

The Regular Meeting of the Sandy Springs City Council was Tuesday, December 3, 2019, at 6:02 p.m., Mayor Rusty Paul presiding.

Invocation: Rev. Barrett Abernethy, Mount Vernon Presbyterian Church

CALL TO ORDER

Mayor Rusty Paul called the meeting to order at 6:02 p.m.

City Clerk Coty Thigpen reminded everyone to silence all electronic devices at this time. Additionally, those wishing to provide public comment are required to complete a public comment card. Public Comment Cards are available online and at the Chamber entrance and submitted to the City Clerk before the meeting begins.

City Clerk Thigpen called the roll.

Mayor: Mayor Rusty Paul - present.

Council Members: Council Member John Paulson, Council Member Chris Burnett, Council Member Jody Reichel, Council Member Tibby DeJulio, Council Member Steve Soteres and Council Member Andy Bauman.

PLEDGE OF ALLEGIANCE

Mayor Rusty Paul led the Pledge of Allegiance.

PUBLIC COMMENT

City Clerk Coty Thigpen stated there are no public comment cards.

Mayor Paul closed the Public Comment Period.

APPROVAL OF MEETING AGENDA

1. **19-398** Add or remove items from agenda

Motion and Vote: Council Member DeJulio moved that the meeting agenda be approved with one change, the deletion of Agenda Item **19-417**, Request for Mayor and City Council of Incentive Request for Mayson House Hotel (Glenridge Green Partners, LLC). Council Member Reichel seconded.

Mayor Rusty Paul noted that the owner has withdrawn the request.

Vote on the Motion: The motion carried unanimously.

CONSENT AGENDA

2. **19-399** Meeting Minutes
 1. November 19, 2019 Work Session
 2. November 19, 2019 Regular Meeting
(Coty Thigpen, City Clerk)

3. **19-400** Acceptance of a Temporary Driveway Easement in connection with the TS-105 Grogan's Ferry @ Roswell Road Intersection Improvement Project (Stockholder's Place Condominium Association)

RESOLUTION NO.2019-12-150

4. **19-401** Acceptance of a Temporary Driveway Easement in connection with the TS-105 Grogan's Ferry @ Roswell Road Intersection Improvement Project (Stockholder's Place Condominium Association)

RESOLUTION NO.2019-12-151

Motion and Vote: Council Member Bauman moved to adopt the Consent Agenda for the December 3, 2019 City Council, Agenda Item 19-399. Council Member Burnett seconded the motion.

Vote on the Motion: The motion carried unanimously.

PUBLIC HEARING

City Clerk Coty Thigpen stated that there are no rezoning applications scheduled for the Public Hearing this evening.

- ~~5. **19-417** Request for Mayor and City Council of Incentive Request for Mayson House Hotel
(Glenridge Green Partners, LLC)
(Presented by Andrea Worthy, Economic Development Director)~~

Stricken from Agenda earlier as owner has withdrawn request.

6. **19-402** Agenda Item: 65626 - Approval of Alcoholic Beverage License Application for City Barbeque LLC, DBA City Barbeque at 6649 Roswell Road, Suite L, Sandy Springs, GA 30328. Applicant is Bryson Brewer on behalf of City Barbeque, LLC for Consumption on the Premises Wine, Mal Beverage and Distilled Spirits.

Finance Director Karen Ellis presented that this is a new application for Consumption on the Premises Wine, Malt and Beverage - City Barbeque LLC, DBA City Barbeque at 6649 Roswell Road, NE, Suite L, Sandy Springs GA 30328. This is located at the intersection of Roswell Road and Abernathy Road. This is in District 4. The applicant, Bryson Brewer, on behalf of City Barbeque, LLC, has met all the requirements and staff recommends approval.

Invitation for Public Comment: none

Motion and Vote: Council Member Reichel moved to approve Agenda Item 19-402, Alcoholic Beverage License Application for City Barbeque LLC, DBA City Barbeque at 6649 Roswell Road, Suite L, Sandy Springs, GA 30328. Applicant is Bryson Brewer on behalf of City Barbeque, LLC for Consumption on the Premises Wine, Malt and Beverage. Council Member Soteres seconded the motion.

Vote on the Motion: The motion carried unanimously.

7. **19-403** Agenda Item: 65809 - Approval of Alcoholic Beverage License Application for BLM Hospitality, LLC DBA Big B's Fish Joint located, at 4600 Roswell Road, Suite D140, Sandy Springs, GA 30342. Applicant is Barry Mills for Consumption on the Premises Wine, Malt Beverages, and Distilled Spirits.

Finance Director Karen Ellis presented this is a new application for Consumption on the Premises Wine, Malt Beverages and Distilled Spirits. BLM Hospitality, LLC DBA Big B's Fish Joint located at 4600 Roswell Road, Suite D140, Sandy Springs, GA 30342. This is located at the intersection of Roswell Road and Windsor Parkway. This is in District 6. Barry Mills, Applicant, has met all the requirements and staff recommends approval.

Invitation for Public Comment: none

Motion and Vote: Council Member Bauman moved to approve Agenda Item 19-403, Alcoholic Beverage License Application for BLM Hospitality, LLC DBA Big B's Fish Joint located at 4600 Roswell Road, Suite D140, Sandy Springs, GA 30342. Applicant is Barry Mills for Consumption on the Premises Wine, Malt Beverages, and Distilled Spirits. Council Member Paulson seconded the motion.

Vote on the Motion: The motion carried unanimously.

8. **19-404** Agenda Item: 65978 - Approval of Alcoholic Beverage License Application for Derby Spalding LLC, DBA The Derby, at 7716 Spalding Drive, Sandy Springs, GA 30092. Applicant is Joy Haik on behalf of Derby Spalding, LLC for Consumption on the Premises Wine, Malt Beverage and Distilled Spirits.

Finance Director Karen Ellis presented this is a change of ownership application for Consumption on the Premises Wine, Malt Beverages and Distilled Spirits for Derby Spalding LLC, DBA The Derby, at 7716 Spalding Drive, Sandy Springs, GA 30092. Applicant is Joy Haik on behalf of Derby Spalding, LLC. This is located at the intersection of Holcomb Bridge Road and Spalding Drive NW and is in District 1. The Applicant, Joy Haik, on behalf of Derby Spalding, LLC has met all the requirements and staff recommends approval.

Invitation for Public Comment: none

Motion and Vote: Council Member Paulson moved to approve Agenda Item 19-404, Alcoholic Beverage License Application for Derby Spalding LLC, DBA The Derby, at 7716 Spalding Drive, Sandy Springs, GA 30092; Applicant, Joy Haik, on behalf of Derby Spalding, LLC, for Consumption on the Premises Wine, Malt Beverages and Distilled Spirits. Council Member Soteres seconded the motion.

Vote on the Motion: The motion carried unanimously.

9. **19-405** Agenda Item: 65833 - Approval of Alcoholic Beverage License Application for 8879 By the River Inc., DBA North River Tavern, located at 8879 Roswell Road, Sandy Springs, GA 30350. Applicant is Michael Anthony Tyrell, on behalf of 8879 By the River, for Consumption on the Premises Wine, Malt Beverages and Distilled Spirits.

Finance Director Karen Ellis presented this is a change of ownership application for Consumption on the Premises Wine, Malt Beverages and Distilled Spirits, approval of Alcoholic Beverage License Application for 8879 By the River Inc., DBA North River Tavern, 8879 Roswell Road, Sandy Springs GA 30350. Applicant is Michael Anthony Tyrell, on behalf of 8879 By the River. This is located at the intersection of Roswell Road and North river Parkway and is in District 2. The Applicant, Michael Anthony Tyrell, has met all the requirements and staff recommends approval.

Invitation for Public Comment: none

Motion and Vote: Council Member Soteres moved to approve Agenda Item 19-405, Alcoholic Beverage License Application for Consumption on the Premises Wine, Malt Beverages and Distilled Spirits for 8879 By the River Inc., DBA North River Tavern, located at 8879 Roswell Road, Sandy Springs, GA 30350, Applicant, Michael Anthony Tyrell. Council Member Paulson seconded the motion.

Vote on the Motion: The motion carried unanimously.

10. **19-406** Agenda Item: 65734 - Approval of Alcoholic Beverage License Application for Gas Express LLC, DBA Circle K # 222 at 7320 Roswell Road Sandy Springs, GA 30328. Applicant is Tesfalem Solomon, on behalf of Gas Express, LLC, for Retail Package, Wine, and Malt Beverage.

Finance Director Karen Ellis presented this is a change of ownership application for Retail Package Wine and Malt Beverage for Gas Express LLC DBA Circle K # 222 at 7320 Roswell Road Sandy Springs, GA 30328. This is located at Roswell Road and Dalrymple Drive and is in District 3. Applicant is Tesfalem Solomon, on behalf of Gas Express, LLC, has met all the requirements and staff recommends approval.

Invitation for Public Comment: none

Motion and Vote: Council Member Burnett moved to approve Agenda Item 19-406, Alcoholic Beverage License Application for Retail Package Wine and Malt Beverage for Gas Express LLC, DBA Circle K # 222 at 7320 Roswell Road Sandy Springs, GA 30328. Applicant is Tesfalem Solomon on behalf of Gas Express, LLC. Council Member Reichel seconded the motion.

Vote on the Motion: The motion carried unanimously.

11. **19-407** Agenda Item: 66020 - Approval of Alcoholic Beverage License Application for Atlanta Liquor DBA Atlanta Liquor located, at 215 Northwood Dr suite 7, Sandy Springs, GA 30342. Applicant is Jose Maldano for Package Wine, Malt Beverages, and Distilled Spirits.

Finance Director Karen Ellis presented this is a change of ownership application for Retail Package Wine, Malt Beverage and Distilled Spirits for Atlanta Liquor DBA Atlanta Liquor located, at 215 Northwood Dr suite 7, Sandy Springs, GA 30342. This is located at Roswell Road and Northwood Drive NE and is in District 6. Applicant, Jose Maldano, has met all the requirements and staff recommends approval.

Invitation for Public Comment: none

Motion and Vote: Council Member Bauman moved to approve Agenda Item 19-407, Alcoholic Beverage License Application for Atlanta Liquor DBA Atlanta Liquor located, at 215 Northwood Dr, Suite 7, Sandy Springs, GA 30342. Applicant is Jose Maldano for Package Wine, Malt Beverages and Distilled Spirits. Council Member DeJulio seconded the motion.

Vote on the Motion: The motion carried unanimously.

12. **19-408** Agenda Item: 66021 - Approval of Alcoholic Beverage License Application for Okiboru Group, Inc., DBA Okiboru. Applicant is Naoki Kyobashi for Consumption on the Premises Wine and Malt Beverages.

Finance Director Karen Ellis presented this is a new application for Consumption on the Premises Wine and Malt Beverages for Okiboru Group, Inc., DBA Okiboru at 6125 Roswell Road, #800, Sandy Springs GA and the Applicant is Naoki Kyobashi. This is located Hilderbrand Road and Denmark Drive and is in District 3. The Applicant, Naoki Kyobashi, has met all the requirements and staff recommends approval.

Invitation for Public Comment: none

Motion and Vote: Council Member Burnett moved to approve Agenda Item 19-408, Alcoholic Beverage License Application for Consumption on the Premises Wine and Malt Beverages for Okiboru Group, Inc. DBA Okiboru at 6125 Roswell Road, Suite #800, Sandy Springs GA. Council Member Soteres seconded the motion.

Vote on the Motion: The motion carried unanimously.

UNFINISHED BUSINESS

13. **19-409** Request for Mayor and City Council Consideration of Approval of a Contract for the Sandy Springs Transportation Master Plan – Award of Contract (*Deferred from 11/19/2019 MCC meeting*)

Public Works Director Marty Martin presented that in the last Council meeting there were questions about the master plan, and more specifically about the evaluation process, in the effort to award a contract for the Transportation Master Plan. He introduced Caitlin Shankle, Transportation Planner, who also serves as Project Manager for this effort, to provide a brief overview of the Transportation Master Plan and the plan for moving forward. He responded that the contract was being awarded to Kimley Horn and Associates, as the most successful proposal in the evaluation.

Caitlin Shankle, Transportation Planner, Public Works presented that the current Transportation Plan was developed and adopted over ten years ago, in 2008. It identified some projects and policies to address the outstanding need in the City, as well as future need. Many of these projects have been completed or they are currently underway. Examples are: the Johnson Ferry / Abernathy widening project; the mid-block crossing on Roswell Road just south of Long Island Drive; installation of traffic cameras citywide; and, underway are the Chattahoochee pedestrian / bike bridge at Roswell Road; as well as the Hammond Road widening. One major reason to update now is that GA DOT has a number of projects happening in the area, so they are building express lanes, both on SR400 and I-285. This will have a major impact to travel patterns. Also, in 2018 the Atlanta Transit Link Authority was established and they are the regional planning agency for transit now. They are taking a more comprehensive look at transit in the region and there is also the potential for bus / rapid transit and the express lanes that GDOT is building. In addition, there are

emerging technologies that were not available in 2008. Staff will review some of the policies and strategies that were recommended in the Next Ten. A lot of current TSPLOST projects were originally identified in the Transportation Master Plan. This will change the way the City's network looks going forward. This plan will also identify next projects. Given all of the above, staff would like for this plan to look at what is needed next. This could influence the next TSPLOST effort; or what may come in that regard. There will be some goals and performance measures developed that will be consistent with GDOT and the Atlanta Regional Commission (ARC) performance measures. Staff will also look at the existing conditions in the City to seeing how it is performing. Once all the data is received, staff will begin working on an Implementation Plan to get these moving forward. All projects that are even underway right now are going to be looked at and included in the Plan.

Motion and Vote: Council Member Paulson moved to approve Agenda Item No. 19-409 - Approval of a Contract for the Sandy Springs Transportation Master Plan – Award of Contract. Council Member Reichel seconded the motion.

Council Member Paulson wanted clarification on the vendor chosen to be awarded the contract and also wanted to know that this contract would take into account all of the GDOT projects going in and around Sandy Springs currently.

Council Member Burnett remarked that he knew we had talked in the past about a Hammond Study, specifically the 2-lane section of Hammond Road from Roswell Road east to Glenridge. He questioned if that is going to be included in this study or has that been done independent of this study. He further stated that we have looked at our whole east-west traffic patterns on our major thoroughfares like Hammond, and how that would affect either Mt. Vernon and Heard's Ferry. He questioned if all that gets included in this overall study.

Vote on the Motion: The motion carried unanimously.

RESOLUTION NO.2019-12-146

NEW BUSINESS

14. 19-410 Request for Mayor and City Council Consideration to Appoint a City Manager

Mayor Rusty Paul presented that with the departure of John McDonough in August 2019, the City has been searching for a replacement for City Manager. He stated that Peggy Merriss has filled in as the Interim City Manager. Under the City's Charter, the Mayor recommends the appointment of the City Manager and the Council then is confirming of that nomination. The process was headed by a vetting team consisting of the Mayor and 2 Council Members. There were over 500 applicants, and the vetting committee paired that down to about 10 that were interviewed by Skype. Five (5) were invited to come to town and interview with Council. A consensus was reached around Ms. Andrea Sarratt as the best person suited to meet the needs of the City, to serve as the new City Manager. She has more than 28 years of municipal experience and she is a native of North Carolina. She's currently the City Manager in Bozeman Montana; also serving as Interim City Manager before her selection as City Manager in Bozeman. She has also been the Planning & Development Manager for the City of Wilmington NC; the Town Manager for Wrightsville Beach NC; and, was the Assistant City Manager for the City of Hickory NC for ten years. She is an ICMA credentialed manager with a Master's Degree in City & Regional Planning from Clemson University and a Bachelor of Arts in Political Science from Gilford College. Ms. Surratt and her husband, Robert, are parents of two college-aged children, all in the southeast. Mayor Paul recommended that the Council approve Andrea Surratt as the City of Sandy Springs' second City Manager.

Motion and Vote: Council Member Paulson moved to approve Agenda Item No. 19-410 - Mayor and City Council Consideration to Appoint a City Manager, Andrea Surratt. Council Member DeJulio seconded the motion.

Council Member Paulson stated that one of the things he was concerned about when this process began was the caliber of the candidates; however, the City ended up getting some excellent candidates. The five that we short-listed; frankly, potentially all five (5) of those could do the job of City Manager for Sandy Springs.

Council Member Bauman thanked the Mayor for his leadership in this process; it was very inclusive. There was an executive search firm that asked Council about their desired characteristics and skill sets. This is one of the most solemn obligations as Council members, to have in place the right City Manager to then lead the operations of this city under the Charter. This is a momentous occasion; it is only the 2nd City Manager, third if you include Peggy Merriss. Addressing Interim City Manager Peggy Merriss, he thanked her and told her that we have appreciated her service. He went on to say he was very excited that we found the best person for this job; that he thinks she will be an extraordinary leader, mentor and visionary for this community.

Council Member DeJulio stated that he and the Mayor were the only ones who had done both searches, and the first search turned out to be pretty good for 14 years. The first City Manager did a very good job. Ms. Surratt is an exceptionally strong candidate and her tenure here will really be a benefit to this City. He thanked Interim Manager Peggy Merriss for her service.

Mayor Rusty Paul stated that when Ms. Surratt came to town, he and Mrs. Paul were fortunate to take Andrea to dinner the night before the interviews. He stated that she just an impressive woman. Interestingly, her history is very similar to John McDonough's, about the same age when John came here. Same kind of experience at various other cities; John had been the City Manager of Buford SC, which is about the same size as Bozeman so there are lot of parallels there. He stated that he had just found out last week that there is a Sandy Springs connection to Bozeman, MT. Talking to Bob Schaub, his wife Elaine (who died a couple of years ago), John Bozeman was her great, great grandfather. John Bozeman came from Pickens County, Georgia and left in 1864, went out west to mine for gold and determined that it was better to mine the miners than to mine the gold. He started a little trading post in what is now Bozeman, MT. Mayor Paul echoed the previous comments and stated he was really excited about the opportunity of her coming, if voted affirmatively. She should begin January 6, 2020, and Peggy Merriss will be here for the transition.

Vote on the Motion: The motion carried unanimously.

RESOLUTION NO.2019-12-159

15. **19-411** Request for Mayor and City Council Consideration of Approval of the Path Easement Agreement with Georgia Power Company for the Mt. Vernon Highway Multipurpose Path Project (T-0062-2)

Marty Martin, Public Works Director presented that last Council meeting there was an award to a contractor to construct this path between Mt. Vernon and Hilderbrand, adjacent to the Georgia Power (GPC) switching station just south on Mt. Vernon Highway. This updated easement agreement here is based on review by GPC. In this case, Council originally approved the ROW Agreement with GPA back in March.

Upon further review of GPC, they felt a need to add a Notification Clause within the agreement that talked about who and how to notify when the contractor was physically on the site. There are a lot of safety and security issues associated with that high-voltage yard of GPC's. As well, a small request that the City reimburse GPC for that Oversight, which is a relatively small cost, because there is a stipulation that the contractor have a GPC approved fence contractor as part of the effort. This updated agreement tonight, includes that Notification Clause, plus the understanding of reimbursement for GPC Oversight while they are in the switching yard, modifying that grounding there. It is the recommendation of staff that Mayor and Council accept the updated ROW Agreement.

Motion and Vote: Council Member Burnett moved to approve Agenda Item No. 19-411 - Consideration of Approval of the Path Easement Agreement with Georgia Power Company for the Mt. Vernon Highway Multipurpose Path Project (T-0062-2). Council Member Reichel seconded the motion.

Vote on the Motion: The motion carried unanimously.

RESOLUTION NO.2019-12-152

16. **19-412** Request for Mayor and City Council Acceptance of an Agreement to Acquire a Temporary Construction Easement in connection with the TS-105 Grogan's Ferry @ Roswell Road Intersection Improvement Project (RSWL, LLC)

Marty Martin, Public Works Director stated that the process of acquiring Right-of- and an Easement Agreement for TS-105 Grogan's Ferry Road at Roswell Road Intersection Improvement Project. On Consent agenda, two (2) driveway easements that were provided for your approval. In this case, this is a Temporary Construction Easement required at 7843 Roswell Road to construct a portion of the project. The Property Owners accepted the City's offer of fair market value (\$3,100.00) but had to seek Lender Consent and Legal Approval before granting any easements to the City. The owner's compensable expenses incurred with this process amounted to \$11,000.00. Therefore, the total agreed upon compensation is \$14,100.00. Staff recommends approved to accept this Temporary Construction Easement located in Land Lot 30, 17th District, Fulton County. Property owner is RSWL, LLC.

Motion and Vote: Council Member Soteres moved to approve Agenda Item No. 19-412 - Acceptance of an Agreement to Acquire a Temporary Construction Easement in connection with the TS-105 Grogan's Ferry @ Roswell Road Intersection Improvement Project (RSWL, LLC). Council Member Paulson seconded the motion.

Vote on the Motion: The motion carried unanimously.

RESOLUTION NO.2019-12-153

17. **19-413** Consideration of Approval of a Construction Agreement with the Georgia Department of Transportation for the Sandy Springs Circle Streetscape Project from Hammond Drive to Mount Vernon Highway, CIP No. CC-10, GDOT P.I. 0010385

Marty Martin, Public Works Director stated that the City is much closer to beginning construction on the project CC-10 Sandy Springs Circle Streetscape from Hammond Drive to Mount Vernon Highway. The City of Sandy Springs entered into a Project Framework Agreement (PFA) with GDOT for this project

that outlined each entity's funding commitments for the project. The original PFA was approved by Mayor and City Council on May 17, 2011 and a revised PFA was approved on October 27, 2016. On July 16, 2019, the Mayor and City Council approved a construction contract with Vertical Earth in the amount of \$2,531,053.19 for this project; GDOT has approved that award recommendation. As well, the City has been in coordination with the Atlanta Regional Commission (ARC) on ensuring the elements of the funding agreement outlined in the PFA are also up-to-date and current. GDOT has provided the City with a construction agreement that spells out the amount of compensation or reimbursement that GDOT will provide for construction of this project, as well as the Sandy Springs share, in terms of matching that project agreement. With this agreement in place, GDOT will be sending this through DocuSign for eSignature. The construction of this project will be funded with a combination of local funds and federal funds through GDOT, per the City's executed PFA. The current estimate for construction and materials testing is \$2,558,097.19. Per the Construction Agreement, the City's share of the construction costs (20%) is \$511,619.44.

Motion and Vote: Council Member Burnett moved to approve Agenda Item No. 19-413 - Consideration of Approval of a Construction Agreement with the Georgia Department of Transportation (GDOT) for the Sandy Springs Circle Streetscape Project from Hammond Drive to Mount Vernon Highway, CIP No. CC-10, GDOT P.I. 0010385. Council Member Reichel seconded the motion.

Council Member Burnett asked to clarify that of that \$2.531 Million, the City of Sandy Springs is responsible for just a little over \$500,000 of that, which is pretty much in line with the original budget.

Vote on the Motion: The motion carried unanimously.

RESOLUTION NO.2019-12-154

18. **19-414** Approval of a Memorandum of Understanding (MOU) with MARTA for the T0019 Roswell Road Transit Access Project, I-285 to City of Atlanta

Marty Martin, Public Works Director stated the City of Sandy Springs was awarded federal funding for the Roswell Road Transit Access Project by the Atlanta Regional Commission (ARC) as part of the 2017 Transportation Improvement Program (TIP) Solicitation. The project was eligible for Federal Transit Administration (FTA) funds since this project has a transit nexus. As an eligible direct recipient for federal transit funds, MARTA will be a pass-through entity for providing the federal assistance to the City of Sandy Springs. MARTA will provide oversight of the project and administer the funds, and the City of Sandy Springs will execute the project in accordance with FTA regulations and the sub-grant agreement. The goal of the T0019 Roswell Road Transit Access Project is to provide total walk-up access to transit facilities along the Roswell Road corridor from the City of Atlanta limits to Interstate 285 (I-285). Pedestrian elements to be installed include a minimum 6-foot sidewalk, ADA compliant curb ramps, accessible bus stop pads, and Sandy Springs streetscape elements (lighting, brick pavers, and landscaping). When completed, this project, in conjunction with City projects T0043 Glenridge at Roswell Intersection Realignment and T0033 CDBG Sidewalks, will provide ADA compliant pedestrian facilities along Roswell Road from I-285 to the City of Atlanta limits. Additionally, in keeping with the City's vision for the Roswell Road Corridor, a study of proposed median placement and driveway consolidation will also be part of the project. The current estimated total project cost is \$7,804,719.00. Per the MOU, the City will be responsible for a twenty percent match of the federal funding, which is \$1,560,944.00. The funding details are shown in the below table. The City Council passed a resolution on May 16, 2017 with a commitment to provide the local match funding of up to \$1,700,000. That amount is currently available in the City's budget. Staff recommends that the Mayor and City Council approve the Memorandum of

Understanding (MOU) for the T0019 Roswell Road Transit Access Project and that the City Council authorize the Mayor to execute the MOU between the City of Sandy Springs (City) and the Metropolitan Atlanta Rapid Transit Authority (MARTA).

Motion and Vote: Council Member Reichel moved to approve Agenda Item No. 19-414 - Approval of a Memorandum of Understanding (MOU) with MARTA for the T0019 Roswell Road Transit Access Project, I-285 to City of Atlanta. Council Member DeJulio seconded the motion.

Council Member Paulson questioned if this was both sides of Roswell Road.

Vote on the Motion: The motion carried unanimously.

RESOLUTION NO.2019-12-155

19. **19-415** Approval of a contract to construct project TS137 Johnson Ferry Road and Glenridge Connector Sidepath Project

Marty Martin, Public Works Director stated the invitation to bid for construction of TS137 Johnson Ferry Road and Glenridge Connector Sidepath Project was advertised for bids beginning September 4, 2019. A pre-bid meeting was held on September 20, 2019. Bids were received on October 7, 2019. Proposed improvements included in the project are the following: 1. Site Grading; 2. Sidepath and Sidewalk; 3. Curb and Gutter; 4. Sidewalk Wall; 5. Driveways; 6. Landscaping. Upon administrative review of the bid, the City of Sandy Springs' Public Works, Purchasing and Legal staffs recommend that award be made to Proterra Development, LLC. in the amount of \$218,832.50; lowest of three (3) bidders. The engineer's construction cost estimate is \$314,200.23. Staff did interview the low bidder, to make sure that they had an understanding of the work and to adequately execute the project based on their pricing. One big element in this work is the development / construction of a road shoulder, which in this case will require earth fill. The contractor indicated positively that they had reasonable cost and access to the additional earth material that they needed to import in order to construct that road shoulder, making them more competitive.

Motion and Vote: Council Member Bauman moved to approve Agenda Item No. 19-415 - Approval of a contract to construct project TS137 Johnson Ferry Road and Glenridge Connector Sidepath Project. Council Member Paulson seconded the motion.

Council Member DeJulio questioned if this is a piece of property that was turned down about a month ago because the owner of the property wanted such an exorbitant amount of money for their right-of-way construction easement.

City Attorney Lee stated that the sidewalk will be limited to the existing ROW, as it passes their property.

Council Member Burnett stated that it seems the Public Work Department is comfortable with Proterra and wanted to confirm that they will put up a bond.

Vote on the Motion: The motion carried unanimously.

RESOLUTION NO.2019-12-156

20. **19-416** Approval of a contract to design the Brandon Mill Road Sidewalk Project from Lost Forest Drive to Brandon Ridge Drive (TS172)

Marty Martin, Public Works Director stated that this design project contemplates completing the sidewalk on Brandon Mill Road from the north end down to the Abernathy Greenway. Proposed is the final segment or increment in the Brandon Mill sidewalk. The City requested quotes for design services for a 1,765 LF of 6-ft sidewalk with 2-ft landscape buffer from Lost Forest Drive to Brandon Ridge Drive on Brandon Mill Road. The sidewalk project includes retaining walls and a hydrology study for the road including the storm drainage system. The scope also requires studies and alternative design to provide ADA accessible routes across steep driveways. When completed, TS172 will provide a complete pedestrian connection on Brandon Mill Road from Dalrymple Road to Abernathy Road. The request for quote (RFQ) for design services for this project was sent out on October 3, 2019 to consultants from the City's On-Call Sidewalk Designers. Proposals were received on October 18, 2019. Proposed tasks included the following: 1. Survey and Concept Design; 2. Preliminary and Final Design; 3. Utility Coordination; 4. Right of Way Coordination; 5. Retaining Wall Design including Geotechnical Services; 6. Storm Drainage Design; 7. Post Design Services including preparing Bid Documents; 8. Miscellaneous Services. In response to the requirements outlined in the RFQ, NV5/Calyx provided the most responsive and responsible proposal for the project design. NV5/Calyx included services that were missing from the consultants with the lower quotes, Heath & Lineback Engineers and KCI Technologies. Heath & Lineback Engineers did not include geotechnical services for the retaining wall design and the proposal was incomplete. KCI Technologies included responses from a different sidewalk project. NV5/Calyx also presented a better understanding of complexities involved with designing a sidewalk project with steep driveways and with physical constraints such as steep topography below the street. The staff estimate for the design of this project was \$180,000. Adequate funds have been budgeted and allocated for these services in Project TS172, which has a current available budget of \$900,150. Staff recommends award of this contract to NV5/Calyx in the amount of \$183,000.

Motion and Vote: Council Member Burnett moved to approve Agenda Item No. 19-416 - Approval of a contract to design the Brandon Mill Road Sidewalk Project from Lost Forest Drive to Brandon Ridge Drive (TS172). Council Member Reichel seconded the motion.

Council Member Burnett questioned if the challenges that were presented earlier in this project were related to design work or just related to the general contractor.

Director Martin stated that it was predominantly the substandard performance of the contractor at the time. He also stated that one thing they have asserted with this project, the Phase II portion of Brandon Mill as well as this phase here, is an even stronger understanding of the soil requirements, the geotechnical engineering requirements and the wall design requirements, to leave no doubt about what is intended to be built on the site.

Vote on the Motion: The motion carried unanimously.

RESOLUTION NO.2019-12-157

21. **19-418** Consideration of a Contract Award for North End Design Services

Andrea Worthy, Economic Development Director stated that in 2018, Mayor Rusty Paul assembled a task force to assess ways to revitalize the North End of the City of Sandy Springs. The "North End" is considered to be a four-square mile area of Sandy Springs stretching from Dalrymple Road in the south to the Chattahoochee River in the north, from Georgia 400 to the west side of Roswell Road. At the City Council Retreat in January 2019 recommendations from the Task Force Report were presented. By resolution on February 5, 2019, the City Council adopted 2019 Priorities that included the North End Revitalization with "Issue an RFP for developers to master plan an area in the North End that can support a catalyst project with scalable mixed-use and mixed-income housing" included as one of the actions. A Request for Proposals ("RFP") was issued seeking a qualified consultant ("Consultant") firm to develop three (3) conceptual master plans each for each of following four (4) properties, for a total deliverable of twelve (12) plans ("Project"): a. Former Loehmann's Plaza (8610 Roswell Road), approximately 13 acres; b. Northridge Shopping Center (8331-8371 Roswell Road), approximately 11 acres; c. North River Shopping Center (8765-8897 Roswell Road), approximately 13 acres; d. Big Lots Center (7300 Roswell Road), approximately 8.83 acres. Specifically, the RFP required that the Consultant hold at least two (2) City-wide public meetings using the open house format: the first at the beginning of the Project to take public input, and the second at the end of the Project displaying the preferred conceptual plans, prior to the plans being accepted by Mayor and Council. Additionally, the Consultant must hold one (1) meeting at each of the properties to obtain input on each area. The City received thirteen (13) bids, which were pared down by the Evaluation Committee to four (4) Offerors. These were invited to in person interviews and presentations. Because of their performance in the interview, responsiveness to questions, and perceived quality of the end product, TSW received the top-ranking by the Evaluation Committee. The cost of services for TSW was also in the range of other Offerors. Based upon evaluation of Proposals and interviews, the Evaluation Committee believes that the Proposal submitted by TSW represents the best opportunity for successfully meeting or exceeding the recommendations of the Task Force Report and for fulfilling the adopted 2019 City Council priorities and recommends awarding the contract to TSW in the amount of \$307,260.00. In response to Council Member Soteres, Economic Director Worth stated that there is the ability to reduce costs from TSW in the event a developer comes forward prior to the design services being completed.

Motion and Vote: Council Member Soteres moved to approve Agenda Item No. 19-418 - Consideration of a Contract Award for North End Design Services. Council Member Paulson seconded the motion.

Council Member Soteres thanked the Evaluation Committee for their efforts and the hard work that went into this project. With having 13 proposers, fairly close together in their pricing, it shows that there is a lot of opportunity out there. He asked if a developer happens to come to the property owner(s) prior to the design services really getting deep into it, will it be set up in such a way that the cost can be reduced from TSW.

Council Member Burnett wanted to clarify how the City deals with the economic standing of some of these properties. For example, if they are in a distressed state at the time, whether they are in foreclosure or pre-foreclosure, and are the property owners on board with the City hiring a firm to help figure out the highest and best use for their sites.

Mayor Rusty Paul clarified that the City is not designing this for a specific developer, but to show the community and the development community what could be done economically on sites like this. These are proforma sites, to be used as an example of what could be done. Secondly, the City wants to ask what does the community want to see on these sites? What do they want to see as a redevelopment on the North End.

Also, this will be to make recommendations to the City on what changes to the Development policies may be needed to bring an area that is currently struggling economically into better economic health. Another of the things that will be part of this will be affordable housing. Not only the creation of new affordable housing, for middle-class families (i.e. nurses, teachers, fire fighters, police officers, middle managers, etc.) but also the preservation of work force housing in that area. This is an opportunity for the community to project their hopes and aspirations for the North End and utilizing some properties that are up in that area. If a developer wants to get another piece of property and take these ideas and move them around, then the City is perfectly fine with that. It will be very similar to the process for City Springs. There will be a lot of community meetings. There is a going to be a significant focus on housing, both the production of new housing, as well as the preservation of exiting housing in that area. If you let nature take its course, over time, that area will continue to go down. At some point, the prices of the housing and other real estate in that area may get to the point, but that is going to be years from now. A conscious public policy decision to allow an area to deteriorate to the point that it becomes affordable to do something with, is an immoral public policy choice. The City's goal is to try to find some solutions that will help provide some opportunities for high quality, redevelopment of that area. Again, the City is not designing a project for the Loehmann's Plaza Shopping Center, but rather using that location as an example of *what can be done* in that whole North End area.

Council Member Bauman, thanked Mayor Paul for the clarification. The points that you made are on people's minds and to emphasize this is a very much bottom up process. This is not this Council dictating anything. When you allocate it over 4 properties, you include the public meeting process, which is essential, this feels like very good value to get the community input and to find out what are possible public policy obstacles to smart redevelopment in the area. If this process yields even one good idea, it will be more than worth it. He also thanked the Mayor for his comments about housing. There have been misconceptions, but the Mission Statement of the Task Force is very clear. Defining success includes recognition, acknowledgement and support for the residents that live in affordable housing in that area. The Mission Statement is there the City's commitment is very real to preservation of the existing residents of right and ability to remain and live happily, successfully, in that and all areas of the City.

Council Member Burnett commented that this is a novel concept because some of the property owners would struggle on their own whether it is for economic reasons. In some cases, they live a long way away from Georgia, so they are not focused on this community. This may be the catalyst that spawns an idea with them or spawns their ability to sell to somebody who can deliver, with an idea that comes out of this project. This is part of the innovation that Sandy Springs is known for.

Council Member Paulson, one of the things that happens when talking about North End redevelopment is they ask what the City wants. A response is to ask what can be done with the site. Then it goes back to what the City wants or what can be done. One of the things that comes out of this are some ideas that the City can discuss, the community can discuss and reach an agreement on the concepts for redevelopment to the next level lower than 30,000 feet here. If this produces more concrete examples of what would be acceptable to this community, then it is a success.

Vote on the Motion: The motion carried unanimously.

RESOLUTION NO.2019-12-158

REPORTS

Mayor and Council Reports

22. 19-419

Mayor Rusty Paul gave an update on artwork for the building. He wanted to also make sure to thank Ms. Sharon Kraun for carrying the burden of this project over the last 2 years. The artwork is throughout the lobby. It is going to be a series of rotating art, focusing on local artists. There are some local art experts working with the City and it was installed today. He thanked Sharon and her team, Art Sandy Springs, Susan Westmoreland and whole bunch of other people that were involved in finally to this point. It is just another part of the mission of this institution. The cultural and arts aspect, there is a lot of focus on the performing arts, but the City also want an equal emphasis on the fine arts. The City will be commissioning a larger piece early next year that will fit the big wall on the west side of the lobby that will be a signature piece. The art will be rotated in and out. There is so much talent in this community; this is another opportunity to highlight local talent.

Secondly. At the last meeting, the City Attorney gave a report on the property across the street from this facility that has been in litigation for well over a year. Subsequent to this meeting, the judge ruled on our motions and ruled in our favor on all counts. This is a major milestone in being able to get that area cleaned up. The thanked City Attorney Dan Lee and the legal team for their perseverance.

Council Member Paulson stated we all have lives outside of City Council; I spent the last 30 years in the world of construction fabrics, construction materials and one of the fellows who is truly a legend, Dr. Robert Koerner at Drexel University. He wrote the book on designing with construction products, which 35 years ago were novelties, and today everyone is using them, in large measure because of a lot work that he did. This is a man who has been my mentor and who I have worked with for a number of years, I found out today he passed away this weekend.

Council Member DeJulio stated he has been getting several phone calls and emails from constituents concerning the ability of people to go on their computers, on WAZE, on GPS, on Google and cut through neighborhoods. They are traveling through neighborhoods that were not intended to be driven through; they were intended to be protected neighborhoods, etc. When we first incorporated, we were much in opposition to traffic control and speed control, etc. and we put in some fairly restrictive policies about how to do some traffic calming. I think that the time has come for us to revisit this, and to give our citizens more discretion and more power over traffic calming. I'm going to ask our staff if they would go ahead and revisit this and see if there is a policy that is more neighborhood friendly, citizen friendly, and protective of families that live in these neighborhoods. He asked Community Development staff if they will go ahead and revisit this policy and come back to Council to re-examine these policies.

Council Member Burnett just wanted to remind everyone that the holidays officially kick off this coming Sunday, December 8, with our Holiday Parade. Food trucks open at 4:00, parade starts at 5:30 and we wrap it up with a Menorah and tree lighting. There will be a snow machine and an appearance from Santa.

Staff Reports

None

EXECUTIVE SESSION

23. 19-420 None at this time

24. **19-421** Adjournment

Motion: Council Member DeJulio moved to adjourn. Council Member Paulson seconded the motion.

Vote on the Motion: The motion carried unanimously.

The meeting adjourned at 7:26 p.m.

Date Approved: December 17, 2019.



Russell K. Paul, Mayor



Coty Thigpen, City Clerk

