



City Council Meeting
February 4, 2019
Office of the City Clerk
2 PARK PLAZA- CITY HALL

Official Minutes

The public is advised that the following minutes are not a verbatim transcription of business presented at the Council Meeting of the date shown; but are a synopsis of pertinent information. The public is further advised that the tapes recorded at said meeting are a matter of public record and are available to be heard at the City of Alpharetta's Clerk's office during normal business hours.

I. CALL TO ORDER

- *Mayor Gilvin called the meeting to order at 6:30 p.m.*

II. ROLL CALL

- Council Members
 - Mayor Jim Gilvin
 - Mayor Pro Tem Donald Mitchell
 - Jason Binder
 - Ben Burnett
 - John Hipes
 - Dan Merkel
 - Karen Richard
- Staff
 - Bob Regus, City Administrator
 - Sam Thomas, City Attorney
 - James Drinkard, Asst. City Administrator
 - Peter Sewczwicz, Director of Public Works
 - John Robison, Director of Public Safety
 - Morgan Rodgers, Director of Recreation and Parks
 - Kathi Cook, Director of Community Development

- Tom Harris, Director of Finance
- Michael Riddle, Web Administrator

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 1-28-2019)

B. Alcoholic Beverage License Applications

PH-19-AB-02 Chartwell Hospitality, LLC

d/b/a Hilton Garden Inn Atlanta North/Alpharetta

4025 Windward Plaza

Alpharetta, GA 30005

Owner: Robert G. Schaedle III

Registered Agent: Michael Sard

PH-19-AB-03 I8LITE INC

d/b/a Burger IM

5530 Windward Pkwy Ste. C-310

Alpharetta, GA 30004

Owner: George Mikhail

Registered Agent: George Mikhail

C. Financial Management Report: Month Ending December 31, 2018

- ❖ Council Member Mitchell offered a motion to approve the Consent Agenda
 - The motion received a second from Council Member Merkel
 - The motion was approved unanimously 7-0

V. PROCLAMATIONS AND PRESENTATIONS

A. Heart Health Month Proclamation

B. Bicycle Friendly Community

C. Bicycle Friendly Business: Honda

D. Service Awards - Brian Martin (20-years) and Carl Hall (30-years)

VI. OLD BUSINESS

A. PH-18-19: Unified Development Code Text Amendments – Definitions, C-2 Uses And Driveways ***Second Reading***

- Director of Community Development, Kathi Cook, came forward to present this item.
- Staff recommends Mayor and Council approve amendments to the Unified Development Code as it relates to C-1 (Neighborhood Commercial) and C-2 (General Commercial) uses, greenspace and open space definitions and residential parking.
- Consideration of text amendments to Unified Development Code (UDC) Section 1.4 Definitions, Subsection 2.2.14 C-1 Neighborhood Commercial, Subsection 2.2.15 C-2 General Commercial, Section 2.5 Parking and Loading, Subsection 3.3.2 Stormwater Management Definitions, and Appendix A: Alpharetta Downtown Code, Section 2.4 Parking and Loading.
- C-1/C-2 Uses: Staff proposes to delete 'Dwelling, 'For-Rent' as a conditional use in the C-1 (Neighborhood Commercial) and C-2 (General Commercial) zoning districts and to delete 'Dwelling, 'For-Sale Attached in a Vertically Mixed Use Building Over Retail or Restaurant' as a conditional use in the C-2 zoning district.

- Open Space/Greenspace: Staff proposes to add a definition for ‘Greenspace’ to Article I, Section 1.4, Definitions and to delete the definition of ‘Greenspace’ from Article III, Subsection 3.3.2, Stormwater Management Definitions. Staff also proposes amendments to the definition of ‘Open Space’ in Article I, Section 1.4 for the purpose of maintaining consistency with the regulations in the Downtown Overlay and North Point Overlay.
- Parking: Staff proposes text amendments to Section 2.5 Parking and Loading and Appendix A: Alpharetta Downtown Code, Section 2.4 Parking and Loading requiring all ‘For-Sale’ dwelling units to have a minimum 18’ long and 10’ wide driveway. In addition, regulations are proposed addressing tandem parking.
- ❖ Council Member Richard offered a motion to approve the amendments to the Unified Development Code as it relates to C-1 (Neighborhood Commercial) and C-2 (General Commercial) uses, greenspace and open space definitions and residential parking.
 - The motion received a second from Council Member Binder
 - The motion was approved unanimously 7-0

VII. NEW BUSINESS

A. Appointment to the Alpharetta Development Authority

- ❖ Council Member Binder offered a motion to appoint Mark Wyngate to fill a vacant seat on the Alpharetta Development Authority
 - The motion received a second from Council Member Richard
 - The motion passed by unanimous vote (7-0)

VIII. WORKSHOP

A. Criminal Justice Reform Bill SB407

- Recent changes in State law require that individuals found by law enforcement to have small amounts of marijuana or a minor in possession of alcohol can no longer be issued a citation and released pending their court date
 - An officer would now be required to take the individual into custody and transport them to jail for booking
 - The individual would then have a criminal charge and fingerprint card on their record that would follow them for life
- Prior to this new law, our Police Officers could exercise discretion so that first-time offenders would be released on a citation (minors would be released into the custody of their parents) pending trial
- By making a change to our local ordinance, individuals found by law enforcement to have small amounts of marijuana or a minor in possession of alcohol could be charged, at the Police Officer’s discretion, with Disorderly Conduct
 - This would provide an opportunity for a first time offender to not be booked into jail and have a permanent criminal record
 - The option would allow such minor cases to be handled in the same manner as they are today; restoring officer discretion
 - The Police Officer would still have the option, at her/his discretion, to charge the individual with possession and take her/him to jail for processing in accordance with State law, which would allow the officer to better address repeat offenders or extenuating circumstances
- City Council asked that the City Attorney draft an appropriate amendment to City Code for consideration at an upcoming City Council Meeting

IX. PUBLIC COMMENT

- Don Nahser, 305 Karen Drive, came forward to speak on the Criminal Justice Reform Bill and in support of uniform enforcement of the letter of the law

X. REPORTS

- Council Member Burnett reminded everyone of the Annual Daddy / Daughter Dance being held on February 8
- Council Member Binder announced that a Community Food Forum will be held at City Hall on February 27 beginning at 6:00 PM
- Mayor Pro Tem Mitchell announced the passing of former City employee Christopher Jones
- Mayor Gilvin thanked everyone who participated in the Polar Bear Plunge held this past Saturday

XI. ADJOURNMENT TO EXECUTIVE SESSION

- ❖ Council Member Merkel offered a motion to adjourn to Executive Session for purpose of discussing matters of litigation
 - The motion received a second from Council Member Binder
 - The motion passed by unanimous vote (7-0)
- ❖ With no further business to discuss or items to be heard, Mayor Gilvin adjourned the meeting at 7:34 PM

Respectfully submitted,

A handwritten signature in cursive script that reads "Erin Cobb".

Erin Cobb, City Clerk