



Official City Council Meeting Minutes

July 19, 2021

Office of the City Clerk

CITY HALL 2 PARK PLAZA | 6:30 PM

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 F. 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
- Erin Cobb, City Clerk
- Morgan Rodgers, Director of Recreation, Parks & Cultural Services
- Kathi Cook, Director of Community Development
- Pete Sewczwicz, Director of Public Works
- Randy Bundy, Director of Information Technology
- Michael Woodman, Senior Planner

III. PLEDGE TO THE FLAG

IV. PRESENTATIONS & PROCLAMATIONS

- A. Tech Alpharetta Graduate Recognition**
- B. Proclamation: DeVry University 90th Anniversary**

V. CONSENT AGENDA

- A. Council Meeting Minutes (Meeting of 6/28/2021)**
- B. Financial Management Report: Month Ending May 31, 2021**
- C. Alcoholic Beverage License Applications**

- 1. PH-21-AB-18 Branch & Barrel, LLC**
d/b/a Branch & Barrel
4100 Avalon Boulevard
Alpharetta, GA 30009

Restaurant
Consumption on Premises
Liquor, Beer, Wine & Sunday Sales

Owners: Sean Hyslop & Steve Hogan
Registered Agent: Roger Santi

- 2. PH-21-AB-19 Another Broken Egg of Alpharetta, LLC**
d/b/a Another Broken Egg Cafe
4075 Old Milton Parkway, Suite 1
Alpharetta, GA 30005

Restaurant
Consumption on Premises
Liquor, Beer, Wine & Sunday Sales

Owner: Another Broken Egg of Alpharetta, LLC
Registered Agent: Henry M. Feinstein

- 3. PH-21-AB-20 CUN Alpharetta, Inc.**
d/b/a Curry Up Now
24 South Main Street, Suite 2A
Alpharetta, GA 30009

Restaurant
Consumption on Premises
Liquor, Beer, Wine & Sunday Sales

Owner: CUN Alpharetta, Inc.
Registered Agent: Sandeep Sunner

- ❖ Mayor Pro Tem Mitchell asked to remove the Council Meeting Minutes of June 28, 2021 from the consent agenda requesting a review of the public comment made by Ruth Ann Tatum
- ❖ Council Member Burnett offered a motion to approve the consent agenda with the exception of the Meeting Minutes from June 28, 2021
 - The motion received a second from Council Member Binder
 - The motion was approved unanimously (7-0)
- ❖ Council Member Hipes made a motion to table the Council Meeting Minutes of June 28, 2021 in order for staff to review the video of the June 28th City Council Meeting
 - The motion received a second from Council Member Binder
 - The motion was approved unanimously (7-0)

VI. PUBLIC HEARING

A. CU-21-06 The Parish Anglican Church / Kalen Center

- **Council Member Hipes recused himself from this item.**
- Senior Planner, Michael Woodman, came forward to present this item.
- This item was heard at the 6/3/2021 Planning Commission meeting. Staff recommended denial. There were 13 public comments in support and one (1) in opposition with concerns over impacts to the townhome community's shared access. After discussion, Planning Commission recommended approval subject to conditions. Vote 5-2
- Approve CU-21-06 The Parish Anglican Church/Kalen Center request for conditional use, subject to the following conditions:
 1. 'Church, Synagogue' shall be added as a conditional use at 201 Vaughan Drive, and limited to no more than 80 seats.
 2. The use shall be limited to worship services, pastoral counseling, community classes and other activities customarily associated with a religious facility, except that an academic school shall not be permitted.
 3. Conditional use approval shall be limited to The Parish Anglican Church; no additional 'Church, Synagogue' uses or subleasing shall be permitted within the approved space.
 4. There shall be no outside speakers or broadcasts, including music which is audible from outside the building or off the property.
 5. Sunday hours of operation shall be limited to 6:30 AM - 1:30 PM to accommodate 2 worship services.
 6. The church shall not have outdoor displays, including displaying vehicles with church advertisements that are visible from the street.
 7. Applicant shall provide a traffic/parking management plan, subject to approval by Staff. Church operations personnel shall work with City Staff if the plan needs to be modified due to growth in the congregation.

8. A police officer shall be utilized for services in order to manage and direct traffic.
 9. An inspection shall be required by the Fire Marshall's Office to determine whether or not the space can accommodate the proposed use and occupancy.
 10. A maximum of 4 special congregation events per year shall be permitted and limited to no more than 80 seats.
- The applicant, The Parish Anglican Church, is requesting a conditional use to allow a 'Church, Synagogue' to operate in an existing building developed as the Kalen Center. The one (1) acre property is zoned C-2 (General Commercial), which requires approval of a conditional use in order to use the building for a church. The subject property is located at 201 Vaughan Drive near the northeast corner of Vaughan Drive and Highway 9.
 - The submitted request, if approved, would allow The Parish Anglican Church to operate a 'Church, Synagogue' in an existing building developed as the Kalen Center. The applicant requests a maximum occupancy of 80 seats. The applicant has reduced the requested maximum occupancy from the original request of 214 seats in an effort to address concerns of area residents and Staff. The subject property is located at 201 Vaughan Drive near the northeast corner of Vaughan Drive and Highway 9.
 - The Kalen Center was constructed in 2016 as a 2-story over basement, 16,500 square foot office building. The zoning of the property is C-2 (General Commercial), which allows a 'Church, Synagogue' with approval of a conditional use. Surrounding properties are zoned C-2, except that the property to the north is zoned R-8A (Dwelling, 'For-Sale', Attached/Detached – Medium Density). North Main Animal Hospital is located to the south, Chevron and Millennium Office Condos are located to the west, an office building and 321 Vaughan townhome development are located to the north and an undeveloped commercial property is located to the east.
 - The property has 43 on-site parking spaces, of which seventeen (17) spaces are located at the front of the building and 26 spaces to the rear of the building. Access to the rear parking lot is by way of Brindle Lane (private street) and a private parking lot at 231 Vaughan Drive. The Kalen Center, the 231 Vaughan Drive property and 321 Vaughan townhome development all share the same access, except that the front parking spaces at the Kalen Center have separate access. The Unified Development Code (UDC) requires one (1) space for each two (2) seats in the principal assembly room for a church. Therefore, 40 parking spaces are required for an 80- seat church. The applicant submitted a parking and traffic management plan, whereby a Parish Host Team member, or if necessary, an Alpharetta Police Officer, would manage traffic coming and going from The Kalen Center.
 - Parish Anglican Church has been operating at 11940 Alpharetta Highway since 2015. That property will be redeveloped in conjunction with Phase 2 of the Village Park at Wills assisted living facility. The Parish holds Sunday services at 9:00 AM and 10:30 AM, accommodating a congregation of approximately 150 adults and children. Sunday hours of operation are from 6:30 AM to 1:30 PM. The church occasionally offers small groups or adult classes outside of regular business hours.
 - **CONDITIONAL USE REVIEW CRITERIA:** City staff has reviewed the applicant's request and compared it to the conditional use standards established in UDC Sec. 4.2.3 (B) which are as follows:

- A conditional use otherwise permitted within a zoning district shall be considered to be compatible with other uses permitted in the district, provided that due consideration is given to the following objective criteria at a public hearing and satisfactory provisions, or arrangements are made for:
 1. Access into and out of the property with regard to traffic and pedestrian safety, volume of traffic flow, and emergency vehicles, as well as the type of street providing access; Response: The subject property has shared access to its larger, rear parking lot with 231 Vaughan Drive and the 321 Vaughan townhome development. Access for the two (2) adjacent properties could be impacted during Sunday church services.
 2. The extent to which refuse areas, loading and service areas, off street parking, and buffers and screening are provided on the property; Response: The subject property shares access to its larger, rear parking lot with two (2) adjacent properties, one of which is a 36-unit townhome development. There are concerns with the church impeding the shared access.
 3. Ensuring that the conditional use will not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity or diminish and impair property values within the surrounding neighborhood; Response: The proposal could diminish property values within the surrounding area. If a church is approved at this location, the adjacent commercial properties could be precluded from an alcohol license. City alcohol licenses are subject to the local and State distance requirements and alcohol licenses are non-transferable.
 4. Ensuring that the conditional use will not increase local or state expenditures in relation to the cost of servicing or maintaining neighboring properties; Response: Not applicable.
 5. Ensuring that the conditional use will not impede the normal and orderly development of surrounding property for uses predominant in the area; and Response: The proposal could impede development of surrounding properties. If a church is approved at this location, the adjacent commercial properties could be precluded from an alcohol license. City alcohol licenses are subject to the local and State distance requirements and alcohol licenses are non-transferable.
 6. Ensuring that the location and character of the conditional use is considered to be consistent with a desirable pattern of development for the city, in general. Response: The proposal, if approved, could impede access to the 321 Vaughan townhome development, as well as impede the development of surrounding properties. If a church is approved at this location, the adjacent commercial properties could be precluded from an alcohol license. City alcohol licenses are subject to the local and State distance requirements and alcohol licenses are non-transferable.
 7. Ensuring that the conditional use is appropriately separated from similar uses and conflicting uses, such as residences, government buildings, parks, churches, or schools. Response: If a church is approved at this location, the adjacent commercial properties could be precluded from an alcohol license. City alcohol licenses are subject to the local and State distance requirements and alcohol licenses are non-transferable.
- CONCURRENCES: Staff has reviewed the applicant's proposal and finds that the request is in conflict with the established review criteria for a conditional use permit. The request, if approved, would impact the shared access to the 321 Vaughan townhome development. In addition, approval of the request has the potential to impede the development of surrounding properties. Adjacent commercial properties could be precluded from an alcohol license. City alcohol licenses are subject to the local and State distance requirements and alcohol

licenses are non-transferable.

- CITIZEN PARTICIPATION PLAN: The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that no comments were received. The City has received objections from residents in the 321 Vaughan townhome development with concerns over impacts to the shared access and potential for conflicts between vehicles and pedestrians.
- COMMUNITY ZONING INFORMATION MEETING: The CZIM was held on April 14, 2021. There were several comments in favor and in opposition. Concerns included impeding shared access to the 321 Vaughan townhome development and safety issues with church members making mid-block crossings on Vaughan Drive.
- The applicant, Pastor Jordan Warner and Attorney Ethan Underwood came forward on behalf of the application.
- **Public Comment:**
 - Ruth Ann Tatum, 250 Pebble Trail, Alpharetta, GA, 30009, came forward to voice concern regarding the future growth of the church and the current traffic in that area.
 - Zach Matthews, 2760 Cogburn Lane, Alpharetta, GA, 30009, came forward in support of this item.
 - Holly Warner, 3610 Milton Park Drive, Alpharetta, GA, 30009, came forward in support of this item.
 - James Douglas, 115 S. Shore Court, Roswell, GA, 30076, came forward in support of this item.
 - Renny Scott, 115 Windfall Court, Alpharetta, GA, 30009, came forward in support of this item.
 - Lisa Goddard, 1040 Lake Windward Overlook, Alpharetta, GA, 30009, came forward in support of this item.
 - Jim Murphy, 10865 S. Kimball Bridge Xing, Alpharetta, GA, 30022, came forward in support of this item.
 - Kevin Heineman, 4559 Wigley Estates Road, Marietta, GA, 30066, came forward in support of this item.
 - Keith Jennings, 1685 Highgrove Club Drive, Milton, GA, 30004, came forward in support of this item.
 - Laura Boggs, 16349 Henderson Road, Alpharetta, GA, 30009, came forward in support of this item.
 - Mike Nelson, 3645 Milton Park Drive, Alpharetta, GA, 30022, came forward in support of this item.
 - Beth Nelson, 3645 Milton Park Drive, Alpharetta, GA, 30022, came forward in support of this item.
 - Jeanine Dougall, 3540 Chicory Creek Drive, Cumming, GA, 30041, came forward in support of this item.
 - Melanie Heineman, 4559 Wigley Estates Road, Marietta, GA, 30066, came forward in support of this item.
 - Cory Kelsh, 870 Dockbridge Way, Milton, GA, 30004, came forward in support of this item.

- Thomas Loving, 7150 Wynfield Court, Cumming, GA, 30040, came forward in support of this item.
- Evan Chasteen, 4209 Harris Ridge Court, Alpharetta, GA, came forward in support of this item.
- Deonna Bettis, 117 Rosebury Drive, Canton, GA, 30115, came forward in support of this item.
- Amy Hoyle, 2415 Jakin Way, Suwanee, GA, 30024, came forward in support of this item.
- Rachel Dines, 530 Powers Court Ave, Milton, GA, 30004, came forward in support of this item.
- Morgan Seidel, 1880 Six Branches Drive, Roswell, GA, 30076, came forward in support of this item.
- John Ott, 5170 Mills Drive, Cumming, GA, 30028, came forward in support of this item.
- Sarah Fetz, 125 Laurens Oak Court, Alpharetta, GA, 30022, came forward in support of this item.
- David Ake, 240 The Orchard Way, Roswell, GA, 30075, came forward in support of this item.
- HOA Representative for the 321 Vaughn Community, Mary Jacobs, 116 Brindle Lane, Alpharetta, GA, 30009, came forward in opposition of this item.
- Representative for the Chevron Gas Station, Ashish Balyan, 560 North Main Street, Alpharetta, GA, 30004, came forward with concerns regarding the eligibility of their establishments liquor license in reference to the distance requirements from his family's store and the church. Although their store was grandfathered in, he was concerned about potential new owners if they were to sell or lease the property.
- Owner of the Kalen Center, Fred Moeller, 201 Vaughan Drive, Alpharetta, GA, 30009, came forward in support of this item.
- Susan Lister, 680 Greenview Terrace, Milton, GA, 30004, came forward in support of this item.

❖ Council Member Binder offered a motion to table the item for two weeks

- The motion received a second from Council Member Richard
- The motion did not pass (3-3); Council Member Merkel, Council Member Burnett, and Mayor Pro Tem Mitchell voted in opposition

❖ Council Member Burnett offered a motion to approve CU-21-06 The Parish Anglican Church/Kalen Center request for conditional use, subject to the following conditions:

1. 'Church, Synagogue' shall be added as a conditional use at 201 Vaughan Drive, and limited to no more than 80 seats.
2. The use shall be limited to worship services, pastoral counseling, community classes and other activities customarily associated with a religious facility, except that an academic school shall not be permitted.

3. Conditional use approval shall be limited to The Parish Anglican Church; no additional 'Church, Synagogue' uses or subleasing shall be permitted within the approved space.
 4. There shall be no outside speakers or broadcasts, including music which is audible from outside the building or off the property.
 5. Sunday hours of operation shall be limited to ~~6:30 AM—1:30 PM~~ 7:00 AM - 1:00 PM to accommodate 2 worship services.
 6. The church shall not have outdoor displays, including displaying vehicles with church advertisements that are visible from the street.
 7. Applicant shall provide a traffic/parking management plan, subject to approval by Staff. Church operations personnel shall work with City Staff if the plan needs to be modified due to growth in the congregation.
 8. A ~~police officer~~ congregant or staff member shall be utilized for services in order to manage and direct traffic for one year and report back to Public Safety
 - ~~9. An inspection shall be required by the Fire Marshall's Office to determine whether or not the space can accommodate the proposed use and occupancy~~
 10. A maximum of 4 special congregation events per year shall be permitted and limited to no more than 80 seats.
 - The motion received a second from Mayor Pro Tem Mitchell with a friendly amendment that Mr. Moeller would agree to a maintenance agreement with the 321 Vaughn Community's HOA for the shared driveway
 - Council Member Burnett did not accept the friendly amendment
 - The original motion offered by Council Member Burnett received a second from Council Member Merkel
 - Council Member Binder offered a friendly amendment to replace condition number 8 with the staff recommendation that a police officer shall be utilized to manage and direct traffic
 - Council Member Burnett accepted the friendly amendment
 - Council Member Merkel did not accept the friendly amendment due to the fact that it would be a financial burden
- ❖ Council Member Binder offered a substitute motion to approve CU-21-06 The Parish Anglican Church/Kalen Center request for conditional use, subject to the following conditions:
1. 'Church, Synagogue' shall be added as a conditional use at 201 Vaughan Drive, and limited to no more than 80 seats.
 2. The use shall be limited to worship services, pastoral counseling, community classes and other activities customarily associated with a religious facility, except that an academic school shall not be permitted.
 3. Conditional use approval shall be limited to The Parish Anglican Church; no additional 'Church, Synagogue' uses or subleasing shall be permitted within the approved space.
 4. There shall be no outside speakers or broadcasts, including music which is audible from outside the building or off the property.
 5. Sunday hours of operation shall be limited to ~~6:30 AM—1:30 PM~~ 7:00 AM - 1:00 PM to accommodate 2 worship services.

6. The church shall not have outdoor displays, including displaying vehicles with church advertisements that are visible from the street.
7. Applicant shall provide a traffic/parking management plan, subject to approval by Staff. Church operations personnel shall work with City Staff if the plan needs to be modified due to growth in the congregation.
8. A police officer shall be utilized for services in order to manage and direct traffic.
9. An inspection shall be required by the Fire Marshall's Office to determine whether or not the space can accommodate the proposed use and occupancy.
10. A maximum of 4 special congregation events per year shall be permitted and limited to no more than 80 seats.

- The motion received a second from Council Member Burnett
- The motion was approved unanimously (6-0)

❖ Mayor Gilvin requested a 5-minute break, meeting was called back to order at 9:09 P.M. and Council Member Hipes rejoined the meeting.

B. PH-21-13 UDC Text Amendments - Supplementary Regulations Accessory Backyard Chickens Located in Residential Zoning Districts (First Reading)

- Director of Community Development, Kathi Cook, came forward to present this item.
- This item was heard at the 7/1/2021 Planning Commission meeting. There were no public comments. After discussion, Planning Commission recommended approval. Vote 5-0
- Consideration of text amendments to Unified Development Code (UDC) Subsection 2.3.3 Supplementary Regulations, Uses Customarily Accessory to Dwellings Located in Residential Zoning Districts, to allow backyard chickens in any residential zoning district on minimum one (1) acre properties with a single-family detached dwelling. Regulations limiting the number of chickens to six (6), prohibiting roosters and requiring a minimum 25' setback for related structures would remain the same. In an effort to address water quality pollution, it is recommended that backyard chickens not be permitted within any undisturbed water buffers, wetlands, or floodplain.
- Staff has received several requests over the years to allow backyard chickens on residential property other than in the AG (Agriculture) zoning district. In response, the City Council approved text amendments in June 2020 allowing backyard chickens as an accessory use on minimum one (1) acre lots in the AG, RE, R, R-22, and R-15 zoning districts.
- There are other residential zoning districts in the City that were not included in the recent UDC text amendments, including the R-12, R-10, R-4A/D, R-8A/D, R-10M, and CUP zoning districts. This change would still require minimum one (1) acre lots, but not designated within a specific zoning district. Staff researched jurisdictions in the area and found the following regulations for backyard chickens:

Backyard Chicken Regulations in Other Jurisdictions

City	Min. Lot Size	Structure Setbacks	Max. # Allowed	Other Information
Roswell	0.33 acres	25'	12/acre, max. 36	Allowed in single-family districts
Milton	1.01 acres	25'	75	Allowed in single-family districts, min. 4 SF/chicken
Johns Creek	any	100' (from occupied bldgs., not incl. home)	75	Allowed in single-family districts, min. 4 SF/chicken
Marietta	15,000 SF	20' from property lines, 10' from principal structure	4	Allowed in single-family districts, required to have fenced area for chickens, min. 25 SF per chicken

- Staff contacted Code Enforcement offices in other jurisdictions and found they had no significant complaints regarding backyard chickens.
 - City Attorney, Sam Thomas, read the ordinance aloud.
 - **Public Comment:** No Public Comment
- ❖ Council Member Richard offered a motion to approve PH-21-13 UDC Text Amendments - Supplementary Regulations Accessory Backyard Chickens Located in Residential Zoning Districts and the ordinance as presented
- The motion received a second from Council Member Binder
 - The motion was approved (6-1); Council Member Burnett voting in opposition

VII. NEW BUSINESS**A. Providence Road Sidewalk Mayfield to Bates**

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Council award the contract for Providence Rd. Sidewalk Construction from Mayfield to Bates Road to Excellre Construction LLC. in the amount of \$196,800.00 and authorize the Mayor to execute all necessary documents.
- The award of this contract is for the construction of sidewalk from Mayfield Rd. to Bates Rd. along the west side of Providence. This segment is part of three segments along Providence and Charlotte identified as part of the 2016 Bond. Two segments of the three have been completed which include the West side of Charlotte Dr. from Old Place Drive to Lillian Drive and the west side of Providence Rd. from Bates Rd. to the City limits.
- The scope of work for the remaining sidewalk along the west side of Providence rd. is as follows:
- Construction of approximately 575 linear feet of sidewalk along the west side of Providence Road from existing sidewalk south of Bates Road to existing sidewalk north of Mayfield Road. Curb and gutter will be installed along the entire stretch of sidewalk in keeping with the existing sidewalk. The completion of this gap will provide contiguous sidewalk along the west side of Providence Road from the City Limits to Mayfield Road.

- The Department of Public Works reached out to three vendors currently on contract with the City to obtain pricing. The following prices were provided for the above scope of work:
 - Excellere Construction LLC. \$196,800.00
 - Summit Construction \$199,872.40
 - Sol Construction LLC \$254,600.00
- Excellere Construction LLC is currently under contract with the City and has completed several other projects for the City in years past. Staff feels confident that Excellere Construction LLC. can complete the outlined scope of work provided within budget and in a timely manner. Duration for this project is anticipated to take 60 days from the date of notice to proceed.
- **Public Comment:** No Public Comment
- ❖ Mayor Pro Tem Mitchell offered a motion to award the contract for Providence Rd. Sidewalk Construction from Mayfield to Bates Road to Excellere Construction LLC. in the amount of \$196,800.00 and authorize the Mayor to execute all necessary documents
 - The motion received a second from Council Member Merkel
 - The motion was approved unanimously (7-0)

B. Microsoft Azure Cloud Infrastructure as a Service (IaaS) - Change Order

- Director of Information Technology, Randy Bundy, came forward to present this item.
- Staff is recommending that Council approve the request to provide an increase in the existing purchase order for Microsoft Azure Cloud Services (IaaS) using the Statewide Contract (SWC) 99999-SPD-T20190814-0002 for Cloud Solutions for all City Departments in the FY2021 in the amount of \$32,000 and authorize the Mayor to execute all necessary documents.
- This request is to increase the existing purchase order for cloud data storage and consumption costs This increase is primarily due to increased costs for remote service licensing and access consumption during the pandemic that was not anticipated at the time of the FY2021 budget.
- Procurement is through the State of Georgia Statewide Contract (SWC) 99999-SPD-T20190814-0002 for Cloud Solutions. This provides through this negotiated state contract the best pricing and support for Microsoft Azure and cloud services using the National Association of State Procurement Officials (NASPO) "ValuePoint" that leverages the expertise and buying power of many states and other participating entities.
- **Public Comment:** No Public Comment

- ❖ Council Member Burnett offered a motion to approve the request to provide an increase in the existing purchase order for Microsoft Azure Cloud Services (IaaS) using the Statewide Contract (SWC) 99999-SPD-T20190814-0002 for Cloud Solutions for all City Departments in the FY 2021 in the amount of \$32,000 and authorize the Mayor to execute all necessary documents

- The motion received a second from Mayor Pro Tem Mitchell
- The motion was approved unanimously (7-0)

C. Alpharetta Jobs Creation Grant Program

- Director of Community Development, Kathi Cook, came forward to present this item.
- Staff is recommending that Council approve the Third Amendment to the intergovernmental contract for the Alpharetta Jobs Creation Grant Program for the period July 01, 2021 through June 30, 2022 and authorize the Mayor to execute all necessary documents.
- As a means of incentivizing business location and expansion and the hiring of Alpharetta residents for jobs created through such business location and expansion, the Development Authority entered into an agreement with the City of Alpharetta to create the Alpharetta Jobs Creation Grant Program.
- As the program is currently structured, for each job created in Alpharetta by a new or expanding business that qualifies for the Georgia Job Tax Credit Program and for which a current resident of the City of Alpharetta is hired, the City will pay to the business a direct grant of \$250 to \$500 per new employee up to a maximum cumulative amount of \$80,000. The grant may be claimed for eligible new full-time, permanent jobs at the Alpharetta facility and may be claimed in years two and three if the Alpharetta resident continues to be employed.
- The amendment as presented was approved by the Development Authority during its June meeting and would extend the program for the period of July 01, 2021 through June 30, 2022.
- It is anticipated that during the period covered by this amendment, the Director of Economic Development would undertake an in-depth analysis of all current incentive programs to ensure alignment with economic development goals and needs. Based on that analysis, a holistic package of proposed incentive programs would be brought forward for consideration.
- **Public Comment:** No Public Comment
- ❖ Council Member Burnett offered a motion to approve the Third Amendment to the intergovernmental contract for the Alpharetta Jobs Creation Grant Program for the period July 01, 2021 through June 30, 2022 and authorize the Mayor to execute all necessary documents
 - The motion received a second from Council Member Richard
 - The motion was approved unanimously (7-0)

D. Intergovernmental Agreement: Lease of Certain Property to Alpharetta Development Authority

- Director of Community Development, Kathi Cook, came forward to present this item.
- Staff is recommending that Council approve, as presented, an intergovernmental agreement between the City and the Development Authority of Alpharetta for the lease of certain property located at 2970 Webb Bridge Road; and authorize the Mayor to execute all necessary documents.
- Beginning in 2017, the City entered into an Intergovernmental Agreement (IGA) with the Development Authority for the purpose of leasing to the Authority certain City-owned property located at 2970 Webb Bridge Road. The Development Authority subsequently has sub-leased said property to Tech Alpharetta (known at the time of the original IGA and sublease as the Alpharetta Technology Commission) for purposes of housing the Alpharetta Technology Accelerator and the administrative offices of that organization. The initial IGA was for a period of one year.
- The most recent IGA and sublease, executed in 2018, expired on January 30, 2021; however, the arrangement has since continued on a month-to-month basis, as it has met the mutual needs and goals of the City, Development Authority, and Tech Alpharetta.
- Presented for consideration of the Mayor and Council is a new IGA continuing, under the same terms as the previous IGA, the lease of the property to the Development Authority for the period July 01, 2021 through June 30, 2024.
- **Public Comment:**
 - CEO of Tech Alpharetta, Karen Cashion, came forward in support of this item.
- ❖ Council Member Burnett offered a motion to approve, as presented, an intergovernmental agreement between the City and the Development Authority of Alpharetta for the lease of certain property located at 2970 Webb Bridge Road; and authorize the Mayor to execute all necessary documents
 - The motion received a second from Council Member Binder
 - The motion was approved unanimously (7-0)

VIII. WORKSHOP

A. Big Creek Greenway/Union Hill Park Connection

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- This item is being presented for informational and discussion purposes and no formal vote is required.
- The Big Creek Greenway from Marconi to Union Hill Park has been opened for the last couple of months. Union Hill Park is now a trailhead of the Greenway, and representatives from Recreation/Parks/Cultural Services and Public Works have been working to develop a plan that will provide safe connectivity from the parking lot at Union Hill to the Greenway.

- Staff presented an exhibit depicting the proposed route of the Greenway to Union Hill Park. The proposed trail will be classified as the Greenway and will be 12' in width. This Greenway extension will not only provide a safe route to Union Hill Road (currently there is no sidewalk along the driveway from Union Hill Road to the Parking lot) as well as lead individuals to the existing restrooms at Union Hill Park.
- Approximately 730 feet of 12' wide sidewalk will be constructed from the intersection of Union Hill Park's Driveway and Union Hill Road. A few trees, some are dead, will need to be removed and the old asphalt sidewalk (depicted as existing on the exhibit) will be removed and replaced with concrete. The greenway diverts towards the cul-de-sac to ensure the least amount of construction activity takes place near the large specimen pine tree.
- Working with ICAN, the contractor who constructed the Greenway, the cost of these improvements will not exceed \$275k and would be accomplished in about 4-6 weeks. The current contract has \$300k remaining and staff is proposing to utilize the remaining funds in ICAN's contract to complete the connection from the Greenway to the Union Hill Park Parking Lot.

IX. PUBLIC COMMENT

- Ruth Ann Tatum, 250 Pebble Trail, Alpharetta, GA, 30009, came forward to compliment the Fourth of July fireworks.

X. REPORTS

- Council Member Richard announced that Deb Zemlock is resigning from the Natural Resources Commissions and appointed Beth Ott as her replacement.

XI. ADJOURNMENT TO EXECUTIVE SESSION

- ❖ Mayor Pro Tem Mitchell offered a motion to adjourn into Executive Session
 - The motion received a second from Council Member Binder
 - The motion was approved unanimously (7-0)
- ❖ With no further business to discuss or items to be heard, Mayor Gilvin adjourned the meeting into Executive Session at 9:36 P.M.

Respectfully submitted,



Erin Cobb, City Clerk