



SPECIAL CALLED
City Council Meeting & Public Hearing
JUNE 19, 2023

OFFICIAL MINUTES
Office of the City Clerk

ALPHARETTA CITY HALL
COUNCIL CHAMBERS | 2 PARK PLAZA | 11:30 AM

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 video recording for said meeting is a matter of public record and is available to be viewed at the City Clerk's office during normal business hours or viewed online at <https://www.youtube.com/user/alpharettagov>.

1. CALL TO ORDER

- Mayor Gilvin called the meeting to order at 11:30 a.m.

2. ROLL CALL

• Council Members

- Mayor Jim Gilvin
- Mayor Pro Tem Dan Merkel
- Donald F. Mitchell
- Brian Will
- Douglas J. DeRito
- John Hipes

• Council Members Absent

- Jason Binder

• Staff

- Chris Lagerbloom, City Administrator
- Molly Esswein, City Attorney with Jarrard & Davis
- James Drinkard, Assistant City Administrator
- Lauren Shapiro, City Clerk
- Cris Randall, Director of Human Resources
- Kathi Cook, Director of Community and Economic Development
- Morgan Rodgers, Director of Recreation, Parks, and Cultural Services
- Pete Sewczwicz, Director of Public Works
- Tom Harris, Director of Finance

- Shawn Mitchell, Budget & Procurement Manager

3. PLEDGE TO THE FLAG

4. PUBLIC HEARING

A. Public Hearing on the Fiscal Year 2024 Budget and Millage Rate Levy

An opportunity for the public to speak on the City of Alpharetta's Fiscal Year 2024 Budget and Millage Rate Levy.

PUBLIC COMMENTS:

- Jonathan Hickel (101 John Cristopher Drive, Alpharetta, GA 30009) came forward to speak on the Fiscal Year 2024 Budget, specifically requesting that Mayor and City Council hold off on awarding funds for the Real Time Crime Center and instead consider allocating funds for employee 401(A)-retirement account.

5. WORKSHOP ITEMS

A. Ethics Ordinance

Presentation and discussion of proposed text amendments to Chapter 2, Article V of the City's Code: Code of Ethics and Conduct.

- City Administrator, Chris Lagerbloom, came forward to introduce this item.
- City Attorney, Molly Esswein, came forward to present this item. The Ethics Ordinance power-point presentation is attached hereto as exhibit "A".

CITY COUNCIL DISCUSSION:

- Council Member Mitchell shared that he would prefer a board composition of 3 attorneys and 2 citizens. He also mentioned that he would be comfortable with the attorneys being residents or having a business in Alpharetta or they could have no ties to Alpharetta.
- Mayor Gilvin shared that when council members individually appoint members to the Board of Ethics, those council members may appoint people who do not have a neutral opinion towards city officials. For example, there have been spouses of candidates appointed to the Board of Ethics in the past. Lastly, he would support a composition of 3 attorneys and 2 citizens, so long as they are appointed by a unanimous vote of City Council or a 6-1 vote of City Council.
- Council Member Hipes shared that the current draft of the ordinance in section 2-196(b) has a different criteria standard for the initial review of the complaint when compared to the current ethics ordinance and would like for City Attorney Esswein to adjust that depending on the outcome of the panel composition.
- Council Member Will shared that he does not believe that a unanimous vote is the way to go, because there may be a council member that does not want to vote to approve out of spite or to stall the process of appointing individuals to the board.

- There was a consensus of the Council that there should be 3 attorneys and 2 citizens on the panel, the attorneys appointed may be residents or may not be residents, and the language that Council Member Hipes suggested during the last work session on this item (involving striking the election year language) should be removed from the ordinance.

6. EXECUTIVE SESSION (IF NECESSARY)

- ❖ Council Member Mitchell offered a motion to recess to Executive Session.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).
- Mayor Gilvin recessed the meeting at 12:13 p.m.
- ❖ Mayor Pro Tem Merkel offered a motion to reconvene the meeting.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (6-0).

7. ADJOURNMENT

- ❖ Council Member Hipes offered a motion to adjourn the meeting.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).
- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 12:53 p.m.

Respectfully submitted,



Lauren Shapiro, City Clerk

EXHIBIT A

Ethics Ordinance Revisions

ALPHARETTA CITY COUNCIL

JUNE 19, 2023

Outstanding Questions

- Board Composition
- Board Member Residency
- Election Years

Board Composition

Existing Ordinance

- 5 member board
- Randomly drawn from a panel of fourteen (14) individuals
 - Mayor and Councilmembers each appoint 2 individuals for the panel

Draft Ordinance

- On an annual basis, City Council will jointly appoint no less than six (6) and no more than twelve (12) individuals from which to draw members of ethics panels.
- Qualifications:
 - Attorney in good standing;
 - At least five (5) years experience, with at least three (3) years experience in general civil litigation;
 - Does not reside in or maintain an office in the City;
 - Is not, and has never been, an employee or City official, and not the spouse, parent, child or sibling of an existing or former City employee or official;
 - Has no business or contractual relationship with the City or City Council members;
 - Has not provided money or in kind campaign contributions to City Council members;
 - Has not been convicted of a felony involving moral turpitude

Alternate Compositions

- 7 citizens for a set term
- Mayor and Councilmembers each appoint one member
- Two alternates to be appointed by majority vote of Mayor and Council for service in the event of a conflict.
- Training required prior hearing a case/complaint

Alternate Compositions

- 5 members for a set term
- Each member appointed by majority vote of Mayor and Council
- 2 alternates appointed in the same manner to serve if conflicts arise
- Training required prior to hearing a case/complaint

Alternate Compositions

- 5 members for a set term
- Each member appointed by majority vote of Mayor and Council
- Composition would be varied:
 - 3 citizen members
 - 2 members from the legal profession with experience in civil litigation
- 1 citizen alternate and 1 lawyer alternate appointed in the same manner to serve if conflicts arise
- Training required prior to hearing a case/complaint

Election Years

Election Years

- Current Draft:
 - Provides for a 90 day stay for proceeding with complaints leading up to an election
 - Time limitations are tolled, and complaints may proceed after an election
 - Elected officials have option to waive the stay