

Meeting of the City of Sandy Springs City Council – SUMMARY MINUTES
Studio Theatre, Sandy Springs City Hall and Broadcast Via Live Webinar and Teleconference
May 20, 2025 Following Work Session
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Meeting of the Sandy Springs City Council was held on May 20, 2025 Following Work Session, Mayor Rusty Paul presiding.

I. Call to Order

Mayor Rusty Paul called the meeting to order at 6:32 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. **John Vander Wiele, 6067 Boylston Drive, Sandy Springs** – Public Parking on Boylston Drive is used to People Storing or Living in Vehicles.

Mayor Rusty Paul said contacting 911 is appropriate and is one approach for handling transient folks in Sandy Springs. If it is over a certain period of time, the City's code enforcement officers or police can check to see if there are any violations and issue a citation. The City had some problems with commercial vehicles being parked in spaces at City Springs and some have been handled. You are doing the right thing. If you see something, say something.

2. **Bill Griffith, Roberts Drive Speeding, Atlanta** – Roberts Drive Speeding
3. **Alexander Somer, 1503 Treelodge Parkway, Sandy Springs** – Rich McCormick
4. **Cory Issacson, P.O. Box 570738, Atlanta** – Repeal Buffer Zone Ordinance

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 by moving Agenda Item 2025-121 to the first item under New Business and removing Executive Session. 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. **2025-103 Meeting Minutes**
May 6, 2026 City Council Work Session
May 6, 2026 City Council Meeting

- B. **2025-104** Request for Mayor and City Council to Approve Acceptance of an Easement for the Construction of Driveway from William C. Cangelosi and Joanna W. Cangelosi, on property located at 4940 Powers Ferry Road, in Land Lot 136 of the 17th District, City of Sandy Springs (Tax ID# 17-0136-LL-198-4); S2186 Mt. Paran Road and Powers Ferry Road Sidewalk Improvements Project

Resolution No. 2025-05-049

- C. **2025-105** Request for Mayor and City Council to Approve Acceptance of a Temporary Construction Easement from Douglas W. McKendrick, as Trustee of DWM Revocable Trust, and Claudia Bell McKendrick, as Trustee of CBM Revocable Trust, on property located at 4950 Powers Ferry Road, in Land Lot 136 of the 17th District, City of Sandy Springs (Tax ID# 17-0136-LL-200-8); S2186 Mt. Paran Road and Powers Ferry Road Sidewalk Improvements Project

Resolution No. 2025-05-050

- D. **2025-106** Request for Mayor and City Council to Approve Acceptance of a Temporary Construction Easement and an Easement for the Construction of Driveway from Earl B. Williams, Trustee and Caroline A. Williams, Trustee of the Earl & Caroline Trust, dated August 8, 2019, on property located at 3265 Spalding Drive Land Lot 342 of the 6th District, City of Sandy Springs (Tax ID# 06-0342-0002-014-3); S2184 Jett Ferry Road and Spalding Drive Sidewalk Improvements Project

Resolution No. 2025-05-051

VII. Presentations

- A. **2025-107** EMS Week, May 18-24, 2025

Mayor Rusty Paul read the EMS Week Proclamation for May 18 through May 24, 2025.

- B. **2025-108** National Public Works Week Proclamation May 18 through May 24, 2025

Mayor Rusty Paul Read the National Public Works Week Proclamation for May 18 through May 24, 2025.

A SHORT RECESS WAS TAKEN

VIII. Public Hearing

- A. **2025-109** Request for Mayor and City Council Consideration of a Resolution to Adopt the 2025 Community Development Block Grant Annual Action Plan

Michele McIntosh-Ross, Planning & Zoning Manager, presented a recommendation to adopt the 2025 Community Development Block Grant Annual Action Plan.

The CDBG Consolidated Plan is carried out through Annual Action Plans, which provide a concise summary of the actions, activities, and 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.

In 2025, Staff will continue working on the implementation of the South Roswell Road Multiyear Sidewalk Project, specifically the area south of Interstate 285 (Phase III), and other projects as determined, and begin the design for the Hope Road Sidewalk Project. Citizens can offer input on this project at the public hearing and any other needs in their community that are related to the CDBG Program.

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 adopt the 2025 Community Development Block Grant Annual Action Plan. The motion carried by unanimous vote.

Resolution No. 2025-05-052

- B. **2025-110** Request for Mayor and City Council Consideration of a Resolution to Approve a Metropolitan River Protection Act Certificate for River Corridor Review RC-25-01SS for Old Riverside Park

Michele McIntosh-Ross, Planning & Zoning Manager, presented a recommendation to approve a Metropolitan River Protection Act Certificate for River Corridor Review RC-25-01SS for Old Riverside Park.

Properties within 2,000 feet of the Chattahoochee River are subject to the Chattahoochee River Corridor Protection Act. The regulations call for review and approval by the Atlanta Regional Commission (ARC), public hearing and approval by the local governing authority, and issuance of a Metro River Certificate. The review focuses on whether the project is consistent with the Chattahoochee Corridor Plan, which limits clearing and impervious surface within the corridor.

The City of Sandy Springs proposes the construction of a new riverfront public park. The site is located in Vulnerability Category “C” with a proposed impervious area of .35 acres, Vulnerability Category “D” with a impervious area of .17 acres, Vulnerability Category “E” with a proposed impervious area of 1.09 acres and in Vulnerability Category “F” with a proposed impervious area of .03 acres.

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

Motion and second. A motion was made by **Councilmember Andy Bauman**, seconded by **Councilmember Melissa Mular**, to approve a Metropolitan River Protection Act Certificate for River Corridor Review RC-25-01SS for Old Riverside Park.

Councilmember Bauman said there has been some discussion before about concrete versus impervious and, particularly when we are getting close to the river in these sensitive ecological areas. Glad we are leading in this front. It is important that we continue to do that and it is exciting that this is the next step towards bringing Sandy Springs its next new park. Also, congratulations **Planning & Zoning Manager**

McIntosh-Ross on your graduation from Leadership Perimeter. I joined you in that class and it was fun doing that with you.

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

Resolution No. 2025-05-053

- C. **2025-111** Request for Mayor and City Council Consideration of a Resolution to Approve a Metropolitan River Protection Act Certificate for River Corridor Review RC-25-02SS for Property Located at 8050 Nesbit Ferry Rd

Michele McIntosh-Ross, Planning & Zoning Manager, presented a recommendation to approve a Metropolitan River Protection Act Certificate for River Corridor Review RC-25-02SS for Property Located at 8050 Nesbit Ferry Rd

Properties within 2,000 feet of the Chattahoochee River are subject to the Chattahoochee River Corridor Protection Act. The regulations call for review and approval by the Atlanta Regional Commission (ARC), public hearing and approval by the local governing authority, and issuance of a Metro River Certificate. The review focuses on whether the project is consistent with the Chattahoochee Corridor Plan, which limits clearing and impervious surface within the corridor. The property owner proposes the construction of an addition to a single-family residence. The site is located in Vulnerability Category “D” with a proposed impervious area of 20,304 square feet.

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 a Metropolitan River Protection Act Certificate for River Corridor Review RC-25-02SS for Property Located at 8050 Nesbit Ferry Rd. The motion carried by unanimous vote.

Resolution No. 2025-05-054

IX. New Business

- J. **2025-121** Request for Mayor and City Council Consideration of an Ordinance to Repeal Section 38-75 of the City Of Sandy Springs’ Code of Ordinances, as Accomplished by Ordinance No. 2025-04-03, Approved and Adopted on April 1, 2025

Dan Lee, City Attorney, presented a recommendation to Repeal Section 38-75 of the City Of Sandy Springs’ Code of Ordinances, as Accomplished by Ordinance No. 2025-04-03, Approved and Adopted on April 1, 2025.

Since the adoption of the eight (8) foot buffer zone Ordinance (Ordinance No. 2025-04-03)(the “Ordinance”) there has been much discussion among and between legal and interested parties. The Anti-Defamation League (“ADL”) and the American Civil Liberties Union (“ACLU”), in whom I place high regard, as to their study and experience in dealing with the First Amendment, believe that the removal of the fifty (50) foot radius provision presents a challenge to this particular Ordinance.

While the establishment of a buffer has been upheld by the United States Supreme Court {See: Hill v. Colorado, 530 U.S. 703 (2000)}, the ADL and the ACLU believe the buffer must be directly tied to a geographic point and not “floating”. The original version of the Ordinance as provided by the ADL tied the buffer to houses of worship, which I believe, presents other challenges related to the Establishment Clause. Because of that and the concerns raised by some members of Council, I recommend this repeal.

The City has not attempted to enforce this Ordinance, and I don't believe it will be charged. As I mentioned earlier and many times, the value of this Ordinance was to give direction and limits to protesters and law enforcement. The ACLU is concerned that “many cities will follow the lead of the City of Sandy Springs, especially in ordinance making”, and for that reason they would file suit to challenge the Ordinance. The value of the Ordinance measured against the challenge does not require the Ordinance. The Sandy Springs Police Department believes the other two (2) ordinances adopted at the same time are sufficient, valuable tools to protect the public. (See: Ordinance No. 2025-04-01 and Ordinance 2025-04-02)

Mayor Rusty Paul opened the public participation on Agenda Item 2025-121.

1. **Eytan Davidson**, Regional Director Southeast, Anti-Defamation League (ADL) - Support
2. **Cory Isaacson**, Legal Director, American Civil Liberties Union (ACLU) - Support

Mayor Rusty Paul closed the public participation on Agenda Item 2025-121.

Motion and second. A motion was made by **Councilmember Melody Kelley**, seconded by **Councilmember Jody Reichel**, to Repeal Section 38-75 of the City Of Sandy Springs’ Code of Ordinances, as Accomplished by Ordinance No. 2025-04-03, Approved and Adopted on April 1, 2025.

Councilmember Kelley said there was concern around that phrasing public right of way and, it was my central concern as it was too broad. We are doing the right thing here. We are going to allow the laws we have in place around disorderly conduct and such to be enforced. They are sufficient. Hopefully this will be a lesson learned to the extent the ADL and ACLU came together and had conversations. It should have happened before we were asked to vote on the language. Let us do the homework on the front-end next time. I am encouraged that we are considering this appeal and am fully in support. Thank you City Attorney Lee, ACLU and ADL, and everyone involved.

Councilmember Melissa Mular said of all three ordinances, this item had the most traffic among my constituents. Spoke with both **City Attorney Lee** and **Eden Freeman, City Manager**, and, lessons learned is a good statement for next time. We took that into account, as well as our constituents, and others also received comments. We worked with ACLU and ADL. This is the right move to go forward. The concerns were they did not understand how it was going to be enforced and they felt it was infringing on their rights.

Councilmember Reichel said while I strongly oppose any kind of hate or antisemitism, I agree that we should repeal this. It was a lot to take in at our meeting and there was a lesson learned. **City Attorney Lee** will the other two ordinances hold up? I was concerned with the first one and still am because we have other ordinances like our soliciting ordinance or permitting that you have to have for soliciting.

Dan Lee, City Attorney, said they will and the conversations they had are like these. There is an agreement that they would be upheld. There is no recommendation to repeal the other two.

Councilmember Andy Bauman said the question I keep asking is how did we get here? This so-called buffer ordinance originated in December when it was first proposed to and brought forward by the mayor. It was then placed on our first January agenda work session without any advanced notice to Council or the community, prompting immediate concerns about both the substance and process by Council. Then roughly seven weeks ago at our April 1 meeting, the ordinance along with two related ordinances was brought back for public hearing, however in the day or even hours leading up to the meeting, more process issues and confusion. Significant edits including the last minute removal of the fifty-foot radius provision were made after the agenda and ordinance was published and no notice was given to the Council. I raised that issue during the meeting and it was acknowledged on the record that the change had been made because it was considered “unnecessary”. The mayor affirmed that. That process fell short of the standard our community deserves. Council was asked to vote on language that is now clearly understood to have not been fully vetted and, when I asked the city attorney during the meeting whether the ordinance met the constitutional standards of time, manner, place, we were told "No doubt about it." Just a few weeks later we are being told the opposite and, more than that we are being told after all the urgency time, cost and angst, essentially never mind. The mayor and the city attorney now say the ordinance is not necessary at all after all. Other tools are sufficient and that defending it is not worth the challenge. I do not blame ADLU, the ACLU or any member of this Council. This outcome was not the result of advocacy or disagreement. It was the result of a flawed process and responsibility for that process sits squarely with the mayor and our legal counsel. This ordinance was unprecedented in our state and instead of taking the time to get it right, this Council and our residents were put through a process that proved divisive, costly, and ultimately unnecessary. There is a better way to approach sensitive high-stake issues. When this Council adopted Georgia's first municipal hate crime ordinance in 2019, we followed a collaborative transparent process that built consensus. Thank you ADL for your leadership at that time. That effort stands in contrast to what happened here and it shows what this body is capable of doing when the process is done right. Lesson learned. Repealing this ordinance is the right decision and I support it but we cannot treat this as a routine correction. It was a preventable misstep. One that never should have gotten this far and we owe it to the public to learn from them.

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

Ordinance No. 2025-05-08

- A. **2025-112** Request for Mayor and City Council Consideration of a Resolution Appointing Member to Sandy Springs Board of Appeals (Kim Gay)

Mayor Rusty Paul presented a recommendation to appoint member to Sandy Springs Board of Appeals (Kim Gay).

There is a vacancy on the Board of Appeals due to the resignation of William (Bill) Thackston. Bill has been a longtime community leader and involved in the incorporation effort but he feels that it is time for him to step aside. Kim Gay has been very active in the community and she has the right background, temperament, and neighborhood connections to understand what the role of the Board of Appeals is. Council should consider approving Kim Gay as the newest member to the Sandy Springs Board of Appeals.

Motion and second. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Tibby DeJulio**, to appoint member to Sandy Springs Board of Appeals (Kim Gay).

Councilmember John Paulson asked have you explained to Kim Gay that there is a lot more activity at the Board of Appeals?

Mayor Paul said she is fully aware and that is one reason why she was interested.

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

Resolution No. 2025-05-055

- B. **2025-113** Request for Mayor and City Council Consideration of a Resolution Appointing Alternate Members to the Sandy Springs Board of Ethics (Reneatta Austin and Ben Taube)

Mayor Rusty Paul presented a recommendation to appoint Alternate Members to the Sandy Springs Board of Ethics (Reneatta Austin and Ben Taube)

There are some vacancies on the Board of Ethics and Reneatta Austin and Ben Taube have specific backgrounds. Reneatta is a minister trained in ethics and would be an excellent addition to the Board of Ethics. I have known Ben for a number of years and we worked on some legislative issues throughout the year. He is a dedicated person who would take on the role seriously. Council should consider them as alternate members on the Board of Ethics.

Motion and second. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Tibby DeJulio**, to appoint Alternate Members to the Sandy Springs Board of Ethics (Reneatta Austin and Ben Taube)

Councilmember Paulson asked have you explained that there is not a lot that happens on the Board of Ethics?

Mayor Paul said yes. This is about getting engaged in the community, which is important. It is a statement of the City's values and who we are as a community. This is a city of ethics with a full board to maintain that qualification. We have this panel to examine any complaints or concerns that are brought up about the ethics of the elected officials or the City. This is one of our more important boards just for the fact that it exists.

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

Resolution No. 2025-05-056

- C. **2025-114** Request for Mayor and City Council Consideration of a Resolution to Enter into an Intergovernmental Agreement By and Between the Fulton County Board of Education and the City of Sandy Springs, Georgia for Temporary Use of Facilities, and to Authorize the Mayor to Execute the Agreement

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Dan Nable, Police Major, presented a recommendation to enter into an Intergovernmental Agreement by and between the Fulton County Board of Education and the City of Sandy Springs, Georgia for Temporary Use of Facilities, and to Authorize the Mayor to Execute the Agreement.

In 2022 the Fulton County Schools Police Department (FCSPD) acquired the System for the purposes of training FCSPD officers in their knowledge and skills and to engage FCS students studying criminal justice, particularly those enrolled in the Law, Public Safety, Security and Corrections pathway, through student participation in simulated training scenarios together with the FCSPD training officers (the “Program”); however, FCSPD does not have a training facility to adequately house the System.

Since the SSPD Headquarters building has sufficient space to house the System, and because FCSPD and SSPD recognized the importance of partnering with one another, discussions began regarding the mutual and public benefit of housing the System on the Property. An IGA was drafted outlining the shared use parameters of the System.

The IGA formalizes the collaboration between the SSPD and the Board, ensuring the Department has the necessary tools to train officers in use of force and de-escalation. Several terms have been outlined, including: FCSPD will provide funding for the Program; and, SSPD will provide funding for any additional equipment or accessories for the System (which will be used exclusively by SSPD) and to pay for utilities costs associated with operating the System and for building security to protect and limit access to the System. The parties agree to share maintenance costs, IT support, and/or any other expenses that may arise prospectively. The Board shall exercise reasonable care in the use of the Property and, if damage occurs to the Property, a ranking member of FCSPD will report this information to SSPD within 24 hours of occurrence.

An anticipated yearly maintenance expense of \$14,150 will be shared equally between SSPD and FCSPD resulting in an anticipated annual cost to SSPD of \$7,075. FCSPD will absorb the first year maintenance cost in its entirety. SSPD’s obligation will not begin until FY 2027.

Motion and vote. A motion was made by **Councilmember Tibby DeJulio**, seconded by **Councilmember Jody Reichel**, to enter into an Intergovernmental Agreement by and between the Fulton County Board of Education and the City of Sandy Springs, Georgia for Temporary Use of Facilities, and to Authorize the Mayor to Execute the Agreement. The motion carried by unanimous vote.

Resolution No. 2025-05-057

- D. **2025-115** Request for Mayor and City Council Consideration to Approve Contract Award to East Coast Grading, Inc. for FY2025 Local Maintenance Improvement Grant Paving and to Authorize the City Manager to Execute the Contract

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to approve to contract award to East Coast Grading, Inc. for FY2025 Local Maintenance Improvement Grant Paving and to Authorize the City Manager to Execute the Contract.

At the May 21, 2024 City of Sandy Springs (the “City”) Council meeting, the City’s consultant, MDS Technologies, Inc. (“MDS”), presented its findings for the FY2023 Pavement Condition Index (“PCI”) study performed for all City-owned streets. Based on these findings, MDS recommended street segments

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for resurfacing as a part of the City’s upcoming three-year paving program. PCI scores for the FY2025 street segments ranged from 23 to 55, and streets were identified to be the next priority for resurfacing.

Seeking a qualified contractor to perform all of the subsurface, resurfacing, striping, and related work on the approved streets (“Project”), the City issued an Invitation to Bid (“ITB”) 25-029 for the Project on January 22, 2025. A pre-bid conference was held on January 30, 2025. The following nine (9) bids were received prior to the March 6, 2025, deadline:

Firm Total Bid

East Coast Grading, Inc.	\$6,466,760.00
Blount Construction Company, Inc.	\$6,759,947.60
Magnum Paving, LLC	\$6,930,375.00
Triple R Paving & Construction, LLC	\$6,985,025.00
C.W. Matthews Contracting Co., Inc.	\$7,080,576.16
Vertical-Earth Inc.	\$7,270,058.78
Allied Paving Contractors, Inc.	\$7,272,000.00
Summit Construction and Development LLC	\$7,590,400.00
E.R. Snell Contractor, Inc.	\$8,544,835.00

The bids received were evaluated by staff. Based on review and analysis, staff recommends that the City award a contract to East Coast Grading, Inc., who submitted the lowest, most responsive and responsible bid in the amount of \$6,466,760.00. There are adequate funds in Project T-3000 to award this contract. The Staff-prepared estimate for the Project is \$7,000,000.00.

Motion and second. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Jody Reichel**, to approve to contract award to East Coast Grading, Inc. for FY2025 Local Maintenance Improvement Grant Paving and to Authorize the City Manager to Execute the Contract

Councilmember Paulson said there is \$7,000,000 set aside but you have \$6.466,760. Are there additional streets that you would add on as this project is near completion, if that extra money is not absorbed?

Public Works Director Martin said we will identify repairs throughout the course of the year that could also apply those funds to.

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

Resolution No. 2025-05-058

- E. **2025-116** Request Mayor and City Council’s Approval of the List of Streets and Application to the Georgia Department of Transportation for the Fiscal Year 2025 Local Road Assistance Administration (“LRA”) Supplemental Grant, and to Authorize the Mayor to Execute the Application and Cover Letter

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to approve the List of Streets and Application to the Georgia Department of Transportation for the Fiscal Year 2025 Local Road Assistance Administration (“LRA”) Supplemental Grant, and to Authorize the Mayor to Execute the Application and Cover Letter.

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On January 7, 2025, Council approved the City’s application to the Georgia Department of Transportation (“GDOT”) for the Fiscal Year 2025 Local Maintenance and Improvement Grant (“LMIG”) in the amount of \$1,040,716.61. On March 20, 2025, GDOT announced the 2025 Local Road Assistance Administration (“LRA”) Supplemental Grant, making additional funds available to local governments for funding of needed projects within city, county or state rights-of-way. The City’s LRA Supplemental distribution amount is \$1,276,784.86. Eligible activities/projects for LRA Supplemental funds are the same as the LMIG program and use the same application process. LRA Supplemental funds will require no local government matching funds. The application is due to GDOT by June 15, 2025.

Staff has prepared the attached list of streets representing approximately 4.15 miles of roads that are in need of repaving and currently projected for resurfacing in FY 2026. The list was compiled using the 2023 pavement condition index (PCI) assessment. The streets to be submitted represent those with low PCI scores within the City’s network and those that are logical to complete in conjunction with the lower ranked streets.

Proposed Street List

Road Name	Beginning	Ending	Length (Miles)
PEACHTREE DUNWOODY RD	SUMMERSET LN	PEACHTREE DUNWOODY RD	0.72
MARGATE DR	PEACHTREE DUNWOODY RD	CUL-DE-SAC	0.09
STONE MILL TRL	MARSH CREEK CT	WRIGHT RD	0.35
WRIGHT RD	BRANDON RIDGE DR	ABERNATHY RD	0.22
BRANDON RIDGE DR	WRIGHT RD	RIDGE MILL LN	0.11
RIDGE MILL LN	BRANDON RIDGE DR	CUL-DE-SAC	0.12
BLACK WATER TRL	RIVERSIDE DR	OLD HARBOR DR	0.29
NORTHSIDE DR	RIVERVIEW RD	INDIAN TRL	0.34
BRINKLEY LN	HUNTLEY DR	HUNTLEY DR	0.21
DOGWOOD VALLEY DR	TRIMBLE TRL	NORTHLAND DR	0.2
WEMBLEY LN	LAKE FORREST DR	CUL-DE-SAC	0.15
IVY BROOKE CT	LAKE FORREST DR	CUL-DE-SAC	0.03
QUARRY LAKE CT	LAKE FORREST DR	CUL-DE-SAC	0.05
DUNWOODY PL	ROBERTS DR	NORTHRIDGE PKWY	0.41
CHURCHILL DR	SKYRIDGE DR	BLenheim PL	0.35
JETT FERRY RD	SPALDING DR	JETT FERRY CT	0.1
BITTERSWEET TRL	SAGEBRUSH DR	CUL-DE-SAC	0.26
LA TOUR DR	JETT FERRY RD	CUL-DE-SAC	0.15

There is no Local match required for the LRA Supplemental Program. The City’s LRA Supplemental distribution is \$1,276,784.86. The estimated cost to complete this work, which includes all items necessary to complete the resurfacing of these roads, is \$1,312,256.99.

Motion and second. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Jody Reichel**, to approve the List of Streets and Application to the Georgia Department of Transportation for the Fiscal Year 2025 Local Road Assistance Administration (“LRA”) Supplemental Grant, and to Authorize the Mayor to Execute the Application and Cover Letter.

Councilmember Paulson asked when will we know that funding has been received?

Public Works Director Martin said there is strong certainty that as soon as we submit the application, the City will have access to the money. The language in the application indicated that it will be ten days after acceptance. We expect to submit the application before the due date of June 15 and by the end of the month, and expect to receive monies by July 1.

Councilmember Paulson asked assuming this happens, who will do this paving?

Public Works Director Martin said there are two options. We have great prices and a very good competitive bid for the resurfacing project we are currently running. The first option would be offering that work at those prices. If the contractor does not want to take the additional work, we will put it out and see if we can get that same good pricing received with these nine bids.

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

Resolution No. 2025-05-059

- F. **2025-117** Request for Mayor and City Council Consideration to Approve Change Order Two to the Existing Contract with Vertical Earth, Inc. as it Relates to the Mount Vernon/Johnson Ferry Corridor Improvement Project (TS191) and to Authorize the City Manager to Execute the Contract

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to Approve Change Order Two to the Existing Contract with Vertical Earth, Inc. as it Relates to the Mount Vernon/Johnson Ferry Corridor Improvement Project (TS191) and to Authorize the City Manager to Execute the Contract.

Mayor and City Council awarded the construction of the Mount Vernon Highway/Johnson Ferry Road Corridor Improvement Project to Vertical Earth in the amount of \$15,881,593.38 on December 19, 2023. Notice to Proceed for construction was given February 26, 2024. One (1) previous Change Order in the amount of \$189,598.62 was approved by the City Manager on January 7, 2025, bringing the current contract amount to \$16,071,192.00. The initial Change Order included drainage design changes due to field conditions, additional hydrovac investigations to locate utilities beyond GDOT specification, cost to perform water tie-in work at night outside of City of Atlanta Watershed specification and various quantity changes based on design calculation changes and field conditions.

Varying field conditions and plan modifications have caused the following cost changes:

Drainage System Design Change (\$192,269.96):

During utility relocation, a conflict between Atlanta Gas Light and the proposed storm system was uncovered on Mount Vernon Highway between Roswell Road and Boylston Drive. The location of the gas main does not allow for adequate separation between the gas and storm pipes. Due to right of way constraints, the gas line could not be relocated within the available right of way and lowering was not viable for future maintenance. The proposed drainage system change replaces the pipe system originally designed with a shallow box trench and grate, eliminating the gas line conflict while also allowing the project to continue with limited schedule impacts.

City Fiber Network Relocations (\$46,118.30):

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As part of the utility relocations for both the Mount Vernon Highway/Johnson Ferry Road Corridor Improvement Project (TS191) and the Mount Vernon Multi-Use Path Project (TS192), City traffic fiber needs to be relocated. The fiber will be repositioned to follow the relocated Georgia Power poles. Vertical Earth will have their traffic subcontractor complete the work for both projects, shortening the installation schedule and minimizing communication outages within the fiber network. The relocation cost for TS191 is \$6,277.95 and the relocation cost for TS192 is \$39,840.35.

Revised Illuminated Street Signs (\$3,759.99):

At the time of bidding, Spruill Lane had not yet been named, so contractors could only bid the illuminated street signs that were known. Once the name was finalized, the exact cost of the signs could be determined and added to the plans through a plan revision. This cost includes adding two internally illuminated street signs to reflect the name "Spruill Lane." Additionally, City logo standard for illuminated signs has been updated. This cost also covers new proofs and for the replacement of all fourteen (14) internally illuminated street signs on the Project.

Contract Time Extension:

A contract time extension of sixty-four (64) calendar days is requested to complete the work above.

The frames and grates needed for the drainage system change have a six (6) to eight (8) week lead time and construction of the system will take approximately two (2) to three (3) weeks. The original contract is 730 calendar days for the TS191 project. This contract extension would bring the total contract time to 794 calendar days. This would bring the contract completion date to April 28, 2026.

The total proposed fee for this Change Order is \$242,148.25. Of this total, \$202,307.90 will be funded from TSPLOST Project TS191 and \$39,840.35 will be funded from TSPLOST Project TS192. Sufficient funds are available in both projects to fund this work. With the approval of Change Order Two, the total construction contract value will be \$16,313,340.25.

Motion and second. A motion was made by **Councilmember Melissa Mular**, seconded by **Councilmember Jody Reichel**, to approve Change Order Two to the Existing Contract with Vertical Earth, Inc. as it Relates to the Mount Vernon/Johnson Ferry Corridor Improvement Project (TS191) and to Authorize the City Manager to Execute the Contract.

Councilmember Reichel said they are doing a good job. Do they keep cutting the gas lines?

Public Works Director Martin said no. That was the other contractor. As far as gas main strikes, we and the contractors treat those seriously. We are investigating with the contractor that struck that gas main last Friday to find the root cause so that it does not happen again. It is important to protect the public. Mistakes like that can be injurious and potentially serious to everyone.

Councilmember Reichel said it is good that it was cleaned up quickly. Which power lines will be buried? Is it ones around the park?

Public Works Director Martin said with our plan, there were five different segments that we were funding with this. Everything around the park is buried and underground. You will see the work out there now from a subcontractor working for Georgia Power Company. Georgia Power is the lead in that aerial to underground utility work and are putting in pool boxes, cabinets, trenches, and a lot of conduit in the ground. They have been making good progress with that work. That goes up to about the intersection with Boylston, maybe a little bit beyond that, then back to aerial utilities from there. Also, from that plan was aerial to underground work because that work had already taken place on Boylston, especially with the

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new development a few years ago. As well they will be taking aerial to underground the utilities on that stretch of Boylston immediately south of the park. There is work there to do, not only the wires you see. What started it all was Georgia Power Company Transmission setting up a couple of transmission poles to reroute transmission up front. There is still some transmission as well to be demolished when done as a part of this aerial underground effort.

Councilmember Reichel said I would love to have all the wires buried.

Eden Freeman, City Manager, said we all would but it is a very large cost. We should have underground utilities throughout the City of Sandy Springs because we would not have had the power issues we just had with the tree falling.

Councilmember Reichel said maybe we could start that conversation.

Councilmember Mular asked is it correct that the past gas leaks were on gas lines that were marked as non-active but were actually active?

Public Works Director Martin said there have been a combination of issues and we have been in close contact since the first couple of gas line strikes. A senior executive with Atlanta Gas Light has the ability to command more attention on utility locates and more. He was here Friday afternoon after hearing about the strike. Whoever struck the line thought that it was not active. There are some flaws in their systems and their coordination with Atlanta Gas and, folks in heavy equipment did not have the right information. Our intention is to find out how their system let them down and look internally to the contractors as well. They receive the information, marks are made, then you have a construction site with a lot of lines going in and coming out and the contractor in this case selectively being required to take out pieces of the abandoned work to put in the new storm drainage system as well. There is a complex series of communications that these folks need to pay attention to and we want to make sure they are doing that along the way.

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

Resolution No. 2025-05-060

- G. **2025-118** Request for Mayor and City Council Consideration of a Resolution to Approve Amendment Six to the Design Services Contract with Gresham, Smith and Partners (L.P.) Related to the Hammond Drive Corridor Improvements and Multi-Use Path Project and to Authorize the City Manager to Execute the Amendment

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to Approve Amendment Six to the Design Services Contract with Gresham, Smith and Partners (L.P.) Related to the Hammond Drive Corridor Improvements and Multi-Use Path Project and to Authorize the City Manager to Execute the Amendment.

The City of Sandy Springs (the “City”) originally awarded a contract for design services to Gresham Smith for the Hammond Drive Corridor Design Project (Project No.: TS193) (the “Project”) on September 5, 2018 in the amount of \$237,985.00 using 2016 TSPLOST funds to perform conceptual design.

Amendment 1 awarded on May 7, 2019 provided additional traffic studies	\$ 12,000.00
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Amendment 2 awarded August 6, 2019 provided visualizations/flyover video	\$ 47,500.00
Amendment 3 awarded December 21, 2021 provided topographical surveying services, subsurface utility engineering surveys, and initial preliminary designs	\$218,067.00
Amendment 4 awarded on May 17, 2022 provided for construction plans	\$2,951,701.00
Amendment 5 awarded on February 6, 2024 for traffic signal phasing analysis at Hammond Drive and Roswell Road and extended the contract with Gresham Smith through March 31, 2027	\$ <u>17,544.57</u>
Contract Total to Date	\$3,484,797.57

This proposed Amendment Six in the amount of \$218,379.99 includes remaining environmental studies needed to obtain environmental permits for the construction of this project, fly-through videos and perspective renderings for public outreach purposes, and additional staging plans designed to avoid a home located at 643 Lorell Terrace. Additionally, this Amendment Six seeks to extend the current contract time through the estimated completion of the Project, September 15, 2028.

Phase II Environmental Site Assessment and Brownfield Site Characterization Sampling: The work required to complete the Brownfield Site Characterization Sampling and the Phase II ESA is requesting an additional \$89,479.13 for the remaining scope to be completed. The additional scope of work includes the following:

- Brownfield Site Characterization Sampling associated with 6038 Harleston Road and 360 Hammond Drive
- Soil and Groundwater Management Plan (“SGMP”)
- Environmental Program Management in connection with the construction activities on 336 Hammond Drive, 360 Hammond Drive and 6038 Harleston Road
- Brownfield Compliance Status Report for 360 Hammond Drive and 6038 Harleston Road

Fly-Through Renderings: The City requested updated fly-through videos and project renderings showing 3D depictions of the final Project conditions. The Consultant will produce one (1) fly-through video showing the Project with day-one landscaping conditions and a second depicting final landscaping conditions. The Consultant will also produce up to ten (10) perspective renderings. Updates will be made to the final landscaping plans during the development of these renderings. The Consultant requests \$76,677.94 to complete these tasks.

Additional Project Staging Plans: During Right-Of-Way negotiations for 643 Lorell Terrace, the family of the residence informed the City that the owner of the home was elderly and requested that she remain in her home as long as she is able. As a result, the City requested that the Consultant develop alternative staging plans to construct the Project while leaving the home undisturbed for as long as possible. Due to area topography, 3D modeling is required to create this updated staging plan and to generate construction limits. The Consultant requested \$52,222.92 to prepare new staging plans.

Contract Time Extension: The original contract between the City and Gresham Smith was executed on September 5, 2018, for 2016 TSPLOST funded Project No. TS193 Hammond Drive Conceptual Design, with a contract time of forty-eight (48) months from the date of execution. Amendment 5 extended the contract through March 31, 2027. City Staff requests that Council extend this contract with Gresham Smith through September 15, 2028 to complete engineering, bid, and construction support services.

The total proposed fee for Amendment Six is \$218,379.99. This will bring the total contract value to \$3,703,177.56. Sufficient funds are available in Project S2193.

Motion and vote. A motion was made by **Councilmember Melissa Mular**, seconded by **Councilmember Tibby DeJulio**, to approve Amendment Six to the Design Services Contract with Gresham, Smith and Partners (L.P.) Related to the Hammond Drive Corridor Improvements and Multi-Use Path Project and to Authorize the City Manager to Execute the Amendment. The motion carried by unanimous vote.

Resolution No. 2025-05-061

- H. **2025-119** Request for Mayor and City Council Consideration of a Ordinance to Approve a Budget Amendment to Fund Certain Site Improvements as Capital Projects under the CIP Fund - Williams Payne House

Michael Hietter, Budget Manager, presented a recommendation to Approve a Budget Amendment to Fund Certain Site Improvements as Capital Projects under the CIP Fund - Williams Payne House

Several tasks at the Williams Payne House were funded under the General Fund/Facilities — Site Improvements budget; however, this work was deferred to next year. The appropriations for this work will lapse with the fiscal year, but the projects are still needed and can be completed next year.

The funds appropriated in the General Fund for this work can be transferred to the CIP Fund, where the appropriations will not automatically lapse at fiscal-year-end, with these tasks set up under a new distinct project number.

A budget amendment has been prepared to move the relevant budget amounts from the Facilities department Site Improvements account to a new project under the CIP Fund.

This amendment requires action by Mayor and Council because:
The amendment creates a new project under the CIP Fund; and
The amendment increases overall fund expenditures in CIP Fund.

Motion and vote. A motion was made by **Councilmember Melissa Mular**, seconded by **Councilmember Jody Reichel**, to approve a Budget Amendment to Fund Certain Site Improvements as Capital Projects under the CIP Fund - Williams Payne House. The motion carried by unanimous vote.

Ordinance No. 2025-05-06

- I. **2025-120** Request for Mayor and City Council Consideration of an Ordinance to Approve a Budget Amendment to Increase Capital Contingency within the CIP Fund - Fire Station #5

Michael Hietter, Budget Manager, presented a recommendation to approve a Budget Amendment to Increase Capital Contingency within the CIP Fund - Fire Station #5.

Construction of Fire Station #5 was recorded under Project PF004 in the PFA (Fund 360). The project was initially funded by the second PFA bond issue but required additional budget from the General Fund (through the “paygo” model). The agenda item for the approval of additional funding included a provision that any “paygo” funding not spent on the FS#5 project would be returned to the General Fund.

Work has been satisfactorily completed on this project; all expenses have been paid; and all encumbrances liquidated. The \$397,000 of “paygo” funding remaining under Project PF004 has already been returned to the General Fund per the original financing proviso, increasing the fund balance of the General Fund by that amount.

A need has now been determined for an increase to the Capital Contingency balance due to additional capital projects proposed for both FY 2025 and FY 2026. From previous budget policy, a target of 3% for capital contingency is applied, per previous practice, to the amount of allocated but unspent project budgets (available CIP project budgets plus CIP Fund encumbrances). The expected increase in project cost budgets from proposed new projects has driven the desired Capital Contingency balance more than \$210,000 above the amount currently available, per the computation on the attached Capital Contingency Analysis. An increase of \$200,000 to Capital Contingency would put the contingency balance near its desired target amount.

A budget amendment has been prepared to increase the transfer from the General Fund to the CIP Fund by \$200,000 to be allocated to Capital Contingency. This amendment requires action by Mayor and Council because the amendment increases overall budgeted fund expenditures in both the General Fund and the CIP Fund. This amendment would reduce the current fund balance of the General Fund; however, as the General Fund has received \$397,000 from the Public Facilities Authority, the financial condition of the General Fund would not be reduced from the time before these transactions occurred.

Motion and vote. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Jody Reichel**, to approve a Budget Amendment to Increase Capital Contingency within the CIP Fund - Fire Station #5. The motion carried by unanimous vote.

Ordinance No. 2025-05-07

X. Reports

A. 2025-122 Mayor and Council Report

Mayor Rusty Paul said this is a reminder that applications for this year’s Citizens Leadership Academy will open on Monday, June 2. Information will be available on the City’s website for anyone interested in joining.

The Envision Perimeter Conference was today and looked at how to get the Perimeter Marketplace into the last half of the twenty-first century. We are a quarter of the way through the twenty-first century and many people do not realize that but, it was a good conversation. The Perimeter is one of the City’s most important business commercial districts, not only Sandy Springs but throughout Atlanta. Having them lead the discussion about where we go from here was very good.

There was also the Greater North Fulton Futures Conference here in City Hall last week. It was a healthy discussion about where we go in the future. There is lot of conversation on our future looking at what kind of community we want to see going forward.

Also here was HouseATL to look at affordable housing and continue the discussion about where we are. Everyone agrees that housing is a challenge in today’s market. It is hard to have affordable housing when

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you have unaffordable real estate, particularly land. The challenges around that are continuing and we continue to search for better answers. The conference was part of an effort to find those.

I attended the Teachers Rotary Club recognition program last week where they recognized the teachers of the year in each of the City's schools. It was quite heartening to be able to see a lot of young, bright men and women in our schools and what they are doing. Also, the success and quality of education they provide and hear their principals talk about how extraordinary these people were.

There was a community breakfast at North Springs last week and they were honored as the America's Best Music Program across thousands of schools in the whole country. They have always had a great magnet program and this shows the kind of quality education we have in the Sandy Springs community, whether it is private or public schools. They are all doing great work and it was very heartening to see that.

B. 2025-123 Staff Reports

1. March 2025 Unaudited Financials

Eden Freeman, City Manager, reviewed the March 2025 unaudited financials in the absence of **Toni Carlisle, Chief Financial Officer**.

The City is at 75 % of the year. Revenues are at 96.08 % and expenditures are at 64.66% of the budget. Business License renewal period ended on March 31, achieving 80.46% of the approved budget. The departmental/general fund expenses are in the packet using less than 75% of the approved budget and trending as expected.

XI. Executive Session

There was no executive session.

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 8:10 p.m.