

Meeting of the Sandy Springs City Council was held on August 19, 2025 Following Work Session, Mayor Rusty Paul presiding.

I. Call to Order

Mayor Rusty Paul called the meeting to order at 6:44 p.m.

II. Roll Call and General Announcements

Members Present: Mayor Rusty Paul, Councilmember John Paulson, Councilmember Melody Kelley, Councilmember Melissa Mular, Councilmember Jody Reichel, Councilmember Tibby DeJulio, Councilmember Andrew Bauman

III. Pledge of Allegiance

Mayor Rusty Paul led the Pledge of Allegiance.

IV. Public Comment

1. **Bill Griffith, 9580 Roberts Drive, Atlanta** - Roberts Drive Speeding
2. **Susan Kicak, 6497 Cherry Tree Lane, Atlanta** - Freedom of Speech
3. **Dana Grantham, 375 Ridgeview Trail NE, Sandy Springs** - Freedom of speech

V. Approval of Meeting Agenda

Motion and vote. A motion was made by **Councilmember Tibby DeJulio**, seconded by **Councilmember John Paulson**, to approve the meeting agenda. The motion carried by unanimous vote.

VI. Consent Agenda

Motion and vote. A motion was made by **Councilmember Jody Reichel**, seconded by **Councilmember Melissa Mular**, to approve the consent agenda. The motion carried by unanimous vote.

- A. **2025-179** Meeting Minutes
August 5, 2025 City Council Meeting
- B. **2025-180** Request for Mayor and City Council to Approve a Purchase and Sale Agreement from Thomas Copper and Rebecca Copper for Temporary Construction Easement Rights (With a Cost to Cure Payment) on that Certain Tract of Land Located at 7720 Jett Ferry Road (Tax ID # 06-0342-0001-003-7), in Land Lot 342 of the 6th District, City of Sandy Springs, Fulton County, Georgia for the S2184 Jett Ferry Road and Spalding Drive Sidewalk Project

Resolution No. 2025-08-117

VII. Presentations

There were no presentations.

VIII. Public Hearing

*Prior to Public Hearing, **Raquel González, City Clerk**, read the public hearing rules.*

- A. **2025-181** Request for Mayor and City Council Consideration of a Resolution to Approve a Metropolitan River Protection Act Certificate for River Corridor Review RC-25-03SS for 715 Bittersweet Trail

Michele McIntosh-Ross, Planning & Zoning Manager, presented a recommendation to approve a Metropolitan River Protection Act Certificate for River Corridor Review RC-25-03SS for 715 Bittersweet Trail.

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.

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 Melody Kelley**, to approve a Metropolitan River Protection Act Certificate for River Corridor Review RC-25-03SS for 715 Bittersweet Trail. The motion carried by unanimous vote.

Resolution No. 2025-08-118

- B. **2025-182** U-25-1 - 8721 Roswell Road
Request for Mayor and City Council Consideration of an Ordinance to Allow for a Conditional Use Permit to Allow for a Drive-through Facility in the CX-3 Zoning District

Michele McIntosh-Ross, Planning & Zoning Manager, presented a recommendation to Allow for a Conditional Use Permit to Allow for a Drive-through Facility in the CX-3 Zoning District.

The Applicant requests a Conditional Use Permit to allow for a drive-through facility in the CX-3 zoning district for the construction of a quick service restaurant.

The existing site includes a vacant structure, a former Wells Fargo Bank branch, with a drive-through facility which had been dormant for over a year. The proposal involves the demolition of the current building and construction of a new one-story restaurant (Whataburger), to include a new drive-through facility, an outdoor patio seating area, and associated landscaping and hardscape amenities. The proposal calls for the one-story building to be built closer to Roswell Road, per the Sandy Springs Development Code. Staff's recommended conditions pertain to the car stacking requirements per the Sandy Springs Development Code, and to develop similarly to the 4/1/2025 site plan.

Mayor Rusty Paul opened the public hearing.

Support

1. Dale Friedly, 1550 Southland Circle NW, Atlanta
2. Harrison Parker, 612 W Taylor Street, Griffin

Opposition

1. Ronda Smith, 76 Long Island Place, Sandy Springs
2. Adrienne Murchison, 6 Huntington Place Drive, Sandy Springs

Councilmember John Paulson said the need for a light barrier is important so that light does not shine into homes when dark. How do you mitigate sound at night, for instance the speakers when people are ordering food?

Applicant Harrison Parker said currently three of our stores are near neighborhoods and there have not been any problems. We have done multiple photometric studies to ensure there is no light pollution and it is on our property. We can also do a study for the speakers. We have control over the speakers and if they are loud the neighbors can speak to us.

Councilmember Paulson asked who will be operating the facility once it is open?

Applicant Harrison Parker said we have targeted an operating partner for this store. My partner is our market leader and is here every week. Also, our office is in Atlanta. We want to be a part of these communities and work with neighbors. If there is an issue, they should speak with us.

Councilmember Paulson said the design guidelines project will be finished this spring. Staff met with you to discuss compliance, and it appeared to be coming together. Of the guidelines presented, are there modifications you can make to your building's design to be more in compliance with some of the recommendations?

Applicant Harrison Parker said we have made modifications to fit within city guidelines and will do that here.

Mayor Paul said this is beyond the level of inquiry and a motion must be made to discuss the details.

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

Motion and second. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Melody Kelley**, to Allow for a Conditional Use Permit to Allow for a Drive-through Facility in the CX-3 Zoning District with Staff's proposed conditions, amended to include the following:

Fencing, Screening, Planting, and Site Maintenance Requirements:

- Install an eight (8) foot opaque fence along the southern edge of the development to provide screening for the Huntington Place neighborhood.
- Install decorative plantings on the north-facing side of the fence.
- Remove debris from the areas surrounding the development, particularly the debris in the wooded area between the development and Huntington Place neighborhood.

Building Articulation, Colors, and Materials Requirements:

- A minimum of 2 portions of the street-facing building façade must have a variation in setback of at least 2 feet. The combination of the required variations in setback must total no less than 15% of the length of the building.

Councilmember Paulson said concern has been expressed to me about crime and 24-hour drive-ins, but according to **Kenneth DeSimone, Police Chief**, there is not much activity in Sandy Springs. If you came

six months from now, you would have to follow these design guidelines. The only way to put some guidelines into play is to dictate them to you today.

Is brick being used on the façade of this building?

Applicant Harrison Parker said yes. It is mostly brick and architectural metal panels across the top.

Councilmember Jody Reichel said the colored line in front of Publix is a concern. That is a busy part of the shopping center. Can this be changed to not have all those cars come in front of Publix?

Mayor Paul said the City does not have control over this as that is private property.

Dan Lee, City Attorney, said this property has an easement for ingress and egress off the Publix property and, the right to use the parking lot is between the property owner and Publix.

Councilmember Kelley asked is there any articulation in the building?

Planning & Zoning Manager McIntosh-Ross said yes. That is a different design. The Whataburger design is what the City's code mandates for a building less than one hundred feet long and there is some additional articulation for buildings at a hundred or more.

Councilmember Kelley asked with the additional amendment made by **Councilmember Paulson**, which sides of the building would that impact?

Planning & Zoning Manager McIntosh-Ross said most of the articulation points north and we want more to face Roswell Road. It is based on the design and what looks best.

Councilmember Kelley said there are some concerns. There should be building height articulation in addition to the building. Also, for the North End Redevelopment Plan mix of retails meeting a variety of needs and income, the challenge is the needs this establishment will meet are being met in that particular area. It is other aspects of income levels. Traffic safety and design are issues. We are discussing design guidelines, and how things look matter in this area. It is not convincing that this use for a 24-hour drive-through next to a neighborhood aligns with anything related to the City's North End work and the investments that have made.

Councilmember Melissa Mular asked is it correct that the City of Tucker's ban on drive-throughs in certain areas brought them more in line with what Sandy Springs has today?

Planning & Zoning Manager McIntosh-Ross said yes.

Councilmember Mular said the City of Atlanta prohibits drive-throughs in certain areas because they want to promote walkable zones. The proximity to a residential area is a concern. Hopefully in the Next Ten we can review protections for neighborhoods and town home communities. The City has a prevalence of drive-throughs and we should think about that. People from the North End want improvement and this may not be the improvement that will make a significant change.

Planning & Zoning Manager McIntosh-Ross said the City has lost a few drive-throughs including KFC, Checkers, and Wendy's.

Councilmember Andy Bauman thanked the applicants for doing business in Sandy Springs. This is a conditional use permit. **Dan Lee, City Attorney**, please confirm that Council has flexibility in consideration.

City Attorney Lee said Council has great flexibility.

Councilmember Bauman said there was a case about five years ago, where a multi-family community wanted to become an extended stay or vice versa. This decision is a forever zoning decision. Some folks are for it, against it, or agnostic. I am concerned about the 24-hour nature of this and its proximity to a neighborhood that has voiced objection. Is this the vision for the North End? My decision tonight is no.

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

- C. **2025-183** RZ-25-1 - 5375 Northland Drive
Request for Mayor and City Council Consideration of an Ordinance to Rezone the Property at 5375 Northland Drive (Parcel #17 006800030463) from RE-1 (Residential Detached – 1 Acre Minimum Lot Size) to RD-7.5 (Residential Detached – 7,500 Square Feet Minimum Lot Size) Zoning District

Michele McIntosh-Ross, Planning & Zoning Manager, presented a recommendation to Rezone the Property at 5375 Northland Drive (Parcel #17 006800030463) from RE-1 (Residential Detached – 1 Acre Minimum Lot Size) to RD-7.5 (Residential Detached – 7,500 Square Feet Minimum Lot Size) Zoning District.

The applicant requests a Zoning Map Amendment (Rezoning) at 5375 Northland Drive. The existing developed parcel consists of a single-story ranch-style home with a rear entry garage that is unoccupied. The current parcel is zoned RE-1 for Residential Estate - 1 (one) acre-minimum lot size and is located between RM- and RD- zoning districts.

Councilmember John Paulson asked are the green, blue, and pink stretches in the image the sixty-foot requirement along Northland Drive?

Planning & Zoning Manager McIntosh-Ross said yes, but it is deceptive. For the blue and pink stretches, the driveway goes over.

Mayor Rusty Paul opened the public hearing.

Support

1. Paul Marotte, 550 Timber Valley Road, Sandy Springs

Opposition

1. Mitchell Adam Kaye Jr., 5375 Hight Point Manor, Sandy Springs
2. David Kuniansky, 5370 Northland Drive, Sandy Springs

Mayor Rusty Paul closed the public hearing.

Motion and second. A motion was made by **Councilmember Tibby DeJulio**, seconded by **Councilmember John Paulson**, to Rezone the Property at 5375 Northland Drive (Parcel #17 006800030463) from RE-1 (Residential Detached – 1 Acre Minimum Lot Size) to RD-7.5 (Residential Detached – 7,500 Square Feet Minimum Lot Size) Zoning District with Staff's proposed conditions and the following additional conditions:

The house to be built on the Lot labelled 1 (green), as shown on Exhibit A, shall be oriented such that the front of the house will face Northland Drive.

Councilmember DeJulio said most of the feedback from neighbors has been positive. Not many objections were received except for one development. On the northern side on Glenridge Drive is a high density apartment complex. Near that is a lower density complex. The transition is to three rather than another lower density complex that neighbors do not want to see. I have opposed flag lots since 2006 or 2007. This is a two acre property and in the entire High Point area there have been a lot of these. Two acres is not economic in Sandy Springs anymore. These will be \$2,000,000 homes because the land is expensive. If we want more housing in Sandy Springs, we have to make it more affordable.

Councilmember Jody Reichel asked can apartments be put here?

Kristin Byars Smith, Assistant City Manager, said not as it is currently.

Councilmember Reichel said my observations were the property was surrounded by single family homes, not high-density development. This proposal is asking to fit three lots where zoning requires the largest eight lots. Two houses should be okay. This is a force frontage. There should be more owner occupied housing in Sandy Springs but should not mean approving every project. Responsible development means creating housing opportunities while preserving the character and standards of our neighborhoods. This rezoning manipulates frontage to make the lot appear workable, but the reality is that it stretches the intent of the City's zoning code. If approved, we set a precedent. The RE-1 zoning can be chipped away whenever someone wants to squeeze in more density. That is not fair to the neighbors, and not right for long-term planning for Sandy Springs. I support bringing more owner occupied homes to Sandy Springs, but not compromising zoning standards or the character of neighborhoods. This proposal manipulates frontage, increases density where it does not belong, and sets the wrong precedent. For those reasons, I cannot support it.

Ordinance No. 2025-08-15

D. **2025-184** Request for Mayor and City Council Consideration of an Ordinance to Set the Millage Rate for Fiscal Year 2026 Ad Valorem Tax Rate Public Hearing 3

Eden Freeman, City Manager, presented a recommendation to Set the Millage Rate for Fiscal Year 2026 Ad Valorem Tax Rate Public Hearing 3.

The Georgia Taxpayers Bill of Rights, in effect since 2000, requires the City to advertise a millage rate as a property tax increase if this rate is not fully rolled back.

The Sandy Springs millage rate combined with the homestead exemption results in a lower tax burden than most of its neighboring municipalities. By leaving the millage rate the same, we continue to ensure superior, responsive customer service and a high quality of services to the residents of Sandy Springs.

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Notice has been advertised that the City of Sandy Springs will hold public hearings on Tuesday, August 5th at 6:00 pm and Tuesday, August 19th at 8:30 a.m. The City of Sandy Springs will set the millage rate on August 19th at 6:00 p.m. following the final public hearing.

The impact of the reassessment and reevaluations this past year resulted in an overall property value increase, resulting in a tax increase of .71% following the “rollback” calculation that evaluates total revenue collected from property taxes year to year. This property value increase contributed to an increase in total net taxes levied of .36% from 2024 to 2025. The FY2026 Budget proposes the adoption of a millage rate of 4.731 mills, which is the same millage rate the Sandy Springs Charter permits. The millage rate does not increase, and the increase is a function in the increase in the values of properties in the City.

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

Motion and second. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Tibby DeJulio**, to Set the Millage Rate for Fiscal Year 2026 Ad Valorem Tax Rate Public Hearing 3.

Councilmember Paulson said I support this millage rate rather than rolling back. Let us leave it alone.

Councilmember DeJulio said there were past discussions with residents about changing the 4.731 millage rate, but only Council has the power to do that. It is almost unanimous that residents feel that the City is doing a credible job managing money and the extra dollars should be used for continued improvements to the City. We should maintain the 4.731 milage rate.

Councilmember Andy Bauman said my understanding was the impact of a roll back would have been \$400,000. While we do not know what the impact on the budget would have been because there are still moving targets. It is a de minimis amount. The City probably could have absorbed it in the budget and it would have been a good signal to the community. That is something that we always need to be mindful of. I asked this morning whether a roll back could impact our credit rating and the answer was maybe. Is that an accurate representation?

City Manager Freeman said yes, possibly.

Councilmember Bauman said I am not willing to take that risk. I will continue to look out for the tax dollars. A change in the City’s credit rating would be much more costly than \$400,000. We need to be mindful of the dollars raised in our taxes. We need to continue to deliver more and better services for those dollars. One way we can effectively give a tax cut is when citizens get more for what they pay. That is my commitment. We should leave this alone.

Mayor Paul said a Moody’s report highlighted that the City is revenue constrained by the millage rate and that is an issue we need to cognizant of.

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

Ordinance No. 2025-08-16

IX. Old Business

- A. **2025-139** Request for Mayor and City Council Consideration of an Ordinance to Amend Subpart A, Chapter 6, Article II, Division 7, §6-175 of the City Code of Ordinances to Amend the Definition of City Springs to Include Additional On-Street Parking and Public Parking Facilities

Dave Wells, Director of Facilities/Capital Construction and Building Operations, and Jeremy Scott, Owner and CEO, 12 Oaks Parking Services, presented a recommendation to Amend Subpart A, Chapter 6, Article II, Division 7, §6-175 of the City Code of Ordinances to Amend the Definition of City Springs to Include Additional On-Street Parking and Public Parking Facilities.

This item was tabled at the July 15, 2025 Council Meeting.

The City Springs boundary, as defined in Section 6-175 of the City Code of Ordinances, establishes the geographic limits for enforcement of certain ordinances, including on-street parking regulations and open container provisions. The current boundary includes the following:

Six (6) spaces on the eastern side of Bluestone Road; and

Sixteen (16) spaces on the eastern side of Sandy Springs Circle (north of Sandy Springs Place NE)

To expand enforcement coverage and bring newly constructed or striped parking areas into alignment with the City's Code, the following modifications are necessary:

Extend the boundary south on Sandy Springs Circle to include twenty (20) additional on-street parking spaces on the eastern side of the roadway between Hilderbrand Drive and the northern right-of-way of Hammond Drive.

Correct the reference to Sandy Springs Place NE in the code from "northern right-of-way" to "southern right-of-way" to accurately reflect the physical location of:

Eight (8) existing on-street spaces

The small, City-owned public parking lot adjacent to the right-of-way

(PROPOSED) CODE CHANGE WITH REVISIONS – SECTION 6-175. Definition of City Springs.

City Springs is defined as the area of the City encompassed by the following: "beginning at the southeast corner of the intersection of Sandy Springs Circle and Johnson Ferry Road and traveling eastward along the southern right-of-way of Johnson Ferry Road to the southwestern corner of the intersection with Roswell Road, then traveling southward from the intersection of Johnson Ferry Road with Roswell Road along the western right-of-way of Roswell Road to the intersection with the southern right-of-way of Mt. Vernon Highway, then traveling westward along the southern right-of-way of Mt. Vernon Highway to the multi-use path right-of-way along the eastern edge of the Georgia Power substation, then traveling southward encompassing the full right-of-way of the multi-use path, then traveling eastward along the northern right-of-way of Hilderbrand Drive to the intersection with the western right-of-way of Roswell Road, then traveling southward to the southern right-of-way of Hilderbrand Drive and traveling westward along the southern right-of-way of Hilderbrand Drive to the intersection with the eastern right-of-way of Bluestone Road, then traveling southward along the eastern right-of-way of Bluestone Road to the intersection with the southern right-of-way of Sandy Springs Place NE, then traveling westward along the southern right-of-way of Sandy Springs Place NE, including all adjacent city-owned public parking lots and associated on-street spaces, to the intersection with the eastern right-of-way of Sandy Springs Circle, then traveling northward along the eastern right-of-way of Sandy Springs Circle, including the segment between Hilderbrand Drive and the northern right-of-way of Hammond Drive, then to the intersection with Johnson Ferry Road and the point of beginning. City Springs shall not include the fenced-in portion of the Georgia Power substation. City Springs shall not be deemed to include establishments not physically

located within the designated City Springs area. Any allowance in this ordinance that would provide that alcohol beverages may be carried or consumed on or near a public right-of-way, must provide that the right-of-way has first been closed by the City.

Councilmember Jody Reichel said the new signs are great. My concern is they seem tall for people in wheelchairs for instance. Can some of the signs be lowered?

Director of Facilities/Capital Construction and Building Operations Wells said about twenty-one signs will be on the ground with the QR code. They are out of reach to prevent fake QR codes being placed on them.

Councilmember Reichel said it is hard to see especially when the sun is facing you.

Michael Craig, SVP of Operations, 12 Oaks Parking Services, said from interactions with people, they can access the QR code if they zoom their camera. We want to prevent someone from putting on a sticker that is a scam.

Councilmember Reichel said maybe they can be lowered by about six inches as they are tall.

12 Oaks Parking Services SVP of Operations Craig said we will consider that and other feasible ways.

Councilmember Andy Bauman said the mega data is great but some folks are having trouble with this. Is there a phone number on the signs if someone needs help?

Motion and second. A motion was made by **Councilmember Melissa Mular**, seconded by **Councilmember Jody Reichel**, to Amend Subpart A, Chapter 6, Article II, Division 7, §6-175 of the City Code of Ordinances to Amend the Definition of City Springs to Include Additional On-Street Parking and Public Parking Facilities.

Councilmember Tibby DeJulio said this is not a problem. People may feel technically challenged, like myself, but will be able to register using the QR codes.

Councilmember Mular asked is there open communication with businesses to ensure you know how things are going?

12 Oaks Parking Services SVP of Operations Craig said yes. There were several meetings to answer any questions retail tenants may have. They also have literature of how to complete the process for parking and have visited each retailer.

Councilmember Mular asked are you aware of any issues residents may be having with parking?

12 Oaks Parking Services SVP of Operations Craig said there has been a specific issue with Tesla horn on the ramps. We are working with developers of the app to create a message for when people register for that session.

Mayor Paul thanked 12 Oaks Parking Services for their efforts.

Councilmember Mular asked for the QR code scam you are preventing, do you check the signs that are posted or in all the establishments?

12 Oaks Parking Services SVP of Operations Craig said QR codes are checked daily and we keep a log. Also, the static sticker is still in production but will go up.

Councilmember Mular asked what about those posted in businesses?

12 Oaks Parking Services SVP of Operations Craig said yes.

Councilmember Mular asked are kiosks under 12 Oaks Parking Services or are they the City's responsibility to work properly?

12 Oaks Parking Services SVP of Operations Craig said we are currently working on this.

Councilmember Mular asked what is the timeline?

Eden Freeman, City Manager, said they will be expensive to replace. We wanted to try the new signage to see if it is necessary to make that expenditure.

Councilmember Mular asked how does Sandy Springs generally compare to the other locations for payment or non-payment?

12 Oaks Parking Services SVP of Operations Craig said we have a high percentage of people paying. We do not have a high percentage of citations issued for non-payment here compared to other properties.

Councilmember Mular said if people do not feel comfortable with QR codes and texting, they can still pull a ticket and go into the garage. That operates as normal and is not being changed.

12 Oaks Parking Services SVP of Operations Craig said that is correct.

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

Ordinance No. 2025-08-17

X. New Business

- A. **2025-185** Request for Mayor and City Council Consideration of an Ordinance to Amend Subpart A, Chapter 58, Article V, §58-122 of the City's Code of Ordinances to Amend the City Springs Parking Enforcement Citation Rates

Dave Wells, Director of Facilities/Capital Construction and Building Operations, presented a recommendation to Amend Subpart A, Chapter 58, Article V, §58-122 of the City's Code of Ordinances to Amend the City Springs Parking Enforcement Citation Rates.

In June 2018 the City of Sandy Springs (the "City") amended its Code of Ordinances to include Article V entitled Parking at City Springs ("Ordinance") to define Illegal Parking, Enforcement, Payment and Appeal and Free Public Parking within City Springs boundaries. Under the current ordinance, which has been in place since 2018, a civil fine of \$45 is imposed for a first-time violation of any infraction listed under Section 58-121. If not paid within 15 days, the fine escalates to \$75.

Following community feedback and a review of regional benchmarks, it is proposed to adjust these fines to better align with public expectations and enforcement priorities, while maintaining sufficient deterrent value.

(PROPOSED) CODE CHANGE WITH REVISIONS – SECTION 58-122. Parking Enforcement at City Springs.

Enforcement of this article, including issuance of citations for vehicles parked in restricted areas, shall be the responsibility of the parking management service, code enforcement officials of the city operating under the community development department and/or the police chief or his designee. "Parking management service" means the private vendor retained by the city pursuant to contract that employs personnel (parking management agents) authorized to issue parking citations for illegally parked vehicles that violate the provisions of Sandy Springs City Code section 58-121.

A citation issued under this article shall be either left with the vehicle or delivered to the person in possession thereof. For purposes of enforcement, it shall be presumed that the registered owner of said vehicle is in control or possession thereof.

A citation issued for the occurrence of any infraction listed in section 58-121 or any combination thereof shall be punishable by a \$25.00 civil fine per infraction. Any fine issued under this subsection not paid within 15 days of issuance shall be increased to \$55.00 Such fines shall be paid as instructed on the citation. Any fine issued under this subsection not paid within 30 days of issuance shall be subject to collection enforcement or turned over to the city or the city police department to be adjudicated.

The second and every subsequent occurrence of any infraction listed in section 58-121 or any combination thereof shall be punishable by the impounding of the vehicle and having same removed from public property at City Springs at the expense of the owner(s) of the vehicle, and charging the owner(s) storage.

In addition to any fine imposed pursuant to subsection (b) of this section, should any sworn police officer find any motor vehicle in violation of any infraction listed in section 58-121 that creates an operational or public safety hazard, he or she shall have the right to impound the vehicle and to have same removed from public property at City Springs at the expense of the owner, and charge the owner(s) storage.

Violation of the provisions of Sandy Springs Code of Ordinances section 58-121 shall be civil. The imposition of a civil penalty pursuant to section 58-121 shall not be a conviction and shall not be a part of the criminal record of the person upon which such a penalty is imposed.

Motion and second. A motion was made by **Councilmember Melissa Mular**, seconded by **Councilmember John Paulson**, to Amend Subpart A, Chapter 58, Article V, §58-122 of the City's Code of Ordinances to Amend the City Springs Parking Enforcement Citation Rates.

Councilmember Mular said please confirm it is \$25 for first time violation and will escalate to \$55 if not paid.

Director of Facilities/Capital Construction and Building Operations Wells said there will be fifteen days to pay the ticket and it will increase to \$55 if not paid.

Councilmember Mular asked will the fee be the same after two weeks from the fifteen day period?

Director of Facilities/Capital Construction and Building Operations Wells said yes. It will still be \$55.

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

Ordinance No. 2025-08-18

- B. **2025-186** Request for Mayor and City Council Consideration of a Resolution to Approve a Contract Award to SunCoast Restoration and Waterproofing, LLC for the Cistern Repairs Project and to Authorize the City Manager to Execute the Contract

Dave Wells, Director of Facilities/Capital Construction and Building Operations, presented a recommendation to approve a Contract Award to SunCoast Restoration and Waterproofing, LLC for the Cistern Repairs Project and to Authorize the City Manager to Execute the Contract.

The cistern at the City Springs was originally designed, in July 2016, as a cast-in-place structure. During the construction phase, the design was modified to a precast system. This change has resulted in persistent waterproofing and contamination issues, which have limited the cistern's effective use since its partial commissioning in 2017.

In 2020, a bypass line was installed to divert stormwater around the cistern, enabling staff the ability to clean and repair as needed to the internal pump systems, and an annual evaluation of both structural and waterproofing concerns. The cistern at City Springs has experienced ongoing performance limitations due to early design changes and subsequent waterproofing challenges. While temporary measures have been implemented in recent years, a more comprehensive solution is now needed.

In 2024, the cistern was pressure washed and assessed by Nelu Engineering. While no visual structural deficiencies were observed, intermittent concrete spalling and surface corrosion of reinforcing steel were identified and required repair. Kimley-Horn and Associates Inc. (A&E) was also engaged to inspect the cistern and provided design recommendations. Their report advised the installation of concrete baffle walls to reduce turbidity and sediment and identified multiple caulk joints that require removal and re-caulking to address ongoing waterproofing concerns.

An Invitation to Bid (ITB) 25-056 was issued on June 16, 2025 seeking bids from qualified contractors. A non-mandatory pre-bid meeting was held on June 20, 2025. Two (2) addendums were issued. Addendum #1 was issued on July 2, 2025. Addendum #2 was issued on July 9, 2025. Bids were received from three (3) contractors prior to the July 23, 2025 deadline. Bid results were as follows:

Contractor	Bid	Notes
JHC Corporation	\$480,300.00	
Structural Restoration Solutions, Inc.	\$352,300.00	
SunCoast Restoration and Waterproofing LLC	\$217,165.55	recommended

Upon review of the bids, City Staff recommends that a contract award be made to the lowest, most responsible and responsive bidder, SunCoast Restoration and Waterproofing LLC in the amount of \$217,165.55.

Motion and second. A motion was made by **Councilmember Melissa Mular**, seconded by **Councilmember Melody Kelley**, to approve a Contract Award to SunCoast Restoration and Waterproofing, LLC for the Cistern Repairs Project and to Authorize the City Manager to Execute the Contract.

Councilmember John Paulson said we repaired the cistern but it keeps leaking. What is the contractor warranty for the sealing effort to make sure it will work?

Chris McGovern, Owner, SunCoast Restoration and Waterproofing, LLC, said it is a one-year warranty on labor and a five-year warranty on the material replacement.

Councilmember Mular asked how often will there be an inspection once the repairs are complete?

Director of Facilities/Capital Construction and Building Operations Wells said the cistern is pressure washed annually and will also be inspected then.

Councilmember Mular asked will there be funds appropriated to do the repairs if needed? Was \$1,300,000 originally budgeted for this?

Director of Facilities/Capital Construction and Building Operations Wells said there is still \$1,300,000 budgeted.

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

Resolution No. 2025-08-119

- C. **2025-187** Request for Mayor and City Council Consideration of a Resolution to Set the Hearing Date for the Holy Innocents Episcopal School Special Event Permit Denial Appeal (Special Event Permit Application No. SE-25-38)

Eden Freeman, City Manager, presented a recommendation to Set the Hearing Date for the Holy Innocents Episcopal School Special Event Permit Denial Appeal (Special Event Permit Application No. SE-25-38).

On August 11, 2025, the City Council received a request for appeal in response to the denial of a special event permit application by the City Manager. Article IV. - Special Events, Section 50-115. - Appeals, of the City of Sandy Springs Code of Ordinances requires that the City Council set a hearing date within 30 days of receiving an appeal.

On July 3, 2025, Holy Innocents Episcopal School (applicant) submitted a special event permit application to the City of Sandy Springs for their October 3, 2025 Homecoming Game and Celebration which included a request for temporary lighting of the football field. Because Special Event Permits are designed to allow for exceptions to the regular ordinance standards, staff cannot use the Special Event Permit process to override Council adopted conditions of zoning, the application was subsequently denied by the Sandy Springs Community Development Director on July 31, 2025.

An applicant whose special event permit application has been denied or revoked may request in writing a review of this decision by the City Manager. Such requests need to be in writing and received by the City

Manager within five days of the permit denial. On August 4, 2025, the applicant appealed the Community Development Director's decision to the City Manager. On August 6, 2025, the City Manager denied the appeal and upheld the previous decision to deny the applicant's special event permit application.

On August 11, 2025, the applicant requested an appeal of the City Manager's decision to the City Council.

As required by City Code Section 50-115 - Appeals, of Article IV. - Special Events, the City of Sandy Springs City Council must set a hearing date to hear the appeal. At the hearing, evidence may be submitted by the applicant addressing why the permit should be granted and by the City Manager addressing why the permit was denied. The city council must decide whether the denial of the permit is justified, or it may reverse the previous decision and grant or reinstate the permit with such additional conditions as deemed justified by the evidence.

It is recommended the City Council choose a hearing date that will allow for appropriate public notice as well as provide both the applicant and the city administration sufficient time to prepare for the hearing.

Motion and second. A motion was made by **Councilmember Andy Bauman**, seconded by **Councilmember Jody Reichel**, to Set the Hearing Date to Tuesday, September 2nd for the Holy Innocents Episcopal School Special Event Permit Denial Appeal (Special Event Permit Application No. SE-25-38).

Councilmember Bauman said this was confirmed with folks at the school, neighbors, and adjacent property owners that this date is enough time in getting the word out.

Councilmember John Paulson said September 2nd is the day after Labor Day. This is a concern because people may be coming home from vacation which could be an undue burden.

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

Resolution No. 2025-08-120

XI. Reports

A. 2025-188 Mayor and Council Report

Mayor Rusty Paul said a parliamentary mistake was made with the requirements of the Charter. The records should reflect that my vote was negative on the tie vote for Item 2025-182.

The City of Sandy Springs received AAA bond rating from Moody's. That is the gold standard for financial accounting and creditworthiness of a community, and very few cities, counties, and states qualify. Hopefully we will have the same rating for Standard and Poor's. Everyone should be proud because this shows how well the City is managed.

Councilmember Tibby DeJulio said **Dan Lee, City Attorney**, it would be helpful to require booting companies to accept credit cards in the ordinance as many people do not carry cash.

City Attorney Lee said that is a great suggestion.

B. 2025-189 Staff Reports

1. June 2025 Unaudited Financials

XII. Executive Session

There was no executive session.

XIII. Adjournment

Motion and vote. A motion was made by **Councilmember Tibby DeJulio**, seconded by **Councilmember Andy Bauman**, to adjourn the meeting. The motion carried by unanimous vote.

The meeting adjourned at 8:44 p.m.

Approved: September 2, 2025

Russell K. Paul, Mayor

Raquel D. González, City Clerk