

Meeting of the Sandy Springs City Council was held on November 5, 2024 Following Work Session, Mayor Rusty Paul presiding.

I. Call to Order

Mayor Rusty Paul called the meeting to order at 6:39 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 & Health Benefits**
2. **Rhonda Smith, 76 Long Island Place, Sandy Springs -- Roadway Classification Changes**
3. **Jack Misiura, 137 Angus Trail, Sandy Springs -- Library Reading Garden**

Mayor Paul welcomed Elaine Misiura, Jack Misiura's mother who was visiting from Chicago, attending her first City of Sandy Springs Council Meeting.

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

- A. **2024-270** Meeting Minutes
October 15, 2024 City Council Work Session
October 15, 2024 City Council Meeting
October 16, 2024 City Council Special Called Meeting
- B. **2024-271** Request for Mayor and City Council Consideration of Acceptance of a Temporary Construction Easement, on property located at 5042 High Point Rd. in Land Lot 67 of the 17th District, City of Sandy Springs (Tax ID #17-0067-0005-001-7) for a Stormwater System Improvement Project

Resolution No. 2024-11-151

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- C. **2024-272** Request for Mayor and City Council Consideration of Acceptance of the Deed for Dedication of Right-of-Way and Permanent Easement for Construction and Maintenance of Slopes on Property Located at 8161 Hewlett Road in Land Lot 356 of the 6th District, Fulton County, City of Sandy Springs, Georgia (Tax ID# 06-0356-0001-019-6).

Resolution No. 2024-11-152

- D. **2024-273** Request Mayor And City Council’s Consideration to Approve the Settlement and Purchase of Fee-Simple Right-Of-Way for Property Rights and Interests Located At 275 Mount Vernon Highway, Sandy Springs (Fulton County), Georgia and for Other Purposes As It Relates to the Johnson Ferry Road/Mount Vernon Highway Intersection Improvements Project

Resolution No. 2024-11-153

VII. Presentations

There were no presentations.

VIII. Public Hearing

- A. **2024-274** Request for Mayor and City Council Consideration of a Resolution to Authorize the City Manager and the City Attorney to Negotiate an Agreement with Asbury Automotive Group, Inc., Pursuant to the Sandy Springs Economic Development Incentive Policy; and to Authorize the City Manager to Execute the Same

Chris Burnett, Director of Economic Development, presented a recommendation to authorize the City Manager and the City Attorney to negotiate an agreement with Asbury Automotive Group, Inc., pursuant to the Sandy Springs Economic Development Incentive Policy; and to authorize the City Manager to execute the same.

The City’s Economic Development Incentive Policy has been adopted by the City Council (originally adopted in 2011 and most recently updated in July 2017) to provide incentives for the retention and/or expansion of existing businesses located within the City of Sandy Springs and to encourage the establishment of new targeted businesses within the City.

Pursuant to the policy, representatives for Asbury Automotive Group, Inc. have submitted an application requesting a waiver of building permit fees and waiver of business occupational taxes related to the purchase and renovation of an existing office building in Sandy Springs. This is a relocation of its current national headquarters in Gwinnett County (2905 Premiere Parkway, Suite 200, Duluth, GA) to its new global headquarters at 6655 Peachtree Dunwoody Road, Sandy Springs, GA.

Pursuant to the Incentives Policy, a public hearing is required prior to action by the City Council on this application.

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Currently based in Duluth, GA., Asbury Automotive Group is a public company (NYSE: symbol “ABG”) and one of the largest franchised automotive retailers in the U.S. with over 150 new vehicle dealerships across 15 states doing almost \$15 billion in annual revenues (\$1.6 billion in GA.). The company is in the due diligence phase of a purchase contract on an office building located at 6655 Peachtree Dunwoody Road in Sandy Springs. If Asbury closes on this purchase, this building will become its U.S. headquarters, replacing the company’s current facility in Gwinnett County. Asbury has proactively applied for this incentive as a component of determining the final costs and benefits of selecting Sandy Springs for its relocation. If Asbury selects this building, about 350 new jobs will move to Sandy Springs at an average wage of approximately \$175,000. The company will own and renovate the 98,000 sq. ft. building with a total anticipated capital investment of \$14 to \$16 million including the building purchase price and renovation expenses. Depending on the purchase date and renovation schedule, Asbury’s anticipated move to Sandy Springs will likely be in the spring to summer of 2025.

In support of its request and how this project aligns with overall city goals, Asbury stated:

“Asbury would represent a stable, high quality employment option for the population of Sandy Springs. In addition, the 346 Asbury employees currently headquartered in Duluth would bring a diverse group of individuals with a broad base of professional skills. The jobs that would move to Sandy Springs include the C-suite, attorneys, treasury, financial reporting, accountants, and overall dealership support and management. In addition, Asbury has plans to invest in additional dealerships in coming years which could provide for additional jobs at the headquarters location.”

Based on the information submitted by Asbury in its application, this project meets the qualifications for a Tier III Incentive.

Large Employer Incentives				
		Tier I	Tier II	Tier III
Minimum Criteria	Number of New Jobs Created ⁽¹⁾	15	50	100+
	Amount of Capital Investment ⁽²⁾	\$1 million	\$1 to \$5 million	\$5+ million
	Number of Years Commitment	4	6	10
Incentives Available	Expedited Permitting	Yes	Yes	Yes
	Building Fee Waiver	Yes	Yes	Yes
	Business Tax Waiver	1 year	2 years	3 years

⁽¹⁾ at or above the average wage level for Sandy Springs (Current Median Household Income is \$93,303 in 2022 Inflation-Adjusted Dollars)

⁽²⁾ excluding furniture, fixtures and equipment

The City's incentives provide for expedited permitting, a waiver of permit fees and a three-year waiver of business occupational taxes. The estimated value of the fees waived totals \$254,500 as outlined below. Fees waived will not exceed this value if the incentive is approved by City Council and Impact Fees do not apply to this project because Asbury is not adding any net new square footage to the building.

Incentives	6655 Peachtree Dunwoody Rd.
Estimated Building Permit Fee Waiver:	\$29,500
Estimated Impact Fee Waivers:	Not Applicable
Est. Business & Occupational Tax Waiver (Year 1):	\$75,000
Est. Business & Occupational Tax Waiver (Year 2):	\$75,000
Est. Business & Occupational Tax Waiver (Year 3):	\$75,000
Total Value of Estimated Waivers:	\$254,500

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

Motion and second. A motion was made by **Councilmember Jody Reichel**, seconded by **Councilmember Melissa Mular**, to authorize the City Manager and the City Attorney to negotiate an agreement with Asbury Automotive Group, Inc., pursuant to the Sandy Springs Economic Development Incentive Policy; and to authorize the City Manager to execute the same.

Councilmember Reichel thanked **Director of Economic Development Burnett** for his efforts. Hopefully many employees will move to Sandy Springs, get involved in the community, and join the Chamber. I know someone personally that works there and I am excited. **Eden Freeman, City Manager**, the City's policy has not been updated since 2017. Compared with other cities, Sandy Springs is very competitive. Should the City consider updating this now?

City Manager Freeman said one of the things that **Director of Economic Development Burnett** will be working on is assessing if changes are needed, or if it is still market sensitive, and if any tweaks are needed. Expect to hear more about this in the coming weeks.

Councilmember John Paulson said this is fantastic news. Where will Asbury Automotive Group, Inc. be moving?

Director of Economic Development Burnett said it will be 6655 Peachtree Dunwoody Road. This is where the old Newell Brands Inc. headquarters building was and also close to the MARTA station.

Councilmember Paulson asked will they just be moving their headquarters or are they consolidating other offices into this location?

Director of Economic Development Burnett said they are principally moving their headquarters which is currently in Duluth, in Gwinnett County.

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

Resolution No. 2024-11-154

IX. New Business

- A. **2024-275** Request for Mayor and City Council Consideration of a Resolution to Approve a Contract Award to Zaveri Enterprises, Inc. to Construct the Hilderbrand Drive Sidewalk Project and to Authorize the City Manager to Execute the Contract

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to approve a contract award to Zaveri Enterprises, Inc. to construct the Hilderbrand Drive Sidewalk Project and to authorize the City Manager to execute the contract.

The City of Sandy Springs (the "City") plans to construct a 6-foot sidewalk on the north side of Hilderbrand Drive along the frontage of the Georgia Power Substation and a 6-foot sidewalk with 2-foot paver band on the south side of Hilderbrand Drive from 215 Hilderbrand Drive to Roswell Road. The Project will also construct new 24" curb and gutter, install pedestrian lights on both sides of the street, and relocate other utilities as necessary for the new pedestrian walkway. The Project will connect to the

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existing multiuse path along the Georgia Power Substation from Mount Vernon Highway.

On July 31, 2024, the City issued an ITB No. 25-006 seeking bids from qualified contractors to perform construction services for the Project. A pre-bid meeting was held on August 9, 2024. The following eight (8) bids were received by the September 13, 2024 deadline:

Vendor Name	Bid	Note
BackBone Infrastructure, LLC	Withdrawn	Contractor withdrew bid
Zaveri Enterprises, Inc	\$210,005.00	Recommend to Award
Blue Level Services, LLC	\$255,057.69	
Ohmshiv Construction, LLC	\$268,882.50	
Tri Scapes, LLC	\$295,145.15	
Lagniappe Development Company, Inc.	\$381,613.12	
CSTE Inc	\$383,173.86	
Baldwin Paving Company, Inc.	\$385,636.25	

The engineer's construction estimate for the project is \$306,362.00.

Upon review of the responses, City staff recommends that the award be made to the lowest, responsible, and responsive bid from Zaveri Enterprises, Inc, for a total amount of \$210,005.00.

Motion and second. A motion was made by **Councilmember Melissa Mular**, seconded by **Councilmember John Paulson**, to approve a contract award to Zaveri Enterprises, Inc. to construct the Hilderbrand Drive Sidewalk Project and to authorize the City Manager to execute the contract.

Councilmember Paulson asked has the City worked with Zaveri Enterprises, Inc. before?

Public Works Director Martin said yes.

Councilmember Jody Reichel asked will the Hilderbrand Drive Sidewalk Project impact any of the work the City is doing to City Springs II?

Public Works Director Martin said there should not be impact. It stops short of the police gym and the Georgia Power frontage.

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

Resolution No. 2024-00-00

- B. **2024-276** Request for Mayor and City Council Consideration of a Resolution to Approve a Contract Award to Zaveri Enterprises, Inc. to Construct the Spalding Drive Sidewalk Project and to Authorize the City Manager to Execute the Contract

William H. Martin, Jr., AIA, Public Works Director, presented a recommendation to approve a contract Award to Zaveri Enterprises, Inc. to construct the Spalding Drive Sidewalk Project and to authorize the City Manager to execute the contract.

The City of Sandy Springs (the "City") plans to construct approximately 1,275 linear feet of 6' sidewalk

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on the north side of Spalding Drive and a new pedestrian crossing at Nesbit Ferry Road.

On August 14, 2024, the City issued an Invitation to Bid (“ITB”) No. 25-007 seeking bids from qualified contractors to perform construction services for the Project. A pre-bid meeting was held on August 29, 2024.

The following four (4) bids were received by the September 18, 2024, deadline:

Bidder	Bid	Note
Zaveri Enterprises, Inc.	\$248,131.00	
Ohmshiv Construction, LLC	\$269,899.50	
Lagniappe Development Company, Inc.	\$326,251.21	
Vertical-Earth, Inc.	\$384,000.00	

The Engineer’s Cost Estimate for the work was \$320,486.93.

Upon review of the bids, Staff recommends that award be made to the lowest, most responsible and responsive bid from Zaveri Enterprises, Inc. in the amount of \$248,131.00. There are adequate funds available in for the S2179 project budget to award the Project.

Motion and second. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Melody Kelley**, to approve a contract Award to Zaveri Enterprises, Inc. to construct the Spalding Drive Sidewalk Project and to authorize the City Manager to execute the contract.

Councilmember Paulson said this fantastic and glad this is going forward. The people in the area needed and wanted this for a long time. Does the City have to take any right of way as part of these sidewalk projects?

Wesley Waters, CIP Unit Manager, Public Works said the City does need to get right of way from time to time on different sidewalk projects. For the Hilderbrand Drive Sidewalk Project, we worked on an agreement with Georgia Power, and for everything else we worked on the existing shoulder there. For the Spalding Drive Sidewalk Project, we did not need to get right of way. There was a wide section there, however there are about seven driveways that we will have to impact. We communicated with the property owners but did not need any land rights.

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

Resolution No. 2024-11-155

- C. **2024-277** Request for Mayor and City Council Consideration of a Resolution to Approve a Memorandum of Understanding/User Access Agreement with the Georgia Emergency Management and Homeland Security Agency for the Creation of a Profile Record in the Georgia EM Grants Manager System and to Authorize the City Manager to Execute the Agreement

Dabney Brand, Grant Administrator, presented a recommendation to approve a Memorandum of Understanding/User Access Agreement with the Georgia Emergency Management and Homeland Security Agency for the creation of a profile record in the Georgia EM Grants Manager System and to authorize the City Manager to execute the Agreement.

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In September 2022, The Council approved participation in the FY2022 State and Local Cybersecurity Grant Program. That grant program has now been awarded and requires the sub-recipient to enroll in the grant management system portal to access all grant management related materials.

The City of Sandy Springs is eligible to receive an award in the amount of \$77,388 from the FY2022 State and Local Cybersecurity Grant Program. It is anticipated that these funds awarded to Sandy Springs will cover the costs of tools needed by the City for security. The City does not enter into an agreement with the Georgia Emergency Management System. However, if this is the outcome, the City will forfeit the current award funds and perhaps endanger any future awards under this program.

Motion and second. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Andy Bauman**, to approve a Memorandum of Understanding/User Access Agreement with the Georgia Emergency Management and Homeland Security Agency for the creation of a profile record in the Georgia EM Grants Manager System and to authorize the City Manager to execute the Agreement.

Councilmember Paulson asked does this put any more restrictions on what the City has been doing under this grant?

Grant Administrator Brand said no. This is to allow the City access to do grant management and ask for reimbursement money.

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

Resolution No. 2024-00-00

- D. **2024-278** Request for Mayor and City Council Consideration of a Resolution to Designate Sandy Springs Hospitality & Tourism, Inc. as the Official Destination Marketing Organization for the City of Sandy Springs and to Authorize the City Manager to Execute the Destination Marketing Services Agreement

Dan Lee, City Attorney, presented a recommendation to designate Sandy Springs Hospitality & Tourism, Inc. as the official destination marketing organization for the City of Sandy Springs and to authorize the City Manager to execute the Destination Marketing Services Agreement.

The Official Code of Georgia {Sect. 48-13-51(a)} authorizes municipalities, such as the City, to impose, levy, and collect an excise tax upon the furnishing of value to the public of any room or rooms, lodgings, or accommodations furnished by any person or legal entity licensed by, or required to pay business or occupation taxes to, the municipality for operating a hotel, motel, inn, lodge, tourist camp, tourist cabin, campground, or any other place in which rooms, lodgings, or accommodations are regularly furnished for value.

The City's Code of Ordinances, {Article III, Chapter 54, Sect. 51} provides for the imposition of an excise tax of seven percent (7%) on hotels and motels within the city limits of Sandy Springs.

On May 6, 2008, City Council approved Resolution No.: 2008-05-21, designating Sandy Springs Hospitality Board, Inc., as the official DMO for the City, for the provision of promoting tourism,

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conventions and trade shows within the city limits of Sandy Springs.

On September 29, 2015, a designee of Sandy Springs Hospitality Board, Inc. filed a Business Amendment Name Change with the Georgia Secretary of State (“GASOS”) for the purpose of changing the name of the City’s DMO from ‘Sandy Springs Hospitality Board, Inc.’ to ‘Sandy Springs Hospitality & Tourism, Inc.’.

The GASOS issued a Certificate of Amendment Name Change on October 26, 2015 approving the entity’s name change (attached hereto as Exhibit “B”).

In order to solidify the ongoing relationship between the City and its DMO, it is necessary to memorialize a contractual relationship between the City and the DMO, with the entity’s current name, as listed with the GASOS, by entering into the attached *Destination Marketing Services Agreement* with Sandy Springs Hospitality & Tourism, Inc. (f/k/a Sandy Springs Hospitality Board, Inc.).

Motion and vote. A motion was made by **Councilmember Jody Reichel**, seconded by **Councilmember Melody Kelley**, to designate Sandy Springs Hospitality & Tourism, Inc. as the official destination marketing organization for the City of Sandy Springs and to authorize the City Manager to execute the Destination Marketing Services Agreement. The motion carried by unanimous vote.

Resolution No. 2024-11-158

- E. **2024-279** Request for Mayor and City Council Consideration of a Resolution to Approve the City of Sandy Springs’ Payment of Health Benefits and to Authorize the City Manager to Execute the Proposal for Plan Year 2025

Eden Freeman, City Manager, presented a recommendation to approve the City of Sandy Springs’ Payment of Health Benefits and to authorize the City Manager to execute the proposal for Plan Year 2025.

The City of Sandy Springs (the “City”) receives new health benefits plan costs in September of each year. These changes go into effect on January 1st of the following year (the “Plan Year”). The City’s FY 2025 budget, approved by Council on June 18, 2024, allocated for an increase in health benefits costs for Plan Year 2025. The City received a health benefits plan cost proposal in September 2024 in an amount of \$9,116,591 for City employees and their eligible dependents.

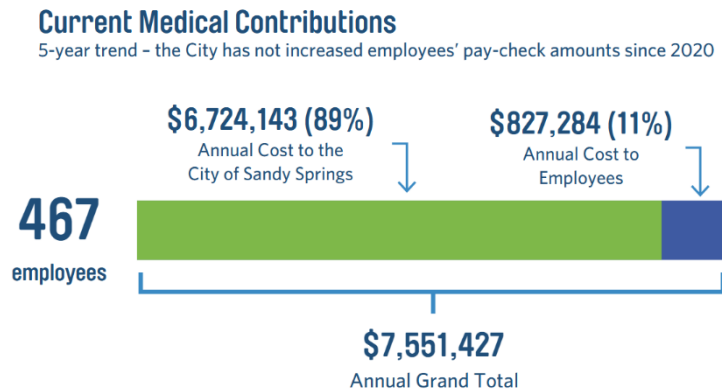
City Manager Freeman said this is to authorize the execution of the City’s agreement with Cigna for health insurance benefits for the City’s employees and covered dependents. It has been an extremely challenging year for insurance across all sectors, with health insurance chiefly amongst those.

The amount the City is paying in the current calendar year is a bit different because our insurance is booked on our budget year, but it is also paid on a calendar year, so open enrollment is easier for employees and allows them to follow the regular tax year. We are crossing budget years every year. During the City’s FY2025 process this year, we anticipated an increase in expenditures and have included sufficient funds in the budget to cover, but Council’s authorization is needed to execute the agreement.

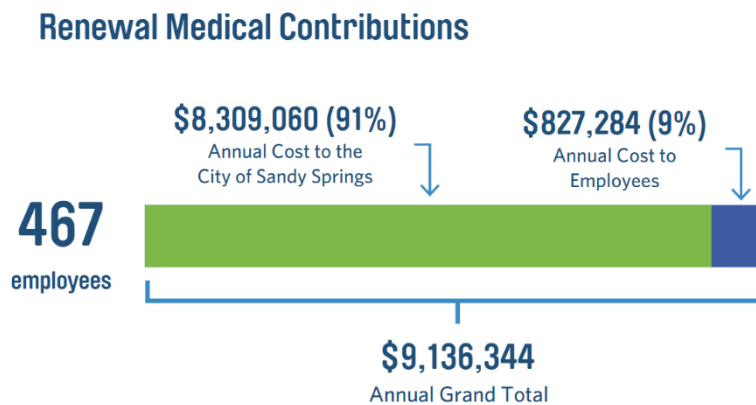
Currently, there are approximately four-hundred sixty-seven employees out of five-hundred thirty-eight

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full-time employees who take City health benefits. There is a corresponding total number of people covered on the City's plan of twelve hundred in this 2024 calendar year. The grand total paid was \$7,500,000. Unfortunately, when it was time to get new estimates, those numbers were higher than anticipated with a 22.6% increase.



During this year's budget process, employees were promised that the City would absorb the cost of that increase to not give them a pay cut during the budget year, and that is what we are doing. That increase is fully absorbed, and the City share of health insurance premium this year will be \$8,300,000. The employee share will be \$827,000, roughly 9% of covered costs.



This is the breakdown of what employees have been paying in 2024 and what they will be paying in 2025. In 2024, for the City's Point of Service (POS) Plan, it was approximately a 75/25 split, and that number will now be 80% on the City 20% on the employee, keeping that cost flat for their bi-weekly pay deductions. For the City's Health Savings Account (HSA) Plan, which has the largest number of employees enrolled in it, we are also keeping bi-weekly pay deductions the same, but instead of being 92% borne by the City, it will now be 93%.

2024 vs 2025 Medical Rates and Splits

		2024		2025	
Plan Name	Tier	Monthly Total		Monthly Total	
		Employer Cost	Employee Cost	Employer Cost	Employee Cost
POS	Employee Only	\$528.76	\$168.60	\$685.99	\$168.60
	Employee + Spouse	\$1,098.11	\$364.75	\$1,429.79	\$364.75
	Employee + Child(ren)	\$993.68	\$330.00	\$1,293.65	\$330.00
	Family	\$1,568.17	\$521.07	\$2,042.59	\$521.07
	% Split	-75%	-25%	80%	20%
HSA	Employee Only	\$653.55	\$52.78	\$797.16	\$52.78
	Employee + Spouse	\$1,308.08	\$110.86	\$1,683.49	\$110.86
	Employee + Child(ren)	\$1,263.13	\$100.32	\$1,537.49	\$100.32
	Family	\$1,923.05	\$158.37	\$2,356.25	\$158.37
	% Split	92%	8%	93%	7%

Following the presentation, **City Manager Freeman** introduced Elizabeth Awbrey, the City's new Director of Human Resources and Risk Management. She joined the City last Monday and returned for her second week with Sandy Springs. She is excited to be here as the City evaluates what can be done to bring cost savings to health insurance benefits. The City of Sandy Springs wants to remain an employer of choice and is committed to providing the most cost-effective options to employees.

Motion and second. A motion was made by **Councilmember Tibby DeJulio**, seconded by **Councilmember John Paulson**, to approve the City of Sandy Springs' Payment of Health Benefits and to authorize the City Manager to execute the proposal for Plan Year 2025.

Councilmember DeJulio asked what are the number of enrollments for the POS and HSA plans?

City Manager Freeman said it is anticipated that may change this year. Currently there are three hundred fifty four employees that are on the HSA plan and there are one hundred thirteen that are on the POS plan.

Councilmember DeJulio said it works out better with the HSA plan for the employee in the long-term, especially younger employees.

City Manager Freeman said it certainly does.

Councilmember Jody Reichel said Georgia Municipal Association (GMA) offers the Georgia Municipal Employees Benefit System (GMEBS) Life and Health Insurance Fund. Has the City considered taking advantage of this?

City Manager Freeman said yes. The City used to get benefits through GMA but is too large for their plans. This year, we will consider the possibility of self-funding, but as discussed, there are inherent risks involved. If there are critical losses, the City will have to pay, opposed to a pooled relationship like we have here. We will be evaluating all available options this year to determine the best path forward.

Councilmember Reichel said it is great that the amounts are the same for employees, and it is appreciated that other options will be considered.

Councilmember Paulson asked are other municipalities dealing with this? What have you heard?

City Manager Freeman said the City is not alone in what we are seeing. A neighboring municipality initially got a 78% increase in their premiums. Sandy Springs was negotiated down to 22.6%, which is larger than what was seen. The prior two years were reasonable numbers with one year at 11% and the year before may have been 6%. We will push healthy lifestyle information to employees about dietary choices, exercise habits, and more, to live healthier and to thrive.

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

Resolution No. 2024-11-159

- F. **2024-280** Request for Mayor and City Council Consideration of a Resolution to Approve a Lease Agreement between the City of Sandy Springs, Georgia and Fulton County, Georgia for the Lease of the Sandy Springs Library's Reading Garden Located at 395 Mount Vernon Highway NE, and to Authorize the City Manager to Execute The Agreement

Eden Freeman, City Manager, presented a recommendation to approve a lease agreement between the City of Sandy Springs, Georgia and Fulton County, Georgia for the lease of the Sandy Springs Library's Reading Garden located at 395 Mount Vernon Highway NE, and to authorize the City Manager to execute the agreement.

Fulton County is the owner and operator of the Sandy Springs Library (the "Library"), further identified by the following Tax Parcel IDs; 17-007100010296, 17-007100010312, 17-007100010304, 17-007100010320, 17-007100010361, 17-007100010379, and 17-007100010346. Within the Library property is a Reading Garden which contains a walking meditation labyrinth and benches where patrons can enjoy reading.

The Reading Garden is located within Tax Parcel ID 17-0071-0001-034-6 and is further described in Exhibit(s) "A" and "B" to the Lease Agreement. Fulton County has agreed to lease the Reading Garden to the City, pursuant to the terms and conditions contained in the Lease Agreement, for a term of twenty (20) years. Pursuant to the Lease Agreement, and in lieu of any monetary consideration, the City will enhance and provide maintenance, care and landscaping services to the property, such as mowing, tree trimming, fertilizing of plants, clearing of leaves/branches and repairing benches (as needed). The City also agrees to keep the Reading Garden free of any hazardous conditions and to perform basic maintenance, as needed. Fulton County will continue to be responsible for, and maintain, all necessary utilities in connection with the Reading Garden. Other than costs associated with the basic maintenance of the Reading Garden, the City is not responsible for any monetary consideration as a part of the attached Lease Agreement.

Councilmember Melissa Mular originally brought this item to Staff's attention with a request for the City to look into whether or not Fulton County would be willing to provide a long-term no cost lease so that the City could take over the maintenance of the property, and help it regain some of its former glory. Staff worked with **Bob Ellis, Fulton County Commissioner for District 2**, and his office, and the County Attorney and the County Manager's office. The results of that are before Council this evening. It is no cost to the City, but the County will have the ability to say if the City needs to terminate this, if they ever needed to expand the library in the future.

Motion and second. A motion was made by **Councilmember Melissa Mular**, seconded by **Councilmember Jody Reichel**, to approve a lease agreement between the City of Sandy Springs,

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Georgia and Fulton County, Georgia for the lease of the Sandy Springs Library's Reading Garden located at 395 Mount Vernon Highway NE, and to authorize the City Manager to execute the agreement.

Councilmember Mular thanked **City Manager Freeman** and staff for their efforts. Also, thank you to the **Office of Commissioner Bob Ellis**, the County Attorney, County Manager, and Laura Jones from the Sandy Springs community, who brought this to my attention. This will be a lovely pocket park along the path that the City is building.

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

Resolution No. 2024-11-160

X. Reports

A. 2024-281 Mayor and Council Report

Mayor Rusty Paul said the State of the Schools Program was well-attended at the Sandy Springs Performing Arts Center, and brings the topic of the proposed closing of Spalding Drive Elementary. **Mayor Deana Holiday Ingram, City of East Point**, and I met with **Dr. Mike Looney, Superintendent for the Fulton County School District** to discuss our concerns about not only Spalding Drive Elementary, but also Park Lane School in East Point. He made it clear that it is the ultimate decision of the School Board to keep the school open or closed. Staff was responding to a policy that the School Board passed several years ago outlining conditions when schools need to be closed. It is mostly an economic consideration that the cost of providing services in smaller schools was higher than larger schools, and the population has dropped. We urged him to use this as an opportunity to do some pilot programs to focus on innovation to using smaller schools for that purpose. There were no commitments made. It was a frank conversation and we left with a better understanding of the situation.

It is most concerning to me that these are elementary school kids and they do not understand all the decisions that adults must make. This is disruptive to young children. Some things transcend dollars and cents issues and we need to take into consideration the emotional and psychological impact of these kinds of activities and decisions on our kids. This is not only the Spalding Drive Elementary population. This will have a ripple effect across Sandy Springs school populations and the whole community. Students will be displaced and reassigned to different schools, and we saw some of that in meetings last night, as the school system begins to look at how to reapportion the student population that remains, both within the Spalding Drive area, as well as schools in the area to rebalance the school populations. The City has no direct authority to manage the school system, or tell them what to do. They are an independent body, elected by the voters just as we are, but we have the ability to express our opinions and we are doing that. This is an opportunity to think creatively to implement competitiveness within our school systems and utilize some of these communities in innovative ways to protect these young children and ensure they get the education they need, and also take into consideration not just the cost in dollars and cents but the cost of the impact on elementary school children. We will continue to have a dialogue with our school board members that has begun.

This week I attended a meeting of mayors ranging from Smyrna to Tucker to discuss North End, where managed lanes are being built. Part of that would ultimately be used for Bus Rapid Transit connecting the Tucker area all the way to Smyrna. The latest plans were a surprise as we all anticipated that as the managed lanes are being built on the North End, there would be westbound and eastbound lanes built simultaneously. The current plan is to build the westbound piece, and defer the eastbound side to later by

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as much as two to three years. The reason given is the construction industry does not believe it has the capacity to build them in tandem and the project has been split up. From a community quality of life experience with the disruption, and ability to move east and west on the managed lanes, it will extend the period of construction further. Hopefully there will be other solutions and we will continue those dialogues.

Monday is the Sandy Springs annual Veterans Day Tribute and we will be welcoming Colonel John McDonough, the first City Manager of Sandy Springs, as the keynote speaker. After this ceremony, **Councilmember Tibby DeJulio** and **Councilmember John Paulson** will lead in honoring veterans with two art dedications in Veterans Park.

Councilmember DeJulio said for a long time we have been looking forward to having the dedication of two extremely beautiful but meaningful sculptures, Be the Light and Three Generations. We are looking forward to a good turnout, and everyone is encouraged to be there and bring family and friends. It will be an impressive and meaningful ceremony.

Councilmember Paulson said next Monday will be a great day. It is fascinating the City is responsible for the built park, but not the artwork. There were private donors who funded these two art sculptures. Sunny Park was one of the biggest contributors and David Boehmig was a second contributor, and they will be in attendance. Looking forward to unveiling.

Mayor Paul said it is impressive now but will be stunning when lighted.

Councilmember Jody Reichel acknowledged the passing of Bernie Marcus, Home Depot co-founder. He was not a Sandy Springs citizen for a while, but when I knew him he was a citizen. I knew him personally and he was a great individual, and one of the most philanthropic people I knew. His name was on the Aquarium, Airport and Grady. He left his mark on Atlanta and the world.

Mayor Paul said he lived here for years and his name is not only on those places, but several things here in the Sandy Springs Dunwoody area, the Marcus center particularly. He was an amazing entrepreneur. About a month ago, Jay Kaiman, who runs his foundation, told me his health was not good and the news is not surprising. Not only Sandy Springs and Georgia, but the United States lost a great entrepreneur who developed a tremendous amount of wealth, but used it in a way that you would hope people who amass large amounts would. His goal was to give \$2,000,000,000 away before he died and hopefully he accomplished it.

Councilmember Andy Bauman said in following-up to the comments about Spalding Drive Elementary, at least four members of Council were at the meeting last night at Riverwood. They are moving forward on parallel tracks with the school closing, but also showing different redistricting plans which will have a substantial impact on every student at Spalding, and their families. They will all have to be relocated, and there are hundreds of students from all over the City. From the plans last night, especially on the south side, this is a citywide issue. I echo **Mayor Paul's** comments and hope the board thinks this through, and will add my voice to stopping the closure. I implore citizens who did not think they may be impacted to take a look. We need to put out that redistricting plan and they need to reach out to the board members who represent Sandy Springs. This is a big deal and something we all need to take seriously. There are many families that are not aware of the redistricting plans and how they will substantially impact their families.

Mayor Paul said this is one reason why I wanted Mayor Holiday Ingram here. She has a couple board members in her area whose support we are going to need, and by East Point and Sandy Springs working

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together. Mayor Holiday Ingram and I have worked together on a number of issues and have a good working relationship, and hopefully we can have some influence on the board to take a second look at this.

Councilmember Paulson said on Saturday at the Sandy Springs Farmers Market, we welcomed **Sandy Springs Police Officer Janssen Redcay**, acting as an individual. He cycled one thousand one hundred and twenty-nine miles from Sault Ste. Marie, Michigan down to Georgia for a good cause. He did it not as a police officer, but as a father, and was welcomed by a number of people. It is quite a feat to bike eleven hundred and twenty-nine miles, especially when you do not have to.

Mayor Paul said thank you Officer Jansen for what you did and for the example you set for a lot of people. It is greatly appreciated.

B. 2024-282 Staff Reports

There were no staff reports.

XI. Executive Session

Motion and vote. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Tibby DeJulio**, to recess from regular order and enter executive session for the purposes of real estate and litigation discussion. The motion carried by unanimous vote.

Passed Yes 6, No 0, Abstained 0

Yeas: John Paulson, Melody Kelley, Melissa Mular, Jody Reichel, Tibby DeJulio, Andrew Bauman

Nays: None

The Executive Session began at 7:33 p.m.

Motion and vote. A motion was made by **Councilmember John Paulson**, seconded by **Councilmember Tibby DeJulio**, to adjourn the executive session and return to regular order. The motion carried by unanimous vote.

Passed Yes 6, No 0, Abstained 0

Yeas: John Paulson, Melody Kelley, Melissa Mular, Jody Reichel, Tibby DeJulio, Andrew Bauman

Nays: None

The Executive Session ended at 8:13 p.m.

XII. Adjournment

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

The meeting adjourned at 8:13 p.m.

