



City Council Meeting & Public Hearing

FEBRUARY 6, 2023

OFFICIAL MINUTES

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

- Chris Lagerbloom, City Administrator
- Melissa Tracy, City Attorney with Jarrard & Davis
- James Drinkard, Asst. City Administrator
- John Robison, Director of Public Safety
- Morgan Rodgers, Director of Parks, Recreation, and Cultural Services
- Pete Sewczwicz, Director of Public Works
- Thomas Harris, Director of Finance
- Adam Montgomery, Information Technology Manager
- Michael Woodman, Planning and Development Services Manager

III. PLEDGE TO THE FLAG

IV. PRESENTATIONS AND PROCLAMATIONS

A. Cambridge High School Ag-Business Program Update

- Cambridge High School Agribusiness and Future Farmers of America students came forward to speak about their experience with the AGaretta Box program at Old Rucker Farm.

V. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 1/23/2023)

Approval of the City Council meeting minutes from the January 23, 2023 meeting.

B. Financial Management Report (Month Ending December 31, 2022)

C. Ratification of the Final Consent Order and Judgement in the case of City of Alpharetta v. Madan, et al.

D. Ratification of Amended Intergovernmental Agreement between the City of Alpharetta and Fulton County, Georgia regarding utility relocation for the Webb Bridge Road Project

E. Ratification of a GDOT Bonding Letter confirming the City of Alpharetta's responsibility for completion and construction of projects to GDOT issued encroachment permits

- Council Member Hipes asked for the Council Meeting Minutes be removed and voted upon separately.
- ❖ Mayor Pro Tem Merkel offered a motion to approve the Consent Agenda, without the Council Meeting Minutes from the meeting of 1/23/2023.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (7-0).
- ❖ Mayor Pro Tem Merkel offered a motion to approve the Council Meeting Minutes from the meeting of 1/23/2023.
 - Council Member Mitchell seconded the motion.
 - The motion was approved (6-0-1; with Council Member Hipes in abstention as he was not present during the January 23, 2023 meeting).

VI. PUBLIC HEARING

A. Resolution to Authorize Eminent Domain – 500 Martha Way, Alpharetta, Georgia

REMOVED: This item has been removed from this City Council meeting agenda by staff. This item will not be heard, discussed, or considered during tonight's meeting.

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 500 Martha Way, Alpharetta,

Georgia (Tax Parcel 21 559012491107) for right of way proposed Webb Bridge Road bike and pedestrian improvements from Big Creek Greenway to Webb Bridge Way.

VII. NEW BUSINESS

A. Ratification of Authorization to file an Amicus Brief before the Georgia Supreme Court in the case of Gwinnett County v. Schroeder Holdings, LLC, et al.

- City Attorney, Melissa Tracy, came forward to present this item.
- This amicus brief is based upon a Court of Appeals case regarding a zoning denial and whether a claim for inverse condemnation would be viable and allow a property owner to seek damages.
- The Law Firm (Jarrard and Davis) thought it was important to bring forward to clients because of the impact it could have on local governments.
- This is a matter of ratifying the decision to join in the filing of this brief.

PUBLIC COMMENTS

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve the authorization of the City Attorney to file an Amicus Brief before the Georgia Supreme Court in the case of Gwinnett County v. Schroeder Holdings LLC, et al.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (7-0).

B. ARC Livable Centers Grant Application for North Point District Infrastructure Framework Plan

Consideration of a 20% match for a \$200,000 grant application to the Atlanta Regional Commission for the purpose of planning a framework of public streets, public space, trails, and green infrastructure to advance the redevelopment of the 600-acre North Point Eco District.

- City Attorney, Melissa Tracy, read the Resolution title aloud.
- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- Staff is requesting authorization to apply for an LCI Study to continue our work in the North Point Eco District by developing concept plans and regulations that promote creation of the transportation and environmental infrastructure envisioned in the 2008 North Point LCI Plan, 2018 plan update, and the 2019 North Point Placemaking Plan.
- The expected total cost of the study is \$200,000, so if funding is awarded, the grant would be \$160,000 and the City would be required to pay matching funds of \$40,000.
- The LCI Program has four primary goals:

- Encourage a diversity of housing, employment, commercial, shopping and recreation land uses at the transit station, local and regional center level accessible by people of all ages, abilities, and income levels;
- Provide access to a range of travel modes including transit, roadways, walking and biking and increase roadway connectivity to provide optimal access to all uses within the study area;
- Foster public-private partnerships and sustained community support through an outreach process that promotes the involvement of all stakeholders, including those historically underserved or underrepresented, and
- Encourage mixed-income residential neighborhoods, employment, shopping, and recreation options.

PUBLIC COMMENTS

- There were no public comments.
 - ❖ Mayor Pro Tem Merkel offered a motion to approve authorization for submittal of the North Point Infrastructure Framework Plan grant application to the Atlanta Regional Commission.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (7-0).

C. Equestrian Arena 3 Renovation RFP # 23-104 Contract Award

Approval to award RFP # 23-104 contract to Longwood Arenas LLC for the renovation of Arena #3 at Wills Park Equestrian Center in an amount totaling \$434,085 and authorize the Mayor to sign all necessary documents.

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- Most of the design specifications, as provided by Pond & Company, for the renovation of Competition Arena #3 at Wills Park Equestrian Center are the same as was established for Competition Arena #1; same size arena, same fencing, same drainage system, and same footings. The differences between the two scopes are that the scope for Arena #3 includes demolition of existing fencing; demolition of the existing irrigation system; removal of existing footings; and minor work on the existing drainage inlets.
- This project will be funded with a fifty percent match with the Wills Park Equestrian Foundation as agreed in the current MOU with the City of Alpharetta.
- Longwood Arenas, LLC's proposed cost for construction of Competition Arena #3 totaled \$434,085 and they were the lowest responsive and responsible bidder. Included in the bid price is \$69,450 associated with the scope differences noted above. The base price after adjusting for the scope difference totals \$364,635 and is essentially flat with Arena

#1. Additionally, staff has reviewed the \$69,450 costs associated with the scope differences and believes them to be competitive given market conditions.

PUBLIC COMMENTS

- There were no public comments.
 - ❖ Council Member Hipes offered a motion to approve the award of RFP # 23-104 to Longwood Arenas, LLC for the renovation of Arena #3 at Wills Park Equestrian Center in an amount not to exceed \$434,085 and authorize the mayor to sign all necessary documents.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (7-0).

VIII. WORKSHOP ITEMS

A. Mayfield Grow-A-Row Partnership | City of Alpharetta and City of Milton

DEFERRED: This item has been deferred by Staff to the March 6, 2023 City Council Meeting.

IX. PUBLIC COMMENT

- There were no public comments.

X. REPORTS

- Mayor Gilvin shared that the Alpharetta High School Mock Trial team will be advancing to the District Finals on March 4, 2023, with the goal of making it to the state finals on March 18, 2023. Alpharetta City Solicitor, Kelsie Mattox, is the attorney coach for the team. The team had three students win an outstanding attorney award and another student won an outstanding witness award. Congratulations to everyone involved.

XI. EXECUTIVE SESSION

- ❖ Mayor Pro Tem Merkel offered a motion to recess to Executive Session.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (7-0).
- Mayor Gilvin recessed the meeting at 7:06 p.m.
- ❖ Mayor Pro Tem Merkel offered a motion to reconvene the meeting.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (7-0).
- Mayor Gilvin reconvened the meeting at 8:05 p.m.

XII. ADJOURNMENT

- ❖ Council Member Binder offered a motion to adjourn.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (7-0).
- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 8:06 p.m.

Respectfully submitted,



Lauren Shapiro, City Clerk