



City Council Meeting JANUARY 3, 2022 Office of the City Clerk

ALPHARETTA CITY HALL
COUNCIL CHAMBERS | 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 Dan Merkel
- Donald F. Mitchell
- Brian Will
- Douglas J. DeRito
- John Hipes
- Jason Binder

- Staff

- Bob Regus, City Administrator
- Mike Stacy, City Attorney
- James Drinkard, Asst. City Administrator
- Lauren Shapiro, City Clerk
- Peter Sewczwicz, Director of Public Works
- Morgan Rodgers, Director of Recreation, Parks & Cultural Services
- Kathi Cook, Director of Community Development and Economic Development
- Judge Barry Zimmerman, Municipal Court Judge
- Brooke Lappin, Director of Municipal Court Services
- Adam Montgomery, Information Security Manager
- Michael Woodman, Planning + Development Services Manager

III. PLEDGE TO THE FLAG

IV. SWEARING IN CEREMONY FOR COUNCIL MEMBER DERITO, COUNCIL MEMBER MITCHELL, AND COUNCIL MEMBER WILL

- Jenna DeRito read the Council Member Oath of Office aloud, swearing in her father, Douglas J. DeRito, while Ann Marie DeRito (Council Member DeRito's wife) held the Bible.
- Senator Brandon Beach read the Council Member Oath of Office aloud, swearing in Donald F. Mitchell.
- Stephanie Will read the Council Member Oath of Office aloud, swearing in her father, Brian Will, while Michael Will (Council Member Will's son) held the Bible.

V. ELECTION OF MAYOR PRO TEM

- ❖ Council Member Hipes offered a motion to elect Council Member Merkel as Mayor Pro Tem.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (7-0).

VI. APPOINTMENT OF MUNICIPAL COURT JUDGE

A. A Resolution to Reappoint Judge Barry Zimmerman as the Municipal Court Judge for the City of Alpharetta

- City Administrator, Bob Regus, came forward to present this item.
- Staff is recommending that Mayor and Council reappoint Judge Barry Zimmerman for another four (4) years.
- With that appointment comes a change in the way that he is compensated; from a salaried role plus benefits to a straight \$475.00 per Court Session. This would be effective as of January 1, 2022.
- For the last eight (8) years, Judge Barry Zimmerman has served the City of Alpharetta.
- This pay structure would be effective for the current appointment, as well as, for appointments of future judges.
- ❖ Mayor Pro Tem Merkel offered a motion to approve the Resolution to Reappoint Judge Barry Zimmerman as the Municipal Court Judge for the City of Alpharetta.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (7-0).

B. Swearing-In of Municipal Court Judge

- City Attorney, Mike Stacy, read the Oath of Office aloud, swearing in Barry Zimmerman as the Municipal Court Judge for the City of Alpharetta.

VII. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 12/13/2021)

B. Alcoholic Beverage License Applications

1. PH-21-AB-33 Sonesta International Hotels Corporation
d/b/a Sonesta ES Suites Atlanta North Point Mall
1325 North Point Drive
Alpharetta, GA 30022

Hotel
Consumption on Premises
Beer, Wine & Sunday Sales

Owner: Sonesta International Hotels Corporation
Registered Agent: Mitchell Funk

2. **PH-21-AB-34 Sonesta International Hotels Corporation**
d/b/a Sonesta ES Suites Atlanta Alpharetta Windward
5465 Windward Parkway
Alpharetta, GA 30004

Hotel
Consumption on Premises
Beer, Wine & Sunday Sales

Owner: Sonesta International Hotels Corporation
Registered Agent: Mitchell Funk

3. **PH-21-AB-35 Sonesta International Hotels Corporation**
d/b/a Sonesta ES Suites Alpharetta North Point
3980 North Point Parkway
Alpharetta, GA 30005

Hotel
Consumption on Premises
Beer, Wine & Sunday Sales

Owner: Sonesta International Hotels Corporation
Registered Agent: Mitchell Funk

4. **PH-21-AB-36 Movie Grill Concepts XXIII, LLC**
d/b/a Studio Movie Grill
7730 North Point Parkway
Alpharetta, GA 30022

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

Owner: Movie Grill Concepts XXIII, LLC
Registered Agent: Mitchell Funk

5. **PH-21-AB-37 Courtyard Management Corporation**
d/b/a Courtyard Atlanta Alpharetta Avalon
11700 Amber Park Drive
Alpharetta, GA 30009

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

Owner: Courtyard Management Corporation
Registered Agent: Michael Sard

C. Financial Management Report: Month Ending November 30, 2021

- Council Member DeRito announced that he would like to remove the December 13, 2021 City Council meeting minutes from the Consent Agenda.
- Mayor Gilvin announced that the December 13, 2021 City Council meeting minutes were removed from the Consent Agenda.
- ❖ Council Member Mitchell offered a motion to approve the Consent Agenda.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (7-0).
- ❖ Council Member Hipes offered a motion to approve the December 13, 2021 City Council meeting minutes.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved (5-0-2; as Council Member DeRito and Council Member Will abstained from voting).

VIII. NEW BUSINESS

A. Municipal Court Case Management Professional Service Agreement

- Director of Municipal Court Services, Brooke Lappin, came forward to present this item.
- Staff is recommending that Mayor and Council approve the Professional Service Agreement between the City of Alpharetta and Journal Technologies for the use of eCourt case management software.
- Currently, the Court uses Courttrac, which is an older system that was unable to be updated to meet legislative requirements. eCourt is customizable and is a cloud-based software program. eCourt will help facilitate the Court's goal of moving towards a paperless system. Entire case files will be able to be scanned and maintained within the eCourt database, and this reduces the need for physical files and will allow the Court to operate virtually, if needed.
- There is a \$10,000.00 fee to initiate the platform and a \$35,000.00 annual maintenance fee.

Public Comment:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve the Municipal Court Case Management Professional Service Agreement between the City of Alpharetta and Journal Technologies.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (7-0).

B. Speed Zone Ordinance Extension

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council approve the existing speed zone ordinance and authorize the Mayor to execute all necessary documents.
- To reduce the existing posted speed limits for safety purposes, especially within the Downtown, staff collected traffic counts and crash data as well as the City's development trends and submitted them to the Georgia Department of Transportation (GDOT) in September 2021.
- Based on the collected speed data, 85 percent of all vehicles (i.e., 85th percentile) on most of the roads were observed to travel significantly higher than posted speed limits. Due to this reason, the GDOT recommended providing additional traffic calming measures, such as electronic speed detection signs on roadsides, to encourage lower driving speeds before

reducing posted speed limits.

- Staff will re-evaluate driving speeds in the Downtown in Fall 2022. If driving speeds are observed at or below posted speed limits, a new application may be submitted to the GDOT for speed limit reduction.

Public Comment:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve the Speed Zone Ordinance Extension.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (7-0).

C. North Fulton Cities Automatic Aid Agreement

- City Administrator, Bob Regus, came forward to present this item.
- Staff is recommending that Mayor and Council approve the North Fulton Cities Automatic Aid Agreement between the cities of Alpharetta, Johns Creek, Milton, Roswell, and Sandy Springs.
- Automatic aid allows for the fire station that is closest to an incident to respond automatically to the incident first, regardless of the city in which the incident occurred. This has worked well in the past, and staff recommends that the City continues this Agreement.

Public Comment:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve the North Fulton Cities Automatic Aid Agreement.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (7-0).
 - There was discussion during the motion about how much we appreciate the cooperation we have with our other neighboring municipalities in North Fulton.

D. Resolution to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13080 Tidewater Crossing, Alpharetta, Georgia for Road Project – McGinnis Ferry Road Widening

- City Attorney, Mike Stacy, read the Resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve the Resolution to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13080 Tidewater Crossing, Alpharetta, Georgia for Road Project – McGinnis Ferry Road Widening.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (7-0).

E. Resolution to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5015 Tidewater Way, Alpharetta, Georgia for Road Project – McGinnis Ferry Road Widening

- City Attorney, Mike Stacy, read the Resolution aloud.

Public Comment:

- There were no public comments.

- ❖ Council Member DeRito offered a motion to approve the Resolution to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5015 Tidewater Way, Alpharetta, Georgia for Road Project – McGinnis Ferry Road Widening.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (7-0).

F. Resolution to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5035 Tidewater Way, Alpharetta, Georgia for Road Project – McGinnis Ferry Road Widening

- City Attorney, Mike Stacy, read the Resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve the Resolution to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5035 Tidewater Way, Alpharetta, Georgia for Road Project – McGinnis Ferry Road Widening.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (7-0).

IX. PUBLIC COMMENT

- A. There were no public comments.

X. REPORTS

A. Council Member DeRito's appointments to the City of Alpharetta's Boards and Commissions

- Council Member DeRito appointed the following individuals to serve on the City of Alpharetta's Boards and Commissions:
 - Jill Reynolds – Planning Commission
 - Pat Corkill – Design Review Board
 - Lisa Shippel – Board of Zoning Appeals
 - Sumita Patel – Cultural Arts Commission

B. Council Member Mitchell's appointments to the City of Alpharetta's Boards and Commissions

- Council Member Mitchell appointed the following individuals to serve on the City of Alpharetta's Boards and Commissions:
 - Lindsey Burnett – Board of Ethics
 - Shital Foster – Cultural Arts Commission

C. Council Member Will's appointments to the City of Alpharetta's Boards and Commissions

- Council Member Will appointed the following individuals to serve on the City of Alpharetta's Boards and Commissions:
 - Todd Stratton – Planning Commission
 - Teresa Rhodes – Design Review Board
 - Donna Shaw Murphy – Board of Zoning Appeals
 - Bonnie Steadman – Historic Preservation Commission

D. Mayor Gilvin announced the following City Department liaison appointments:

- Council Member Mitchell – Information Technology
- Council Member Will – Public Safety
- Council Member Hipes – Recreation, Parks & Cultural Services
- Mayor Pro Tem Merkel – Community Development
- Council Member DeRito – Public Works
- Council Member Binder – Finance

E. Council Member DeRito made remarks about how great it is to be back on City Council and how wonderful the City of Alpharetta currently is and was when he previously served on council.

XI. ADJOURNMENT TO EXECUTIVE SESSION

- ❖ Mayor Pro Tem Merkel offered a motion to adjourn to executive session.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (7-0).
- Mayor Gilvin adjourned the meeting at 7:24 p.m.

Respectfully submitted,



Lauren Shapiro, City Clerk