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**Regular Session Meeting of the Sandy Springs City Council was held on Tuesday, June 16, 2020 at 6:25 p.m., Mayor Rusty Paul presiding.**

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**I. CALL TO ORDER**

**Mayor Rusty Paul** called the meeting to order at 6:25 pm.

**II. ROLL CALL**

**City Clerk Raquel D. González** called the roll and made the general announcements.

**Mayor Rusty Paul** – present.

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

**III. PLEDGE OF ALLEGIANCE** – Mayor Paul led the Pledge of Allegiance.

**IV. PUBLIC COMMENT**

There were ten (10) public comment cards

**1. Steve Avary**, 1075 Windsor Pkwy NE, Sandy Springs GA 30319 (read into record):

Dear Mr. Martin, Mr. Paul, and Mr. De Julio,

Well, the disaster never ceases! I have had my fiber optic cable (phone, TV, Internet) cut twice; and my water service broken four times (including meter relocation). My driveway has been blocked during the day for almost four straight weeks: preventing mail delivery (mailbox removed); and trash pickup by Cox Sanitation (pay extra for house side pickup due to my COPD); and forcing me to park in my neighbors drive (car normally garaged, just towed to shop due to weather related computer failure).

But here is the BIG NEWS: The frequent water main breaks and multiple restarting SURGES has resulted in another MAJOR water main break under my very expensive custom paved drive near the front of my house! After leaking hundreds of gallons, the contractor discovered water leaking beside the drive. They had to cut a large slice out of the drive and dig for several hours to locate the area of the break. They then jerry-rigged a temporary reconnection to restore my water service. I understand they are still awaiting your instructions regarding bringing in a licensed plumber to install the permanent fix and allow the driveway to be repaired.

I have attached my latest water & sewer bill in the amount of \$3,952.68. After contacting the City, they instructed me to only pay the average amount of my normal billings which will be \$70.10. This will leave the remaining \$3,882.58 as your responsibility!

I do want to thank Scott Creel, Senior Superintendent, of the contractor ASTRA for his concern and helpfulness in restoring temporary service. This Storm Water installation is an ongoing TOTAL FIASCO, costing way, way too much and is totally unnecessary. But ASTRA has attempted to mitigate the destruction and total infringement upon my rights.

I expect to hear that ASTRA has been given the instructions for the licensed plumber and repair of my driveway, AND the City of Atlanta has been paid in full!!

**2. Steve Avary, 1075 Windsor Pkwy NE, Sandy Springs GA 30319 (read into record):**

Dear Mr. Martin, By refusing to consider a sloped curb and requiring a vertical curb, please consider these consequences:

1. Increased hazard to drivers by grabbing the tire and violently pulling the car to the right;
2. Denying an escape route to bicyclers from closed traffic;
3. Major environmental impacts, including:
  - a. Trapped stormwater in roadway that currently escapes across existing low curbing to safely be absorbed by existing foliage.
  - b. Eliminates effective use of pervious cement to allow additional absorption of stormwater;
  - c. Requires major expense from stormwater capture, detention in excess of \$500K; installing a 6' sidewalk instead of a 5' sidewalk;
    1. Totally ridiculous without connecting in to our 4' and 5';
    2. Utility pole relocation;
    3. Multiple, beautiful trees destroyed;
    4. Major environmental damage; overall poor and incomplete design.
1. Vertical curb traps stormwater all the way down Windsor Parkway to intersection with Peachtree Dunwoody;
2. Stormwater relief only occurs midway down the hill, remaining 1500' of Windsor will retain all stormwater and flood the intersection with Peachtree Dunwoody.

So in conclusion, the project does major environmental damage, creates very unsafe driving and cycling conditions, and wastes \$500K.

**Mayor Paul** commented, to be clear, the person making the comment does not get an extra three minutes for every card that you fill out. You get three minutes total. One card.

**3. Tom Brettschneider, 135 Hemmingwood Way, Sandy Springs GA 30350 (read into record):**

Should citizens of Sandy Springs be concerned about reductions in budgets for police department?

- 4. Theodore Davis, III, 5230 Green Oak Court, Sandy Springs GA 30327, stated I've come here in person to comment on Mayor Paul's call for a citywide dialogue on racism. I'm glad to see that recent events are not being ignored by our public officials and I sincerely hope that all voices are heard and amplified properly, especially all minority ones. That being said, just having a dialogue will do little unless it is also followed explicitly by action that is more than a road name change. I say this not, just as a resident of Sandy Springs, but also as someone who lived for several years in the Brunswick St. Simons Island entitlement area, which has in recent times become embroiled in the death of Ahmaud Arbery. To be blunt, that area has badly struggled with an undercurrent of racism to the point where I personally know some white residents of St. Simons Island who do not go into Brunswick simply because it has a majority of black population. And, no, this is not an exaggeration. In turn, this has allowed permissiveness for harassment based on race in the area. While I have never been the target of such harassment in the area, as to be blunt, I am a white man. Many of my friends have not been so lucky, for they have experienced varying degrees of harassment simply based on the color of their skin. Both of them, who knew Ahmaud personally, are especially fed up with such aggression. So why in the world do I mention all this about an area over 250 miles away? The reason is, if we want to avoid such a problem here, there needs to be a concerted effort tied in to fight any traces of racism and expel them where**

they exist. Not just the weeds in one's mind, but also those in other aspects of our lives. Any less than this just does not solve the problem, plain and simple. To be clear, I am not trying to set up anyone to be a punching bag, least of all our police force. As one of the individuals who has had a major imprint in my life trains Federal and local law enforcement officers daily. Through him I realize the difficult job that many of our officers face on a daily basis, and just saying that it is difficult is a complete understatement. Now, what has been suggested by Police Chief DeSimone, and Mayor Paul, does nave me hopeful as does Sandy Springs being the first city in Georgia to pass a Hate Crimes ordinance. But, if we want to address racism properly, we absolutely need to look very deeply into everything around us to identify racism and extinguish it where it occurs.

5. **Brittany DeRosa**, 1306 Monterey Parkway, Sandy Springs, GA 30350, began I moved to Sandy Springs not too long ago and tuned into my first City Council meeting on June 2. First, I would like to commend Mayor Paul on bringing forward a vote to changing the name of Lake Forrest Drive to remove the connection to the Confederate general and KKK leader. This is a major step in the right direction and I encourage him, as well as the rest of the Council, to continue looking for instances where we can remove the glorification of the Confederate South in our city. Additionally, I encourage Mayor Paul and the Council to reach out to other Georgia leaders and encourage them, if they have any doubts as to why this is such an important thing to do in the rest of our state. I would like to express some concern I have over Council Member Paulson's comment made in the June 2<sup>nd</sup> Council meeting. After the report on 2020-137, Consideration of Issuance of Task Order to Faneuil for Call Center Services. He commended the Call Center for speaking to constituents upwards of 5,000 times a month and then stated that he speaks to constituents 30 times a month. I was stunned; he represents an entire District and besides acts as Mayor Pro Tempore. Is there so little communication between him and his constituents and is this true also of other council members? More than ever, it is vital that communication remain strong and open between elected officials and the citizens who elected them. I challenge the members of City Council to find ways to engage with their constituents more actively. Whether hosting Q&A Meet and Greets or resume reaching out to under-represented communities, or when restrictions around COVID-19 are lifted, organizing informal coffee hours to get to know your constituents better. If this is something that the council members cannot currently accommodate, as we already have a very full agenda tonight and I can only imagine the amount of work that goes into just one meeting; I am more than happy to offer my assistance and passion for the council's use.

6. **Leadership Sandy Springs**, 135 Hilderbrand Drive, Sandy Springs, GA 30328 (read into record)

Dear Mayor and Council, Leadership Sandy Springs stands in full support of the City of Sandy Springs City Council's resolution encouraging the Georgia General Assembly to enact statewide legislation, making it clear that Georgians will not tolerate hate or bias-motivated violence.

The recent shootings of two Georgians, Rayshard Brooks and Ahmaud Arbery, among others across the country, are evidence of the senseless, heartbreaking killings that have rocked our communities and ignited civil unrest and social injustice. These hate crimes have terrorized the victims and their families, along with businesses and livelihoods that have been destroyed in the wake of the civil unrest.

As a community leadership program, Leadership Sandy Springs empowers leaders to be catalysts for collaborative, transformational progress. It is our mission to develop, educate and connect leaders to build a more vibrant and diverse Sandy Springs. Therefore, Leadership Sandy Springs fully supports the City's 2019 ordinance to provide for enhanced penalties for violations evidencing hate and bias.

Further, we urge and implore our state leaders to join 46 other states and the District of Columbia to enact legislation criminalizing various types of bias-motivated violence or intimidation. As a community and as a state, we must stand together to reject hate and bias-motivated violence in all forms.

Sincerely, Sandy Jewel, President, Board of Trustees and Jane Paul, Executive Director.

7. **Brandy Huff**, 750 Dalrymple Road, Sandy Springs GA 30328 (Time expired while reading comments into the record. Below is the entirety of the public comment):

Mayor Paul: Thank you for your public statements acknowledging racism as an insidious disease. Your encouragement to gather for deep conversations about racism and how we can eradicate it from everyday life is an important step toward understanding that there is one race-- the human race -- and we are all responsible for healing the wounds and eliminating the inequities of structural, institutional, and individual racism.

What I see missing from your comments, those of the city council, and those of the police chief is acknowledgement that individuals - empowered and protected by laws and law enforcement—are responsible for the deaths of George Floyd, Ahmaud Arbery, Breonna Taylor, and far too many others. Thousands of lives have been lost at the hands of individuals who vowed to protect and serve the community. When you avoid stating that truth, you inadvertently excuse those who are responsible while sustaining and protecting the racist systems that enable these individuals to abuse their power. Admitting that painful truth is not a sign of weakness, a concession, an admission of guilt, or an anti-police sentiment. It is simply an act of empathy, a recognition of broken trust, an affirmation of humanity, and the value of the lives lost.

This situation is not “us” against “them.” Both things can be true. Both things are true. Police officers are tired. Black people are tired too. It's a tough time for police officers. It's a tough time to be black. Police officers and their families fear for their safety. Black people and their families fear for their safety. Police officers carry a heavy burden. So do black people who experience injustice and inequality everyday of their lives. Your answer to my pain and suffering should not be that you are suffering more. Your answer should be, “let’s end the suffering for both of us.” We all need support. Just as Police Chief DeSimone feels it will be bad for America if no one wants to be a cop, it will also be bad for America if cops continue dehumanizing and executing people with brown skin.

Police Chief DeSimone, you and your department have an incredible opportunity before you— an opportunity to gain more community support than you've ever dreamed possible by changing the course of history. Imagine a "Black Lives Matter" sign in the same yard as a "We Support the Sandy Springs Police" sign. Better yet, imagine there being no need for a sign at all. Imagine a world where police officers feel supported and people with brown skin feel trust and safety in the presence of police officers. Mayor Paul, City Council Members, Police Chief, and City Managers, here is my ask of you:

Action:

- Pass an anti-racism resolution denouncing structural, institutional, and individual racism, police brutality, and injustice
- Host bi-monthly meetings online (and in-person when possible) for residents, officers, and leaders to fellowship with one another; to foster connection, understanding, healing, and support
- Promote anti-racism and allyship resources on city websites and social media in order to educate and activate the community

Transparency:

- Share the demographics of the police department
- Share the actual number of sustained, not sustained, unfounded, and exonerated complaints against the police department
- Publish an annual report on Sandy Springs Police operations

These actions will cultivate trust, foster goodwill, and build the future we wish to see. Thank you for your public service.

A Sandy Springs Resident & Fellow Human Being, Brandy Huff

8. **Jennifer Barnes**, 115 High Point Walk, Sandy Springs GA 30342, stated speaking on behalf of Solidarity Sandy Springs Food Pantry originally housed at Under the Cork Tree in Sandy Springs Prado, and now proudly at home at 120 Northwoods Drive in Solidarity Plaza. We would like to thank you for the opportunity to present our application for the Sandy Springs Grant Funding. We have read the previous Committee notes and we do not disagree with the findings in principal. We do believe that while our youthfulness does not necessary play in our favor as an organization, we believe that locationally we are a COVID-related necessity. During this mission we have become so awed and humbly inspired by the work that the Community Assistance Center (CAC) is doing. We think it is important to note that we are an emergency solution for a population that does not have access to the CAC due to the COVID transportation regulations. That is the very reason we actually started. We are, our community inside the perimeter's primary source of food. In fact, it is our intention to eventually partner with the CAC as soon as we come up for air. Tamera is the reason that we have the space at 120 Northwoods Drive. So we are at the point in this journey now that without this grant, we are going to have to have a full-time fund raising effort. That, in itself is a full-time job. We have thus raised money so far through our website, [www.solidaritysandyssprings.com](http://www.solidaritysandyssprings.com), and our Facebook page. We are also very grateful to have been featured on all TV news outlets, including Fox Atlanta, WBV, CBS and WXIA. We have also been in print, thankfully to The Reporter and The Neighbor papers here in town. That has been our greatest source of fundraising and volunteerism. We have shown up to the outside world and to Georgia, as a rare, giving community of Sandy Springs who showed up in force during the most unstable and unprecedented times in our lives. We have a restaurant owner who handed over the keys to a group of volunteers who were not going to let their neighbors go hungry in their own backyard, on their watch. We are serving an under-served but deserving community. Makes for a great story. The truth of the lives we are changing is even greater. Now, we are here to ask for your help. As leaders and influencers to keep this important story alive to the community we need help raising money. We serve between 150-200 shoppers daily. We have served, thus far as of today, 5,164 shoppers. Our food costs run between \$2,000 and \$2,500 a day. We need \$50,000 to get to the start of the school year. So, if can't find it in your hearts and your wallets in the process. We are here to ask you to leverage your personal and collective city influence to help us raise \$50,000. Corporately, personally, friends, family, co-workers. We founded this mission that Sandy Springs is a really generous community and that people really do want to help. So we are just asking for your help and we have taken the liberty of bringing signs and collection bins because we need to help through donations financially and food.

9. **Aileen Nakamura**, 610 River Valley Rd, Sandy Springs GA 30328 (read into record):

Hello Mayor Paul and City Council Members, I hope everyone is well during difficult times. Yesterday I saw an article in the AJC that read 'Sandy Springs Redevelopment Survey Has a Twist to Engage Respondents.' I was curious to see what that was about, as I am very interested in the North End Redevelopment plans and it made it sound like an interesting survey. When I finally found the survey online, I was quite annoyed to find that instead of a survey it was a '*Welcome to the Virtual Pop-Up and Virtual Community Activities for Feedback.*' What on earth do these words mean? As someone who has designed many surveys for various groups, I have to say this survey is another failure. If you need 11 minutes for a how-to video, no one will take the survey. And, you almost need a degree in navigation in order to find your way through it. The cardinal rule for surveys is for it to be short and sweet and for users to be able to give their opinions without too much effort. While the intention was good, the execution was poor and likely expensive. I hope our City leaders will take some time to consider how you can still have virtual meetings with the public to inform us on what the plans are for the North End and engage us in discussions and gather feedback.

**Mayor Paul** closed the Public Comment period.

## **V. APPROVAL OF MEETING AGENDA**

**Motion and Vote:** Council Member DeJulio moved to approve the agenda for the Regular Meeting on Tuesday, June 16, 2020. Council Member Soteres seconded. The motion passed unanimously.

## **VI. CONSENT AGENDA**

**Motion and Vote:** Council Member Bauman moved that the consent agenda be approved for Tuesday, June 16, 2020. Council Member Reichel seconded. The motion carried unanimously.

## **VII. PUBLIC HEARING**

- A. 2020-147** Request for Mayor and City Council Consideration of RZ19-0006 (135 & 145 Cliftwood Drive) Request for a Zoning Map Amendment (Rezoning) of 135 & 145 Cliftwood Drive from CS-3 (City Springs, 3 Stories Maximum Height) to CS-6 (City Springs, 6 Stories Maximum Height)

**Alexandra Horst, Planner II, Community Development** presented the Planning Commission recommended approval of the rezoning on February 19, 2020, and staff recommendation of approval. The request is for a rezoning from CS-3 (City Spring, 3 Stories Maximum Height) to CS-6 (City Springs, 6 Stories Maximum Height). The lots are in the area of Cliftwood Drive and Sandy Springs Circle, located near other 1950's residential structures currently used for commercial purposes. The applicant requests a Zoning Map Amendment (Rezoning) of 135 & 145 Cliftwood Drive from the CS-3 (City Springs, 3 stories maximum height) to the CS-6 (City Springs, 6 stories maximum height) zoning classification. The proposed Zoning Map Amendment substantially conforms to The Next Ten Comprehensive Plan. The subject properties are in the City Springs Character Area, which is not proposed to change. The proposed Zoning Map Amendment does meet the challenge of changing conditions, trends, and facts. The entire City Springs district is experiencing redevelopment. The Next Ten prioritizes mixed use redevelopment of underutilized or aging properties in commercial centers and community nodes like City Springs. It also encourages higher densities in key nodes and new housing in mixed use areas. The proposed Zoning Map Amendment to CS-6 would better position the subject parcels in City Springs for dense redevelopment, as it would increase the potential floor area by as much as three stories. In addition, the proposed rezoning confirms with the Development Code. The Development Code is intended to encourage reinvestment and promote mixed use redevelopment. It is Staff's belief that the proposed Zoning Map amendment to CS-6 will increase the potential for redevelopment of the subject properties. Based on the rezoning considerations, the Planning Commission recommended approval and Staff recommends approval, without conditions, of Zoning Map Amendment RZ19-0006 from CS-3 to CS-6.

**Mayor Paul** opened the public hearing.

**Nathan (Pete) V. Hendricks, III**, 6085 Lake Forrest Drive, Suite 200, Sandy Springs GA 30328 – The application is for an intended 30 for-sale condominiums units. The structure in which it is proposed to be developed is concrete and steel as noted, it complies with the Development Code, as set forth in the Next Ten Comprehensive Plan and Development Code for Growth and Development, as noted by staff. As you go to the Standards and Criteria that are set forth, the zoning map amendment does not create an error, however, it does meet the challenges of changing conditions, trends and facts. This proposed Zoning Map Amendment substantially confirms with the Next Ten Comprehensive Plan. It also encourages higher densities and key nodes and new housing in mixed-use areas. Another goal of the Next Ten Plan is to increase housing simply and provide a range of housing choices, which is very important. In additional, the proposed Zoning Map Amendment confirms with the stated purpose and intent of the Development Code. The Development Code promotes housing options and that is to be noted; it is bringing

to the proposed location condominium use with a total of 30 units. This proposed Amendment will enforce the existing and planned character of the area. Subject properties are appropriate for uses in CS and are also appropriate for the property change to a district that allows for a maximum height of 6 stories, increasing vertical densities. There are no substantial reasons why the properties must remain developed with their 1950's residential structures and currently contain commercial uses. Then, very importantly, based on the vision of the City Springs outlined in the Next Ten Plan, there is a need for the proposed use at the proposed location. The applicant requests a Zoning Map Amendment, rezoning from CS-3 to CS-6 classification, which likely increase housing supply and choices as noted in the Next Ten Plan. It would then like to spill over to the comments that have been made in your Staff analysis. As you then look further, it is important to reiterate there is a need for the proposed use at the proposed location. That again is emphasized in your Staff review and report. As to the Sandy Springs Transportation engineer, trip generation analysis was submitted and was filed with the application. It is commented by the engineer that the proposed increase in traffic volume would likely have little impact on the surrounding roadway infrastructure. Critically important, Sandy Springs building official, both the existing residential structures on this block are 6 stories or more, so this proposal seems to be in keeping with those other developed residential structures that are within the same block. At this time, Gary Unell, who is the developer applicant is here to make some comment and then reserve the rest of our time for rebuttal.

**Gary Unell**, 195 Chaseland Road, Sandy Springs, GA 30328, stated they worked with the Council of Neighborhoods, Ronda Smith, who has no opposition to this rezoning. We have had many positive comments from residents in support of the petition. I would like to say that without any marketing efforts, we have 16 reservations, most all from the city of Sandy Springs, in need for upper end, single level condominiums with proposed amenities of workout area, plunge pool, and activity room. It is not simply available in Sandy Springs and there is a huge demand. The proposed purchasers, most who live in Sandy Springs, do not want to move to Buckhead, Roswell or Alpharetta; they want to remain citizens of Sandy Springs. The proposed building would be the first residential steel and concrete building under the new Development Code of Sandy Springs. None of the apartments that have been built in the last few years met the new code, even though they were finished in the 2019 period. None met the Development Code that we would be under. Sterling Place, behind this to our south, is a 6-8 stories senior living community, and the newer 6-story Cliftwood Apartments is to our southeast. We would appreciate your vote and these are reasons we think it would be easy to vote in favor of this. Asked to hold his remaining time for rebuttal if necessary.

**Todd Henningsen**, 5855 Sandy Springs Circle, Suite 300, Sandy Springs GA 30328 (read into the record):

I am the president of Big Sandy Condominium Association located at 5855 Sandy Springs Circle. We are next door neighbors with the proposed re-zoning of 135 & 145 Cliftwood Drive. As President of the Association, I represent over 12 business owners/tenants who maintain their offices in Sandy Springs. To be quite frank, we are very concerned that this meeting is intended to be an in person, public meeting, but is now only open to the public via live streaming on the internet. We believe this raises fundamental concerns about the propriety of this meeting as we would very much like the opportunity to state our opposition in person - as it was intended. Sandy Springs New Development Code was implemented in September 2017 and amended effective May 2018. This plan was designed to accommodate new development over the next 10 years (the Next 10 Plan). The implementation of this plan was done as a result of taxpayer funding to study, create and implement a plan that is in keeping with the nature and character of the City Springs area. As a result of this study, the Cliftwood parcels at issue were designated to be a CS-3 (limited to 3 stories) in keeping with the Character Area Map. Thus, the City has already decided that the area of this development should be limited to 3 stories in keeping with the character of the area. What is now being proposed is a rezoning to a 6 story structure with a parking deck (effectively 7 stories) in a location that was never intended to have such a large building. We are aware that the Cliftwood behind our building is a 6 story structure; however, that complex was built prior to the adoption of the Master Plan and there were many concessions made to allow for that construction.

If the current rezoning application is approved, there will be a 7-level, six story monolith in an area that is designated to be a "buffer" between Roswell Road and the residential area of Lake Forrest. We oppose approval of this variance, as it does not meet the vision and character of the well thought out Master Plan. Approval of this rezoning sets a precedent that the City's plan can simply be altered one parcel at a time. This hurts investment in Sandy Springs as investors need to have stability and certainty of what is going to be built around them. Granting variances such as this creates uncertainty in the real estate market and threatens investment in the City Springs area. Furthermore, not only is a rezoning being requested, the Developers have also asked for a variance from the setback requirement for the three upper floors. Yet, again, this is not in keeping with the character and vision that the Master Plan outlines. We also have great concerns about the development's effect on the surrounding natural ecology in the neighborhood.

Many old growth pines will have to be eliminated to make way for this construction. We hope the Council will be mindful of the impact that this development will have on these protected trees. We want to express that we are not trying to stop the development of these two parcels. We believe the developers do quality work and construction. We are simply requesting that the City abide by its already well thought out Development Code and maintain the integrity and character of the neighborhood in keeping the height of this proposed development to three stories, instead of the seven level, six story building that is currently being proposed.

Lastly, we understand that there is another project that is being proposed on or near 5825 Sandy Springs Circle, and it is our understanding that this project is going to abide by the already created City Springs zoning of CS-3. We are supportive of this project and welcome this development with the understanding that they will be in compliance with the well thought out and studied Master Plan for development in our area. Again, we hope that the council will abide by it already predetermined and vetted Master Plan and prohibit the rezoning.

**Nathan Hendricks**, in rebuttal, asked if the opposition was stemming from the property at 5855 Sandy Springs Circle. It is interesting that that property was rezoned originally in 2000 by what was then Fulton County Board of Commissioners. Associated with the rezoning request were also three concurrent variances that went with that; the reduction of the 50' buffer and 10' improvement setback to a 10' landscape strip; reduction of the minimum front yard setback from 40' to 10; reduced the 25' side yard buffer and 10' improvement setback to a 10' landscape strip along the south property line. So I think it is important to note that the squeeze was put on that particular piece of property, from which the main opposition comments was forthcoming. In addition, I can also speak to the fact that I was responsible for the rezoning of 90% of the corridor from I-285 all the way up to Spalding. At that point in time, the challenge that we had was, you have a live / work regional node; this property was in a live / work regional node. There was no limitation on the building height at that point in time. They chose to build 3 levels of office building, with one structured level of parking beneath that. In addition to that, there was consideration that had to be given to the FAA through all those zonings up and down SR400 to be certain that you were not volative of FAA constraints and limitations because there was no building height limitation. A lot of that stuff was zoned at 70,000 to 80,000 square feet to the acre; with building heights that went upwards of 40 and 50 stories. This particular piece of property, was similarly under the comprehensive plan at that point in time – live / work regional.

**Gary Unell**, continuing rebuttal, stated the building that is in question is an office building, 3 stories above covered parking. Their building is approximately 200' from our common property line, and our building will be setback approximately 30' from that rear line. They are in a 3-story building, and they are complaining about a view, and that's the only complaint and only real opposition, I think we've had. I did meet with them personally on numerous occasions. This is the best use for our property. The development will have very stable residents that would support existing restaurants, retail stores in the area.

**Mayor Paul** closed the public hearing.

**Motion and second:** Council Member Burnett moved for approval of Item No. 2020-147, RZ19-0006 (135 & 145 Cliftwood Drive), a Zoning Map Amendment (Rezoning) of 135 & 145 Cliftwood Drive from CS-3 (City Springs, 3 Stories Maximum Height) to CS-6 (City Springs, 6 Stories Maximum Height), limiting it to a maximum of 36 residential condominiums units that could be constructed within a 6-story building that is generally consistent with the Conceptual Drawing that have been provided to the City by the applicants. Council Member Reichel seconded.

**Council Member Burnett** stated that he knew when the Codes were rewritten a few years ago, we had wanted to avoid conditional zonings, if possible, so we could create a clear path for staff and for developers. This case, because of concerns with density, is justified. We do have high-density, multi-family directly to the south of this property; directly to the west, there is a neighborhood of single-family and attached townhomes, over 80 homes. Directly to the northwest of this property is the Lake Forrest Elementary School. I feel this is a transitional area where housing of this type is very appropriate. I do want to limit the density because, the way our codes are written with the by-right zoning, with a 6-story limitation or 6-story maximum, without a conditional number of units that are in there. I sincerely believe the developers want to move forward this 30-unit development that they've proposed. But, plans change. Property owners change, and it may be that if they are unsuccessful in executing this and someone else who owns this property, and we don't have some control over the density in terms of the number of units there, then that could precipitate an apartment project, an office building, or something like that which could measurably change the density that we approve. So, for those reasons, putting a density limitation of up to 36-units, understanding that plans change, especially with the cost of concrete and steel today, is a reasonable request. If they wish to vary from that, they can always come back to the City and make that request.

**Council Member DeJulio** stated one of the reasons we incorporated was because Fulton County was dumping so much zoning on Sandy Springs. We've just spent several hundred thousand dollars and several years coming up with this Next Ten Plan. I would like to know what has changed in the last two years, where the Planning Department, which was in favor of the Next Ten Plan and sticking to the Plan, is now in favor of changing the plan. When I spoke to the developer, he told me he was moving into this property himself. We have gone on record that we are looking for work force housing in Sandy Springs; we have a problem where people cannot afford to live in Sandy Springs, and yet this developer wants to come out and build \$900K condominiums. That doesn't sound like workforce housing to me. So, we came up with a plan, and the idea of the plan was not to change the plan. The developer is interested in making his profit on this property and he's not interested in workforce housing. This is slightly under an acre, I think this should absolutely be denied.

**Council Member Bauman** asked is there a limit to the density at 3-stories? I'm not a fan, necessarily, of what Council Member Burnett is proposing. We went through this whole process, and now, conditions again. There is an argument in some ways to Council Member DeJulio's point, that you would do more density, which would allow for more housing affordability within the project; but that is not what we have presented. The argument about concrete and steel has nothing to do, while appreciated, with this zoning and with our decision. That this is mandated by a development code that is not a condition of the zoning. That happens to be what the development code is right now. If you go to a 6-story building, it must be concrete and steel. And, under the current zoning at 3-stories, it would be stick-frame. So, there's merit all the way around. It is an area potentially that some density is actually warranted, because this is the City Center area. I'd rather see more density on less land than less density on more land. There are different issues with housing affordability, which is significant. There are also issues in Sandy Springs of housing choice.

**Assistant City Manager Jim Tolbert** stated there is no density set in the code, no matter how many stories it is. The density would be determined by how big it is, with setbacks and parking requirements. Council Member Bauman, as to a stick-frame building, assuming they didn't exceed 100,000 square feet.

**Council Member Burnett** stated we have a shortage of high quality housing for older families. Folks that are rolling out of a 5,000 square foot house and maybe they have a mountain home or lake home, they want to have a

'lock and leave' sort of property. They want security; gated parking; and, they want to live candidly with residents of similar age. I feel like that there is not a lot of product like that in Sandy Springs. If this were a large number of units like this in this price point, I think that could be a difficult project, especially at this time. I will be the first to tell you that this is not affordable housing. The question is, where do you put affordable housing?

**Council Member Bauman** stated there is a whole discussion about inclusive zoning and at more density. I do like the fact that we are 'boot strapping' quality; it is a good thing by the Development Code. But, we are not out of the good grace of the applicant are we boot strapping it; it is out of the Development Code.

**Vote on the motion:** The motion passed by majority vote, 5 (Council Members Paulson, Soteres, Burnett, Reichel, Bauman) to 1 (Council Member DeJulio).

## **ORDINANCE NO. 2020-06-12**

- B. 2020-148** Request for Mayor and City Council Consideration of BU19-0001 (255 Amberidge) Request for a Granting of Relief via a Beneficial Use Determination and in Particular to Amend the Official Zoning Map to Rezone a Portion of the Property from RD-27 to RD-18 per Sec. 11.6.4.E.1.b.

**Matthew Anspach, Senior Planner, Community Development** presented the Beneficial Use Determination 19-0001 at 255 Amberidge Trail. The Planning Commission recommended approval in February, 2020 and Staff recommends approval. The property was originally zoned R-3 before the citywide rezoning in 2017; the equivalent of which is now RD-18. Rather than RD-18, the property was given a zoning category of RD-27, (27,000 square foot size minimum). If the lot were RD-18, the applicant would be able to subdivide into two (2) lots "by right" without requesting any form of relief but cannot because subdividing makes the lot no longer able to meet the minimum lots size requirements to be subdivided, as it would be approximately 1500 square feet short. The applicant sees these circumstances as being the cause for diminution of value of the property. The form of relief is through a rezoning of the property's southern portion from RD-27 to RD-18; an option prescribed in 11.64 of the Development Code, which is Options for Relief. In the aerial image, he pointed out that the property to the right is more undeveloped land; the land next to it is currently RD-18, so the subdivision that is being developed currently is also on an RD-18 lot. It should be noted that the surrounding lots, seen on the Zoning Map, are all different sizes of residential detached or RD, consisting of anywhere from 27 to all the way down to 9,000 square foot lots. The Character Area is also the same throughout with Protected Neighborhood. The Site Plan shows the plat, the northern portion being RD-27; the southern being RD-18; the original shown as R-3. With that Staff reiterates their support for the approval of BU19-0001, subject to the following conditions: 1. To the "*Concept Plan for 255 Amberidge Trail Lot 6, Tract A, Unit One Amberglades*," prepared by Site Works Surveys & Planning, signed and sealed by Ronald E. Gudger, Land Surveyor, dated November 19, 2019, received November 19, 2019; 2. The lot shall be replatted within 180 days of this resolution per the Legal Description provided in the application received by Staff on November 19, 2019; and 3. To the legal description for 255 Amberidge Trail Lot 6-a, received November 29, 2019.

**Mayor Paul** opened the public hearing.

**Ed Levin**, 785 Wesley Oak Road, Sandy Springs GA 30328, stated that this was originally zoned R-3, then there was a citywide rezoning in 2017, it was designated RD-27, which made it approximately 1500 square feet short of being two (2) 27,000 square foot lots. Working with the planning staff, came up with this Beneficial Use, which he thinks he's the first under Beneficial Use, and the last, because it ended up being a zoning. It started off being that I wouldn't have to go through all this; then it ended up I had to go through it all. Just asking to get the one lot on the corner being reduced by 1500 square feet, go back when it was R-3 until 2017.

**Mayor Paul** closed the public hearing.

**Motion and Vote:** Council Member Burnett moved for approval of Item No. 2020-148, BU19-0001 (255 Amberidge Trail), Granting of Relief via a Beneficial Use Determination and in Particular to Amend the Official Zoning Map to Rezone a Portion of the Property from RD-27 to RD-18 per Sec. 11.6.4.E.1.b. Council Member Soteres seconded. The motion carried unanimously.

#### **ORDINANCE NO. 2020-06-13**

##### **C. 2020-149** Request for Approval of River Corridor Certificate, RC-20-01SS (6030 Black Water Trail)

**Madalyn Smith, Planner, Community Development** presented that 6030 Black Water Trail. The owner of this property is proposing a simple expansion of an existing deck. The proposed improvement would add approximately 294 square feet of impervious surface. No other changes are going to be made to the property and it does not require additional clearing either. Approval of River Corridor Certificate RC-20-01SS was found consistent with the Metropolitan River Protection Act. The Atlanta Regional Commission (ARC) found this proposal to be consistent with said Act. For this reason, Staff recommends approval of this agenda item.

**Mayor Paul** opened the public hearing.  
There were no public comment cards received.

**Mayor Paul** closed the public hearing.

**Motion and Vote:** Council Member Burnett moved for approval of Item No. 2020-149, Request for Approval of River Corridor Certificate, RC-20-01SS (6030 Black Water Trail). Council Member Reichel seconded. The motion carried unanimously.

##### **D. 2020-150** Request for Approval of River Corridor Certificate, RC-20-02SS (2125 Clay Drive)

**Madalyn Smith, Planner, Community Development** presented that the owner of the property, 2125 Clay Drive, proposes the construction of a new single family home. This single family home will replace an existing single-family home on that property. The new home will occupy a larger amount of land, but it still falls well below the maximum allowed impervious and grading limits. Approval of River Corridor Certificate RC-20-02SS was found consistent with the Metropolitan River Protection Act. The Atlanta Regional Commission (ARC) found this proposal to be consistent with said Act. For this reason, Staff recommends approval of this agenda item.

**Mayor Paul** opened the public hearing.  
There were no public comment cards received.

**Mayor Paul** closed the public hearing.

**Motion and Vote:** Council Member Paulson moved for approval of Item No. 2020-150, River Corridor Certificate, RC-20-02SS (2125 Clay Drive). Council Member Soteres seconded. The motion carried unanimously.

##### **E. 2020-151** ABL\_ 68369 - Approval of Alcoholic Beverage License Application for Flying Horse Concepts, LLC DBA Thomas O'Reilly's Public House at 227 Sandy Springs Place. Suite 416, Sandy Springs, GA 30328. Applicant is Frederick Elmgren for Consumption on the Premises Wine, Malt Beverages and Distilled Spirits

**Karen Ellis, Chief Financial Officer** presented this is a new application for consumption on the premises wine, malt beverage and distilled spirits license. Business is located at the intersection of Sandy Springs Circle and Sandy Springs Place NE (City Springs Plaza); District 3. Applicant submitted a completed application on February 20, 2020. Applicant has passed the background investigation. Staff recommends approval.

**Mayor Paul** opened the public hearing.

There were no public comment cards received.

**Mayor Paul** closed the public hearing.

**Motion and Vote:** Council Member Burnett moved for approval of Item No. 2020-151, ABL\_68369 - Approval of Alcoholic Beverage License Application for Flying Horse Concepts, LLC DBA Thomas O'Reilly's Public House at 227 Sandy Springs Place, Suite 416 (City Springs Plaza), Sandy Springs, GA 30328. Applicant is Frederick Elmgren for Consumption on the Premises Wine, Malt Beverages and Distilled Spirits. Council Member Reichel seconded. The motion carried unanimously.

- F. 2020-152** ABL\_68280 - Approval of Alcoholic Beverage License Application for SnoozeTown LLC DBA Snooze, an A.M. Eatery at 4600 Roswell Road, Suite G – 100, Sandy Springs, GA 30342. Applicant is Timothy Creedon on behalf of SnoozeTown LLC for Consumption on the Premises Wine, Malt Beverages, and Distilled Spirits.

**Chief Financial Officer Ellis** presented this is a new application for consumption on the premises wine, malt beverage and distilled spirits license. Business is located between Mystic Place NE and West Wieuca Road NE; District 6. Applicant submitted a completed application on March 11, 2020. Applicant has passed the background investigation. Staff recommends approval.

**Mayor Paul** opened the public hearing.

There were no public comment cards received.

**Mayor Paul** closed the public hearing.

**Motion and Vote:** Council Member Bauman moved for approval of Item No. 2020-152, ABL\_68280 - Approval of Alcoholic Beverage License Application for SnoozeTown LLC DBA Snooze, an A.M. Eatery at 4600 Roswell Road, Suite G – 100, Sandy Springs, GA 30342. Applicant is Timothy Creedon on behalf of SnoozeTown LLC for Consumption on the Premises Wine, Malt Beverages, and Distilled Spirits. Council Member Reichel seconded. The motion carried unanimously.

- G. 2020-153** Second Public Hearing on FY2021 Budget and Discussion

**Andrea Surratt, City Manager** presented the FY2021 Budget for the City of Sandy Springs. The proposed FY2021 Budget was prepared based on established priorities developed at the annual retreat and from budget workshops held with City Council in May 2020. The proposed budgets for all Operating, Capital and Special Revenue Funds total \$489,879,027. This total amount is 11% less than the adopted FY2020 Budget due to the economic impact of COVID-19 on Sales and Use Tax Revenues. We are already seeing the effects of the slowdown in the economy. Specifically, in anticipation of potential lower revenues, the General Fund has been reduced by 21%; Hotel / Motel Tax by 51%; and TSPLOST funding by 47%. As noted in the budget workshops, staff will give Council a specific update each month on the revenues affected by the economic downturn and may bring budget amendments forward later in the year as conditions change. Public hearings are scheduled to gain citizen input and

enable all members of City Council to better understand the needs of the entire community prior to budget adoption. The budget can be revised during the public hearings by City Council and the final budget is scheduled to be adopted by City Council after this public hearing.

**Mayor Paul** opened the public hearing.

**Kaitlin Brinkley**, 5694 Kingsport Drive, Sandy Springs GA 30342 (read into the record):

I'd like to urge the council to reconsider allowing a high budget for unspecified funds and instead redirect these into the funds that have experienced a reduction due to COVID-19, or operational emergency funds. I believe that continuing to support community programs, enhancements of parks & public spaces, road and sidewalk improvements, pedestrian & traffic safety and other quality-of-life initiatives should be a much higher priority than designating critical funds for a yet-to-be-determined public safety project that could enable expanded police presence and arrests, especially during a year of economic hardships.

**Mayor Paul** closed the public hearing.

**Motion and second:** Council Member Paulson moved for adoption of Item No. 2020-153, FY2021 Budget. Council Member DeJulio seconded.

**Council Member Paulson** said we never had this much unknown activity and potential negative impacts in previous budgets. We typically do a mid-year review in December or January. This was a hard budget to come away with.

**Council Member DeJulio** stated a lot of people are concerned about what this pandemic is doing to our economy. We have taken an extremely, extremely conservative approach to this budget. We do look at these numbers and we do ask for justifications to ensure these things actually attainable and are in the best interest of the City. The job of this Council is to make sure that the projects that are approved and the funding that is approved is for the City's benefit as a whole. Fortunately, we have been very conservative in the past so we do have some funds from the past to cushion us a little bit here and I think, with patience and faith and a lot of work on the part of our staff, City Manager, and Chief Financial Officer, we are going to get through this.

**Council Member Bauman** said one of the most important hats as a council member is being stewards of taxpayer money. When we come back for the budget amendments, these are also public hearings?

**City Manager Surratt** replied yes.

**Mayor Paul** stated the economy is showing signs of recovering. We are going to watch for several months to see where the trends go. We are going to be very prudent, very careful, and very conservative. Then we can begin to fund some of the things that we have deferred; particularly, Capital projects, which are very important to our community. He commented that he felt like the staff and City Manager have done an excellent job of putting us in a good financial position, given the conditions and the vast unknowns that we're facing. We will continue to bring things back as we get more trends and more data to assist us in making better decisions.

**Vote on the motion:** The motion carried unanimously.

**ORDINANCE NO. 2020-06-15**

**VIII. NEW BUSINESS**

**A. 2020-154** Request for Mayor and City Council Consideration of Bridge Maintenance and Repair Design Support Contract Award

**Marty Martin, Public Works Director** stated staff recommends that the Mayor and City Council approve a contract with AECOM Technical Services, Inc. for the bridge maintenance and repair design support. The following bids were received: AECOM - \$132,000; WSP \$164,750; Pond \$275,960; Kimley Horn – No Bid; and, HNTB – No Bid. AECOM Technical Services was the lowest, more responsible quote at a total price of \$132,000 to perform the bridge maintenance and repair design services, produce construction documents, and provide some on-construction support as well. The staff estimate for the design of this project was \$100,000. Adequate funds are to be budgeted and allocated for these services in a new capital fund for FY2021.

**Motion and Vote:** Council Member Reichel moved for adoption of Item No. 2020-154, Bridge Maintenance and Repair Design Support Contract Award to AECOM Technical Services in the amount of \$132,000. Council Member Paulson seconded. The motion carried unanimously.

**RESOLUTION NO. 2020-06-67**

**B. 2020-155** Request for Mayor and City Council Consideration of Approval of a Memorandum of Understanding with Georgia Department of Transportation for the SR400 Express Lane Bridges Enhancements Features for Spalding Drive, Pitts Road, and Roberts Drive

**Public Works Director Martin**, presented a recommendation to approve a Memorandum of Understanding (MOU) for the SR400 Express Lane Bridges Enhancements Features for Spalding Drive, Pitts Road and Roberts Drive as a part of the GA 400 Managed Lanes project with the Georgia Department of Transportation (GDOT). In the case of the GA 400 Managed Lanes project, which extends down to the North Springs MARTA Station on GA 400 in the City of Sandy Springs, four overpasses or bridges will be reconstructed as a part of that project. In January 2019 staff first looked at the concept report for the GA 400 Managed Lanes project. At the time staff provided concerns and recommendations to GDOT, advising that local, City standards for our local streets be considered when these bridges and overpasses are replaced. In September 2019 GDOT met with the staff to further clarify what those local standards were and proposed a way ahead, in terms of dealing with the City desired standards compared to GDOT's typical standard for a bridge replacement. In October 2019 GDOT responded to the City, with an initial cost estimate for our primary standard of \$2.5M to \$5M, in the case of Spalding Drive, for the enhancements the City desired to provide primarily bicycle and pedestrian connectivity, plus aesthetic features. In December 2019 / January 2020, the City hired Atkins to explore the development of our standards with the GDOT team and explore how we might integrate those in the most cost effective way. From January 2020 through March 2020, a staff team worked with Atkins and with coordination with GDOT to develop proposed recommended standards to upgrade and enhance the bridges. GDOT reviewed those standards, based on our requested enhancements, and those estimates now total approximately \$5.5M, as a part of the enhancements pursued by the City. With the Spalding Drive Bridge, the longest and largest of the overpasses being reconstructed, you will note it is immediately adjacent to some of the most impacted neighborhoods in Sandy Springs as a result of the GA 400 Reconstruction with Managed Lanes. Of significant interest is pedestrian connectivity and providing a nucleus for future improvements into the neighborhoods that would be impacted by the roadway reconstruction. You'll notice a side path; pedestrians scale lighting and buffering between traffic and pedestrians and bicycles; and an on-bridge bike lane. For the Pitts Road Bridge, the City took action several months ago with GDOT to recommend Pitts Road Bridge be constructed in place, with the City acquiescence to suffering a temporary bridge closure while the bridge was constructed in place to avoid the possibility of relocations at this location. Along with that, there is still a need for significant pedestrian and bicycle connectivity in support of our Trails Plans, plus connecting the neighborhoods. Roberts Bridge to the North End of the City connects residential areas with a highly desirable access to the National Park Service lands immediately to the east of GA400. The enhancements requested by the City are a 12' multi use path for pedestrian / bike use and a 5' sidewalk on the other side, buffered from traffic, along with pedestrian scale lighting. We also purpose some aesthetics, that we believe based on City Springs design and other efforts afoot,

the City would be interested pursuing along with the bridge enhancements and a part of the recommendation tonight within this MOU. There is decorative pedestrian scale lighting and form liner aesthetic finishes on the concrete bridge structure to mimic stone, as well as decorative railings and overhands. One important element of the bridge overpass enhancements is the image from the roadway, in this case being SR400. Next Steps are tonight, asking for concurrence with entering into an MOU with GDOT that demonstrates a commitment level for the \$5.5M required for the bridge enhancements in total; understanding that those are estimates at this point. Prior to February 2021, we would be asked by GDOT to enter into an Intergovernmental Agreement (IGA); between now and then we would like to finalize with you all, and everyone else, the final elements we would like to include in these bridge enhancements. Maybe there are some more signature elements, as I have heard from the GA 400 level perspective with the roadway to finalize the details with GDOT, as well as provide the basic design level documents that we would provide to the design building team that GDOT would administer. Funding is anticipated to be required by early 2022, possible a bit earlier, in support of these bridge enhancements as a part of this schedule for the design build program for GA400 Managed Lanes project. Construction Notice to Proceed is anticipated per GDOT's current schedule on or about July 2022. We are asking for a commitment to GDOT so that we can advance our pursuit of bridge enhancements to include much needed pedestrian and bike improvements on the bridge, as well as the 'signature' improvements that the City may want to pursue with these enhancements as GDOT develops / reconstructs these bridges and overpasses with Next Steps in front of us beyond this MOU.

**Motion and second:** Council Member Paulson moved for approval of Item No. 2020-155, a Memorandum of Understanding with Georgia Department of Transportation for the SR400 Express Lane Bridges Enhancements Features for Spalding Drive, Pitts Road, and Roberts Drive. Council Member Soteres seconded the motion.

**Council Member Paulson** asked have there been any discussions regarding adjustments to these projects because of the reduction of traffic. This is a good use of our funds as the bridges will be more accessible for our people.

**Public Works Director Martin** replied that at current, GDOT is not changing the plans.

**Vote:** The motion carried unanimously.

#### **RESOLUTION NO. 2020-06-68**

- C. 2020-156** Request for Mayor and City Council Consideration of a Resolution to Approve Firms to Perform On-Call Landscape Design Services

**Mike Perry, Director of Recreation and Parks** stated the City utilizes a network of on-call landscape and architectural design firms, which is a practice we have had since Council approved those types of contract several years ago. Those contracts will soon expire. Staff initiated a Request for Qualifications process to select on-call contractors for landscape design services as needed for parks and other landscape needs. The City received 11 responses to this RFQ (#20-051). A selection team was established, comprised of the Director of Recreation and Parks, Deputy Director Steve Ciaccio, Landscape Manager Michael Barnett and Sustainability Manager Cather Mercier-Baggett. Team Members reviewed and graded the proposals individually. Then as a group the team selected the top five firms, which include Atkins North America; Breedlove Land Planning; Foresite Group; Lose & Associates; and, Pond & Company. When the City has projects, staff will identify a group of three or four of these who we think are the most qualified or suitable for the project, and we will get quotes from them. Projects will be awarded to the most competitive firm. Anything over \$100,000 in services will come back to Mayor and City Council for your approval.

**Motion:** Council Member Reichel moved for approval of Item No. 2020-156, a Resolution to Approve Firms to Perform On-Call Landscape Design Services. Council Member Paulson seconded.

**Council Member DeJulio** asked are we just identifying the five firms that we are going to allow to bid on these projects. This is not approving them for any work today and there is consideration at this time?

**Mayor Paul** replied that is correct.

**Vote on the motion:** The motion carried unanimously.

#### **RESOLUTION NO. 2020-06-69**

**D. 2020-157** Request for Mayor and City Council Consideration of an Ordinance to Authorize Amending the 2020 Budget for Increased Funding for the Acceptance of a Grant from Department of Justice

**Norman Vik, Sandy Springs Police Department, Captain** stated the City was awarded a grant from the U.S. Department of Justice of approximately \$36,000. The grant is for COVID Relief Emergency money and the items that we are planning on using this funding for will to help us keep our officers safe and the public safe that come to visit our department. We plan to purchase approximately five (5) electronic sprayers that will spray chemical disinfectant around the Police Department and also the chemicals for those sprayers. The plan is to have one unit for each of our buildings and then one for vehicles also. We are also looking at purchasing Personal Protective Equipment for the officers and our civilian staff, which would consist of respirators that are reusable; that we can replace the filters as needed; but, we also see the need for the officers can carry on their persons. We will also plan to purchase the small particle masks that we hand out regularly; more gloves; hand sanitizer; and, other items to help our officers and civilian staff and the public with which they come into contact safe.

**Council Member Bauman** stated, as a matter of parliamentary inquiry, if this is a budget amendment, does this need to be a public hearing or can it be done this way?

**Mayor Paul** stated the Chair will rule that the budget amendment is not necessary and we are simply accepting a grant for the purposes outlined by Captain Vik.

**Motion and Vote:** Council Member Bauman moved to accept a grant award from the U.S. Department of Justice, Office of Justice Program, Bureau of Justice Assistance. Council Member DeJulio seconded. The motion carried unanimously.

**E. 2020-158** Request for Mayor and City Council Consideration of Community Development Program CDBG-CV Funding Proposal Awards

**Jim Tolbert, Assistant City Manager** stated the City received a Community Development Block Grant (CDBG) - Coronavirus award COVID Relief in the amount of \$384,260. On May 10, 2020, the Council awarded \$100,000 to the Community Action Center (CAC). As instructed, put out a Request for Proposal (RFP) inviting area non-profits providing COVID relief services to apply for the balance of the grant funds. The RFP was released on May 26 and closed it on June 8, 2020. We received five proposals: CAC for housing and food to low-income individuals; Los Niño's Primero's to extend their Saturday school sessions that are offered to Latino youth; Sandy Springs Mission for enhanced childcare to assist families going back to work; Sandy Springs Charter Middle School for assistance with a food bank; and, Solidarity Sandy Springs, also for assistance for a local food bank. After reviewing the proposals, staff recommends award be provided to: (1) **CAC** in the amount of \$219,260.00; (2) **Los Niño's Primero** in the amount of \$40,000; and (3) **Sandy Springs Mission** for \$25,000. Staff does not recommending funding for the two (2) food banks, primarily because they are really new in providing this service. HUD funding is very complicated. One of the qualifications of the RFP was for an agency that had been in place for over three years; to know that we had established agencies. While Sandy Springs Charter Middle School has been around for more than three years, they have not been doing this service for that long. This is also the case with

Solidarity Sandy Springs. We appreciate their great work but do not feel the CDBG dollars were the appropriate thing for them. When you approve funding for whomever, we will call-in the recipients before we sign the contract and make sure they understand the rules. This is a reimbursement program. We will not disburse any funds until they submit the documentation that they have expended doing the things we intend for them to do, as outlined, and, are serving Sandy Springs residents only.

**Mayor Paul** stated it is appreciated the way the staff structured the disbursements, ensuring that the non-profits meet the CDBG requirements. Solidarity Food Bank does a phenomenal job, but they have their hands full doing what they are doing. Trying to keep up with all the paperwork requirements and everything else that is required in this situation would add an enormous burden. This is probably the wrong source of funds to help those kinds of programs. Maybe we can look elsewhere to help.

**Motion and second:** Council Member Soteres moved for approve Item No. 2020-158, Community Development Program CDBG-CV Funding Proposal Awards. Council Member Burnett seconded.

**Council Member Burnett** asked if the three year requirement is a federal requirement or one established by the City.

**Assistant City Manager Tolbert** stated this is something the City required, as staff believed it would a guideline to make sure there was some stability history that we could count on them being here, hopefully in a few more years when HUD auditors came.

**Mayor Paul** stated CDBG funds are closely monitored and frequently audited. We need to be very prudent with these awards.

**Council Member DeJulio** said this emphasizes the responsibility that we have to help those in need in our City. We need to look at what we have in the budget to see where we might be able to assist.

**Vote on the motion:** The motion passed unanimously.

#### **RESOLUTION NO. 2020-06-71**

- F. 2020-159** Request for Mayor and City Council Consideration of a Resolution Supporting  
and Encouraging the Georgia General Assembly to Enact Statewide Legislation  
Making It Clear That Georgians Will Not Tolerate Hate or Bias-Motivated  
Violence

**Mayor Rusty Paul** stated thanks to Mr. Bauman, and all the rest of Council, the City of Sandy Springs passed one of the first hate crimes ordinances in the state. The State of Georgia is one of four states that has not yet passed a hate crimes bill. When the Georgia legislature broke in March, the bill was languishing in the Senate Judiciary Committee. The events of the last several weeks have changed the dynamics. The Governor is in support of this, as is the Lieutenant Governor. The Georgia Chamber of Commerce has added its voice and so have the Metro Atlanta Chamber of Commerce has added its voice. Seventy of the largest employers in this state have added their voice, all saying it is time that we pass this bill. The resolution before you is adding your voice to the call to pass legislation that creates additional penalties for people who target people just because of who they are. If ever we are going to do this, now is the time to do it. It is years late, but better late than never. Can I have a motion to approve the resolution, and to add our voice to the other Georgians and those out in the street who have been demanding that we bring justice and clarity to how we treat each other in this state.

**Motion and second:** Council Member Reichel made a motion to approve Item No. 2020-159, a Resolution Supporting and Encouraging the Georgia General Assembly to Enact Statewide Legislation Making It Clear That Georgians Will Not Tolerate Hate or Bias-Motivated Violence. Council Member DeJulio moved to approve the motion by acclamation, to allow, without objection, every other member of the Council to be added as a second.

**Council Member Burnett** said growing up in Sandy Springs, he very trying times in the 60's and 70's, but Atlanta had a motto in the 60's and 70's, "The City too busy to hate." Because of a very forward thinking leadership in our community and Atlanta, Maynard Jackson was elected our first African American mayor. We set a precedent that separated us from so many of the other cities in the southeast. It left cities like Birmingham, Alabama and others in the dust because we were forward thinking on race relations, just as we were forward thinking on transportation and communications. It is embarrassing to be one of only four states that has not stepped up to do this.

**Council Member Bauman** thanked the Mayor, as well as Council Member Reichel, for the leadership going way back on this. We should acknowledge Wendell Willard's role in this. We've had off-the-cuff riffing and discussion about this; going back to the formation of the bill, the ordinance that we passed a year ago. This group had a lot of discussion, we did it unanimously, and there was thoughtful discussion, because hate crime bills are sort of hard to understand at first. They are not thought crimes; they are actually a separate crime. You have the crime against the intended victim; then, you have the crime against the community. It is a real source of pride that this community pretty first-in-state to do this, as a municipal ordinance. A lot of good law starts locally and attitudes are harder to change than policies.

**Vote on the motion:** The motion passed unanimously.

#### **RESOLUTION NO. 2020-06-72**

**G. 2020-159** Request for Mayor and City Council Consideration of a Resolution to Support Coordination with the City of Atlanta to Rename Lake Forrest Drive and Forrest Lake Drive, Located within the Territorial Boundaries of the City of Sandy Springs and the City of Atlanta

**Mayor Rusty Paul** asked City Attorney, does presented resolution would begin the street renaming process?

**City Attorney Dan Lee** stated yes, bringing this resolution before the body tonight begins the process of renaming the street.

**Mayor Rusty Paul** though there is a lot of anecdotal evidence, as we have gone to a number of different sources, but knowing how Southern history has manifested itself across this region, through the decades, for 150 years, there is virtually no doubt about the origin of the name Forrest when it comes to Lake Forrest Drive. The most likely explanation for this is that it was named for Nathan Bedford Forrest. Nathan Bedford Forrest, like all people, is not all evil. He did some horrible things during the Civil War. After the war he became the first Grand Dragon of the Ku Klux Klan. Later in life he converted to Christianity and he did give a speech in favor of racial harmony. I am not for erasing history, for tearing down every monument, or renaming everything that was named through the years. We can never make amends for some of the things that have happened in our history, but we can begin doing things to make amends in small but meaningful ways. It is very important that we send a message to our community that these things matter to us as a body. I am asking that we pass a resolution that will start a process for these two roads. I have reached out to the mayor of Atlanta and the City Attorney has reached out to the City of Atlanta Legal Department to explore the opportunity of making it uniform across the entire length of the road. Tonight, we are beginning a process that will involve a community discussion about whether to change the name of Lake Forrest Drive and Forrest Lake Drive.

**Motion:** Council Member Paulson made a motion to approve Item No. 2020-160, a resolution to support coordination with the City of Atlanta, to rename Lake Forrest Drive and Forrest Lake Drive, located within the territorial boundaries of the City of Sandy Springs. Council Member Reichel seconded the motion.

**Council Member Paulson** stated he is interested to hear what the community says and what the people on Lake Forrest Drive think, and staff's comments and recommendations. This is the start of an introspective look at what meaningful change in this city can be.

**Council Member Bauman** remarked this is a really good time for listening. If this process heals the unrest and injustice that is really good. The question is cost to the residents. This is a good starting point. We do not want to erase history. Maybe out of these Civic Dinners, one idea that could emerge is to find a way as a community to embrace and dedicate some funds to add history/educational placards to the area that would be accessible to people.

**Vote:** The motion was passed unanimously.

## **RESOLUTION NO. 2020-06-73**

### **IX. REPORTS**

#### **A. 2020-161 Mayor and Council Report**

**Mayor Rusty Paul** invited Communications Director Sharon Kraun and City Manager Andrea Surratt to share an update on the Civic Dinners plan.

**Communications Director Sharon Kraun** stated that staff has been working on setting up the Civic Dinners, hoping to begin in July. We are getting the foundation put together, the questions and setting up the infrastructure. There are several staff people working on this project, including our City Clerk, staff from Code Enforcement and the Police Department, to make sure that the messaging that we put out, as we begin to advertise and promote these, reflects the wide variety of our community. We are also planning to do these in English and in Spanish. We have heard a lot of interest from the community.

**Mayor Paul** stated that we are using the Civic Dinners virtual platform because we still do not want to get large groups of people together and expose anyone to the COVID virus. While we call it Civic Dinners, it is more of a discussion. We ask the same set of questions of everyone and everybody gets to talk. It is a great way to make sure that all voices are heard. We truly want people to hear different viewpoints of their neighbors, their fellow community members, and the people they encounter on a daily basis. The goal here is create an opportunity for conversation and deeper understanding.

**Communications Director Kraun** stated community members can sign up online at <https://civicedinners.com/sandysprings>. If you want to participate as a host in one conversation; then participate as a participant in another conversation, you are able to do that. There is the actual group conversation and then there will be follow-up questions after the conversation has ended. It enables you to not only have that conversation, but then a chance to digest what that conversation was, and then if you have additional thoughts and opinions, we will have another opportunity to get that as well.

**Mayor Paul** stated that we are asking people to take notes on this and get that to us. We have a place on the City website where that data will be deposited. There may have to be a special evening where we present information, outside of a normal Council meeting.

**City Manager Andrea Surratt** stated that there is an internal aspect to this as well, and Civic Dinners may be used for our 500 employees. The first focus is the community, but we are going to use this same platform and have in-person and virtual conversations of inclusion, diversity and implicit bias with our employees. This is a great tool to do that.

**Council Member Paulson** shared an email he received from a resident, which stated Sandy Springs hired a consultant to do a housing study to look at housing for those who make between \$65K and \$100K. Was that a stipulation in our housing study RFP?

**Community Development Planner Madalyn Smith** replied in the background section of the RFP, we included information from the Next Ten, which had sort of an existing conditions housing summary. The Next Ten identified a notable lack of housing in the \$65K to \$100K income range. The scope does not say we are only focusing on that income range. Our consultant will conduct an independent assessment and they will focus on all income ranges.

**Mayor Paul** stated that the goal is to ascertain what the current status of our total housing stock is.

## **X. EXECUTIVE SESSION**

**Motion and vote:** Council Member Paulson moved to suspend regular order to enter into Executive Session for the purpose of discussing real estate. Council Member Soteres seconded the motion. The motion passed unanimously.

**Mayor Paul** announced they will return for the purposes of adjourning the meeting for tonight. There will be no further business conducted tonight.

**Executive Session** began at 9:05 p.m.

### **A. 2020-162 Real Estate**

**Motion and vote:** Council Member Paulson moved to adjourn Executive Session. Council Member DeJulio seconded the motion. The motion passed unanimously.

**Executive Session** ended at 9:38 p.m.

## **XI. ADJOURNMENT**

**Motion and vote:** Council Member DeJulio moved to adjourn. Council Member Paulson seconded the motion. The motion passed unanimously.

The meeting adjourned at 9:38 pm

Date Approved: July 21, 2020.



Russell K. Paul, Mayor



Raquel D. González, City Clerk