



City Council Meeting
FEBRUARY 21, 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
 - Donald F. Mitchell
 - Brian Will
 - Douglas J. DeRito
 - John Hipes
- **Council Members Absent**
 - Mayor Pro Tem Dan Merkel
 - Jason Binder
- **Staff**
 - Bob Regus, City Administrator
 - Mike Stacy, City Attorney
 - James Drinkard, Asst. City Administrator
 - Lauren Shapiro, City Clerk
 - Kathi Cook, Director of Community and Economic Development
 - Tom Harris, Director of Finance
 - Adam Montgomery, Information Technology Manager
 - John Robison, Director of Public Safety
 - Morgan Rodgers, Director of Recreation, Parks & Cultural Services
 - Peter Sewczwicz, Director of Public Works
 - Michael Woodman, Planning and Development Services Manager
 - Lance Morsell, Economic Development Manager

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 2/7/2022)

B. Alcoholic Beverage License Applications

1. PH-22-AB-01 Nauti Dog Grill, LLC

d/b/a Nauti Dog Grill
10 North Broad Street
Alpharetta, GA 30009

Restaurant

Consumption on Premises

Liquor, Beer, Wine, & Sunday Sales

Owners: Michael Doyle & Michele Doyle

Registered Agent: Michael Doyle

2. PH-22-AB-02 Tony's Sports Grill

d/b/a Tony's Sports Grill
7955 North Point Parkway
Alpharetta, GA 30022

Restaurant

Consumption on Premises

Liquor, Beer, Wine, Wine by Bottle for Off-Premises Consumption & Sunday Sales

Owners: Nader Mahroum

Registered Agent: Cabrini Mahroum

C. Approval of Mediated Settlement Agreement – Olivieri v. City of Alpharetta, et al.

❖ Council Member Hipes offered a motion to approve the consent agenda.

○ Council Member Mitchell seconded the motion.

○ The motion was approved unanimously (5-0).

V. BOARDS & COMMISSIONS APPOINTMENTS

A. Planning Commission – Martine Zurinkas

- Council Member Mitchell announced that Planning Commissioner Larry Attig has resigned from the Planning Commission, and he also thanked Mr. Attig for his service.
- Council Member Mitchell announced his appointment of Martine Zurinkas to serve as a full member to the Planning Commission.

VI. PUBLIC HEARING

A. E-21-07 Wellstar Sign Exception

Consideration of a sign exception to allow additional wall signs and increase the height of monument signs. The property is located at 2450 Old Milton Parkway and is legally described as being located in Land Lot 749, 1st District, 2nd Section, Fulton County, Georgia.

- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- Staff is recommending that Mayor and Council approve E-21-07 Wellstar Sign Exception, subject

to the following conditions:

1. Wall sign location, number, and size shall be limited to the submitted plans, dated 10/25/21, except to comply with the conditions below and the Downtown Sign Code changes, as approved by Staff.
 2. Wall signs on the north building elevation shall be removed as depicted on the submitted plans, dated 10/25/21.
 3. Wall signs shall not have an internally illuminated sign face. Wall signs shall be reverse lit or externally illuminated as approved by Staff.
 4. Monument sign height shall be no greater than 8'. Monument signs shall be externally illuminated and in compliance with the Downtown Sign Code changes, as approved by Staff.
 5. Landscaping at the corner of Old Milton Parkway and Park Street and at the base of the monument sign shall remain and shall be maintained by the property owner.
 6. Property owner shall assess and replace dead, dying and missing landscaping.
 7. Evergreen landscaping shall be added along the north property line where sparse, as approved by Staff.
 8. Public access easement shall be dedicated over the sidewalk at the corner of Old Milton Parkway and Park Street.
- The applicant, Wellstar, is requesting consideration of a sign exception to allow additional wall signs and increase the height of a monument sign in the Downtown Overlay. The applicant proposes to aggregate allowable wall sign area and distribute to signs on the south and west building elevations. The subject property is located at 2450 Old Milton Parkway at the northwest corner of Old Milton Parkway and Park Street, which is the Wellstar medical office building.
 - The subject property is zoned MU (Mixed Use) subject to the Old Milton Holdings Master Plan and is developed with the 2-story, 40,000 square foot Wellstar medical office building. Surrounding properties are zoned MU to the north and east, O-P (Office-Professional) to the west and DT-LW (Downtown Live-Work) to the south. The Providence Group is constructing a townhome development to the north, The Foundry is located to the east, an office building is located to the west and an undeveloped property approved for Northside Hospital is located to the south.
 - Wellstar received sign exception approval in 2018 allowing three (3) additional wall signs on the south, north and west building elevations. The allowable wall sign area was aggregated and distributed to the additional signs. Five (5) wall signs were approved with a total sign area of 206.18 square feet, which was 77 square feet, or 27%, less than allowed by the Sign Code.
 - Staff has reviewed the applicant's request against the review criteria for a sign exception. The applicant's use is an urgent care, which provides emergency medical services for the public. In addition, the property is located on Old Milton Parkway, which has the highest speeds and is the largest road in the Downtown. The request for additional wall signs does not exceed the previous sign exception granted for the Wellstar building and would result in fewer wall signs and less overall sign area. Smaller signs will be more aesthetically pleasing than one (1) large wall sign. The request to increase monument sign height does not exceed the height permitted outside the Downtown Overlay. If approved, conditions are recommended limiting wall sign illumination to reverse lit or external illumination.
 - The applicant notified adjacent property owners of the sign variance request and intent for the property. The citizen participation report states that no comments were received.

- The CZIM was held on December 8, 2021. There was one (1) public comment in favor of the applicant's request.
- The applicant, Guillermo Sanabia (Executive Director at WellStar Health System), came forward to speak on behalf of this application.

Public Comment:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve E-21-07 Wellstar Sign Exception, subject to the following conditions:
 1. Wall sign location, number, and size shall be limited to the submitted plans, dated 10/25/21, except to comply with the conditions below and the Downtown Sign Code changes, as approved by Staff.
 2. Wall signs on the north building elevation shall be removed as depicted on the submitted plans, dated 10/25/21.
 3. Wall signs shall not have an internally illuminated sign face. Wall signs shall be reverse lit or externally illuminated as approved by Staff.
 4. Monument sign height shall be no greater than 8'. Monument signs shall be externally illuminated and in compliance with the Downtown Sign Code changes, as approved by Staff.
 5. Landscaping at the corner of Old Milton Parkway and Park Street and at the base of the monument sign shall remain and shall be maintained by the property owner.
 6. Property owner shall assess and replace dead, dying and missing landscaping.
 7. Evergreen landscaping shall be added along the north property line where sparse, as approved by Staff.
 8. Public access easement shall be dedicated over the sidewalk at the corner of Old Milton Parkway and Park Street.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (5-0).

B. CU-21-16 / V-21-34 / Custom Pools Atlanta / 711 Highway 9

Consideration of a conditional use and variance to allow a 'Contractor's Office with Outdoor Storage' for Custom Pools of Atlanta. Variances are requested to reduce an undisturbed buffer and allow an easement in a landscape strip. The property is located at 711 North Main Street (Highway 9) and is legally described as being located in Land Lot 1123, 2nd District, 2nd Section, Fulton County, Georgia.

- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- This item was considered at the 2/3/2022 Planning Commission meeting. Staff recommended approval subject to 16 conditions. There were no public comments. After discussion, Planning Commission recommended approval subject to staff's recommended conditions. Vote 5-0.
- Staff is recommending that Mayor and Council CU-21-16 / V-21-34 / Custom Pools Atlanta / 711 Highway 9, subject to the following conditions:
 1. 'Contractor's Office with Outside Storage' shall be added as a conditional use at 711 North Main Street and limited to no more than 3,000 square feet.

2. Conditional use approval shall be limited to Custom Pools of Atlanta; no additional 'Contractor's Office with Outside Storage' use or subleasing shall be permitted on the subject property.
 3. 'Contractor's Office with Outside Storage' shall be limited to office with customers by appointment and outside storage of work trucks and trailers with small machinery.
 4. Hours of operation shall be limited to Monday – Saturday 6:30 AM – 7:00 PM.
 5. Site shall be developed, and trees shall be saved substantially as depicted on the site plan prepared by Georgia Premier Land Services, Inc., revision date 4/1/2021.
 6. Outside storage shall be limited to the rear parking lot and shall be limited to the storage of work trucks and trailers with small machinery, as depicted in Exhibit A. Outdoor storage shall be screened from public streets, except where visible from the project driveway, as approved by the Design Review Board (DRB).
 7. Per the property owner, work trucks shall not utilize audible reverse alarms on the property.
 8. Swimming pool chemicals shall not be stored in the building or in the outside storage area.
 9. A minimum 15' planted buffer shall be provided along the west and south property lines, as depicted on the site plan prepared by Georgia Premier Land Services, Inc., revision date 4/1/2021. Buffer shall be planted with a mix of evergreen trees and shrubs. Privacy fence shall be placed inside the 15' buffer with evergreen landscape material screening the fence from adjacent properties, with final approval by DRB.
 10. Developer shall work with GDOT and the City to allow the required planting material in the landscape strip along North Main Street. If GDOT will not allow required planting material within the 20' landscape strip, planting material shall be planted at the back of the easement and in front of the building and parking lot, with final approval by DRB.
 11. Building shall be brick and stone, as depicted, and scale shall be substantially similar to the submitted renderings. Building architecture shall meet an approved style in the Downtown Overlay, with final approval of design and materials by the Downtown Consultant and DRB.
 12. If a dumpster is used, enclosure shall consist of materials similar to those used on the building and gate shall be metal and opaque, as approved by DRB.
 13. North Main Street driveway shall be removed prior to the issuance of a Certificate of Occupancy.
 14. Full stormwater management shall be required. Reasonable efforts should be made to obtain easements to tie stormwater pond outfall through a pipe directly into a downstream structure rather than releasing at grade. If tie in is not possible, measures shall be used to prevent concentrated flow at the property line.
 15. Corner of North Main Street and Henderson Parkway shall be heavily landscaped and include ornamental planting beds, with final approval by DRB.
 16. Signage shall not be internally illuminated.
 17. There shall be fencing along North Main Street and Henderson Parkway and fall protection fencing in the parking lot that shall not exceed four (4) feet in height and shall be decorative metal, as approved by DRB.
- The applicant, Custom Pools of Atlanta, is requesting a conditional use and variances to operate a 'Contractor's Office with Outside Storage' in a 3,000 square foot building on 0.67 acres. Variances are requested to reduce an undisturbed buffer and landscape strip. The subject property is located at 711 North Main Street at the southwest corner of North Main Street and Henderson Parkway.

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- The undeveloped property is zoned C-1 (Neighborhood Commercial), which allows 'Contractor's Office with Outside Storage' with the approval of a conditional use. Surrounding properties are zoned C-1, except the property to the west is City of Milton.
- Variances are requested to reduce an undisturbed buffer from 50' to a minimum fifteen-feet (15') and to allow easements within the twenty-foot (20') landscape strip along North Main Street.
- The adjacent, undeveloped property in the City of Milton has mixed-use zoning. Therefore, it could be developed in the future for residential use. The homebuilder of the subdivision to the southwest pad graded the adjacent property and sold it in 2009.
- The landscape strip is encumbered by a permanent easement, and it is unclear if GDOT will allow the applicant to plant the required landscape strip trees and shrub within the easement. The applicant's site plan indicates a willingness by the applicant to plant the area to City landscape strip standards; however, GDOT would have to approve the plantings.
- Custom Pools of Atlanta has been in business for approximately twenty (20) years and provides swimming pool contractor services. The applicant describes the use of the property as a contractor's office with customers by appointment only. Outside storage is for the overnight storage of work trucks and trailers with small machinery.
- The site plan depicts a one (1) story over basement, 3,000 square foot building fronting North Main Street on a 0.67-acre corner lot. Parking is provided to the side and rear of the building with access to the site from Henderson Parkway. The rear parking area, including six (6) parking spaces, sits at the basement level of the building. The front parking lot, which also has six (6) parking spaces is situated at the main level of the building. The rear parking lot is partially screened by a drive aisle leading up to the front parking area. The UDC requires one (1) parking space per 250 square feet for office use. The proposed use would require twelve (12) parking spaces, of which the applicant's site plan meets this requirement.
- Five (5) tree saves, including four (4) hardwoods and one (1) pine, are identified on the site plan in the southwest corner of the property. A stormwater detention facility is depicted at the rear of the building abutting the rear parking lot. Based on its location, the stormwater area would be screened from adjacent properties.
- It is estimated that the use will generate five (5) AM Peak Hour trips and six (6) PM Peak Hour trips.
- Staff reviewed the applicant's proposal in consideration of the review criteria associated with a conditional use and variance. The proposal should not have significant impacts on surrounding properties, which are primarily developed with non-residential uses. While the property to the west could be developed for residential use, it is more likely to be developed with a commercial use given its frontage on North Main Street. If approved, conditions are recommended placing limitations on the outside storage area, business activities and requiring screening of outdoor storage areas from the public right-of-way.
- Variance hardships relate to the size of the property, presence of GDOT easements and adjacent mixed-use zoning. The applicant's site plan layout allows for the required landscaping along North Main Street. In addition, the applicant's proposed buffer and fencing in combination with existing buffers on adjacent properties will provide necessary screening.
- The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that comments were received from two (2) nearby properties regarding the proposed entrance and requests for a similar buffer and solid fence along the south property line, as well as a request that construction vehicles not block the street during the pick-off and drop-off times of the pre-school to the south.

- The City also received questions from nearby properties similar to those received by the applicant. In addition, City Staff discussed and provided the applicant's public hearing request to the City of Milton. Milton Staff did not have any concerns with the applicant's proposed vegetation and fencing adjacent to the Milton city limits.
- The CZIM was held on January 12, 2022. There were several public comments and questions, including what would be stored outside, whether chemicals would be stored at the property, whether there would be outdoor pool displays, if the company was new or existing, will work trucks make noise, whether outdoor storage would be visible from the residential properties, size of trucks, hours of operation, whether the location was purely office or sales/retail, traffic pattern during school hours, and how long construction would last. There were comments that the use seemed more appropriate for an industrial area and concerns over the loss of tree cover.
- The applicant, Danny Franke (4776 Mystic Drive, Atlanta, GA 30342), came forward to speak on behalf of this application.

Public Comment:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve CU-21-16 / V-21-34 Custom Pools of Atlanta / 711 North Main Street, subject to the following conditions:
 1. 'Contractor's Office with Outside Storage' shall be added as a conditional use at 711 North Main Street and limited to no more than 3,000 square feet.
 2. Conditional use approval shall be limited to Custom Pools of Atlanta; no additional 'Contractor's Office with Outside Storage' use or subleasing shall be permitted on the subject property.
 3. 'Contractor's Office with Outside Storage' shall be limited to office with customers by appointment and outside storage of work trucks and trailers with small machinery.
 4. Hours of operation shall be limited to Monday – Saturday 6:30 AM – 7:00 PM.
 5. Site shall be developed, and trees shall be saved substantially as depicted on the site plan prepared by Georgia Premier Land Services, Inc., revision date 4/1/2021.
 6. Outside storage shall be limited to the rear parking lot and shall be limited to the storage of work trucks and trailers with small machinery, as depicted in Exhibit A. Outdoor storage shall be screened from public streets, except where visible from the project driveway, as approved by the Design Review Board (DRB).
 7. Per the property owner, work trucks shall not utilize audible reverse alarms on the property.
 8. Swimming pool chemicals shall not be stored in the building or in the outside storage area.
 9. A minimum 15' planted buffer shall be provided along the west and south property lines, as depicted on the site plan prepared by Georgia Premier Land Services, Inc., revision date 4/1/2021. Buffer shall be planted with a mix of evergreen trees and shrubs. Privacy fence shall be placed inside the 15' buffer with evergreen landscape material screening the fence from adjacent properties, with final approval by DRB.
 10. Developer shall work with GDOT and the City to allow the required planting material in the landscape strip along North Main Street. If GDOT will not allow required planting material within the 20' landscape strip, planting material shall be planted at the back of the easement and in front of the building and parking lot, with final approval by DRB.
 11. Building shall be brick and stone, as depicted, and scale shall be substantially similar to the submitted renderings. Building architecture shall meet an approved style in the Downtown Overlay, with final approval of design and materials by the Downtown Consultant and DRB.

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13. North Main Street driveway shall be removed prior to the issuance of a Certificate of Occupancy.
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15. Corner of North Main Street and Henderson Parkway shall be heavily landscaped and include ornamental planting beds, with final approval by DRB.
16. Signage shall not be internally illuminated.
17. There shall be fencing along North Main Street and Henderson Parkway and fall protection fencing in the parking lot that shall not exceed four (4) feet in height and shall be decorative metal, as approved by DRB.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (5-0).

C. V-21-33 / Citgo 174 N Main Street Variance

DEFERRED: This item has been deferred by the applicant. The item will not be heard or considered during the February 21, 2022 City Council meeting.

Consideration of a variance to eliminate the 10' landscape strip along North Main Street. The property is located at 174 North Main Street and is legally described as being located in Land Lot 1252, 2nd District, 2nd Section, Fulton County, Georgia.

VII. SERVICE PROVIDER & PARTNERSHIP UPDATES

A. Residential Curbside Waste and Recycling Service Delivery

- Brad Martin, with Republic Services, came forward to speak on behalf of this item.
- During the 2021 holiday season, COVID impacted 20% of Republic's workforce, but currently, there are no COVID cases within the company.
- Republic has implemented a few new policies and procedures moving forward:
 - Implemented a localized hiring and training program
 - Increased compensation (about 10-25% more than Republic has previously paid)
 - Increased communications between City of Alpharetta Staff and residents (exploring the option to use call and text message technology to communicate directly with residents)
- Glass pickup issues were a direct result of a shortage of employees. When there is limited staff, Republic had to prioritize what services to provide (glass was near the bottom of the list).
- Republic takes ownership of the fact that their service execution has not been what it has been over the past 23 years they have worked with the City of Alpharetta, but hopes that a lot of the service issues are being addressed.

B. Tech Alpharetta Update by Karen Cashion, CEO

- Karen Cashion, CEO of Tech Alpharetta, came forward to speak on behalf of this item.
- Karen Cashion introduced Jade Rodgers (Deputy Director of Tech Alpharetta) and Bob Toupin (CIO of Jackson Healthcare and Tech Alpharetta Board Member).

- 2021 Highlights:
 - Added 7 new board companies (34 Tech Leaders on Board)
 - Added 8 new Sponsor companies (46 total)
 - Increased events to 46 events in 2021 (only 22 events in 2019)
 - Over \$182M investor funding received by Tech Alpharetta Startups since 2015

VIII. OLD BUSINESS

A. PH-21-17 Unified Development Code (UDC) Text Amendments – Downtown Sign Code (Second Reading)

Consideration of text amendments to the Unified Development Code (UDC) to add regulations for signage in the Downtown Overlay.

- Director of Community and Economic Development, Kathi Cook, came forward to present this item.
- This item was considered at the 1/6/2022 Planning Commission meeting. There were no public comments. Planning Commission suggested clarifying 'unique material' in Subsection 2.6.12(G)(6). After discussion, Planning Commission recommended approval. Vote 6-0.
- This item was considered at the January 18, 2022 City Council meeting. There were no public comments. City Council approved at first reading. Vote 7-0. There have been no changes since the first reading.
- City Attorney, Mike Stacy, read the ordinance title aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve PH-21-17 Unified Development Code (UDC) Text Amendments – Downtown Sign Code (Second Reading).
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (5-0).

B. Approval of Fiscal Year 2022 Mid-Year Budget Amendment (Second Reading)

- Director of Finance, Tom Harris, came forward to present this item.
- This item was considered at the February 7, 2022 City Council meeting. There were no public comments. City Council approved at first reading. Vote 6-0. There have been no changes since the first reading.
- City Attorney, Mike Stacy, read the ordinance title aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve the Fiscal Year 2022 Mid-Year Budget Amendment (Second Reading).
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (5-0).

IX. NEW BUSINESS

A. Stormwater Structure (MS4) Inventory Inspections

- Director of Public Works, Pete Sewczwicz, came forward to present this item.

- Staff is recommending that Mayor and Council approve funding in an amount not to exceed \$118,310 to Sustainable Water Planning & Engineering for the On-Call Stormwater MS4 inspections and authorize the Mayor to execute all necessary documents.
- The City's National Pollutant Discharge Elimination System (NPDES) Permit requires that all publicly maintained stormwater infrastructure and ponds be inspected. The Permit also requires that the city inspect all private green infrastructure. With this contract, the city inspects 100% of all public ponds, green infrastructure, and stormwater best management practices each year so that we can properly maintain them and ensure they are working as designed. This contract also provides for the inspection of private ponds when we have requests from the public or when an issue has been identified with a private pond.
- Annually, the City is responsible for the following inspections:
 - 2000 storm structure inspections at \$22 each, equaling \$44,000
 - 1500 storm conveyance inspections at \$23 each, equaling \$34,500
 - 125 detention ponds, best management practices, and green infrastructure inspections at \$110 each, equaling \$13,750
 - 15 HVPS (highly visible pollutant sources) inspections at \$180 each, equaling \$2,700
 - 5 industrial facility inspections at \$320 each, equaling \$1,600
 - 1 municipal facility inspection at \$160 each, equaling \$160
 - 160 hours of additional MS4 support at \$135 an hour, equaling \$21,600
- On March 16th, 2020, the City approved a 5-year contract for Sustainable Water Planning & Engineering to perform these inspections. The award of this funding will complete our FY 2022 inspections as well as the majority of FY 2023.

Public Comment:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve funding in an amount not to exceed \$118,310 to Sustainable Water Planning & Engineering for the On-Call Stormwater MS4 inspections and authorize the Mayor to execute all necessary documents.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (5-0).

B. MOU with North Fulton Community Improvement District – Alpha Loop Tunnel

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council approve a Memorandum of Understanding between the North Fulton Community Improvement District (NFCID) and the City of Alpharetta pertaining to the NFCID designing and Alpharetta constructing a tunnel under Haynes Bridge Road for the Alpha Loop, and authorize the Mayor to execute all necessary items.
- Public Works is finalizing construction plans and in the process of acquiring the necessary easements and right of way to construct the Alpha Loop from Chelsea Walk Subdivision to Northwinds Parkway.
- Citizens voted on and passed the 2021 Parks Bond Referendum. One of the projects included in the referendum is the Alpha Loop, with an allocation of \$7,500,000.
- The North Fulton Community Improvement District (NFCID) approached the City and expressed a desire to be a partner in this endeavor. The NFCID staff presented the Alpha Loop Tunnel Project under Haynes Bridge Road to their board at the February 1, 2022 NFCID Board Meeting.

Overall, the Board was enthusiastic and excited about the project. The Board had several questions regarding timing, funding for construction, and status of the current phases of the Alpha Loop.

- The goal is to have a Request for Qualifications advertised in March, with a Request for Proposals issued in April. The Board stated they would like reassurance from the City that if the Board moves forward with the design of the tunnel, there will be funds allocated to build the tunnel.
- The Memorandum of Understanding (MOU) between the City and NFCID states the NFCID will fund the design of the tunnel, approximately \$800,000 and the City will allocate funds for right of way/easement acquisition and construction of the tunnel. The NFCID Board will hear a proposal from the NFCID staff to allocate funding to design the tunnel as well as approve the MOU at the March 1, 2022 NFCID Board Meeting.

Public Comment:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve a Memorandum of Understanding between the North Fulton Community Improvement District (NFCID) and the City of Alpharetta pertaining to the NFCID designing and Alpharetta constructing a tunnel under Haynes Bridge Road for the Alpha Loop, and authorize the Mayor to execute all necessary items.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (5-0).

C. Contract for Wire & Wood (Talent Buying/Management; Stage, Lighting & Sound)

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- Staff is recommending that Mayor and Council approve the award of RFP # 22-108 to RCS Productions for Wire & Wood Event Production Services, including talent buying and management services as well as stage, lighting and sound services and authorize the Mayor to execute all necessary documents.
- The Community Services Division of Recreation, Parks, and Cultural Services published RFP # 22-108, in partnership with the Finance Department, seeking vendor applicants for a 5-year comprehensive stage, sound, lighting and talent buying services contract for the City's annual Wire & Wood Music Festival event.
- The award of this RFP # 22-108 includes sound and stage production as well as talent buying for the Wire and Wood Music Festival. The work includes, but is not limited to development of stage, sound, and lighting plan, installation and deinstallation of staging, sound, lighting, and décor, and scouting, booking, payment, and management of stage talent for the event on the second weekend in October, beginning with October 7 and 8, 2022, and continuing for a 5-year contract.
- The RFP was posted to the City and State websites on Thursday, December 2, 2021. The solicitation documents were downloaded by 27 document takers. Proposals were received on Thursday, January 6, 2022, at 10:00 AM and consisted of two (2) responses which were submitted to the evaluation committee for review and ranking.
- The highest scoring firm, RCS Productions, has been working with the City of Alpharetta for many years on Wire & Wood and other events, and has done so to a high level of satisfaction. Their proposal was thorough and thoughtful, and it demonstrated the creativity, knowledge, experience, and resources necessary to continue to deliver an excellent Wire & Wood event to residents.

Public Comment:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve the award of RFP # 22-108 to RCS Productions for Wire & Wood Event Production Services, including talent buying and management services as well as stage, lighting and sound services and authorize the Mayor to execute all necessary documents.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (5-0).

D. Windward LCI Application

- Director of Community and Economic Development, Kathi Cook, came forward to present this item.
- Staff is recommending that Mayor and Council approve the authorization for submittal of the Windward/Highway 9 Masterplan LCI update grant application to the Atlanta Regional Commission.
- The Atlanta Regional Commission's (ARC) Livable Centers Initiative (LCI) is a grant program that incentivizes local jurisdictions to re-envision their communities as vibrant, walkable places that offer increased mobility options, encourage healthy lifestyles, and provide improved access to jobs and services. The City of Alpharetta partnered with the City of Milton in 2011 to complete an LCI Study for the Windward/Highway 9 area. A plan was adopted in 2012 and it details a vision for the future of the study area based on a thorough planning process that included input from community leaders, a Core Team of stakeholders, and a series of public workshops.
- While progress has been made as a result of the 2012 LCI including new development regulations in Milton and improvements to Windward Parkway in Alpharetta, significant change has occurred in the Windward Parkway/Highway 9 area over the last 10 years. This is a corridor planned to receive a BRT station related to the GA 400 MMIP (Major Mobility Investment Program) project.
- The North Fulton CID will sponsor the plan update with support from the Cities of Alpharetta and Milton. Applications are due to the ARC on February 28th, with project announcements anticipated in April/May, per the published timeline. ARC requires a minimum 20% match; based on an estimated project budget of \$250,000 requiring a \$50,000 match the CID will contribute \$20,000 and each city would contribute \$15,000 each.
- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Will offered a motion to approve the authorization for submittal of the Windward/Highway 9 Masterplan LCI update grant application to the Atlanta Regional Commission.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (5-0).

E. A Resolution Opposing HB 1093 and SB 494 and Opposing Limitations on a Municipality's Authority to Make Housing, Land Use and Zoning Decisions within a Local Government's Geographical Boundaries

- City Administrator, Bob Regus, and City Attorney, Mike Stacy came forward to present this item.
- This is a resolution to show the City's opposition to proposed Georgia legislation, HB 1093 and SB 494. These bills would allow corporations to build single family homes in a for rent only

subdivision without allowing local government to regulate or oversee the way that these types of properties are developed.

- This is not to be perceived that the City has a negative view of rental properties, but rather, the City has spent a lot of time in creating a reasonable balance between owner occupied and rentals. The City would prefer to have the opportunity to look at these developments and determine how they would impact the community without the State preempting the City's ability to do that.
- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve a Resolution Opposing HB 1093 and SB 494 and Opposing Limitations on a Municipality's Authority to Make Housing, Land Use and Zoning Decisions within a Local Government's Geographical Boundaries.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (5-0).
 - There was discussion during the motion about the following:
 - Council Member Hipes shared that this is an example of the State legislature depriving local government of core priorities and core functions (land use).
 - Council Member Mitchell shared that we need to keep an eye on the State legislature to make sure that they are not doing things behind our backs, and thanked GMA for recognizing these bills and standing up to this one.
 - Council Member DeRito shared that it is embarrassing that leaders in our State would push this forward. The best government is one that is closest to the people that they serve, and this is completely opposite of that concept. If these two bills were to pass, this would allow developers to do whatever they want within the City of Alpharetta.

X. PUBLIC COMMENT

A. Elaine Morgan (245 Meadow Drive, Alpharetta, GA 30009)

- Ms. Morgan came forward representing the Meadowbrook Hills area behind the new STEM high school.
- Previously, her community met with the City's Community Development staff to discuss flooding and stormwater concerns. She would like to have a forum focused on these issues so that her fellow residents can express concerns and extent of the issues over the past several years. She wants to make sure that these issues remain visible and ensure that she and her neighbors continue to have a voice in the community.

XI. REPORTS

A. There were no reports.

XII. ADJOURNMENT TO EXECUTIVE SESSION

- ❖ Council Member DeRito offered a motion to adjourn to executive session.
 - Council Member Hipes seconded the motion.

- The motion was approved unanimously (5-0).
- Mayor Gilvin adjourned the meeting at 8:41 p.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Lauren Shapiro". The signature is written in a cursive, flowing style.

Lauren Shapiro, City Clerk