

Meeting of the City of Sandy Springs City Council – SUMMARY MINUTES
Studio Theatre, Sandy Springs City Hall and Broadcast Via Live Webinar and Teleconference
January 21, 2025 Following Work Session
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Meeting of the Sandy Springs City Council was held on January 21, 2025 Following Work Session, Mayor Rusty Paul presiding.

I. Call to Order

Mayor Rusty Paul called the meeting to order at 6:00 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. Barbara Schaffer, 8064 Kenstone Court, Atlanta - Stop Short Term Rentals

Mayor Paul asked are you opposed to short-term rentals in toto or is it just the party houses?

Barbara Schaffer said it is all short-term rentals, and anyone who is renting less than thirty days, or whatever term it is. You do not know who is in your neighborhood, you do not feel safe, and there is no control over keeping the house in good shape.

Mayor Paul said the City Attorney can investigate and see what authority the City has when it comes to short-term rentals. The City may lack authority to ban it totally, but if it becomes a party house, the City has the tools. The Georgia General Assembly is strong on property rights and they do not give local governments much authority in that area, but the City will review to see what authority there is and brief Council.

Barbara Schaffer said the party house is separate. According to my zoning classification we are not allowed to have a party house within a certain distance, and I do not know how that happens.

Mayor Paul said the City can deal with party houses. Total short-term rentals will be a challenge, but the City will review the authority it has.

2. Bill Griffith, 9580 Roberts Drive, Atlanta - Roberts Drive Speeding

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.

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- A. **2025-014** Meeting Minutes
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- B. **2025-015** Request for Mayor and City Council Consideration of a Resolution to Accept a Permanent Drainage Easement Agreement on Property Located at 4995 Powers Ferry Road in Land Lot 136 of the 17th District, City of Sandy Springs (Tax ID #17-0136-LL-010-1) for the S2-186 Mt. Paran and Powers Ferry Road Sidewalk Improvements Project (Phase I)

Resolution No. 2025-01-008

VII. Presentations

There were no presentations.

VIII. Public Hearing

- A. **2025-016** U-24-3 - Mount Vernon School - 510 Mount Vernon Highway, Request for a Conditional Use Permit to Amend the Conditions of Use Permit U17-0001 to Allow Illumination of the Existing Athletic Field

Michele McIntosh-Ross, Planning & Zoning Manager, presented a recommendation to approve U-24-3 - Mount Vernon School - 510 Mount Vernon Highway, request for a Conditional Use Permit to amend the Conditions of Use Permit U17-0001 to allow illumination of the existing athletic field.

Staff recommends Approval of Conditional Use Permit U24-3, request for a Conditional Use Permit to amend the conditions of the Use Permit issued in 2017 to allow illumination of the existing athletic field, subject to the following condition amendment:

1. To the owner's agreement to:
 - a. Restrict the use of the subject property to a private school at a total gross floor area of 300,000 square feet.
 - b. Restrict the number of students in the private school to 350 in the Middle School and 500 in the Upper School.

2. To the owner's agreement to abide by the following:
 - a. To the "Mount Vernon Presbyterian School Proposed Campus Expansion Site Plan" prepared for Mount Vernon Presbyterian School by Collins Cooper Carusi Architects, dated May 29, 2003, last revised April 18, 2017, received April 18, 2017. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.
 - b. To the "Mount Vernon Presbyterian School Proposed Campus Expansion Overall Campus Plan" prepared for Mount Vernon Presbyterian School by Collins Cooper Carusi Architects, dated May 29, 2003, last revised April 18, 2017, received April 18, 2017. The campus plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and

these conditions prior to the approval of a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.

3. To the owner's agreement to the following site development considerations:
 - a. To compensate for any loss of or impact to existing trees in setbacks and buffers and replace trees one-for-one with trees of appropriate and comparable species and size. The minimum size for new trees should be at least 2.5" caliper at the time of planting.
 - b. No more than one (1) exit/entrance on Glenridge Drive. Curb cut location and alignment are subject to the approval of the Sandy Springs Transportation Engineer.
 - c. No more than one (1) exit/entrance on Mount Vernon Highway NE. Curb cut location and alignment are subject to the approval of the Sandy Springs Transportation Engineer.
 - d. To prohibit lighting of the recreational fields except that the Owner may illuminate the athletic field known as Ron Hill Field consistent with the following standards:
 - i. The installed lighting system shall perform in a manner substantially consistent with the Lighting Information Package provided by Musco Sports Lighting LLC, dated March 21, 2024, and received by the Community Development Department September 23, 2024.
 - ii. Phase 2 Certification by DarkSky International shall be achieved before the first use of the lighting system for an athletic contest or practice.
 - iii. Use of the lighting system is prohibited on Saturdays and Sundays.
 - iv. Use of the lighting system is prohibited annually between May 15 and August 15.
 - v. Use of the lighting system is prohibited annually between December 15 and January 15.
 - vi. All events must be scheduled to conclude in time for field lighting to be turned off no later than 9:30 p.m. Illumination of the playing field may be permitted after the curfew only to conclude a scheduled event that was unable to conclude before 9:30 p.m. due to unusual circumstances, such as medical intervention, overtime, or power outages. In such circumstances, illumination of the playing field must conclude no later than 10:30 p.m.
 - vii. Vegetative screening of Ron Hill Field shall be installed within the area labeled "Phase One Screening" on the "Layout and Landscaping Phasing Plan" dated November 14, 2024, and received by the Community Development Department November 18, 2024, prior to the first use of the lighting system for an athletic contest or practice. Such vegetative screening shall, at a minimum, be substantially consistent with the "Campus Planting Plan" dated November 14, 2024, and received by the Community Development Department November 18, 2024, provided that the Owner may, in consultation with the City Arborist, install alternative vegetative screening as specified in private agreements entered into by the Owner and individual owners of adjoining property.
 - viii. The proposed buffer plantings that are located along the edge of the football field, but within the 100-foot setback from the Protected Neighborhoods, shall be designated as a permanent vegetative buffer, to be maintained and infilled to maintain the intent of a visual screen for the neighbors as per the landscape plan that has been approved by the City Arborist.
 - ix. Buffer plantings must be 8 feet, installed height and full to ground.
 - x. The Owner shall replace any new plantings within the first 3 years after installation. After the 3-year period, the Owner shall maintain all the plantings installed for the purposes of screening the residential neighbors as per the landscape plan that has been approved by the City Arborist.

- e. To prohibit outdoor lighting of the tennis courts.
 - f. To direct all loudspeakers away from the property line closest to such speakers and toward the interior of the property. Any outdoor sound system shall be designed to minimize the impact on the surrounding property owners with speakers configured so as to direct the sound to the intended audience on the subject site.
 - g. The sound system in use at Ron Hill Field shall not create a sound level in excess of 65 dB(A) when measured at or outside the property boundary line.
 - h. To install a 6-foot-high black vinyl coated chain link fence along the west property line between the subject site and the Mt. Vernon Woods Subdivision. Said fence shall contain no gates. The construction of said fence shall be in place prior to the issuance of the first Certificate of Occupancy.
 - i. No lighting shall be installed within 50 feet of the west and north property lines.
 - j. Any lighting installed within 125 feet of the west and north property lines and/or along the main entry road off Mount Vernon Highway NE shall be no taller than 20 feet. Light fixtures shall be baffled or diffused in a manner which minimizes the impact on the neighboring residential properties.
 - k. Trash collection shall be limited to between the hours of 9:00 AM and 4:00 PM. All trash receptacles shall be screened from view from the adjoining residentially zoned properties to the west and north.
 - l. Delivery hours shall be limited to the hours of 7:30 AM to 7:30 PM.
 - m. Grounds maintenance shall be limited to the hours of 9:00 AM to 5:00 PM Monday through Friday and 9:00 AM to 4:00 PM on Saturday. Grounds maintenance shall be permitted on Sunday only on the following exceptional basis:
 - i. The inability to conduct any grounds maintenance work during four (4) of the preceding six (6) days due to inclement weather;
 - ii. Emergency situations;
 - iii. The cleaning or repairing of storm damage.
4. Third-party rentals
- a. The Owner shall only be allowed to rent any outdoor athletic facility to organizations using the fields for participants aged 18 years or younger.
 - b. Any rental use of any outdoor athletic facility is prohibited on Sundays.
 - c. Any rental use of any outdoor athletic facility shall not include the use of any amplified sound or sound systems.
 - d. Any rental use of any outdoor athletic facility shall not include the use of the lights or the new lighting system on the Ron Hill Field.
5. To the owner's agreement to abide by the following requirements, dedications, and improvements:
- a. The applicant shall dedicate right-of-way as follows:
 - i. The right-of-way along Glenridge Drive shall be the greatest of the following requirements: 40' from centerline, or 11' measured from back of curb, or 1' behind sidewalk.
 - ii. The right-of-way along Mount Vernon Highway NE shall be the greatest of the following requirements: 41' from centerline, or 11' measured from back of curb, or 1' behind sidewalk.
 - b. Provide a deceleration lane for each project entrance or as may be required by the Sandy Springs Transportation Engineer.
 - c. Provide a left turn lane for each project entrance or as may be required by the Sandy

Springs Transportation Engineer.

- d. Improve the intersection of Mount Vernon Highway NE and Glenridge Drive as may be required by the Sandy Springs Transportation Engineer.
- e. Provide signal upgrades at the intersection of Mount Vernon Highway NE and Glenridge Drive as required by the Sandy Springs Transportation Engineer.

To the following concurrent variances:

1. Variance from Section 18.3.1.A and E and Section 4.23.1.A to allow parking to encroach approximately 25' at its greatest point into the 60' minimum front yard and approximately 5' at its greatest point into the 40' front landscape strip along Glenridge Drive;
2. Variance from Section 19.4.40.B.4 to allow tennis courts to encroach approximately 65' into the required 100' active outdoor recreation area setback (+15,400 sq. ft.) adjacent to residentially zoned property along a portion of the northerly property line;
3. Variance from Section 19.4.40.B.3 for a portion of the Classroom / Academic Support building C to encroach approximately 50' at its greatest point / approximately ±10,000 sq. ft. into the 100' building and refuse area setback along the easterly property line adjacent to property zoned R-2 (being used for a Church);
4. Variance from Section 19.4.40.B.3 to allow a portion of the existing service drive to encroach approximately 35' at its greatest point into the required 100' building and refuse area setback adjacent to residentially zoned property at the northeast corner of the Classroom / Academic Support / Athletic / Gymnasium #1 building;
5. Variance from Section 19.4.40.B.6 to allow a portion of the existing parallel parking on the main drive to encroach approximately 20' at its greatest point into the 50' parking area setback to the south of the Classroom / Academic Support building B and adjacent to residentially zoned property;
6. Variance from Section 4.23.1.E to allow a portion of the proposed sidewalk along the southerly side of the existing main drive to be approximately 10' at its greatest point into the 10' improvement setback; and
7. Variance from Section 19.4.36.B.2 to allow a portion of the existing baseball field and dugout to encroach approximately 3' at its greatest point (baseball field) and approximately 5' at its greatest point (dugout) into the 10' minimum improvement setback.

Motion and second. A motion was made by **Councilmember Jody Reichel**, seconded by **Councilmember Melody Kelley**, to approve U-24-3 - Mount Vernon School - 510 Mount Vernon Highway, request for a Conditional Use Permit to amend the Conditions of Use Permit U17-0001 to allow illumination of the existing athletic field with staff conditions and the following three additional conditions: (1) Amplified sound on the Ron Hill Field is limited to twenty nights per year and must be official athletic competitions only; (2) lights are permitted sixty nights a year but limited to ten Friday nights a year; and (3) foregoing lights and sound on the new sports field to be constructed north of the Ron Hill Field.

Substitute Motion. A substitute motion was offered by **Councilmember Andy Bauman**, to strike the non-staff conditions outlined by Councilmember Reichel and substitute the following: there will be a maximum of sixty days total for the year and ten of those days would be Fridays; there will be no amplified sound during practice and no amplified sound except for competitions; there will be a staff member on site for all night time events; all conditions must be posted on the School's website and on the field; and the foregoing lights and sound on the new sports field to be constructed north of the Ron Hill Field.

The substitute motion was accepted without objection by **Councilmember Jody Reichel** and

Councilmember Melody Kelley.

Vote on the motion. The motion failed 3-4 with **Councilmember Jody Reichel, Councilmember Melody Kelley, and Councilmember Andy Bauman** voting in favor of the motion, and **Councilmember Tibby DeJulio, Councilmember John Paulson, Councilmember Melissa Mular, and Mayor Rusty Paul** voting opposed to the motion.

IX. New Business

- A. **2025-017** Request for Mayor and City Council Consideration of a Resolution to Reappoint Members to the Sandy Springs Board of Appeals (Sherri Allen and Nathan Kongthum)

Mayor Rusty Paul presented a recommendation to reappoint members to the Sandy Springs Board of Appeals (Sherri Allen and Nathan Kongthum).

Sherri Allen and Nathan Kongthum are both in their first term on the Board of Appeals. Sherri Allen has also been appointed by the Fulton County Commission to oversee the Fulton voter registration and voter operations. Her double duty was concerning to me but she assured me that she can do both, and the Board of Appeals is her true passion. Council should reappoint both individuals to the Sandy Springs Board of Appeals.

Motion and vote. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Tibby DeJulio**, to reappoint members to the Sandy Springs Board of Appeals (Sherri Allen and Nathan Kongthum). The motion carried by unanimous vote.

Resolution No. 2025-01-009

- B. **2025-018** Request for Mayor and City Council Consideration of a Resolution Authorizing the Adoption of the Bylaws of the North Fulton Emergency Medical Response Oversight Committee (EMROC) and to Authorize the City Manager to Execute the Agreement

Keith Sanders, Fire Chief, presented a recommendation to approve authorizing the adoption of the bylaws of the North Fulton Emergency Medical Response Oversight Committee (EMROC) and to authorize the City Manager to execute the Agreement.

The cities of Alpharetta, Johns Creek, Milton, Roswell and Sandy Springs entered into a contract with American Medical Response (AMR) in June 2024 (Resolution 2024-06-75). After the adoption of that contract, it is necessary to establish a contract oversight committee. Previously, the North Fulton cities participated in the Emergency Medical Response Oversight Committee (EMROC) to fulfill this requirement.

With the addition of Sandy Springs, and the new adoption of the contract, the cities desire to re-form EMROC. If adopted, the bylaws (attached) will form the basis for the newly constituted EMROC. This item is being considered in each of the participating cities simultaneously.

The Adoption of the EMROC bylaws places no financial burden on the City of Sandy Springs, and provides enhanced oversight of the EMS services, particularly related to response time and other

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performance metrics.

Motion and vote. A motion was made by **Councilmember Tibby DeJulio**, seconded by **Councilmember Melody Kelley**, to approve authorizing the adoption of the bylaws of the North Fulton Emergency Medical Response Oversight Committee (EMROC) and to authorize the City Manager to execute the Agreement. The motion carried by unanimous vote.

Resolution No. 2025-01-010

- C. **2025-019** Request for Mayor and City Council Consideration of a Resolution to Declare as Surplus Certain Property Owned by the City and Directing Disposal of the Same

Toni Carlisle, Chief Financial Officer, presented a recommendation to declare as surplus certain property owned by the City and directing disposal of the same.

When the Code of Ordinances of the City of Sandy Springs were established, it allowed that under the supervision of the City Manager, the City Purchasing Agent should arrange and negotiate for the sale or otherwise disposal of all surplus equipment and supplies or real estate of the City or any using agency (Section 2-334. Purchasing Agent). Sandy Springs Purchasing Policy requires all Departments to report all surplus or obsolete goods to the Purchasing Agent; and that they be declared Surplus by Mayor and City Council.

The Surplus consists of goods from the following Departments as listed in Exhibit A:

1. Fleet (Facilities)
2. Police
3. Community Development

Upon review of the goods listed in Exhibit A, staff recommends that they be declared Surplus and for the Purchasing Agent under the supervision of the City Manager to dispose of surplus property in a manner as is determined to be the most advantageous method of disposing the goods, including transfer; donation; recycle; trade-in; and/or sale.

All equipment is used and is sold as is with no warranty expressed or implied. The goods listed for Surplus in Exhibit A represent a limited dollar value for the City.

Motion and second. A motion was made by **Councilmember Melody Kelley**, seconded by **Councilmember Melissa Mular**, to declare as surplus certain property owned by the City and directing disposal of the same.

Councilmember Tibby DeJulio asked what kind of equipment is this?

Chief Financial Officer Carlisle said for Police there are a few cars that will be sold by A-Tow Auction, and some equipment that is expired and no longer in use, including taser holders, emergency lights, and a head mount model. For Community Development there is mostly miscellaneous and aged office equipment.

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

Resolution No. 2025-01-011

- D. **2025-020** Request for Mayor and City Council Consideration to Authorize City Staff to Submit a Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program Application to the United States Department of Transportation for the 2025 Program; to Approve the Required Local Funding Match; and to Authorize the City Manager to Execute the Application Documents

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to authorize City Staff to submit a Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program application to the United States Department of Transportation for the 2025 Program; to approve the required local funding match; and to authorize the City Manager to execute the application documents.

The RAISE Grant Program provides grants for surface transportation infrastructure projects with significant local or regional impact. The Program, previously known as Better Utilizing Investments to Leverage Development (BUILD) and Transportation Investment Generating Economic Recovery (TIGER), was established under the American Recovery and Reinvestment Act of 2009 and operated under annual appropriations acts until authorized by the Bipartisan Infrastructure Law (BIL) in November 2021.

The City has applied for funding from the Program or its BUILD predecessor in 2020, 2021, 2023 and 2024, but has not been granted an award.

Under the 2025 Notice of Funding Opportunity (“NOFO”), the City can pursue funding for capital projects with an award range of \$5 to \$25 million. Applications are due on January 30, 2025 at 11:59 PM (EDT).

The origin of the Roswell Road North End Boulevard Project was the *Next10 Roswell Road Small Area Plan* in 2017. The *Next10 Roswell Road Small Area Plan* detailed the vision and recommendations to transform the entirety of Roswell Road from a suburban, auto-oriented corridor characterized by strip commercial development and large parking lots to a multimodal boulevard that connects vibrant mixed-use neighborhoods. The Roswell Road North End Boulevard Project was also recommended in the 2021 Sandy Springs *Transportation Master Plan*. From the planning documents, the Project was further refined during the North End Boulevard Scoping Study in 2022, which provided a more detailed analysis that developed concepts, recommendations, and implementation strategies for operational, safety, and multimodal improvements.

The Roswell Road North End Boulevard Project is programmed in the Atlanta Regional Commission’s (ARC) Transportation Improvement Program (TIP) as FN-352 (GDOT PI# 0019793) and received \$960,000.00 in federal grant funding for the Preliminary Engineering (PE) phase. The City submitted an additional request for federal grant funding totaling \$3,920,000.00 for the Right-of-Way (ROW) phase during the ARC’s TIP Project Solicitation in April 2024, and the City is awaiting approval from ARC for this request.

Staff has reviewed the criteria under the RAISE Grant NOFO and identified the Roswell Road North End Boulevard Project as a good candidate for the Program. The Project’s goals of promoting safety and efficiency for all travel modes and improving access and connectivity to alternate modes of travel such as transit, biking, and walking align well with the RAISE Grants evaluation criteria. These criteria include Safety, Environmental Sustainability, Quality of Life, Mobility and Community Connectivity, Economic

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Competitiveness and Opportunity, State of Good Repair, Partnership and Collaboration, and Innovation.

Additionally, the Project's location, in an area primed for economic revitalization and located in an eligible census tract, may make the application competitive because the criteria give preference to investments in economically disadvantaged communities.

If awarded, this grant request will allow the City to complete the entire Project through construction based on current construction estimates.

The construction and utility work associated with Roswell Road North End Boulevard Project totals \$11,400,000.00. The requested federal share is under the RAISE Grant is \$9,120,000.00 (80 percent), and the required local match will be \$2,280,000.00 (20 percent). The City has adequate funds under TSPLOST 2021 program to provide the required local match of \$2,280,000.00.

Motion and second. A motion was made by **Councilmember Melody Kelley**, seconded by **Councilmember Melissa Mular**, to authorize City Staff to submit a Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program application to the United States Department of Transportation for the 2025 Program; to approve the required local funding match; and to authorize the City Manager to execute the application documents.

Councilmember Kelley said the best case scenario is the City receives the funding. What happens to the revenue for this project that the City received through TSPLOST?

Public Works Director Martin said current estimates for total delivery of the project exceed the dollars available within TSPLOST. If successful in these federal aid grant applications, we would first use those dollars for the local match requirements with it. Then there may be the need to buy up any deficit that we might incur with the project along the way, as we experienced a couple years ago with significant inflation growth and more with some of our projects. We will first buy and match with the TSPLOST funds available. Should there be excess funds, staff will bring recommendations to Council on where those TSPLOST funds may be reallocated across the program, based on other funding needs within the TSPLOST program.

Councilmember Kelley said the line item for the North End Boulevard Project is about \$9,000,000. Will the project in total be more than that?

Public Works Director Martin said yes. It will be in the teens in the overall project. Much of that is dependent upon related development and the contributions from related development along this corridor. There are redevelopment opportunities here as well that can influence the overall cost of the project we may have to carry as we look at the adjacent developments there.

Councilmember Kelley asked is there an open house for that project?

Public Works Director Martin said that is not scheduled yet. There is an open house forecasted in mid spring to get public input on the project.

Councilmember Kelley asked will this be about March or April?

Public Works Director Martin said yes.

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

Resolution No. 2025-01-012

- E. **2025-021** Request for Mayor and City Council Consideration of a Resolution to Approve a Contract Award to White Oak Landscape Company, Inc. for Landscaping Services for City Recreation and Parks and to Authorize the City Manager to Execute the Contract

Brent Walker, Director of Recreation and Parks, presented a recommendation to approve a contract award to White Oak Landscape Company, Inc. for landscaping services for Recreation and Parks and to authorize the City Manager to execute the contract.

The City of Sandy Springs (the “City”) issued RFP 25-020 for Recreation and Parks Landscape Services on November 6, 2024, seeking proposals from experienced landscape maintenance contractors capable of providing well-rounded landscape maintenance for the City’s Recreation and Parks Department. The proposals were separated into two parts: landscaping services for park properties and landscaping services for former residential lots owned by the City that are located in floodways. The Purchasing Department held a non-mandatory pre-proposal conference on November 21, 2024. Addendums to the RFP were issued on November 27, 2024, and December 3, 2024. Vendors were asked to submit itemized pricing for park properties and formerly residential properties owned by the City. Proposals were due on December 9, 2024. City Staff received thirteen (13) responsive proposals.

The procurement was conducted using the Performance Price Trade-off process as described in the RFP. This process evaluates the proposal based on three (3) performance criteria: a) Capabilities and Approaches; b) Cost/Price proposal; and c) Performance Confidence.

Staff committees evaluated each offeror’s proposal to the above criteria. Based on the assessment of the proposals described herein, Staff recommends that the proposal submitted by White Oak Landscape Company, Inc. for the Park Properties represented the best value for the City and that the proposal submitted by Tri Scapes, LLC for the Residential Properties represented the best value for the City. Additional information is available within the Source Evaluation Memorandum.

Offeror	Capabilities and Approaches	Cost/Price Proposal	Performance Confidence
White Oak Landscape Company, Inc.	Acceptable	\$445,000.00 Park Properties	Substantial
		\$45,000.00 Residential Properties	
Tri Scapes, LLC	Acceptable	\$485,000.00 Park Properties	Substantial
		\$20,000.00 Residential Properties	

The contract for White Oak Landscape Company includes an annual cost of \$445,000.00 for maintenance of park properties.

The contract with Tri Scapes, LLC includes an annual cost of \$20,000.00 for the former residential properties. In accordance with Section 5.B of our Purchasing Policy, this contract will be submitted to the City Manager for approval, as the award amount falls within the City Manager’s signing threshold. To ensure transparency, staff has provided all pricing components associated with this solicitation, as it was structured to allow separate awards for the Park and Residential Properties.

Motion and second. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Andy Bauman**, to approve a contract award to White Oak Landscape Company, Inc. for landscaping services for Recreation and Parks and to authorize the City Manager to execute the contract.

Councilmember Paulson asked who is the contracted vendor now?

Director of Recreation and Parks Walker said Rupert was the former vendor but the City decided not to continue with that contract.

Councilmember Paulson asked did they bid on it?

Director of Recreation and Parks Walker said no.

Councilmember Melissa Mular said glad they are gone because they devastated Lost Corner by spraying something they were not supposed to. When the City has a new contractor, what is done to educate them on what is in and out of scope, and out of bounds?

Director of Recreation and Parks Walker said there was a robust scope of work during this proposal process than what was done in the past. We supplied maps and more direction for them to propose on. Also, White Oak Landscape currently does service for the City, and we have a history with them, and are confident in their ability.

Councilmember Mular said we must ensure they know especially sensitive areas, and are not mowing or spraying there.

Councilmember Bauman asked is the roundabout at Northside Drive under the purview of this contract? Can the City get a vendor to fix the roundabout landscaping there?

William Martin, Public Works Director, said the damaged landscaping is a warranty repair that the contractor will be responsible to address.

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

Resolution No. 2025-01-013

- F. **2025-022** Requests Mayor And City Council's Consideration of a Resolution to Approve the Settlement and Purchase of Fee-Simple Right-Of-Way and a Temporary Construction Easement for Property Rights and Interests Located At 295 Mount Vernon Highway, Sandy Springs (Fulton County), Georgia and for Other Purposes As It Relates to the Johnson Ferry Road/Mount Vernon Highway Intersection Improvements Project

Dan Lee, City Attorney, presented a recommendation to approve the settlement and purchase of fee-simple right-of-way and a temporary construction easement for property rights and interests located at 295 Mount Vernon Highway, Sandy Springs (Fulton County), Georgia and for other purposes as it relates to the Johnson Ferry Road/Mount Vernon Highway Intersection Improvements Project.

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This property is part of the Johnson Ferry Road/Mount Vernon Highway Intersection Improvements Project (Project No. TS-191/Parcel 10) (hereafter, the "Project"). In order to construct the Project, fee-simple rights are required over, under, and through the property located at 295 Mount Vernon Highway, within the city limits of Sandy Springs.

On April 4th, 2023, City Council approved the use of eminent domain in order to acquire the sought-after property rights needed for the Project.

On June 1st, 2023, the City Attorney filed the City's *Petition for Condemnation and Declaration of Taking*, initiating eminent domain proceedings against property owned by Fortune Foodmart, Inc. (the "Property Owner"). The City Attorney deposited into the Court's Registry, the City's estimate of just and adequate compensation for the sought-after property rights, in an amount of \$306,400.00.

On June 27th, 2023, the Property Owner, by and through their council of record, filed a timely *Notice of Appeal*, disputing the City's estimate of just and adequate compensation.

The Parties, in good faith, have agreed to settle the condemnation action, as well as any and all appeals, for a total amount of \$380,000.00 in exchange for the fee-simple right-of-way and a temporary construction easement sought by the City in order to construct the Project.

Fee Simple Right-of-Way	2,287.02 sq. ft.	\$60.00/ sq. ft.	\$137,221.00
Temporary Construction Easement	711.48 sq. ft.	\$60.00/ sq. ft.	\$ 8,538.00
		(20% of total value)	
Site Improvements			\$ 8,099.00
Damage to Trade Fixtures			\$ 16,500.00
Cost to Cure/Incurable Damages			\$136,041.00

By way of the *Proposed Consent Final Order and Judgment*, the condemnation action will be settled, all appeals dismissed, and the City will be in possession of the property rights sought for the Project.

In addition to the funds already deposited into the Registry of the Court by the City in an amount of \$306,400.00, the City shall tender an additional \$73,600.00 for the full and final settlement of the condemnation action, and any and all appeals. The City's failure to obtain title to this property would result in the City having to modify the proposed Project, which would increase the cost of the Project.

Motion and vote. A motion was made by **Councilmember Melissa Mular**, seconded by **Councilmember John Paulson**, to approve the settlement and purchase of fee-simple right-of-way and a temporary construction easement for property rights and interests located at 295 Mount Vernon Highway, Sandy Springs (Fulton County), Georgia and for other purposes as it relates to the Johnson Ferry Road/Mount Vernon Highway Intersection Improvements Project. The motion carried by unanimous vote.

Resolution No. 2025-01-014

X. Reports

A. 2025-023 Mayor and Council Report

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Councilmember Melody Kelley thanked the Sandy Springs event team for another successful Martin Luther King Jr. (MLK) Day event. It is appreciative that the City's MLK event attracts young people and it is one of few that appeal to kids. I attended the City of Brookhaven's MLK event yesterday, which was more formal and there was a speaker. Also Inspire Brands had a great MLK event a few days ago at their headquarters. There were many great MLK Day events and I am thankful that Sandy Springs was different.

Thursday will be another interesting vote as Fulton County schools will be looking at Spalding Drive Elementary formally for the first time.

This weekend some Council members will attend the Georgia Municipal Association (GMA) training and I am excited about that. **Councilmember Melissa Mular** and I will be in the same municipal law class.

Mayor Rusty Paul said the 2025 Cities United Summit will be this weekend at the Omni Hotel. There will be a legislative breakfast Monday morning at 7:30 a.m., then everyone will be at Capitol. It is always a good event and an opportunity for everyone to participate.

B. 2025-024 Staff Reports

1. November 2024 Unaudited Financials

Toni Carlisle, Chief Financial Officer, reviewed the November 2024 unaudited financials.

The City is at 41.67 % of the budget year. Revenues are at 38.51 % and expenditures are at 37.82% of the budget. Since the last report, the City has achieved 100% of the current year property taxes. The expenditures continue to trend as expected between 28% and 60% of the approved budget.

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 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 8:42 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 9:14 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 9:14 p.m.