



City Council Meeting & Public Hearing

AUGUST 21, 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 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 6:30 p.m.

2. 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
- Molly Esswein, City Attorney with Jarrard & Davis
- James Drinkard, Assistant City Administrator
- Lauren Shapiro, City Clerk
- Adam Montgomery, Director of Information Technology
- John Robison, Director of Public Safety
- Kathi Cook, Director of Community and Economic Development
- Pete Sewczwicz, Director of Public Works
- Tom Harris, Director of Finance
- Kurt Kirby, Projects Manager
- Michael Woodman, Planning & Development Services Manager

- Shawn Mitchell, Budget & Procurement Manager

3. PLEDGE TO THE FLAG

4. STATEMENT BY THE ALPHARETTA CLERGY ASSOCIATION

- Keith Welton, Lead Pastor at Radiant Church of Georgia, came forward and read a statement during the meeting as a response to a recent situation where neighborhoods in Alpharetta were recently targeted with anti-Semitic material.
- The statement is attached hereto as "Exhibit A."

5. CONSENT AGENDA

A. City Council Meeting Minutes (Meeting of 7/24/2023)

Consideration of approval of the City Council meeting minutes from the meeting of July 24, 2023.

B. City Council Meeting Minutes (Meeting of 8/7/2023)

Consideration of approval of the City Council meeting minutes from the meeting of August 7, 2023.

C. Alcoholic Beverage License Applications

Consideration of approval of the following alcoholic beverage applications:

1. PH-23-AB-17 JK North Point Management, LLC d/b/a Hyatt Place Atlanta/Alpharetta/North Point Mall, 7500 North Point Parkway Alpharetta, GA 30022

Change in Business Ownership
Hotel

Consumption on Premises
Distilled Spirits, Beer, Wine & Sunday Sales
Owner: JK North Point Management, LLC
Registered Agent: Prem Patel

2. PH-23-AB-18 RINA Avalon, LLC d/b/a RINA Avalon, 3180 Avalon Boulevard, Alpharetta, GA 30009

Restaurant
Consumption on Premises
Distilled Spirits, Beer, Wine & Sunday Sales
Owner: RINA Avalon, LLC
Registered Agent: Michael Sard

D. Financial Management Report (Month Ending June 30, 2023)

Consideration of approval of the Financial Management Report for the month ending June 30, 2023

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve the Consent Agenda.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (7-0).

6. PUBLIC HEARING

A. CLUP-23-02/Z-23-06/V-23-07 North Main Street Townhomes

Consideration of a comprehensive land use plan amendment, rezoning, and variances to allow for the construction of 16 'For-Sale' townhomes on 2.28 acres. A comprehensive land use plan amendment is requested from 'Commercial' to 'High Density Residential' and a rezoning is requested from C-2 (General Commercial) to R-8A/D (Dwelling, 'For-Sale', Attached/Detached Residential). Variances are requested to reduce setbacks, reduce undisturbed buffers, and reduce lot width. The property is located at 0 State Highway 9 and is legally described as being located in Land Lot 1124, 2nd District, 2nd Section, Fulton County, Georgia.

- Planning & Development Services Manager, Michael Woodman, came forward to present this item.
- The applicant, Greenland Properties, LLC, is requesting a comprehensive land use plan amendment, rezoning and variances to allow for the construction of sixteen (16) 'For-Sale' townhomes on 2.28 acres. A comprehensive land use plan amendment is requested from 'Commercial' to 'High Density Residential' and a rezoning is requested from C-2 (General Commercial) to R-8A/D (Dwelling, 'For-Sale', Attached/Detached Residential). Variances are requested to reduce setbacks, reduce undisturbed buffers, and reduce lot widths. The subject property is located at 0 State Highway and 572 North Main Street near the northeast corner of North Main Street and Vaughan Drive.
- This item was considered by the Planning Commission at the July 13, 2023 meeting. There were no public comments. After discussion, Planning Commission recommended approval subject to staff's recommended conditions and changing the wording of condition #11 (vote 7-0).
- Staff is recommending that Mayor and Council approve CLUP-23-02/Z-23-06/V-23-07 North Main Street Townhomes, subject to the following conditions:
 1. The 2.28-acre property shall be zoned R-8A/D and developed substantially similar to site plan prepared by DMG Land Planning Consultants, dated 6/1/23, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.

2. The comprehensive land use plan designation of the property shall be 'High Density Residential'.
3. Architecture and materials shall be developed substantially similar to the submitted renderings, labeled Exhibit A - Renderings, subject to final approval by Staff. Townhomes shall have 4-sided architecture, materials and details.
4. Density shall not exceed 7.02 dwelling units per acre.
5. Developer shall improve the North Main Street streetscape as follows: planter planted with street trees and/or shrubs (as approved by GDOT) and decorative pedestrian lighting, with final approval by Staff.
6. Decorative pedestrian lighting shall be required throughout the development. Internal streets and alleys shall be private and maintained by the HOA.
7. Minimum 5' sidewalks shall be providing along new private driveway and connecting to the public sidewalk. If Fulton County requires an unencumbered easement, sidewalk may be on one side of the street.
8. Minimum 20' building setback and landscape strip shall be provided along North Main Street and shall be planted with shade trees outside of utility easements and overhead utilities, as approved by Staff.
9. Townhome minimum lot widths shall be as depicted on the site plan prepared by DMG Land Planning Consultants, dated 6/1/23.
10. Minimum 10' landscape strips shall be provided along the new private driveway. If Fulton County requires an unencumbered easement, shrubs shall replace tree requirements on one side of the street.
11. Minimum 10' planted evergreen buffers shall be provided along the west and east property lines. Existing trees shall be saved in the buffer areas where not in conflict with site balancing and utility installation.
12. The HOA declarations and covenants shall include an acknowledgement that the owners of the surrounding commercial tracts abutting the subject property may seek a variance to reduce the width of the undisturbed buffer requirement as a result of the rezoning of the subject property from C-2 to R-8A/D. Property owners subject to the HOA declarations and covenants shall not object to any such reasonable variance request.
13. Creeping vines shall be planted to cover retaining and low walls, as approved by Staff.
14. Developer shall save trees as depicted on Sheet T.1 prepared by TJ Schell, LLC, dated 3/29/2023.

15. Fences and walls visible from the public right-of-way shall be decorative, as approved by Staff. Unfinished wood fences and decks shall not be visible from the street.
 16. HVAC and similar equipment shall not be visible from the public right-of-way.
 17. Stormwater management area shall be screened from adjacent properties with a heavily planted evergreen buffer along the north, east and west sides to create an opaque screen, as approved by Staff.
 18. Developer shall make reasonable efforts to tie directly to an existing offsite pipe including obtaining easements and agreements from the neighboring property. If direct tie-in is unavailable, daylighting the pond outfall pipe shall be done at least 30 feet from the property line.
 19. Garbage pickup shall be from within the development.
 20. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
 21. Developer shall install fencing and landscape material along western property line (adjacent to the Kalen Center) as shown on Exhibit B.
- The undeveloped property is wooded. Surrounding properties are zoned R-8A to the north, C-2 to the west, and C-2 and CUP (Community Unit Plan) to the south. 321 Vaughan is located to the north, North Main Animal Hospital, The Kalen Center and The Parish Anglican Church are located to the west, City of Milton to the east and south, and Winthrop Chase to the south. The comprehensive land use plan designation of the property is 'Commercial', which requires an amendment to allow the proposed residential use.
 - the applicant requests variances to modify R-8A development regulations (building setbacks and minimum lot width) and undisturbed buffer regulations in the Unified Development Code (UDC). The property is located in the Hwy 9/Georgia 400 Area Livable Centers Initiative (LCI), which has a vision to create a more walkable environment and refers to the City's Downtown regulations as it relates to appropriate design and site layout. Therefore, the variance to reduce the front setback is appropriate if the setback reduction is limited to no less than twenty feet (20') and minimum twenty-foot (20') townhome widths are supported in the Downtown.
 - Adjacent properties to the west and north were previously granted variances to reduce and eliminate the 50' undisturbed buffer. Conditions of zoning related to 321 Vaughan state that the HOA documents contain an acknowledgement that the owners of the adjacent commercial tracts may seek a variance to reduce undisturbed buffers.

- The applicant's proposed density is less than densities approved at nearby townhome developments. The submitted site plan depicts sixteen (16), three (3) story 'For-Sale' townhomes with access from a new driveway off North Main Street.
- A new private street and alleys provide access to the rear-loaded townhome units. The eight (8) townhome units fronting North Main Street are twenty-foot (20') wide and the rear units are 25' wide. The site plan depicts a fifteen-foot (15') setback along North Main Street. However, the townhomes would meet a twenty-foot (20') setback and landscape strip since the UDC allows a stoop or porch to encroach into this area. Ten-foot (10') side setbacks and a twenty-foot (20') rear setback is depicted on the site plan.
- The site plan accommodates the North Main Street GDOT improvements, which includes ten-foot (10') sidewalks. Five-foot (5') sidewalks are depicted interior to the development and should connect to the public sidewalk. The applicant requests a variance to reduce or eliminate the required 50' undisturbed buffer to the east and west. If approved, minimum ten-foot (10') planted buffers are recommended along the west and east property lines.
- Each townhome unit will have two (2) side-by-side parking spaces within a garage and a Code-compliant driveway accommodating two (2) additional cars. Nine (9) guest parking spaces are provided within the development near the mail kiosk.
- Tree save areas are depicted in the northwest and northeast corners of the property, which includes six (6) specimen trees and several trees of quality and tree groupings. In addition to being a tree save area, the rear portion of the property will be enhanced with supplemental plantings to create an amenity area for the townhome residents.
- A stormwater management facility is depicted at the rear of the development between the two (2) tree save areas.
- The applicant submitted renderings depicting three (3) story, rear-loaded townhomes in the Tudor Eclectic style and consisting primarily of brick and stone with board and batten and siding accents.
- Staff estimates that the proposed sixteen (16) townhome units would generate nine (9) AM Peak Hour trips and thirteen (13) PM Peak Hour trips.
- Based on the total figure for all three school levels, it can be assumed that the proposed development could house approximately 1 – 9 school age children. Numbers provided by Fulton County Schools show that all schools have an enrollment that is currently under capacity.
- The Citizen Participation Plan report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that two (2) adjacent property owners reached out with concerns over trees, privacy and undisturbed buffer variance. The applicant met on-site with the owners of The Kalen Center who requested a masonry wall and extension of an existing wrought iron fence along the common property line in order to resolve their concerns.

- The Community Zoning Information Meeting was held on April 12, 2023. There were no public comments on the sign-in sheet. However, the applicant had a few questions about the affordability of the townhomes.
- Staff has reviewed the applicant's proposal against the established review criteria for a comprehensive land use plan amendment, rezoning and variance. The zoning proposal is consistent with the goals and policies of the Horizon 2040 Comprehensive Plan and vision of the Hwy 9/Georgia 400 Area LCI. Given the current state of retail and abundance of available commercial space, additional land area is not needed to develop commercial uses. In addition, commercial development on the subject property would not meet the minimum separation requirement for an alcohol license from the surrounding residential and church uses. There are exceptional conditions pertaining to the property due to being situated between non-residential and residential properties, as well as being located in the Hwy 9/Georgia 400 Area LCI. Buffer variances approved on adjacent properties required an acknowledgement from those properties that the subject property could seek a similar variance to reduce buffers with the adjacent properties being supportive of a similar, reasonable variance request. Also, the front setback reduction along North Main Street and lot width reduction is consistent with the vision for the area to evolve into a walkable environment similar to Downtown.
- Rob Hosack (309 N Rampart Street, Canton, GA 30114) came forward to speak on behalf of the application.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve CLUP-23-02/Z-23-06/V-23-07 North Main Street Townhomes, subject to the following conditions:
1. The 2.28-acre property shall be zoned R-8A/D and developed substantially similar to site plan prepared by DMG Land Planning Consultants, dated 6/1/23, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
 2. The comprehensive land use plan designation of the property shall be 'High Density Residential'.
 3. Architecture and materials shall be developed substantially similar to the submitted renderings, labeled Exhibit A - Renderings, subject to final approval by Staff. Townhomes shall have 4-sided architecture, materials and details.
 4. Density shall not exceed 7.02 dwelling units per acre.
 5. Developer shall improve the North Main Street streetscape as follows: planter planted with street trees and/or shrubs (as approved by GDOT) and decorative pedestrian lighting, with final approval by Staff.
 6. Decorative pedestrian lighting shall be required throughout the development. Internal streets and alleys shall be private and maintained by the HOA.

7. Minimum 5' sidewalks shall be providing along new private driveway and connecting to the public sidewalk. If Fulton County requires an unencumbered easement, sidewalk may be on one side of the street.
8. Minimum 20' building setback and landscape strip shall be provided along North Main Street and shall be planted with shade trees outside of utility easements and overhead utilities, as approved by Staff.
9. Townhome minimum lot widths shall be as depicted on the site plan prepared by DMG Land Planning Consultants, dated 6/1/23.
10. Minimum 10' landscape strips shall be provided along the new private driveway. If Fulton County requires an unencumbered easement, shrubs shall replace tree requirements on one side of the street.
11. Minimum 10' planted evergreen buffers shall be provided along the west and east property lines. Existing trees shall be saved in the buffer areas where not in conflict with site balancing and utility installation.
12. The HOA declarations and covenants shall include an acknowledgement that the owners of the surrounding commercial tracts abutting the subject property may seek a variance to reduce the width of the undisturbed buffer requirement as a result of the rezoning of the subject property from C-2 to R-8A/D. Property owners subject to the HOA declarations and covenants shall not object to any such reasonable variance request.
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19. Garbage pickup shall be from within the development.

20. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.

21. Developer shall install fencing and landscape material along western property line (adjacent to the Kalen Center) as shown on Exhibit B.

- Council Member DeRito seconded the motion.

- The motion was approved (6-1; with Council Member Hipes in opposition).

B. PH-23-16 City of Alpharetta Capital Improvement Element (CIE)

Consideration of adoption of a resolution authorizing the transmittal of the Fiscal Year 2022 Capital Improvement Element and Annual Report.

- City Attorney, Molly Esswein, read the Resolution title aloud.
- Planning & Development Services Manager, Michael Woodman, came forward to present this item.
- The Georgia Planning Act of 1989 (The Act) requires that local governments keep their Comprehensive Plans current as a pre-requisite for maintaining Qualified Local Government status, a requirement for eligibility for receipt of State of Georgia funds. The Act requires that local governments provide annual updates to their Capital Improvement Element (CIE), prepared in accordance with the Minimum Planning Standards and Procedures and the Development Impact Fee Compliance Requirements.
- The CIE is designed to provide insight into key infrastructure and public improvement projects being undertaken and completed by local jurisdictions.
- The City of Alpharetta is required to transmit its annual update of the CIE to the Atlanta Regional Commission for review prior to Council Adoption.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve PH-23-16 City of Alpharetta Capital Improvement Element, as presented by Mr. Woodman.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (7-0).

C. Text Amendments: Ethics Ordinance

Consideration of adoption of an ordinance to amend Article V of Chapter 2 of The Code of the City of Alpharetta, Georgia, the Code of Ethics and Conduct.

- City Attorney, Molly Esswein, read the Ordinance aloud.
- City Attorney, Molly Esswein, came forward to present this item.
- The draft presented tonight is the final version of the Ethics Ordinance that was discussed by Mayor and Council at the last Work Session where it was discussed.

- The most recent changes include changing from a panel to a board of members, vote of the Council to appoint members to the board, removal of the time provisions related to election season ethics complaint filings.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Will offered a motion to approve the adoption of an ordinance to amend Article V of Chapter 2 of The Code of the City of Alpharetta, Georgia, the Code of Ethics and Conduct.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (7-0).

D. Public Hearing on the Fiscal Year 2024 Millage Rate Levy

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

- Director of Finance, Tom Harris, came forward to present this item.

PUBLIC COMMENTS:

- There were no public comments.

7. NEW BUSINESS

A. Fiscal Year 2024 Millage Rate Ordinance

Consideration of adoption of the City of Alpharetta's Fiscal Year 2024 Millage Rate Ordinance.

- City Attorney, Molly Esswein, read the Ordinance title aloud.
- Director of Finance, Tom Harris, came forward to present this item.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve the first reading of the Fiscal Year 2024 Millage Rate Ordinance.
 - Council Member Hipes seconded the motion.
 - The motion was approved (6-1 ; with Council Member Binder in opposition).

B. Fiscal Year 2024 Budget Amendment Ordinance

Consideration of adoption of the City of Alpharetta's Fiscal Year 2024 Budget Amendment Ordinance.

- City Attorney, Molly Esswein, read the Ordinance title aloud.
- Director of Finance, Tom Harris, came forward to present this item.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve the first reading of the Fiscal Year 2024 Budget Amendment Ordinance.
 - Council Member Hipes seconded the motion.
 - The motion was approved (6-1; with Council Member Binder in opposition).

C. Invitation to Bid 23-011: Sidewalk Repair and Replacement

Consideration of approval of the award of ITB 23-011 to Sol Construction LLC for Sidewalk Repair and Replacement in an amount not to exceed \$496,770.00 and authorize the Mayor to execute all necessary documents.

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- The City maintains over 228 miles of concrete sidewalk. Concrete sidewalks are vulnerable to cracking, lifting, and crumbling due to weather changes, tree roots, vehicular traffic, and general wear and tear.
- Over 228 miles of sidewalk were evaluated, and over 90% of our sidewalk is in fair or good condition.
- The City has focused on providing safe access and ADA-compliant handicap accessibility for pedestrians to access parks, schools, businesses, etc. This project will focus on sidewalks and ADA ramps along Windward Parkway. The project will include demolition, haul off, disposal of debris, sodding, grassing, traffic loop detection replacement, new sidewalk panels and re-construction of non-compliant ADA ramps. Approximately 2,300 lf of sidewalk will be replaced and 92 handicap ramps will be re-constructed to meet current ADA standards with this project.
- The City prepared specifications and details for the sidewalk repairs and advertised competitive bids on May 25th, 2023. Bids for the project were received on June 22nd, 2023. The City received a total of four bids.
- The low bidder, Sol Construction, LLC is an experienced contractor and has worked on numerous projects with similar scopes of work in Georgia and for the City of Alpharetta.
- Once a contract with Sol Construction LLC has been finalized and executed, construction may begin immediately. The anticipated completion date for the work is no more than 120 days from notice to proceed. Funding received from the American Recovery Act (ARA) will be utilized to complete this project.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve the award of ITB 23-011 to Sol Construction LLC for Sidewalk Repair and Replacement in an amount not to

exceed \$496,770.00 and authorize the Mayor to execute all necessary documents.

- Mayor Pro Tem Merkel seconded the motion.
- The motion was approved unanimously (7-0).

D. Purchase Approval: Microsoft Enterprise Agreement for Software Services with Dell Marketing, LP

Consideration of approval of the procurement of the Microsoft Enterprise Agreement from Dell Marketing LP for one year, plus two renewal periods that are renewed annually for the amount of \$301,450.18 using state contract number 9999-SPD-SPD0000060-0006, and authorize the Mayor to execute all necessary documents.

- Director of Information Technology, Adam Montgomery, came forward to present this item.
- This agreement allows the City to deploy Windows Desktop and Server operating systems, Office 365 applications and systems, SQL Server licenses for database management, mobile device management, and other Microsoft applications and services. This agreement is essential to the operations of the City as it supports all major systems and departmental functions. This is the first year of an agreement that is renewed annually at a fixed cost for two more years.
- This Microsoft Enterprise Agreement is funded in the fiscal year 2024 budget. A single quote using Georgia statewide contract 99999-SPD-SPD0000060-0006 is provided.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Mitchell offered a motion to approve of the procurement of the Microsoft Enterprise Agreement from Dell Marketing LP for one year, plus two renewal periods that are renewed annually for the amount of \$301,450.18 using state contract number 9999-SPD-SPD0000060-0006, and authorize the Mayor to execute all necessary documents.
 - Council Member DeRito seconded the motion.
 - Council Member Mitchell withdrew the motion.
 - Council Member DeRito withdrew the second.
- ❖ Council Member DeRito offered a motion to defer this item to the August 28, 2023 City Council meeting.
 - Council Member Mitchell seconded the motion.
 - The motion was approved (6-1 ; with Council Member Binder in opposition).

E. Memorandum of Understanding: Alpharetta-Old Milton County Historical Society

Consideration of approval of a memorandum of understanding between the City of Alpharetta and the Alpharetta - Old Milton Historical Society providing for the use of the Mansell House, associated grounds, and the Log Cabin; defining liabilities and responsibilities, and for other purposes.

- Assistant City Administrator, James Drinkard, came forward to present this item.
- For many years, dating back to before 2000, the City of Alpharetta has allowed use of its Mansell House property by the Alpharetta - Old Milton County Historical Society (AOMCHS). The AOMCHS helps to keep the historic structure clean and also maintains and makes available to the public certain historic archives and materials.
- In 2017, the City acquired the Log Cabin that was built on the former Milton High School Campus in 1935 by students who were members of the school's Future Farmers of America chapter. For many years, AOMCHS has helped to maintain the log cabin and used it to host school field trips and presentations on topics related to local history. While most costs associated with the relocation and renovation of the Log Cabin were born by the City, the AOMCHS did aid in raising funds to offset some costs and committed to continuing the use of the facility.
- While these arrangements have been ongoing for many years, the relationships and responsibilities have never been memorialized in any written agreement, leaving responsibilities open to interpretation and misunderstanding.
- The proposed memorandum of understanding seeks to document the relationship between the City and the AOMCHS as it pertains to the use and maintenance of the Mansell House, its associated grounds, and the Log Cabin. As proposed, the agreement is for a term of 10 years but includes a clause providing for automatic cancelation and renewal annually, absent five days written notice, so as to comply with requirements of O.C.G.A. § 36-60-13.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve a Memorandum of Understanding between the City of Alpharetta and the Alpharetta - Old Milton Historical Society providing for the use of the Mansell House, associated grounds, and the Log Cabin; defining liabilities and responsibilities, and for other purposes.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (7-0).

8. PUBLIC COMMENT

- There were no public comments.

9. REPORTS

- There were no reports.

10. EXECUTIVE SESSION (IF NEEDED)

- ❖ Council Member Will offered a motion to recess to executive session for litigation.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (7-0).
- ❖ Council Member Will offered a motion to reconvene the meeting.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (7-0).

11. ADJOURNMENT

- ❖ Council Member Mitchell offered a motion to adjourn the meeting.
 - Council Member DeRito 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 8:43 p.m.

Respectfully submitted,



Lauren Shapiro, City Clerk