

Meeting of the City of Sandy Springs City Council – SUMMARY MINUTES
Studio Theatre, Sandy Springs City Hall and Broadcast Via Live Webinar and Teleconference
February 18, 2025 6:00 PM
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Meeting of the Sandy Springs City Council was held on February 18, 2025 6:00 PM, 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. **Bill Griffith, 9580 Roberts Drive, Sandy Springs** - Roberts Drive Speeding
2. **Angelo Veney, 6980 Roswell Road, Sandy Springs** - Noise Ordinance/Dog Barking

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. **2025-038** Meeting Minutes
February 3, 2025 City Council Special Called Meeting
February 4, 2025 City Council Work Session
February 4, 2025 City Council Meeting
- B. **2025-039** Request for Mayor and City Council to Approve Acceptance of a Purchase and Sale Agreement for a Permanent Drainage Easement and a Temporary Construction Easement with Cost to Cure, on Property Located at 230 West Spalding Drive in Land Lot 86 of the 17th District, City of Sandy Springs (Tax ID #17-0086-0003-007-3) for Stormwater System Improvement Project

Resolution No. 2025-02-020

- C. **2025-040** Request for Mayor and City Council Consideration of Acceptance of the Dedication of Right-of-Way and Permanent Easement for the Construction and Maintenance of Slopes on Property Located at 7200 Riverside Drive in Land Lot 127 of the 17th District, Fulton County, City of Sandy Springs, Georgia (Tax ID# 17-0127-0002-052-1)

Resolution No. 2025-02-021

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VII. Presentations

There were no presentations.

VIII. Public Hearing

There were no public hearings.

IX. New Business

- A. **2025-041** Request for Mayor and City Council to Approve Contract Award to Excellere Construction LLC, to Construct the Lake Forrest Sidewalk Phase 1 Project and to Authorize the City Manager to Execute the Contract

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to approve a contract award to Excellere Construction LLC, to construct the Lake Forrest Sidewalk Phase 1 Project and to authorize the City Manager to execute the contract.

The City of Sandy Springs (the “City”) plans to construct 1,240 linear feet of 6-foot sidewalk on the west side of Lake Forrest Drive from 4838 Lake Forrest Drive to 4852 Lake Forrest Drive and from 5022 Lake Forrest Drive to 14 Mt. Paran Drive.

The City issued an ITB No. 25-024 seeking bids from qualified contractors to perform construction services for the Project on December 4, 2024, a pre-bid meeting was held on December 20, 2024. One addendum was issued on January 2, 2025. The due date for submissions was January 8, 2025.

Bid results were:

Contractor	Bid	Notes
Concrete Constructors, Inc.	\$221,608.00	Non-Responsive – Non GDOT Pre-Qualified
Construction 57 Incorporated	\$246,996.75	Non-Responsive – Non GDOT Pre-Qualified
Excellere Construction LLC	\$272,700.00	Recommend to Award
Sol Construction LLC	\$278,301.00	
CGS Waterproofing LLC	\$283,329.21	Non-Responsive – Non GDOT Pre-Qualified
Lagniappe Development Company, Inc.	\$295,507.82	
Vertical Earth Incorporated	\$372,295.02	
Tri Scapes, LLC	\$429,456.72	Non-Responsive – No Bid Bond Provided
C&S Construction and Consulting, Inc	\$832,812.50	Non-Responsive – Non GDOT Pre-Qualified

The engineer’s estimate for the Project was \$339,639.76

Upon review of the responses and references related to their experience, City Staff recommends that the award be made to the lowest responsible and responsive bid from Excellere Construction LLC, in the amount of \$272,700.00. This project is funded through the TSPLOST Program and there are adequate funds available for this project.

Motion and second. A motion was made by **Councilmember Andy Bauman**, seconded by **Councilmember Melody Kelley**, to approve a contract award to Excellere Construction LLC, to construct the Lake Forrest Sidewalk Phase 1 Project and to authorize the City Manager to execute the contract.

Councilmember Bauman said people on the south side of Sandy Springs are excited for this project. This is not the regular bucket of TSPLOST funding. This a Tier I separately designated sidewalk project that voters approved in 2021.

Public Works Director Martin said that is correct.

Councilmember Bauman said this is the beginning of a project to complete a critical path lap. On the east it will circle Lake Forest Drive, the south it will be West Wieuca Road, along the north side of Chastain Park. On the west it will be Powers Ferry Drive, and back to Mount Paran. Then that will come across down to Lake Forest. It is a significant path of several miles that will connect people into the single biggest regional park this side of Atlanta.

Public Works Director Martin said it completes the network there, and this is the first part. There were a significant number of properties in this particular portion of Lake Forest under redevelopment at the time, and it made sense when we had the opportunity to negotiate with the property owners, to secure the area.

Councilmember Bauman said staff should be commended. This was discussed years ago as we saw permits being pulled for the new homes being built on the west side of Lake Forest Drive, south of Mount Paran. As developers were building those homes, rather than going back in to retrofit utilities and landscaping for example, the City was doing this up front to embed that in the project. In the process, the City probably saved tens of thousands of dollars. We have been talking about this since about 2019 or before. I am proud of this project and many people are also looking forward to this.

Councilmember Kelley said I was not here in 2019. Why was this project not part of the capital sidewalk group then?

Public Works Director Martin said we had differently scored segments along Lake Forest Drive that would have made it a much larger project if all those segments were combined. Given the overall size of the Lake Forest sidewalk, and in the interest of delivering a complete network, the proposal from Council at the time was to identify this project as a separate standalone project, opposed to following the scoring for all other sidewalk segments, which would not have built the complete Lake Forest sidewalk as envisioned at that time.

Councilmember Kelley said one of my constituents complains a lot about sidewalks. Is it the City's responsibility to keep roads like Lake Forest clean, free of debris or overgrowth for example?

Public Works Director Martin said the City wants adjacent property owners to maintain the front of their properties where the sidewalk generally is. Most owners mow their grass into the right of way, maintain the lawn, and the sidewalk as well. Whatever stretches of sidewalk property owners do not clear, the City will periodically maintain that over time.

Councilmember Kelley asked if a citizen has an issue should they engage Public Works, and maybe establish a work order?

Public Works Director Martin said correct.

Councilmember John Paulson asked has the City previously worked with Excellere Construction LLC?

Public Works Director Martin said yes. Excellere is a prime contractor for TS192, the Mount Vernon Highway Widening Project that is underway now. They have historically done excellent work for the City, and in this case, we received a competitive price compared to all others.

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

Resolution No. 2025-02-022

- B. **2025-042** Request for Mayor and City Council Consideration to Approve a Resolution Authorizing Participation in the Georgia Department of Natural Resources for the FY25 Outdoor Recreation Legacy Partnership Program Grant and to Authorize the City Manager to Execute Documents to Effectuate the Same

Kristin Byars Smith, Assistant City Manager, presented a recommendation to approve a resolution authorizing participation in the Georgia Department of Natural Resources (GDNR) for the FY25 Outdoor Recreation Legacy Partnership Program (ORLP) grant and to authorize the City Manager to execute documents to effectuate the same.

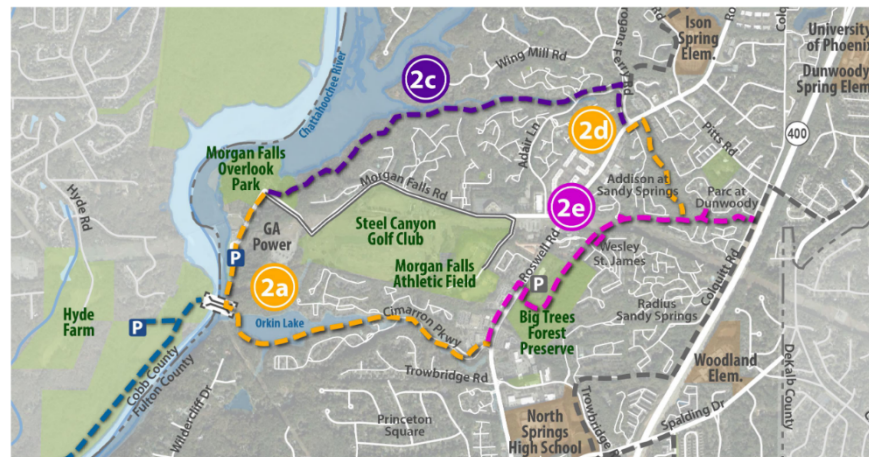
The ORLP grant program is authorized under the Land and Water Conservation Fund (LWCF) Act. As the lead agency for LWCF, the application process will begin with the Georgia Department of Natural Resources (DNR). Applications will be accepted through February 28, 2025. Submissions will be evaluated by DNR staff and those that meet the required elements and eligibility requirements will be forwarded to NPS to compete in the national competition. The amounts disbursed will range between \$300,000 to \$15,000,000. Grants require a minimum one to one match.

The NPS announcement of selected projects are anticipated September 2025. Selected projects must submit a full application for NPS final review by September 2026 to remain eligible for funding. Awards will be made upon NPS final review and approval of the full application.

The City's Trail Master Plan, adopted in 2019, identified Loop Trail 2 as an implementation priority. Springway Segment 2A is nearing completion. Springway Segment 2C would connect with Segment 2A at Morgan Falls Overlook Park and provide a scenic 1.6 mile journey along the Chattahoochee River to connect to Grogans Ferry Road.



Springway Trail Segment 2 Loop



Current cost estimates for Springway Segment 2C total \$13,890,000. The City would request \$6,945,000, with a required local match of \$6,945,000 to fully fund the Project.

Approximately \$3,000,000 is available in Capital Project P0028, City Trail Design and Unassigned, that could be used to fund a portion of the City's match funding for the Project. The additional \$3,945,000 required City match would be considered as a future budget request to fully fund the Project.

Motion and second. A motion was made by **Councilmember Melody Kelley**, seconded by **Councilmember John Paulson**, to approve a resolution authorizing participation in the Georgia Department of Natural Resources (GDNR) for the FY25 Outdoor Recreation Legacy Partnership Program (ORLP) grant and to authorize the City Manager to execute documents to effectuate the same.

Councilmember Kelley said an image shows the connection with Segment 2A. It would also be interesting to see the other connection on Grogan's Ferry.

Assistant City Manager Smith said there is currently a sidepath that stops midway, and does not end at a street. We would connect into that.

Councilmember Kelley asked has engagement with single family neighborhoods started?

Assistant City Manager Smith said we are engaging with the property owners shown in the presentation.

Councilmember Kelley said there is a single family neighborhood that is close to Grogan's Bluff, and they would like to provide feedback.

Assistant City Manager Smith said we have spoken with the directly impacted property owners, but there will be opportunity for others to provide feedback.

Councilmember Kelley said this will be the first piece of trail adjacent to a protected neighborhood, and the City may be required to approach engagement differently.

Councilmember Paulson said last fall, the Conservancy walked through the southern section. Hopefully, we can work this out because it will be a beautiful walk.

Councilmember Jody Reichel asked has the City ever applied for the ORLP grant?

Assistant City Manager Smith said no.

Councilmember Jody Reichel asked what is the chance that we will receive the grant?

Assistant City Manager Smith said we do not know.

Councilmember Reichel asked how long does it take for them to decide?

Assistant City Manager Smith said this is a long process. We are in conceptual design and will have a design process, plus permitting. We should know the decision by September, then there will be another year of waiting, and we will submit a full application in September 2026.

Councilmember Reichel asked when will Segment 2A be finished?

Assistant City Manager Smith said this month.

Councilmember Reichel asked are many people using it?

Assistant City Manager Smith said yes.

Councilmember Melissa Mular asked is there a plan to show Council a cost for the City's trails?

Assistant City Manager Smith said we usually go through an exercise of updating at least ballpark cost estimates for the budget. We try to update any numbers included in the five-year Capital Improvement Plan (CIP). We do not know the details until we start looking at each segment individually.

Councilmember Mular asked will this be ready in the budget presentation to Council this year?

Assistant City Manager Smith said yes.

Councilmember Mular asked has Segment 2E already been designed?

Assistant City Manager Smith said yes.

Councilmember Mular said Segment 2C is \$13,800,000. How much is the funding for 2E?

Assistant City Manager Smith said it may be \$8,000,000. The exact number can be provided to you. The City applied for a Georgia Outdoor Stewardship Program (GOSP) grant for Segment 2E, but did not receive that. Segment 2C is more competitive for the grants because it is along the river, and more. Hopefully we will have more traction with 2C in seeking outside funding.

Councilmember Mular asked as far as prioritizing the segments, we are looking at where we are going to get money from before seeking other funding?

Assistant City Manager Smith said yes.

Councilmember Andy Bauman said it was discussed at the retreat to get a projection of how many decades it would take if we continued along the trajectory. We will have the five-year CIP, but the precision would be inexact. It would be helpful for this body and the public to know, along the current path, how long it would take from now to do this. The alternative being through grants, or a community conversation around a trail and park bond, and how to accelerate some of these projects. It is not just this project, but we have Hammond Park, and the park at Morgan Falls for example. If we want to bring these facilities and the trails to fruition, in our children and grandchildren's lifetime, we are going to have a serious conversation. Having some of those projections would be helpful. We also discussed whether it might be prudent to update some of the master planning for that. There could be some frustration with master planning if we also do not commit to some dollars to do these things. Whether through revenue or bond, the Conservancy, applying for grants, regional partnerships, and generous corporations, we need to elevate this conversation. This is a transformative project for the north end of the City and the PATH 400 for the rest of the City. I am excited to hear those projections at the budget.

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

Resolution No. 2025-02-023

- C. **2025-043** Request for Mayor and City Council Consideration to Approve a Resolution Authorizing Participation in the Georgia Firefighter Standards and Training Council (GFSTC) for the FY25 Fireworks Tax Grant and to Authorize the City Manager to Execute Documents to Effectuate the Same

Keith Sanders, Fire Chief, presented a recommendation to approve a resolution authorizing participation in the Georgia Firefighter Standards and Training Council (GFSTC) for the FY25 Fireworks Tax Grant and to authorize the City Manager to execute documents to effectuate the same.

In 2015, the State of Georgia enacted a 5% excise tax on sales of consumer fireworks to be used in several ways, including the Georgia Firefighter Standards and Training Council Fireworks Tax Grant (Grant). The Grant allows Georgia Fire Departments to apply for a portion of those funds to aid the departments in maintaining current certificated of compliance or maintain or improve the communities Insurance Organization's (ISO) ratings.

The Grant allows eligible fire departments to apply for a portion of the grant funds, up to \$25,000.00, with a 10% local match required. The City would like to apply for the full amount of the grant for the purchase of (2) MSA Self-Contained Breathing Apparatus (SCBA), (4) 2.5 Gallon Water Extinguishers, (2) BC Dry Chemical Fire Extinguishers, and (2) BC Carbon Dioxide Fire Extinguishers. The City's 10% required match will come from the Fire Department's approved FY25 budgeted funds.

Motion and second. A motion was made by **Councilmember Jody Reichel**, seconded by **Councilmember Melody Kelley**, to approve a resolution authorizing participation in the Georgia Firefighter Standards and Training Council (GFSTC) for the FY25 Fireworks Tax Grant and to authorize the City Manager to execute documents to effectuate the same.

Councilmember Tibby DeJulio said there was a push in Georgia to lower the number of fireworks sold, due to problems such as fires starting, and more. For the FY25 Fireworks Tax Grant, is there a tax on fireworks sold in Georgia?

Fire Chief Sanders said information about that is not available tonight.

Dan Lee, City Attorney, said every city official I spoke to wants such a movement, but I have not heard of one at the Capitol.

Mayor Rusty Paul said there is nothing in the hopper about fireworks this year.

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

Resolution No. 2025-02-024

D. **2025-044** Request for Mayor and City Council Consideration to Approve a Resolution to Adopt the 2025 City Priorities

Eden Freeman, City Manager, presented a recommendation to approve a resolution to adopt the 2025 City Priorities.

At the annual Mayor and City Council Retreat on February 5 - 6, 2025 staff provided an update on the City's 2024 adopted priorities and recommended 2025 priorities for Council consideration.

During the retreat, the Mayor and City Council discussed the priorities as recommended by staff. The resolution was prepared for consideration by the City Council to formally adopt the following as 2025 priorities, in no particular order:

- Set the standard for excellence in CUSTOMER SERVICE and CITIZEN ENGAGEMENT;
- Deliver the highest quality PUBLIC SAFETY services;
- Create and support targeted ECONOMIC DEVELOPMENT opportunities with a focus on REDEVELOPMENT;
- Promote SUSTAINABLE GROWTH and foster ENVIRONMENTAL STEWARDSHIP;
- Provide inclusive and diverse RECREATIONAL & CULTURAL ENRICHMENT;
- Enhance multi-modal TRANSPORTATION ACCESSIBILITY and maintain high COMMUNITY APPEARANCE standards; and
- Ensure long-term WATER RELIABILITY, RATES, and SERVICE for all residents and the

business community.

These priorities will assist staff in development of the Fiscal Year 2026 Budget. The SWAT analysis held at the end of the retreat will be discussed at a future work session. This will be used to form the work plan, but does not change the priorities.

Motion and second. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Melissa Mular**, to approve a resolution to adopt the 2025 City Priorities.

Councilmember Bauman said looking forward to the SWAT analysis. There were some discussion items throughout the retreat that were not embedded in the SWAT analysis, but were discussed. For example, the discussion around housing, and more. During the work session, do you plan to summarize other key points that were brought up at the retreat that could be potential work plan items, or would it be just the SWAT analysis?

City Manager Freeman said since the final part of SWAT was completed, the topics discussed at the retreat were also in the SWAT analysis. The SWAT analysis will be brought back and incorporating the other comments. It may be at the first or second work session in March.

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

Resolution No. 2025-02-025

- E. **2025-045** Request for Mayor and City Council Consideration of a Resolution to Authorize the Mayor to Execute the Certification of Estimated Rollback Rate for Tax Year 2025

Eden Freeman, City Manager, presented a recommendation to authorize the Mayor to execute the Certification of Estimated Rollback Rate for tax year 2025.

At the February 4, 2025 Work Session, the Mayor and City Council reviewed the City's options related to House Bill (HB) 581. There was a consensus of the Mayor and City Council to take no action as it related to the opting-out of the floating homestead exemption provisions of the act. However, all local governments must address a new requirement that the estimated rollback rate be included on assessment notices, replacing the previous year's millage rate.

Regardless of decision to opt-out or to take no action, all local government must certify their estimated rollback rates by March 1, 2025. The City of Sandy Springs millage rate is 4.731 mills, which is the same millage rate the City of Sandy Springs Charter permits, and should be reflected as the estimated rollback rate. The Sandy Springs millage rate combined with the homestead exemption results in a lower tax burden than most of its neighboring municipalities.

Motion and second. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Tibby DeJulio**, to authorize the Mayor to execute the Certification of Estimated Rollback Rate for tax year 2025.

Councilmember Melody Kelley asked why is 4.731 referred to as a rollback rate?

City Manager Freeman said it is the not to exceed rate. At this point, we do not know what the rollback

rate will be. The Tax Commissioner's Office advised that would not be set until later in the year, most likely September.

Councilmember Kelley asked does this impact the exercise that we always do?

City Manager Freeman said no.

Mayor Paul said this helps bring the City into compliance with HB581. The deadline is March 1. To comply with state law, the City needs to provide a number, and that is the most efficacious number to present at this point.

Councilmember Kelley asked why is the deadline March 1?

City Manager Freeman said to plan for the tax bills for the year ahead.

Mayor Paul said state law requires the City makes that decision before March 1. There are a couple bills now dealing with HB581 to extend it and give more time, but none have passed yet. We will know by April 3.

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

Resolution No. 2025-02-026

X. Reports

A. 2025-046 Mayor and Council Report

Mayor Rusty Paul said we have discussed the challenges with unlimited liability that cities face. The City of Milton has been exposed to anything in the right of way becomes a city liability. For example, a brick mailbox, if someone hits it and injures themselves, or there is a fatality. At the request of the Georgia Municipal Association (GMA), I have been talking to the City's legislative delegation and some other members of the House Judiciary Committee to get the bill through. It is challenging to get any legislation through this committee, but many people I have spoken to are in support of it, and hopefully it will be out this week.

Councilmember Tibby DeJulio asked what does the bill propose?

Mayor Paul said it gives cities the same liability caps that the state has. It is \$1,000,000 per individual and \$3,000,000 per incident. This is what counties and the state have, and this brings all Georgia cities in line with the current law affecting litigation targeting cities. Under that court ruling, it will be tough for a lot of cities to get liability insurance. It is an important legislation, not only for Sandy Springs, but for cities across the state.

Councilmember John Paulson said the central issue is municipalities are responsible for everything in the right of way, regardless of whether they put it there, or know about it. Does the bill being worked through address that subject?

Mayor Paul said no. It just caps the litigation. In this situation, it addresses things that the City cannot

control and required to have, for example utilities. Some things in the right of way are city-owned, but a lot are privately owned. In the City of Milton's case, the obstacle was a private planter and was there before the city was created. Tragically, it was involved in the death of a young man who lost control of his car. Based on the trial court and the appeals court decisions, all cities in the state are left in a precarious position. Brick mailboxes for instance could be a liability for the city if not taken down. That is the major legislation now and hopefully the legislature takes remedial action. It has been a slow session so far and the House has limited the number of bills and resolutions that a single member can introduce, but there are still many bills coming out. At the next meeting, more legislative information will be provided.

Councilmember Paulson said last week, I went to a sledgehammer ribbon cutting event at North Fulton, where they are repurposing a building and creating a health and Wellness center. It looks like it will be a nice facility and close enough for Sandy Springs residents to go there. Secondly, the Fulton County School Board meets Thursday night to discuss whether or not to close Spalding Drive Elementary. Everybody on this Council has asked the board to defer this to have a break, and hopefully that is what they will do.

Councilmember Melissa Mular said this past weekend, I walked along what has been completed so far of the small segment of the Mount Vernon multi-modal trail. Twelve feet makes a big difference. It will be a great experience for people walking, jogging, biking, rollerblading, and more. I cannot wait for this to be done Anything this body can do to move this project up would be fantastic.

Councilmember Jody Reichel said **Councilmember Andy Bauman** and I visited the City of Roswell two Friday nights ago to honor Officer Jeremy Labonte who lost his life. It was emotional for me. Every day public safety puts on their uniforms not knowing what they will face that day. Thank you **Chief Kenneth DeSimone**, and **Chief Keith Sanders**, and all of public safety for what you do to protect the citizens of Sandy Springs.

Mayor Paul said I called **Mayor Kurt Wilson, City of Roswell**, hours after the incident, to express my condolences and offer the City's assistance anyway we could. Sandy Springs took over patrolling parts of Roswell so that officers would have the opportunity deal with that tragic situation. **City of Roswell Mayor Wilson** was very grateful to the City of Springs, not only for my call, but to the City's public safety team for filling in for them while they were going through that. Hopefully other communities were as well.

Also, **Mayor Andre Dickens, City of Atlanta**, thanked me and Sandy Springs officers for helping them with some major events. We try to be good neighbors to all jurisdictions around the City. That was captured by both mayors in the sentiments they expressed to me.

Councilmember Melody Kelley thanked everyone involved for organizing a great retreat. It was engaging this year, and it was interesting how quickly time passed across those two days.

B. 2025-047 Staff Reports

1. December 2024 Unaudited Financials

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

The City is at 50 % of the year. Revenues are at 69.11% and expenditures are at 44.26% of the budget. Since the last report, the City achieved 100% of current year property taxes. Expenditures are shown in the packet and each department is managing according to budget between 33% and 60% of the approved budget.

XI. Executive Session

There was no executive session.

*Prior to Adjournment, **Dan Lee, City Attorney**, said that arbitration hearing assigned to a special master has been reassigned to a new special master. Judge Tain Kell retired from Cobb County, and is very capable. He set a date of April 16 and it may be the first trial held in the City of Sandy Springs' new courtroom.*

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 6:50 p.m.