

1 **The Regular Meeting of the Sandy Springs City Council was Tuesday, August 6, 2019, at 6:26 p.m.,**
2 **Mayor Rusty Paul presiding.**

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4 **CALL TO ORDER**

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6 Mayor Rusty Paul called the meeting to order at 6:26 p.m.

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8 **City Clerk Coty Thigpen** reminded everyone to silence all electronic devices at this time. Additionally,
9 those wishing to provide public comment are required to complete a public comment card. Public Comment
10 Cards are available online and at the Chamber entrance and submitted to the City Clerk before the meeting
11 begins.

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13 City Clerk Thigpen called the roll.

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15 **Mayor:** Mayor Rusty Paul present.

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17 **Councilmembers:** Council Member John Paulson, Council Member Steve Soteres, Council Member Chris
18 Burnett, Council Member Jody Reichel, Council Member Tibby DeJulio and Council Member Andy
19 Bauman.

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21 **PLEDGE OF ALLEGIANCE**

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23 Mayor Rusty Paul led the Pledge of Allegiance.

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25 **PUBLIC COMMENT**

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27 **Mayor Rusty Paul** asked if the City Clerk had received any public cards.

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29 **City Clerk Coty Thigpen** stated that there was one:

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31 **Reverend Washington**, 4709 Handover Place. Mr. Mayor I stand before you today, a little upset, given
32 the fact that I am a citizen in Sandy Springs. You have received a letter from me regarding an incident
33 involving Dario Alfonso, one of the law enforcement officers of Sandy Springs and a sergeant, who
34 fabricated and asserted that I robbed a store. I think that is a total fabrication. He knew he fabricated it.
35 There were about 5-6 law enforcement officers that showed up. He thought it was funny that he took off
36 his body camera. My problem with that issue is the fact that as a citizen, and a minister of the Gospel, I
37 have no reason to do that. He never even made mention about the store that he had even alleged that there
38 was supposed to be some form of a robbery. I can't understand, Mr. Mayor, that I've contacted Captain
39 Cain, Captain Lindstrom and up until now. Even after you, and I think our Mayor Pro Tem, received a
40 letter of an Ante Litem Notice. Up until now, it seems that there is a problem with me walking the streets.
41 I am supposed to be in fear of my life, as an African American. Let me fair warn you, I'm also a member
42 of SCLC and also a member of Black Lives Matter. I take that very important for my life, given the fact
43 that there have been issues with the racial epitaph around this country. I think we need to kind of take a
44 deep breath and kind of stop the madness and this fear factor with law enforcement in Sandy Springs. Robb
45 Pitts is aware of these issues. Be that as it may, I will give back my time. I think I've addressed what I
46 wanted to address. I told the detective in the back that I wanted to start here. After speaking with a family
47 member, who is a lawyer, he said that he thought since I have done my due diligence, I had contacted the
48 Mayor, the Mayor Pro Tem, you've done everything that you know to do and up until now, there has not
49 been any change, there's a problem. So, thank you so much and I'm glad you heard me verbally.

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51 Mayor Paul closed the Public Comment Period.
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APPROVAL OF MEETING AGENDA

1. **19-254** Add or remove items from agenda

Motion and Vote: Council Member DeJulio moved to approve the meeting agenda for the August 6, 2019 City Council meeting. Council Member Reichel seconded the motion. The motion carried unanimously.

CONSENT AGENDA

2. **19-255** Meeting Minutes
- 1. July 16, 2019 Work Session
 - 2. July 16, 2019 Regular Meeting
(Coty Thigpen, City Clerk)

Motion and Vote: Council Member Bauman moved to approve the consent agenda for the August 6, 2019 City Council meeting. Council Member Paulson seconded the motion. The motion carried unanimously.

PRESENTATIONS

3. **19-256** Purple Heart Proclamation

Mayor Rusty Paul read a Proclamation in observance of National Purple Heart Day, which is observed on August 7th each year. Combat veterans who display a great deal of merit during their time of protecting our country and freedoms are awarded the Purple Heart. It was the first award created to honor the valor and merit of service men and women. This Proclamation is incorporated into these Minutes and made a part thereof.

Council Member John Paulson stated that two years ago, the City of Sandy Springs became a Purple Heart City and as a result of that there are certain things that the City does on Purple Heart Day. All of the Purple Heart recipients in attendance came forward and provided their name, branch of service, field of battle and year they received their Purple Heart.

PUBLIC HEARINGS

FY2020 Budget

4. **19-257** Ad Valorem Millage Rollback

Finance Director Karen Ellis presented 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 impact of the reassessment and reevaluations this past year resulted in a property tax increase of 3.05% following the “rollback” calculation that evaluates total revenue collected from property taxes year to year. This property tax increase contributed to an increase in total net taxes levied of 11.91% from 2018 to 2019. The FY2020 Budget proposes the adoption of a millage rate of 4.731 mills, which is the same millage rate the Sandy Springs Charter permits, and has remained the same since the inception of the City. Notice has been advertised that the City of Sandy Springs will hold a public hearing and set the millage rate on the 6th day of August at 6:00 p.m. at City Hall. Staff recommends you open the Public Hearing.

Invitation for Public Comment

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Walter Cohen, 420 Breakwater Ridge, Sandy Springs GA – Thank you for this opportunity to say a few words regarding a discussion of the millage rate to be set for determining property taxes for Sandy Springs for 2019. I have been a resident of Sandy Springs for over 35 years. I spoke earlier today with the Finance Director Karen Ellis, who was very helpful in going through the budget and financial information and in explaining the budget process. When I saw the ad in the neighborhood newspaper, I took note of the fact that over the last 2 years, the City will be raising over \$7 million dollars more in property taxes, if the City maintains the same rate that has been used since inception. I am so glad that our statute was changed that required this to be advertised as a tax increase. Maybe we were fortunate over the last 10 years, that Fulton County did not increase our values. At this point, I think the City will be enjoying a windfall that merits a reduction in the millage rate. As an example, and I'm just using the figures that were in this advertisement. In 2019, the property taxes will be increased by nearly 12% over what was collected for the FY2018 and it will increase by nearly 22.7 percent over the amount, which was collected for the 2017 fiscal year. Just to go back to the 5 years that are on this chart, we're talking about a 37.6% increase over the amount collected for 2014. Now, in speaking with Ms. Ellis earlier today, I asked her a few questions. I asked her whether, during the time when we were raising taxes, according to this chart, \$30 or \$32 or \$33 million, was the City able to perform its City services, without any reduction in service and her answer was yes. So, it seems to me by increasing the amount that the City will be raising by \$7 or \$8 million, that's more than the City needs and it demands a rollback. I understand that things do increase in price and that some services become more expensive. I understand that we've built this nice facility that does cost some money, but at the same time, I do think that the significant increases that have been occurring over the last couple of years do require or should require the City Council to rethink the mere maintenance of this 4.731% millage rate. I ask that you reconsider and that you consider a reduction in the rate from the 4.731. I appreciate your time and thank you for your consideration.

Motion: Council Member Paulson moved to approve Agenda Item No. 19-257, Ad Valorem Millage Rollback for FY2020. Council Member Reichel seconded the motion.

Council Member DeJulio asked to be able to respond to Mr. Cohen's remarks. When the City had lesser revenues, there was not a reduction in City services. However, as the City's budget has increased and as the amount of revenues received have increased, the City has been able to increase services. For example, new equipment for the police and fire departments. There is also talk about moving ahead and putting some money into fixing stream buffers. There has been extensive work in Hammond Park. Since the City started, it has maintained a reserve of around \$20 million dollars. The City is putting this money back into the community. The City is putting more money into roads this year than last year. The City has grown from 37 to 150 police officers. The City has taken this money and put it back into the community and the objective always has been to make Sandy Springs the premier place to live in the State of Georgia. To make it the premier place to live in the State of Georgia costs money. So, one of the things the founding Council did when the charter was first established was to cap what could be charged on property taxes. There is a cap on how much your property taxes can go up each year. The City wanted to make sure that the money spent was money that was well deserved, and well needed. Each year, the City goes through this budget process, in detail, to make sure that whatever is spent is not wasted.

Vote on the motion: The motion carried unanimously.

ORDINANCE NO. 2019-08-20

156 5. **19-258** Approval of Alcoholic Beverage License Application for Koharu, LLC dba Koharu Japanese
157 Restaurant, at 6115 Peachtree Dunwoody Rd #K120, Sandy Springs, GA 30328. Applicant
158 is Bora Hong for Consumption on the Premises Wine, Malt Beverage and Distilled Spirits.
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160 **Finance Director Karen Ellis** stated this is a Change of Ownership application for Consumption on the
161 Premises Wine, Malt Beverage and Distilled Spirits for Koharu, LLC dba Koharu Japanese Restaurant, at
162 6115 Peachtree Dunwoody Rd #K120, Sandy Springs, GA 30328. The applicant, Bora Hong, has met all
163 the requirements and staff recommends approval. This business is located on Peachtree Dunwoody Road
164 between Dunwoody Chase and Hammond Dr. NE. This is located in District 3.
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166 **Mayor Rusty Paul** called for public comments in support of or in opposition to the application. There
167 were no public comments.
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169 **Motion and Vote:** Council Member Burnett moved to approve Agenda Item No. 19-258, Approval of
170 Alcoholic Beverage License Application for Koharu, LLC dba Koharu Japanese Restaurant, at 6115
171 Peachtree Dunwoody Rd #K120, Sandy Springs, GA 30328 for Consumption on the Premises of Wine,
172 Malt Beverage and Distilled Spirits. Council Member Soteres seconded the motion.
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174 **Vote on the Motion:** The motion carried unanimously.
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177 6. **19-259** Approval of Alcoholic Beverage License Application for Vickynarak Foods, Inc dba Bangkok
178 Thyme Restaurant, at 4969 Roswell Rd STE 235, Sandy Springs, GA 30342. Applicant for
179 Vickynarak Foods, Inc is Adidsara Weerasin for Consumption on the Premises Wine, Malt
180 Beverage, and Distilled Spirits.
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182 **Finance Director Karen Ellis** stated this is a Change of Ownership application for Consumption on the
183 Premises Wine, Malt Beverage, and Distilled Spirits for Vickynarak Foods, Inc dba Bangkok Thyme
184 Restaurant, at 4969 Roswell Rd STE 235, Sandy Springs, GA 30342. This is located at Roswell Road and
185 East Belle Island Road NE. The applicant, Adidsara Weerasin, has met all the requirements and staff
186 recommends approval. This is located in District 6.
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188 **Mayor Rusty Paul** called for public comments in support of or in opposition to the application. There
189 were no public comments.
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191 **Motion and Vote:** Council Member Bauman moved to approve Agenda Item No. 19-259, Approval of
192 Alcoholic Beverage License Application for Vickynarak Foods, Inc dba Bangkok Thyme Restaurant, at
193 4969 Roswell Rd STE 235, Sandy Springs, GA 30342 for consumption on the premises. Council Member
194 DeJulio seconded the motion.
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196 The motion carried unanimously.
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198 **Mayor Rusty Paul** closed Public Hearing
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201 **NEW BUSINESS**

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204 7. **19-260** Resolution to Approve settlement and purchase of right-of-way and easements related to
205 5320 Roswell Road, Sandy Springs, Fulton County, Georgia – T-0033-7 Roswell Road
206 Sidewalks Project
207

208 **City Attorney Dan Lee** presented that the City has exhausted all opportunities to try and purchase this
209 property. The subject property is the Southern Trace Apartments and it is owned by five (5) family trusts
210 in varying interests by JLN Family, LLC., SMM Family, LLC., TSN Family, LLC., GPNFT I, LLC., and
211 CMBFT I, LLC (“Condemnees”). Part of the cost deals with a sign and the major effect that the taking and
212 expansion of the sidewalk will have on the property. The settlement of this condemnation action is for the
213 property located at 5320 Roswell Road, which is being presented for consideration as a settlement of all
214 claims. After much discussion, the Condemnees have proffered an offer to settle this matter for the total
215 sum of \$70,000.00.

216
217 **Motion and Vote:** Council Member Bauman moved to adopt Agenda 19-260, Approve settlement and
218 purchase of right-of-way and easements related to 5320 Roswell Road, Sandy Springs, Fulton County,
219 Georgia – T-0033-7 Roswell Road Sidewalks Project. Council Member Reichel seconded the motion. The
220 motion carried unanimously.

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222 **RESOLUTION NO. 2019-08-93**

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225 8. **19-261** City of Sandy Springs, Georgia vs. The hereinafter described lands and rights in lands of 135
226 Mount Vernon Highway., Sandy Springs, Fulton County, Georgia, Parcel ID 17-0089-0005-
227 018-5; Richard R. Beavers; Randy Beavers Insurance Agency, Inc.; Hon. Arthur Ferdinand,
228 Tax Commissioner for Fulton County, Georgia; Hon. Pinkie Toomer, Probate Court Judge,
229 Fulton County, Georgia; and any and all others claiming an interest in the described
230 lands. (CC-10 Sandy Springs Circle Streetscape Project)

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232
233 **City Attorney Dan Lee** presented that this is an attempt to settle a pending condemnation, which has been
234 pending for almost two years. The subject property is located at 135 Mount Vernon Highway, the corner
235 of Sandy Springs Circle and Mount Vernon Highway, an intricate part of the Sandy Springs Streetscape
236 Project. The City Attorney is requesting consideration of a settlement of all claims.

237
238 This condemnation presents a unique problem in that Georgia law allows for the use of eminent domain
239 only for the portion of the property to be used for the CC-10 Sandy Springs Circle Streetscape Project. In
240 this case, the Project taking touched the building forcing the building to come down; however, the City was
241 limited to taking only a permanent demolition easement. This caused a scar to the remainder of the Property
242 and put a prime piece of real estate in an unusable situation.

243
244 After much discussion, Condemnee has proffered an offer to settle this matter as follows: \$425,000.00 for
245 the fee simple title to the Property (with an appraised value of \$1,300,000.00) and \$437,500.00 for
246 loss/damage to business, for the total of \$862,500.00. Attorney Lee explained that the loss/damage to the
247 business appeared to be half of this number, and the Condemnee believed it to be twice this number. One
248 thing the City is doing by settling this court case is to avoid further expenses and to get full use of the
249 property hereinafter and not be stuck with a demolition easement for perpetuity. Given the size of the lot,
250 and the sidewalk the City wants to put there, it would have left it stranded. It does give the City the use of
251 the property for the full length along Sandy Springs Circle.

252
253 **Motion:** Council Member Burnett moved to approve Agenda Item 19-261, City of Sandy Springs, Georgia
254 vs. The hereinafter described lands and rights in lands of 135 Mount Vernon Hwy., Sandy Springs, Fulton
255 County, Georgia, Parcel ID 17-0089-0005-018-5; Richard R. Beavers; Randy Beavers Insurance Agency,
256 Inc.; Hon. Arthur Ferdinand, Tax Commissioner for Fulton County, Georgia; Hon. Pinkie Toomer, Probate
257 Court Judge, Fulton County, Georgia; And Any And All Others Claiming An Interest In The Described
258 Lands. (CC-10 Sandy Springs Circle Streetscape Project). Council Member Paulson seconded the motion.

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260 **Council Member Burnett** inquired about the amount of loss / damage to the business claim and asked if
261 there was any evidence of business revenues in assessing this premium because the business did not close,
262 it was relocated. This property is also the gateway to the City of Sandy Springs on that side.

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264 **Vote on the motion:** The motion carried unanimously.
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266 **RESOLUTION NO. 2019-08-94**

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269 9. **19-262** Consideration of a Purchase and Sale Agreement for Property Located at
270 660 Hammond Drive (Tax Parcel # 17-036-0002-010-9)

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272 **Public Works Director Marty Martin** presented that the property in question is a single-family residence
273 built in the 1950's on an approximate .5 acre lot. It is located along Hammond Drive near the Glenridge
274 Drive intersection in a predominately single-family residential area. City Staff has negotiated a Purchase
275 and Sale Agreement wherein the City may acquire the property for the purchase price of \$450,000.00. The
276 City's failure to obtain title to this property would result in the City having to possibly modify the proposed
277 project, which would increase the cost of the project. Purchase of the property has been budgeted in the
278 TSPLOST/TS-193 Project Budget (widening of Hammond Drive). The house condition is still to be
279 assessed to determine its suitability for rent.

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282 **Motion and Vote:** Council Member Burnett moved to adopt Agenda Item 19-262, Purchase and Sale
283 Agreement for Property Located at 660 Hammond Drive (Tax Parcel # 17-036-0002-010-9). Council
284 Member DeJulio seconded the motion. The motion carried unanimously.

285
286 **Council Member DeJulio** inquired about the number of City-owned parcels on Hammond Drive.

287
288 **Council Member Burnett** requested to have staff present at a later date about what has been acquired
289 and what remains.

290
291 **Mayor Paul** mentioned that there are few future parcels to acquire before the City is done with the
292 acquisition portion of this project.

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294 **RESOLUTION NO. 2019-08-95**

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297 10. **19-263** Consideration of Approval of a contract to construct Project T0062-3, Sandy Springs Circle
298 Streetscapes, from Johnson Ferry Road to Mt. Vernon Highway

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300 **Public Works Director Marty Martin** presented that the invitation to bid for construction of T0062-3,
301 Sandy Springs Circle Streetscape, from Johnson Ferry Road to Mt. Vernon Hwy, was advertised for bids
302 beginning June 12, 2019. A pre-bid meeting was held on June 26, 2019. Bids were received on July 3,
303 2019. Proposed improvements included in the project are the following: site grading, sidewalks; curb and
304 gutter; pedestrian scale lighting; and landscaping. Upon administrative review of the bid and City's
305 experiences with the lowest bidder on other projects, the City of Sandy Springs' Public Works, Purchasing
306 and Legal staffs recommend that award be made to the lowest bidder, Tople Construction. The engineer's
307 construction cost estimate is \$453,000. Mr. Martin reiterated that this is exclusively local funds for this
308 project. The Sandy Springs Circle, CC10 is an 80/20 Federal / City match.
309

310 **Motion:** Council Member Burnett moved to adopt Agenda Item 19-263, Approval of a contract to construct
311 Project T0062-3, Sandy Springs Circle Streetscapes, from Johnson Ferry Road to Mt. Vernon Highway.
312 Council Member Soteres seconded the motion.

313
314 **Council Member Burnett** wanted to confirm that this project will be from the funeral home at the corner
315 of Mt. Vernon to the fire station, so to include the entire stretch in front of the Brooklyn Café shopping
316 center.

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

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320 **RESOLUTION NO. 2019-08-96**

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323 11. **19-264** Approval of Change Order 1 Scope of Work and Fee, WSP USA, Inc. for ATMS 4 SCOOT
324 Implementation in the Perimeter Area (TS 107) and authorization for the City Manager to
325 execute revised contract documents

326
327 **Public Works Director Marty Martin** presented WSP USA, Inc. has completed the design and
328 construction drawing services for the enhancement of signalized intersections to include the SCOOT
329 adaptive signal software implementation in the Perimeter Area. This change order will provide specialized
330 CEI and Program Management services required to monitor construction, installation and testing of the
331 signalization project. The City will be provided construction, engineering and inspection services to deliver
332 the project, in large part because of the specialized nature of work with ATMS Implementation.

333
334 **Motion and Vote:** Council Member Reichel moved to adopt Agenda Item 19-264, Change Order 1 Scope
335 of Work and Fee, WSP USA, Inc. for ATMS 4 SCOOT Implementation in the Perimeter Area (TS 107)
336 and authorization for the City Manager to execute revised contract documents. Council Member Paulson
337 seconded the motion. The motion carried unanimously.

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339 **RESOLUTION NO. 2019-08-97**

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342 12. **19-265** Approval of Change Order 2 Scope of Work and Fee, Gresham Smith and Partners for the
343 Hammond Drive Corridor Design Project (TS 193) and authorization for the Interim City
344 Manager to execute revised contract documents

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346 **Director of Public Works Marty Martin** presented that the current scope for the Gresham Smith contract
347 included standard corridor graphics such as corridor plans and typical sections to support the Public
348 Information Open House. After initial meetings with the public and input from other City projects, staff
349 determined that additional enhanced visualizations of the project corridor will aid in communicating the
350 proposed design concept to the public. This change order will provide the enhanced visualizations. The
351 total proposed fee for this current Change Order 2 is \$47,500. The original contract fee was \$237,985 and
352 Change Order 1 was \$12,000. . This is Task Order based. This will document and present the concept
353 design for the project, with the anticipation that a public open house will be held that goes along with
354 presenting the concept to the public for the Hammond Drive Widening Project. Sufficient funds are
355 available in the TSPLOST Program to fund this work. This change order is all about presenting the concept
356 and getting feedback.

357
358 **Motion and Vote:** Council Member Burnett moved to adopt Agenda Item 19-265, Approval of Change
359 Order 2 Scope of Work and Fee, Gresham Smith and Partners for the Hammond Drive Corridor Design
360 Project (TS 193) and authorization for the Interim City Manager to execute revised contract documents.
361 Council Member DeJulio seconded the motion.

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Council Member Paulson noted that we've not seen any of these concepts and wanted to understand that the first time the City is going to see the concepts is in the Fall of this year.

Council Member DeJulio stated that the City has continually assured the people who live in this area that this was not a done deal and that all plans and decisions would be coming back to the public so they could provide input. Council Member DeJulio reiterated that the plan is to fund by a later TSPLOST, so if a future Council decides they do not want to do this, or the residents decide this is the wrong thing to do, and the City agrees with them, that this is not getting into a point of no return.

Council Member Bauman wanted to make sure that the purchases that the City has made in the past are 'protected' purchases in the event that Council, current or future, makes a decision to do some project there. Further, questioned if these studies are addressing impacts when crossing Roswell Road, headed west towards the Mt. Vernon corridor and further on from there.

Council Member Burnett questioned if the traffic study also addresses the Mt. Vernon and Riverside corridors, and how an expansion of Hammond could impact all of the traffic flowing to the west on both of those major roads.

The motion carried unanimously.

RESOLUTION NO. 2019-08-98

13. **19-266** Resolution to Amend the City of Sandy Springs Purchasing Policy

Mayor Rusty Paul stated that when the City was begun, the City Manager was given a fairly large contract approval authority of up to \$250,000 in order to be able to expedite the process of setting up the City. However, over the last 14 years, it has never been adjusted.

As part of the approval process, GDOT requested that the City add in language speaking to the recently updated House Bill 322 (HB322) for the State of Georgia. HB322 requires that governmental entities post all of their solicitations above \$100,000 on the Georgia Procurement Registry (GPR). The City has always used the GPR to post its formal solicitations but it is currently not written into the Purchasing Policy.

Approval thresholds for the City Manager are currently set at amounts equal to or less than \$250,000. This amount is to be adjusted to equal to or less than \$99,000 to keep in line with other local city approval levels. This will also increase transparency in spending.

Motion and Vote: Council Member Paulson moved to adopt Agenda Item 19-266, Resolution to Amend the City of Sandy Springs Purchasing Policy Update. Council Member DeJulio seconded the motion.

The motion carried unanimously.

RESOLUTION NO. 2019-08-99

14. **19-267** Resolution to Update Signatory Change for SunTrust Bank Accounts

Finance Director Karen Ellis presented that currently, the City Manager and the City Finance Director are authorized signers on all of the City's bank accounts with SunTrust Bank. This change will only replace the City Manager with the City Clerk until a new City Manager is hired.

414 **Motion and Vote:** Council Member Reichel moved to adopt Agenda Item 19-267, Resolution to Update
415 Signatory Change for SunTrust Bank Accounts. Council Member Soteris seconded the motion.

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417 The motion carried unanimously.

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419 **RESOLUTION NO. 2019-08-100**

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422 15. **19-268** Resolution to Approve Facility Use Agreement (“2019 Agreement”) between the City of
423 Sandy Springs, Georgia (“City”), and Sandy Springs Youth Sports, Inc. (“SSYS), Morgan
424 Falls Park the City of Sandy Springs for Morgan Falls Park (“Park”)

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426 **Director of Recreation & Parks Michael Perry** presented that since 2008, SSYS has been implementing
427 and conducting a youth athletic program, including baseball, softball, football, and cheerleading
428 (“Program”) at the Park pursuant to Facility Use Agreements. The most current Facility Use Agreement
429 (“2013 Agreement”) is now expiring and the City desires to continue using the services of SSYS according
430 to the same terms and conditions as in the previous Agreements. The only substantial change in the 2019
431 Agreement is the insurance provisions have been updated by the City’s risk manager. The term of the 2019
432 Agreement is five (5) years. SSYS will receive \$127,500 annually as compensation under the 2019
433 Agreement. This is the same amount paid under the 2013 Agreement. Director Perry mentioned that the
434 President of Sandy Springs Youth Sports, Mr. Woody Long, was in the audience if anyone had any
435 questions. Mr. Perry also clarified that in the language of the budget, dollars are allocated to turf Field #5
436 in its totality. There has been considerable discussion with SSYS about allocating dollars to turf multiple
437 infields rather than doing Field #5 in totality; stating that usually a game is called because of the condition
438 of the infield, especially after a rain event.

439
440 **Motion:** Council Member DeJulio moved to approval of Agenda Item 19-268, Sandy Springs Youth Sports
441 Facility Use Agreement. Council Member Bauman seconded the motion.

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443 **Council Member DeJulio** questioned the City Attorney about this the City Council being unable to
444 contract beyond the elected terms. This Agreement goes out for 5 years, which is past the current Council
445 elected terms.

446
447 **Dan Lee, City Attorney** stated that is correct; this Council cannot bind the successor. If the successor
448 Council does not want to honor the contract, they would not honor one of the renewals if they did not vote
449 on it. Mr. Lee stated further that there is a termination clause in the contract.

450
451 **Mayor Rusty Paul** mentioned that this City Council is actually voting on five (5) 1-year contracts. But
452 even though three (3) of them are once this Council is out of office, it does not bind a future City Council,
453 if they decided they did not to renew one of the annual contracts. The Mayor reiterated that this Council
454 is approving it in advance, but a future Council has the authority to come in, at the anniversary date of this
455 agreement, and not extend the 1-year period.

456
457 **Council Member Bauman** inquired about whether turf fields were being installed

458
459 **Vote on the Motion:** The motion carried unanimously.

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461 **RESOLUTION NO. 2019-08-101**

462
463 **Mayor and Council Reports**

464
465 **Mayor Rusty Paul** officially welcomed the new Interim City Manager, Peggy Merriss.

466
467 Mayor Paul also mentioned that the City has a lot of interesting things coming down the pike including
468 Movies by Moonlight put on by Leadership Sandy Springs.

469
470 He also mentioned the Splash Fountain is getting a lot of use and reiterates why this facility was so needed
471 for the community.

472
473 **Council Member Bauman** remarked that Leadership Sandy Springs Movies by Moonlight begins on
474 Friday, August 9 and stated that the concert series has been great.

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477 16. **19-269** Staff Reports

478
479 **Director of Public Marty Martin** presented a PowerPoint presentation of Public Works FY2019
480 Highlights. This presentation, in full, will be incorporated into and made a part of these Minutes.

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483 **EXECUTIVE SESSION**

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485 17. **19-270** Litigation and Real Estate

486
487 **Motion and Vote:** Council Member Paulson moved to suspend regular order and enter into Executive
488 Session for the purposes to discuss real estate and litigation. Council Member DeJulio seconded the
489 motion.

490
491 The motion carried unanimously.

492
493 Executive Session began at 7:41 p.m.

494
495 **Motion and Vote:** Council Member DeJulio moved to adjourn Executive Session. Council Member
496 Burnett seconded the motion.

497
498 The motion carried unanimously. Executive Session adjourned at 9:02 p.m.

499
500 **ADJOURNMENT**

501
502 18. **19-271** Adjournment

503
504 **Motion and Vote:** Council Member DeJulio moved to adjourn the meeting. Council Member Soteres
505 seconded the motion. The motion carried unanimously. The meeting adjourned at 9:03 p.m.

506