

Meeting of the City of Sandy Springs City Council – SUMMARY MINUTES
Studio Theatre, Sandy Springs City Hall and Broadcast Via Live Webinar and Teleconference
October 1, 2024 Following Work Session
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Meeting of the Sandy Springs City Council was held on October 1, 2024 Following Work Session, Mayor Rusty Paul presiding.

I. Call to Order

Mayor Rusty Paul called the meeting to order at 6:27 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. **Bill Griffith, 9580 Roberts Dr, Atlanta** - Roberts Drive Sidepath Scoping Report
2. **Ray Moss, 425 Otter Creek Ct, Sandy Springs** – Safe Streets
3. **Kim Marchner, 6300 Bluestone Rd, Unit 2024, Sandy Springs** - Music Art Festival impact on residents

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. **2024-243** Meeting Minutes
September 17, 2024 City Council Work Session
September 17, 2024 City Council Meeting

VII. Presentations

Mayor Paul said following the October 7, 2023 attack on Israel, there was slightly over ten thousand people on the City's campus. It has been a year-long war in the Middle East and worsened today. The City of Sandy Springs recognizes the first anniversary of that horrible day with a proclamation.

A PROCLAMATION RECOGNIZING THE FIRST ANNIVERSARY OF THE ATTACK ON ISRAEL
WAS READ.

Motion and vote. **Councilmember Tibby DeJulio** made a motion that Council approves the proclamation unanimously to support Israel, sister cities, and Jewish contingents in the City of Sandy

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Springs. **Councilmember John Paulson** moved to approve the motion by acclamation. The motion carried by unanimous vote.

VIII. Public Hearing

- A. **2024-244** ABL No. 110400
Request for Mayor and City Council Consideration of Approval of Alcoholic Beverage License Application for Mojave Hospitality Partners, LLC for d/b/a Mojave / 6450 Powers Ferry Rd Sandy Springs GA 30339. The Applicant is Rainer W Shaw for Consumption on the Premises Wine, Malt & Distilled Spirits

Toni Carlisle, Chief Financial Officer, presented a recommendation to approve an Alcoholic Beverage License Application for Mojave Hospitality Partners, LLC for d/b/a Mojave / 6450 Powers Ferry Rd Sandy Springs GA 30339. The Applicant is Rainer W Shaw for Consumption on the Premises Wine, Malt & Distilled Spirits.

This is a Change of Ownership for Consumption on the Premises Wine, Malt & Distilled Spirits. The business is located at – 6450 Powers Ferry Rd Sandy Springs GA 30339. The applicant submitted a completed application on August 23, 2024 and has passed the background investigation. Staff reviewed this application and recommends approval.

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

Motion and vote. A motion was made by **Councilmember Andy Bauman**, seconded by **Councilmember Jody Reichel**, to approve an Alcoholic Beverage License Application for Mojave Hospitality Partners, LLC for d/b/a Mojave / 6450 Powers Ferry Rd Sandy Springs GA 30339. The applicant is Rainer W Shaw for Consumption on the Premises Wine, Malt & Distilled Spirits. The motion carried by unanimous vote.

- B. **2024-245** ABL No.110498
Request for Mayor and City Council Consideration of Approval of Alcoholic Beverage License Application for Bocado Burger Co, LLC for d/b/a Bocado / 6300 Powers Ferry Rd, Suite 400, Sandy Springs GA 30339. The Applicant is Brian Lewis for Consumption on the Premises Wine & Malt Beverages

Toni Carlisle, Chief Financial Officer, presented a recommendation to approve an Alcoholic Beverage License Application for Bocado Burger Co, LLC for d/b/a Bocado / 6300 Powers Ferry Rd, Suite 400, Sandy Springs GA 30339. The applicant is Brain Lewis for Consumption on the Premises Wine & Malt Beverages.

This is a New Application for Consumption on the Premises Wine & Malt Beverages. The business is located at – 6300 Powers Ferry Rd, Suite 400, Sandy Springs GA 30339. The applicant submitted a completed application on August 14, 2024 and has passed the background investigation. Staff reviewed this application and recommends approval.

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

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Motion and vote. A motion was made by **Councilmember Andy Bauman**, seconded by **Councilmember Jody Reichel**, to approve an Alcoholic Beverage License Application for Bocado Burger Co, LLC for d/b/a Bocado / 6300 Powers Ferry Rd, Suite 400, Sandy Springs GA 30339. The applicant is Brain Lewis for Consumption on the Premises Wine & Malt Beverages. The motion carried by unanimous vote.

- C. **2024-246** Request for Mayor and City Council Consideration of a Resolution to Approve the 2023 Community Development Block Grant Consolidated Annual Performance and Evaluation Report

Michele McIntosh-Ross, Planning & Zoning Manager, presented a recommendation to approve the 2023 Community Development Block Grant Consolidated Annual Performance and Evaluation Report.

The Consolidated Plan is designed to help states and local jurisdictions assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions. The consolidated planning process serves as the framework for a community-wide dialogue to identify housing and community development priorities that align and focus funding from the CPD formula block grant program: Community Development Block Grant (CDBG) Program.

The Consolidated Plan is carried out through Annual Action Plans, which provide a concise summary of the actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified by the Consolidated Plan. Grantees report on accomplishments and progress toward Consolidated Plan goals in the Consolidated Annual Performance and Evaluation Report (CAPER). The CAPER was made available on the City website on July 24, 2024, for public comment. The CAPER is recommended today, October 1, 2024, for adoption.

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 2023 Community Development Block Grant Consolidated Annual Performance and Evaluation Report. The motion carried by unanimous vote.

Resolution No. 2024-10-136

IX. New Business

- A. **2024-247** Request for Mayor and City Council Consideration to Approve Participation and Approve Entering a Memorandum of Understanding to Accomplish this Purpose to the FY 2024 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

Dabney Brand, Grant Administrator, presented a recommendation to approve participation and approve entering a Memorandum of Understanding to accomplish this Purpose to the FY 2024 Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

The U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) program provides funding necessary to support criminal justice initiatives including providing additional personnel, equipment, supplies, contractual support, training, technical assistance, and information

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systems for criminal justice. The U.S. Department of Justice is currently seeking applications for funding for the FY 2024 JAG Program to assist criminal justice efforts to prevent and reduce crime and violence and to improve the administration of the criminal justice system. The City of Sandy Springs (City) is eligible to receive a formula amount of \$14,555.

The City of Sandy Springs Police Department (SSPD) recommends these funds to be used to purchase four (4) Advanced Covert Technology ACT SC410-LEO Surveillance Cameras (\$11,800). The cameras will allow detectives to better conduct surveillance on a suspect where their presence may not be possible, in order to investigate crimes. The City also proposes to purchase three (3) Bestguarder NV-400 Digital Night Vision Binoculars (\$1,167), and two (2) Kodiak Backpack Breaching Tool Kits (\$1,345). These items will be utilized by the Department to allow officers to record photo and video evidence in any light setting. It will enhance evidence collection capabilities and surveillance as it will allow officers not to be restricted by time of day or light settings. The Kodiak Breaching tool kit comes with 3 useful tools and a backpack that will allow officers to be hands free but be prepared with breaching tools in case they are needed.

The City has been identified by the Bureau of Justice Assistance as a disparate jurisdiction and must submit a joint application to include all eligible applicants in the disparate grouping. To be eligible, the City is required to apply for the program along with Fulton County, the City of Alpharetta, the City of Atlanta, the City of College Park, the City of East Point, the City of Roswell, the City of South Fulton, and the City of Union City. The City of Atlanta is serving as the fiscal agent and will submit the application on behalf of all participating disparate municipalities. The City must enter into a memorandum of understanding that establishes the terms of the conditions of the grant and the obligations of the parties. Once awarded, the City of Atlanta will be responsible for distributing award funds to the other jurisdictions.

Jurisdiction	Government Type	Direct Allocation
Fulton County	County	*
Alpharetta	Municipal	\$13,927
Atlanta	Municipal	\$348,130
College Park	Municipal	\$21,696
East Point	Municipal	\$35,103
Roswell	Municipal	\$23,256
Sandy Springs	Municipal	\$14,555
South Fulton	Municipal	\$87,361
Union City	Municipal	\$18,851
	Joint Allocation	\$562,879

The City of Sandy Springs is eligible to receive a formula amount of \$14,555. The award is based on the City's proportion of the three-year average number of violent crimes committed in the state of Georgia. It is anticipated that the JAG funds allocated to Sandy Springs will not be sufficient to cover the entire cost of the equipment, and the difference in cost will be covered by Police Equipment funds if necessary.

Motion and vote. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Tibby DeJulio**, to approve participation and approve entering a Memorandum of Understanding to accomplish this Purpose to the FY 2024 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. The motion carried by unanimous vote.

Resolution No. 2024-10-137

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- B. **2024-248** Request for Mayor and City Council Consideration to Approve the Purchase of Environmental Mitigation Stream Credits for the Boylston Drive at Hammond Drive Intersection Realignment Project and to Authorize the City Manager to Purchase the Credits

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to approve the purchase of Environmental Mitigation Stream Credits for the Boylston Drive at Hammond Drive Intersection Realignment Project and to authorize the City Manager to purchase the credits.

The T58-1 Boylston Drive at Hammond Dive Intersection Realignment Project will involve permanent impacts to 135 linear feet of perennial stream channel associated with a culvert extension that is necessary for the realignment. As such, the Project must meet the permitting requirements outlined in Section 404 of the Clean Water Act (“CWA”). Part of the Section 404 Permit requires the purchase of compensatory Environmental Mitigation Credits (the “Credits”) when more than 100 linear feet of stream is impacted. The extent of the impacts necessitates the purchase of Credits, which can be purchased from approved mitigation banks or in-lieu of programs within the same watershed. Due to severely limited availability, the credits are in high demand throughout the state. In July 2024 the necessary credits became available through the Wauka Mountain II Mitigation Bank (“Wauka Mountain”). The purchase of the credits through Wauka Mountain was presented and approved at the August 6, 2024 City Council meeting in the amount of \$236,925.00.

While coordinating the purchase of the credits with Wauka Mountain, the City was informed that only a portion of the necessary credits were still available. Since there is such high demand for the credits statewide, it is the policy of the Wauka Mountain II Mitigation Bank to not reserve credits prior to purchase. With that response from Wauka Mountain, City staff contacted the Georgia-Alabama Land Trust, Inc. (“GALT”) to inquire about credit availability and was informed that the required credits were available through GALT. The City completed and returned the documentation necessary to reserve the credits for the City until the purchase can be finalized. The purchase price of these credits is estimated to be \$202,500.00 (a potential savings compared to Wauka Mountain).

There are adequate funds available in the T58-1 for the Purchase of the Credits.

Motion and second. A motion was made by **Councilmember Melissa Mular**, seconded by **Councilmember Jody Reichel**, to approve the purchase of Environmental Mitigation Stream Credits for the Boylston Drive at Hammond Drive Intersection Realignment Project and to authorize the City Manager to purchase the credits.

Councilmember Andy Bauman said this is somewhat tangent related to Hurricane Helene, and we saw the consequences of failure to maintain streams, rivers, and banks in the City and around the southeast. I hope there will be a public work session to hear about the work that was done and what lessons were learned for the Sandy Springs community for preparations in the future.

Public Works Director Martin said fifty-five trees across the City failed due to winds but especially because of a significant amount of rainfall. There was a lot of cooperation with Georgia Power Company to clear the roadways and reopen traffic, and of those fifty-five sites, all roadways are currently reopened. There may be about eight sites remaining that need debris removal and we can provide a report on any other response made.

Councilmember John Paulson said it is exciting that the City does not have to pay as much for stream credits that were to be purchased in August, and in 2050 there will be no fatalities.

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

Resolution No. 2024-10-138

X. Reports

A. 2024-249 Mayor and Council Report

Mayor Rusty Paul said with the recent storm the City of Sandy Spring was fortunate, compared with Augusta, Greenville, Asheville and other cities to the east, as it moved away from the original track that was predicted. Thank you to Staff and everyone for your efforts. You did a phenomenal job to keep Sandy Springs citizens informed under difficult circumstances. Tremendous appreciation was received for how the City reacted to the storm and mitigated the impacts on the City of Sandy Springs.

The Blue Stone Festival had great attendance, and there are other upcoming events such as OktoberFEAST in a couple weeks, and the Sandy Springs Wine Festival on Heritage lawn this weekend.

Happy New Year to City's Jewish friends and residents in Sandy Springs. Rosh Hashanah starts on Wednesday night.

The City is still dealing with the impact of the potential closing of Spalding Drive Elementary School. I had conversations with Mayor Deana Holiday Ingraham of the City of East Point, about the site of the other potential closed school. She is phenomenal and we have worked on a lot of great projects together. We have agreed to work together to come up with a plan to save both schools as they are important to both of our communities.

The Sandy Springs Conservancy Thought Dinner was at Morgan Falls and it was a very successful event. The City's Springway Trail Network was highlighted and there was a lot of excitement around the long-term prospects. Thank you to the Sandy Springs Conservancy for being a great partner in the City's Trail Network Planning and Development.

This past Sunday, The Weber School dedicated their new athletic complex to the loss of senior student and quarterback of their flag football team, Eitan Pallu Force, who died in a medical emergency while on the football field. His indefatigable spirit, grit, and determination will be honored for a long time on that campus. I was honored to be a part of the dedication for the new facility.

Councilmember Melissa Mular said Monday night will be the first community meeting for Spalding Drive Elementary School at Riverwood High School from 6:00 pm to 8:00 pm.

Councilmember Andy Bauman recognized the passing of Dikembe Mutombo, Sandy Springs resident and Congolese-American professional basketball player, who died from his battle with brain cancer. His post basketball career exceeded his extraordinary accomplishments on the basketball court. The City of Sandy Springs should be proud to have been blessed with his presence.

As a freshman at Emory University, I met former U.S. president Jimmy Carter and spent a lot of time with him as a nineteen and twenty-year old. It is important to note his 100th birthday is today.

B. 2024-250 Staff Reports

Eden Freeman, City Manager, said last week the City began monitoring the progress of the storm that would ultimately become Hurricane Helene, and it was monitored for about three days before bringing some impacts. As mentioned, response efforts for Sandy Springs was across multiple departments including Public Works, Facilities, Fire, and Police. The City's Emergency Operations Center (EOC) team met on Wednesday to discuss preparedness efforts and it was planned that EOC would open at 5:00 pm on Thursday, based off of the forecast. At that time, the eye of the hurricane was to go into Georgia and across Atlanta, into Sandy Springs. The opening of the EOC moved to 9:00 pm because Helene did not make landfall at the Big Bend of Florida until 11:00 pm on Thursday. Leading up to that, the City had already received a significant amount of rainfall from a separate rainstorm which resulted in very soggy ground throughout the City, and also flooding in many low-lying areas, especially the Nancy Creek area at the City's south border at Windsor Meadows Park. Earlier **Councilmember Bauman** mentioned some of the City's investments in storm water management and we were truly seeing the benefits of making those investments over those years. The City now owns Windsor Meadows Park because it was a repetitive flood loss area with houses there. We partnered with FEMA and GEMA in 2010 through 2012 and bought those houses because it was floodway for Nancy Creek and functioned as it was supposed to. I was there Thursday night with the Chief of Police and the Fire Chief and watched the floodwaters rise. Ultimately there was about twenty feet of water that went through the Nancy Creek area, and it is not meant to channel that amount of water. There were fifty-six trees that fell throughout the City, and we monitored a dashboard in the EOC. These trees only fell on public rights-of-way and sidewalks, not on private property. By Friday at 7:00 am, the City saw heavy rain with eight to eleven inches that fell, and wind gust that caused many trees to start falling at about 9:00 am. As they fell, they took out power and communication lines in multiple areas of the City. **Public Works Director Martin** mentioned thirty-fours sites are cleared, but some are remaining because of utility lines and transformers for instance, owned by the utility companies. The City is working to clear the eight remaining spots where sidewalks are still impeded, and it will be done as quickly as possible. We will work on pulling together a more complete report that will be brought forward at an upcoming meeting. Thank you to Staff and everyone for your efforts to make sure that residents were safe, and for providing needed information on how the City of Sandy Springs was responding to the storm.

XI. Executive Session

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

Passed Yes 6, No 0, Abstained 0

Yeas: John Paulson, Melody Kelley, Melissa Mular, Jody Reichel, Tibby DeJulio, Andrew Bauman
Nays: None

The Executive Session began at 7:13 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

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The Executive Session ended at 8:07 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 8:07 p.m.