at 8:38 p.m.

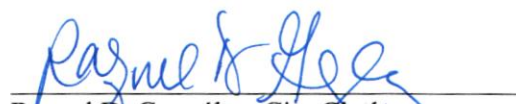
XII. Adjournment

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 8:38 p.m.

Approved: December 20, 2022


Russell K. Paul, Mayor


Raquel D. González, City Clerk