



City Council Meeting
October 4, 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 or viewed online at <https://www.youtube.com/user/alpharettagov>.

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
 - Michael Stacy, City Attorney
 - James Drinkard, Asst. City Administrator
 - Erin Cobb, City Clerk
 - Kathi Cook, Director of Community Development
 - John Robison, Director of Public Safety
 - Pete Sewczwicz, Director of Public Works

III. PLEDGE TO THE FLAG

IV. PROCLAMATIONS & PRESENTATIONS

- A. Proclamation: Education Partnership Between Auburn University And Fulton County Schools
- B. Proclamation for Arts & Humanities Month

V. CONSENT AGENDA

- A. Council Meeting Minutes (Meeting of 9-27-2021)
 - ❖ Mayor Pro Tem 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)

VI. OLD BUSINESS

- A. PH-21-14 UDC Text Amendments - Permitted and Conditional Uses and Temporary Uses (Second Reading)
 - Director of Community Development, Kathi Cook, came forward to present this item.
 - This item was considered at the 9/2/2021 Planning Commission meeting. There were no public comments. After discussion, Planning Commission recommended approval. Vote 6-0
 - Staff is asking for consideration of text amendments to Unified Development Code (UDC) Article II Use of Land and Structures, to amend permitted and conditional uses in several zoning districts and to amend temporary uses, including outdoor tent sales, not-for-profit seasonal events, religious meetings, and open lot sales of Christmas trees, fruits and vegetables and other harvested products.
 - In conjunction with a recent request for a 'Church', Staff reviewed the List of Permitted and Conditional Uses in the Unified Development Code (UDC) for compliance with the "equal terms" provision of the Religious Land Use and Institutionalized Persons Act (RLUIPA). While the UDC generally complies with the "equal terms" provision, a few uses were identified as needing to be changed from permitted to conditional use. Those uses include, 'Club, Association, or Lodge', 'Public Building', 'Recreation Facilities, Indoor', 'Recreational Facilities, Outdoor' and 'Theater, Cinema'.
 - Staff recommends an amendment to the 'Builder's Equipment/Material' use to change it from permitted to conditional use in the C-2 (General Commercial) district. There are many C-2 properties in the Downtown, of which 'Builder's Equipment/Material' is not appropriate.
 - Staff also identified some general cleanup items in Table 2.2, List of Permitted and Conditional Uses, which included adding two (2) designations to the table for Accessory Uses and Subordinate Uses. In addition, some uses were consolidated, such as 'Junk Yard' and 'Salvage Yard' and 'Automotive Service' and 'Automotive Service Station'. Support

retail uses in the O-P (Office-Professional) zoning district were consolidated, since many of the uses that were listed are not identified elsewhere in the UDC.

- Staff recommends amendments within the Temporary Uses subsection to limit certain temporary uses to properties that are zoned or used for non-residential use and to add regulations for seasonal events associated with a for-profit entity.
- This item was presented during the September 27, 2021, City Council Meeting and no changes have been made since the first reading.
- City Attorney, Michael Stacy, read the ordinance aloud.
- ❖ Council Member Richard offered a motion to approve PH-21-14 UDC Text Amendments - Permitted and Conditional Uses and Temporary Uses and the ordinance as presented
 - The motion received a second from Council Member Merkel
 - The motion was approved unanimously (7-0)

B. PH-21-16 UDC Text Amendments - Medical Marijuana Production and Dispensary Use (Second Reading)

- Director of Community Development, Kathi Cook, came forward to present this item.
- This item was considered at the 9/2/2021 Planning Commission meeting. There were no public comments. After discussion, Planning Commission recommended approval. Vote 6-0
- Staff is asking for consideration of text amendments to Unified Development Code (UDC) Article II Use of Land and Structures, to add definitions for Medical Marijuana Dispensary and Production Facility and assign uses to zoning districts.
- In response to the State's recent selection of licensed medical marijuana producers, Staff proposes definitions of Medical Marijuana Dispensary and Production, as well as assigning uses to zoning districts within the Unified Development Code (UDC). Staff proposes to allow 'Medical Cannabis or Marijuana Dispensary' in the LI (Light Industrial) zoning district with approval of a conditional use and to prohibit 'Medical Cannabis or Marijuana Production Facility' in all zoning districts.
- This item was presented during the September 27, 2021, City Council Meeting and no changes have been made since the first reading.
- City Attorney, Michael Stacy, read the ordinance aloud.
- ❖ Council Member Richard offered a motion to approve PH-21-16 UDC Text Amendments - Medical Marijuana Production and Dispensary Use and the ordinance as presented
 - The motion received a second from Council Member Burnett
 - The motion was approved (6-1); Council Member Burnett voting in opposition

VII. NEW BUSINESS

A. Microsoft Azure Cloud Services (IaaS) - FY2022 Renewal

- Director of Information Technology, Randy Bundy, came forward to present this item.
- Staff is recommending that Council approve the request to renew and award SHI the Microsoft Azure Cloud Services (IaaS) using the Statewide Contract (SWC) 99999-SPD-SPD0000060-003 for Cloud Solutions for all City Departments in FY2022 in an amount not to exceed \$240,000 and authorize the Mayor to execute all necessary documents.
- This is a request for approval for the Azure Cloud Services - FY2022 renewal. These cloud services provide a large percentage of our servers and data storage for City of Alpharetta information technology systems. This is a critical part of our hybrid data center infrastructure.
- The procurement uses the Microsoft negotiated Statewide Contract (SWC) 99999-SPD-T20190814-0002 for Cloud Solutions ensuring the best pricing possible. This is fully funded in the FY2022 budget approved by the City Council.
- **Public Comment:** No Public Comment
- ❖ Council Member Burnett offered a motion to approve the request to renew and award SHI the Microsoft Azure Cloud Services (IaaS) using the Statewide Contract (SWC) 99999-SPD-SPD0000060-003 for Cloud Solutions for all City Departments in FY2022 in an amount not to exceed \$240,000 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. McGinnis Ferry Road Widening Condemnation

1. A Resolution Of The Mayor And Council Of The City Of Alpharetta, Georgia To Authorize The Use Of Eminent Domain To Acquire Certain Property Located At 13029 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-092-2) For Road Project - McGinnis Ferry Road Widening From Ronald Reagan Boulevard/Union Hill Road To Hospital Parkway
 - City Attorney, Michael Stacy, read the resolution aloud.
 - **Public Comment:** No Public Comment
 - ❖ Mayor Pro Tem Mitchell offered a motion to approve a Resolution Of The Mayor And Council Of The City Of Alpharetta, Georgia To Authorize The Use Of Eminent Domain To Acquire Certain Property Located At 13029 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-092-2) For Road Project - McGinnis Ferry Road Widening From Ronald Reagan Boulevard/Union Hill Road To Hospital Parkway
 - The motion received a second from Council Member Richard
 - The motion was approved unanimously (7-0)

2. A Resolution Of The Mayor And Council Of The City Of Alpharetta, Georgia To Authorize The Use Of Eminent Domain To Acquire Certain Property Located At 13021 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-094-8) For Road Project - McGinnis Ferry Road Widening From Ronald Reagan Boulevard/Union Hill Road To Hospital Parkway

- City Attorney, Michael Stacy, read the resolution aloud.

- **Public Comment:** No Public Comment

❖ Mayor Pro Tem Mitchell offered a motion to approve a Resolution Of The Mayor And Council Of The City Of Alpharetta, Georgia To Authorize The Use Of Eminent Domain To Acquire Certain Property Located At 13021 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-094-8) For Road Project - McGinnis Ferry Road Widening From Ronald Reagan Boulevard/Union Hill Road To Hospital Parkway

- The motion received a second from Council Member Merkel
- The motion was approved unanimously (7-0)

3. A Resolution Of The Mayor And Council Of The City Of Alpharetta, Georgia To Authorize The Use Of Eminent Domain To Acquire Certain Property Located At 13013 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-096-3) For Road Project - McGinnis Ferry Road Widening From Ronald Reagan Boulevard/Union Hill Road To Hospital Parkway

- City Attorney, Michael Stacy, read the resolution aloud.

- **Public Comment:** No Public Comment

❖ Mayor Pro Tem Mitchell offered a motion to approve a Resolution Of The Mayor And Council Of The City Of Alpharetta, Georgia To Authorize The Use Of Eminent Domain To Acquire Certain Property Located At 13013 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-096-3) For Road Project - McGinnis Ferry Road Widening From Ronald Reagan Boulevard/Union Hill Road To Hospital Parkway

- The motion received a second from Council Member Binder
- The motion was approved unanimously (7-0)

4. A Resolution Of The Mayor And Council Of The City Of Alpharetta, Georgia To Authorize The Use Of Eminent Domain To Acquire Certain Property Located At 13009 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-097-1) For Road Project - McGinnis Ferry Road Widening From Ronald Reagan Boulevard/Union Hill Road To Hospital Parkway

- City Attorney, Michael Stacy, read the resolution aloud.

- **Public Comment:** No Public Comment

❖ Mayor Pro Tem Mitchell offered a motion to approve a Resolution Of The Mayor And Council Of The City Of Alpharetta, Georgia To Authorize The Use Of Eminent Domain To Acquire Certain Property Located At 13009 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-097-1) For Road Project - McGinnis Ferry Road Widening From Ronald Reagan Boulevard/Union Hill Road To Hospital Parkway

- The motion received a second from Council Member Richard
- The motion was approved unanimously (7-0)

5. A Resolution Of The Mayor And Council Of The City Of Alpharetta, Georgia To Authorize The Use Of Eminent Domain To Acquire Certain Property Located At 13005 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-098-9) For Road Project - McGinnis Ferry Road Widening From Ronald Reagan Boulevard/Union Hill Road To Hospital Parkway

- City Attorney, Michael Stacy, read the resolution aloud.
- **Public Comment:** No Public Comment

❖ Council Member Burnett offered a motion to approve a Resolution Of The Mayor And Council Of The City Of Alpharetta, Georgia To Authorize The Use Of Eminent Domain To Acquire Certain Property Located At 13005 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-098-9) For Road Project - McGinnis Ferry Road Widening From Ronald Reagan Boulevard/Union Hill Road To Hospital Parkway

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

VIII. WORKSHOPS

A. Webb Bridge Road Corridor Improvements Update

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- This item is being presented as a workshop and will not require a formal vote.
- Staff from the Department of Public Works presented an update on the Webb Bridge Road TSPLOST projects.
- Morris Road to North Point Parkway:
 - The roadway will be resurfaced and restriped to provide a 4' bike lane in each direction.
 - Existing 12' wide travel lanes will be reduced to a 10' width to achieve this.
 - Curb lines, sidewalks, and planting areas/grass stripes will remain as they are today.

- East of North Point Parkway to Big Creek Greenway (Design Underway):
 - The existing roadway bridge and pedestrian bridge will be replaced with a new bridge immediately downstream (south) of the existing roadway bridge.
 - New bridge will provide pedestrian accommodations along both sides.
 - Design will avoid impacts to existing detention ponds and maintain the East Gate Subdivision's streetscape along Webb Bridge Road.
 - Design is anticipated to be complete in April 2022 pending any revisions resulting from right of way negotiations.
- Big Creek Greenway to Roundabout at Webb Bridge Way (Design Underway):
 - Design plans are anticipated to be complete in the first quarter of 2022 pending any revisions resulting from right of way negotiations.
 - Right of way phase is anticipated to begin in late 2021 with the acquisition of title reports and appraisals.
 - Submission of offers to property owners for required right of way and easements is anticipated to begin by Spring 2022.
 - Acquisition of all required right of way and easements is anticipated to be complete in late Fall 2023.
 - Project is anticipated to go out for bid for construction at the end of 2023.
- Roundabout at Webb Bridge Way:
 - Design plans are anticipated to be complete in the first quarter of 2022 pending any revisions resulting from right of way negotiations.
 - Right of way phase began on September 1, 2021, with the ordering of title reports for 16 parcels.
 - Acquisition of all title reports and appraisals is anticipated to be completed by early 2022.
 - Submission of offers to property owners for required right of way and easements is anticipated to begin in early Spring 2022.
 - Acquisition of all required right of way and easements is anticipated to be complete in early Summer of 2022.
 - Project is anticipated to go out for bid for construction in late Summer 2022.

IX. PUBLIC COMMENT

- Tim Becker, 97 Canton Street, Alpharetta, GA 30009, came forward to comment on the Proclamation regarding the education partnership between Auburn University and Fulton County Schools.

X. REPORTS

- City Administrator, Bob Regus, announced that tonight was City Clerk, Erin Cobb's, last City Council Meeting.
- Mayor Pro Tem Mitchell announced that October is breast cancer awareness month.

XI. ADJOURNMENT TO EXECUTIVE SESSION

- ❖ Council Member Binder offered a motion to adjourn into Executive Session
 - The motion received a second from Council Member Richard
 - 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 7:28 P.M.

Respectfully submitted,

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

Erin Cobb, City Clerk